

# THE CEYLON JOURNAL OF HISTORICAL AND SOCIAL STUDIES

Vol. 4

July - December 1961

No. 2

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THE  
CEYLON JOURNAL OF HISTORICAL AND SOCIAL STUDIES

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## UNIVERSITY DONS AND THE WRIT OF CERTIORARI

M. SANMUGANATHAN

THE recent decision of the Supreme Court of Ceylon in *Linus Silva vs. The University Council of the Vidyodaya University of Ceylon et al*<sup>1</sup> has raised several interesting questions connected with the law of certiorari.

Section 18(e) of the Vidyodaya University and Vidyalankara University Act<sup>2</sup> which established the Vidyodaya University empowered the Council of the University to "suspend or dismiss any officer or teacher on the grounds of incapacity or conduct which, in the opinion of not less than two thirds of the members of the Council, renders him unfit to be an officer or teacher of the university." Acting in pursuance of this power, the university council terminated the contract of the petitioner (who was Professor and Head of the Department of Economics and Business Administration) without, as was conceded by respondents' counsel, informing the petitioner of any accusations against him and without giving him any opportunity of defending himself against them. The Petitioner asked both for a writ of certiorari<sup>3</sup> quashing the order of dismissal and for a writ of mandamus<sup>4</sup> as a consequence of the award of certiorari.

Several objections to the petition were raised by the respondents. Firstly, it was argued that the non observance of the rules of natural justice was irrelevant here, because in dismissing the petitioner, the respondents were not acting in a judicial or quasi-judicial capacity; they were said to be acting purely in an administrative capacity. Secondly, respondents said that certiorari was not available here because other remedies, such as, for example, an action for damages for wrongful dismissal, were open to the petitioner and he had not availed himself of these. Finally, in reply to the request for

1. 62 Ceylon Law Weekly, 1.; 64 New Law Reports, 104.

2. Act No. 45 of 1958.

3. The writ of *certiorari* requires the records of proceedings or orders of inferior courts and other statutory bodies exercising functions of a judicial nature to be brought up so that the decision in question might be quashed if found defective on certain grounds which included want of jurisdiction, a failure to observe the rules of natural justice and error of law apparent on the face of the record.

4. Mandamus is, in substance, a direction to a person or inferior court to do a specific thing which pertains to his or its office and is a matter of public duty.



mandamus, respondents argued that the petitioner was not the holder of an office of a public nature as would entitle him to the grant of a writ of mandamus.<sup>5</sup>

The bulk of the judgement of T. S. Fernando J. is concerned with the discussion of respondents' first and second objections, and it is on these that it is intended to comment here. Both objections were rejected by Fernando J. who granted the writ of certiorari to quash the order of dismissal. No order, however, was made in respect of the request for mandamus: the learned judge refraining, therefore, from discussing the interesting question which had been raised, namely, whether the petitioner was the holder of an office of a public nature.

Several observations may be made here in respect of that part of Fernando J.'s Judgement which dealt with the principal objections to the award of certiorari. The long discussion on whether the council had a duty to act judicially is a sad reminder of the unfortunate limitation which surrounds the award of this important prerogative remedy.<sup>6</sup> It is yet another example of the exaggerated importance which this question has assumed both in England and in Ceylon recently. In Ceylon, in particular, the majority of recent decisions on Certiorari and Prohibition, have turned principally on whether or not the person or body against whom these remedies were sought was exercising judicial or quasi-judicial functions.<sup>7</sup>

Fernando J was of the view that although in deciding whether the petitioner was unfit to be a teacher of the university, the council acts in an administrative capacity, yet that that decision was dependent on the objective ascertainment of the existence of certain facts, and in the ascertainment of these facts the council must act judicially. In other words, in so deciding, Fernando J appears to have adopted the test of a judicial function often

5. Mandamus will only lie to compel the performance of a duty which is of a public nature and the admission and restoration to a public office. See S. A. de Smith, *Judicial Review of Administrative Action*, (London, 1959), 432, and Shortt, *Informations, Mandamus and Prohibition* (London, 1887), 227, 231.
6. Lord Macdermott, *Protection from Power under English Law*, (London, 1957), 88 et. seq. Moreover, even where the power sought to be quashed by *certiorari* is undoubtedly judicial or quasi-judicial the scope of the remedy is nevertheless limited in that the court is not generally concerned with the power itself. All that the Court can do is to see that the power is not exceeded or abused. Thus, for example, the court cannot say to a Minister who compulsorily acquires a piece of land that he should not acquire this piece of land but should take some other piece.
7. *Munasinghe vs. Jayasinghe*, 61 N.L.R. 425; *Tennekoon vs. The Principal Collector of Customs*, 61 N.L.R. 232; *Don Samuel vs. S. F. de Silva*, 60 N.L.R. 547; *Subramaniam vs. Minister of Local Government and Cultural Affairs*, 59 N.L.R. 254; *Sugathadasa vs. Jayasinghe*, 59 N.L.R. 457; *Gunapala vs. Kannangara*, 57 N.L.R. 695; *Leo vs. The Land Commissioner*, 57 N.L.R. 178; *Wijesundera vs. P. S. C.*, 55 N.L.R. 94; *M. F. de S. Jayaratne vs. Mohamed Miya*, 52 N.L.R. 249; *Nakkuda Ali vs. Jayaratne*, 51 N.L.R. 457; *Abdul Thassim vs. Edmund Rodrigo*, 48 N.L.R. 228; *Weeraratne vs. Poulier, Food Commissioner*, 48 N.L.R. 441.



followed in the many Housing Act<sup>8</sup> cases and approved of by Parker J. (as he then was) in *R vs. Manchester Legal Aid Committee, ex.p. Brand & Co.*<sup>9</sup> as one of the tests.

The test may be stated in Parker J.'s own words :<sup>10</sup>

Where on the other hand, the decision is that of an administrative body and is actuated in whole or in part by questions of policy, the duty to act judicially may arise in the course of arriving at that decision. Thus, if, in order to arrive at the decision, the body concerned has to consider proposals and objections and consider evidence, then there is a duty to act judicially in the course of that inquiry.

But with the greatest respect it may be pointed out that in all the English cases<sup>11</sup> in which this test has been applied, the person or body required to observe the principles of natural justice was in a position analogous to that of a judge. There were two parties in dispute and a third party for example, the Minister or the Board of Education as the case may be, was in a position analogous to that of a judge. But in the present case the alleged judge, that is, the council of the university, was the initiator of the action and he would support one side against the objections made by the only other side. Such a situation cannot be said to approximate to that of a judge.

Though, therefore, the reasons given for holding that the university council here was under a duty to act judicially do not appear to be consistent with past precedent, the actual decision on this first point is to be welcomed. The decision suggests that Ceylonese courts are willing to reject the restrictive approach adopted in *Nakkuda Ali vs. Jayaratne*<sup>12</sup> (a case directly binding on Ceylonese judges) and *R vs. Metropolitan Police Commissioner, ex. p. Parker*<sup>13</sup> and to hold the exercise of disciplinary authority to be judicial in nature and subject to review by the courts. There is no

8. The English Housing Acts of 1930, 1935, 1936 etc. Some of the better known cases are: *Errington vs. Minister of Health*, (1935), 1 K.B. 249; *Horn vs. Minister of Health*, (1937), 1. K.B. 164; *B. Johnson & Co. (Builders) Ltd. vs. Minister of Health*, (1947), 2 A.E.R. 395; *Frost vs. Minister of Health*, (1935), 1. K.B. 286.

9. (1952) 2 Q.B. 413; (1952) 1 A.E.R. 480.

10. (1952) 2 Q.B. 413 at 429; (1952) 1 A.E.R. 480 at 489.

11. See, for example, *Errington vs. Minister of Health*, (1935) 1 K.B. 249; *Board of Education vs. Rice*, (1911), A.C. 179; *Local Government Board vs. Arlidge* (1915) A.C. 120. See also *Franklin vs. Minister of Town and Country Planning* (1948) 1 A.C. 87 where the function of the Minister in making the order under the New Towns Act designating a certain area in Stevenage as the site of a new town, was held not to be judicial despite a statutory provision as in the Housing Acts that in the event of objections a public inquiry be held before the Order is finally made. This case has been reconciled with the Housing Act cases, particularly *Errington vs. Minister of Health*, on the ground that there were only two parties in this case—See Professor E. C. S. Wade in Wade and Phillips, *Constitutional Law*, (1950), 295.

12. (1951) A.C. 66; 51 N.L.R. 457.

13. (1953) 1 W.L.R. 1150; (1953) 2 A.E.R. 717.



doubt that the university council was here taking a step fraught with serious consequences under an Act of Parliament which of itself gave no right of appeal. It was exercising its right to dismiss a man, to deprive him, perhaps in middle age, of his living. No longer, it is hoped, will the deprivation of a right to a livelihood be regarded as a bearable misfortune unlike in the case of property.<sup>14</sup>

The decision on this first point is important for yet another reason. The case shows that unlike in England where "functions are more readily held to be judicial where the ground for challenge is excess of jurisdiction than where the ground for challenge is breach of the rules of natural Justice,"<sup>15</sup> the Ceylonese courts are unwilling—whether consciously or otherwise it is difficult yet to say—to follow what is in fact an illogical distinction. To this extent, therefore, the law of Ceylon is different from and perhaps wider than its counterpart in England. It is true that as in England no case can be found in Ceylon in the present century in which the court has been satisfied that a body has in fact exceeded its jurisdiction and has yet refused to issue certiorari on the ground that the act in question is not judicial. On the other hand, in many Ceylonese cases including the present case, where the ground of challenge has been a failure to observe the rules of natural justice, the Supreme Court has held the function to be judicial or quasi-judicial in circumstances where English courts would have been reluctant to decide in a similar way.<sup>16</sup> It is significant that within ten years of the Judicial Committee's judgement Ceylonese judges had begun to distinguish *Nakkuda Ali vs. Jayaratne*.<sup>17</sup>

The second objection to the grant of certiorari was that there were adequate alternative remedies open to the petitioner and that there was no evidence that he had exhausted them. Two alternative remedies in particular were discussed: firstly, the ordinary common law action for damages for wrongful dismissal of an employee by an employer, and secondly, the right of the petitioner under the Industrial Disputes, Act, No. 43 of 1950

14. G. Ganz (1961) *Public Law*, 343, where he says that the courts have always regarded property rights as being entitled to the protection of the rules of natural justice. See also *Cooper vs. Wandsworth Board of Works* (1863) 14 C.B. (N.S.) 180; *R. vs. Hendon Rural District Council, ex. p. Chorely* (1933) 2 K.B. 696.

15. S. A. de Smith, *Judicial Review of Administrative Action*, 289.

16. See, for example, *Fernando vs. University of Ceylon*, 58 N.L.R. 265 per Weerasooriya J. in the Supreme Court of Ceylon. His decision on this point was not reversed by the Judicial Committee of the Privy Council; *Don Samuel vs. S. F. de Silva*, 60 N.L.R. 547; *Edrisinghe vs. Rajendra*, 49 N.L.R. 498; The Supreme Court of Ceylon in *Nakkuda Ali's Case* and in other cases on substantially similar facts, for example, *Mohamed and Co. vs. The Controller of Textiles*, 48 N.L.R. 461; *Abdul Thassim vs. Edmund Rodrigo*, 48 N.L.R. 228; *Buhari vs. Jayaratne*, 48 N.L.R. 224. In view of the Privy Council's decision in *Nakkuda Ali's Case* these latter decisions cannot now be regarded as good law.

17. *Fernando vs. University of Ceylon*, 58 N.L.R. 265; *Linus Silva vs. Vidyodaya University*.



as amended by Act No. 62 of 1957, to seek the assistance of a Labour Tribunal which has the power to order his re-instatement in appropriate circumstances, subject to an appeal on a question of law to the Supreme Court. Both remedies were considered inadequate by Fernando J. who therefore, rejected this objection.

The Common Law action for wrongful dismissal which could only obtain for the petitioner damages was said not to be an adequate remedy. No reasons were given by the learned judge for this view though he quoted petitioner's counsel who had argued that what the petitioner wanted was re-instatement, not damages, and also referred—apparently with approval—to the decision of the House of Lords in *Vine vs. National Dock Labour Board*,<sup>18</sup> a decision which had been heavily relied upon on this point by petitioner's counsel. But as will appear below, that decision is of little assistance in deciding whether in the present circumstances the common law remedy of damages for wrongful dismissal was or was not an adequate remedy. The facts in *Vine's* case were as follows: the plaintiff was employed at Southampton by the National Dock Labour Board as a registered dock worker within the provisions of the Dock Workers (Regulation of Employment) Order, 1947, which established an elaborate scheme, the objects of which were to ensure greater regularity of employment and an adequate number of dock workers available for work in the docks. Under the scheme there were two classes of labourers—certain dock labourers who had regular contracts of employment, or arrangements for employment, with the same employers, and others who were in the reserve pool, the object of which was that it provided a kind of minimum wage and regular payment for those who were in it. The latter, in order to comply with their part under the regulations, had to carry out the duties imposed upon them under the scheme one of which was that they had to carry out the directions of the local board. For instance, when one who was in the reserve pool was allocated to a particular employer at a particular time, it was his duty to go to the employer in question and do the work which was required. The plaintiff was employed in the reserve pool and was told to report to a firm of stevedores for work. He failed to report to the company. The company in accordance with the provisions of the Order reported him to the manager of the National Dock Labour Board at Southampton. The complaint was heard by a disciplinary committee of the local board who upheld it, and gave the plaintiff seven days notice of termination of his employment. The plaintiff's appeal to an appeal tribunal set up under the scheme was dismissed and plaintiff asked for damages and a declaration that the action of the disciplinary committee was void by reason of the fact that the local

18. (1957) A.C. 488; (1957) 2 W.L.R. 106.



board had no power to delegate its powers to a disciplinary committee. He was awarded damages for wrongful dismissal and the judge of first instance (Ormerod. J.) granted the declaration asked for. The Court of Appeal<sup>19</sup> by a majority, struck out the declaration though it agreed with the Trial Judge that the Local Board had no power to delegate its disciplinary powers. The majority of the Court of Appeal based their refusal of the declaration on the ground that the contract was discharged by the nature of the claim; the claim, they held, was only for damages for wrongful dismissal.<sup>20</sup> The House of Lord<sup>21</sup> unanimously allowed the appeal, all five of their Lordships agreeing that damages were not a sufficient remedy.

In arriving at this conclusion, however, their Lordships had regard to special features of the scheme, features markedly absent in the Ceylon case under discussion. Thus, their Lordships recognised that it was impossible to equate the position of a registered dock worker in relation to the National Dock Labour Board with that of an employee under an ordinary contract of service. What the scheme really did was to give the dock worker a status. Unless registered he was deprived of the opportunity of carrying on what may have been his life long employment as a dock worker, and therefore, he has a right and interest to challenge any unlawful act that interferes with this status. This was the reason why their Lordships decided to grant the declaration.

On the other hand, in the case from Ceylon now under discussion, the relationship between the plaintiff and the university was clearly comparable to a contract between master and servant, and in such a case (i.e. the ordinary case of master and servant) the repudiation or the wrongful dismissal puts an end to the contract and the contract having been wrongfully ended a claim for damages arises. It is necessarily a claim for damages and nothing more. The nature of the bargain is such that it can be nothing more.

The possible remedy under the Industrial Disputes Act (one of re-instatement) was also said to be inadequate; in addition Fernando J. said that it was not as convenient, speedy and effective a remedy as that of certiorari because, inter alia, such an order was not conclusive; it being subject to a reversal in the Supreme Court. In support of this last proposition, Fernando J. quoted the uncertain authority of *R. vs. Wandsworth Justices*,<sup>22</sup> in particular the language of Humphreys J. which reads as follows<sup>23</sup>

19. (1956) 2 W.L.R. 311.

20. E. C. S. Wade, Q.C., in (1957) C.L.J. 7.

21. (1957) 2 W.L.R. 106; (1957) A.C. 488.

22. (1942) 1. K.B. 281.

23. (1942) 1. K.B. 281 at 285.



I think that the applicant is perfectly entitled to come to this court and say, upon precedent and authority, I was convicted as a result of a denial of justice, and I ask for justice, which can only be done by the quashing of that order.

What happened in the *Wandsworth case* was that the justices, after beginning hearings on two summonses, adjourned to consider the need for producing certain documents, and then announced a conviction on one summons, and an acquittal on the other, without giving further opportunity to the parties to present their cases. The conviction was quashed by the Divisional Court on certiorari despite the objections of counsel for the justices who said that even assuming a mistake by the justices the proper remedy was by appeal, either to Quarter Sessions or to the High Court on a Case Stated. The objection was rejected in judgements which were, it is submitted, contrary to authority. For instance, Viscount Caldecote said:<sup>24</sup>

It would be ludicrous in such a case as the present for the convicted person to ask for a case to be stated. It would mean asking this court to consider as a question of law whether the justices were right in convicting a man without hearing his evidence. This is so extravagant an argument as not to merit a moment's consideration.

The rest of the court apparently agreed. But such language is not consonant with past cases. The argument so ridiculed was no whit more extravagant than the argument that a conviction made without evidence cannot be quashed which the Judicial Committee of the Privy Council accepted in *R. vs. Nat Bell Liquors, Ltd.*<sup>25</sup> and which merely followed a long line of authority. In the *Wandsworth case*, the court said in effect that if an error is too obvious to dispute, the court will not even consider whether the remedy adopted to cure it is appropriate. The *Nat Bell Case* and many others show that such laxity cannot be justified. There is no lack of decisions in which errors just as serious as those in the *Wandsworth Case* were held not to be remediable by certiorari. Thus in *R. vs. Shropshire, JJ*, ex. p. Blewitt,<sup>26</sup> approved in the *Nat Bell Case*, justices convicted after even less of a hearing than took place in the *Wandsworth case*, and the court refused to quash by certiorari. In *R. Cheshire, JJ*,<sup>27</sup> sessions quashed an order on a point of form and wrongly refused to hear evidence, yet the King's Bench held it could not interfere on certiorari. It seems obvious, therefore, that these cases cannot be reconciled with the decision in the *Wandsworth case*. The mere fact, therefore, that the error (which in the Ceylon case was a failure to afford a hearing to the petitioner) is too obvious to dispute does not necessarily mean that the courts will grant certiorari to cure it. The prerequisites of certiorari are sufficiently well defined, and

24. (1942) 1 K.B. 281 at 284.

25. (1922) A.C. 128.

26. (1866) 14 L.T. 598.

27. (1838) 8 A & E. 398.



in this case the existence of a limited<sup>28</sup> right of appeal to the Supreme Court from an order of re-instatement of the Labour Tribunal did not render the remedy any less effective. Even the Supreme Court's award of certiorari is not final. For it is open to the respondents in the present case (the university council) to appeal to the judicial committee of the Privy Council from the Order of the Supreme Court and if this right were exercised it would put the petitioner to much inconvenience and expense.

One final comment of interest not merely to public lawyers may be made here. The courts have consistently refused to order specific performance of contracts of service.<sup>29</sup> The proper and exclusive remedy for wrongful dismissal has been and is an action for damages. This rule, followed without exception, was well expressed as follows by one of the greatest of Chancery judges in the last century. In *Rigby vs. O'Connell*,<sup>30</sup> a case whose facts though different from those in the present case is nevertheless important in the general law relating to specific performance, Jessel M. R. said :—<sup>31</sup>

The courts have never dreamt of enforcing agreements strictly personal in their nature, whether they are agreements of hiring and service, *being the common relation of master and servant*,<sup>32</sup> or whether they are agreements for the purpose of scientific pursuits or for the purpose of charity and philanthropy.

The reasons for this rule are said to be two-fold: To grant specific performance of this type of contract would, firstly, involve continual supervision by the court, and secondly, the "harsh and unconscionable compulsion of the contractor into a state of contractual slavery, none the less real because salaried."<sup>33</sup> But, by awarding certiorari to quash the order of dismissal in the present case, was not Fernando J. in effect specifically enforcing a contract of service of which the courts, acting on wellworn equitable principles, would have refused to order direct specific performance? For the effect of granting the writ of certiorari is to declare that the petitioner is still in the service of the university, and that he is entitled to all his emoluments of pay, etc, and also correspondingly that he is, while remaining in the employment of the university, under an obligation to perform his duties satisfactorily. The decision in the present case suggests that where

28. Limited because an appeal to the Supreme Court from an order of a Labour Tribunal lies only on a question of law—see Section 31(D) (2) of the Industrial Disputes (Amendment) Act, No. 62 of 1957.

29. *Pickering vs. Bishop of Ely* (1843) 2 Y & C. Ch Cās 249; *Stocker vs. Brocklebank* (1851) 3 Mac & G 250 (Volume 42 E.R. 257); *Ogden vs. Fossick* (1862) 4. De G. F. & J. 426; *Firth vs. Ridley* (1864) 33 Beav. 516. (Volume 55 E.R. 468); *Frith vs. Frith* (1906) A.C. 254.

30. (1880) 14 Ch. D. 482.

31. (1880) 14 Ch. D. 482 at 487.

32. The emphasis is mine.

33. Hanbury; *Modern Equity*, 7th Ed. 522.



the employer being a statutory body dismisses a servant, in excess of its authority or without observing the rules of natural justice or for a reason wrong in law and apparent on the face of the record, certiorari will normally be granted to quash that order of dismissal, providing of course that the conduct of the petitioner is not such that the court will refuse to exercise its discretion in his favour. This would in effect mean that an invidious and wholly irrational distinction arises between contracts of service made between an individual employer employee on the one hand and one made with an employer which is a statutory body. The two reasons for the traditional refusal of the courts to order specific performance of contracts of service are valid irrespective of whether the employer is a private or a statutory body. The present decision will only encourage dismissed employees of statutory bodies to seek by means of certiorari, re-instatement which they would not normally get and which their counterparts employed by individual employers can never get.



## INDIAN IMMIGRATION TO CEYLON—THE FIRST PHASE, c. 1840 — 1855.

K. M. DE SILVA

THE emigration of Indian peasants to work on the coffee and sugar plantations of the West Indies, Mauritius and Ceylon from the 1830's onwards was a novel feature of the social history of the Second British Empire. But while the movement of Indian immigrant labour to the West Indies and Mauritius has been the subject of several books and monographs particularly by students seeking to show the development of the concept of Imperial Trusteeship,<sup>1</sup> the movement to Ceylon has been curiously neglected. There were significant differences in the two movements, and the policies adopted in Ceylon on the one hand and the West Indies and Mauritius on the other were diametrically opposed.

### I. 1840—1846. *Drifting without a policy*

Nothing was more exasperating or more puzzling to the British planters in Ceylon at this time than the fact that with the great majority of their plantations established in the heart of the Kandyan Kingdom, they were still as dependent on immigrant labour as their contemporaries in the West Indies or Mauritius. Tennent remarked that

no temptation of wages and no prospect of advantage has hitherto availed to overcome the repugnance of the Sinhalese and the Kandians to engage in any work on the estates except in the first process of felling the forests.<sup>2</sup>

1. See particularly, I. M. Cumpston: *Indians overseas in British Territories 1834-54* (London, 1953); G. Mellor: *British Imperial Trusteeship 1783-1850* (London, 1951).

2. Tennent: *Ceylon* II, pp. 235 ff. On the reluctance of the Kandyan peasants to work on the plantations see also:

Anon: *Extracts of Letters from Ceylon on Courtship, Marriage etc., with a peep into Jungle life*. (London, 1848).

C. R. Rigg: "Coffee Planting in Ceylon." *The Examiner*. 16.6.1852 and 23.6.1852.

W. Boyd: "Autobiography of a Peria Durai." *Ceylon Literary Register*. First Series, Vol. 2.

W. Boyd: "Ceylon and Its Pioneers." *Ceylon Literary Register*, First Series, Vol. 2.

C. O. 54. 235. Tennent to Gray. 6 of 21.4.47.

(In this despatch Tennent explained that in the early years of coffee planting in Ceylon, Kandyan peasants did turn up for work, but they were put off by the brutalities of the Superintendents and by non-payment of wages).

In the newspapers of this period (1840-55) there is evidence that at times of acute labour shortage, Kandyan peasants and low country Sinhalese turned up for work on the plantations but demanded and received substantially higher wages than the Indians.



A pioneer coffee planter in Ceylon explained that the Kandyan had no incentive to work on the plantations

They have as a general rule, their own paddy fields, their own cows, bullocks, their own fruit-gardens; and the tending and managing of these occupy all their attention. Their wants are few and easily supplied, and unless they wish to present their wives with a new cloth, or to procure a gun or powder and shot for themselves, they really have no inducement to work on the coffee plantations.

He also observed that even when Sinhalese labour was available it was

neither so satisfying nor as effective as that of the Tamil (labourer) . . . It is . . . a fact that the Tamils from the scorching plains of the Carnatic and Coromandel coasts withstand the alternations of climate amongst the Kandyan mountains far better than the natives do themselves.<sup>3</sup>

The immigration of Indian labourers—in substantial numbers—to work on the coffee plantations of Ceylon began in the 1830's and increased to a regular flow in the early 1840's with the expansion of coffee culture in the Central Province.<sup>4</sup> (By 1840 coffee cultivation in Ceylon held the prospect of definite if not spectacular success. In 1840 there were over 100 plantations in the process of formation—in nearly every instance by amateur planters—in every district within 30 miles of Kandy.<sup>5</sup> In spite of the significant increase in the number of immigrant labourers, the planters were seldom certain of an adequate supply of labour during the picking season. In the latter half of 1842 the Ceylon planters were faced with the first of those shortages of labour that were to be such a regular feature in the economic history of this period.

In 1842 The Ceylon Agricultural Society was established with the active encouragement and support of the Ceylon Government with Philip Anstruther—then Colonial Secretary of the Ceylon Government—becoming its first President. The first problem that faced the Society was this shortage of labour.<sup>6</sup> They appointed a sub-committee to report on a plan to import labour under the auspices of the society, but that sub-committee reported that such a plan would be of little use because no contract could be entered into with labourers in India that would be binding in Ceylon. Besides, even if a contract were signed when the labourers landed in the North of the Island, it would still be difficult to bring these labourers

3. W. Boyd: "Autobiography of a Peria Durai." *Ceylon Literary Register*. First Series, Vol. 2, pp. 249 ff.

4. Between July 1842 and December 1842 there were 13,935 immigrants. In 1843 there were 31,201, while in 1844 and 1845 the numbers had increased to 71,173 and 67,278 respectively. See *Ceylon Plantation Gazetteer* 1859, pp. 169 ff.

5. See, R. E. Lewis: *Coffee Planting in Ceylon*, (Colombo 1855). Lewis was a pioneer coffee planter in the Central Province. He became the first editor of *The Examiner* in 1846. His little pamphlet still remains one of the most informative studies of the first phase of coffee planting in Ceylon.

6. *The Proceedings of the Ceylon Agricultural Society*. 1st. Report 1842, pp. 1-18.



to the Central Province without "considerable risks of desertion."<sup>7</sup> The sub-committee could only suggest that

it would be advantageous to afford them (the immigrant Indians) inducements and facilities to come over on their own responsibility....."<sup>8</sup>

Fortunately for the Society the labour situation improved sooner than was anticipated, and they were able to reflect at leisure on the causes of the shortage. The Committee observed that though the shortage was serious enough, it was at its worst in January, February and March 1843, after the crop season. They explained that normally the immigrants went back to India in these months, and that even in the absence of any other causes this was sufficient to occasion a scarcity of labour.<sup>9</sup> There was less agreement among the members of the Committee on the other causes, some attributed it to sickness—the result, it was assumed of the abnormally heavy rain in the early part of the year—while others attributed it to a panic that seemed to have struck the coolies inducing them to leave the country earlier than they had intended. (They did not indicate why the coolies panicked).<sup>10</sup>

Faced with this labour shortage, the Society demanded Government aid in the immigration of Indians. This Government aid, they suggested, should take the form of providing rudimentary welfare facilities for the immigrants,—chiefly "rest-houses" and wells—on the road from the north-west coast where most of the Indians landed, to the Kandyan areas where the plantations were.<sup>11</sup> They suggested also the securing of a regular supply of water by the sinking of wells.<sup>12</sup> The Society asked the planters themselves to finance the construction of a shed or shelter for these labourers in Kandy or its neighbourhood.<sup>13</sup> It was particularly important to provide these facilities for the immigrants because the road—if such it could be called—from the north west coast to Kandy lay through some of the most difficult country in Ceylon in respect of climate. From the arid coast (the immigrants came by boat from the South west Coast of India, to Talaimannar or Arippe) their journey lay through the flat, malarious, densely forested lands of the Tank Country, on a dreary almost deserted and long neglected road, a mere clearing through the jungle. At the end of this

7. *ibid.* pp. 29 ff.

8. *ibid.* pp. 30 ff.

9. *Proceedings of the Ceylon Agricultural Society*. 3rd Report (1843), pp. 1-4.

10. It would appear that there was an epidemic of cholera at this time. (The normal tendency among these Indian immigrants during such outbreaks was to leave the estates and rush back home). See. *The Missionary Herald*, 1844. Mrs. Owen Birt's letter of 22.11.43.

11. *Proceedings of the Ceylon Agricultural Society*. 1st Report (1842), pp. 30-31.

12. *ibid.*

13. *ibid.* 2nd Report (1843), pp. 2-4.



march there stood the Hill Country where the coffee estates were, with its heavy monsoon rains and cool climate, and farther on, beyond Kandy it was wetter still, colder, and the terrain more rugged and mountainous.<sup>14</sup> A contemporary coffee planter observed that

Few gangs of coolies arrived on the estates without some deaths occurring on the road, but more took place after arrival on the estates, being worn with the journey and change of climate... it is generally some time before the cooly gets hardened.<sup>15</sup>

The newspapers of the day, reflecting planter opinion, were as interested in the labour problem as the Ceylon Agricultural Society, but the solutions they suggested were more radical. They held out to the Ceylon Government the example of the Governments of the West Indies and Mauritius which sponsored and even financed the immigration of Indian plantation labourers. *The Colombo Observer* insisted that the

condition of the planters in the interior .... is rapidly approaching to that of the West Indies....

and that the Ceylon Government was

as much bound to undertake this duty (of importing labour) as the Government of the several West Indian islands, or even more here as the expenses would be so trifling here as compared to what it is there.....<sup>16</sup>

This was to be a very familiar demand of the planters in the years ahead. But the Government ignored it in 1843—and it was to ignore it in the future too.

