

R E T U R N S :

SLAVE TRADE,
East India and Ceylon.

Ordered, by The House of Commons, to be Printed,
31 July 1838.

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SLAVE TRADE (EAST INDIA).—SLAVERY IN CEYLON.

RETURN to an Order of the Honourable The House of Commons,
dated 1 March 1838;—*for*,

COPIES or ABSTRACTS of all CORRESPONDENCE between the DIRECTORS of the EAST INDIA COMPANY and the COMPANY'S GOVERNMENT in *India*, since the 1st day of June 1827, on the subject of SLAVERY in the TERRITORIES under the Company's Rule; also respecting any SLAVE TRADE therein; also of all ORDERS and REGULATIONS issued, or any PROCEEDINGS taken, by Order or under the Authority of the Company, with a view to the Abolition of Slavery and the Slave Trade, since the above Date; also of any CORRESPONDENCE between the BOARD of CONTROL and the COURT of DIRECTORS on the said subjects.

ALSO,—

RETURN to an ADDRESS of the Honourable The House of Commons,
dated 1 March 1838;—*for*,

COPIES or EXTRACTS of all COMMUNICATIONS relating to the subject of SLAVERY in the Island of *Ceylon*, and to the Measures there taken for its Abolition.

(*Mr. William Evans.*)

Ordered, by The House of Commons, to be Printed,
31 July 1838.

SLAVE TRADE (EAST INDIA.)

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<i>Letter.</i>	<i>Subject.</i>
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<i>Letter.</i>	<i>Subject.</i>
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<i>Letter.</i>	<i>Subject.</i>
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<i>Letter.</i>	<i>Subject.</i>
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Chairmen to the President, dated 15 September 1836.	-- Acknowledge receipt of above letter; state that a correspondence had taken place with the Governor-general in public department; subject about to be referred to law commissioners in India; propose waiting for a report of their proceedings.

SLAVERY IN CEYLON.

SCHEDULE.

- No. 1.—Extract of a Despatch from Lieutenant-general Sir R. Brownrigg, G. C. B., to Earl Bathurst, K. G., dated King's House, Colombo, 16 September 1816; (twelve Enclosures) p. 561
- No. 2.—Extract of a Despatch from Earl Bathurst, K. G., to Lieutenant-general Sir R. Brownrigg, G. C. B., dated Downing-street, 20 June 1817 - - - - - p. 568
- No. 3.—Copy of a Despatch from Lieutenant-general Sir R. Brownrigg, G. C. B., to Earl Bathurst, K. G., dated Kandy, 17 August 1818; (three Enclosures) - - - - - p. 569
- No. 4.—Extract of a Despatch from Major-general Sir E. Barnes, C. B., to Earl Bathurst, K. G., dated King's House, Colombo, 10 May 1821; (two Enclosures) - - - - - p. 591
- No. 5.—Copy of a Despatch from Earl Bathurst, K. G., to Lieutenant-general Sir E. Paget, dated Downing-street, 15 November 1821 - - - - - p. 597
- No. 6.—Extract from a Report of Lieutenant-colonel Colebrooke, one of his Majesty's Commissioners of Inquiry, upon the Administration of the Government of Ceylon, dated 24 December 1831 - - - - - p. 597
- No. 7.—Extract of a Despatch from Lord Glenelg to the Right honourable J. Stewart Mackenzie, dated Downing-street, 2 October 1837 - - - - - p. 598
- No. 8.—Extract of a Despatch from Sir R. W. Horton, Bart., to Lord Glenelg, dated King's House, Colombo, 3 October 1837; (four Enclosures) - - - - - p. 599
- No. 9.—Extract of a Despatch from Lord Glenelg to the Right honourable J. Stewart Mackenzie, dated Downing-street, 4 April 1838 - - - - - p. 612
- No. 10.—Copy of a Letter from Sir Alexander Johnston to Mr. Secretary Spring Rice, dated Cumberland-place, 7 August 1834 - - - - - p. 613
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SLAVE TRADE (EAST INDIA).

RETURN to an Order of the Honourable The House of Commons,
dated 1 March 1838;—for,

COPIES or ABSTRACTS of all CORRESPONDENCE between the DIRECTORS of the EAST INDIA COMPANY and the COMPANY'S GOVERNMENT in *India*, since the 1st day of June 1827, on the subject of SLAVERY in the TERRITORIES under the Company's Rule; also respecting any SLAVE TRADE therein; also of all ORDERS and REGULATIONS issued, or any PROCEEDINGS taken, by Order or under the Authority of the Company, with a view to the Abolition of Slavery and the Slave Trade, since the above Date; also of any CORRESPONDENCE between the BOARD of CONTROL and the COURT of DIRECTORS on the said subjects.

EXTRACT POLITICAL LETTER from *Bengal*, dated 8 May 1829.

Para. 200. IN a despatch, recorded as per margin, the agent to the Governor-general on the north-east frontier reported to us that he had issued a proclamation in Assam, during a partial famine in 1825, from the month of June to October, permitting payiks, or persons owing service to the state, to sell themselves as slaves or bondsmen, agreeably to the former custom of the country in similar cases; but as the sanction of the supreme ruling authority was required, because the whole of the free male population of Assam owe service to the state, he requested our sanction accordingly. We caused it to be intimated to Mr. Scott, in reply, that we relinquished all claim to the services of those inhabitants of Assam, who, under the sanction of his proclamation, contracted an obligation to serve private individuals for their lives, during the pressure of the famine referred to in his despatch.

N.E. Frontier
Pol. 1828, Dept.
Cons. 3 April.
Nos. 18 and 19.

EXTRACT POLITICAL LETTER from *Bengal*, dated 3 October 1829.

Para. 26. CASES having arisen in which female slaves who had escaped from the royal palace at Delhi were apprehended by the local police and made over to the British authorities, when the king urgently demanded their restoration; and it appearing to us that in each instance the females concerned had been kidnapped, and reduced to a state of slavery by nefarious means, subsequent to the date of the proclamations issued in 1811-12, forbidding the traffic in human beings within the British territory, and had, besides, been ill-treated in the palace, we directed their release.

1828,
Cons. 29 Aug
Nos. 13 and 14
Cons. 31 Dec.
Nos. 4 to 6.

POLITICAL DEPARTMENT, 10 March (No. 3) 1830.

Our Governor-general in Council at *Fort William*, in *Bengal*.

Para. 1. IN paragraph 200 of your political letter dated 8th May 1829, you inform us that the agent to the Governor-general on the north-east frontier reported to you, under date 4th March 1828, his having issued a proclamation in Assam, during a partial famine in 1825, "permitting payiks, or persons owing service to the state, to sell themselves as slaves or bondsmen, agreeably to the former custom of the country in similar cases," but, "as the sanction of the supreme ruling authority was required, because the whole of the free male population of Assam owe service to the state," he requested "your sanction accordingly." He received, in answer, that you "relinquished all claim to the services of those inhabitants of Assam, who, under the sanction of his proclamation, contracted an obligation to serve private individuals for their lives, during the pressure of the famine referred to in his despatch."

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2. We

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East India Com-
pany and Board of
Control.

2. We regret that more deliberation was not thought necessary, and that information was not called for, before you sanctioned a proceeding which has at least a very questionable character.

3. Slavery in every form is an evil of great magnitude, and peculiarly revolting to the moral feelings of Englishmen. In this case, it would appear that temporary relief from the Government would have obviated that dreadful necessity of selling themselves as slaves for life to obtain present subsistence, which seems to have been brought upon the unfortunate people of Assam by distress of a temporary nature.

4. We think it incumbent on us to call now for that information which we should have been glad that you had supplied to us along with your present report. You will accordingly cause inquiry to be made to what extent this custom exists in the countries newly acquired to the eastward, and from what period it has prevailed, or whether from time immemorial; whether there exist any other means of acquiring slaves in these countries than that now mentioned; and, if so, what is the ordinary price of a slave purchased under such circumstances, what number of persons are in a state of slavery, and what is the number and condition of the free labourers in those regions? What is the nature of the slavery alluded to? What is practically the actual condition of the slaves, and what is the situation of their offspring born in a state of slavery, or who are infants when the parents enter into that state?

5. You ought to have noticed with a strong expression of your displeasure Mr. Scott's omission to make known to your Government, and apply for your sanction to, his proclamation, for nearly three years after it had been issued, although, on his own showing, the sanction of Government was necessary to the validity of the engagements which the proclamation authorized. Mr. Scott should have felt that the extension of slavery was an evil of no ordinary importance, and he should have immediately communicated to you every circumstance which in his opinion compelled him to give it the sanction of the British Government.

We are your affectionate friends,

(signed) *J. Loch.*
W. Astell.
&c. &c. &c.

London, 10 March 1830.

EXTRACT POLITICAL LETTER to *Bengal*, dated 9 February (No. 7) 1831.

Letter from, dated 3d October 1829, para. 26.
Release of certain female slaves, who had escaped from the royal palace at Delhi, and been apprehended by the local police.

Para. 19. WE approve of your having set these females at liberty, instead of restoring them to Mirza Sooleem, as they appeared to have been kidnapped and reduced to slavery subsequently to the issue of the proclamations

forbidding the traffic in human beings within the British territory, and as they likewise appeared to have suffered ill-treatment in Mirza Sooleem's service.

EXTRACT POLITICAL LETTER from *Bengal*, dated 15 December (No. 23) 1831.

Cons. 16 Sept.
Nos. 11 and 12.

Para. 24. WITH reference to paragraphs 23 and 24 of our last quarterly general letter, No. 14, dated the 26th August last, we have the honour to transmit, for the information of your honourable court, copies of a letter from the secretary to the Governor-general, and of his Lordship's minute, recorded as per margin, relative to the report by Captain Jenkins and Lieutenant Pemberton, upon the Mug corps, and intimating his Lordship's desire to receive our sentiments upon the expediency of adopting any of the suggestions submitted by those officers.

Cons. 16 Sept.
No. 13.

25. We stated, in reply, that with regard to the first point adverted to by Captain Jenkins and Lieutenant Pemberton, namely, the circumstance of almost all the Munnipoorees of the corps being slaves, and to the expediency of some legislative enactment being passed for the removal of that evil, we were not aware what remedy could be applied to the correction of this state of things, but that it would be necessary, in the first instance, to obtain more full and accurate information of the nature and conditions of the obligation to perform personal service, into which, it was presumed, the Munnipoorees in the Arracan

Arracan district had entered, in consequence of having contracted debts which they were otherwise unable to discharge. We proposed, therefore, to call on the commissioner to report on this species of slavery, as it might exist in Arracan, with reference to the established custom and usages of the country previously to the introduction of our authority, and in particular with regard to the class of Munnipoorees, stating to what circumstance it was owing that this active and, it was understood, industrious tribe should almost have placed themselves in that predicament.

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26. It was further stated, that Mr. Halhed would be directed to inquire from the officer commanding the corps the extent to which individuals might have come under the obligation of personal service, whether for life or for a given period, and the amount required by the master or creditor for the ransom or liberation of his bondsmen. If the natives of Munnipore were not settled in Arracan, but were in the habit of coming from their own country in search of a livelihood, we conceived it might be practicable in future to obtain for the Mug corps free men of that tribe, and care might be taken, previously to enlistment, to ascertain whether they were so or not. It would also be a point for inquiry whether, supposing the Munnipooree bondsmen could be set free, they would be disposed to remain in the province and continue in the local corps, since it was not unlikely that necessity alone might have induced them to enlist for the sake of earning the means of buying their discharge from their masters and returning to their homes. It was further stated, that we were of opinion that it was desirable to entertain a considerable proportion of Munnipoorees in the Mug corps.

34. On the proceedings of the annexed date is recorded a note drawn up by the chief secretary to Government regarding the Munnipooree sepoy of the Mug Sebundy corps, supposed to be slaves. The letter addressed, in consequence, to Lieutenant Boscawen, commanding the Mug corps, calling for a report on the subject, is recorded as per margin.

Cons. 30 Sept. No. 90.

EXTRACT POLITICAL LETTER from *Bengal*, dated 2 April (No. 2) 1832.

Para. 7. IN paragraphs 24 and following, of our last quarterly general letter to your honourable court (No. 23, of 1831), we stated at length the observations which we directed to be communicated to the secretary to the Governor-general, in a letter under date the 16th September last, in reply to a minute by his Lordship relative to the augmentation of the Mug corps, the state of slavery in which the Munnipoorean sepoy was supposed to be, and other matters connected with the affairs of Arracan on which his Lordship had desired to receive our opinion. The despatches recorded as per margin, containing the further information which had been called for on these points, having been transmitted to his Lordship for consideration, a despatch was received from Mr. Secretary Prinsep, by which it appeared that, under some misapprehension of the import of the letter of the 16th September, above referred to, his Lordship had supposed that it was our intention to issue immediate instructions to carry into effect the measures suggested by him, in the expediency of which we had concurred.