The Ceylon Government maintained that there was a significant difference between the immigration of Indian labour to Ceylon, and that to the West Indies and Mauritius; the former, they insisted was more akin to the seasonal immigration of Irish agricultural labourers to England.<sup>17</sup> The facts certainly support this argument. Coffee plantations (unlike the tea plantations of the future) did not require a large permanent labour force. The demand for labour reached its peak during the picking season generally mid-August to early November, which happened to coincide with the slack season on

14. C.O. 54, 235. Tennent to Grey 6 of 21.4.47. W. Knighton: *Forest Life in Ceylon*, Vol. 1, pp. 171 ff. P. D. Millie: *Memoirs of a Coffee Planter*.

15. Millie, *op.cit.* Chap. XIV. (The pages of this book are not numbered).

16. *The Colombo Observer* 13. 7. 1843.

17. See, C.O. 54, 235. Tennent to Grey. 6 of 21.4.47, particularly Tennent's correspondence with the Indian Government.

The Colonial Office had reached this same conclusion, on their own, as early as 1840-1. See C.O. 54, 185. Anstruther's memorandum of 28.11.1840. In this memorandum, Anstruther referred among other things to the dependence of the planters in Ceylon on immigrant labour from India; he recommended state sponsored immigration. In the margin, against this comment, an official of the Colonial Office had written (in pencil) the remark that Indian immigration to Ceylon "was more analogous of the Irish to England" than the "Hill Coolies" (from India) to the West Indies.



the rice fields of South India. Peasants from South India made an annual trip to Ceylon during the coffee picking season and returned to their homes in the time for the next harvest there.

One of the distinguishing features of British Colonial activity in this period was the remarkable interest taken by the Imperial Government as well as the Governments of the several West Indian islands (and British Guiana) and Mauritius, in the immigration of Indians. This active state intervention was the result of exceptional circumstances—the abolition of slavery in the West Indies and Mauritius, and the fear that unless a regular supply of free labour was available there would be a complete breakdown in the economy of these territories. At every stage this immigration from India was rigidly controlled, and carefully supervised by the Imperial Government, the East India Company in India and by the receiving territories. This rigid control was largely the result of Evangelical agitation in England and India—an agitation inspired by a determination to prevent any possibility of the old slave-owners converting the indentured labour into a new slavery. (Besides, the Evangelicals had a vested interest in the success of the experiment of free labour in the West Indies and Mauritius.) It was only the gravity of these problems that compelled these Governments, Imperial and local, to intervene in a sphere of activity specifically barred to the state by contemporary social and economic theories.<sup>18</sup> In Ceylon where these factors—the abolition of slavery was the most important of them—did not operate, the Government's policy was to leave the importation of labour to the planters themselves. The planters in their turn left this business in the capable but unscrupulous hands of the more enterprising of the labourers.

In the early years of coffee planting, plantation owners sent their own agents to India to recruit labour. Later on the Indians came on their own forming themselves into gangs of from twenty-five to one hundred. They selected one of themselves as "kangany" or headman and this individual guided them on their journey, negotiated their engagements and ultimately superintended their labour, receiving for these services, a fraction of his wages from each labourer. The Kangany supervised the work of his gang of twenty-five or thirty or if it were smaller he would himself work as a labourer. All labour gangs on the estates would be under a Head-Kangany who acted as an intermediary between the estate-superintendents and the labour force in regard to the payment of wages. Apart from his fixed monthly wages for supervising the work of the labour force, he was also

18. The most satisfactory study of these problems is found in Miss I. M. Cumpston's recent work *Indians Overseas in British Territories. 1834-54*. See also G. Mellor *British Imperial Trusteeship, 1783-1850*.



paid a trifling commission called "Head money" by the estate, for each labourer who turned out for work. It was thus in the interests of the Kangany to provide as many labourers as he could. The Kangany was the medium of all advances made to the labourers and he was often the sole debtor to the estate. It was on these men that the estates were completely dependent for their labour.<sup>19</sup>

It must, however, be noted that the term Kangany had several meanings. In the first phase of coffee planting in Ceylon he was generally a "democratically" elected leader. But he could be at the same time a planter's agent. The Ceylon Agricultural Society in its Third Report suggested that some of them should be induced to establish themselves as agents for recruiting labour, providing advances from their own funds to men who did not have the means to come across to Ceylon.<sup>20</sup> They came to assume this role of planter's agent in increasing numbers after 1850. There was a third category of Kangany who earned living by "crimping" labourers from one plantation to another. Such men were particularly active during periods of labour scarcity.

To leave the importation of labour to the planters and the Kanganies was to invite abuse, exploitation and neglect. And the records indicate that the most widespread abuse was the neglect and harsh treatment of sick labourers. In 1843, the Ceylon Agricultural Society, reported that it viewed

with feelings of great pain the destitution of the sick labouring poor, which has arrived at such a pitch as to call forth the most serious attention of everyone interested in agriculture.<sup>21</sup>

That Society warned the planters that

unless some internal arrangement be made upon estates, higher authorities will most assuredly intervene to compel the adoption of some system which shall exonerate the Agricultural interest of seeing the roads choked up with the sick, the dying and the dead.<sup>22</sup>

The hospital of the Kandy Friend-in-Need Society, founded in 1838 for the benefit of the poor and the sick in the town of Kandy, had by 1840 become almost exclusively a hospital for immigrant labourers. It was reported that the sick labourers entered the hospital in "a miserable state from disease and starvation."<sup>23</sup> It was not one of the original aims of this

19. An excellent description of the Kangany system is provided in Millie Chap. III.

20. *Proceedings of the Ceylon Agricultural Society*. Third Report. pp. 50 <sup>21</sup>.

21. *Proceedings of the Ceylon Agricultural Society*. 2nd Report, pp. 4 ff.

22. *ibid*.

23. *The Third Annual Report of the Kandy Friend-in-Need Society*, p. 5.



hospital to attend to sick immigrant labourers, but from obvious humanitarian motives the Kandy Friend-in-Need Society could not very well ignore them. The pressure on the hospital was so great—and it was increasing annually—that an appeal was made to the Government for assistance. But though this appeal was originally made in 1840, it was only in 1843 that the Government made any contribution at all—a trifling sum of £ 40 which was increased in 1844 to £ 50. At its fifth anniversary meeting that Kandy Friend-in-Need Society appealed to the planters for assistance rightly arguing that

those who induce the immigration of coolies are in duty bound to contribute to their necessities when afflicted with sickness.<sup>24</sup>

This appeal was backed by the Ceylon Agricultural Society which suggested that every estate should make an annual contribution of £3.<sup>25</sup> The appeal of the Ceylon Agricultural Society concluded thus :

It requires but a glance at the road-side in the neighbourhood of Kandy to be convinced of the frightful amount of disease and misery which prevails and the Committee in performing this act which they consider to be their sacred duty, cannot but be persuaded that their call will be unanimously successful.<sup>26</sup>

But only 6 estates made any contribution at all in 1843. In 1844 the number of estates making this annual contribution had increased to 16. But still the bulk of the funds came from public subscriptions.

The Government was as negligent of its duties in respect of immigrant labour as the planters. After much cajoling it made a trifling annual contribution to the hospital of the Kandy Friend-in-Need Society. It had—during Stewart Mackenzie's administration—constructed four sheds (called "rest-houses") on the road between Puttalam and Kurunegala. The Government also provided a Labour Ordinance chiefly regulating the duration of a labour contract. This legislation had originally been prepared by Wilmot-Horton (at a time when there was no significant movement of Indian immigrants to Ceylon) and it was meant to be no more than the introduction to Ceylon of the main principles of the English master and servant legislation. The Colonial Office disallowed this legislation mainly because it discriminated too much in favour of the employer. The Secretary of State for the Colonies Lord Glenelg criticised Wilmot-Horton's Ordinance on the grounds that it empowered the District Courts to inflict severe punishments; that it embraced engagements made beyond the island; and that it lacked

24. *The Sixth Annual Report of the Kandy Friend-in-Need Society*, pp. 6-8.

25. *Proceedings of the Ceylon Agricultural Society*, 2nd Report, pp. 4-15.

26. *ibid.*



a reciprocal scale of punishments for the offences of masters towards their servants. He recommended that the Ordinance should be re-submitted in an amended form with the alteration or deletion of those clauses which the Colonial Office had found objectionable.<sup>27</sup> Mackenzie, Wilmot-Horton's successor, re-submitted this Ordinance without the amendments suggested by Glenelg, but with the addition of a few new clauses which, by favouring the employer even more emphatically, made it all the more objectionable.<sup>28</sup> (In Mackenzie's time there was the significant difference that this Ordinance was drafted largely with immigrant labour in mind, and in its drafting Mackenzie and his Executive Council—the bulk of whom were planters—had the planters' interests in mind). Of particular significance in this regard was Mackenzie's recommendation that breaches of labour contracts should not be settled in the Civil Courts., but—in the interests of speedy settlement—should be tried by the Criminal Courts. He explained that the provisions of this Ordinance were not to be compulsory, but were to be binding only on those who were willing to enter these engagements. It was suggested that in the long run the Ordinance would benefit the workers because the employers would be forced to pay attention to the workers' welfare if their services were to be retained for any appreciable length of time. (The duration of the labour contract was to be one year). The Colonial Office decided that the Ordinance would not be confirmed unless an amendment "included the whole of the accommodation conveyed by Lord Glenelg....or unless some satisfactory reason shall be given why they should not be adopted...."<sup>29</sup> It was left to Mackenzie's successor, Sir Colin Campbell to submit the Ordinance with the amendments suggested by the Colonial Office. (Of particular importance was the clause that subjected an employee who failed to honour an engagement to a fine of £ 10 or in default imprisonment for a period of three months.) James Stephen, the Permanent Under Secretary at the Colonial Office found that it met the requirements laid down by Glenelg and on his recommendation Russell confirmed it.<sup>30</sup>

Thus the Government's response to the problems created by the immigration of plantation labourers was most unsatisfactory. The negative attitude could perhaps be explained thus. First, there was the very novelty of the problem; it would take many years before the administration accustomed itself to it, and by a process of trial and error evolved some satisfactory approach. Secondly, the idea of Government intervention was

27. C.O. 54. 182 Mackenzie to Russell. 187 of 9.12.40.

28. *ibid.*

29. C.O. 54. 182. Russell to Mackenzie 27 of 3.3.41.

30. C.O. 54. 190. Campbell to Russell 88 of 1.10.41 and Stanley's reply 75 of 23.3.42.



obnoxious to the administrators of this period brought up to accept the infallibility of the theories of laissez-faire. State intervention in the immigration of labour to the West Indies and Mauritius was the result of the working of uniquely important factors; it was not in the opinion of these officials, a precedent to be followed in Ceylon. Thirdly, there had been since the labour shortage of 1842-3 a steady improvement in the labour situation, and—till 1846—no complaints of a serious labour scarcity.

## II. 1846-50. *The evolution of a policy*

In 1846 there was an acute shortage of labour in Ceylon. With new land coming into production a bumper crop was anticipated but in that year the number of Indian immigrants was very nearly halved.<sup>31</sup> Planter agitation for state sponsored and state subsidised immigration increased in volume and intensity. The Ceylon Government was jolted out of its lethargy; Campbell at the tail-end of his administration in Ceylon made the first attempt to examine critically the whole basis of Indian immigration to Ceylon. He resisted the temptation to think of short-term remedies, and turned instead to suggest the long term policy of settlement as a remedy for these regular shortages of labour.<sup>32</sup>

While Campbell was searching for these remedies, the planters' agitation assumed a defiant tone. At a meeting held at Kandy on 9th June 1846 they prepared a memorial to the Secretary of State laying all the blame for the labour shortage on the Ceylon Government—on the neglect by the Government of the medical care of the immigrants, on the absence of hospital facilities and the difficulties of the march on the northern road.<sup>33</sup> During the legislative sessions of 1846 the non-official members of the Legislative Council sought to initiate some discussion of this subject: they prepared a draft Ordinance designed to promote state-sponsored and state-subsidised immigration. The Government refused to accept this principle and rejected the Ordinance. (Constitutionally the non-officials had no right to introduce legislation in the Council).

31. Between 1845 and 1847 the acreage under coffee nearly doubled. In 1845 there was 26,429½ acres; in 1847 there were 52,722½ acres. See, Grey Mss. Torrington to Gray 9.6.48. At the same time while in 1845 there had been 67,278 immigrant labourers in 1846 this had dropped to 34,971.

See *Ceylon Plantation Gazetteer* for 1854, p. 169.

32. See C.O. 54.224. Campbell to Stanley 45 of 14.2.46 and C.O. 54.227 Campbell to Grey 72 of 11.11.46. At this stage Campbell was thinking more in terms of attracting the settlement of English artisans for skilled labour on the estates, and in Government departments particularly those concerned with public works.

33. C.O. 54. 227. Campbell to Grey 72 of 11.11.46.



This turn of events had the effect of hardening Campbell's attitude to the planters. In any event once the blame for this shortage had been openly and boldly laid on the administration itself, he had to defend its record. He devoted the last few months of his administration to this task. He left this in the hands of his new and able Colonial Secretary, Sir James Emerson-Tennent.

In the meantime there was one unexpected development. The great publicity given in the local press to these controversies on Indian immigration, and particularly to the Ordinance prepared by the non-officials in the Legislative Council attracted the attention of the Madras Government. Though the immigration of labourers for plantation labour in Ceylon was officially frowned upon the Madras Government had turned a blind eye on a movement of such obvious benefit to its citizens. (As the law stood it was illegal to abet the emigration of labourers from India except to Mauritius, British Guiana, Jamaica and Trinidad). But once it had become a matter of controversy it was impossible to ignore it any longer. The Governor General of India in Council expressed readiness to discuss the problem of Indian immigrant labour with the Ceylon Government. The negotiations on behalf of the Ceylon Government were conducted with great skill by Tennent, who throughout these discussions insisted that the treatment accorded to these immigrants was both benevolent and enlightened and that there was little need for the stringent legislation which controlled the traffic to Mauritius and the West Indies. This was less than the truth but the Indian Government only too willing to please did not raise awkward questions. They agreed to include Ceylon in the schedule of territories to which Indian immigration was officially approved on condition that she would not become an entrepot for immigration to other colonies in evasion of the law. This latter guarantee was easily given (since Ceylon never was an entrepot for the emigration of Indians) and with it a promise that effective measures would be taken to protect the labourers on the estates. Thereupon the Indian Government removed the legal restrictions on emigration to Ceylon.<sup>34</sup>

Campbell left Ceylon in 1847. Between his departure and the arrival of his successor Viscount Torrington, there was an interval of a little over a month during which Tennent was appointed Lt. Governor of Ceylon. In this short space of time he sent home two despatches on the coffee industry of Ceylon, one of which dealt at length with the problem of

34. Cumpston, I. M. *Indians Overseas in British Territories*. footnote, p. 116. C.O. 54. 235. Tennent to Grey 6 of 21.4.47.



immigrant labour. This latter despatch<sup>35</sup> was the product of months of quiet preparation. The lucidity of its argument and the brilliance of its language combine to make it one of the best half dozen despatches ever written by a Ceylon civil servant. Indeed it is more a Blue Book than a despatch reminding one forcibly of the great Blue Books of Victorian England. And like the latter, it strikes the imagination as much by the touch of moral indignation that pervades it as by its impressive array of facts and figures. Tennent's arguments were so forcefully put and his logic so irresistible that one is apt to be overwhelmed by it all and to forget that this despatch was written at a time of acute controversy (at a time when the planters had boldly accused the Government of being directly responsible for the labour crisis of 1846) and was basically a defence of the Government's record. That was its fundamental defect. The evidence carefully selected and the arguments skillfully marshalled led to one conclusion—the labour crisis of 1846 was the result of the planters' negligence and ill-treatment of the immigrants. For Tennent and the administration he defended so well this was a most comfortable conclusion. But Tennent's despatch concealed as many facts as it revealed.

Tennent attributed the great shortage of labour in 1846 to three causes—the better than average harvest in South India; the bad weather, the heavy rain and high winds which prevented the boats from coming over; but most of all—and this he emphasised over and over again—the callous neglect and the cruelties of the planters. But one factor which Tennent did not consider, or perhaps deliberately concealed since it would weaken his case, was the terrible epidemic of cholera that ravaged Ceylon in the years 1845 and 1846. Cholera like small-pox was a regular scourge in Ceylon, but the outbreak of 1845 was unprecedented in its severity.<sup>36</sup> It carried off whole villages in the planting districts and a great many labourers on the estates. The epidemic claimed 3,500 victims in three months in the Kandyan areas.<sup>37</sup> A pioneer coffee planter wrote that

.... fully one-fifth of the population of Kandy was carried off during the few short weeks that the pestilence lasted.. It spread to the Dumbara and Peradeniya estates and in one or two cases almost cleared off the whole of the coolies, whilst the remainder fled in the vain hope of eluding its grasp....<sup>38</sup>

35. C.O. 54. 235. Tennent to Grey 6 of 21.4.47.

36. W. Boyd: "Ceylon and its Pioneers." *Ceylon Literary Register*, Vol. 2. p. 281. see also, *A Sketch of the History of the Baptists in Ceylon*. (1850), p. 34. This pamphlet refers to a "dreadful attack of cholera" in Kandy in 1845 an attack "which prevailed to an extent never known before." Two despatches, Campbell to Stanley, 18 of 13.1.46 and 49 of 16.2.46 in C.O. 54. 223 refer to the effects of this epidemic in the north of the island. In the Jaffna district there had been 3219 deaths in November and December 1845; and 3,655 deaths from the beginning of 1846 to 16th February 1846.

37. Boyd, *op.cit.*

38. *ibid.*



The significance of an epidemic of cholera as regards the immigrant labourers in Ceylon was that they generally panicked during such an outbreak, fled to their homes and did not return till they were certain the epidemic was over. The news-papers of the day were full of reports of this epidemic. And Bishop Chapman's Visitation Journal for 1846 contains a description of a visit to Kandy to hold a thanksgiving service after the epidemic was over, and to comfort such of the soldiers of the 95th Regiment as had survived.<sup>39</sup> (One third of this regiment died of cholera in a fortnight.)<sup>40</sup> It is significant also that the Government grant to the Kandy Friend-in-Need Society Hospital, normally £ 40 to £ 50 per annum, reached the unprecedented figure of £ 317 in 1846.<sup>41</sup>

Tennent ignored this cholera epidemic for his aim was to focus all attention on the harsh treatment of the labourers. And it was necessary to do so. For the Colonial Office had no idea that conditions on the coffee plantations in Ceylon were so deplorably bad, or that the death rate among the Indian immigrants to Ceylon was higher than it was with the immigrants to Mauritius. Campbell and Anstruther in their despatches had concentrated their attention on just one aspect of Indian immigration; they insisted that the wages paid to these immigrants were higher than they ought to have been.<sup>42</sup> Besides it was Tennent's aim to effect a radical change in the state's attitude to the problem of immigrant labour; there was to be no state sponsored or state subsidised immigration, but the state was to intervene to protect the immigrant from the planters. By concentrating on the short comings of the planters—and by concealing the equally serious short-comings of the Government—Tennent hoped to get the Colonial Office to approve this change of policy.

In describing conditions on the estates Tennent did not have to resort to exaggeration or hyperbole, for the plain truth was sufficiently distressing. He commented that the labourers lived in grossly over crowded and insanitary huts on the estates. Wages were not punctually paid and were frequently months in arrears or even withheld altogether and when the

39. S.P.G. MSS. Ceylon 1840-55. The Bishop's Visitation Journal for 1846.  
Anon: *Memorials of Bishop Chapman*. pp. 42 ff.

40. Boyd: *op.cit.*

41. The Ninth and Tenth Annual Reports of the Kandy Friend-in-Need Society.

42. See, C.O. 54. 189. Campbell to Russell, 53 of 9.8.41. The Report of the Sub-Committee of the Legislative Council on the Grain Duty 1841, particularly pp. 5 ff and the evidence of E. J. Darley, R. Christian and H. Ritchie, all merchants and planters, and G. Turnour then Acting Colonial Secretary (and himself a coffee planter). James Stephen was not impressed by all this talk of high wages. In his minute of 16.10.41 (on Campbell's despatch to Russell, 53 of 9.8.41 in C.O. 54. 189) he commented "So the rich invariably argue in all parts of the world. Whatever gives them a greater command of the labour of the Poor on lower terms, they who hire such labour, will always regards as a public benefit. ...."



labourers complained against this they “were silenced by blows and personal restraint.” Little or no notice was taken of the sick; they were sometimes driven off to die on the roadside. Those who died were buried without inquest or inquiry. (Those who died on the roadside were buried by the Police). Tennent’s comments on the neglect of the sick labourers would indicate that there had been no improvement in this regard since the early 1840’s when the Ceylon Agricultural Society and the Kandy Friend-in-Need Society had drawn the attention of the planters—and the Government—to this problem. The appeals and exhortations of these societies had been of little avail.

Tennent complained that the planters did not convey sick labourers “to the hospitals of the Government.” The truth however was that there was no Government hospital in Kandy.<sup>43</sup> Apart from the garrison hospital in Kandy, which did not admit civilians, the only other hospital was that run by the Friend-in-Need Society, towards the maintenance of which the Government contributed a paltry sum of money—normally between £ 40 and £ 50—annually. There was little else in the way of medical facilities provided by the Government in the whole of the Central Province. By the skillful and unscrupulous use of statistics, Tennent sought to impress upon the Colonial Office that the Government unlike the planters had not neglected these workers. According to Tennent the total Government contribution “to institutions exclusively used by the immigrants” (he did not bother to explain what these were) was as follows :—

1843	£	186.10.11
1844	£	207. 5. 0 $\frac{1}{4}$
1845	£	811. 1. 8 $\frac{1}{2}$
1846	£	1,590. 0. 3 $\frac{3}{4}$

The sum spent on medical and charitable institutions to which the immigrants were admitted equally with the natives of Ceylon (Once again, he did not show what these were) was :—

1843	£	1,242. 5. 2 $\frac{3}{4}$
1844	£	1,185.11. 9 $\frac{1}{2}$
1845	£	2,597. 0. 1
1846	£	4,010.17. 6 $\frac{1}{4}$

43. *The Report of the Committee of the Executive Council on the Fixed Establishments of Ceylon.* 1852. H.M.S.O. p. 210.



These figures were misleading, and it would not be too much to say, deliberately so. Tennent did not indicate how he had arrived at these figures. In both sets of figures there was a sharp increase for 1845 and 1846, the result—very likely—of the heavy expenditure during and after the epidemic of cholera. Since Tennent had made no reference at all to the epidemic, the Colonial Office could not be blamed if it assumed that since 1845 Government expenditure on medical and charitable institutions had increased. The figures for 1843 and 1844 would be much nearer the normal. In any event these statistics are far less reliable than those provided in the minutes of evidence given before the Committee of the Executive Council examining the Fixed Establishments of Ceylon in 1848-9.<sup>44</sup> The total Government expenditure on Medical Institutions in Ceylon in 1848-9 was as follows :—<sup>45</sup>

Western Province	: Colombo District £ 8,176.16.0 ; Kegalla £ 90; Ratnapura £ 90.
North-Western Province	: Puttalam District £ 45 ; Kurunegala £ 45.
Southern Province	: Galle District £ 144 ; Matara £ 54 ; Hambantota £ 72.
Northern Province	: Jaffna District £ 255 ; Mannar £ 40 ; Anuradhapura £ 36; Mullaitivu £ 18.
Eastern Province	: Trincomalee District £ 139.10 sh. ; Batticaloa £ 45.
Central Province	: Kandy District £ 177 ; Badulla £ 24 ; Nuwara Eliya—Nil.

These figures reveal that nine-tenths of the expenditure was on the Colombo District where there were very few coffee plantations. (And very few Indian labourers used the port of Colombo). The coffee estates were concentrated in the districts of Kandy and Kurunegala, while the Badulla, Kegalla and Nuwara Eliya district were in the process of development. The four districts of the Northern Province, and the two districts of the North Western Province are important in our calculations since almost all the Indian immigrants landed on the North West coast and made their way to the coffee estates through these Districts. An analysis of the expenditure on these districts would show how very little was spent there and when it is considered that these sums of money included expenditure

44. See *The Report of the Committee of the Executive Council on the Fixed Establishments of Ceylon*. H.M.S.O. 1852. p. 210 ff.

45. *ibid.*



on both immigrant labour and the natives of Ceylon it would seem that very little indeed could have been spent on the immigrants. It will show how very misleading Tennent's statistics were.

From a careful reading of Tennent's despatch it would be clear that the death-rate among the Indian immigrants to Ceylon was very high. (*The Colombo Observer* (in 1849)<sup>46</sup> showed that in the period from 1841 to 1849 about 70,000 or 25% of the immigrants had died in Ceylon of various causes !) But Tennent was curiously reluctant to dwell at length on this theme, and when he did so he adroitly made it appear mainly the result of the planters' neglect. The high death rate was the result of several causes. The first of these was undoubtedly the neglect of the planters. Next, there was the utter inadequacy of the medical facilities provided by the Government in the planting districts and on the route from the north west coast to the estates. The long walk from the coast to the estates was the third and perhaps the major contributory factor to this high death rate. Both the Government and the planters drew attention to the heavy mortality on this march to the estates but each laid the blame exclusively on the other. The planters pointed out that there were few rest-houses or hospitals on a road through malaria infested jungles and sparsely populated districts. For long stretches there was no drinking water. It was suggested that those who survived this march were unfit for hard work and their constitutions sapped by this ordeal succumbed to disease after a brief stay on the estates. This was at least partly true but this does not exonerate the planters from the charge of gross neglect of their workers. Tennent laid all the blame on the planters. He introduced the novel argument that the immigrants arrived in the planting districts in fair or in good health, but returned home so worn out and emaciated by disease that large numbers died on the journey home; that in fact the death rate on the march was higher on their way home than on their entry into Ceylon. It was a difficult argument to maintain and all the evidence he provided in support lay in three reports by Ceylon officials.<sup>47</sup> Superficially at least, these reports—since they were all prepared during this investigation—would provide conclusive proof but Ceylon officials were not above providing just the evidence necessary to support an official argument, particularly an argument as weak as Tennent's. It is significant that the opinions of a Government official not involved in this investigation—Dr. Willisford the Chief Government

46. *The Colombo Observer*, 1.10.49; 4.10.49; 13.10.49.

See also, *The Ceylon Plantation Gazetteer* for 1859, pp. 167-9.

47. The three officials were the Assistant Government Agent Kurunegala, the Superintendent of Police Kandy; and the Police Magistrate Kandy.



Medical Officer<sup>48</sup>—and the Bishop of Colombo, Bishop Chapman would indicate that Tennent and the other officials had over-stated their case ;<sup>49</sup> and that the planters were to a great extent correct in their assertion that the poverty of the immigrants *on their arrival* in Ceylon, and the difficulties of the Northern road were together greatly responsible for the high death rate on the march. Apart from this, there was the fact that cholera and small-pox were regular scourges in Ceylon and that epidemics of cholera took a heavy toll of life. And finally, that these immigrant labourers were so vulnerable to disease was as much their own fault as it was that of the planters or the Government. Even when hospital facilities were available they were reluctant to enter hospital, and those who did so seldom went there voluntarily, and when admitted were in extremis and no treatment was possible. The immigrants' aim was to collect as much money as he possibly could while in Ceylon, and so he worked when he was not really fit. The hours of work were long and the wages—the opinions of planters and administrators notwithstanding—were low. So, he very often stinted on his food to save part of his earnings, living on herbs, roots and even carrion flesh, all of which made him very susceptible to disease. The consequence was a high death-rate in hospital.

Conditions might have been better if Campbell's Labour Ordinance had not been of such little use to the labourer. The general opinion of officials working in the planting districts was that the law was availed of mainly by the planters, and that the labourers were either ignorant of its existence or incapable of making much use of it. J. S. Colepepper, the Superintendent of Police at Kandy remarked that the law operated

fully to the satisfaction of the employer, but the labourer seldom avails himself of it even when it was pointed out to him, and is advised to do so. . . . .<sup>50</sup>

The Police Magistrates of Kandy and Gampola agreed with this opinion, the former commenting that

The Coolies are nearly all ignorant that any law exists for regulating agreements,

and the latter explained that the

law is in itself a good one, but the (Indian immigrant) is ignorant of the protection it provides. . . thus he becomes an easy prey to his knowing and unrelenting master. . . . .<sup>51</sup>

48. The Report of the Committee of the Executive Council on the Fixed Establishments of Ceylon. p. 212.

49. S.P.G.MSS. Ceylon 1840-55. Bishop Chapman to S.P.G. 21.11.47.

50. C.O. 54. 235. Tennent to Grey, 6 of 21.4.47.

51. *ibid.*



Many of the abuses on the estates stemmed from the very nature of planting organization in Ceylon, and the type of men involved. On the one hand there were the large agency houses like Ackland, Boyd & Co. with its headquarters in Colombo (or Hudson, Chandler & Co. at Kandy), employing scores of Europeans as overseers and superintendents. These organizations were too remote to have anything like a first hand knowledge of conditions on the estates. They depended to a great extent on the superintendents and these men were, as Tennent pointed out, very often non-commissioned officers of regiments stationed in Ceylon, men without any experience at all of coffee planting.<sup>52</sup> Contemporary observers were even more uncomplimentary in their remarks. A pioneer coffee planter referred to these Superintendents in these terms :

..... In the course of time all the riff-raff of the round world came here.... And we came to have a floating scum of coffee planters.....<sup>53</sup>

William Boyd, another pioneer coffee planter commented that

these men used their coolies with disgraceful injustice and cruelty.<sup>54</sup>

Apart from the agency houses there were the owners of small individual properties many of whom were very nearly market-gardeners. They were men of small means, operating on borrowed money, or on their own savings, hoping in the course of a few years to increase their capital and to return home when they had done so. At this time the experts seldom gave the coffee plantations more than a dozen years of life.<sup>55</sup> Quick profits were all that mattered, and the easiest way to quick profits was to stint on wages, on housing and medical facilities. Thus whether it was at the hands of the superintendents or the small capitalists, immigrants received harsh and shabby treatment. One Government official described conditions on the coffee estates as being as bad as plantation slavery in the West Indies ; another official compared it to "Egyptian bondage." Tennent in more sober language, asserted that

the condition of the coolies on the estates and their treatment by their employers was not in every instance or in every particular such as humanity or even policy would have required in order to encourage and secure a continuation of their resort to Ceylon.<sup>56</sup>

52. C.O. 54. 235. Tennent to Grey, 6 of 21.4.47.

53. Anon: *Days of Old*. (c. 1870). Two pioneer coffee planters describing conditions on the coffee estates in the 1840's.

54. Boyd: "Ceylon and its Pioneers." *Ceylon Literary Register*. Vol. 2. p. 296.

55. Sabodiniere: *The Coffee Planter of Ceylon*. p. 46.

56. C.O. 54. 235. Tennent to Grey 6 of 21.4.47.



Tennent's despatch was more than a mere condemnation of the planters. It is a deeply significant document. It provided the Colonial Office—for the first time—with a detailed study of the problems of Indian immigration to Ceylon. Biased, lopsided and tendentious though it was, few could fail to be impressed by the deep humanity that pervaded it, and its urgent concern for the welfare of the immigrants. More important, this despatch contained the first clear enunciation of Government policy on this subject. Where there had previously been apathy, neglect and ignorance there was a firm declaration of principles. In Tennent's own words the obligation of Government to the Indian immigrants was

to expedite their journeys by safe and healthy roads, to protect them from violence, or ill-treatment by the way, to provide them with shelter when necessary and with medical (facilities) . . . . when overtaken by illness; to afford them the protection of the law when defrauded or abused; to insist on their humane and becoming treatment when employed on the estates, and to ensure them security in their country with the earnings of their labour.<sup>57</sup>

This was a very positive conception of the duties of the Government.

To give effect to this new policy of protection and welfare, Tennent recommended the appointment of a new category of officials to be called Protectors of Coolies; they were to be given wide powers to examine living conditions on the estates, to inspect books and check-rolls of estate agents and superintendents and in the event of any infringement of regulations they were to inform the labourers of the nature of their redress and means of obtaining it from the nearest magistrate. And in order to make justice more accessible to the labourers there were to be more magistrates in the planting districts. Tennent did not suggest any radical changes in Campbell's Labour Ordinance; he merely recommended that Ordinance 14 of 1845 which sanctioned contracts for three years in the case of labour employed by Government departments should be amended to allow the planters too to benefit from these longer contracts. These measures, particularly the appointment of Protectors of Coolies and more magistrates would have entailed considerable additional expenditure. But Tennent felt that this additional expenditure could be met by a stamp duty on contracts, and by an annual payment by the planters for each immigrant labourer employed on the estates.

But much the most significant of Tennent's recommendations was that Indian labourers should be settled in Ceylon. This policy of settlement had two aspects; on a lower level there were to be allotments of land for market gardening and the rearing of livestock and poultry. These allotments were

57. C.O. 54. 235. Tennent to Grey 6 of 21.4.47.



to be in the planting districts, and they were designed to diminish "the difficulties which are now experienced in providing suitable supplies (of food) in districts remote from villages and bazaars. . . . ." At a different and more important level there were to be settlements of Indians in the Northern Province (now the North Central Province). Tennent saw the urgent need for a stable supply of labour in Ceylon independent of the vagaries of the rice and palmyra crop in South India. He connected this with the equally important problem of making Ceylon self-sufficient in rice.

He was immensely impressed by the vast network of canals and irrigation tanks in the Northern Province, dilapidated but capable of repair; it was his hope to convert this flat forested malarial region into what it had once been—the granary of Ceylon—by settling Indians there. (Apparently he had little faith in the local peasantry). It must be explained that coffee plantations unlike tea plantations did not require a permanent supply of labour. The picking of tea continues through the year, while the coffee crop was picked once a year generally in the period mid-August to early November. Thus the demand for labour on coffee estates was seasonal and was heaviest at crop time which generally coincided with the slack season in the paddy fields of the Northern Province. These settlers could both develop the Northern Province and supply the plantations with their labour in the picking season.

Welfare and settlement were the two bases of Tennent's policy with settlement the more important of the two. The Colonial Office had a much narrower outlook in this matter. When the planters' demand for state sponsored immigration reached the Colonial office, those officials taking their stand on *laissez-faire* principles replied that it was not the business of the state to take any active part in inviting or promoting the transit of immigrant labourers between India and Ceylon. The official view was that if a section of the population particularly a powerful section such as the planters were confronted with a problem it was up to them to find a solution. This was not the Colonial Office policy on immigration to the West Indies and to Mauritius, but in those colonies there was the vital difference that it was the abolition of slavery that had necessitated the introduction of the free immigrant labour. It was for this reason that the Colonial Office had accepted the principle of state sponsored immigration there. Not only was immigration sponsored and subsidised by those colonies but the Colonial Office largely at the insistence of the Evangelicals had introduced legislation to control this immigration with a view to checking and preventing abuses and in order to ensure that the system of indentured labour did not degenerate into another form of slavery. Thus state interference in the immi-



gration of Indians to the West Indies and Mauritius was the result of unique and important factors operating there. In Ceylon where these factors were absent the Colonial Office was unwilling to let the administration play any active role in this immigration. When Tennent's despatch was sent to the Colonial Land and Emigration Commissioners it came back with the comment that state intervention would be of little use and that the greatest security for any improvement lay in the planters becoming

alive to their interests in protecting the labourers.<sup>58</sup>

Even Earl Grey concurred on this view, commenting that the best solution seemed to be

the arousing (of) the coffee planters to the necessity of greater vigilance in the prevention of abuses by which they must in the end be themselves the greatest sufferers.<sup>59</sup>

But at the same time he realised that the situation in Ceylon called for a more positive approach and he indicated that he was willing to support Tennent's policy of state intervention. But as regards Ceylon neither Grey nor the Colonial Office really conquered their *laissez-faire* inhibitions.

Just at this time the Colonial Office was making a comprehensive review of the financial structure and revenue system of Ceylon. Towards the end of 1846 the Ceylon Government on Grey's instructions examined its financial and commercial policies with a view to making them conform to Grey's *laissez-faire* and free-trade ideals.<sup>60</sup> Much the most substantial contribution towards this end was another and equally brilliant report by Tennent—his "Report on the Finance and Commerce of Ceylon" in which he advocated sweeping changes in Government policy; steep reductions if not total abolition of export and import duties; the equalization of duties on British and foreign imports; and a radical transformation of the tax structure with the emphasis shifting decisively from export and import duties to direct taxes. (The foundation of the new system was to be a general land tax). Grey had appointed a Committee of the Colonial Office to report on Tennent's recommendations.<sup>61</sup> To this Committee Grey had apparently sent Campbell's last few despatches on Indian immigration.

58. C.O. 54. 241. The Colonial Land and Emigration Commissioners to James Stephen, letter of 27.7.47.

59. C.O. 54. 241. Grey's minute of 30.7.47.

60. *Reports on the Finance and Commerce of the Island of Ceylon*. H.M.S.O. 1848.

61. The members of this Committee were B. Hawes, Under Secretary of State at the Colonial Office, H. Tufnell, J. G. S. Lefevre and R. Bird. Their report was dated 13.4.47, and was sent to Ceylon in Grey's despatch to Torrington 40 of 18.6.47.



The report of Grey's Committee referred among other matters to the question of Indian immigration to Ceylon. And their recommendations in this regard are significant because Grey adopted them as the basis of his own policy and because of their acceptance of a more positive role by the state. (There was a remarkable similarity between their recommendations and Tennent's particularly on the welfare aspect of state intervention). They suggested that a steam vessel should ply between India and Ceylon for the use of the immigrants; that rest-houses, wells and bazaars should be established on the line of march; and that officers should be appointed to assist and advise the immigrants and to direct them to the areas where labour would be in the greatest demand. (These were recommendations which the Ceylon Agricultural Society had been making for several years). They did not believe that the financing of these projects would be an great problem.

It is possible that, with the co-operation of the planters, and by a system of private contribution among them . . . without trenching on the Colonial revenue, to obtain funds for the assistance of immigration; but if not, we think that, either by a tax on the employers of coolie labourers, or by some other means which would place the burden on the shoulders of those who benefit by the immigration, funds should be at once provided for the assistance and protection of the immigrants.

Grey's Committee (and Grey himself<sup>62</sup>) was attracted by the idea of settlement. But their views on the subject were very confused. For Tennent settlement was primarily a means of solving the problem of labour for the plantations. For Grey's Committee it would appear that settlement had two functions, that of providing labour for the plantations and that of agricultural development, with no necessary connection between them. The settlements they had in mind were to be concerned primarily with agricultural developments.<sup>63</sup> As for the immigrant plantation labourers lands allotted them

should not be sufficiently large to induce them to devote the greater part of their time to cultivation on their own account,

for the Committee believed that experience in other colonies showed that ease in obtaining land was the main cause of difficulty in commanding the services of hired labour. Grey adopted these recommendations in their

62. See, C.O. 54. 241. Grey's Minute of 30.7.47.

63. C.O. 55. 89. Grey to Torrington 67 of 7.8.47. Grey's Committee recommended that these settlers should be granted small extents of land on an almost nominal rent for the first year or two but increasing thereafter and attaining its maximum about the sixth or seventh year. They suggested that whole village committees should be induced to settle down in Ceylon, with their headmen and priests, their own modes and customs and their own forms of village "self-government. At this time Grey had recommended some such scheme for Mauritius. See Cumpston *op.cit.* pp. 112, 113. Mellor *British Imperial Trusteeship*, pp. 217 ff.



entirety and made them the basis of his reply to Tennent's suggestion that settlement of Indians should be an integral part of a new policy on the immigration of Indian plantation labour in Ceylon.

It was left to Viscount Torrington, the new Governor of Ceylon, to work out the new policy on Indian immigration. Grey's Committee had recommended that the new Governor be furnished with

copies of the papers which had been presented to Parliament on the subject of coolie labourers in Mauritius and the West Indies.<sup>64</sup>

Before he left England, Torrington was briefed on the subject by Grey; it would appear that Grey had impressed upon him that he should pay particular attention to the settlement of Indians.<sup>65</sup> And Torrington was urged to investigate the possibility of a settlement of Chinese in Ceylon, to develop the Northern Province and to provide some of the skilled labour on the plantations.<sup>66</sup> This emphasis on settlement was a natural development in the age of Edward Gibbon Wakefield; an age which saw the settlement of the British territories of Australia and New Zealand.

From the moment of his arrival in Ceylon Torrington was concerned with the problem of Indian immigration. In his first letter to Grey, he wrote that

the treatment of the unfortunate Coolies on the coffee estates (in some at least) has been shameful—<sup>67</sup>

He informed Grey that Major Thomas Skinner the Commissioner of Roads was preparing a report on the best means of bringing these immigrant labourers to Ceylon. Torrington began the preparation of a Coolie Ordinance; in the preparation of this Ordinance he did not consult the Executive Council.<sup>68</sup> He explained that

Everybody here has estates, and are liable consequently to interested motives, and I have felt it my duty to consult in this matter, whilst in preparation, less than I could wish, for fear of any undue bias taking possession of me . . . . .<sup>69</sup>

64. *Reports on the Finance and Commerce of the island of Ceylon*. H.M.S.O. 1848. p. 29.

65. Grey MSS. Torrington to Grey. 14.3.47. It is very likely that at this stage Grey was thinking more of agricultural development than of labour for the plantations.

66. C.O. 54. 240. Torrington to Grey 155 of 12.11.47 and Grey to Torrington 158 of 11.1.48. After careful consideration of the costs of the project Torrington reported that Chinese settlement would be far more expensive than Indian settlement.

67. Grey MSS. Torrington to Grey. 6.6.47.

68. Grey MSS. Torrington to Grey. 16.9.47 and 14.10.47.

69. It was typical of Torrington's general incompetence as an administrator that he should have been ignorant of the fact that Tennent had no financial interests at all in Ceylon while Skinner was a coffee planter.



He took it upon himself and his inexperienced private secretary to draft it.<sup>70</sup> The new Ordinance in effect accepted the welfare aspects of Tennent's proposals (and of Grey's Committee);<sup>71</sup> the finances were to be provided by a tax on the planters.

But this Ordinance was never put into effect. Torrington had arrived in Ceylon at a most inopportune moment. A depression of unparalleled severity reduced the prosperous coffee industry to bankruptcy. It was thus impossible to tax the planters to finance welfare measures for immigrant labour. Nor, since its own revenues were as seriously affected by the depression, could the Government afford to finance these measures out of its own resources. The Ordinance was thus shelved.

Torrington found that by 1847 the labour shortage of 1846 was only a bitter memory; in 1847 there was a great surplus of labour.<sup>72</sup> Besides the Indian immigrants had arrived earlier in the year than usual and found themselves stranded in Ceylon without employment and faced with starvation. The plantations were without the resources to employ them before crop time and the pitiful condition of these men—many of them sick and half-starved—made it necessary for the Government to step in. (It was impossible to let them go back to India for that would have led to another scarcity of labour at crop time). So Torrington employed them in draining the pestilential Bogambara lake in Kandy till it was time for the picking of the crop.<sup>73</sup> But he earned a stiff rebuke from Grey for providing the immigrants with this temporary employment. Apparently it should have been left to the planters themselves to support these immigrants while they waited till the picking season.<sup>74</sup>

Much more disastrous in their consequences were the disturbances that occurred in July 1848 in the Central Province, the heart of the coffee area. Breaking out just before the picking season the disturbances threatened alike the finances of the estates and the resources of the Government.<sup>75</sup> Moreover the Government was acutely conscious of the fact that these

70. Grey MSS. Torrington to Grey 16.9.47 and 14.10.47.

71. *ibid.*

72. *The Colombo Observer*. 28.6.47, reports a meeting of the Ceylon Agricultural Society on 18.6.47 consider the problems arising out of this excess of labour. *The Examiner* 7.7.47 reported that there was a "great superabundance of labour in the planting districts." See also, the issues of this newspaper for 17th, 21st and 24th July, 1847.

73. C.O. 54. 238. Torrington to Grey 68 of 5.8.47, C.O. 54. 244. Torrington to Grey 3 of 5.1.48. *The Examiner* 21.7.47 reported that the Government was employing these starving immigrants to fill up the lower lake at Kandy at 3d a day.

74. C.O. 55. 89. Grey to Torrington 134 of 24.11.47.

75. Grey MSS. Torrington to Grey. 11.8.48.



disturbances could seriously affect the labour supply to the estates; they could frighten those who intended to come to Ceylon, and they could cause a panic among those already on the estates. It was easier to deal with this first possibility than with the second—and the means adopted was that of keeping prospective immigrants informed of the facts of the situation in Ceylon, particularly the fact of the early and easy suppression of the disturbances.<sup>76</sup>

At the same time largely as a result of the depression non-payment of wages was more widespread in the years 1847-1848 than it had even been before. In the period of ten months ending in March 1848, there had been 2584 complaints by immigrant labourers (about non-payment of wages) at the District Court of Kandy alone.<sup>77</sup> Torrington commented that if there were a shortage of labour in the picking season of 1848 it would not be the result of the disturbances but of the “disheartening effect upon the coolies of having been kept months in arrear of wages due to them in the course of the past season, and indeed at the present time. . . .”<sup>78</sup> There was little the Government could do directly to compel employers to fulfil their obligations. It could, however, make it easier for the coolies, to appeal to the courts. Thus at the suggestion of S. Hanna, the Police Magistrate of Kandy, labourers suing for their wages were permitted to file plaint at the various Courts of Requests without having to pay the necessary stamp fees.<sup>79</sup> Again, when the owner of an estate was absent from Ceylon the Courts had no authority to seize his property to pay his labourers’ wages. At Hanna’s suggestion Torrington amended the law to enable the courts to do so. It was also enacted—again at Hanna’s suggestion—that the labourers’ claims for wages should have priority over every other charge on the estates.<sup>80</sup>

During the disturbances there were fears that the Indian labourers on the estates would panic and that potential immigrants would be discouraged from coming by this political instability in the heart of the coffee country. But it was soon proved that these fears were without foundation. Both Hanna and the Superintendent of Police at Kandy, L. B. Dunuvilla, testified that the Indians had not fled from the country during the disturbances; they had not deserted the estates for fear of the Kandyans but had on the few estates that had been attacked by the Kandyans, put up a courageous

76. C.O. 54. 250. Torrington to Grey. 145 of 15.8.48.

77. C.O. 54. 258. Torrington to Grey. 52 of 13.4.49.

78. C.O. 54. 250. Torrington to Grey. 145 of 15.8.48.

79. C.O. 54. 258. Torrington to Grey 52 of 13.4.49.

80. *ibid.*



defence. Nor had there been a shortage of labour except on those estates which had not paid their labourers regularly. And the labourers who came to the Island were not unduly worried about the disturbances.<sup>81</sup>

The depression and the disturbances then had postponed the imposition of any welfare legislation; all that the Government could do was to meet each problem as it arose with some practical but temporary solution. But if welfare legislation had been unfortunately shelved the disturbances made the policy of settlement for the first time seem a practical solution. It would appear that Torrington had arrived with specific instructions from Grey that a scheme of settlement should be attempted.<sup>82</sup> And Torrington did not forget his instructions. But in the short space of time he was in Ceylon he veered round to Tennent's rather than Grey's conception of settlement.<sup>83</sup> And Tennent's project was much the more realistic of the two; he never forgot that the settlement of Indians in Ceylon should benefit the plantations. For the one great difficulty the planters were faced with was the uncertainty of obtaining a regular supply of labour. The great merit of Tennent's scheme was that it was designed to provide the planters with a regular supply of labour. Grey's ideas on the other hand were confused and unrealistic. They were not designed to benefit the plantations and it is not certain that Grey's scheme of Indian settlement would have developed the Northern Province either.

The disturbances provided an unexpected opportunity to give Tennent's scheme of settlement a trial. He had, however, given his scheme a new and diabolical twist. He suggested that the Kandyan peasantry should be expelled from the disturbed districts (which happened to be the richest planting districts) and Indian labourers be settled on their lands.<sup>84</sup> On the 14th August 1848 he wrote to Torrington that

the opportunity that now presents itself of locating a race of Malabars in these important positions on the to be forfeited by the rebels, is one which I earnestly trust your Lordship will not allow to pass unimproved.<sup>85</sup>

81. C.O. 54. 258. Torrington to Grey 52 of 13.4.49.

82. The Third Report on Ceylon 1850. p. 253. Tennent's evidence.

83. Grey MSS. Torrington to Grey 13.10.48. In this letter Torrington explained that while he had great faith in the policy of settling Indians in the Northern Province on the lines suggested by Grey, he nevertheless felt that such a settlement must benefit the planters too. "(It) will encourage the coolies to come here with more confidence, and in the end it will ensure a sufficient supply of labour and *at a reduced rate.*"

84. The Third Report on Ceylon. 1850, p. 253. Tennent's evidence.  
"(During) the rebellion when the certainty appeared great of a large extent of land being confiscated to the Crown, many public officers, and among the rest, I myself, called Torrington's attention to the fact, as affording a possible opportunity of carrying out the intention of the Secretary of State in the event of the lands being ultimately confiscated."

85. *ibid.*



In his examination before the Parliamentary Committee on Ceylon in 1849-50, Tennent sought to explain that all he meant by this suggestion was his old scheme of a settlement of Indians in the Northern Province. This was obviously incorrect because "the lands to be forfeited by the rebels" were in Kurunegala, Matale and Kandy far from the Northern Province. When he found that the Committee seemed unimpressed by this explanation he changed his story slightly and suggested that he had meant the establishment of Indian villages to the North of Kandy in the disturbed districts of Kurunegala and Matale but out of contact with the Kandyans.<sup>86</sup> In 1850 he informed the Committee that attempts were still being made to settle Indians in the Northern Province. He explained that his scheme of 1848 was not put into effect only because the confiscations of land fell far short of what had been anticipated.<sup>87</sup> These schemes, however, were abandoned not for the reason that Tennent gave but because the disturbances had opened the eyes of the administration to the fact that the Kandyans objected to the presence of the Indians and that they would have actively opposed these schemes of settlement. This fact is implicit in Tennent's evidence before the Preliminary Committee. And it is significant that after 1850 these plans were quietly but permanently abandoned.

### III. *Governor Sir George Anderson and the return to Laissez-faire.* 1850-55.

It was impossible after 1850 to think of a policy of settlement as a possible solution of the problem of immigrant labour. The political risks were too great. It could only be a policy of welfare. And Governor Sir George Anderson, Torrington's successor seemed ideally suited to embark on such a policy; he had a brief spell as Governor of Mauritius (1849-50) where Indian immigration was sponsored and subsidised by the state and where the Indian immigrant was protected (from his own ignorance and from the planters) by carefully drafted legislation. Besides there was the legislation prepared by Tennent and Torrington with Grey's approval the implementation of which had only been postponed by the severity of the depression. But Anderson by instinct and training was a doctrinaire of the laissez-faire school; he did not see the need for such legislation and after Grey's departure from the Colonial Office in 1852 there was no one there to remind him of his obligations in these matters.

Ceylon's coffee industry had emerged from the depression healthier and stronger than it had been before. Scientific cultivation and trained superintendents became the rule rather than the exception. And the coffee

86. *ibid.*

87. *ibid.*



industry, inspite of the loss after 1851 of the last vestiges of protection in the home market, made a steady advance. There was also an increase in the immigration of Indians—from 1850 to 1855 it averaged nearly 50,000 a year—but despite this increase the planters lived in fear of labour shortages and on occasions there were actual shortages. Thus 1851 was on the whole a year of labour scarcity, when during the picking season very few estates could get all the labour they required.<sup>88</sup> In 1852 there was so great a surplus of labour that after almost all the planters had their supply, many thousands of Indians were unable to obtain work.<sup>89</sup> For one thing they had come too early ; but in any event there were too many of them. So much so that the *Ceylon Times* suggested that owners of estates should raise the money to hire boats to send this surplus labour back to India free of charge. That newspaper recommended to Anderson the example of Torrington who in similar circumstances had employed starving immigrant labourers on Government works in 1847.<sup>90</sup> But there was no response from Anderson to this appeal and the Government stood aloof leaving the planters to deal with the problem as best they could. The consequence of this superabundance of labour in 1852 and the inability of the immigrants to get work as readily as they formerly could, was a reluctance to leave their homes in 1853 causing a shortage of labour sufficiently serious to warrant the despatch by the planters of much more than the normal number of kanganis to South India.<sup>91</sup> Moreover there was another epidemic of cholera in Ceylon; the appearance of this disease at Mannar and along the route to the interior particularly in some of the coffee estates around Matale caused much anxiety because these Indians generally panicked during these epidemics of cholera and fled from the infected areas in an attempt to make their way home. Some of the immigrants actually turned back when they heard of the epidemic, and some of the Indians working on the plantations fled in panic.<sup>92</sup> (A hundred of them were drowned when the over-crowded boat in which they sailed was wrecked in a storm).<sup>93</sup> But the labour situation eased during the picking season and labour though not abundant was sufficient to save the crop.<sup>94</sup> 1854 saw an immigration of Indians on the scale of 1852;<sup>95</sup> once again they had arrived earlier than was necessary, but the planters having learnt from their experiences of 1852 employed

88. *The Colombo Observer.* 12.6.51 and 16.19.51.

*The Ceylon Times.* 13.6.51 and 16.9.51.

89. *The Colombo Observer.* 11.8.52 and 16.9.52.

*The Ceylon Times.* 27.7.52.

90. *The Ceylon Times.* 27.7.52.

91. *The Colombo Observer.* 11.7.53 and 11.8.53.

92. *The Colombo Observer.* 12.9.53.

93. *The Colombo Observer.* 28.3.53.

94. *The Colombo Observer.* 12.9.53, 26.9.53, 13.10.53, 27.10.53.

95. *The Ceylon Times.* 13.1.54, 24.1.54, 14.2.54.



extra labourers in return for their food in order to retain them for the picking of the crop which was expected to be both earlier and heavier than usual.<sup>96</sup> (Further, in 1854 the planters were beginning to have fears for the future; for the Madras Government had announced a large irrigation and public works programme and the Ceylon planters feared that this would deprive them of their workers).<sup>97</sup> Still, the enlightened (if largely from self-interest) attitude of the planters in providing for this surplus labour from their own resources without waiting for Government intervention stands in sharp contrast to the attitude of their predecessors in the days of the "Coffee mania".

It must not be assumed that in the treatment of the labourers the abuses of the past had completely vanished. The planters indeed had improved. They were a better class of men—by training and education—than the old planters of the "coffee mania." But there were newer and equally vicious evils in the treatment of the Indians, involving not the planters so much as their native agents—the Kanganies—and the "coast advance" system. There was in this phase of planting activity a great change in the nature of the Kangany; he was much less the "democratically" elected leader of a gang of labourers, and much more an employer's agent. There was also another type of Kangany, contemptuously referred as "crimps," who for a livelihood intercepted labourers on the road and took them to certain plantations in whose pay they were. It became the practice for some of these "crimps" to procure labourers from the line of march and then to take them from one estate to another drawing an income from every new employer but giving none a regular supply of labour.<sup>98</sup> "Crimping" was very common at times of labour scarcity.<sup>99</sup>

Under the 'coast advance' system the kangany undertook to supply planters with labourers on the payment of an agreed sum of money. He then took an advance from his employers (to buy rice and other necessities for the labourers he was to bring along) went over to India,<sup>100</sup> made arrangements with a gang of labourers and brought them over to the estates. The

96. *The Ceylon Times*. 23.6.54, 29.8.54.

97. *The Ceylon Times*. 26.9.54. This newspaper, in its issue of 23.6.54 explained that this large and early influx of labourers was the result of the dry weather and bad harvest in South India. The labour supply was larger in 1854 than in previous years because, with the failure of the rice crop the peasants needed to find money to pay their land-tax.

98. *The Colombo Observer*. 23.9.53.

99. *ibid.*

100. At times the Kangany instead of going to centres of recruitment would get the necessary labour recruited through his relatives in India.



expenses incurred in recruiting labour were entered in the estate "Debt Account" as a charge against the Kangany and his recruits and this amount divided among them, because the debt with which every labourer started work on the estates, and at the end of his stay he was paid his wages in a lump sum—minus his share of the "Debt Account." On some estates it was the practice to pay the Kangany a bonus for such labourers recruited, but only after these labourers had worked on the estates for six months to one year.

This system of recruitment became deplorably corrupt. The Kanganies spent only a fraction of the "Coast Advance" on the immigrant labourers, keeping the bulk of it for themselves. (It was estimated that only about a third of the money charged to the labourer was actually received by him). It could be said without much exaggeration that the cruelties inflicted upon the labourers by the Kanganies under this system were as vicious as any the immigrants had to face on the estates before 1850. Hundreds of men died on the way to the estates and those who survived arrived on the estates in a semi-starved and fatigued condition. The Kanganies made little allowance for those who through exhaustion or ill-health could not keep pace with the rest. The longer the gang was on the road, the more cost of their food, and the kanganies pressed on with all possible speed to extract as large a profit as they could out of these transactions. Since only a fraction of the "Coast advance" was spent by the Kangany, he could afford to bring more than the required number of labourers, and thus make up for the "wastage" on the journey. If a much larger number than the estate required survived the journey, he could always find employment for the surplus on the neighbouring estates; but he was safe even if he failed to find such employment because there was no law whereby arrangements made with the labourer in India could be enforced in Ceylon.<sup>100</sup> (Formerly the kangany was chosen by the labourers themselves and had an incentive to get as many of them as possible to the estates alive and well, since after employment he received from each individual a small monthly payment).

It is a measure of Anderson's lack of interest in the problem of Indian immigration that in the whole period of his administration he wrote less than 6 despatches on it. (And two of these dealt with the correspondence with the Madras Government on the questions of accommodation on coolie-ships). And no mention was made in these despatches of the Coast advance



system, its abuses and its terrible toll of life. To reconstruct the history of Indian immigration to Ceylon in Anderson's time we have to rely on Ward's despatches and the newspapers.<sup>101</sup>

The abuses of the "Coast advance system" were of such a nature that only enlightened government interference could have checked them. The Government could have imposed the legislation prepared by Tennent and Torrington. At no stage was Anderson interested in introducing this legislation. He could have amended Campbell's Labour Ordinance, to make it more effective by enabling the immigrant labourers to make as much use of it as the planters did. In 1854 *The Colombo Observer* drew attention to the inadequacies of the existing labour legislation and called for its reform.

The law between master and man is short, plain and excellent; a Coolie by refusal to obey a simple order renders himself liable to a month's imprisonment; and such punishment has been inflicted, but the law . . . . . should also enforce due care on the part of the manager.<sup>102</sup>

Anderson made no attempt to remedy these defects.

Legislation apart, the most urgent need was for the provision of adequate shelter for the immigrants on the road from the coast to the plantations. It would appear that it was this road, that took the greatest toll of life. From the limits of the Northern Province to Matale, a distance of 40 miles there was no shelter at all.<sup>103</sup> (In 1848 a large shed had been erected at Dambulla but this had been allowed to go to ruin.<sup>104</sup>). A few Matale planters bore the cost of a shed at Matale, substantially built and within easy reach of water.<sup>105</sup> The Chamber of Commerce subscribed the money for a shed and a well at Colombo<sup>106</sup> (but only a very small percentage of the immigrants took Boat to Colombo). There was no shelter at Kandy and the immigrant labourers were compelled to sleep on the bund of the Kandy lake.<sup>107</sup> The great need was for more rest-houses, more hospitals, more officials on the road, but in the five years of Anderson's administration not one new official was appointed by the Government and not one new rest-house or hospital was built. Agitation for more rest-houses and hospitals on this

101. Ward's account of numerous deaths on the road from the coast has been questioned as untrue or exaggerated. It is suggested that he was merely seeking to strengthen the case for state intervention, at a time when the whole question of Indian immigration was being thoroughly examined. But the newspapers of that day provide ample confirmation on the question of a heavy death rate on the march.