Cons 14 Oct. No. 79.
Cons. 28 Oct. Nos. 84 to 87.
Cons. 11 Nov. Nos. 28 to 31.
Cons. 25 Nov. No. 6.

8. We directed it to be explained to his Lordship, in reply, that we had merely intended to intimate our sentiments on the points on which our opinion had been asked, and had directed the despatches above recorded to be transmitted to his Lordship, in the expectation of receiving further communication with regard to his Lordship's final decision.

Cons. 25 Nov. No. 7.

9. It was further stated, that with regard to the Munnipoorean sepoy in the Mug corps, who were supposed to be in a state of slavery, we were of opinion that the result of the inquiries which had been made showed that these individuals could not be considered to be slaves; we accordingly proposed, with his Lordship's concurrence, to make a communication to that effect to the commissioner.

EXTRACT POLITICAL LETTER from *Bengal*, dated 31 December (No. 14) 1832.

Para. 158. IN the despatch recorded as per margin, Captain Kennedy submitted a petition from a Bazar woman of Subathoo, soliciting permission to purchase a female from the rajah of Mundee, and suggested the propriety of issuing a government notification to the chiefs prohibiting the traffic in human beings, and of holding them responsible for any infringement of the orders, either in

1832,
Cons. 25 June,
No. 24.

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1833,
Cons. 25 June,
No. 25.

allowing children to be sold, or carried into their states for the purpose of exportation.

159. The Governor-general directed it to be stated to Captain Kennedy, in reply, that it would have been sufficient, on this occasion, if he had informed the petitioner that the purchase which she contemplated must be considered as illicit by the British authorities, and that any restraint or other act of ownership attempted to be imposed by her on the female purchased with the design avowed by her would not only not be supported, but that she would thereby subject herself to penalty. His Lordship was of opinion, that a knowledge of the course of proceeding which the authorities would adopt on such occasions would be sufficient to deter from the practice of purchasing females with a view to their prostitution, without recourse to the promulgation of a prohibition in an independent state to the effect proposed by Captain Kennedy.

EXTRACT POLITICAL LETTER from *India*, dated 22 August (No. 5) 1833.

Cons. 13 August,
Nos. 25 and 26.

Para. 110. THE despatch recorded as per margin relates to the practice alleged to prevail of buying and selling females in Rajpootana and Malwa. The Governor-general fully concurred in the view taken by Lieutenant-colonel Lockett of this question, and directed it to be stated to him, that, divested, as his Lordship understood this traffic to be, of all the cruel features which characterized the African slave trade, there still was abundant reason to justify every practicable effort that could be made for its suppression; that in a cause so humane his Lordship would not hesitate to sanction any measure to which recourse could be had consistently with the preservation of good faith, but that we could not interfere authoritatively to effect the discontinuance of this practice without violating the national independence which we were pledged to uphold; while, however, it was further observed, his Lordship regretted that a regard for existing treaties, whereby we were bound to refrain from interfering with the internal economy of our allies, must prevent him from sanctioning any proceeding on the part of the agent which could bear the appearance of dictation, yet he could see no objection to that officer's availing himself of any favourable opportunity that might occur of pointing out, in a friendly and confidential manner, to any of the princes and chiefs to whom he was accredited, the manifold evils which a traffic in slaves must entail on the subjects of their own and the neighbouring states; the baneful and demoralizing influence of such a system in any country where it prevailed, and the credit which would attach, in the estimation of the British Government, to any ruler who should prohibit the traffic within his own dominions.

111. The above observations, it was added, of course presumed the traffic to be confined to independent territories; Lieutenant-colonel Lockett was, however, apprized that if any instance should come to his notice of children being kidnapped from the British territories, with a view of being disposed of by sale in a foreign country, the Governor-general would be prepared, on being furnished by him with the particulars, to authorize his making such a remonstrance as might be calculated to prevent a repetition of the grievance.

Cons. 24 Sept.
Nos. 24 and 25.

112. Further correspondence relative to the above subject is recorded as per margin.

197. For the present Mr. Cavendish was desired to furnish an English abstract of all the cases of child-stealing which had been brought to the notice of the resident within the last three years, where the parents of the children might have been our own subjects or the subjects of independent states, and to submit all the information which could be collected from the records, or other quarters, respecting the names and residence of the persons who were engaged in this nefarious practice, the mode in which it was carried on, and the extent to which the Gwalior authorities countenanced the system, and participated in the profits derived from it.

Cons. 24 Sept.
No. 26.

214. In the despatch recorded as per margin, the resident reported the issue of orders for the prohibition of the slave trade in the Gwalior dominions, and the release of 65 slaves, of whom nine were made over to him, being subjects of the honourable Company.

Cons. 24 Sept.
No. 27.

215. The Governor-general directed the resident to be informed in reply, that his Lordship had derived unqualified pleasure from the resolution which the Gwalior authorities had taken to put down the slave trade in their dominions, and desired

desired that he would do every thing in his power to encourage and confirm them in their good intentions, reporting the result for his Lordship's information.

216. Mr. Cavendish was also requested to communicate to the regent the sentiments with which her laudable and enlightened efforts in the cause of humanity were viewed by his Lordship.

217. The resident subsequently transmitted in the despatch recorded as per margin letters from the regent and the prime minister, fully evincing their resolution to suppress the slave trade, together with a letter which he had addressed to the regent, containing the deposition of a woman who had been sold in the Gwalior territories. Cons. 24 Sept. No. 28.

218. The Governor-general directed copies of the correspondence above recorded to be transmitted in a circular to the different residents and political agents, and the governments of Madras and Bombay, calling upon them to take every opportunity of explaining to the native authorities the anxious wish of the British Government that the horrid traffic in slaves should be prohibited throughout India. Cons. 24 Sept. No. 29

EXTRACT POLITICAL LETTER from *India*, dated 21 November (No. 11) 1833.

Para. 23. WITH reference to the correspondence circulated by order of the Governor-general respecting the abolition of the slave trade in the Gwalior dominions, to which we adverted in paragraphs 215 to 218 of our last quarterly report, the secretary to government at Bombay forwarded two despatches from the residents in Cutch and Sattara, recorded as per margin, on the subject of slavery in those territories. Cons. 24 Dec. No. 26.
Cons. 31 Dec. No. 11.

124. In the despatch recorded as per margin, Lieutenant-colonel Lockett submitted a letter from the acting agent at Kotah, reporting that the raj rana, in consequence of the recent correspondence on the subject of traffic in slaves, to which we have adverted in paragraphs 110 to 112 and 214 to 218 of our last general letter, had issued an order prohibiting the buying or selling of slaves in any part of his territory, under penalty of punishment. The Governor-general directed Lieutenant-colonel Lockett to express to the acting political agent at Kotah, and through him to the raj rana, the satisfaction with which his Lordship had received this gratifying intelligence. Cons. 8 Oct. Nos. 33 and 34.

125. In the following month (September) Lieutenant-colonel Lockett submitted a despatch from the acting political agent at Kotah, stating that the rao raja of Boondee had also prohibited the buying and selling of slaves in his territories, under the penalty of severe punishment and confiscation of property. Cons. 22 Oct. No. 22.

186. In the despatch recorded as per margin, the resident at Gwalior, with reference to the correspondence noticed in paragraphs 215 to 218 of our last general letter, No. 5, of 1833, reported his further proceedings for the recovery of kidnapped children, and suggested measures for the more effective suppression of the slave trade, which the Governor-general stated that he was not at present prepared to adopt, but would forward for the consideration of the local government. Cons. 26 Nov. Nos. 38 and 39.

411. With reference to the correspondence on the subject of the abolition of the slave trade in the Gwalior dominions, to which we have had frequent occasion to advert, the agent submitted, in the despatches recorded as per margin, a draft of the notes which he had written to the several chiefs under the superintendence of his office, and the replies which he had received from them, conveying their acquiescence in the proposal which he had made to them to abolish the purchase and sale of slaves in their territories. Cons. 5 Nov. No. 41.
Cons. 31 Dec. No. 12.

EXTRACT POLITICAL LETTER to *Bengal*, dated 3 January (No. 1) 1834.

Para. 121. WE observe with approbation, that prior to the receipt of our letter of 10th March 1830, calling for a general report on the state of slavery in Assam, you had ordered such a report to be furnished. It has not, however, been yet received by us. Letter from, dated 8th September (No. 13) 1830, para. 3, and 255 of 9th October (No. 17) 1830. Further correspondence on the subject of slavery in Assam.

122. In the meantime, Mr. Scott's correspondence incidentally shows that slavery exists to a very considerable extent in Assam, and several questions have practically arisen which cannot be permanently decided until the receipt of the more complete information which you have called for; in particular the two following questions; the course to be adopted in the case of revenue defaulters,

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whose property consists chiefly of slaves, and the mode of dealing with the claims of individual creditors upon persons similarly circumstanced.

123. We are hardly prepared to sanction the rule you have adopted, of allowing slaves to be sold by auction for the benefit of private creditors; but we approve of your emancipating, at a fixed price to be paid by Government, those who are attached by the court on account of arrears of revenue. We shall have occasion to address you at a future period on this subject, in reference to the provisions of sec. 88 of the Act 3 & 4 Gul. IV. c. 85.

EXTRACT POLITICAL LETTER from *India*, dated 13 March (No. 3) 1834.

Cons. 13 June,
No. 32.

Para. 396. WE shortly after derived much gratification from the intelligence that the bae had strictly prohibited infanticide, and also, that the slave trade had been suppressed within the Gwalior territory.

Cons. 14 January,
No. 44.

567. With reference to the correspondence respecting the slave trade, noticed in paragraphs 214 to 218 of our general letter, No. 5, of 1833, the resident stated that the prohibition of the traffic in slaves by the British authorities at the time they had the management of affairs after the rupture with the ex-rajah, Appa Sahib, had been continued by the present raja, and appeared to be universally and effectually enforced throughout the Nagpoor territories.

EXTRACT POLITICAL LETTER from *Bengal*, dated 10 July (No. 11) 1834.

Cons. 22 August,
Nos. 19 and 20.

Para. 234. IN the despatch recorded as per margin, Mr. Fraser submitted a correspondence with the political agent at Subathoo, regarding the case of a female child sold into slavery by the raja of Munde. He was informed in reply, that his order to Captain Kennedy on the subject appeared sufficient and proper.

Cons. 9 May,
No. 31.
Cons. 18 July,
Nos. 40 to 44.
Cons. 16 August,
Nos. 26 to 29.

339. The despatches recorded as per margin, contain particulars regarding some African slaves imported into the Lucknow territory by Mogul merchants, who had absconded. We directed it to be intimated to Major Low, that the line of conduct he had pursued was entirely approved, and that, under the circumstances stated, it appeared to us that the most eligible mode of proceeding was to accept the king's offer of making over the Africans in service to respectable individuals, provided means were adopted for securing their freedom, and preventing them from being degraded to the condition of slavery.

EXTRACT POLITICAL LETTER to *India*, dated 21 January (No. 2) 1835.

Letter from, dated 31st December (No. 14) 1832, paras. 158, 159. Petition from a Bazar woman of Subathoo, soliciting permission to purchase a female from the rajah of Munde. Government did not adopt Captain Kennedy's suggestion of issuing a notification to the chiefs, prohibiting the traffic in human beings, and declaring them responsible for the infringement of the prohibition; but thought it sufficient to inform the petitioner that the purchase was illegal, and that any attempt to exercise ownership would subject her to penalty.

Para. 85. WE approve the tenor of your reply to Captain Kennedy's reference.

POLITICAL DEPARTMENT, 1 April (No. 5) 1835.

Our Governor-general of *India* in Council.

Political Letters, dated 22d August (No. 5) 1833, paras. 110 to 112, 197, and 214 to 218; 21st November (No. 11) 1833, paras. 23, 124, 125, 186 and 411; 13th March (No. 3) 1834, para. 567.

Para. 1. WE now reply to the paragraphs noted in the margin, relating to the traffic in slaves, in the territories of the native states of India.

2. We concur in the view which you take of this subject. "Divested," as you understand the traffic to be, "of all the cruel features which characterized the African slave trade, still there is abundant reason," as you observe, "to justify every practicable effort that could be made for its suppression," especially as the slave market appears to be in a great measure supplied by kidnapping. Although, therefore, we cannot interfere authoritatively for the suppression of this traffic in the native states, you justly considered that every favourable opportunity should be taken of exerting the influence of our friendly advice to discourage the practice, and that, in the case of children or others kidnapped from the British territories, effectual means should be adopted for obtaining redress and preventing the repetition of the offence.

3. Accordingly,

3. Accordingly, when the prevalence of the slave trade in Rajpootana and Malwa was brought to your notice by Lieutenant-colonel Lockett, you issued instructions to your different residents and political agents in conformity with the above views ; and we have now had the satisfaction of learning that the traffic has been positively interdicted by the courts of Gwalior, Kotah, Boondee, Lucknow, Rewah and several of the Boghelcund chiefs. In the Gwalior country, where it had previously prevailed very extensively, the subsequent reports of the resident give reason to hope that the prohibition has been effectual.