102. *The Colombo Observer*. 24.7.54.

103. *The Colombo Observer*. 12.9.53.

104. *ibid.*

105. *The Colombo Observer*. 21.4.54.

106. *The Colombo Observer*. 28.8.53.

107. *The Colombo Observer*. 24.7.54.



road increased considerably in and after 1854, when the news reached Ceylon of the projected irrigation and public works programme of the Madras Government; and the agitation returned to the old theme of Government-sponsored immigration. At a meeting of the planters held at Kandy on 7th October 1854 a resolution was passed calling on the Government to aid the immigration of Indian labourers to Ceylon. While the mover of the resolution concentrated on this theme, the seconder (a non-official member of the Legislative Council and a prominent planter, J. Swan) called attention to the lack of rest-houses and wells on the roads to the planting districts, remarking that gangs of immigrants turned back frightened by the heavy mortality on these roads.<sup>108</sup> These demands were taken up with greater enthusiasm by the newly founded Ceylon Planters Association, (The Ceylon Agricultural Society did not survive the depression) which suggested that Ceylon should adopt the Mauritian policy of importing plantation labour at the cost of the Government.<sup>109</sup> It was an appeal to Anderson—whose previous appointment had been to Mauritius—to carry out in Ceylon his own policy in Mauritius. The Association suggested that two steamers—to be bought by the Ceylon Government—should ply between India and Ceylon for the purpose of conveying immigrant labourers who should be bought in free of charge but made to pay a reasonable fare for the return passage home. But more than anything else they stressed the great need for rest-houses. But these appeals had little effect on Anderson; he was not to be converted to a policy of state intervention even by reminders that he himself had followed this policy in Mauritius.

He was compelled to pay attention, however, when the Madras Government (who had previously raised this matter in 1847) expressed concern at the overcrowding of the native passenger vessels that brought labourers from India to the ports of the Northern Province or to Colombo.<sup>110</sup> In 1847 regulations had been imposed by Madras Government limiting the number of persons who might embark on these vessels, but these regulations were in need of overhaul by 1853. The great defect of these regulations was that while they restricted the number of passengers to Ceylon, there were no restrictions on the number of passengers from Ceylon to India.

108. *The Colombo Observer*. 7.10.54, 18.10.54.

109. *The Colombo Observer*. 4.12.54. Report of the meeting of the Ceylon Planters Association held on 11.11.54.

110. It must be emphasised that the overcrowding of passenger vessels from India was not something that affected the great mass of the Indian immigrants who could not afford the means for this brief sea voyage of 4 days. They usually walked down to the southern tip of the Indian peninsula and made their way by dhony or catamaran to Talaimanner on the north-west coast of Ceylon, a brief distance of about 20 miles.



(In 1853 the schooner "Colombo" (29 tons) entered Tutucorin harbour with a load of 204 passengers, while another boat of 80 tons carried 400 passengers).<sup>111</sup> Anderson could no longer ignore the problem especially because the vessel "Colombo" was caught in a storm shortly after leaving Colombo with a great number of Indian labourers aboard. The ship was wrecked, and of the 150 on board at least 200 were drowned.<sup>112</sup> *The Colombo Observer* remarked that

this catastrophe will probably lead to the enforcement of the Passengers' Act here. These native vessels are nearly always overcrowded but on the present occasion there was an additional motive . . . . in the prevailing fear of cholera which has broken out at Colombo.<sup>113</sup>

The Government was compelled to act. The Queen's Advocate, H. C. Selby, was of the opinion that the Passengers Act of 1853 (15 and 16 Vic., Cap. 44) was applicable to all voyages from Ceylon to any part of India, and he suggested that it should be brought into operation by issuing a proclamation. But the Executive Council feared that this Act was not suited to voyages from Ceylon to the coast of India (it was too short a distance) and that its introduction by raising costs would injure the planters. On the recommendation of the Executive Council Anderson submitted for the approval of the Secretary of State a local Ordinance regulating the number of passengers proceeding from Ceylon to India. The Ordinance was approved by the home Government.<sup>114</sup> The Ordinance constituted the total of Anderson's efforts to solve the problems created by the immigration of Indian plantation labour to Ceylon.

Campbell—under Tennent's influence—and Torrington had introduced a touch of humanitarianism into the Government's policy on Indian immigration. They sought to adopt some of the welfare measures then in vogue in the West Indies and Mauritius. The depression of 1847-8 prevented the imposition of these changes. And then came Anderson with his rigid insistence on *laissez-faire* principles and his stubborn resistance to the adoption of any welfare measures. During his administration there was a return to the lethargy and apathy that had characterised the attitude of the Ceylon Government till the arrival of Tennent as Colonial Secretary.

111. C.O. 54. 299. Anderson to Newcastle, 106 of 20.8.53.

112. *The Colombo Observer*. 28.3.53.

113. *ibid*.

114. C.O. 54. 299. Anderson to Newcastle 106 of 20.8.53.

C.O. 386. 110. Land and Emigration Commissioners to Herman Merivale. 11.2.54.



# TORTURE, MUTILATION AND LASHES IN THE CONTROL OF CRIME IN CEYLON

C. H. S. JAYAWARDENE

## Torture

CHIEF Justice Carrington in an address delivered at Jaffnapatam on the 23rd of August 1802, declared :

His Majesty had here as in all places which had been conquered from the enemy, abolished the use of torture and declared the confession of the prisoner not necessary for his conviction. He had also abolished all inhumane punishments which were in force under the civil law as administered on this island and the highest form of punishment which could be inflicted was death by hanging. The other inferior punishments were banishment, confinement with the addition of being obliged to labour, fine, pillory and the stocks.<sup>1</sup>

That his Britannic Majesty did abolish the use of torture in this island there is no doubt, for in a proclamation—"a public instrument of treaty prepared in conformity to conditions previously agreed on, for establishing his Majesty's Provinces, was produced and publicly read in English and Cingalese and unanimously assented to," "every species of bodily torture and all mutilation of limb" was abolished. What is interesting in this document is that while the English version abolishes "every species of bodily torture and all mutilation of limb" the Sinhala version abolishes "the various bodily tortures inflicted by severing limbs."<sup>2</sup> The reason for the difference, Paul Pieris contends,<sup>3</sup> was that torture as known to the penal law in Europe was not practised by the Sinhalese who took no pleasure in inflicting prolonged agony. What the English version purports to abolish were non-existent and though it was expedient to contain their abolition in the English version, their abolition in the Sinhala version served no useful purpose.

Whether the Sinhalese were any more humane than their European counterparts is a matter of conjecture. The lower incidence of torture in Ceylon than in Europe is attributable more logically to a difference in the

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1. Johnston's Manuscripts.

2. P. E. Pieris. *Sinhala and the Patriots*. Colombo. The Colombo Apothecaries, Co. Ltd. 1950. p. 17.

3. *ibid.*



criminal procedure than to a difference in national character. In Europe, it was essential that a confession be extracted from the criminal before he was punished and torture was an extremely potent method of obtaining it. In Ceylon the confession was not essential. The obtaining of a confession was considered a sound principle of justice,<sup>4</sup> yet the Ceylonese preferred to ascertain guilt and innocence from the testimony of gods in the protection that they afforded the innocent. To the Sinhalese, torture, mutilation and bodily harm were punishments inflicted on offenders; they were the culmination to an investigation, not a part of it and there was no need to be unduly cunctatious in its infliction.

Extant records indicate that torture was very rarely resorted to by the Sinhalese kings. The only authentic record available is of what King Rajasingha II (1635-1687 A.D.) had done. Knox states that prior to an execution the condemned man was subjected to all manner of torture as he walked to the execution ground.

This is done by cutting and pulling away their flesh by pincers, burning them with hot irons; sometimes he commands to hang their two hands about their necks and to make them eat their own flesh and mothers to eat of their own children and so to lead them through the city in public view to terrify all unto the place of execution. . . .<sup>5</sup>

Baldeus, who was in Ceylon at about the same time that Knox was, makes a similar statement. In describing the execution of *Gael Heneraed Modliar* who was sentenced to death for conspiring against the king he states :

.. *Gael's* four councillors had their flesh torn off their bodies with red hot pincers, and their hands and feet severed, the bodies were quartered and hung around the Court, whilst the wretched Governor was reserved for the last to be an eye witness of the suffering of his mad compeers. *Gael* was now most awfully trailed through the city by an elephant, and at every nook and corner of the town his flesh was wrenched off his body with red hot pincers, and finally his limbs were broken and cast to an elephant who tossed him up high received him back on his tusks and ultimately trampled him.<sup>6</sup>

Under the Portuguese and the Dutch too a condemned man being subjected to torture before execution was not an uncommon procedure. Rabraken has given a detailed description of the torture inflicted on the slaves of Commodore Shrisken, ex-Governor of Surat, living in Colombo. The slaves were sentenced to death for robbery.

4. Totagamuve Sri Rahula. *Kavyasekera*. Verse 17. See also. E. A. Abeysekera. Advice to a King. *Ceylon Literary Register*. Vol. 4, (1935), pp. 14-18.

5. Robert Knox. *An Historical Relation of the Island of Ceylon*. (London. Robert Chiswell. 1681). Part 2. Ch. 2, p. 39.

6. Phillippus Baldeus. *A true and exact description of the Great Island of Ceylon*. Colombo: The Ceylon Historical Journal 1960. First Published 1672. p. 76.



The culprit was laid on a horizontal cross made of thick beams and each of his limbs were firmly tied to a limb of the cross. In this position the executioner, with a thick bar of iron resembling in shape and size a common rice pounder proceeded to break every joint in the body, beginning at the extremities and proceeding joint by joint up to the trunk; and a blow on the stomach completed the work.<sup>7</sup>

The English, when they took Colombo in 1796 found a rack and a wheel and other implements of torture which were used on criminals.<sup>8</sup> Breaking on the wheel was a punishment that was introduced into Ceylon by the Dutch.<sup>9</sup> It was frequently resorted to in Europe. The actual procedure adopted in Ceylon was different from that used in the European countries. The practice here in Ceylon was to place the culprit on the wheel and break his thighs with an iron club after which he was hanged on the gallows or put into a sack and thrown into the sea.<sup>10</sup> The rack was resorted to in cases where the torture was supposed necessary to force the culprit to a confession. His legs and hands were tied to two beams and by the aid of screws the two beams were made to move slowly in opposite directions, thereby stretching the man until his joints gave way.<sup>11</sup>

The Portuguese do not appear to have used any of this elaborate machinery but their indulgence in torture was such that they gained a just reputation as masters of devising ingenious methods of torture so much so that King Rajasinghe II, thought to be one of the cruellest kings of Ceylon, considering the Dutch successors of the Portuguese to be equally adept at the game sent persons he wanted punished in an extraordinary and excessive manner to Colombo.<sup>12</sup> The purpose to which the Portuguese put this torture was entirely different from that of either the Sinhalese or the Dutch. If reliance is to be placed on extant records the Portuguese freely resorted to torture to compel private parties suspected of possessing wealth, to disgorge their riches. They used to pinnion men and throw them into the water and drag them out half drowned. The process was repeated if the victims remained obdurate. A second method used by them consisted of filling the nostrils of their victims with ash and thus half suffocating them without endangering their lives. In their lust for gold it was not only the men who were thus treated. Women too were subjected to torture and

7. C. A. Lorensz. Demonology and superstition in Ceylon. *Ceylon Literary Register*. Vol. 4. (1935), pp. 132-140.

8. R. Percival. *An Account of the Island of Ceylon*. London: C and R. Balwin. 1903). p. 124.

9. Sir Emerson Tennent. *Ceylon*. (London. Longman Green Longman and Roberts. 1859). Vol. 2. p. 46.

10. J. C. Wolf. *Life and Adventures*. (London: Robinson 1875). p. 272.

11. C. A. Lorensz. *op. cit.*

12. Tennent. *op. cit.* Vol. 2, p. 24.



even the condition of motherhood did not act as a deterrent. It mattered little to these rapacious gold hungry Portuguese whether the victim was man or woman, infidel or Christian.<sup>13</sup>

Though the Dutch had the wheel and the rack which they used frequently they did not confine themselves to their use alone. Confessions and evidence of crime and conspiracies were secured by the Dutch by the unsparing use of the rattan. They whipped men and women sometimes bare to the bone and when Petrus Vuyst was Governor (1726) he often did the whipping himself to ensure that the job was properly performed.<sup>14</sup> When the rattan proved inadequate other ingenious forms were brought into requisition. Spirits of wine were rubbed on the lacerations caused during the whipping and if this did not produce the desired effect burning matches were tied between the fingers of these obdurates and their finger nails were pulled out and boiling wax was poured on the wound.<sup>15</sup>

The British, having once abolished torture and the requirement of a confession for conviction, do not appear to have resorted to its use in their official capacity. As private citizens, however, they have been known to have adopted the procedure.

Lieutenant Dobbin of the 19th Regiment who suspected that his Sinhalese servant Daniel Appu had stolen money from him caused him to be confined and afterwards undergo repeated floggings with a cat o' nine tails by a drummer of the Regiment both on his bare back and breach until the man was in such a state as to be obliged to be removed to the Regimental hospital and this with a view of extracting a confession.

British officialdom, however, did not tolerate it, for Governor Brownrigg, when he heard about it, pointed out that "such illegal and revolting proceedings which were in defiance of all law were highly repugnant to British feelings, and when exercised by an officer degrading to the military character," ordered Dobbin to be tried by the civil courts which found him guilty and sentenced him to six month's imprisonment.<sup>16</sup>

## Mutilation

Unlike torture, mutilation was not uncommonly used by the Sinhalese. Cutting off the ears, the noses and the hands were accepted punishments for certain crimes where the penalty of death was considered excessive or

13. P. E. Pieris. *The Portuguese Era*. (Colombo: The Colombo Apothecaries, Co. Ltd. 1913). Vol. 1, p. 307.

14. P. E. Pieris. *Ceylon and the Hollanders*. (Tellipallai, American Ceylon Mission Press, 1918). p. 36.

15. *ibid.*

16. *Colonial Office*. 54/53. Brownrigg to Liverpool. No. 8 dated King's House 29th May, 1812.



inexpedient. Often it has been carried out to set an example to others. It has been inflicted as the punishment for murder, though this was certainly not the common punishment for this crime. The *Culavamsa* tells us that King Silameghavanna (617-626 A.D.) had the undisciplined Bhikkhus who had killed the pious Bodhi in order to have the Regulatory Act annulled, punished in this fashion.<sup>17</sup> The offence for which mutilation was most commonly used was robbery and theft. When it was the king's treasury that was robbed this appears to have been the invariable punishment.<sup>18</sup> But if the victim of the robbery was more lowly, restitution was apparently more important and mutilation was relegated to a secondary position.<sup>19</sup> Mendis tells us that the punishment for robbery was usually a fine,<sup>20</sup> which was generally divided between the victim—*vandi* or restitution—and the judge—*dada* or fine.<sup>21</sup> When the robber was a menial who could not afford to pay a fine the punishment was mutilation.<sup>22</sup> Yet, the inability to pay a fine did not always spell mutilation. Thieves who stole four hundred *ridi* from Meeketiya Walauwe were unable to restore the money they had stolen and they were also unable to pay the fine that had been imposed on them. They were not subjected to mutilation : they bound themselves to serve at the Walauwe pending payment instead.<sup>23</sup>

The paucity of robbery in the Sinhalese kingdom has been reported by several writers. Knox, for example, writes, "Of all the vices, they are least addicted to stealing, which they do exceedingly hate and abhor ; so that there are but few robberies committed among them."<sup>24</sup> De Queroz expresses a similar sentiment. Robbery was so rare, he says, that people lived without fear and without bolting their house or box fencing their land.<sup>25</sup> Even when the British took over the Kandyan Provinces in 1815 this state of affairs was found to exist and British officials followed the native custom of having no locks to their houses and to their cash boxes only to find that they soon became the victims of robbery not by the Sinhalese but by the sentries on duty and other soldiers.<sup>26</sup> The low incidence of robbery in the Sinhalese kingdom has been attributed by de

17. *Culavamsa* trans. Wilhelm Geiger (Colombo: Ceylon Government Information Department. 1953). Part 1, p. 81.
18. P. E. Pieris. *Sinhala and the Patriots*. p. 18.
19. Sir Ivor Jennings and H. W. Thambiah. *The Dominion of Ceylon*. (London: Steven and Sons Ltd. 1952). pp. 91 ff.
20. G. C. Mendis. *Early History of Ceylon*. (Calcutta: Y.M.C.A. Publishers: 1932).
21. Sir Ivor Jennings and H. W. Thambiah. *op. cit.*
22. G. C. Mendis. *op. cit.*
23. Palm Leaf Deed. (A.C. 1801), Colombo Museum.
24. Knox. *op. cit.*
25. Fernao de Queroz. *The Temporal and Spiritual Conquest of Ceylon*. trans. S. G. Perera. (Colombo: Ceylon Government Printer. 1930). pp. 96 ff.
26. P. E. Pieris. *Sinhala and the Patriots*. p. 185.



Queroz to the severity of punishment for this crime. He says that if the thief was caught in the act he was impaled on the spot and if the theft was minor, according to the quality of the crime, the ears, the hands or the nose were cut off.<sup>27</sup> Pridham, on the other hand, contends that robbery was not uncommon among the Sinhalese and that on detection

the culprit was obliged to restore the stolen property or its value, was fined in a certain sum which was divided between the judge and the plaintiff, was sometimes imprisoned and was often besides punished with flogging either with the hand, with the rattan or the Adigar's whip.<sup>28</sup>

A third offence for which mutilation was used as punishment was espionage. D'Oyly records one such instance and gives us a vivid description of how exactly the mutilation was carried out. Some spies from Colombo had succeeded in penetrating into the King's dominion by a secret path in the guise of pedlars. They were detected and arrested. After a preliminary inquiry they were sent to the capital to be tried for espionage. There they were found guilty and sentenced to have one arm, ear and nose cut off. After the verdict was delivered the chiefs who formed the tribunal retired to the spot where the punishment was to be inflicted. A cauldron was brought, and a mixture of resin, jak milk, kekuna gum, coconut oil, and other ingredients were heated in it. The *gahala gambadayo*, the executioners, then seized each convicted person in turn, stretched him out on his face and pressed him down by treading on his joints, hip and neck. The arms were extended in front of his head and a plank was laid under one. This was held in place by two men. A third man cut off the hand at the elbow with an adze and the ear and nose with a sharp knife. The bleeding stump was annointed with the hot mixture. The prisoners were then made to cry out "we will never again cross the frontier." Seven of the men are said to have died while the three remaining were escorted to the frontier by different routes.<sup>29</sup>

This was in the early nineteenth century when Paul Pieris tell us,<sup>30</sup> "the punishment had fallen into disuse for forty years," and had been revived in "the case of some of Mudusami's followers who had placed the very existence of the State in danger." In earlier times too it had been used as a punishment for espionage. Baldeus<sup>31</sup> gives us further examples of its infliction. According to him not only were the hands, feet, ears and nose

27. de Queroz. *op. cit.*

28. Pridham. *An Historical, Political and Statistical Account of Ceylon.* (London: T and W. Boone. 1849). Vol. 2, p. 218.

29. Evidence recorded by John D'Oyly 24th and 26th October 1814, contained as an enclosure to Despatch 86 of 30th October 1814 from D'Oyly to Brownrigg. Colonial Office. 54/53.

30. P. E. Pieris. *op. cit.*

31. Baldeus. *op. cit.* p. 26.



cut off "some of their more delicate organs" were also cut off. When the Portuguese, Dutch and British were in Ceylon it was not uncommon for chiefs in the service of these Europeans to flee to the Kandyan Kingdom and for chiefs in the service of the Kandyan King to flee to the maritime provinces. To ensure acceptance by their new masters and also perhaps to avenge themselves of injustices they thought were done them, they had some of the more important people in the service of the master, now being discarded, mutilated as a last farewell act. Dominicus Corre, also known as Goliade and as Edirille Bandara, born and bred among the Portuguese, a bold and celebrated warrior, who was made Commander in Chief of the Lascarins, revolted against the Portuguese and fled from them in consequence of some injustice done him. Before he left he cut off "the noses and ears of several of their monks and other ecclesiastics."<sup>32</sup> Such a procedure has been adopted by others. The first recorded instance of the infliction of mutilation is in the third century A.D. when Abhayanaga had his uncle's hands and feet cut off. Abhayanaga who was the reigning monarch's brother, was fleeing from him, having enraged him by making advances to his wife.<sup>33</sup>

Oddly enough this first recorded instance occurred at a time when the King—Voharikatissa—had set aside bodily injury as a penalty.<sup>34</sup> King Voharikatissa, the chronicler tells us, was the first in this country to make such a law. But it is not the only occasion when such punishments were abolished by the Sinhalese kings. The Slab Pillar inscription at Alutnuwara Dewale contains a guarantee to the people of Satara Korale against *angahani* given by King Vickrama Bahu of Kandy (1473-1510 A.D.)<sup>35</sup> Similar guarantees have been given by King Parakrama Bahu in the Slab Pillar inscription at Gadaladeniya Vihare,<sup>36</sup> and by King Bhuvenaka Bahu VI in the Dadigama Slab inscription.<sup>37</sup> Slab inscriptions give us not only instances of the abolishment of this punishment, they also give us instances when it was proclaimed a punishment. Thus the Vevelkatiya Slab Inscription of Mahinda IV (1026-1042 A.D.) proclaims mutilation to be the punishment for failure to pay *ge-dad* — the collective fine imposed on a village for failure to detect offenders.<sup>38</sup>

32. Baldeus. *op. cit.* p. 30.

33. *Mahavamsa*. trans. Wilhelm Geiger. (Colombo: The Ceylon Government Information Department. 1950). p. 259.

34. *ibid.* p. 258.

35. H. W. Codrington. Abhaya Dana. *Ceylon Literary Register*. Vol. 1. (1931), pp. 35-36.

36. *ibid.*

37. *Epigraphia Zeylanica*. Vol. 3, (1933), 278-285.

38. *Epigraphia Zeylanica*. Vol. 1 (1904), 241-252.



On some occasions those who were sentenced to have their hands, feet, noses or ears cut off were able to obtain a remission because of the sympathy of either the King or the executioner who was invariably entrusted with the job. The *Culavamsa* records how the treacherous Moggallana III (611-617 A.D.), after he had got himself enthroned King, had ordered the hands and feet of the son of the former King to be cut off.

The man charged by the King, went thither immediately to cut off his hands and feet. The boy wept in distress; 'If my hands which I have for eating cake, are cut off with what shall I then eat the cakes?' When the King's servant heard that he wept and wailed, sorely grieved at the King's command. Nevertheless, he cut off his left hand and left foot.<sup>39</sup>

Kings also have been compassionate and the *Culavamsa* tells us that during the reign of King Parakrama Bahu II (1236-1271 A.D.) "many thieves who had committed thefts even in the Royal Palace, turned to him when punishment overtook them. They gave up their anguish and their fear and unharmed, without suffering the loss of limb (*anaghani*) their lives were spared."<sup>40</sup>

### Flogging

Flogging was a form of punishment not commonly used by the Sinhalese. It was considered a minor punishment, yet, lashes could be ordered only by the King.<sup>41</sup> Judges, however, lowly were permitted to impose corporal punishment but the weapon to be used was carefully regulated. The Adigars were permitted to use the cane or whip, Dissavas and the like could use twigs, while minor chiefs such as headmen, were constrained to use their hands.<sup>42</sup> It was a punishment that was used by the Portuguese,<sup>43</sup> by the Dutch,<sup>44</sup> and by the British,<sup>45</sup> and it is a punishment that still remains on our statute books.<sup>46</sup> When the Sinhalese imposed this punishment, the number of strokes that were to be inflicted was not specifically stated in the sentence. When the punishment was being inflicted, the judge who passed the sentence, was generally present at the scene and when he thought the convict had received sufficient he stopped the flogging. In the case of the Portuguese, the Dutch and the British, the sentence carried the number of lashes that the convict was to receive and the punishment was always carried out to its logical conclusion even though the individual may have

39. *Culavamsa*. op. cit. Part 1, p. 76.

40. *ibid.* part 2, p. 180.

41. P. E. Pieris. *The Portuguese Era*. Vol. 2, p. 503.

42. Sir John D'Oyly. *A Sketch of the Constitution of the Kandyan Kingdom*. (Colombo: Ceylon Government Printer 1929). See also Sir Ivor Jennings and H. W. Thambiah. op. cit. pp. 91 ff.

43. P. E. Pieris. op. cit.

44. P. E. Pieris. *Ceylon and the Hollanders*. loc. cit.

45. P. E. Pieris. *Sinhala and the Patriots*. loc. cit.

46. *Ceylon Penal Code*.



been long dead. Often at the completion of the flogging, the body was bare to the bone from the neck to the waist, and in Portuguese and Dutch times such bodies were exposed in public places in the town.<sup>47</sup> Though designed to suppress crime, this spectacle engendered more crime: especially when the victim was an old man the Portuguese or Dutch official who had sentenced the man to be flogged was murdered. The brutal van Schuler of Matara met his end in this way.<sup>48</sup> Under the Sinhalese too people died in the process of being flogged. In 1650 a Persian living in Ceylon, addicted to kansa kola, had stabbed a girl of three while under the influence of the drug. He was sentenced to be flogged. He died under the punishment. So did Petigamma Muhandiram who was found guilty of stealing a banner from the Sabaragamuwa Dissavonny, and Gunnepana Nettigedera Appu who had robbed Malabar dancers performing before the King.<sup>49</sup>

The difference in the infliction of this punishment by the Sinhalese on the one hand and the Europeans on the other did not stop at the number of lashes inflicted. The Sinhalese did their whipping of males in the streets of the city. The offender was made to wear a chain of cattle bones and red flowers and march down the streets shouting out his crime being whipped all the while. The females were whipped in the Royal *attuwa*.<sup>50</sup> The Europeans preferred the execution ground: they whipped their convicts under the gallows.<sup>51</sup> A third point of difference was the crimes for which flogging was the punishment. Among the Sinhalese this punishment has been imposed for theft,<sup>52</sup> sorcery,<sup>53</sup> adultery,<sup>54</sup> and the slaughter of elephants.<sup>55</sup> Under the Dutch it was the punishment for run away slaves, giving false evidence, and molesting Europeans,<sup>56</sup> while the British, who had great faith in the lash, imposed it for every conceivable crime—for even unauthorised persons travelling in palanquins.<sup>57</sup> Flogging was most frequently used by the British. The British judges, not motivated by the same desire to display the humane qualities of the British as were British Governors, being legally forbidden to use mutilation as a form of punishment and restricted in the use of the death penalty, used whipping with an alarming

47. P. E. Pieris. *Tri Simhala*. Colombo: The Colombo Apothecaries Co. Ltd. 1945).

48. P. E. Pieris *Sinhala and the Patriots*. loc. cit.

49. *ibid*.

50. D'Oyly. *op. cit.* Pridham. *op. cit.*

51. P. E. Pieris. *Ceylon and the Hollanders*. loc. cit.

52. W. Ivor Jennings. Notes on Kandyan Law collected by Sir Archibald Lawrie LLD. *University of Ceylon Review*. Vol. 10 (1952). 185-220.

53. *ibid*.

54. Pridham. *op. cit.*

55. P. E. Pieris. *Sinhala and the Patriots*. loc. cit.

56. J. P. L., Dutch Rule in Ceylon. *Ceylon Literary Register*. Vol. 4 (1935), p. 108.

57. Colombo Museum Manuscripts, No. 35.



frequency and an astonishing severity. Charles Marshall, Puisne Judge, in the course of a short criminal sessions held at Matara in 1830, sentenced 34 persons to receive a total of 5350 lashes.<sup>58</sup> British agents of Revenue who acted as judges in minor cases while on circuit, were permitted to impose as many as one hundred lashes.<sup>59</sup>

A final point of difference is that the Sinhalese did not hesitate to inflict the punishment on women. It was considered a minor punishment that could be readily substituted for the more severe ones. Thus the chiefs, when asked whether a woman cannot be punished with death if found guilty of a crime for which a man would be so punished contended that the religion and customs of the country did not permit a woman to be so punished and that some other suitable punishment such as whipping or imprisonment should be imposed.<sup>60</sup> They whipped women and saw nothing objectionable or obnoxious in it. The Portuguese, Dutch and the British also did not hesitate to inflict this punishment on women. They whipped them frequently but it hurt the tender feelings of non-judicial British Officers to find British Magistrates and British Judges imposing this penalty on women. Hardinge Giffard, one such Britisher, wrote to Governor Brownrigg on 3rd August 1814, appalled, that "by some of them this horrid punishment has been publicly inflicted on women," and suggested shaving the head as a substitute.<sup>61</sup> Yet, it was not until 1883 that the whipping of women was legally abolished. Also abolished at this time was the whipping of persons sentenced to more than five years imprisonment.<sup>62</sup>

Torture, mutilation and lashes were punishments that were commonly used in ancient and mediaeval Europe. They were punishments that were used the world over at a time when people thought that the infliction of bodily harm was an effective deterrent to crime. In the enlightened age we live, in, when such relationship has been found to be non-existent, these methods are not generally resorted to. Yet, in some countries they still remain on the statute books. Most countries permit flogging, though carefully regulated, for people still believe what Sir Henry Maine said several years ago that flogging was "the most strongly deterrent of known punishments".<sup>63</sup> In Ceylon too, Police Chiefs have contended in the early part

58. P. E. Pieris. *op. cit.* p. 68.

59. *ibid.* p. 456.