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4. In the state of Nagpore, we perceive the traffic in slaves had already been abolished, while the country was under British management. The prohibition appears to be properly enforced, and the raja has expressed his determination to adhere to it.

5. Satisfactory reports have also been received from the residents in Cutch, and at Sattara.

6. Aware from experience that the acquiescence of the chiefs and states in alliance with us, and under our protection, in the views and wishes of the British Government, on occasions like the present, is in most instances the result rather of a submission to the influence of our supremacy than of a cordial concurrence in the wisdom or expediency of what is recommended, and that little dependence can be placed on the vigilant and efficacious exertion of their authority, in permanently enforcing the prohibition of this nefarious traffic, we trust that the several residents and agents will be instructed to keep this object in view, and to remonstrate against any infringement of the prohibition when once issued, or any laxity on the part of the chiefs or their officers in giving effect to its provisions.

7. You will continue to keep us informed of the accounts which you may receive from your local officers on this subject.

We are your affectionate friends,

(signed) *H. St. G. Tucker.*

M. S. Clarke.

&c. &c. &c.

London, 1 April 1835.

EXTRACT POLITICAL LETTER from *India*, dated 13 July (No. 29) 1835.

Para. 144. MR. FRASER, having a letter addressed by him to our secretary in the judicial department, reported that Nawab Buhaduc Jung Khan of Buhadurgurb had purchased several children from a person in his jagheer, under circumstances which led to the belief that they might have been kidnapped, and very possibly their parents murdered, the agent was authorized to call upon the nawab to furnish such information as might lead to the discovery of the parents of the children, and to the detection of the crime, should any have been committed.

Pol. 1834.
Cons. 13 Sept.
No. 82.

List, No. 80.

No. 83.

List, No. 80.

EXTRACT POLITICAL LETTER to *India*, dated 29 July (No. 32) 1835.

Para. 54. It is creditable to the rana of Baghul that he detained this child, and the two men, inhabitants of the protected Sikh state of Khur, who were carrying her into slavery. We approve of your having given orders for her being restored to her parents.

Letter from, dated 10th July (No. 11) 1834, para. 234. Case of a female child sold into slavery by the rajah of Mundee.

EXTRACT POLITICAL LETTER from *India*, dated 28 September (No. 33) 1835.

Para. 285. It having appeared from an entry in the diary of the Lucknow residency, that a Mr. Martin, who is stated to be a protegé of the late General Claude Martin, had made an application to the resident for his interference in the restitution of a slave girl who had fled from his house, and whom he claimed as his property, Lieutenant-colonel Low was desired to explain how Mr. Martin happened to be a slave owner, and to report what answer he gave to the request preferred by that individual.

Pol. 1834.
Cons. 21 Nov.
No. 157.

List, No. 147.

286. The required particulars were communicated in a letter addressed by the resident to our secretary, a copy of which is included in the packet.

Cons. 10 Dec.
No. 27.

List, No. 147.

EXTRACT POLITICAL LETTER from *India*, dated 19 October (No. 36) 1835.

Letter to, dated 1st April (No. 5) 1835,
on the subject of the suppression of the
traffic in slaves in the native states.

Para. 2. THE principles inculcated by your honourable court in reference to this matter will be borne in mind, and the several residents and agents be instructed to act in strict conformity thereto whenever the occasion may arise for addressing them on the subject.

EXTRACT POLITICAL LETTER to *India*, dated 11 November (No. 50) 1835.

Para. 14. MR. MAINGY's judicial arrangements merit approbation. The laws which he has followed are, in criminal matters, the regulations, and, in civil, those which were already established, namely, the Burmese laws, with such modifications as he found necessary. It is very satisfactory to find that, without doing any violence to established usage, he has nearly succeeded in abolishing debtor slavery, merely by enforcing the registry of the engagements, and making a portion of the value of the labour of the debtor slave "go towards the liquidation of the principal of his debt."

EXTRACT POLITICAL LETTER to *India*, dated 3 December (No. 14) 1835.

Sic orig

Para. 112. FROM the papers here referred to we learn incidentally the fact of the existence of slavery in Arracan, not only in the form in which it appears to be not uncommon throughout the countries on the eastern side of the Bay of Bengal, that of temporary personal service for the redemption of debt, but in various other forms.

113. The subject was brought to your notice by the fact which was announced to you, that the Mug corps consisted partly of Munnipooreans, all, or nearly all of whom were slaves; and your inquiries into the matter appear to have been prosecuted so far only as to ascertain that no private rights were infringed by our retaining those individuals in our service.

114. The nature of slavery in Arracan, and the condition of the slaves, must now, in pursuance of the provisions of Gul. IV. c. 85, sec. 88, be made the subject of full inquiry and report.

EXTRACT PROCEEDINGS of the LIEUTENANT-GOVERNOR of the North-western Provinces in the POLITICAL DEPARTMENT, from January to March 1836.

Respecting slavery in Gurhwal:

Proceedings, 2d Jan. 1836, No. 2.

" 4th April, Nos. 2 & 3.

" 7th May, Nos. 4, 5 & 6.

Para. 84. THE agent at Delhi forwarded a reference from the political agent at Deyra Dhoon, regarding slave cultivators in the Gurhwal territory, and the refusal of Colonel Young to restore certain persons who had fled from that territory.

85. The agent was informed that the Government could not countenance slavery, and the refusal of the political agent at Deyra Dhoon to restore fugitives was considered proper.

86. A copy of the despatch was forwarded to the judicial and revenue department, whence the commissioner in Kumaon would be called upon to report regarding the custom of trafficking in slaves in that province, and the practice of cultivating the soil by the labour of domes purchased for that use, which was said to exist there, and generally in the hill districts.

87. The rajah of Gurhwal complained of having been directed by the political agent at Deyra Dhoon to prevent the purchase of slaves throughout his territories, and represented that the cultivation of the soil was principally carried on by their means, and that if the practice was intended to be prohibited, it should be done generally, and not be limited to his territory.

88. It appeared that Lieutenant-colonel Young, in his laudable zeal to put down slavery in Gurhwal, had exceeded his powers, and gone beyond the meaning of the instructions issued to the agent at Delhi. The sudden discontinuance of the purchase of slaves throughout the rajah's territories was more than could be reasonably expected from him, and more perhaps than we had a right to demand, but as the annulling entirely of Lieutenant-colonel Young's letter would afford encouragement to a continuance of the traffic which we earnestly desired to

to

to see abandoned, the agent at Delhi was instructed to desire the political agent at Deyra Dhoon not to interfere further with a view to enforce the execution of his orders within the separate territories of the rajah, but to continue to discountenance the traffic by refusing to deliver up fugitives, and to do all that friendly influence and advice could effect to put a stop to it.

89. The rajah was written to in a tone of friendly counsel, pointing out to him the evils of slavery, and the renown which he would acquire by suppressing it in his dominions.

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EXTRACT POLITICAL LETTER from *India*, dated 26 September (No. 25) 1836.

Para. 221. THE correspondence recorded on our proceedings of the annexed date relates to the emancipation of the Punnah slaves in Coorg, and the sentiments and opinions expressed by Lieutenant-colonel Fraser and Captain Le Hardy on the question as to the expediency of that measure.

Pol. 1836.
Cons. 8 Feb.
Nos. 125 to 127.

222. We saw no reason to doubt the propriety of the instructions already issued to Lieutenant-colonel Fraser (a copy of which accompanied our separate letter to your honourable court, No. 15 of 1836), especially as that officer had advanced no new argument in support of his opinion against the policy of the contemplated measure.

List, No. 113.

223. The suggestions of Captain Le Hardy for giving effect to the views of Government were approved, and the disbursements which he recommended to be made were sanctioned.

224. To the arrangements proposed by Captain Le Hardy, however, there was one modification which was considered to be indispensable. The emancipated slaves were not to be placed under surveillance as a measure preliminary to their obtaining freedom, but restraint in the mode proposed in the 6th paragraph of Captain Le Hardy's letter might, it was observed, be imposed upon such of them as evinced a determined disposition to idleness or mischief.

EXTRACT POLITICAL LETTER from *India*, dated 28 November (No. 33) 1836.

Para. 23. THIS correspondence relates to the case of certain fugitive slaves belonging to a Nipausee chief, who were reported to have taken up their abode in Zillah Tirhoot, and the question of their surrender.

Pol. 1836.
Cons. 2 May,
Nos. 66 and 67.
Cons. 6 June,
Nos. 88 and 89.

24. The resident was informed in reply to the above reference, that it was the object of the British Government to effect the gradual suppression of slavery, and to manifest its aversion instead of lending its support to the practice on all possible occasions.

List, No. 12.

25. This view of the subject was accordingly communicated by Mr. Hodgson to the magistrate of Tirhoot, who was at the same time requested to inform the fugitives in question that they were at liberty to continue in his district without liability to interference of any sort.

271. We learned with much satisfaction the emancipation of the whole of the Punnah slaves in Coorg, and considered the manner in which Captain Le Hardy proceeded to carry into effect the orders of Government on this subject to be very creditable to that officer.

Pol. 1836.
Cons. 27 June,
Nos. 83 to 86.

272. Captain Le Hardy was authorized to disburse a sum not exceeding 250 rupees in compensation to the claimants of private slaves who had been liberated, where such claims appeared to be deserving of notice, and to that officer's discretion was left the duty of forming a decision on each case.

List, No. 121.

EXTRACT POLITICAL LETTER from *India*, dated 30 January (No. 8) 1837.

Para. 212. THE correspondence noted in the margin arose out of an order issued by our political agent in Upper Assam, founded on an application made by one of the Kampti chiefs for the surrender of a fugitive slave belonging to him. Major White, having been called upon to explain under what circumstances and upon what principle the surrender of slaves could be deemed justifiable, replied, that the proceeding resorted to by him in this instance was in accordance with the practice of former functionaries, who recognized the proprietary right of the

Pol. 1836.
Cons. 1 August,
No. 80, 12 Sept.
Nos. 102 and 103.

List, No. 103.

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Assamese, as regarded their slaves, and that the same principle had been acted upon in our relations with the Kampti chiefs.

213. On this subject our desire was signified to the effect that all functionaries should consider it as a general rule to refrain from any summary interference for compelling the return to a state of slavery of individuals who might have effected their escape from it. Every person, we observed, must be presumed to be in a state of freedom until the contrary was proved, and that, where rights were claimed affecting this freedom, there seemed to be no reason why the claimants should have greater facilities afforded them than in ordinary cases. We proceeded to state, that, as the law stood, it might not be proper to reject a regular suit instituted to prove the right of one individual over the labour or person of another, but that the plaintiff should at least be required to fulfil completely all the conditions which the law required in the establishment of his claim.

214. A transcript of the above instructions was forwarded to the agent on the north-east frontier for his information and guidance.

EXTRACT POLITICAL LETTER to *India*, dated 28 June (No. 7) 1837.

Para. 8. We perceive that the subject of slavery in Coorg is engaging your serious attention, and we approve of your having manumitted all the slaves who were the property of the state, granting small pensions to those who were incapable of work, and some trifling advances to those who were disposed to take land and cultivate it on their own account. The measure of placing the emancipated slaves under the surveillance of potails, or apprenticing them to respectable ryots, you very properly determined not to authorize, except eventually in the case of such as might evince a determined disposition to idleness and mischief.

9. You will report to us fully on the results of this measure of emancipation, as the experience to be derived from it will be valuable for future guidance in that and other quarters.

EXTRACT POLITICAL LETTER to *India*, dated 9 August (No. 17) 1837.

Affairs of the Tenasserim provinces.

Para. 39. It is highly gratifying to find that our possession of the provinces on the coast has been indirectly the cause of a great benefit to the people of the interior, by means of a great falling off in the trade in slaves, which in these countries appears to have been attended with circumstances of even unusual atrocity.

EXTRACT POLITICAL LETTER to *India*, dated 15 November (No. 29) 1837.

Para. 13. You have very properly determined not to deliver up fugitive slaves who take refuge in our provinces.

EXTRACT FOREIGN LETTER to *Fort St. George*, dated 14 April (No. 1) 1830.

Letter from, dated 26 July 1825 (30), notices the ready attention shown by the French intendant at Mahé to a representation made by the magistrate of Malabar, on the prevalence of the crime of kidnapping children from the Company's territories, to be sold in that settlement.

Para. 53. We are glad to learn that, in the instance which gave immediate occasion to this remark, the perpetrator of the offence was detected, and we trust that he suffered the punishment due to so great a crime. We desire that you will inform us whether you have been able, by adopting any measures in concert with the French authorities, to suppress or materially check this pernicious practice.

EXTRACT FOREIGN LETTER from *Fort St. George*, dated 5 June (No. 2) 1832.

Para. 2. YOUR honourable court will observe that, with respect to the subject of kidnapping children from the honourable Company's territories, for the purpose of being sold as slaves in the French settlement of Mahé (referred to in the 53d paragraph of your honourable court's despatch above-mentioned), the special agent stated that he had no recollection.