60. W. Ivor Jennings. *op. cit.*

61. P. E. Pieris. *op. cit.* p. 68.

62. *Legislative Enactments of Ceylon.*

63. C. S. Kenny. *Outlines of Criminal Law.* Cambridge: University Press. (1942). p. 619.



of this century, that the more frequent use of the whip would perceptibly reduce the incidence of crime.<sup>64</sup> It has also been contended that all classes of people believe that "the more frequent recourse to the punishment of flogging" was a sure and certain method of combatting crime.<sup>65</sup> Mutilation as a punishment exists on the statute books of a few Moslem countries and in the State of California where a statute introduced in the twentieth century allows the court to inflict an emasculative operation on men guilty of sexual wrong to a girl under ten.<sup>66</sup> Torture, though not legally permitted, is practised illegally in some form or other under the name of third degree, by every police force in the world.

64. *Administration Reports of the Inspectors General of Police.* (Colombo: Government Printer).

65. Frank Modder. *Manual of the Puttalam District of the North Western Province.* (Colombo: Ceylon Government Printer. 1908). p. 164.

66. Statute No. 224.



## SOME ASPECTS OF THE NEGATIVE CULT AMONG THE SINHALESE

H. L. SENEVIRATNE

### 1. *Threshing floor ceremonial*

CERTAIN recurring patterns of magico-religious behaviour are practised by Sinhalese peasants at various stages of the cultivation cycle. As a result of secularisation much of this has gone out of use ; nevertheless these behaviour patterns, in some of their aspects, still linger on in the more remote villages up to the present time. These have been most pronounced in one stage of the cultivation cycle—namely threshing,<sup>1</sup> so much so that even in the relatively secularised suburban areas threshing floor ceremonial remains in abbreviated form, whereas hardly any trace of any other agricultural rite remains.

A striking form of behaviour on the threshing floor is the use of a peculiar idiom known as threshing floor language (*kamat bāsava*). Many have observed this in the past : it has been called a “strange conventionalism adopted by Sinhalese cultivators of substituting an odd shibboleth for the ordinary colloquial talk of everyday life” (Bell : 1883) and “a most curious custom” of using a “peculiar conventional euphemistic language” (Ievers: 1880). “Whilst engaged in threshing, certain familiar words must not be used, but others in otherwise forgotten language take their place.” (Nevill : 1887).

The agricultural ritual complex is variously interpreted too : (1) as illustrative of the faith of the Sinhalese which is “a strange mixture of demonolatriy . . . tempered more or less by Buddhism but without showing unmistakable traces of that older nature worship which preceded both, and dates from the childhood of the world” (Bell: 1883); (2) as a safeguard against the possibility of the *yaksayō* interpreting what is being said to their advantage. “A man will not use the word ‘take’ lest the *yaksayō* should consider it as a permission and steal the paddy” (Ievers: 1880); and (3) as relics of the original language spoken when the first *goiyās* (farmers) learned to grow rice; and kept up by a spirit of conservatism (Nevill: 1887).

1. “The process of threshing (*govikama*) . . . is accompanied by a host of rituals, practically comprising an independent cult” (Pieris: 1956, 82).



In his well known formulation Durkheim suggested that there is often an attempt to treat sacred and profane as things apart, and the common phenomenon of taboo or "negative cult" was seen by him as performing this separatist function. The "peculiar language" of the threshing floor can be seen as one of a series of interdictions designed to separate the sacred area and the sacred process of threshing from the profane: it is, in other words, a sacred language. Further, such an approach, instead of explaining away the "peculiar language" alone as observers in the past have done, makes it possible for us to see some meaning and coherence in the threshing floor ritual complex as a whole. Notwithstanding his linguistic excursions, it is testimony to Nevill's insight that he referred to the threshing floor language as "half-sacred".

It is left for us to understand how the threshing floor and the act of threshing becomes sacred. It can be suggested that this is the result of (a) the sacredness of the crop born out of the belief that it is caused by divine intervention. An attitude of reverence to corn is rather widespread in peasant cultures. The reverential reference to paddy as *bāta* by the peasant and his worshipping the paddy when he bends down to touch it is well known<sup>2</sup>. (b) The protection of the threshing floor by the gods by their sympathetic presence (*arak gānīma*). This is effected by certain rites and propitiatory acts: for example *arakwala dāmīma* (filling the protection-hole), which is an inauguration of magical protection. *Arakwala* refers to a hole or pit at the centre of the threshing floor. After the preparation of the threshing floor certain herbs and metals, a shell (*arak-bellā*) and other substances of magical value are put into the *arak* hole, and covered with a stone, the *arak gala*.<sup>3</sup> (Bell: 1883, Nevill: 1887, Lewis: 1884, Parsons: 1908; and for "the theoretical ingredients" of the *arak wala*, as prescribed in a threshing floor song called *kamat-hālla*, see Coomaraswamy: 1905).

The acts that follow consist of: (1) *Alusaṁvaḍanavā* or making representations in ashes of a sickle, conch, scraper (*pōruva*), bill-hook (*kāti*), and two brooms, and (2) four *goiyās* going three times round the threshing floor carrying *dāti* (pitch forks), reciting the following :

2. "One does not rudely grasp a growing maize plant; one does not wantonly throw kernels of maize on the ground or crack them between teeth." The maize is referred to as *zuhuy*, the term used to describe "everything that is protected from or is not exposed to contamination by the ordinary, the earthly, the profane." (Redfield: 1941, 120-121).
3. "Then they take divers strange shells, and pieces of Iron, and some sorts of wood, and a bunch of betel Nuts . . . and lay all these in the very middle of the pit . . . and a large stone upon them," (Knox: 1681, 11).



“Gold *dāti*, silver *dāti*, *gāṭa*, *demāṭa*, *nika*, *pila*, *warā dāti*, of those five *dāti* taking, (and) of these five *dāti* taking, that *galboḍa* this *galboḍa* crying, black daughter, black calf and heifer, *goiya* that guard this floor. They take well-threshed paddy, they toss the unthreshed paddy and let the grain fall, *goiyā* that guard this floor are working, the gods keep watch. Peace, peace” (Coomaraswamy: 1905).<sup>4</sup>

“Gold crook, silver crook, *kaṭupila* (*celastrus*★), *nika* (*vitex*★), *demāṭa* (*gmelina*★), *kobbā* (*Allophyllus*★), *koson* (*melia*★) crooks, taking the five crooks of these names, the *goiyās* are working, the *dēvas* are standing round, protect this work place, may there be blessing, may there be prosperity” (Nevill: 1887).<sup>5</sup>

What is significant to us is “gods keep watch” and “the *dēvas* are standing round.” The threshing floor is in contact with the gods: it is sacred.

In addition to the use of a sacred language, certain other interdictions increase the sacredness of the threshing floor. Women, who in Sinhalese society are polluting and thus associated with the profane should not enter the sacred precincts. Hands should reach out to the pitch-fork in a peculiar way. The measure, similarly, should be handled in an unusual way. One should not stand on one leg, a pose suggesting weakness of limb which is polluting, and is of the profane world.

After the removal of hay the sacred grains of paddy are laid bare and divine protection is at its maximum. Sacredness gathers the highest intensity and even the substitute language is suspended; “.... every one keeps still, or if someone talks, he does so in a low voice or with his lips only” (Durkheim: 3rd imp. 1954, 305).

4. *randāti ridī dāti gāṭa demāṭa nika pila varā dan pasak geṇamin dāti pasakgena egal megal boḍa aṇḍanā kaludu kalu vāsi vassā me kamataṭa araggat goiyō. Mādunu kola gaṇiti nemadunu kola salā lati. Me kamataṭa araggat goiyō vāḍa karati, deiyō balā siṭiti āṇḍu āṇḍu.*

5. *ran dāti ridī dāti kaṭupila nika demāṭa kobbā koson dāti, me nam dāti pasak gena goiyō vāḍa karati deiyō vaṭa siṭiti Me kamataṭa arak gat. Poli yahapati.*

\*Some of Nevill's botanical names can be revised in the light of modern nomenclature: e.g. *nika* (*vitex negundo* L.), *demāṭa* (*Gmelina asiatica* L.), *kobbā* (*Allophyllus cobbe* (L.) Bl. and *koson* (*Azadirachta indica* A. Juss.).



## 2. Food Offerings<sup>6</sup>

A consideration of foods offered by the Sinhalese to supernatural beings reveals that the foods offered to the lower spirits are never offered to the gods. For example, ash pumpkin (*Benincasa hispida*) and ash plantain (a variety of *musa*)<sup>7</sup> and meat and fish<sup>8</sup> which are “pleasing to the lower spirits.”<sup>9</sup> This is because these foods are impure and have to be kept away from the sacred: “if certain foods are forbidden to the profane because they are sacred, certain others, on the contrary, are forbidden to persons of a sacred character, because they are profane” (Durkheim: 1954, 303). Gods are offered vegetarian foods and fruit juices which are not “hot,” for “hotness” is impure.<sup>10</sup>

## 3. The Sinhalese New Year

The new year ceremony signifies the death of the old year and the birth of the new year. Sixteen Sinhalese hours (*ghaṭikā*)<sup>11</sup> before, and the same length of time after, the movement of the sun from the house of Pisces to the house of Aries consist of sacred time, explicitly rendered by the Sinhalese as *punya kāla*, sacred or meritorious time. The new year ceremony is essentially religious, an occasion when “the religious life attains an exceptional degree of intensity” (Durkheim: 3rd imp. 1954, 307).

The most interesting feature about this span of sacred time is the cessation of work, for “work is an eminent form of profane activity” (Durkheim: 1954, 307). Everything is at a standstill when the kitchen fire, the symbol of domestic activity, is put out: no cooking is done and no eating is possible, for “the act of eating is, of itself, profane; ... it takes place every day, it satisfies essentially utilitarian and material needs and is part of our ordinary existence” (Durkheim: 3rd imp. 1954, 306).

6. G. Obeysekera: “The Great Tradition and Little Tradition in the perspective of Sinhalese Buddhism” (unpublished) is of opinion that food categories have status associations. Prior to connoting status, however, they seem to connote purity or impurity.

7. The officiating priest (*kapurāla*) of Dodanwela *Dēvāle*, Kandy, once told me that whatever is “ash” (*alu*) is impure and is not offered to the Gods.

8. “These Gods have never any flesh brought in sacrifice to them” (Knox: 1681, 75).

9. *Saddharma ratnāvalīya*, a thirteenth century Sinhalese prose work refers to certain foods “pleasing to the lower spirits” (*amanuṣyaṇṭa priyavū*).

10. Wirz says that “cooling” (*sisil karanavā*) in Sinhalese ritual means purifying. The Sinhalese categorise food into “hot” (*giniyama*) and “cold” (*sītala*). Hot foods are impure and thus are never offered to the sacred. Wirz points out that “to get fever” is referred to as “to get hot” (Wirz: 1954, 224, 241).

11. A Sinhalese hour is approximately 24 minutes.



#### 4. *Pure and impure*

The social distance between castes in the Hindu caste system is well known. Bouglé in his essay on caste disagreed with the idea that caste is a manifestation of the opposition of social categories postulated to be indispensable to the growth of every society and is thus a universal phenomenon.<sup>12</sup> The basic segregation is between the broadly pure and impure categories of caste, for any contact between the two pollutes the former. Thus it is said that these categories "repel" each other (Bouglé: 1908) and maintain a "magical distance" (Weber: 1958, 34). A *puruṣa sukta* stanza of the *Rgvēda* describes how the clean castes, i.e. *brāhmaṇa*, *kṣatriya*, *vaiśya*, were born of the mouth, the hands and thighs of Brahma respectively, whereas the unclean castes were born of his feet, connoting impurity. The clean castes consist of the twice-born (*dvija*) who wear the sacred thread: the ceremony of the second birth (*upanayana*) symbolically brings to life a sacred person for whom many a profane act is taboo. Adherence to vegetarian food is an abstention, an aspect of asceticism, an aspect of the sacred life. This and other abstentions aid union with the divine, whereas worldly life, free of such abstentions and restrictions, is profane and retards such union.

Although the rigidity of caste repulsion of the Hindu is unknown among the Sinhalese, ideas of purity and impurity, of sacred and profane have gained acceptance among them. The high castes are pure (*pirisidu*) and good<sup>13</sup> (*hoṇḍa*) and the low castes impure (*apirisidu*) and bad (*naraka*) (Yalman: 1960).

In India the very glance of a low caste man is sufficient to ritually defile the food of the Brahmin. Weber mentions that during the famine of 1886 high caste cooks were employed in "public soup kitchens" and that "often a sort of *chambre separee* was created for each caste by means of chalk lines drawn around the tables and similar devices" (Weber: 1958, 36-37). Sinhalese society however only demands the observance of commensality rules: one never eats together with one's spiritual inferiors. *Nīti nighanduva* considers "eating in the house of a low caste person" an offence. In marriage the distance is given more emphatic expression: intercaste marriage is forbidden, for it would bring together sacred and profane men.

12. Bouglé was specifically disagreeing with Abbé Dubois, Max Müller and W. Crooke.

13. "In Kandyan times the *goyigama* people, to all intents and purposes, constituted the chief caste, 'the good people,' as opposed to the 'low castes'" (Pieris: 1956, 171).



### 5. *The Buddhist monk*

The Buddhist monk is a sacred person. He withdraws himself from profane activity and leads a life of asceticism. He lives in a temple or sanctuary which is sacred territory. He eats that he may live, only one meal a day, for eating is of the profane life. He shaves off his hair,<sup>14</sup> and dons the yellow robe, acts which are symbolic of the renunciation of a life that is worldly and profane.<sup>15</sup> Behaviour towards such a sacred personality is prescribed for the profane. In the presence of the former the latter should ideally occupy a given position (*ekatpasva siṭṭinavā*), “avoiding the sixfold faulty way of sitting, namely, to sit too far, too close, on the upper wind side, on a high seat, straight opposite, right behind” (*Manōrathapūrāṇi*).<sup>16</sup> A sacred vocabulary refers to acts and things connected with him: thus eating is *valāṇḍanavā*, going is *vaḍḍinavā*, saying is *vaḍḍāranavā*, food is *dāna*, and water *pāṇ*.<sup>17</sup> The *vinaya* rules themselves are interdictions, forbidding a profane scheme of life which denies salvation. “There is no interdict, the observance of which does not have an ascetic character to a certain degree.” (Durkheim: 1954, 311)

### 6. *The initiation of a dancer*<sup>18</sup>

At the initiation the neophyte comes into contact with the sacred and thus a whole system of interdictions are concentrated on him. The *ves taṭṭuva*, the magnificent headdress of a Kandyañ dancer, which is associated with the sacred,<sup>19</sup> should on no account be worn by the apprentice, who wears only a turban (*uramāle*) for the head. The initiation or *ves tābīme maṅgallaya* takes place in the sacred sanctuary of a Buddhist temple. This represents a withdrawal from profane life and many austerities begin for him. A multitude of foods are forbidden: he should partake of neither meat nor fish (*pilihudu*) nor should he eat certain vegetables like ash plantain and ash pumpkin, foods that are never offered to the gods at the *dēvāle* food offerings (*multān bāma*). In other words, he should not partake of profane food; he may not “climb trees or work with axes, sickles and other instru-

14. vide. Leach: 1958.

15. “They are debarred from laying their hands to any manner of work; and may not marry nor touch women, nor eat but one meal a day . . . nor must they drink wine” (Knox: 1681, 74).

16. cha nisajjadose vajjetvā, seyyathīdam, atidūram accāsannam uparivātam unnatapadesam atisammukham atipacchāti.

17. In ordinary language, eating = *kanavā*, going = *yanavā*, saying = *kiyanavā*, food = *kāma*, water = *vatura*.

18. For details of a dancer's initiation referred to here I owe greatly to the detailed and penetrating work of Mr. A. H. E. Molamuré.

19. The *ves taṭṭuva* is “frequently stored away in a *dēvāle*—the shrine of a god—until required for use” (Molamuré: 1958).



ments of cutting," not so much because they are activities "involving the risk of physical injury and consequent inability to take part in the ceremony" (Molamure: 1958) but because such work belongs to the profane life.

About half an hour before the auspicious time for the tying of the *ves-taṭṭuwa*, priests start chanting *pirit*. *Magul bera* (drums) are beaten, and all except the neophyte and his teacher (*guru*), leave the shrine room where the initiation takes place. At the auspicious moment everybody observes strict silence for it is forbidden for the profane to speak in the presence of the sacred. Gradually, part by part, the head-dress is tied on to the neophyte's head. Thereafter, the teacher and pupil, with the latter's face covered walk towards an "unused clay bowl (*nävum diya koraha*) containing pure water and a few silver coins." In addition to the neophyte's face being covered, the surrounding area is made clear of onlookers so that he may not see them who are profane, "for one comes into relations with a thing by merely regarding it" (Durkheim: 1954, 304). The initiate walks up to the bowl of water in which he sees his own reflection: this is a way of making himself free to look at the profane (as he has to immediately do) for in the reflection he sees himself who is sacred because of his proximity to the gods, and non-sacred in so far as he has to return to the profane life, a sort of mediator between incompatible poles.

It is interesting to note how the core of this ceremony persists in an urban environment where the initiates are no longer individuals trained from their early boyhood by a traditional *guru*, but literate young men, trousered or national-dressed, caught in whirlpools of national revivalism. I met a young dancer trained at a state-aided dancing school, who had to undergo a modified initiation ceremony, where he had to observe mild abstinences and after the tying of the *ves-taṭṭuwa* was made to disclose his visage to a basinful of water strewn with jasmine flowers.

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## EDUCATIONAL WORK OF THE CHRISTIAN MISSIONARY SOCIETIES IN CEYLON DURING THE EARLY YEARS OF BRITISH RULE

### III. THE WESLEYAN METHODIST MISSIONARY SOCIETY

T. RANJIT RUBERU

THE third English missionary society to be established in Ceylon during the British period was the Wesleyan Methodist Mission.<sup>1</sup> This mission which was headed by the Rev. Dr. Thomas Coke,<sup>2</sup> included seven others viz., Thomas Lynch, Thomas Squance, William Ault, George Erskine, William Martin, William Martin Harvard and Benjamin Clough. They "set sail from Portsmouth on 30th December 1813,"<sup>3</sup> and arrived in the Island on 29th of June, 1814.<sup>4</sup> Dr. Coke however died on the voyage and the mission from its inception lost a leader for work in Ceylon.

There is ample evidence to show that this mission decided to come to Ceylon on the advice of Sir Alexander Johnston<sup>5</sup> the then Chief Justice of Ceylon. Alexander Johnston who took considerable interest to encourage Christian missions in Ceylon and laboured for their establishment in the country,<sup>6</sup> made the suggestion to the parent mission in London to send some ministers to Ceylon. A recent writer testifies this in the following manner.

"Sir Alexander Johnston the Chief Justice of the Island deeply moved at the utter irreligion of the half million nominal Christians...and the heathenism of the rest of the inhabitants, heard from Wilberforce of the good work done by the Wesleyan Missionary Society. Through his invitation Coke's mind became fully imbued with the thought of at least making the attempt."<sup>7</sup>

1. The Wesleyan Methodist Missionary Society of London was founded by John Wesley in the year 1739. It was an outcome of the evangelical revival in England during the nineteenth century.
2. Thomas Coke. 1747-1814. Methodist Bishop. The first Methodist committee in London was formed in 1789 with Dr. Coke as head of it.
3. C. N. V. Fernando, Christian Missionary enterprise in Ceylon during the early British period, *Ceylon University Review*, vol. vii, p. 270.
4. Robert Tebb, *Twentieth Century Impressions of Ceylon*, p. 276.
5. Sir Alexander Johnston 1775-1849. In 1805 became Chief Justice of Ceylon. While in Ceylon he took considerable interest in propagating Christianity and establishing Christian schools in the country.
6. Even the Church Missionary Society was founded in Ceylon on the request of Sir Alexander Johnston.
7. W. J. Townsend, H. B. Workmen, and G. Eayrs; *A New history of Methodism*, (London, 1909). vol. ii, p. 293.



Encouraged by such invitation, Dr. Coke urged permission from the Secretary of State to send a mission under his (Coke's) direction to "settle at Ceylon".<sup>8</sup> The Secretary of State not only granted permission but when introducing the missionaries to the Governor for his "favour and protection" also made a special request to the Governor to "be disposed to afford them every facility for furthering the important objects they have in view."<sup>9</sup> Guaranteed by such authority, it was not surprising when the Wesleyan missionaries arrived in the country they received the warmest welcome and support from the highest officers of the Government.<sup>10</sup>

Governor Brownrigg after realising the usefulness of these missionaries "for establishing Schools in the Island"<sup>11</sup> and "disseminating Religious and Moral Knowledge"<sup>12</sup> to the people, provided all the facilities needed by the missionaries. He "assigned them salaries as teachers and sanctioned their dispersion throughout the Island."<sup>13</sup> Brownrigg's concern for the welfare of this mission is evident in the words of a Wesleyan missionary expressed in a letter sent to the Secretary of the parent mission in London in the following manner. "His Excellency Governor Brownrigg is never forgotten. His readiness together with the kind pledge; Brownrigg is assisting us in promoting the objects of the mission."<sup>14</sup>

Two days after the arrival of the missionaries in the country they held the first Synod in Galle, and it was decided to divide the Island into two districts for the purpose of missionary work. The basis of division was on the predominant language spoken. In the northern part of the Island where Tamil was the main language the missionaries were to work in Tamil and in the Southern parts of the Island where Sinhalese was the main language the missionaries were to use Sinhalese.<sup>15</sup> At the same meeting different stations in these two districts were decided upon. The Governor had recommended five stations as suitable, and, of these the missionaries selected four, leaving out Mannar.<sup>16</sup> The total number of stations selected was six and comprised of Jaffna, Trincomalee, Batticaloa, in the Northern districts Galle, Matara, and Colombo in the Southern district.<sup>17</sup> Colombo was

8. C.O. 54-50, Letter of Dr. Coke to Sec. of State, 13 September 1813.

9. C.O. 55-63, Letter of Sec. of State to Brownrigg, 20 October 1813.

10. W. J. Townsend, *op. cit.*, p. 294.

11 and 12. C.O. 54-74, Letter of Brownrigg to Sec. of State, 4 August 1818.

13. Sir Emerson Tennent, *Christianity in Ceylon* (London 1850), p. 107.

14. Letter of the Rev. J. Callaway to Sec. Wesleyan Methodist Mission, 8 July 1819.

15. Rev. Robert Tebb. *loc. cit.*, p. 276.

16. Thomas Mescrop and H. E. Restarick, *Ceylon and Its Methodism* (London), p. 32.

17. Wesleyan Methodist Mission Report 1817, p. 15.



selected to be, in addition, the headquarters of the Mission. A decision as to the number of missionaries to be stationed at each station was also made at the same conference.<sup>18</sup>

With the arrival of new ministers from time to time, the Mission was strengthened and the number of mission stations was also increased. By 1824 the Mission had its "principal stations in the largest and most populous towns,"<sup>19</sup> where they had "full and constant access to natives of all description."<sup>20</sup> By 1834 the Wesleyan Mission in Ceylon had 10 stations in the Southern district and 4 stations in the Northern district.<sup>21</sup>

In common with other missionary societies of the time, the Wesleyan Methodist Mission also had the conversion of non-Christians to Christianity as the primary aim. According to the report of the Society for the year 1827, the missionaries were "sent from England in order to convert the natives from Heathenism," and to instruct them "in the principles of Christianity."<sup>22</sup> By instructing in the principles of Christianity the Mission meant the use of education as a means of propagating religion. Schools were the main interest for the simple reason that they provided a great advantage in work connected with proselytization. According to the Rev. Robert Newstead of this Mission, "the chief prospects of success of the mission in the Island" rested "in the formation of schools and their vigorous support."<sup>23</sup> The "legitimate purpose" of schools as mentioned in the reports of this mission "is to teach Christianity," and if any other subjects were taught in the schools they were "only as an instrument to promote that great end."<sup>24</sup> Schools were "the nurseries to raise up genuine Christians"; the "education of the rising generations in schools conducted on purely Christian principles was likely to prove one of the most efficient means of enlightening the mass of the people."<sup>25</sup>

The fact that the Mission was able to establish a fairly organised system of schools within a short period of its existence in the country indicates the interest the Mission had in the founding of schools. Furthermore, the policy

18. *ibid.* p. 15.

19. Wesleyan Methodist Mission Report, 1824, p. 8.

20. *Ibid.*, p. 19.

21. Wesleyan Methodist Mission Report, 1834, p. 19. Sinhalese district: Colombo, Negambo Kurunegala, Kalutara, Panadura, Galle, Ambalangoda, Matara, Beligama and Beralapanatara Tamil district: Jaffna, Point-Pedro, Trincomalee and Batticaloa.

22. Report of the Wesleyan Methodist Mission in Ceylon, Address of the President Sir Richard Ottley delivered on 4 December 1827.

23. Rev. Robert Newstead to Secretary of the Mission, 30 October 1817.

24. Report of the Wesleyan Mission in Ceylon 1818.

25. C.O. 416, 6, Rev. Benjamin Clough to Commissioners of the Colebrooke Commission, 30 Dec. 1830.



of establishing schools “differing in character according to the conditions and wants of people,”<sup>26</sup> enabled to bring into existence a variety of schools in the country. The schools of this mission varied in structure and purpose, and were well distributed. According to the figures in the records of the Mission, there were by the year 1834, ninety schools of different kinds. These schools were found in the two provinces which were demarcated by the mission, namely, the Tamil speaking northern and the Sinhalese speaking Southern provinces. The distribution of the schools can be shown in the following manner.<sup>27</sup>

Province and the Station	No. of Schools	No. of children
<i>Southern</i>		
Colombo	7	384
Negambo	14	651
Kurunegala	4	80
Kalutara	18	1,028
Galle	10	545
Matara	15	707
Morawak Korale	1	30
<i>Northern</i>		
Jaffna	21	938
Total	90	4,363

The above figures give only a statistical representation of the schools which belonged to the Wesleyan Mission. These schools fell into two categories, which were described as Native Free Schools and English Schools. The Native Free Schools which were established for the “benefit” of the “middle and lower classes of natives,”<sup>28</sup> were evenly distributed in the mission stations and were the most widely distributed. The English Schools on the other hand were not so common, having being usually one at each station where the superintending missionary resided.<sup>29</sup> Besides these schools, the Mission maintained an Academy or Seminary—an “institution of a higher class” for students who were to be “educated in a superior manner.”<sup>30</sup>

26. *ibid.*

27. *Colombo Journal*, January 1833.

28. Wesleyan Methodist Mission, Native Schools Report, 1818.

29. C.O. 416, 6. Rev. Benjamin Clough to the Commissioners of the Colebrooke Commission, 30 December 1830.

30. *ibid.*



When it is indicated that “the principal strength of the Mission” was “employed on the Native Schools,”<sup>31</sup> the Wesleyan Mission apparently showed a great interest in establishing this group of schools. This in fact was in accordance with the declared policy of the Mission—“to convert the natives” and “to extend the advantages of education to all”.<sup>32</sup> For such purpose the Mission needed an organised system of schools, well distributed in the country, to provide for the lower class of people, and the Native Schools provided that need. It is possible to believe in the light of the following observations of the Mission, that, the Native Schools performed such service quite satisfactorily. “.. the missionaries have the pleasure to state to their friends that at no period of the history of the country was so extreme a system of schools in a more active energetic state of operation than are the Wesleyan Native Schools at this date.”<sup>33</sup>

According to the terminology of the Mission, the Native Schools were of three kinds, described as the Native Schools of the First-Class; the Native Schools of the Second-Class; and the Native Schools of the Third-Class. The First Class of Native Schools were “purely native”<sup>34</sup> and the instruction imparted in them prepared children “for the common routine of native life”.<sup>35</sup> This group of Native Schools, while meeting the ambitions of the Mission, did not contribute to the improvement of the social condition of the people. The Mission in fact, did not intend the Native Schools of the First Class to render such service, as is evident from the following remarks “.. we do not aim at making natives learned men, but to impart to them such a power of acquiring useful knowledge through the medium of their own language, as will enable them to understand the duty to God”.<sup>36</sup>

The methods of teaching in the First Class of Native Schools reflected this attitude of the Mission. The following quotation taken from a report of the Wesleyan Mission not only shows the trend, but also, the way in which it was achieved.

“..they are taught to read their own language.. Tamul and Cingalese<sup>37</sup> and to write the same with a steel or iron pen on Olas, or Palmyrah leaves after the manner of the country.. Thus they are fitted in their attainments to their situation in life which prevents their access to paper and pens, and other European articles.”<sup>38</sup>

31. Report of the Wesleyan Methodist Mission in Ceylon, Address of the President Sir Richard Ottley, delivered on 4 December 1827.

32 and 33. Wesleyan Methodist Mission Report, 1827, p. 172.

34 and 35. Wesleyan Methodist Mission Native Schools Report, 1818.

36. *Colombo Journal*, February 1833, p. 82.

37. That is Tamil and Sinhalese.

38. Wesleyan Methodist Mission Native Schools Report, 1818.



These remarks show that the purpose of the First-Class of Native Schools was to give a rudimentary education to the children of the lower rungs of society, in order to make them fit "to understand their duty to God".<sup>39</sup> The motive was primarily religious, that is to give these children "such spiritual aid"<sup>40</sup> as was required to make them good Christians. There is no evidence to show that by establishing the First-Class of Native Schools the Mission ever contemplated to raise the social status of the members of the society to which the schools catered.

The Second Class of Native Schools was for the children of Europeans and "well to do natives". These more fortunate children received a better deal from the schools than their counterparts in the First Class of Native Schools. They had a better organised system of learning with a wider curriculum. While during the "morning half of their school hours"<sup>41</sup> they received instructions in a manner similar to that imparted in the First Class of schools, the remaining part of the day was devoted to the learning of English reading and writing. The teaching of English too was carried out in a superior manner and books published in England, in particular "those published by the Sunday School Union"<sup>42</sup> were used. The teaching was also done "according to the British System of Education,"<sup>43</sup> namely, the Lancastrian System.<sup>44</sup> It is recorded that this method was practised in all schools which belonged to the Second Class. The "advanced scholars" of these schools were in addition given instruction in "English grammar and Arithemtic".<sup>45</sup> According to the capacity of pupils, subjects such as Geography and "principles of science" were introduced in to the curriculum.<sup>46</sup>

Thus the Second Class of Native Schools of the Wesleyan Mission showed some interesting features. First, they were of a superior order and provided an education for a selected group, namely the children of Europeans and well-to-do parents. Secondly, the education given in these schools was of an advanced kind and possibly better qualified teachers were employed. Thirdly, a teaching method quite advanced for the time, namely, the Lancastrian Method was used. Fourthly, books used were of a higher quality, being imported from England. All these go to suggest that the Second Class of Native Schools was of a higher status than the schools of the First Class.