2. The

2. The correspondence originated in a report from the magistrate of Malabar, in the judicial department, dated the 7th October 1819, and was subsequently continued by direct communication with the Governor-general of the French establishments in India, as per letters noted in the margin, of which we furnished copies to the special agent for his information.

East India Company and Board of Control.

To the Count Dupuy, 15th November 1819.
From - ditto, 26th November 1819.
Cons. 15th November and 13th December.

EXTRACT FOREIGN LETTER from *Fort St. George*, dated 15 March
(No. 2) 1833.

Para. 1. WITH reference to a despatch from this department, under date the 5th of June last, No. 2 of 1832, we have the honour to bring to your notice a further communication from the special agent for foreign settlements, submitting a letter from the magistrate of Malabar, on the subject of kidnapping children for the purpose of being sold as slaves in the French settlement of Mahé.

Cons. 1832,
Oct. 19,
Nos. 27 and 28.

2. From Mr. Clementson's letter your honourable court will observe, that the case which led to the representation made to Government by Mr. James Vaughan, the former magistrate of Malabar, under date the 7th October 1819, as referred to in the 3d paragraph of our despatch above mentioned, appears to have been a solitary instance of the kind as connected with the settlement of Mahé, and that there is no reason to believe the French authorities at that place have ever been less ready or desirous to suppress so revolting a crime than the officers of the Company's government.

3. Slavery, the magistrate observes, exists in Mahé only in the same way that it does throughout the district of Malabar, and no transfer or sale of human beings would be sanctioned there that would not be tolerated in the British limits, as consistent with the ancient usages of the province.

4. Adverting to the small extent of the settlement of Mahé, and to the free intercourse and connexion existing between its native inhabitants and those of the adjoining districts of the Company, Mr. Clementson adds, that a child, kidnapped from the British limits and taken to Mahé, would be as readily discovered there as if secreted in any other town on the coast.

EXTRACT FOREIGN LETTER to *Fort St. George*, dated 27 May
(No. 1) 1834.

Para. 15. IT gives us great pleasure to learn that there is no ground of complaint against the French settlement at Mahé on this account.

Letter 5th June 1832, paras. 1 to 3, also 15th March 1833, paras. 1 to 4. Allegation of the kidnapping of children from the Company's territory, to be sold as slaves at Mahé, unfounded.

EXTRACT POLITICAL LETTER from *Bombay*, dated 21 June 1827.

Para. 62. IN our letter to the commissioners we have made known to them a report which has reached us, on the authority of persons engaged in trading to the eastward, that a considerable traffic in slaves is carried on in French ships between Sumatra and the French settlements, principally Bourbon, which may probably appear to them a subject worthy of further inquiry. The circumstance is entirely founded on oral information, but we believe its correctness may, in a great degree, be depended on.

EXTRACT POLITICAL LETTER to *Bombay*, dated 20 July (No. 6) 1830.

Para. 65. WE approve of your having brought this report to the notice of the commissioners at the Mauritius.

Letter from, dated 21st June 1827 (62). A report which had been received, that a considerable traffic in slaves is carried on in French ships between Sumatra and the French settlements, especially Bourbon, was communicated to his Majesty's commissioners of inquiry at the Isle of France.

EXTRACT POLITICAL LETTER to *Bombay*, dated 22 August 1827.

Para. 14. WE concur in the propriety of your observations, and approve of your proceedings on this subject.

Letter from, dated 14th January 1824 (67 to 70), also 1st December 1824 (39 & 40). State of slavery on the coast of Africa and in the Persian Gulf.

EXTRACT POLITICAL LETTER to *Bombay*, dated 17 October 1827.

Paras. 18 to 35 of letter 19th April 1826, and letter of 7th June 1826. Proceedings relating to the existing treaties with the imaum of Muscat, and to the slave trade of the eastern coast of Africa.

Para. 2. We shall now reply to those paras. of your letters of 19th April and 7th June 1826, which relate to the exist-

ing treaties with the imaum of Muscat, and to the slave trade of the eastern coast of Africa.

3. Of your resolutions respecting the proper construction of the existing treaties of alliance, and your communication thereon to the imaum, we have only to express our entire approbation.

4. The concessions made by the imaum of Muscat, in abolishing in his African possessions the slave trade with Christian states, has already been noticed in our despatch of the 15th September 1824. Mr. Warden appears to undervalue this concession; he thinks that the slave trade has been of little pecuniary value to the imaum since the conquest of the Mauritius, and the cessation of the great traffic which the French carried on with Zanzibar. But the French, Portuguese and Spaniards appear still to carry on a very extensive traffic in slaves on the eastern coasts of Africa, and we concur with your president in thinking that the imaum, in sacrificing not only the revenue which he derived from this trade, but the general advantages of the commerce of which it was a portion, and in permitting the seizure of his own vessels, as noticed in the next paragraph, has made as great a concession as could possibly have been expected from a prince in his circumstances.

5. The imaum has conceded, by his treaty with Captain Moresby, that all Arab vessels having slaves on board found to the eastward of a line drawn from Cape Delgado to Diu Head in Cambay (passing 60 (sixty) miles to the east of Socotra), shall be liable to seizure by his Majesty's cruisers. This concession limits the slave trade to that which is *bonâ fide Arabian*. Captain Moresby was of opinion that the imaum had conceded sufficient to suppress the foreign slave trade; and he adds, that it is an unpopular concession in the imaum's dominions, where power depends on popularity.

6. You have, however, on several occasions pressed on the imaum of Muscat the justice and expediency of suppressing the slave trade in all its branches. The imaum has answered, that slavery is permitted by the Mahomedan law; that the attempt on his part to suppress it would make his own subjects and all Mussulmans his enemies; that against them he should be powerless; that he would do any thing for the English; that compliance is not in his power without some measures on their part to secure his safety; and that on any one of three conditions he would implicitly comply with their wishes.

1st. That the British Government should bind themselves to defend him against either his own or their enemies, both by land and sea; or,

2dly. That they should give him the Portuguese settlements of the Mosambique, according to the promise made to him by Captain Owen; or,

3dly. That they should make a provision in money for him and his dependents to settle in Zanzibar, and give up their native country.

7. These propositions you consider entirely inadmissible. Mr. Warden thought that the effect of the first would be to involve us too deeply in an alliance with Muscat; that the second would be the best arrangement if it could be negotiated by the authorities at home; that the third would lead to the imaum's abandonment of Muscat, and still there would be great difficulty in controlling the fulfilment of the engagement. "Like some of our European allies," says Mr. Warden, "he would pocket our money and still carry on the traffic."

8. We concur in Mr. Warden's opinion of the first proposition; the second, if entertained, would be a question for his Majesty's Government. It is not within our province to pronounce an opinion on the policy or practicability of such an arrangement.

9. With respect to the third proposition, we think the removal of the imaum from Muscat would be a serious evil in very many points of view, and is therefore to be deprecated. If, however, such an arrangement had appeared to be desirable, we see no reason in the imaum's past conduct for the doubt expressed by Mr. Warden of his keeping his engagement, inasmuch as in all his transactions which

which have come under our view there has been an uniform appearance of sincerity and fair dealing.

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10. We are of course desirous to ascertain as fully as possible what is the actual character of the Mahomedan slave trade in question, the places from which slaves are brought, and to which they are conveyed in the bonâ fide Arabian trade, and their general condition in slavery.

11. We find that a great traffic in slaves, chiefly Abyssinians and Gallas, is carried on from many parts not belonging to the imaum of Muscat, especially from the port of Barbara on the African side of the Gulf of Aden, and from the ports of Masuah and Suakin in the Red Sea. The slaves, it is stated, are sent principally to Cairo, Mecca and Mocha, and from Mocha to the Persian Gulf, Bagdad, &c.

12. The effectual suppression of the slave trade, which is carried on not only by British subjects but by foreign European states not under the control of British law, from the eastern coast of Africa, appears to us to depend mainly on the faithful fulfilment of our existing treaties with the imaum of Muscat. If he cordially co-operate with us, he may become a principal agent in effecting this great end. He has given indisputable proof of the sincerity of his intentions to accomplish it; but it is essential to this end that nothing should be done to diminish his authority and influence as a Mahomedan prince, especially as it is contrary to our policy, and altogether foreign from our purpose, to interfere for his defence against the people of Arabia, which nevertheless we should be bound in common justice to do if his safety were to be actually endangered by measures which we should have forced on him, after the strong assurances he has made, and the reasons he has given, to show that it would be so endangered.

13. On the other hand, we must not conceal from ourselves that, although the imaum's possessions on the eastern coast of Africa render him so powerful an instrument in the suppression of the European slave trade, the ports in the Gulf of Aden and on the Red Sea belonging to the imaum of Senna, and still more those belonging to the pacha of Egypt, from which the traffic in slaves, chiefly Abyssinian, is carried on with Cairo, and by an easy transit with Mocha and Mecca, will tend very much to counterbalance the advantages which would otherwise result from the abolition of the Mahomedan slave trade in the dominions of the imaum of Muscat.

14. For these reasons we must recommend to you to press the imaum no further on this point, but we direct you to communicate to him our most cordial acknowledgments for the concessions he has already made of such obvious tendency towards the suppression of the European slave trade, and to assure him of the high value we attach to the co-operation which he has hitherto shown, and which, we trust, he will continue to manifest in the prosecution of this great object.

EXTRACT POLITICAL LETTER to *Bombay*, dated 13 January (No. 1) 1830.

Para. 2. We transmit a number in the packet, two printed copies of the Report of the Commissioners of Inquiry upon the Slave Trade at Mauritius, and we desire that you send one copy to Major Wilson, the resident at Bushire, who is stated by Major Colebrooke, one of the commissioners who prepared the report, to be personally known to the imaum of Muscat, and whose agency it is considered would be extremely useful in accomplishing the abolition of the slave trade in that quarter.

POLITICAL DEPARTMENT, 15 April (No. 7) 1831.

To the Honourable the Court of Directors for Affairs of the Honourable UNITED COMPANY of MERCHANTS of *England* trading to the *East Indies*, *London*.

Honourable Sirs,

WITH reference to your honourable court's despatch, under date the 13th January 1830, transmitting two printed copies of the Report of the Commissioners

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sioners of Inquiry upon the Slave Trade at the Mauritius, and requesting that a copy be sent to the resident in the Persian Gulf, to aid him in accomplishing the abolition of this inhuman traffic in that quarter, we have now the honour to transmit the accompanying copy of that gentleman's interesting report, containing the result of his inquiries on the subject, and which affords much information.

We have the honour to be, with the greatest respect,
Honourable Sirs,
Your most faithful and obedient humble servants,

(signed) *Clare.*
J. Keane.
H. Newnham.
J. Sutherland.

Bombay Castle, 15 April 1831.

EXTRACT POLITICAL LETTER from *Bombay*, dated 17 November (No. 38) 1831.

Letter to, dated 17th October 1827:—

2. Replies to paras. of letters, dated 19th April and 17th June 1826, regarding the existing treaties with the imaum of Muscat, and to the slave trade of the eastern coast of Africa.

3 to 14. Communication to the imaum on the subject, approved, observes that this inhuman traffic is still carried on by the French, Portuguese and Spaniards of the eastern coast of Africa; concurs in the sentiments expressed on the subject of the sacrifices made by the imaum to abolish slavery in his African possessions, as conceded in the treaty concluded by Captain Moresby; alludes to the several communications to his highness on the expediency of suppressing the slave trade in all its branches, and of the imaum's reply thereto; the results likely to be produced; desirous of ascertaining the actual character of the Mahomedan slave trade, the places from which slaves are brought, and to which they are conveyed, and their general condition in slavery; notices the slave trade carried on from ports not belonging to the imaum; states that the effectual suppression of the slave trade on the eastern coast of Africa mainly depends on the fulfilment of the treaties with his highness the imaum of Muscat, and of his cordial co-operation in as far as might not diminish his influence and authority; recommends that his highness be no further pressed on the point, but the cordial acknowledgments of the British Government to be communicated to him for the concessions he has already made.

Para. 9. In a letter from his highness the imaum of Muscat to his agent in Bombay, he states that, previous to his arrival at Bombassa, three French vessels had arrived at that place for the purpose of purchasing slaves, and that the French were also in the habit of clandestinely carrying on this traffic at Nuja, on the island of Bom-

bassa. His highness, with a view to prevent this inhuman traffic, intimated his intention to despatch a force for the purpose of reducing Nuja; but observed, that even then the French would purchase slaves at Mozambique, where the

Vol. Bushire Residency,
page 135.
Pol. Cons. 1828.
25th June, Nos. 50 to 54.
10th September, No. 31.
22d October, No. 34.

practice is tolerated openly by the Portuguese. We took this opportunity of returning our acknowledgments to his highness for the sincere interest which he appeared to take in the abolition of this detestable traffic, but informed him that, as far as regarded the Portuguese settlements of Mozambique, we could neither authorize nor advise any interference. We also communicated his highness's sentiments to the government of the Mauritius and to the naval authorities in India.