39 and 40. *Colombo Journal*, 15 February 1833.

41 to 46. Wesleyan Methodist Mission Native Schools Report, 1818.



The Native Schools of the Third Class which comprised the last category of Native School were exclusively "for the education of females".<sup>47</sup> In these schools the girls were taught to read and write their mother tongue, and "to commit to memory suitable prayers and portions of Scripture".<sup>48</sup> A majority of girls in these schools learnt English. In addition to these, they were instructed in needle-work and lace work. To encourage the attendance of girls in school which was always at a poor level the Wesleyan missionaries very often made rewards of cloth.<sup>49</sup> As it was usually the practice, female schools were conducted by female members of the mission.

The second category of schools which belonged to the Wesleyan Mission were designated English Schools, which were always attached to "each of the missionary stations"<sup>50</sup> and were often situated at the place where the superintending missionary lived. These schools which often numbered one or two the most in each station, were the centres "where the English language, arithmetic, and the general elements of English literature" were taught.<sup>51</sup> With regard to the distribution of the schools no statistical information is available. But it is possible to assume that in each of the mission stations there was at least one English School. The English School at Jaffna station "was a day school for the education principally of children of European descent."<sup>52</sup>

The Wesleyan Methodist Mission when writing about the English schools refers to the method of teaching in them as the British System. According to the description of the missionaries, "The new system of instruction after the plan of Dr. Bell has been . . . introduced. If no other immediate advantage be realised by this . . . a much greater degree of attention on the part of the children will be secured."<sup>53</sup> Bell's system as well as the Lancastrian system used in the Second Class of Native Schools had been popular in the schools of the Wesleyan Mission. Yet this was not the only occasion where these new methods of teaching were introduced to the country. Governor Brownrigg<sup>54</sup> introduced the same methods to the schools which were conducted by Government.<sup>55</sup>

47. C.O. 416, 6, The Rev. Benjamin Clough to the Commissioners of the Colebrooke Commission, 30 December 1830.

48 and 49. Wesleyan Methodist Mission Native Schools Report, 1818.

50 and 51. C.O. 416, The Rev. Benjamin Clough to Commissioners of the Colebrooke Commission, 30 December 1830.

52. C.O. 416, 6, Letter of American Missionaries to the Commissioners of the Colebrooke Commission, 2 December 1829.

53. Wesleyan Methodist Mission Report, 1826, p. 107.

54. Sir Robert Brownrigg was Governor of Ceylon 1812 to 1820.

55. This refers to the government schools of the time.



The Wesleyan Methodist Mission recognised the importance of increasing the number of English schools mainly for the purpose of bringing up children in an English culture, as is implied by the following extract taken from a report of the Mission.

“.... it would be desirable to increase the number of schools, the advantages resulting from such instructions being very great, but it is not merely the acquirement of English which is to be looked to, though that is of great importance, but in schools where English is taught it is necessary to appoint a man acquainted not only with English but also with European ideas, and modes of thinking and activity.”<sup>56</sup>

Nevertheless “the limited nature of funds”<sup>57</sup> reduced to a considerable extent the progress of the English schools.

With the conviction that “the education of the rising generations in schools conducted on purely Christian principles was likely to prove one of the most efficient means of enlightening the mass of people”<sup>58</sup> the Wesleyan Missionaries endeavoured to create a genuine Christian environment in the schools. As one missionary commented “all the mission schools” were “decidedly Christian both in name and character,”<sup>59</sup> and it would be interesting to discuss the ways and means which were used by the Mission to create a Christian atmosphere in their schools.

When appointing teachers the Mission made every attempt to see that “none but Christian masters”<sup>60</sup> were appointed. It is recorded that “no professed heathen man” was ever employed by the Mission in any of its schools.<sup>61</sup> But in Ceylon at a time when Christianity was in its infancy the difficulty of obtaining Christian masters the Mission found it difficult to work. In the words of a Wesleyan missionary “... where shall we find such men? ... spiritual men who in addition to the ordinary routine of school business, will care for the souls of the children and labour to instruct them for eternity”.<sup>62</sup> Besides selecting Christian schoolmasters “the moral conduct” of these masters was “always closely inspected,”<sup>63</sup> and anyone “being convicted of immorality was immediately punished by dismissal”.<sup>64</sup>

56 and 57. Wesleyan Methodist Mission Report for 1827.

58 and 59. Rev. Benjamin Clough to Commissioners of the Colebrooke Commission, 30 December 1830.

60. C.O. 416,6, Rev. Benjamin Clough to Commissioners of the Colebrooke Commission, 30 December 1830.

61. R. Spence Hardy: *Jubilee Memorials of the Wesleyan Methodist Mission*, (Colombo, 1864), p. 269.

62. First Report of the Wesleyan Mission Native Schools in the station of Negambo, 1818.

63 and 64. *Colombo Journal*, 16 February 1833, p. 82.



There was also the coaching of the teachers to make them better fitted for their task. The masters of each station were required to attend the residence of the chief missionary every Saturday morning, where they were briefed as to what was to be taught in the school for the following week. Besides, "every schoolmaster was required to ask some questions at the weekly meeting concerning the Holy Scriptures or religious subjects in general".<sup>65</sup> The following extract gives a description of the kind of work done at these meetings.

"The schoolmasters' meetings that are held in the morning of every Saturday receive a considerable share of attention. After prayers the rules of the school are read, and a portion of the word of God is read by the minister about which they are afterwards catechised. The more secular affairs of the school are then attended to. A book is kept in each school in which every school visitor is required to write the number of children present, the results of their examination, and any other remarks that may be thought necessary. These books are produced at the meeting and only by them the missionary is informed of the present state of each school."<sup>66</sup>

When planning the curriculum and selecting books for the schools, the Mission always showed a religious bias. "None but Christian books" were permitted in schools. All works of "Heathen authors" were "absolutely prohibited," and the children were required "to conform to such Christian observances" as were "deemed expedient to be introduced".<sup>67</sup> The "children of all classes" were "instructed in the principles of Christian faith, through the medium of catechisms and other elementary religious works". In "all classes" the Sacred Scriptures "were adopted as a reading book".<sup>68</sup>

In common with other missionary societies the Wesleyan Mission also paid considerable attention to the superintendence of their schools. One way of superintending schools was "by a regular and vigilant course of daily inspection." These inspections were done by missionaries themselves or assistants on whom the missionaries had confidence.<sup>69</sup> Daily reports were made by the inspectors and the masters themselves, and the reports were always planned in a manner "to check each other and prevent deception".<sup>70</sup> In addition to daily inspections, the missionary of the station visited each school monthly, and made careful examinations.<sup>71</sup> In some stations assistant missionaries were available for weekly inspection of the schools.

65. Rev. Samuel Allen to Sec. of State letter dated 22 November 1830.

66. Rev. R. S. Hardy to Secretary of the Wesleyan Mission, letter dated 1 April 1831.

67, 68 and 69. C.O. 416,6, Rev. Benjamin Clough to Commissioners of the Colebrooke Commission, 30 December 1830.

70. C.O. 416, 6, Rev. Benjamin Clough to Commissioners of the Colebrooke Commission, 30 December 1830.

71. *Colombo Journal*, 16 February 1833, p. 82.



*Provision for Higher Education :*

The provision of higher educational facilities by the Wesleyan Mission was not so extensive as any other mission of the time except the Baptists. During the period under review,<sup>72</sup> the Mission had only one institution of higher education, namely, the Wesleyan Mission Academy which was in Colombo. The Academy was founded chiefly for the benefit of students whom the Mission envisaged "to employ in different departments" of missionary labour. It was planned "to educate 100 gratuitously on foundation ; 100 of those who are able to pay a little and 10 with a view to further usefulness who in addition to other requisites will be carried through a regular course of theology".<sup>73</sup>

At a meeting held in London on 4th February 1824 by the parent mission, the feasibility of establishing a Seminary or an Academy was discussed.<sup>74</sup> The minutes of this meeting are a good source of information about the Academy and some extracts of the minutes are inserted below.

"....subject of the proposed Institution at Colombo, Ceylon. It appears from the several letters of brethren that the plan proposed is to occupy a building attached to the Mission-House.

1. As a school for the instruction of the children of European and respectable natives who are to pay the masters for their instruction.
2. As a gratuitous school for native children on the plan of other schools, but in which the education shall be superior, and a kind of reward school for scholars who have conducted well in other schools.
3. Accommodation should be afforded to a limited number of young men already employed as assistant superintendents, schoolmasters who are local preachers, to be boarded and lodged for one or two years and to receive knowledge of the Scriptures.
4. It is proposed that the number of young men shall for the present be 12. 6 from the Cingalese and 6 from the Tamul district.
5. That the expense of each of these 12 pupils is calculated at £ 30 per annum, and that the brethren in Ceylon request the sum of £ 250 per annum for the purpose from the Committee.
6. For the management of that Institution it is proposed
  - (i) To engage a competent European master who shall be entitled to the remuneration he may receive from the scholars who pay for their education.
  - (ii) One of the preachers on the Colombo circuit from time to time shall be charged with the theological instructions.
  - (iii) That the whole shall be subjected to the examination of a committee."<sup>75</sup>

A careful analysis of these recommendations which were accepted by the Committee reveals several interesting points. In the first place, the Institution was to provide a "Superior education" to a few, namely the children

72. From the commencement of the Mission to the year 1834.

73. Rev. W. B. Fox to Secretary, Wesleyan Methodist Mission, letter dated 5 June 1823.

74. Wesleyan Methodist Mission Archives London, Minutes of meeting held on 4 February 1824.

75. Wesleyan Methodist Mission Archives, London, Minutes of Committee meeting held on 4 February 1824.



of Europeans and respectable native families, who could pay fees. The 12 students selected from the Northern and Southern provinces who were to be preachers of the Mission received free instruction—an inducement for many to become employees of the Mission. The provision for gratuitous education of a few scholarly children selected on merit was a noteworthy feature.

When these facts are taken into account it becomes apparent that the aims of the Academy were limited mainly due to the importance given to the Institution as a training centre for Mission's future employees. The policy of restricting admission into the Academy to a few of those who are socially superior than the majority of children in the country in its turn circumscribed the benefit of the Academy to a small group. Only a comparison with similar work of other missions in the country at the time will make this point clear. The observations of the Rev. Roberts of the Wesleyan Mission, "our American Brethren<sup>76</sup> have in this matter assumed rather too high ground"<sup>77</sup> make it possible to believe that the missionaries were aware of their lowly position regarding higher education.

The exact date on which the Academy was started is not found in the records consulted both in Colombo and London. But the fact that "as early as 1825 an institution was begun in Colombo for north and south Ceylon"<sup>78</sup> is mentioned and this institution in all probabilities was the Academy of the Mission.

The purpose of the Academy being to provide some kind of "superior education" it was an institution "exclusively appropriated to the English language" and was "conducted on a very superior plan". Students of the Academy received a "competent education in the Classics, and in Mathematics, as well as in English literature". Geography was taught "with the use of Globes" and the students "had access to a small library". For those who were to be employed as schoolmasters and preachers of the Mission "Theology formed a very prominent part in their course of instructions"<sup>79</sup>. According to the report of the Mission for 1827 the Academy had eighty four boys.<sup>80</sup>

76. This refers to the American missionaries who were working in Jaffna.

77. Rev. J. Roberts to Wesleyan Mission committee in London, letter dated 22 December 1824.

78. Thomas Moscrop and Restarick, *op. cit.*, p. 74.

79. Wesleyan Methodist Mission Report for 1827.

80. Wesleyan Methodist Mission Report for 1827.



The Academy so established by the Wesleyan Mission had a checkered history. Since its establishment in 1825 the Academy continued to function only for four years without a break, but "in consequence of the number of missionaries being reduced it was found necessary to discontinue the Institution in 1829"<sup>81</sup>. It is recorded however, that, two years later, the Academy was re-established again.<sup>82</sup>

Before concluding this account on the educational activities of the Wesleyan Methodist Mission some reference should be made to two important aspects of missionary activity connected with education, namely, the attitude of the mission to the use of the vernacular languages of the country and the establishment of the printing press. As for the use of the vernacular languages, the Wesleyans also in common with other missions of the time, recognised its importance. By the establishment of the Native Schools described above the Wesleyan Mission used the native languages for teaching purposes. When it is stated that the Baptist missionary Chater translated the Old Testament "in connection with a Wesleyan,"<sup>83</sup> it gives the impression that the members of this Mission worked in collaboration with the other missions in such work.

The credit for establishing a printing press in the country at a time when printing was more or less a monopoly of the Government also goes to the Wesleyan Mission. They were the first missionaries since the time of the Dutch, to found a press of their own. The press of the Wesleyan Mission was established in 1814 and was an advancement over the press of the Government because the Wesleyan press by using metal type instead of wooden ones hitherto used, improved the printing technique. Most of the printing material were of a religious nature, such as translations of the Scripture, pamphlets and tracts which were published mainly in the vernacular.

81 and 82. Thomas Moscrop and Restarick, *op. cit.*, p. 74.

83. Rev. Callaway to the Secretary, Church Mission, letter dated 15 October 1817.



## THE CEYLON TEA INDUSTRY 1886—1931.

S. RAJARATNAM

### I.—*The Rise of the British Tea Industry*

DURING the last quarter of the nineteenth century, China's long-established position as the principal source of the world's tea supply was challenged. In 1886 exports of China tea reached their maximum, 286 million pounds; and since then output has diminished. Between 1909 and 1913 China shipped an annual average of 199 million pounds, a figure which decreased to 105 million pounds between 1929 and 1932.<sup>1</sup> This decline appears even more pronounced when considered in relation to the growing volume of tea that came on to the world market during the same period, and the increasing exports from the recently established industries in India and Ceylon. The decline of China in the world tea trade can be seen in the following table.

EXPORTS OF TEA FROM CHINA<sup>2</sup>  
(IN MILLION POUNDS)

	<i>Black and Green</i>	<i>Brick and Tablet</i>
1899	153.6	71.2
1913	109.2	82.2
1923	98.0	8.8
1927	77.6	38.6
1928	76.8	46.6

Tea planting began in India in the 1830's with the discovery of the Assam indigenous variety which was found suitable for cultivation in the north. The area planted and the amount exported have steadily increased since then. By 1900 there were 522,487 acres under tea, producing nearly 200 million pounds, or about half the total world supply. Tea was introduced into Ceylon later in the nineteenth century, the first consignment being despatched abroad in 1873.<sup>3</sup> During the early years of the industry in Ceylon sufficiently large quantities were not available for separate marketing, so the Ceylon product was sold as Indian tea, or blended with it; but

1. U. D. Wickizer: *Tea Under International Regulation*. (Stanford, 1944), p. 32.

2. *Imperial Economic Committee Report on Tea*. p. 13.

3. *Ceylon Mercantile and Planting Directory*, 1891.



in 1883 Ceylon tea became established in its own right when it was first catalogued independently in Mincing Lane. By 1885 Ceylon was contributing 2% of the total tea consumption of the United Kingdom.<sup>4</sup>

For the Indian and the Ceylon industries the important aspect of the recession in China tea was the effect on the United Kingdom market. London average prices determined universal price levels, since Great Britain consumed over half the world supply. Here, from the last quarter of the nineteenth century China tea was progressively replaced by Indian and Ceylon teas; and it was, in fact, the availability of the large market in the United Kingdom which was chiefly responsible for the expansion of the British tea industry. In 1885, 65% of the tea used in the United Kingdom came from China; the remainder from India and Ceylon. By 1900 China was supplying only 10% of this total, a proportion maintained till the outbreak of the First World War, when exports to the United Kingdom ceased altogether.<sup>5</sup>

Since the inception of the British tea industry, China tea has offered little competition in the United Kingdom market. The same is not true of the world tea trade, in which Chinese competition has been quite considerable. In certain markets, such as the United States of America and Russia, China had an almost complete monopoly since the consumers of these countries preferred the weaker green tea to the black tea of Ceylon and India. These markets were, however, small in comparison with that of the United Kingdom. The United States of America was essentially a coffee drinking country, and imported very little tea; while imports into Russia fluctuated.

The expansion of the tea industry in India and Ceylon took place at an opportune moment. Throughout the greater part of the nineteenth century China tea had monopolised the United Kingdom market. It was consumed in small quantities, bought from the chemist, and not many people could afford to pay the price. The consumption of tea was thus restricted to the moneyed and leisured classes, and had become part of their social convention. With the improvement of the conditions of the working classes, in particular the rise in real wages, a new demand for a cheap beverage arose. While circumstances demanded that it should be a stimulant, Victorian social virtues required that it be non-alcoholic. Indian and Ceylon tea had the good fortune to appear at the right moment and fill the breach.

4. Gow, Wilson and Stanton: Tea Memorandum for 1885 (enclosure, Ferguson: *Ceylon Directory and Handbook* 1885). Nearly all the tea brokers in the 'nineties—Messrs. Wilson, Smithett & Co.; Geo. White & Co.; Gow, Wilson & Stanton; S. Rucker & Co.; Rucker and Bencroft, paid attention to Ceylon teas (cf. Annual Report of Messrs. Wilson, Smithett & Co. 1891, p. 288).

5. Wickizer: *Tea Under International Regulation*. p. 32.



It was inevitable that the working classes should prefer the stronger black Indian and Ceylon tea to the light Chinese variety. They did not want to sip dainty quantities of a delicate and exotic flavoured tea, enjoying at leisure its aromatic fragrance. They needed a tea with more "body," which could be taken with milk and sugar, and which was thus both a food-drink and a stimulant.

Another favourable factor in the ascendancy of Indian and Ceylon tea was the reduction in the price of sugar which took place round about this time. Furthermore, the tea itself enjoyed a price advantage. Though China tea was cheaper per pound, it made very many less cups of tea. One pound of black tea on the other hand makes 150 to 200 cups, the price per cup being very much cheaper.

The shift of the demand for tea from the drawing room to the working class kitchen and the factory canteen was thus an integral part of the triumph of Indian and Ceylon teas over their Chinese rival.

Ceylon tea entered the world market in sufficiently large quantities only in the 1890's. In the 1870's and 1880's it was really the expansion of the Indian industry that paved the way for the black variety of tea.<sup>6</sup>

TEA CONSUMPTION IN THE UNITED KINGDOM<sup>7</sup>

	Total (in thousands of lbs.)	Percentage		
		Ceylon	India	China
1885	182,409	2	36	62
1887	183,561	6	45	49
1889	185,600	15	52	33
1890	194,008	18	52	30
1891	202,456	25	49	26
1892	207,113	30	49	26
1893	208,097	31	52	17
1894	214,341	33	55	12
1895	221,800	33	53	14
1896	227,785	35	54	11

## II.—Supply and Demand for Tea and Characteristics Peculiar to the Tea Market

The law of supply and demand for tea is that for a commodity in which the short term supply and demand is inelastic. However, the degree of inelasticity depends largely on the size of the industry. During the early stages of the industry, the degree of inelasticity can be greater. On the side of supply, a new industry would find it difficult to increase output for

6. See appendix I for exports of tea from India 1870-1891.

7. Gow, Wilson & Stanton: Tea Memorandum for 1897 (enclosure, Ferguson: *Ceylon Directory and Handbook*, 1897.



a period of years. On the other hand there would also be limitations to reducing supplies. Since the fixed charges in a tea plantation are high, a newly established plantation would find it difficult to reduce substantially its production capacity. Here the advantage is the economy of scale. On the side of consumption, a relatively smaller market would create greater inelasticity. If the market is extensive, changes in price or production would tend to get distributed over a wider sphere. Elasticity, however, increases with the size of the industry. Nevertheless, the degree of elasticity is governed by forces particularly applicable to the tea industry.

The plants take between three and six years to become productive depending on variety, climate and altitude.<sup>8</sup> The tea industries of India and Ceylon are largely based on the Assam Indigenous (which develops more quickly than China tea), but the growing period even of this strain varies considerably between the two countries. In Ceylon it is on average three years before a tea bush comes into production, although on some low country estates the bushes are ready at the end of the second year, while on estates above five thousand feet five years or more are required. The rate of leaf output, too, is greater in the lower elevations, and the bushes reach maturity much earlier. This accounts largely for the shorter growing period in Ceylon than in most of the Indian tea-producing areas. While Indian tea is grown mostly in the hill country, in Ceylon it is cultivated even down to sea level. Another factor affecting the growth is humidity. Except in the highest growing areas, temperatures seldom fall below 65°F. The mid-country regions average about 75°F; and the low country registers about 80°F. High rainfall and humidity determine a shorter growing period. More rapid cultivation, and faster "flushing," gave Ceylon an advantage over India as regards the cost of production. While in India tea was plucked at weekly intervals, in Ceylon it could be gathered every third day. The higher output in Ceylon not infrequently exceeded 1,000 lbs. of made tea per acre.<sup>9</sup>

8. Ceylon Tea soils were very favourable for growth. These were decomposed schists and gneiss. rocks belonging to the Plaisiopic era and the pre-cambrian systems. In the upper districts tea was grown on Patna Lands (grass). The burning of the grass has given valuable salts to the soil, and this accounts for the high quality. Ceylon rocks also contain a certain amount of iron, and oxidisation has resulted in very fertile soil on which depends the tea flavour particular to Ceylon (Report to the Planters' Association of Ceylon by Kelway Bamber, soil chemist, in 1898.) C.R. Harler in his valuable work on tea points out that soil is not a factor governing flavour. "In China, the characteristic flavours which distinguish tea of one district from another are ascribed by Chinese farmers to the soil. Similar views are held in Ceylon. There is no scientific evidence in India, Ceylon or Java to show that quality goes with chemical or physical properties of the soil." (C. R. Harler: *The Culture and Marketing of Tea*. London, 1933, p. 50.)

9. *Tropical Agriculturist*, March 25, 1885, p. 680. Over 1,000 lbs. of made tea per acre were obtained regularly from Rutherford's Marriawatte Estate and from A. M. Ferguson's (Jnr.) Abbotsford Estate.



*K* The long period of growth gives the supply of tea a certain degree of inelasticity. Tea production cannot react to a price rise for several years. A limited increase in production is possible immediately by means of coarse plucking,<sup>10</sup> but the capacity of an estate is limited. Since coarse plucking results in inferior teas and lower prices, growers seldom resort to this practice unless the demand is very high and consumers are consequently not too discriminating about quality. If "coarse" plucking is to be profitable, increased sales must more than compensate lower prices. In the event of a fall in price as a result of excessive supply, producers can resort to finer plucking, but here again the margin is small. The premium on "finer" plucked tea may be insufficient to induce a grower to resort to its manufacture. Thus, while there are certain limits within which the supply may vary, total volume shows little fluctuation. This inelasticity gives the tea industry some stability with regard to future supplies, which can be estimated over a period of several years.

Another result of the time lag between planting and production is the absence of correlation between the area cultivated and the current price level. This applies not merely to tea but also to many other plantation crops that do not bear for several years after planting. With these crops, cultivation may continue to increase when prices are falling, and even when prices are unremunerative, as producers may have a legitimate feeling of optimism that the market may improve when their new lands come into production. On the other hand, a pessimistic outlook for the future may lead to a complete suspension of further cultivation.

Another important characteristic of the supply of tea, is that production may continue under unremunerative prices. The capitalisation of a tea estate is quite substantial, and producers may prefer to continue in production rather than abandon or suspend production and incur capital loss. During the early years of the tea industry in Ceylon, about Rs. 250 to 300 per acre were required to open a tea estate; by 1931 this rate had risen to Rs. 600.<sup>11</sup> Even if production is suspended, an estate has to be maintained in good order; the bushes must be cultivated and pruned at considerable cost; so producers prefer to keep their estates in full operation rather than spend sums merely on maintenance.

10. Plucking is defined as close or long according to the length of the growth left above the pruning or above the last plucking level. To pluck on a 4 inch growth above the pruning is close plucking, as opposed to an 8 inch growth, which would be long plucking. The size of the shoot is designated by the terms "fine" or "coarse." Two leaves and a bud is fine plucking whilst three leaves and a bud or more is considered "coarse."

11. *Banking Commission Report*. pp. 155-67. (Ceylon Sessional Paper). No. 22 of 1934.



The nature of the labour supply in the tea industry in India and Ceylon also contributes towards the inelasticity of the supply of tea. In both these countries tea plantation labour is largely migrant, labour being recruited from outside the location of the industry, and large investments are made in the process of recruitment. Repatriation of labour resulting from suspension or reduction of output would lead to additional capital losses. Recruiting labour is a slow and costly process, so planters seldom alter the number of their coolies.

The demand for tea is largely determined by consumption in the United Kingdom. Some of the Commonwealth countries, especially Canada and Australia, also have a high *per capita* consumption, but the total volume imported is small. Thus their influence on the pattern of demand for tea is negligible. Tea being a beverage, changes in consumption patterns are gradual, and therefore imperceptible over short periods.

It is widely held that the demand for tea is inelastic, and that consumption may not change substantially in response to price and income changes. This is generally true of the twentieth century when the tea-drinking habit had already been established in the United Kingdom where the purchase of tea per head was high. A pound of tea makes between 175 and 200 cups, so that a price change is distributed over a number of smaller units, and is therefore not obvious. This argument also applies to changes in the income of consumers.

Nevertheless, it is dangerous to project this inelasticity to the nineteenth century. During the second half of the nineteenth century the consumption of tea in the United Kingdom responded very favourably to both price and income changes. The *per capita* consumption increased from 1.22 lbs. in 1840 to 1.86 in 1850, 4.57 lbs. in 1880, and 6.2 lbs. in 1900.<sup>12</sup> It is impossible to distinguish between the increase due to lower prices, and that due to the growing real income of the British wage-earning class, the most important body of tea-drinkers, but the consumption of tea showed greater elasticity during the earlier years of the island's tea industry.

### III. *The Period of Falling Tea Prices*

In the 1880's and 90's the conversion of tea from a luxury commodity to an article of popular consumption fundamentally changed the tea market in the United Kingdom, on which the price structure of the world tea trade depended. This change may be traced to the expansion of the Indian and

12. *Statistical Abstract of the United Kingdom.* (series).



Ceylon tea industries. Greater production in these countries and larger imports into Britain brought prices down. This decrease was temporarily arrested by the substitution of British tea for China tea, but the supply from British sources soon more than compensated for the decline of Chinese imports, and the price fall continued.

The drop in prices, which started with the 1884-5 season, continued uninterrupted until 1907, and falls into two periods: from 1885 to 1897, and from 1897 to 1907.

During the first of these periods the price fall was due largely to the slowing down of the rate of increase in the consumption of tea per head in the United Kingdom, and to an economic depression. This was largely due to the rapidly increasing *per capita* consumption in the preceding years. Between 1860 and 1885 the *per capita* consumption of tea increased by nearly three pounds, while between 1885 and 1897 the increase was less than one pound. As the rate of increase in consumption fell, the rate of increase in imports rose. Tea imports from Ceylon increased from less than 4 million pounds in 1885 to 96 million pounds in 1897; imports from India increased from 72 million pounds to 154 million pounds during the same period. Therefore, there was a dislocation between supply and demand which equated at lower price levels between 1885 and 1897. However, the extent of the disequilibrium between supply and demand was small. This is illustrated by a schedule drawn up by a leading firm of tea brokers, Messrs. Gow, Wilson and Stanton, who showed great interest in the island's tea industry during its early stages:

TOTAL TEA CONSUMPTION <sup>13</sup> (IN MILLIONS OF LBS)			
	United Kingdom	Foreign	
1890	136½	150	
1891	172½	192	— 1½
1892	188½	217½	+ 7
1893	203	245½	+ 5½
1894	210	261½	— 10½
1895	216	278½	— 5½
1896	219	287½	— 17½

— = excess of production over consumption.  
+ = excess of consumption over production.

In spite of this disequilibrium between supply and demand the tea industry remained prosperous between 1885 and 1897, though by the latter year profit margins had been greatly reduced, and a large number of estates were

13. Gow, Wilson and Stanton: Tea memorandum for 1896. (Enclosure, Ferguson: *Ceylon Directory and Handbook*, 1897.)



finding the current prices unremunerative, or even below their cost of production. During this early period of the falling prices, the cost of production responded favourably to economies. The average cost of producing a pound of tea in Ceylon declined from 35 cents (f.o.b. Colombo) to 18 cents (f. o.b. Colombo) by 1894. This reduction was to be expected in a young industry.<sup>14</sup> A better knowledge of cultivation and preparation of tea, technical skill and the greater maturity of the tea bushes, and therefore their greater yield, all contributed.

MATURE ACREAGE UNDER TEA & YIELD PER ACRE.<sup>15</sup>

	Mature Area	Yield Per Mature Acre
1877—78	280	—
1878—79	350	—
1879—80	1,080	—
1880—81	1,750	158
1881—82	2,720	229
1882—83	4,700	324
1883—84	6,500	348
1884—85	9,274	409
1885—86	13,500	531
1886—87	22,000	546
1887—88	32,000	687
1888—89	70,000	700
1889—90	70,000	750
1890—91	102,000	750
1891—92	150,000	—

The price fall during the period 1885-1897 was also compensated for by the depreciation of the Indian rupee in terms of sterling. The Indian rupee was made the legal currency of the island in 1869, when the par value was at 2s. Since then the value of the rupee had depreciated to 1s. 8d. in 1880 and continued to decline until the Government of India pegged its value at 1s. 4d. in 1898. A depreciating currency is a cushion against falling prices, especially for a commodity which is sold largely in a sterling market. The depreciation checked the fall of tea prices in terms of rupees, and producers had an additional advantage in that the depreciation was not attended by inflationary tendencies in the cost of production. Many of the expenses on the estate were paid in rupees, so that the alteration in the exchange ratio between sterling and the rupee did not affect the cost of production adversely.<sup>16</sup>

14. For cost of production in the 'eighties vide T. C. Owen: *Tea Planters' Manual*, (Colombo, 1881) pp. 125-135. Cost of production for the 'nineties based on twelve firms, from J. Ferguson: *Limited Companies in Ceylon for Tea and other Plantations*, 1898 etc.
15. Annual Report of Messrs. Wilson, Smithett & Co. (enclosure, *Ceylon Mercantile and Planting Directory*, p. 288).
16. B. R. Shenoy: *Currency and Banking in Ceylon*, (Madras, 1941), p. 68, points out that although the rupee depreciated by 34% in relation to sterling, yet the price of many commodities fell by a greater margin. e.g., Sugar 38%, Iron 60%, Petrol 74%, Copper 63%. *Statist*, April 13, 1895: "The advantage is not in growing tea but in selling in a sterling market and paying employees in depreciated silver. Gold charges in tea production amount to  $\frac{1}{3}$  of total."



PRICE OF TEA AND THE RATE OF EXCHANGE<sup>17</sup>

	<i>Price of Tea: London average</i>	<i>Rate of Exchange of Rupee</i>	<i>London Price of Tea in Rupees</i>
1884	1s.2 $\frac{3}{4}$ d.	1s.7 $\frac{1}{2}$ d.	75 cts.
1885	1s.3 $\frac{1}{4}$ d.	1s.6 $\frac{3}{4}$ d.	81 cts.
1886	1s.1d.	1s.5 $\frac{1}{4}$ d.	76 cts.
1887	1s.0 $\frac{3}{4}$ d.	1s.5d.	74 $\frac{1}{2}$ cts.
1888	11 $\frac{1}{4}$ d.	1s.4 $\frac{1}{4}$ d.	68 cts.
1889	11d.	1s.4 $\frac{1}{4}$ d.	67 cts.
1890	11d.	1s.6 $\frac{1}{4}$ d.	60 cts.
1891	10d.	1s.5d.	59 cts.
1892	9 $\frac{1}{2}$ d.	1s.3 $\frac{1}{4}$ d.	62 $\frac{1}{2}$ cts.
1893	9 $\frac{3}{4}$ d.	1s.3d.	65 cts.

This table illustrates the extent of stability given to the rupee prices of tea by the depreciation. While the London average price fell by one third between 1884 and 1892 the rupee price declined by only one-seventh. In terms of the two currencies, a fall of 5d. per pound of tea between 1884 and 1893 resulted in the fall of 10 cents in the rupee prices. At the exchange rate prevailing in 1884 this fall of 5d. would have meant a fall in the rupee price of 12.5 cents. This advantage gave the planters a bonus of 2.5 cents on every pound of tea sold. The bonus benefited both Indian and Ceylon producers. A similar advantage is seen for Ceylon tea alone in the following list supplied by the Auditor General to the currency committee of 1894.<sup>18</sup>

EXCHANGE AND AVERAGE TEA PRICES 1880—92  
(CEYLON TEA ONLY)

	<i>Rates Obtained by Secretary of State for India for Bills sold in England Sight</i>	<i>Ceylon Average Rate to Government</i>	<i>Average net price in London deducting 1<math>\frac{1}{2}</math>d. for charges and average loss in weight (Wholesale)</i>	<i>Equivalent net price of tea in Colombo</i>
	s. d.	s. d.	s. d.	Cents.
1880	1 7.96	1 8	9	43
1881	1 7.89	1 7.86	10 $\frac{1}{4}$	50
1882	1 7.52	1 7.93	11 $\frac{1}{4}$	55
1883	1 7.54	1 7.51	1.01 $\frac{3}{4}$	69
1884	1 7.31	1 7.51	1.01 $\frac{1}{4}$	66
1885	1 6.25	1 7.71	1.01 $\frac{3}{4}$	72
1886	1 5.44	1 5.36	11 $\frac{3}{4}$	65
1887	1 4.90	1 5.30	11 $\frac{1}{2}$	65
1888	1 4.38	1 4.37	10 $\frac{1}{2}$	63
1889	1 4.57	1 4.21	9 $\frac{1}{2}$	57
1890	1 6.09	1 6.25	9 $\frac{1}{4}$	49
1891	1 4.75	1 5.40	8 $\frac{5}{8}$	50
1892	1 2.98	1 3.11	7 $\frac{7}{8}$	50

17. Tea prices from Planters' Association of Ceylon Proceedings. Prices are for all teas. The rupee prices are conversions of London prices at prevailing exchange rates.

18. Ceylon Sessional Paper 6 of 1894. P.E.11.



The Ceylon Planters' Association and the Chamber of Commerce attributed the prosperity in the tea industry to the depreciation in the rupee, even accounting on these grounds for the rise and expansion of the industry in the island.<sup>19</sup> When in 1892 the Government of India suggested the closing of the mint to the further issue of rupees in order to arrest the depreciation, the planting interests in the island condemned this policy as being adverse to producers generally, and to the tea industry in particular. The Ceylon Association in London pointed out the "grave results that may arise to the industry of Ceylon from any alteration in the silver currency of the island, should such an alteration give an undue advantage to other tea-producing countries. If a gold standard is introduced into the country, the cost of production would be increased so as to make the competition of Ceylon with China hopeless."<sup>20</sup> When the Government of India finally closed the mint in 1893 the Ceylon planters condemned their action as economic suicide, and agitated for a separate currency from that of India.<sup>21</sup> The idea of a local currency did not find favour with the Colonial Office, but a currency committee was appointed to enquire into the effects the closing of the mint would have on the economy of the island. The committee stated quite categorically in its report in 1894 that the depreciation of the rupee had benefited the tea industry in the island, but was uncertain as to how this benefit accrued.<sup>22</sup> The closing of the mint did not prevent a further depreciation in the value of the rupee, which continued until the Government of India pegged its value to an official rate of 1s. 4d. in 1898.

The production pattern of the Ceylon tea planters during the period 1885-1897 was one of expansion. The major part of the tea area in Ceylon was planted during this period. Between 1885 and 1897 the total of nearly 300,000 acres were converted to the growing of tea.

19. C.O. 54: 605. <sup>1</sup>Christie to Colonial Office, 6 November 1892. The India Office attributed the expansion of the Tea Industry to other factors, among them improved transport facilities, lower duty on tea in the United Kingdom and the growing reputation of the commodity among the consumers. (C.O. 54: 612. India Office to Governor. 30 June, 1893).
20. C.O. 54: 605. Despatch 10 December, 1892.
21. C.O. 54: 652. Colonial Office Minutes, 9 July, 1898. Ripon's answer to the demand for a separate currency: "So long as thousands of Indians move to and fro from India to Ceylon, no different currency is possible."
22. Ceylon Sessional Paper 6 of 1894, p. viii; Planters' Association of Ceylon Memorial 12 April, 1898. The Currency Committee of 1894 was to report on (a) the probable effect in Ceylon of the recent action of the Indian Government in putting an artificial value on the rupee (b) the measures which it may be expedient to take to protect the interests of the colony under the altered nature of the currency. Members of the Committee: J. A. Swettenham (Auditor General); F. R. Saunders (Treasurer); W. W. Mitchell (Chairman, Chamber of Commerce); G. A. Talbot (Manager, Ceylon Tea Plantation Co. Ltd.); G. F. Walker (Chairman, Planters' Association); T. N. Christie (St. Andrews Estate); D. Noble (Agent, Bank of Madras); F. Bois (Messrs. Murray, Robertson and Co.).



Together with the expansion in the area of cultivation, there was also an increase in production; but not all this increase was due to the greater acreage or the greater maturity of the tea bushes. Planters resorted to coarse plucking, and increased output of inferior teas, either to compensate the fall in prices, or to take advantage of the yet satisfactory margin of profits. This policy of the Ceylon planters, however, resulted in a further fall of the average price of tea, especially that of Ceylon. The increased output to compensate the progressive fall in the tea prices continued, resulting in a prolonged degeneration in the level of tea prices.<sup>23</sup>

In addition, climate and soil conditions affected the quality of Ceylon tea adversely. The tea season of 1884-85 in Ceylon witnessed an unusually high rainfall resulting in a greater flushing. The teas produced from these leaves therefore lacked sufficient "body". The low quality of the leaves was also further aggravated by the exhaustion of the tea bushes by constant plucking, the absence of sufficient fertilisers in the soil and the immaturity of the tea bushes which the over-anxious planters brought into production.

The tea brokers in London also pursued the policy of selling all teas that came on the market without holding reserves. This policy, however, was largely due to the uncertainty of future prices resulting from the increasing output and deteriorating quality of tea from the producing countries.<sup>24</sup> And the market conditions were particularly adverse to Ceylon tea. During the early years of the tea industry in Ceylon, Ceylon tea fetched lower prices than Indian teas. This was partly due to the larger quantities of low and mid-country produce, and partly to the production policies of planters during this period of declining prices. Ceylon planters not only plucked coarse, but also paid inadequate attention to manufacture. A frequent complaint against Ceylon planters during this period was that they had brought more land under tea cultivation than could be effectively supervised.

With the year 1897 began a period of real difficulties. Although some estates had felt the price fall about the year 1893, with the check to the depreciation of the rupee, the tea industry as a whole was able to keep a small margin of profit from the lower prices. After 1897 prices were generally unprofitable, and the profit margin had disappeared in a majority

23. *Tropical Agriculturist*, September, 1886, p. 169. H. K. Rutherford enumerated these causes for the low price of Ceylon tea.

24. *Ibid.* T. C. Owen attributed the fall in the price of Ceylon tea to the mixture of old teas with young tea leaves and therefore irregular fermentation. London opinion (brokers) was that it was due to exhausted and washed out soils.



of estates.<sup>25</sup> While during the earlier period, 1885-1897, the fall in the tea prices was due to short-term disequilibrium between supply and demand, after 1897 there was over-production. The tea industry in India and Ceylon had been expanding rapidly. In 1885 there were 185,000 acres under tea in India. By 1897 the acreage had grown to 494,000. During the same period, the increase in Ceylon was from 120,728 to 404,574 acres.<sup>26</sup>

The industry was still dependent on British consumption, which had reached saturation point. By the end of the century the *per capita* purchase of six pounds showed little sign of increase. The only relief which the Indian and Ceylon tea industries received from the market of the United Kingdom until 1914 was from the growth of population. In 1897 Ceylon tea fetched an average of 6.22d. a pound in the London market, but the majority of the estates sold teas at prices less than this average. In the same year the London average for all teas was 9.55d. per pound. In spite of the low prices for inferior teas, Ceylon planters continued coarse plucking and producing low quality products. Although prices as a whole declined, the price fall was greatest in Ceylon tea. Between 1884 and 1889 the average price of Ceylon tea declined by 45%, while Indian tea declined by 41% and China tea by 28%.

PERCENTAGE FALL IN PRICES.<sup>27</sup>  
EXPORT VALUES

	India	Ceylon	China
1884	13.33d.	11.63d.	7.26d.
1890	8.77d.	9.00d.	7.48d.
1895	7.93d.	6.62d.	5.12d.
1899	7.82d.	6.64d.	5.23d.
Fall from 1884 to 1889	5.51d.	5.23d.	2.03d.
Percentage fall 1884 to 1889	41%	45%	28%

The Ceylon planters were slow to admit over-production, and continued the same policies. In 1900 the island produced over 148 million pounds of tea, an increase of 19 million pounds over the previous year, and a 40 million pound increase over the production of 1896. At the end of the

25. C.O. 54: 660. (Grinlinton to Colonial Office. 13 February, 1899). The following figures supplied by the firm of tea brokers, W. J. & H. Thompson, show the extent of over-production:

	India	Ceylon
1898—1899	157,210,000 lbs.	119,000,000 lbs.
1899—1900	175,000,000 lbs.	138,000,000 lbs.
1900—1901	189,500,000 lbs.	149,000,000 lbs.

*Economist*, June, 8, 1901.

26. *Economist*. November 26, 1898.

27. Tea prices from the *Statistical Abstract of the United Kingdom*.



century the Indian producers too resorted to coarse plucking, but this was short-lived.<sup>28</sup>

The Ceylon planters generally attributed the fall in prices not to over-production or to the low quality produce, but to currency policies of the Indian Government and additional import duties in the United Kingdom.<sup>29</sup> Neither of these factors had, in reality, any great significance; but the planters insisted on their importance, as a defence against a charge of inefficiency. However, the prominence given to these two supposed causes by the planters, makes it necessary to summarise the facts involved.

One aspect of the currency changes has already been noticed, namely, the bonus arising from the depreciation of the currency, and the general acceptance of this as the explanation for the industry's prosperity. When the Government of India stopped the issue of rupees in 1893 there was opposition, temporarily restrained by the continued depreciation, but revived when India pegged the exchange rate of the rupee in 1898. The new rate of 1s.4d. gave the rupee an artificial value 60% above its bullion value, which was considered a bonus to Chinese producers.<sup>30</sup> A leading firm of Mincing Lane tea brokers pointed out that "The artificial value recently given to the rupee by the closing of the mint by the Government of India handicaps growers of India and Ceylon in their competition with rivals in other tea producing countries whose currency is ruled by natural laws."<sup>31</sup> The only definite argument of the Ceylon planters over this problem was that they had lost the advantage of the depreciating rupee. But a minority of planters believed that the appreciated value of the rupee was urgently needed as the bonus which producers had enjoyed had resulted in an artificial profitability of growing tea, and that tea cultivation had been extended to unsuitable areas in consequence. Extended cultivation in the low country in the Western and Southern Provinces and in the Kelani Valley had been carried out in this way. Those who understood the root causes of the difficulties being experienced considered the appreciated value of the rupee a useful instrument for bringing about an equilibrium in the tea market.<sup>32</sup> This opinion was shared by the Governor of the island,

28. Sir J. W. Ridgeway: *Administration of the Affairs of Ceylon*, 1896-1903, (Colombo, 1903); Ceylon Sessional Paper XI of 1898; Despatch of Ridgeway.

29. C.O. 54: 558. (Despatch 36 of 4 February, 1898).

30. Memorial of certain inhabitants of Colombo to the Secretary of State for Colonies, 12 April, 1898; Memorial of the Planters' Association, 12 April, 1898. (Enclosures C.O. 54: 645. Despatch 132 of 15 April, 1898).

31. *Ibid.* enclosure from Messrs. Gow, Wilson and Stanton.

32. C.O. 54: 653. E. H. Erskine to Secretary of State for Colonies, 9 May, 1898).



Sir West Ridgeway, who pointed out to the Colonial Office in one of his despatches that over-production and coarse plucking by Ceylon and Indian planters was a more serious check to the industry than the exchange rate.<sup>33</sup>

The planters' real difficulty was not the fall in rupee prices but that of sterling prices, though if the rupee had been depreciated it would have acted as a cushion to the fall in rupee prices. There are, however, limits to the depreciation of a currency. The actual price fall, however, shows that it was more affected by low sterling prices than by any other factor. This is shown in the following table :

	1893	1895	1898
Average net gold price of tea:	7.50d.	7.17d.	6.30d.
Cost of production:	4.28d.	3.80d.	4.57d.
	(Rs. 1 = 15d.)	(Rs. 1 = 13.3d.)	(Rs. 1 = 16d.)
Profit	3.22d.	3.37d.	1.83d.

In other words, the difference in profit per pound between 1883 and 1898 was 1.39d., of which only about  $\frac{1}{4}$ d. was due to the rise in the exchange rate from 15d. to 16d., while the remainder was due to the fall in price.<sup>34</sup>

In order to wring concessions from the government, the Ceylon planters regularly paraded the threat of Chinese competition. When the rupee was given a fixed value in 1898, the threat of Chinese competition was immediately brought forward; and the raising of the import duty in the United Kingdom in 1900 gave a further opportunity to repeat this complaint. In spite of the planters' fears, Chinese imports of tea into the United Kingdom and Chinese exports declined. Black tea was already established in the United Kingdom, because of the preference of the consumer.

Reactions to the raising of the British import duty in 1900 were far-reaching; both the producers and consumers opposed any increase in the import duty. Throughout the second half of the nineteenth century the import duty of tea had been progressively reduced in relation to the new level of tea prices, from 2s.1d. a pound in 1852 to 1s.5d. in 1862, to 6d. in 1865 and 4d. in 1890. In the budget of 1900 a temporary addition of 2d. a pound was levied, bringing the total back to 6d. Protests from the Ceylon planters began immediately. They immediately had recourse to their favourite line of defence, arguing that the higher duty would compel consumers to prefer cheaper tea, and that therefore the demand for Indian and

33. Ridgeway: *Administration*. p. 57.

34. C.O. 54: 652. (H. W. Gillman to Secretary of State, 9 July, 1898).



Ceylon tea would decline in favour of China tea.<sup>35</sup> In the 1902 budget, another 2d. brought the total duty on tea to 8d. This second imposition brought the consumers into the agitation. In the United Kingdom the additional duty provided a platform for the free-traders, and a number of anti tea-duty leagues were formed throughout the country to protest against a levy that bore most heavily on the working class. In the face of this agitation by both the producers and consumers, the duty was reduced to 6d. in 1905, and remained at this level till 1919, when further changes were made. Since the higher rates were in operation for only a short period, it is impossible to say how consumption was affected, or the extent to which consumer preference shifted to cheaper varieties.

With the turn of the century tea producers were compelled to believe that over-production was the real problem facing the industry. The revival of Chinese competition which the planters always anticipated never materialised. Consequently there was a change in the production policy of the planters. Extension of cultivation was brought to an end. The introduction of para rubber at the turn of the century gave the Ceylon planters an opportunity to continue their expansionist policy without jeopardising the tea industry. With the success achieved in growing rubber in the low country, a large number of low and mid-country plantations were, if not wholly, at least partly, converted to the growing of rubber. The introduction of rubber growing, while in itself a beneficial thing, as it reduced the island's dependence on one crop, greatly benefited the tea industry. It reduced the quantity of low quality tea produced, improving the average of Ceylon tea, and the average price. These improvements were more marked after the First World War. After 1900 the Ceylon planters completely gave up the production of inferior teas, and resorted to fine plucking and the production of quality teas.<sup>36</sup> Greater attention was also paid to finding new markets, and reduce the over-dependence on a single consumer.

#### IV. *New Markets Policy of the Ceylon Planters' Association*

From the early stages of the tea industry in the island planters had been concerned with the problem of finding new markets. This question was more pressing to the Ceylon planters as China and Indian tea had already

35. Planters' Association of Ceylon Proceedings 1901: Memorial of Planters' Association of Ceylon to the Secretary of State, 9 January, 1901; Planters' Association of Ceylon Proceedings 1902-03 p. 31; C.O. 54: 669. despatch 23 of 24 January, 1901; Resolution by the Planters' Association on 12 November, 1902.

"That this Association would urge Her Majesty's Government a reduction, at as early a date as compatible with the financial needs of the Empire, of the import duty on tea in Great Britain which is now equal to nearly 100% ad valorem, whereby consumption is checked and the stability in the tea planting industry in this colony is seriously threatened." (C.O. 54: 669. despatch of 21 January, 1902).

36. Lennox A. Mills: *Ceylon Under British Rule*, (Oxford, 1933), p. 252.



established themselves in the London tea market, and Ceylon tea had to break into this trade on its own merits. The sale of Ceylon tea in the United Kingdom began with the distribution of small quantities to people who were acquainted with the island, and their friends.<sup>37</sup> Within a short time Ceylon tea was sold as a separate commodity owing to its close resemblance to Indian tea. Before the success of Ceylon tea in the United Kingdom was known, the Ceylon planters also attempted to sell their produce in other countries. For a start the Ceylon Planters' Association decided to advertise the Ceylon variety, and a programme of systematic representation of Ceylon tea in international exhibitions began. Tea was sent to every exhibition with a specially appointed commissioner who was to report on market possibilities. The first of a long line of such representation was at the Industrial Exhibition in Melbourne 1881-82 (Tea Commissioner A. M. Ferguson, editor of *The Ceylon Observer*); and was followed by the Industrial Exhibition of Calcutta in 1882 (Tea Commissioner John Capper, editor of *The Times of Ceylon*).<sup>38</sup> With the growing importance of tea the Ceylon Government, too, showed interest in the market expansion programme, and gave a grant of Rs. 5,000 for the representation of the island's tea at the Colonial and Indian Exhibition held in London in 1884.<sup>39</sup> J. L. Shand, the Ceylon Tea Commissioner, made a number of contacts with the London tea brokers at this exhibition, and the identity of Ceylon tea as a separate commodity was finally established. The success of the Colonial and Indian Exhibition resulted in the formation of the Ceylon Tea Syndicate at the end of 1886 to conduct market extension programmes more systematically. Being a voluntary organisation, the syndicate was to push the sales of tea produced by members in markets outside the United Kingdom.

The tea commissioners appointed to the exhibitions abroad also performed other very useful functions. G. D. H. Elphinstone, one of the bigger proprietary tea planters in the island, reported from Russia the great possibilities that market offered for Ceylon tea. Russia was the second largest consumer of Ceylon tea, though in terms of volume the total imported was only a small fraction of that sold to the United Kingdom. Elphinstone pointed out two difficulties as regards the sale of tea in the Russian market: one was the operation of rings which tried to keep out all other teas except the long established China tea.<sup>40</sup> The other difficulty was that retailers in Russia

37. *Tropical Agriculturist*, September 1886. p. 169; Planters' Association of Ceylon Proceedings 1887. p. 86.

38. *Tropical Agriculturist*, July 1886. p. 18.

39. Rutherford: *New Markets Policy*, p. iii; Planters' Association of Ceylon Proceedings 1887, p. xix to xxv.

40. *Tropical Agriculturist*, January 1887. p. 455.



sold inferior tea. It was reported that Ceylon tea was very often sold with a mixture of dried gardenia leaves and lime leaves. McCombie Murray reported from the United States of America that rings were also in operation in that country to keep out Ceylon and Indian teas.<sup>41</sup> These rings either re-exported Ceylon teas, or sold Ceylon tea as Javanese tea, or a blend of Javanese tea. It was also reported that similar tea rings were in operation in Australia.<sup>42</sup>

The Planters' Association resolved that the solution to the problem of tea rings was the appointment of resident commissioners in the major tea importing countries to distribute Ceylon tea on behalf of the members of the syndicate, but the problem was a financial one. Three suggestions were made, the first being the formation of a joint stock company to act as the wholesale distributor of Ceylon tea. This was turned down by the Planters' Association as it had no intention of participating in a purely business venture. Another suggestion was that every member of the syndicate was to contribute Re. 1 per thousand pounds of tea manufactured on an estate; this suggestion found no greater support as it would have kept a large number of estates without factories out of the syndicate. The third suggestion, that all members of the syndicate should contribute 25 cents on every thousand pounds of green leaf plant, was unanimously accepted, and the Ceylon tea "cess" was started for a trial period of six months at the beginning of 1886.<sup>43</sup> After six months, having proved successful, the cess was made a permanent fund of the syndicate. In 1893 the cess was made compulsory to all producers of tea, being levied in the form of an export duty at the rate of ten cents on every thousand pounds exported. The Tea Syndicate was only a voluntary organisation catering for the demands of its members. The imposition of an export duty, however, brought the entire tea industry into the Market Extension Programme. A committee of management more popularly known, after the number of its members, as the Thirty Committee, was created jointly by the Ceylon Planters' Association and the Chamber of Commerce in 1894 to continue the market extension policy. Although the committee's main function was finding new markets, it also employed an agricultural chemist, Kelway Bamber, to analyse tea soil and discourage cultivation in unsuitable areas. In August, 1894 the Government of Ceylon, at the request of the Thirty

41. *Ibid.* February, 1887. p. 525.

42. Planters' Association of Ceylon Proceedings 1887. p. 86.

43. *Tropical Agriculturist*, September 1, 1886. p. 169.

The formation of a syndicate was first suggested by H. K. Rutherford. (*Tropical Agriculturist* August 2, 1886. p. 83; Planters' Association of Ceylon Proceedings 1887. p. cxvii).



Committee, raised the tea cess to 20 cents on every thousand pounds exported. 80% of the funds of the tea cess were devoted to pushing sales in the United States of America. This market responded very favourably to Ceylon tea, but it could hardly be said that the increased imports into that country was of any great relief to the tea industry.

IMPORTS OF CEYLON TEA INTO THE UNITED STATES OF AMERICA

1886	4,890 lbs.
1890	204,223 lbs.
1893	4,000,000 lbs.
1894	4,750,000 lbs.
1895	7,750,000 lbs.
1896	9,500,000 lbs.
1897	12,000,000 lbs.

In 1890 the Ceylon Planters' Association had also made arrangements with Thomas Lipton to sell Ceylon tea in his retail stores in Britain and the United States of America; he was paid a commission of £1 on every thousand pounds of tea sold in the United States. Lipton entered the tea trade at a most opportune moment. He had already established himself in the provision trade in Britain and the United States of America, and his retail stores offered the Ceylon planters a venue for the sale of their brand of tea without competition. Lipton's entry into the tea business had another significance. In 1890 he bought about 6,000 acres of good tea lands in the island, and set out to produce the tea he retailed. The production from his estates was insufficient for his needs, and soon he was supplementing his own produce from the Colombo market for blending and sale as proprietary brands.<sup>44</sup> He, however, refused to sell tea on commission, and bought his tea from the open Colombo market to supplement the produce from his own estates. Lipton employed the same high-pressure publicity that had helped him establish his grocery trade to push the sale of Ceylon tea. His slogans were: "Middleman increases profit"; and "From the tea garden to the teapot". As he produced a large part of the tea he retailed, he was able to sell pound packets of tea at 1s.7d., while others were forced to charge 2s. 6d.<sup>45</sup> Lipton's handling of both production and retail distribution was a development of great significance to the tea industry. A leading London newspaper reported: "Mr. Lipton's recent purchase of tea estates in Ceylon makes a new era in British trade. Never before has an

44. A. R. Waugh: *The Lipton Story. A Centennial Biography*. (London, 1951), p. 71.

45. T. J. Lipton: *Leaves from the Lipton Logs*. (London, 1931), p. 131. The preference of the consumer for Lipton's tea was not merely on account of the lower prices. Lipton first started packeting tea as a measure of hygiene and to ensure that housewives could be sure of the quantity and quality of the tea they bought.



owner of a tea estate undertaken to act as his retailer. From his daring and unique method of trading between the planter and the public, the mass must inevitably stand to profit."<sup>46</sup>

Despite the close connection between the market expansion policy of the planters and Lipton, their relations were not always cordial. The planters blamed Lipton for selling his tea too cheaply. Lipton and the Ceylon planters were working at cross purposes. Lipton, taking a long-term view, identified the island's interests with his own, which the planters resented. The planters, on the other hand, mistrusted a proprietary brand of tea, and wanted publicity not for the tea gardens of Lipton, but for Ceylon tea "It is all very fine publicity," they said, "for Lipton to appropriate Ceylon as a private colony, but where does the rest of Ceylon come in?"<sup>47</sup> Ceylon had, in fact, earned the nick-name of 'Lipton's Tea Gardens.'

One difficulty confronting the sale of Ceylon tea in the United States of America was the preference of the American consumer for green leaf tea, which was being produced solely by China.<sup>48</sup> In spite of greater exports of black tea from the island, China still held a monopoly of that market. It occurred to the planters that it would be far easier to produce the commodity preferred by the consumer, rather than attempt to sell an entirely different type. From 1898 the Thirty Committee paid a bonus of 10 cents on every pound of first-class green leaf tea exported from the island, an incentive which encouraged a number of planters to take up its cultivation.

EXPORT OF GREEN TEA FROM CEYLON<sup>49</sup>

1901	1,250,490 lbs.
1902	2,602,882 lbs.
1903	8,236,768 lbs.
1904	—
1905	—
1906	—
1907	5,906,716 lbs.
1908	5,631,147 lbs.
1909	6,043,093 lbs.
1910	6,441,242 lbs.

The bonus allowed for green tea met with opposition from a majority of the planters who believed that it was futile to compete with Chinese green tea, and that the quantity of green tea produced would not justify this bonus.<sup>50</sup> At the end of 1900 the bonus was revived, based on a sliding

46. Waugh: *The Lipton Story*, p. 72.

47. Waugh: *The Lipton Story*, p. 73. "Even now the Ceylonese will say resentfully 'Have the English ever heard anything about this island apart from Lipton?'"

48. *Tropical Agriculturist*, July 1886. p. 18.

49. *Ceylon Blue Book*, (series).

50. Planters' Association of Ceylon Proceedings 1906, pp. 6-11.



scale at the rate of 7 cents per pound on the first million pounds exported, and 5 cents per pound for the next five million pounds. At the beginning of the following year, the bonus was further reduced to 5 cents per pound for the first million pounds and decreasing rates down to 1 cent for the fifth million, with no payment for further quantities.

After 1900 there was also disapproval of the market extension policy of the Thirty Committee by some planters. These planters expected ready results; and were disappointed by the slow progress of sales in foreign markets and the continued low level of prices. The disapproval of these planters was responsible for the reduction of the bonus on green tea.<sup>51</sup> In the face of this opposition the Thirty Committee contemplated a reduction in the cess, a move favoured by the Governor of the island, Sir Henry Blake.<sup>52</sup> However, despite the approval of the work of the Thirty Committee by the majority of the planters, and the support of the Governor, the Secretary of State for the Colonies, Lord Elgin, decided that any contribution for expenditure by a private body must have unanimous support, and informed the Planters' Association in 1906 that the Thirty Committee should be brought to an end, after an adequate period for the committee to wind up its affairs.<sup>53</sup> The Thirty Committee was accordingly dissolved at the end of 1908, and a large part of the money outstanding was used for the supply of tea to the Red Cross and the Allied soldiers during the First World War.<sup>54</sup>

CEYLON NEW MARKETS FUND, 1894—31 DECEMBER 1906<sup>55</sup>

	Receipts			Expenditure	
	Rs.	cts.		Rs.	cts.
Ceylon tea (New Markets Fund)	4,075,912	28	America	2,837,571	21
Voluntary Contribution	11,428	93	Europe	953,337	13
Interest	104	87	Australia	9,148	89
Coolgardie Exhibition (Govt. Contribution)	2,500	0	Africa	17,025	09
Chicago Exhibition (Voluntary)	4,676	16	Administration	103,714	04
			Interest on loans	9,280	10
			Balance	146,350	54
	<hr/>	<hr/>		<hr/>	<hr/>
	4,115,622	74		4,115,622	74
	<hr/>	<hr/>		<hr/>	<hr/>

51. Planters' Association of Ceylon Proceedings 1906. pp. 6-11.

52. *Ibid.* pp. 47-48.