EXTRACT POLITICAL LETTER from *Bombay*, dated 19 June (No. 20) 1833.

Letter to, dated 13th January (No. 1) 1830:—

2. Transmitting two printed copies of the Report of the Commissioners of Inquiry upon the Slave Trade at the Mauritius, and requesting that a copy be sent to the resident in the Persian Gulf.

Para. 3. REPLIED to in our letter dated 15th April 1831 (No. 7).

EXTRACT

EXTRACT POLITICAL LETTER to *Bombay*, dated 16 April (No. 6) 1834.

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pany and Board of
Control.

Para. 5. By the judicious exercise of your influence, you will, no doubt, in time, be able to accomplish another object of importance to civilization, the suppression of the slave trade, which is still carried on, though to a limited extent, between the coast of Africa and the Arab ports, not excepting Muscat.

6. In the papers now submitted to us, various indications occur that the Arab states on the gulf would not be averse to our assuming that general protectorship over them which would be implied in our prohibitory wars, and becoming the arbitrators of all their disputes. We entirely concur with you, however, in considering the assumption of such a power, and indeed any more intimate connexion with those states than at present exists, to be wholly inadvisable.

POLITICAL DEPARTMENT, 29 March (No. 7) 1837.

To the Honourable the Court of Directors for Affairs of the Honourable the
EAST INDIA COMPANY, *London*.

Honourable Sirs,

We have the honour to transmit to your honourable court our proceedings relative to certain African children rescued from slavery at Porebunder, and subsequently brought to Bombay.

Slave Trade car-
ried on between the
Ports of Cutch and
Katteewar, and
those of Arabia and
the Persian Gulf.
1835. Pol.
Cons. 23 Dec.
Nos. 3,578 and
3,579.

2. In laying these proceedings before your honourable court, we beg to solicit your particular attention to the memorandum dated 1st December 1835, submitted by our political secretary, bringing to our notice the existence of a considerable trade in slaves between the dominions of the imaum of Muscat, the coasts of Arabia and the ports of Cutch and Katteewar, and to the measures therein suggested for its suppression; the whole of which were approved by us, and some of them immediately carried into effect.

3. We also beg to solicit your honourable court's attention to the several letters which accompanied Mr. Willoughby's memorandum relating to the arrival at Porebunder of three Arab vessels, having upwards of 70 slaves on board, whose ages varied from 6 to 15; these vessels were reported to have come from the coast of Muculla with goods consigned to Bombay, and merely to have touched at Porebunder for wood and water. There can, however, in our opinion, be no doubt that they put into that port by design, for the purpose of landing and disposing of the slaves, 69 of whom were released by the authorities of Porebunder, and afterwards brought to Bombay.

4. The vessels in which the slaves were imported having arrived at Bombay, we called upon the advocate-general to report whether they could be detained, and whether the nakodas or commanders could be proceeded against for having violated the laws in force against the slave trade.

1835. Pol.
Cons. 23 Dec.
No. 3,589.

5. In reply, the advocate-general stated it to be his opinion that this government had no right either to detain the vessels or proceed against their commanders for an infraction of laws to which they were not in any way amenable, more especially in the instance out of which the reference originated, as Porebunder, where the vessels had put in, was a foreign port, and not subject to our laws. In consequence of this opinion, no proceedings were adopted against the vessels or their commanders.

1836. Pol.
Cons. 24 Feb.
No. 475.

6. In the meantime the slaves arrived in Bombay, and were delivered over to the charge of the senior magistrate of police, to be treated with the care and humanity their situations required.

7. The acting advocate-general was further consulted regarding their ultimate disposal, and requested to favour government with his opinion on the following points:—

1836. Pol.
Cons. 27 Jan.
No. 216.

1. Whether there was any objection to the males entering the Indian navy, should they be disposed so to do?

2. Whether the girls might not be made over to some charitable institution willing to receive charge of them, with the understanding that government would contribute a monthly allowance for their support?

3. Whether, in the event of any family wishing to receive charge of one or more of them, there would be any objection to such an arrangement, the party receiving them entering into an engagement to feed, clothe and protect them, and ultimately to assign wages to them in return for their services, which, however, for some time to come could be of little value?

1836. Pol.
Cons. 24 Feb.
No. 476.

8. The following is an extract from Mr. Roper's reply:—

“There cannot be any objection, I conceive, to the males entering the Indian navy, should they be disposed so to do; but before any overtures are made to induce them to enter that or any other service, they should, I think, be altogether released from the restraint under which they have been held since their arrival at Bombay. They seem entitled to be considered as freemen, and any proposals made to them before they are actually treated as free to all intents and purposes might produce an improper effect, or might receive a harsh and improper construction.

“It appears equally unobjectionable and expedient that the girls should be made over to some charitable institution willing to receive charge of them, with the understanding that government will contribute a monthly allowance for their support; but, though such a measure on the part of government would be highly beneficent, and could not, I think, occasion any unpleasant consequences, still I do not think the government has any strict legal title thus to place itself *in loco parentis*, and exercise a controlling power.

“In the event of any family wishing to receive charge of any of the males or females, it appears to me that such an arrangement might be rendered unobjectionable, the party receiving them entering into an engagement to feed, clothe and protect them, and ultimately, or immediately, to assign wages to them in return for their services. I am not, however, informed whether, by the contemplated arrangement, it is intended to produce the relationship of master and apprentice, or that of master and servant. Even if the apprentice statute laws extended to this country, it could scarcely be desirable to establish the relative characters of masters and apprentices in the present instance; and, indeed, with respect to such of the males and females in question as are infants, the difficulty of doing so would be very great. The government, as already observed, has not any strict legal right to place itself *in loco parentis*, and there is no person at present entitled or willing to act in that capacity; hence it would be difficult to get any person or persons to become bounden to the masters for the faithful discharge of their duties by the infant apprentices.”

1836. Pol.
Cons. 24 Feb.
No. 477.

9. After duly considering the above advice, we came to the conclusion that the British Government stands, as to these children, on account of their tender years, *in loco parentis*; that they were too young to be treated as freemen; that they ought not to be forced into the Indian navy or elsewhere, any more than a child would be forced by a parent of proper feeling; but that they should be placed out in service, girls as well as boys, in the manner suggested by the acting advocate-general, with the obligation, however, that they should be brought up Christians, and be produced at the police-office, or (if in the districts) at the nearest magistrate's, twice a year till they were 18 years of age.

10. Some of the children have accordingly been disposed of in the above manner in respectable families; the remainder, 15 boys and nine girls, were made over to Mr. Townsend, of the civil service, and acting secretary to government in the revenue department, without any formal agreement being entered into, the children being at liberty to remain with that gentleman, or to return ultimately to the senior magistrate of police.

1836. Pol.
Cons. 1 March,
No. 694.

11. In expressing his desire to receive charge of these children, Mr. Townsend thus explained his views and intentions towards them:—

“Of the name (of religion) I would say nothing to them; with their manner of food and clothing I would not interfere; I would have them put in schools where they would be well taught and kindly treated, and instructed in a manner which might eventually lead to their embracing Christianity. The object would be to enlighten their minds, to make them acquainted with our sacred books, and to give them such a course of education as would enable them hereafter to earn their bread.”

1836. Pol.
Cons. 11 May,
Nos. 1,893 to 96.

12. We felt no hesitation in accepting Mr. Townsend's benevolent offer; and, considering it only just that government should contribute towards the expense of maintaining the children transferred to his charge, we sanctioned an allowance of rupees 50 per mensem for that purpose, until such time as he might think the grant could be discontinued.

1836. Pol.
Cons. 24 August,
No. 3,578.

13. In adopting the measures above stated, the object of government has been to suppress the inhuman traffic of slaves carried on within the limits of the coasting trade of our immediate dependents and tributary chiefs, almost under the

the eyes of government ; with this view we have deemed it our duty to consult the government of India as to the best means of accomplishing this important end.

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14. To facilitate the decision of the government of India, we submitted a copy of the treaty concluded by Captain Moresby, of his Majesty's ship Menai, with his highness the imaum of Muscat, on the 29th August 1822, and we at the same time suggested that the resident in the Persian Gulf should be instructed to endeavour to prevail upon the imaum to extend the above treaty so as to include in its provisions the provinces of Cutch and Katteewar. At present, vessels engaged in the slave trade are only liable to seizure if found "to the eastward of a line drawn from Cape Delgado, passing east of Socotra and on to Dieu Head, the western point of the Gulf of Cambay."

15. On reference to the political secretary's memorandum, alluded to in the 2d para. of this despatch, your honourable court will perceive that the whole of the chiefs who possess ports in Katteewar have readily consented to assist in the suppression of the slave trade, with the exception of his highness the nawaub of Joonaghur, whose answer had not been received.

16. His highness the guicowar has also so far complied with the wishes of government as to issue orders prohibiting the landing of slaves at the ports subject to his authority in Katteewar ; but this prohibition we did not consider complete, as it might be expected that if slaves were only prevented from landing at the guicowar's ports, owners would succeed in landing them at other ports in their vicinity. We therefore instructed the resident at Baroda to urge his highness to direct his officers to release all slaves brought into his dominions, and to punish the parties who might import them, leaving it, however, entirely to his free will to comply with the wishes of government or not. In consequence of this communication, his highness the guicowar again directed his officers to liberate all slaves imported, and to punish the persons bringing them.

17. A similar communication having also been made to the rao of Cutch, his highness immediately issued a proclamation, peremptorily forbidding the carrying on of the slave trade within his territories, and denouncing those who might hereafter engage in the traffic.

18. We have also the honour to communicate to your honourable court that two other parties of slaves have been rescued by the authorities in Katteewar ; the first consisting of 10 children, from 7 to 18 years of age, who were brought from Mandavie in Cutch, to Mallia in Katteewar, by a Turk, with a paper purporting to be a free pass (but without signature), granted by his highness the rao of Cutch and Colonel Pottinger, the resident, but which turned out to be a forgery.

1836. Pol.
Cons. 8 Oct.
Nos. 4,167 to 72.
16 November,
Nos. 4, 963 to 65.
16 November,
Nos. 4,999 & 5,000.
7 December,
No. 5,393.

19. One of the children having died, the remaining nine were brought to Bombay and made over to the care of Mr. Townsend, in the same manner as those alluded to in the 10th para. of this letter, making altogether 32 children under that gentleman's charge, for the maintenance of whom we have granted an allowance of rupees three each per mensem, in supersession of the arrangement adverted to in the 12th para. of this letter.

1836. Pol.
Cons. 21 Dec.
Nos. 5,590 to 94.
31 December,
Nos. 5,657 and 58.
31 December,
No. 5,692.

20. With regard to the Turk, we directed the political agent in Katteewar to send him to Cutch, in order that his conduct might be investigated by his highness the rao, the result of which has not yet transpired.

21. The second party consisted of eight children, some of whom are but six and seven years of age. In reporting the rescue of these children, the political agent stated, that " a person called Kursonjee Veeram, a sowkar of Mandavie, in Cutch, hired a boat from a sowkar of Bate last January, and sent her to Arabia. In the course of 10 months the boat returned to Bate, and brought a quantity of Abyssinian slaves, male and female. The carcoon of the manager of his highness the guicowar in Okamundel described the number as 10 male and two female, and when requested to forward them to my charge at this place, sent four male and four female."

1837. Pol.
Cons. 19 Jan.
No. 87.

22. We have adopted measures for bringing these children to Bombay, when we shall decide as to their future disposal.

23. A question of great importance has, however, arisen connected with the release of the slaves imported at Porebunder, as detailed in the preceding paras., of which the following is an outline.

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24. An Arab chief in the Red Sea retaliated by seizing a vessel belonging to Porebunder, engaged in peaceful commerce.

25. The correspondence and documents herewith forwarded will put your honourable court in possession of all the information which we have as yet been able to obtain regarding the chief of Wadi, by whom this act of piracy (as it may almost be termed) has been committed.

26. In requesting the instructions of the government of India as to the line of conduct to be pursued by this government towards the chief of Wadi, we stated that in our opinion the proceedings of this chief could not be allowed to pass with impunity; we therefore recommended, that, when the season opened, one or more of the Company's cruisers should be despatched to the Red Sea for the purpose of requiring the chief of Wadi to release the captured vessel and her cargo, or its value, and, in case the demand was refused, that it should be enforced, either by blockading the port or ports belonging to the chief, or by detaining any vessels belonging to himself or his subjects until redress had been afforded.

27. In the meantime we caused the officer in command of the Euphrates cruiser (now in the Red Sea) to procure as accurate information as possible of the extent of the possessions and resources of the chief of Wadi, and of the tribe over which his rule extends.