53. *Ibid.*

54. Ceylon Association in London Proceedings 1917, p. 16.

55. Planters' Association of Ceylon Proceedings 1906, p. 26.



When the Thirty Committee was dissolved, market extension policies had been conducted for over a quarter of a century. It is impossible to say how far this policy affected the consumption of tea by foreign markets. Exports of Ceylon tea to the United Kingdom declined from 78.8% in 1890 to 60% in 1906, with proportional increases in non-British purchases; but these figures do not necessarily indicate the response of markets in the United States of America and elsewhere to the work of the Thirty Committee. Consumption patterns in the tea trade take so long to change that even a quarter of a century may not be sufficient to observe the working of a particular trend. However, in the light of the island's tea export figures, there is a *prima facie* case for saying that the efforts of the Thirty Committee were not altogether unsuccessful.

EXPORTS OF CEYLON TEA TO MARKETS OUTSIDE THE UNITED KINGDOM<sup>56</sup>  
(AND VARIATION IN INDEX WITH 1896-97 AS BASE YEAR)

Season	Quantity	Index
1896—1897	110,095,194 lbs.	100
1897—1898	114,460,318 lbs.	104
1898—1899	122,395,518 lbs.	111
1899—1900	129,661,908 lbs.	118
1900—1901	149,264,603 lbs.	136
1901—1902	144,275,608 lbs.	131
1902—1903	150,829,707 lbs.	137
1903—1904	149,227,236 lbs.	135
1904—1905	157,929,333 lbs.	143
1905—1906	171,256,703 lbs.	156
1906—1907	171,558,110 lbs.	156
1907—1908	181,126,298 lbs.	164
1908—1909	181,436,718 lbs.	165
1909—1910	189,585,924 lbs.	172
1910—1911	186,925,117 lbs.	170
1911—1912	184,720,534 lbs.	168
1912—1913	186,632,380 lbs.	169
1913—1914	197,419,430 lbs.	179
1914—1915	191,838,946 lbs.	174

#### V. *The Recovery of Tea Prices and the First World War*

The long-awaited recovery of tea prices began in 1907. Although this improved the outlook, it cannot be said that tea cultivation was entering another phase of prosperity. Until the outbreak of the First World War tea prices, though showing a rising trend, were not very profitable. The rise in price was due to two reasons. The consumption of tea in the United Kingdom improved after a long period of near stagnation. Between 1907 and 1914 *per capita* consumption increased by almost one pound. The other reason lay in the production policies of the planters in India and Ceylon, especially the latter who were largely responsible for the production of

56. Supplement to the *India Trade Journal*.



coarse and inferior teas before 1900. Finer plucking started at the turn of the century was continued, and the quality of tea produced was greatly improved.<sup>57</sup> Tea exports of the island increased by less than 2,000,000 pounds per annum between 1907 and 1914, while between 1890 and 1900 the annual rate of increase was over 8,000,000. With this slower growth of the industry, the market stiffened and prices accordingly rose. The acreage under tea remained constant after 1900 until prices rose during the war, and even then the increase was not great. In the other tea-producing countries the improved outlook in the industry led to an extension of plantations; but output from these new lands did not greatly affect the market before 1918.

The outbreak of the First World War brought about an abnormally high demand for tea for stockpiling and supplies to the armed forces. Consequently prices rose; and tea exports from Ceylon increased by ten million pounds between 1914 and the following year. Planters once again resorted to coarse plucking and increased production to benefit from the higher prices.

The planters experienced no great difficulties during the first war year, apart from the shortage of artificial fertilisers. For the large amount of German potash previously used, lime and nitrate of soda were substituted. In the following year a crisis arose due to the shortage of shipping space, aggravated by the activity of the German fleet in the Indian Ocean.<sup>58</sup> As a result tea had to be sent to Europe via America; a practice which was followed until the United States of America entered the war in 1917. Freight charges too rose very steeply. "Homeward" freight charges to the United Kingdom increased from 28s. 8d. per ton to 132s. 3d. by the end of 1915, and to 270s. in 1917.<sup>59</sup>

FREIGHT CHARGES FROM COLOMBO TO LONDON FOR TEA (PER TON)<sup>60</sup>

December	1914	:	33s.	
March	1915	:	37s.6d.	
April	1915	:	80s.	+ 20% surcharge.
February	1916	:	102s.6d.	+ 20% surcharge.
December	1916	:	245s.	
December	1917	:	280s.	
	1918	:	280s.	
November	1919	:	135s.	
November	1920	:	142s.6d.	
April	1921	:	65s.	
October	1921	:	60s.	

57. Planters' Association of Ceylon Proceedings 1912, p. 105.

58. Ceylon Association in London Proceedings 1916, p. 4.

59. Planters' Association of Ceylon Proceedings 1921, p. 10.

60. *Ibid.*



Despite the high price of tea in 1916 planters were unable to sell their entire output and were compelled to hold large stocks. The Ceylon Association in London, a body largely composed of representatives of sterling companies, suggested a voluntary restriction of production in India and Ceylon in order to reduce congestion of stocks in producer countries. There was no agreement, however, among the members of the Indian Planters' Association, and in Ceylon the suggestion did not find favour with the rupee companies.<sup>61</sup> Nevertheless the sterling companies of Ceylon introduced restrictions on their estates at the beginning of 1917. This voluntary scheme was short-lived: it came to an end when the War Office announced in 1917 that it intended to buy tea direct from the growers rather than from the London market. Arrangements were made with the planting interests in India and Ceylon for its purchase; with the latter for 1,200,000 pounds a month from May, 1917, and for 2,000,000 pounds from September to December of the same year.<sup>62</sup> The necessity to allocate shipping space to tea as an essential commodity resulted in its distribution being brought under government control in March, 1917. At first the control affected only 40% of the tea imported, while the remainder was available for distribution in the usual manner. Government controlled tea was sold at a standard price of 2s. 4d. a pound, a control necessary in order to keep tea prices down. This did not prevent sale of tea in the open market at exorbitant prices, and in May, 1917 90% of the country's tea was brought under control. The Department of Food Control bought its tea direct from the estates, arrangements being made with the Planters' Association in India and Ceylon. Purchases were classified into three grades, and re-tailed at fixed charges. 30% of the tea was bought at a scale of 11d. to 1s. a pound, and re-tailed at 2s. 4d.; 35% was purchased for between 1s. 2d. and 1s. 3d. a pound, selling at 2s. 8d.; and 25% at prices from 1s. 5d. to 1s. 6d., retailing at 3s. a pound. The 10% available in the uncontrolled market was rationed among the dealers on the basis of pre-war sales, and was given the same classifications as controlled tea.<sup>63</sup>

Since the open market was no longer in operation, there were difficulties in determining the price to be paid by the British Government. One suggestion was the payment of the average cost of production plus  $12\frac{1}{2}\%$  to allow a satisfactory margin of profit. There were objections to this suggestion from the growers. The Ceylon Association in London pointed out the difficulty of verifying the cost of production, and also that all

61. Ceylon Association in London Proceedings 1917, p. 12.

62. *Ibid.* p. 13.

63. Detailed account of tea control in the United Kingdom based on the Proceedings of the Planters' Association of Ceylon and the Ceylon Association in London, 1917—1919.



producers did not have the same outlay.<sup>64</sup> An average addition of  $12\frac{1}{2}\%$  would leave the least fortunate with as little as 3% or 4% profit. After protracted negotiations between the British Government and the producers, the price level was determined as an average of prices during the three pre-war years plus a half-penny a pound to cover increased costs. An additional farthing was promised if the growers could prove that the cost of production had increased above a half-penny.<sup>65</sup> All tea bought after November, 1917 was paid for under this agreement. When the contract between the Ministry of Food and the producers came up for renewal in June, 1918 there were protests that the additional half-penny was inadequate to cover the rise in costs. The consumers, on the other hand, complained of higher retail prices in the United Kingdom.<sup>66</sup> The Ministry made use of this complaint to hold the planters to the existing contract. When the armistice was signed, half the quantity of tea imported was released from control, and the remainder was de-controlled at the end of 1919.

The government control of tea and the exhaustion of stocks in the United Kingdom resulted in a rise of prices to an average of 14.63d. in 1917, and 16.5d. in 1919. Higher prices did not benefit the producers, however, as the shipping shortage prevented the free export of tea and producers held large stocks in hand. However, the dividends paid by some of the larger firms suggest that the war years were not bad after all.<sup>67</sup>

#### FINANCIAL RESULTS OF STERLING TEA COMPANIES

	Average Ordinary Dividend	No. of Companies	No. of Non Paying Companies
1911	—	—	—
1912	—	—	—
1913	9.63%	34	4
1914	9.94%	34	3
1915	13.91%	35	2
1916	11.76%	36	2
1917	11.04%	36	5
1918	10.79%	36	4
1919	13.68%	36	4
1920	4.04%	36	22
1921	17.25%	36	8
1922	21.26%	36	5

64. Ceylon Association in London Proceedings, 1917, p. 14.

65. Ceylon Association in London Proceedings 1918, pp. 14—15.

66. *ibid.*

67. W. A. MacLaren: *Tea, Rubber and Cocoa*, (London, 1924), p. 55.



## FINANCIAL RESULTS OF RUPEE TEA COMPANIES

	Ordinary Dividend	No. of Companies	No. of Non Paying Companies
1911	12.93%	24	0
1912	11.62%	25	1
1913	10.46%	27	2
1914	11.75%	28	2
1915	19.66%	28	0
1916	11.11%	32	7
1917	11.09%	33	9
1918	11.31%	33	10
1919	11.7%	35	11
1920	1.59%	38	28
1921	17.68%	38	8
1922	22.48%	40	5

At the end of 1919 a number of factors contributed towards a glut of tea on the London market. Higher prices had encouraged an increased output, and a release of accumulated stocks. The shipping position improved; and freight charges fell. In consequence exports soared. However, at the same time the Ministry of Food released the supplies of tea it was holding. This dual influx contributed to a sharp fall in prices. There was a complementary cause in the poor quality of teas available: the Ministry of Food had been indiscriminating in its purchases, which had encouraged producers to resort to coarse plucking.<sup>68</sup> The demand for these inferior teas did not keep pace with the supply; so that surpluses went into the building up of stocks. The price of common tea fell to 5d. a pound in December, 1919.

Before the war the existence of stocks had not been a determining factor in tea prices, and surpluses held had been small. In 1914 the total tea reserves in the United Kingdom were only 37 million pounds. With the price slump in 1920, stocks amounted to 214 million pounds.<sup>69</sup> From this time, tea prices fluctuated in inverse proportion to the reserves held.

TEA STOCKS IN THE UNITED KINGDOM<sup>70</sup>

1915	* 152 million lbs.
1916	130 million lbs.
1917	37 million lbs.
1918	135 million lbs.
1919	213 million lbs.
1920	214 million lbs.
1921	205 million lbs.

68. Wickizer: *Tea Under International Regulation*, p. 60.

69. *Economist*, September 9, 1922; R. D. Morrison: *Memorandum relating to the Tea Industry and the Tea Trade of the World*, (London, 1946), p. 60.

70. *International Tea Committee Report*, (Annual), 1933—34.



As a result of low prices and large stocks, the planters' associations in India and Ceylon agreed to restrict the production for 1920 to 90% of the average output of 1915-1919, and for 1921 to 80% of the same average.<sup>71</sup> Tea planters in Ceylon were not wholly in favour of this restriction. A number of companies led by the Ceylon Estates Proprietary Association refused to enter the scheme, controlling about a third of the area under tea. The argument of the Ceylon Estates Proprietary Association was that for a restriction plan to be successful it must be applied in every major producer country, and that it should be compulsory rather than voluntary.<sup>72</sup> These objections were directed against the Netherlands East Indies which, after the First World War, became a major producer.

Despite the defection of a number of planters, the restriction scheme of 1920 to 1921 was successful. Output was limited; quality improved; stocks declined; and prices rose.<sup>73</sup> Although the actual restriction scheme was in operation for a short period, yet producers continued to pluck "fine," pay greater attention to manufacture and limit output. Consequently prices continued to be satisfactory. During certain years, this policy raised the price of tea to very high levels. However, the policy of voluntary restriction which the planters themselves applied was reversed in 1927 when planters once again began to pluck "coarse." This was partly a reaction to the high prices and the short-term policy of some Ceylon and Indian planters to benefit by the high prices prevailing at the time, and partly because some planters were producing below capacity before 1927. When tea prices showed some sustained strength, these producers came back to normal production levels. The cumulative effect of the change in the production policies was to bring the prices down, and it continued till 1932. The price decline was unquestionably the result of over-production after the war, which had been concealed by the restriction of producers and the progressive increase in the stocks held in London.

Ceylon's one consolation was the premium of 1d.-3d. a pound she could demand above world average rates. However, costs were higher in Ceylon, approximating to 8.5d. per pound f.o.b. Colombo: Dutch cost of production amounted to almost half this figure.<sup>74</sup>

71. *Economist*, October 2, 1920.

72. Ceylon Association in London Proceedings, 1921, p. 9. Producers of over 140,000,000 lbs. of tea did not enter the scheme.

73. "Finer plucking, low prices, unfavourable weather, shortage of labour and the high exchange value of the rupee were the main causes of the decline." Graham: *A Review of Tea Market Conditions between 1918 and 1933*, p. 29.

74. *Imperial Economic Committee Report on Tea*, p. 48.



ANNUAL AVERAGE PRICE OF TEA<sup>75</sup>  
(LONDON AUCTIONS. IN d. PER LB.)

	North India	South India	Ceylon	Java	Sumatra	Nyasaland	Total (average)
1922	15.46	14.00	15.84	10.13	11.24	10.77	15.10
1923	18.76	18.14	19.38	14.94	16.45	16.34	18.69
1924	19.92	19.02	20.77	15.46	17.90	16.57	19.79
1925	17.68	17.62	20.09	12.83	16.56	13.24	18.05
1926	19.36	19.00	20.32	15.86	16.28	17.42	19.34
1927	19.01	18.88	20.82	13.13	16.02	15.25	19.01
1928	16.49	15.40	18.97	12.58	13.92	13.18	16.73
1929	15.72	15.35	19.02	12.05	13.88	12.29	16.27
1930	14.69	14.52	18.61	10.22	11.22	9.40	15.24
1931	11.87	11.04	15.36	7.61	7.65	6.94	12.24
1932	9.51	8.07	11.17	6.42	5.70	6.40	9.45

AVERAGE ANNUAL WHOLESALE PRICES (INDEX) 1922—1930<sup>76</sup>

Average Price Pence per lb.	North India	South India	Ceylon	Nyasaland	Java	Sumatra	Indian Common Broken Pekoe Souchong	all Teas
1923	18.76	18.14	19.38	16.34	14.94	16.45	16.86	18.69
1922	82	77	82	66	68	68	78	81
1923	100	100	100	100	100	100	100	100
1924	106	105	107	101	103	109	104	106
1925	94	97	104	81	86	101	85	96
1926	103	105	105	106	106	99	96	104
1927	101	104	107	93	92	97	90	102
1928	88	85	98	81	84	85	73	90
1929	84	85	98	75	81	84	65	87
1930	78	80	96	58	68	68	53	81

Neither the inferiority of Dutch tea nor the preference given to British produce in London could offset the effects of the uncontrolled output of the East Indies. Since about 1900 proprietary blends of tea had been developed: by the 1920's a few powerful firms monopolised the buying and retailing of tea in the United Kingdom.<sup>77</sup> One company alone controlled a fifth of the total distribution, and another a sixth; while by means of group agreements, five other distributions amalgamated control. These firms bought tea in bulk and blended it according to their formula, and the country of origin was seldom announced. Ceylon and Indian producers considered this unfair to British interests, and applied for a marketing order—or a declaration of country of origin—under the Merchandise Act of

75. International Tea Committee monthly bulletin of statistics Vol. I, No. 1. January 1936.

76. Average is taken as 1923 as the prices of 1922 were still affected by the slump.

77. *Imperial Economic Committee Report on Tea*. p. 22. It is estimated that about 70% of the distributing trade was in the hands of four combines, and thus the operations of four men determined the prices in the sales.



1926.<sup>78</sup> This was rejected by the standing committee on the grounds that practical difficulties prevented tea from being covered by the provisions of the Act.

The practice of selling blended tea gave the Dutch producers an advantage. Their varieties, being much cheaper than those of India or Ceylon, were used extensively in blending.<sup>79</sup> The tariff preference given to British teas since 1919 in the United Kingdom and all other principal parts of the Empire, with the exception of Australia, was hardly sufficient to keep their teas out. The actual preference was a rebate of one sixth on the import duty. When duty was 1s. this gave the British producers an advantage of 2d., and may have discouraged consumption of foreign teas. But, on the other hand, inferior foreign teas were much cheaper, which may have offset the preference given to the British varieties. The duty fell to 6d. in 1922, 4d. in 1924, and was abolished in 1929: even by 1922 the Empire advantage was negligible.

TEA DUTY AND CONSUMPTION OF  
NETHERLANDS EAST INDIES TEA IN BRITAIN<sup>80</sup>

	Duty	N.E.I. Tea (millions of pounds)
1913	5d.	29.1
1919	12d. (a)	34.6
1920	12d.	36.6
1921	12d.	33.2
1922	8d. (b)	34.1
1923	8d.	29.6
1924	4d. (c)	49.6
1925	4d.	42.4
1926	4d.	54.6
1927	4d.	64.8
1928	4d.	60.6
1929	— (d)	75.0
1930	—	76.7

(a) = Empire preference imposed 2 June.

(b) = reduction of duty 1 May.

(c) = reduction of duty 4 April.

(d) = removal of duty 22 April.

78. *ibid.* p. 36. The standing committee which considered the application reported that the practical difficulties inherent in the enforcement of a compulsory Marketing Order for tea were such that they could not recommend it. At the same time the committee recommended that "the wishes of the public could only properly be tested if they were in practice able to distinguish the origin of the tea" they purchase.

79. Staveacre: *Tea and Tea Dealing*, p. 77. In regard to the low priced or common teas introduced for the purpose of reducing the cost of the blends, these teas will not contribute to the quality in any way, but, providing that the types selected are fresh, they will do it no harm. This is the form in which foreign grown teas usually find their way into the United Kingdom, competing with the commoner types of Indian and Ceylon teas.

80. *Imperial Economic Committee Report on Tea*, p. 33.



In the world tea trade the fall in price of tea was actually felt by the end of 1929. Admitting that the immediate problem was one of over-production, various associations representing tea concerns in India, Ceylon, Java and Sumatra discussed the possibilities of restricting output of tea, and adopted a scheme by which it was expected to reduce world output by 57½ million pounds in the year beginning February, 1930. The reduction per individual country was as follows:<sup>81</sup>

	<i>Estimated Reduction</i>	<i>Actual Reduction</i>
North India	32,500,000 lbs.	42,635,441 lbs.
South India	4,000,000 lbs.	4,715,542 lbs.
Ceylon	11,200,000 lbs.	12,671,363 lbs.
Java and Sumatra	9,500,000 lbs.	2,890,800 lbs.
Total	57,500,000 lbs.	62,913,146 lbs.

The scheme was less drastic than that of 1920-21. Limitation of production in the Dutch territory was left to the local associations, but in India and Ceylon a plan was drawn up by which a greater reduction would be made in inferior teas, as these varieties experienced the greatest fall in prices. The scale of reduction was:

- (a) Estates whose teas sold below an average of 1s. 5d. for the period 1926-28 (London gross sales price, or equivalent) were to limit their production to 85% of the 1929 crop.
- (b) Estates whose teas sold on average, on the same basis, 1s. 5d. to 1s. 9d. lb. were to limit their output to 90%.
- (c) Estates whose teas sold between 1s. 7d. to 1s. 9d. were to limit output to 90%.
- (d) Estates whose teas sold at an average above 1s. 9d. were to cut to 97% of 1929 output.

It was further agreed that the limitation should not bring the 1930 crop on any particular estate to an average below 400 lbs. per acre, and those estates that were below this average in 1929 were excused from the scheme.<sup>82</sup>

Ceylon tea interests regarded this restriction scheme as a temporary expedient to reduce tea stocks and accepted it as a sheer necessity for one year.<sup>83</sup> Although the limitations were greater than those originally outlined, stocks were not reduced, and prices failed to rally. Here again the

81. Planters' Association of Ceylon Proceedings 1930. p. 10; also Ceylon Association in London Proceedings.

82. *ibid.*

83. Graham: *A Review of the Tea Market Conditions between 1918 and 1933*. p. 45; Ceylon Association in London Proceedings 1928. p. 14.



defection of the Dutch producers was evident. Except for the British controlled plantations in the Netherlands East Indies, producers there failed to enter the scheme. The large native acreage was partly responsible for this, and the Dutch Government was averse to interfering in the production of the native sector. The aim of the Dutch Government, it appears, was to apply as little pressure as possible on the local inhabitants.<sup>84</sup>

When this scheme proved inadequate, Ceylon producers turned their attention to finding new markets. This was mooted as early as 1919, when it was suggested that the Thirty Committee be revived to extend tea consumption in the United States of America. In 1920 the Ceylon Planters' Association proposed an imposition to cover advertising expenditure, but the Ceylon Estate Proprietary Association objected.<sup>85</sup> In 1924 the Ceylon Association in London came up with the idea of an export duty for advertising purposes, but even sterling registered companies did not favour this unanimously. Out of a total of 210,000 acres in the hands of the Ceylon Association in London, the owners of nearly 51,000 acres opposed this latest suggestion, and a minority remained uncommitted. So the plan was dropped.<sup>86</sup>

By 1929 the tea market had deteriorated, and finding new outlets appeared imperative. A committee was appointed by the Planters' Association to investigate possibilities with the support of the Ceylon Estate Proprietary Association. The latter controlled an acreage of 353,587, and therefore carried the bulk of the tea-growing lands.<sup>87</sup> The committee now proposed Ceylon's participation in the United States of America Tea Association's propaganda programme popularly known as the Lampard Scheme. Ceylon was asked for a contribution of 10,000 dollars (£ 2,052. 11s. 8d).<sup>88</sup> The Ceylon Estate Proprietary Association agreed to find this sum by contributing 8 cents per acre under its jurisdiction during 1921. But this measure was temporary. A permanent Tea Propaganda Board was constituted in 1932, and the Government imposed a duty of Re. 1 on every 100 lbs. of tea exported, to meet the required expenditure.<sup>89</sup>

84. Ceylon Association in London Proceedings 1930. p. 17.

85. Planters' Association of Ceylon Proceedings 1922. p. 64; Planters' Association of Ceylon Proceedings 1930. p. 70.

86. *ibid.*

87. *ibid.*

88. Ceylon Association in London Proceedings, 1930, p. 11.

89. Planters' Association of Ceylon Proceedings, 1932, p. 190.



New markets however were no immediate solution to the tea industry. It was obvious to everyone connected with the industry that after the end of World War I tea production had completely outstripped consumption. Expansion of the tea area in the Netherlands East Indies was in no small measure responsible for this. The international financial crisis following on the Wall Street crash of 1928 and the depression threw the tea industry completely out of equilibrium. By the end of 1931 even the government of the Netherlands East Indies were willing to subscribe to a restriction scheme. In fact the tea interests the world over were willing to try anything to bring some order to the industry. A new scheme of international restriction was introduced in 1932 to which all the three larger producers, viz. India, Ceylon and the Netherlands East Indies, were party. An epoch in the tea industry thus ended.

## APPENDIX—I

EXPORTS OF TEA FROM INDIA<sup>90</sup>

<i>Season</i>	<i>Quantity</i>	<i>Value</i>
1870—1871	13,425,789 lbs.	£ 1,139,703
1871—1872	17,460,138	1,452,186
1872—1873	17,920,439	1,590,926
1873—1874	19,442,279	1,754,618
1874—1875	21,392,760	1,963,550
1875—1876	24,561,826	2,183,881
1876—1877	27,925,800	2,620,170
1877—1878	33,656,961	3,061,889
1878—1879	34,432,573	3,188,423
1879—1880	38,173,521	3,051,820
1880—1881	46,413,510	3,054,240
1881—1882	48,691,725	3,609,136
1882—1883	57,766,225	3,699,496
1883—1884	59,911,703	4,083,880
1884—1885	64,162,055	4,044,259
1885—1886	68,784,249	4,327,177
1886—1887	78,702,857	4,763,143
1887—1888	87,514,155	5,139,457
1888—1889	97,011,112	5,267,314
1889—1890	103,760,104	5,277,649
1890—1891	107,014,903	5,219,224

90. *Mercantile and Planting Directory.*



# APPENDIX II

## ANNUAL TEA EXPORTS OF PRODUCING COUNTRIES

1922—31 (thousands of lbs.)

	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931
India	310,818	331,015	351,266	343,088	346,324	369,950	359,006	382,918	359,296	347,734
Ceylon	171,808	181,940	204,931	209,791	215,819	227,038	236,719	251,588	243,117	243,970
N. E. I.	91,601	106,073	123,288	119,649	136,024	144,672	153,590	159,724	158,774	173,596
China	76,810	106,856	102,125	111,068	111,909	116,290	123,470	126,364	92,540	93,761
Japan	28,915	27,142	23,845	27,819	23,775	23,301	23,814	18,320	18,157	25,409
Formosa	20,090	21,711	21,267	21,297	22,682	22,635	19,437	18,320	18,157	17,911
French Indo-China	1,136	1,936	1,668	2,282	2,530	1,711	2,064	2,238	1,204	1,295
Nyasaland	737	963	1,059	1,182	1,182	1,170	1,427	1,755	1,940	1,963
Kenya	—	—	—	—	—	1	10	8	161	354
Uganda	—	—	—	—	—	—	—	—	—	3
Tanganyika	—	—	—	—	—	—	—	—	—	1
Union of South Africa	320	221	100	226	226	250	235	260	79	101
Mozambique	60	60	60	61	60	61	119	124	116	235
Total	707,300	777,917	829,609	827,321	860,531	907,080	919,891	966,959	895,691	906,333

International Tea Committee Bulletin, Vol. I, No. 1, January 1936.

S. RAJARATNAM



## APPENDIX—III

## FLUCTUATIONS OF TEA COMPANY SHARES DURING THE PRICE DECLINE OF 1897

Share values of tea companies illustrate the extent to which tea prices affected the industry after 1897. The following data have not been introduced into the text as only rupee company figures are available, and even these only until 1898. It will be seen that the older companies with less capital per acre fared better than their later, more heavily invested, rivals.

## (i) COMPANIES FLOATED PRIOR TO 1897

<i>Year Established</i>		<i>Par Value of Shares</i>	<i>Share Value March 1898</i>
1892	Agra Ouvah	500	1040
1891	Castlereagh Tea Company	100	105
1893	Chines Estate	100	115
1893	Delgolla Estate	400	200
1893	Drayton Estate	100	160
1893	Eadella	500	250
1893	Eula Tea Company	130	65
1891	Glasgow Estate	500	1060
1894	Hapugalkanda Estate	200	300
1893	Great West Estate	500	650
1876	Horrekelly Estate	100	106
1893	Maha Uva	500	780
1892	Moscha Tea Company	500	900
1893	Naharvilla	500	550
1893	Price Hill Estate	60	50
1894	Putupaula Tea Estate	100	100
1893	Ratwatte Cocoa	500	380
1892	St. Helier's Tea	500	800
1888	Talagaswella	100	32½
1894	Tonacombe	500	575
1893	Udugama Tea & Timber	50	25
1892	Upper Maskeliya Estate	500	675
1894	Uvakellie Tea	100	70
1892	Wanaraja Tea	500	1310
1888	Yataderiya	100	270

## (ii) COMPANIES FLOATED IN 1895 AND SUBSEQUENTLY

Ceylon Hills Tea Estate	100	65
Ceylon Provincial Estate	500	485
Ceylon Tea and Coconut Estate	500	550
Claremont Estate	100	50
Clyde Tea Estate	100	100
Doomoo Tea Estate	100	61½



## (ii) COMPANIES FLOATED IN 1895 AND SUBSEQUENTLY—(Contd.)

Estate Company of Uva	500	450
High Forest Estate	500	425
Kalutara Company	500	330
Kanapediewattie Estate	100	95
Kandy Hill Tea	100	50
Kalany Tea Gardens	100	90
Kirkles Estate Company	100	167½
Knavesmire Tea Estate	100	72½
Nyassaland Coffee Company	100	90
Ottery Tea Company	100	125
Palmerston Tea Company	500	500
Pattiagama	—	—
Penrhos Estate Company	100	90
Rayigama Company	100	60
Ruanwella Tea	100	100
Stinsford Tea	100	100
Udabagay Company	100	65
Union Estate	500	360
Vogan Tea Estate	100	75

Thus of the twenty-five companies floated prior to 1895, sixteen had their share values above par, one unchanged and eight lower in 1898. Of the twenty-five formed in 1895 and subsequently, three were above par, three unchanged, and nineteen below par.

From *Times of Ceylon Supplement*.

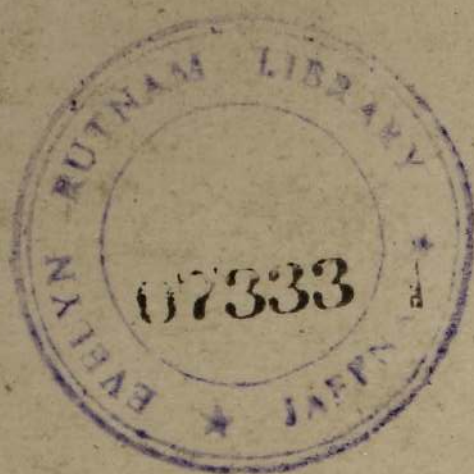


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