28. We are aware that, in putting down the slave trade and branding it as a crime, the British Legislature proceeded by much more cautious steps than the spirit of the proposition above stated would warrant. Many circumstances rendered that caution necessary; nor are we ignorant that, under any circumstances, indiscretion and precipitancy ought to be avoided; yet, in strict justice, there can be no more question of our natural right to put down an atrocious crime, attended with extreme injury to third persons, which we see committing on the high seas, than of the right of an individual to protect and deliver a traveller whom he sees falling into the hands of robbers in the desert, and compensation cannot with any better reason be demanded by the offender in the one case than in the other.

29. Nevertheless we were of opinion that some degree of forbearance and consideration should be shown towards the chief of Wadi, who has been made to forfeit the fruits of a proceeding which he did not know to be a crime. Under this impression we recommended to the government of India that the officer who might be employed in effecting the release of the vessel that had been seized should be authorized to grant him liberal terms, or, in other words, to make him, under whatever name, some allowance, by way of salvage, for the value of the slaves.

30. Any danger lest this precedent should be abused, in the manner pointed out by the advocate-general, in his letter of the 4th January 1836, must be obviated by giving strong and explicit warning throughout the eastern seas, that no indulgence is to be expected by slave traders in future.

31. With regard to the rana or chief of Porebunder, who seized the Wadi slaves, by the advice of the British authorities in Katteewar, we beg to observe, that we consider the British Government imperatively called upon to adopt every practicable measure to avert any loss to that chief or his subjects, in consequence of that praiseworthy act.

32. In a further letter to the government of India, submitting a report from Commander Haines relative to the capture of the buggla, and her subsequent restitution, we suggested whether we ought not to address the Wadi chief, warning him against such seizures in future, and that, in consideration of his having released the vessel of his own accord, we did not intend further to notice his conduct.

33. In reply to this communication, the Right honourable the Governor-general of India, in council, suggested for our consideration whether it would not be proper that the communication should be made in conciliatory terms; and whether, considering the ready deference which that chief had shown to the wishes of the British Government, it would not be expedient rather to acknowledge with satisfaction his praiseworthy conduct, and to endeavour to establish a better understanding with him in future, than to make use of any warning against future aggressions, or to introduce any other topic which might lead to irritation.

34. We

1836. Pol.
Cons. 24 Feb.
No. 475.

1836. Pol.
Cons. 8 Oct.
No. 4,271.

1836. Pol.
Cons. 30 Nov.
No. 5,267.

34. We accordingly caused a letter to the above effect to be prepared and forwarded to Commander Haines, with instructions that its delivery be made dependent on the fact of the boat and her cargo having been actually restored, which, from subsequent representations received from the owners of the vessel, appeared doubtful.

1836. Pol.
Cons. 30 Nov.
Nos. 5,268 to 71.

35. We have not received any further accounts from Commander Haines respecting this affair; but on a representation from the owners of the buggla that they intended to despatch an agent to the Red Sea for the purpose of receiving charge of such property as may be recovered from the pirates, we have directed that officer to aid the petitioner's agent to the utmost in his power in recovering the vessel and her cargo.

1837. Pol.
Cons. 11 Jan.
Nos. 34 to 38.

36. In conclusion, we cannot but particularly bring to the notice of your honourable court the able and praiseworthy conduct of our political secretary in the present instance. By the valuable information which he afforded, and the decisive and spirited measures which he pursued, he has been the means of rescuing a number of his fellow-creatures from servitude, and has enabled government to put a stop to a branch of this inhuman traffic, which was carried on in the immediate vicinity of the seat of government, and which had escaped the observation of all other authorities. For these services to humanity, next to the approbation of his own mind, we are persuaded that no reward will be so gratifying to Mr. Willoughby as the good opinion and confidence of your honourable court.

We have the honour to be, with the greatest respect,
Honourable Sirs,

Your most faithful and obedient humble servants,

(signed) *R. Grant.*
J. Keane.
J. Parish.

Bombay Castle, 29 March 1837.

EXTRACT PUBLIC LETTER from *Bengal*, dated 29 November 1827.

Para. 21. ON our proceedings of the annexed date, your honourable court will find recorded a communication received by us from the government of Bombay, relative to the seizure of a brig by the magistrate of Canara, on suspicion of her having been engaged in the slave trade.

Cons. 1827, 5 July,
Nos. 15 to 17.

42. We have transmitted copies of the above correspondence for information to the government of Prince of Wales' Island, and to his Excellency the Commander-in-chief of his Majesty's squadron in India.

EXTRACT PUBLIC LETTER to *Bengal*, dated 23 September 1829.

Para. 7. UNDER consideration of the law officers.

Letter from, dated 29th November 1827 (41, 42). Proceedings connected with the seizure of a brig, supposed to be a slave-ship, by the magistrate of Canara.

EXTRACT PUBLIC LETTER from *Bengal*, dated 27 April 1830.

Para. 103. THE papers recorded on the consultations of the annexed dates comprise our further correspondence with the government of Prince of Wales' Island and Mr. Bogle, on the subject of the removal of the emancipated slaves and convicts, and the adjustment of accounts with Mr. Bogle.

Cons. 1828, 30 Oct.
Nos. 53 to 55.
21 November,
Nos. 2 to 4.

104. The measures taken by the government of Prince of Wales' Island, or proposed to be so, as reported in the despatch under notice, for bringing to issue the adjustment of the several questions remaining to be settled with the Netherlands authorities connected with the transfer of Bencoolen, and likewise for closing the agent's accounts, having met with our approbation, we caused the same to be intimated to that government, and Mr. Bogle was also duly apprized of the grounds on which we refused to honour the bill for sicca rupees 10,000 drawn by him on this government.

EXTRACT PUBLIC LETTER from *Bengal*, dated 27 July (No. 10) 1830.

Cons. 1829, 30 June,
No. 1.

Para. 100. ON the proceedings of the annexed date will be found recorded the reply of the Viscompte du Bus de Gesignies to our several communications respecting the Bencoolen pensioners, from which your honourable court will learn his Excellency's entire acquiescence in the plan of drawing for pensions paid in Bengal and Ceylon in the manner proposed by us, and heretofore reported to your honourable court. We beg leave to add, that this plan continues to be acted upon to the present period.

EXTRACT PUBLIC LETTER from *Bengal*, dated 22 September (No. 16) 1830.

Cons. 16th June 1829, Nos. 58 to 60.

„ 8th September 1829, Nos. 3 to 47.

„ 15th December 1829, Nos. 9 to 11.

„ 22d December 1829, Nos. 4 to 7.

„ 5th January 1830, No. 3.

„ 12th January 1830, Nos. 13 to 15 and 43 to 47.

Para. 245. IN continuation of paragraphs 103 and 104 of our despatch in this department, of the 27th April 1830, we beg to refer to the papers recorded on the annexed dates, on the subject of the

Bencoolen slaves and convicts, and the adjustment of the accounts of this government with the Netherlands government of Batavia, also respecting the payment of the Bencoolen pensions.

Cons. 2d June 1829, Nos. 55 and 56.

„ 16th June 1829, Nos. 44 to 48.

„ 14th July 1829, Nos. 49 and 50.

„ 8th September 1829, Nos. 82 and 83.

„ 25th May 1830, Nos. 45 and 46.

The papers likewise include our further proceedings relative to Mr. Bogle's accounts, as well as a correspondence with the accountant-general regarding the mode of adjusting the payment of the pensions of the Netherlands government residing within the Bombay presidency.

EXTRACT PUBLIC LETTER from *Bengal*, dated 8 March (No 6) 1831.

Para. 43. IN paragraph 245 of our letter in this department of the 22d September 1830, we reported to your honourable court our proceedings connected with the payments made on account of the Netherlands government to the Dutch pensioners in Bengal and on the island of Ceylon. We now beg to refer your honourable court to the reply of the senior councillor of Netherlands India to our communications on the subject, and to a further letter received about the same period. The orders issued under our authority on the occasion will be found recorded on the proceedings of the same date.

Cons. 1830, 13 July,
Nos. 4 to 8.
'3 August,
Nos: 38 to 42.

EXTRACT PUBLIC LETTER from *Bengal*, dated 19 August (No. 25) 1831.

Cons. 1831, 11 Jan.
Nos. 10 to 12.
29 March,
Nos. 10 and 11.

Para. 113. WE beg to report to your honourable court that the resident of Singapore has received the full amount of bills drawn by this government, on account of money paid to pensioners of the Netherlands government at Bengal and Malacca. Some delay having occurred in realizing them, the resident considered it advisable to direct the commander of the honourable Company's yacht "Nereide," to touch at Batavia to receive the amount on his return from conveying the late governor, Mr. Fullerton, to the Straits of Sunda, on his way to Europe. Previous to her sailing, however, part of the sum was sent from Rhio, and the balance was subsequently brought up by that vessel. We hope, hereafter, that punctuality will be attained by the proposition of the resident at Singapore, to adjust all claims at Rhio, being acceded to by the Netherlands government.

EXTRACT PUBLIC LETTER to *Bengal*, dated 14 November (No. 84) 1832.

Letter from, dated 27th April 1830, 103 and 104; also 100 of letter of 27th July 1830; 245 of letter of 22d September 1830; 43 of letter of 8th March 1831; 113 of letter of 19th August 1831; referring to correspondence with the Government of Prince of Wales' Island and Mr. Bogle, respecting the removal of convicts and emancipated slaves, and the payment of the Bencoolen pensions; also, concerning the adjustment of subordinate questions with the Netherlands authorities, connected with the transfer of Bencoolen and the closing of the agent's accounts.

Para. 17. THESE proceedings have our approbation. The conciliatory department of the Netherlands authorities on the occasions now reported is very gratifying to us.

GENERAL

GENERAL DEPARTMENT, dated 16 June (No. 9) 1830.

To the Honourable the Court of Directors for Affairs of the Honourable the UNITED COMPANY of MERCHANTS of *England* trading to the *East Indies*.

East India Company and Board of Control.

Honourable Sirs,

WE have herewith the honour to forward for the consideration of your honourable court papers relating to a reference made to our government by the governor of the late incorporated eastern settlements, regarding the practice of "slavery at the settlement of Malacca." The questions involved being of a legal nature, and the opinions of the members of the Penang government forwarded on this occasion being widely different, at the same time that no satisfactory decision on the subject had ensued from the visit of the judicial authority to Malacca, we deemed it necessary to refer the case to our advocate-general, for his professional advice. We forwarded to the local government a copy of his reply, which your honourable court will observe was favourable to the institutions of the Malays; and we intimated that, until a decision should be passed by some competent tribunal, or the point be otherwise ruled by higher authority, Mr. Pearson's opinion would be the proper guide for the conduct of the public functionaries of Malacca.

Cons. 1830, 11 May, Nos. 14 to 18 and 22 to 32.

We have the honour to be, honourable Sirs,
Your most faithful humble servants,

(signed) *W. Bentinck.*
W. B. Bailey.
C. T. Metcalfe.

Fort William, 16 June 1830.

PUBLIC DEPARTMENT, 21 August (No. 47) 1833.

Our Governor-general in Council at *Fort William*, in *Bengal*.

Para. 1. WE transmit, as a number in the packet, copy of a petition from Mr. John Blanche, relative to an individual named Daniel F. de Pictron, who is stated to have been improperly detained as a slave in the Indian Archipelago, by Captain Harris, formerly of the ship "Royalist."

2. For the satisfaction of the applicant, we direct that copies of his petition be forwarded by the first opportunity to the residents at Singapore, Prince of Wales' Island and Malacca.

We are your affectionate friends,

(signed) *C. Marjoribanks.*
W. Wigram.
&c. &c.

London, 21 August 1833.

GENERAL DEPARTMENT, dated 28 April (No. 18) 1834.

To the Honourable the Court of Directors for Affairs of the Honourable the UNITED COMPANY of MERCHANTS of *England* trading to the *East Indies*.

Honourable Sirs,

A COPY of the petition of Mr. John Blanche, which accompanied your honourable court's despatch, No. 47 of 1833, relative to a boy named Daniel de Pictron, who is stated to have been improperly detained as a slave in the Indian Archipelago by Captain Harris, formerly of the ship "Royalist," having been forwarded to the Governor of Prince of Wales' Island, Singapore and Malacca, we beg to submit a transcript of the reply to that communication, from which your honourable court will learn that Captain Harris is not at Singapore, and that the boy in question returned to England in June 1833, in the private ship "Eliza."

We have the honour to be, honourable Sirs,
Your most faithful humble servants,

(signed) *C. T. Metcalfe.*
W. Blunt.

Fort William, 28 April 1834.

EXTRACT PUBLIC LETTER from *Bengal*, dated 22 September (No. 34) 1834.

Cons. 1834, 9 June,
Nos. 25 to 27.

Para. 58. ON the proceedings of the date cited in the margin is recorded a letter from the chief magistrate of Calcutta, with its enclosures, consisting of a copy of a letter addressed by him to the marine board, and the board's reply, proposing, with a view more effectually to guard against the importation of slaves into Calcutta in Arab ships and other craft, that instructions should be issued to the pilots of inward-bound vessels to take notice of every case where they might have cause to believe that slaves were on board, and to report the circumstance immediately to the police office.

59. We entirely approve of this proposition, and we expressed our confident belief that the members of the pilot service would zealously assist in promoting the important object which the magistrate had in view.

EXTRACT PUBLIC LETTER to *India*, dated 10 December (No. 44) 1834.

Para. 71. AMONG the objects to which your legislative deliberations are earliest to be directed, there is one to which we have not as yet adverted, that of the mitigation of the state of slavery, with a view to its extinction at the first safe moment. The 88th clause of the Act contains the provisions on this head.

72. This subject in India is one of great delicacy, and requiring to be treated with the utmost discretion. There are certain kinds of restraint required, according to native ideas, for the government of families, and forming, according both to law and custom, part of the rights of the heads of families, Mussulman and Hindoo, which are not to be included under the title, slavery. In legislating, therefore, on slavery, though it may not be easy to define the term precisely, it is necessary that the state to which your measures are meant to apply should be described with due care. We think also that your remedial measure should generally begin with the cases of the greatest hardship.

73. Of the two kinds of slavery, predial and domestic, there is not a great deal of the former. It exists mostly on the Malabar coast and the new territories on our north-east frontier, and there, it would appear, the cases of greatest hardship are found, though the vague information we possess on the subject leaves the state of the evil in no small uncertainty. Domestic slavery in India is generally mild. The origin of a great part of it is in seasons of scarcity, when a parent who is unable to maintain his child sells him to some person of ample means. He is then reared as a part of the family into which he is received, and feels himself on a level but little below, and sometimes even above, that of an ordinary servant. To dissolve such a connexion by forcible means would in general be to inflict an injury on the emancipated individual. The means of escape, where the colour, features and shape of the slave are not distinguished from those of other classes, and, in a country of vast extent, facilitating distant removal, are so easy, that the treatment of a slave cannot be worse than that of an ordinary servant, without giving him an adequate motive to abscond; and the market value is so small that it is seldom worth while to be at the trouble of sending after him.

74. We think that the law should be made as severe against injuries done to a slave as if they were done to any other person, and his access to the judge, for the purpose of preferring a complaint, should be facilitated to the utmost.

75. With respect to cases for emancipation, it appears to us evident that the desire for it on the part of the slave himself should always be previously ascertained. The declaration of the desire should be made to the judge, and access to him for that purpose ought to be equally facilitated. The next question will be, what means should be adopted for his emancipation. Compensation will be due to the owner, but that will seldom be a heavy charge. The business, however, in all its parts, should be regulated by precise rules, into the detail of which we shall not enter; and every case of emancipation should be a judicial proceeding, investigated and decided by the judge.

EXTRACT

EXTRACT PUBLIC LETTER to *Bengal*, dated 9 March (No. 17) 1836.

Para. 12. APPROVED.

Letter from, 22 September (No. 34) 1834 (58, 59). Instructions issued to the pilots of inward-bound vessels to report when they suspect that slaves are on board.

EXTRACT GENERAL LETTER from *Prince of Wales' Island*, dated 24 October 1828.

SLAVE TRADE.

Para. 52. Your honourable court will observe, that, during the absence of our president at the other stations, a representation was made to the resident councillor relative to an importation of about 80 persons from Pulo Nias in several junks, who were intended to be sold as slaves; he referred the matter for the investigation and report of the superintendent of police, who, having stated the complaint to be well founded, and submitted a list of the junks and slaves brought, he conceived it to be his duty to cause the detention of the vessels engaged in this illegal traffic by the master attendant.

Diary, 13 June, p. 203.
" 23 " p. 229 to 5-6.
" 28 " p. 247.

53. Shortly after the return of our president to this settlement, this question of slave-dealing, so inhuman in itself, and so opposed to the laws of England, engaged our most earnest attention, and we directed the law agent to prosecute the Chinese at the coming sessions of Oyer and Terminer for the offence, and caused the superintendent of police and master attendant, each in their respective spheres, to use the utmost vigilance in searching native vessels and junks on their arrival at this port, in view to the prevention of this illegal traffic.

Cons. 9 July,
p. 70.

Cons. 9 July,
p. 71.

54. The report of our law agent will be found noticed on our consultations, as will the several depositions taken at the police office on this case. Copies of these papers were likewise sent to the resident councillors of Singapore and Malacca, with strict orders to use every possible means to check the practice generally in the straits; and we feel ourselves warranted in saying that these authorities will cordially unite in striking at the root of this evil if it at all exists at their settlements, and in their more immediate neighbourhood.

Cons. 21 July,
p. 150.
Cons. 21 July,
p. 152 A. to 152 V.

55. We also furnished to his Excellency Admiral Gage copies of the depositions adverted to in the preceding paragraph, and requested his co-operation towards the object in view; but your honourable court will observe from his reply, that he conceives the authority placed in his hands much too circumscribed to be able to afford any aid towards the effectual prevention of slave dealing in these seas. Under these circumstances, and as the owners of the junks implicated in this illegal transaction possessed sufficient property to meet all demands consequent on a prosecution at law, we directed the master attendant to deliver up the junks, which he accordingly did.

Cons. 21 July,
p. 152.
Cons. 5 Aug.
p. 235.
Cons. 14 Aug.
p. 324.
Cons. 27 Aug.
p. 435.

56. Although we have not yet received from the law agent the expected report as to the proceedings instituted in court at the last criminal sessions, we are informed that the grand jury ignored the indictment against the parties: you will thus perceive that this infraction of the law has been passed over on this occasion, and we hope your honourable court will be pleased to furnish us with instructions for our guidance in future cases of a similar nature.

EXTRACT GENERAL LETTER to *Prince of Wales' Island*, dated 15 April 1830.

Para. 47. YOUR interference seems in this case to have produced no effect beyond the liberation of the slaves actually imported, as it appears that the grand jury has ignored the indictment against the importers, we presume from some defect in the evidence. When we receive the expected report of your law agent, we shall be better able to judge how far the instructions which you solicit for your guidance in similar cases may be of use; but at present we can give you no other directions than to persevere in your efforts to suppress this scandalous traffic.

Letter from, dated 24 October 1828 (52 to 56), respecting certain persons imported from Pulo Nias in several junks, and intended to be sold as slaves.

East India Com-
pany and Board of
Control.

EXTRACT GENERAL LETTER from *Prince of Wales' Island*, dated
12 February 1830.

PETITION of the Inhabitants of *Malacca* on the subject of Slavery.

Cons. 3 Nov.
p. 56.

Para. 25. A PETITION from the inhabitants on this subject will be found on our consultations. The question which has given rise to this petition, and the voluminous correspondence connected therewith, is whether slaves duly registered and recognized as such under the previous Netherlands government, can be now considered in a state of slavery since the transfer of this settlement to the British authorities and the establishment of a British court of judicature.

Cons. 21 October, p. 4.

„ 3 November, p. 29 to 56.

„ 17 „ p. 129. 134. 143. 149. 168.

„ 26 „ p. 223. 230.

26. Your honourable court will perceive, by a reference to the proceedings noted as per margin, that the whole case has been most fully discussed by our president and the resident councillor in their various minutes on the subject, and as the opinions, sentiments and views therein recorded are so materially different, we shall refrain from entering, in this letter, more fully and particularly into the arguments and reasonings adduced.

27. But at the same time we must earnestly request your honourable court's early attention to this important point, and also that we may be favoured with such decision as your honourable court may be pleased to pass on the question at issue. We beg further to acquaint your honourable court that we have deemed it expedient to transmit copies of all these documents for the consideration and opinion of the Right honourable the Governor-general in council.

Cons. 17 Nov.
p. 164.

28. In replying to the petition of the inhabitants of *Malacca* on this subject, we particularly called their attention to the importance of taking into consideration the means of putting a stop to slavery within a prescribed period, and we have much satisfaction in calling to your honourable court's attention the resolution passed by the inhabitants, by which it has been agreed that no slavery shall exist after the year 1842. Copies of these papers are herewith submitted for your honourable court's information, they not having been brought on the *Malacca* consultations herewith forwarded, in consequence of their being only received on the eve of our president's departure from *Malacca*.

EXTRACT GENERAL LETTER from *Prince of Wales' Island*, dated
30 April 1830.

SLAVE DEBTORS.

Penang Cons.
9 Dec. 1829.

Para. 24. THE replies to certain queries called for in our president's minute of 30th November 1829, already forwarded with other proceedings to your honourable court, having been received from the several departments, the honourable president, after a serious investigation of all the circumstances under which this practice seemed to have existed, recorded another minute under date 4th March, explanatory of the system and the evils and suffering resulting therefrom. From a consideration of all these circumstances, it appeared that the practice came clearly within the Act 5 George IV. chapter 113, and a government notification was therefore published, warning all persons of the illegality of such transactions, and advising them of the penalties they would incur under the Act in the event of conviction.

Cons. 12 March.

25. Every measure within the power of government has been taken to trace and discover any offenders in future, and we have every expectation to believe that the means adopted will have the effect of at least diminishing the continuation of a practice so dissonant to the principles of British government, and so revolting to the feelings of humanity.

P. W. Island Cons.
Singapore Cons.
2d March.
Ditto, 12th March.

26. Your honourable court will find a full exposition of the system in the replies and minute above alluded to, and which we would beg to submit for the observation of your honourable court.

EXTRACT

EXTRACT GENERAL LETTER from *Prince of Wales' Island*, dated
30 April 1830.

East India Com-
pany and Board of
Control.

PROCEEDINGS in the Court of *Malacca* relative to SLAVERY.

Para. 36. IN continuance of the subject of slavery at Malacca, the voluminous papers on which subject were forwarded to your honourable court in our general letter of 12th February last, we beg further now to bring to your notice extracts from the minute book of quarter sessions at Malacca, detailing the proceedings and decisions of that court in several cases which were brought before it, but particularly the judgment passed in the case of Andika Gonsalvoo-ver-Sabina, as containing a full exposition of the opinion of the court, and of the data on which similar cases will be decided on any future occasion; viz., the recognition as slaves of all persons whose names are borne as such on the Dutch registers, copies of which accompanied our former despatch.

Cons. 14 April.

EXTRACT GENERAL LETTER from *Prince of Wales' Island*, dated
30 June 1830.

SLAVERY at *Malacca*.

Para. 33. WE have now the honour of drawing the attention of your honourable court to a despatch on this subject from the supreme government, conveying to us the legal opinions of the government law officer on this important point. These opinions, it will be seen, coincide entirely with those always entertained by our president, that, from the peculiar circumstances under which Malacca became a British settlement, the state of slavery must of necessity be recognized whenever proof could be brought forward of the parties having been in that state under the Netherlands government. This decision has accordingly been communicated to the resident councillor at Malacca, for the general information of the inhabitants.

Cons. 1830,
23 June.

Cons. 1830,
30 June.

34. Your honourable court has already been informed of the resolution entered into by the inhabitants for abolishing the existence of domestic slavery after the year 1842, and we confidently hope that this point, which, at first view, seemed to embrace so much doubt and difficulty, as well as such a diversity of interests, has now been completely brought to a close, to the entire satisfaction of the parties most interested in the matter.

General Letter,
12 Feb. 1830.

EXTRACT PUBLIC LETTER to *Bengal*, dated 15 February (No. 8) 1832.

Para. 161. WILL be replied to hereafter.

Letter from, 12th February 1830, 25 to 28; also letter dated 30th April 1830, paras. 24 to 26, and 36; 30th June 1830, paras. 33, 34; proceedings connected with slavery at Malacca.

216. See para. 161 of the present despatch.

Letter from, 30th April 1830, 24 to 26; inquiries relating to slave debtors at Malacca.

250. See para. 161 of this despatch.

Letter from, 30th June 1830 (33, 34); slavery at Malacca.

EXTRACT PUBLIC LETTER from *Bombay*, dated 23 October 1827.

Para. 3. HAVING consulted the advocate-general as to the form in which the required authority should be conferred on captains of the honourable Company's cruisers, for seizing slave ships, we beg leave to refer your honourable court to his report: therein he expresses very strong doubts whether the 43d section of the 5th Geo. IV. c. 113, does in truth delegate that authority to the Governor, as conceived by the Lords Commissioners of the Admiralty.

Letter to, dated 27th September 1826 (2), forwarding copy of the correspondence which has passed between the commissioners for the affairs of India, Earl of Bathurst and the Lords Commissioners of the Admiralty, respecting the trade in slaves, alluded to in the Bombay despatch of the 1st November 1824.

Gen. Cons. 1827,
9 May, No. 70.

4. We beg, therefore, to draw your attention to Mr. Norton's report and to our minutes connected with the same subject, and request to be furnished with your honourable court's further orders thereon.

EXTRACT PUBLIC LETTER to *Bombay*, dated 10 December 1828.

Letter from, dated 23d October 1827 (3, 4). Doubts of the advocate-general whether the Act 5 Geo. IV. chapter 113, section 43, empowers the Governor to confer upon captains of Company's cruisers authority for seizing slave-ships.

Para. 22. UNDER the consideration of our law officers.

EXTRACT JUDICIAL LETTER from *Bengal*, dated 30 August 1827.

1 March 1817,
paras. 15 and 16.
29 October,
147 to 170.

Crim. Cons.
29 Dec. 1826,
Nos. 13 to 20.

Para. 121. IN former despatches from this government, the subject of slavery as it exists in this country, under the provisions of the Mahomedan and Hindoo laws, has been noticed to your honourable court, with reference to the provisions of the Act of Parliament 51 Geo. III. c. 23.

122. We have now to request the attention of your honourable court to a further correspondence on this subject, which will be found recorded on our proceedings of the annexed date.

123. From the documents referred to, your honourable court will observe, that, as far back as November 1818, Mr. Harington, then chief judge of the courts of Sudder Dewanny Adawlut, and Nizamut Adawlut, recorded in that court a minute on the subject of slavery in India, accompanied by the draft of a regulation which he suggested should be submitted to government for approval.

124. The above documents appear to have remained over for the consideration of the other judges of the court, and under the circumstance of Mr. Harington's departure for Europe in the early part of the ensuing year, the question generally appears to have remained unagitated till the 6th June 1823, when Mr. Harington's minute and the draft of a regulation prepared by him, together with a minute recorded by Mr. Leycester, the chief judge of the court, on the 28th of the preceding month, were submitted for the consideration of government.

125. Your honourable court will remark, that, in forwarding these papers, the court collectively declined giving at that time any specific opinion on the expediency of enacting the regulation as drafted by Mr. Harington.

126. On taking the papers into consideration, the late Mr. Adam, then Governor-general, expressed his sentiments on the course which it seemed desirable to follow, in a note which your honourable court will find recorded, as noted in the margin, in which he took occasion to refer to a paper drawn up by Mr. H. Colebrooke in 1812, and which takes a general view of the Mahomedan and Hindoo laws on the subject of slavery. As this latter paper had never been placed on our records officially by Mr. Colebrooke, we have deemed it right to record it on our proceedings now adverted to, for the more particular information of your honourable court.

Crim. Cons.
29 Dec. 1826,
No. 15.

Crim. Cons.
No. 13.

127. The sentiments of the late Mr. Adam appearing to be adverse to the further discussion of the questions involved in the correspondence with the court of Sudder Dewanny Adawlut, the immediate consideration of the documents above adverted to was suspended until the early part of the year 1826, when it was again renewed in a minute by Mr. Harington, dated the 11th January of that year, in which he proposed that the several collectors of land revenue and magistrates and joint magistrates throughout the provinces under this presidency should be called upon to report on the following points:—

First. To what extent is domestic slavery, by the employment of male or female slaves for domestic purposes, now known or supposed to exist in the families of Hindoos or Mussulmans within their several jurisdictions? What services are usually performed by the slaves so employed; and what is their general treatment and condition?

Secondly. To what extent are slaves employed in the labours of husbandry, or in any other species of labour, distinct from that of a domestic nature; and what is the general treatment and condition of the slaves so employed?

Thirdly. Is slavery of either of the descriptions above noticed in a state of local increase or decrease; and if so, from what known or supposed cause or causes? and further, that the several judges of the courts of circuit, and the court of Nizamut Adawlut, should be required to offer their sentiments on the draft of the regulation originally prepared.

128. Mr. Bayley, in a short note appended to Mr. Harington's minute, expressed his concurrence in the propositions contained in it.

129. A draft

129. A draft of the instructions to be issued to the court of Sudder Dewanny Adawlut and Nizamut Adawlut was accordingly prepared by our secretary in this department, and having been submitted for the approval of the Governor-general, his Lordship expressed a wish, before any orders were issued, to refer to all the previous correspondence which had passed on the subject.

East India Company and Board of Control.

130. It is proper to remark, that his Excellency the Commander-in-chief was at this period (January 1826) absent in command of the army before Bhurtpore.

131. The Governor-general having referred to the records of former years, and resumed the general consideration of the subject, expressed himself, in a minute dated 3d May 1826, decidedly adverse to any revival of the discussions regarding slavery.

132. Under these circumstances, the orders proposed to have been issued to the court of Sudder Dewanny Adawlut were suspended; but considering the subject to be one of great importance, we have deemed it right to bring the whole correspondence in a connected manner on the record of our consultations, with a view to its being thus brought to the notice of your honourable court in the narrative of our proceedings of the year in which the discussion was partially revived, as above noticed.

133. As connected with this subject, we beg to notice to your honourable court our correspondence, recorded on the proceedings of the date annexed, with the magistrates of Calcutta, respecting the importation on Arab vessels of slaves, and their sale in Calcutta.

Crim. Cons.
25 March 1824,
Nos. 28 to 32.

134. There appeared to us reason to believe, from the communication made by the magistrates, that slaves were occasionally brought by the Arab ships, and clandestinely disposed of in Calcutta, notwithstanding the penalties of the Act 51 Geo. III. c. 23, and we felt naturally desirous to adopt every measure which appeared calculated to put a stop to this barbarous and revolting traffic.

135. We had reason, however, to doubt whether the owners of the vessels concerned in such practices, who are not resident inhabitants of the islands, colonies, settlements, &c. belonging to the United Kingdom, or in the occupation of his Majesty or the honourable Company, could be considered subjects of his Majesty, so as to bring them within the penalties of the Act; but all persons resident in Calcutta, who might be directly or indirectly concerned in such traffic, or aid and assist in any way in it, would of course be liable to the said penalties.

136. Conceiving it, however, to be very possible that the Arabs settled or established as merchants in Calcutta, and the commanders and navigators of Arab vessels, accustomed to trade with this port, might not be fully acquainted with the provisions of the statute referred to, or with the penalties attached to the removal and importation of slaves, it occurred to us, that the circulation of the substance of the Act, translated into the Persian and Arabic languages, so far at least as it applied to persons residing in any of the Company's settlements or territories, would probably restrain the parties concerned in the traffic, especially if accompanied by a proclamation in the same languages from government, declaring that the Act would be strictly enforced, and that means would be adopted for examining and searching vessels for the discovery of slaves either exported from or imported into Calcutta.

137. We accordingly resolved that the magistrates of Calcutta should be called upon to prepare and submit, in the English language, a draft of the proposed proclamation, including such portion of the provisions of the 51st Geo. III. c. 23, as it might appear to them necessary to promulgate for the purposes above indicated.

138. The draft of a notification subsequently submitted by the magistrates, in pursuance of the foregoing orders, having been approved by us, they were directed to take the necessary measures for communicating it, with the addition, which we thought it expedient to make to it, to all the resident merchants in Calcutta, connected with the Arab shipping; and since the adoption of that measure, we have had no reason to believe that the importation of slaves has taken place in Calcutta.

EXTRACT JUDICIAL LETTER from *Bengal*, dated 9 November 1830.

Crim. Cons.
13 April 1830,
Nos. 24 to 28.

Para. 27. ON the proceedings noted in the margin your honourable court will find recorded a letter from the secretary to government at Fort St. George, transmitting copy of a letter from the register of the Foujdarry Adawlut, soliciting information as to the construction put upon the Act of the 51st Geo. III. c. 23, respecting the slave trade in Bengal.

28. On a former reference in 1817, this government gave an opinion that the statute law applied only to the importation or removal of slaves by sea, and nothing had since occurred to induce us to depart from such decision; a reply to this effect was made to the government of Fort St. George.

EXTRACT JUDICIAL LETTER to *Bengal*, dated 4 December (No. 7) 1833.

Letter from, dated 9th November 1830,
paras. 27, 28 Slave trade.

Para. 11. WE approve of the tenor of your communication on this subject to the government of Fort St. George.

EXTRACT JUDICIAL LETTER to *Bengal*, dated 2 February 1831.

Letter from, dated 30th August 1827,
paras. 121 to 132. Slavery as it exists
under the Mahomedan law.

Para. 16. HAVING had occasion a few years ago to send orders to Madras on the subject of slavery, we communicated our sentiments to the government of that presidency, in a letter in the judicial department, dated 28th April 1824, as follows: "In the districts subject to your presidency, the rights and obligations of master and slave appear to be very indistinctly defined, and this obscurity of the law we apprehend to be favourable to the slaves; for whatever the legal power of masters may be, their actual control over the liberties of those persons who are nominally their slaves appears to be but small.

"We desire that you will be extremely cautious in making any regulation for defining the relations of master and slave. It is our wish to improve the condition of the latter to the utmost extent, and we fear that in defining the power of master, acts of compulsion might be legalized, which, by custom, are not now tolerated, and the slaves might be placed in a worse condition than before."

17. After an attentive perusal of the papers relating to the very important matter referred to in the paragraphs of your letter noticed in the margin, we perceive that the instructions just quoted are equally applicable to your presidency, as to Madras, and we desire that they may be acted upon accordingly.

(133 to 138.) Im-
portation of slaves
in Arab ships.

18. The communications of the magistrates having led you to believe that slaves were occasionally brought by Arab ships, and clandestinely disposed of in Calcutta, you took the necessary steps for warning the resident merchants in Calcutta of the illegality of that practice, and we are happy to observe that you have no reason to think that any importation of slaves has subsequently taken place.

EXTRACT JUDICIAL LETTER from *Bengal*, dated 18 December (No. 25) 1832.

Para. 12. THIRTEEN cases of kidnapping of children occurred during the period now reported upon, being three in excess of those entered in the statements for the first six months of 1829. The offence has been one peculiarly prevalent in the Agra district, from the facilities which existed of disposing of the children by sale in the adjoining native states; but the increase above mentioned appears to be rather attributable to the greater attention paid lately by the magistrates in charge to the detection of such offences than to any real increase in the number of them committed.

EXTRACT

EXTRACT JUDICIAL LETTER from *Bengal*, dated 31 December (No. 28) 1832.

East India Com-
pany and Board of
Control.

Para. 18. THE proceedings here noticed contain a correspondence which has led to the enactment of a regulation, numbered in the code as Regulation III. of 1832, for extending the provisions of Regulation X., 1811, with the view of entirely prohibiting the removal of slaves for purposes of traffic within the British territories.

Crim. Cons.
19 October 1830,
Nos. 35 and 36.

19. The discussion of the subject originated in a reference from the late Mr. D. Scott, commissioner of circuit, of the 17th or Rungpore division, requesting information as to whether the rules of Regulation X., 1811, prohibiting the importation of slaves from foreign countries into the British territories, could be considered as applicable to Assam, subsequently to the cession of that territory to the British Government, with reference especially to the circumstance of its annexation not having been formally declared by any printed regulation.

20. As Regulation X., 1811, was enacted with the special view of guarding against the importation of slaves from Assam, and other territories bordering on the then limits of our provinces, where slavery was known to be carried on to a great extent, the object of the enactment would have been materially defeated had the change in our relations with the countries in question been allowed to abrogate the law, and to authorize the introduction of slaves from Assam into our old districts.

21. The court of Nizamut Adawlut were accordingly requested to take the subject of Mr. Scott's reference into consideration, and to report the result to government, submitting at the same time, should they think it requisite, the draft of a regulation to prevent the importation of slaves from Assam or other tracts similarly circumstanced.

22. On the date annexed is recorded a letter from the register of the Nizamut Adawlut, submitting the draft of a regulation as above called for, and containing a further provision proposed by the court.

Crim. Cons.
8 November 1831,
Nos. 47 to 51.

23. It will be observed that some discussion took place between the government at the presidency and the Right honourable the Governor-general, respecting the principle and objects of the regulation. It is sufficient to observe here, that by the law, as ultimately determined upon, the rules of Regulation X., 1811, have been extended, by its being enacted, that any removal of slaves, when made for purposes of traffic, whether from foreign territories into British, or from one place to another, within any part of our own territories, shall be illegal, and that slaves so removed shall become free. The law, as above mentioned, is numbered in the code as Regulation III., 1832, and entitled "A Regulation for extending the provisions of Regulation X., 1811."

Crim. Cons.
13 March 1832,
Nos. 21, 22, 23
and 25.

EXTRACT JUDICIAL LETTER to *Bengal*, dated 10 December (No. 7) 1834.

Para. 11. WE approve of the provisions of Regulation III. of 1832, making it illegal to remove slaves in the way of traffic from any foreign territory into our own, or from one part of our territory to another. The general subject of slavery, you are aware, has been referred for your consideration by the British Legislature, as well as by our instructions from another department.

Letter from, dated 31st December (No. 28) 1832 (para. 18 to 23). Enactment of Regulation III. of 1832.

EXTRACT JUDICIAL LETTER from *Bengal*, dated 9 September (No. 9) 1833.

Para. 4. IN paragraphs 27 and 28 of a despatch from this department, dated the 9th November 1830, a notice was submitted of a correspondence with the government of Fort St. George, by whom information had been requested as to the construction put by the supreme government upon the Act of the 51st Geo. III. c. 23, with reference to the slave trade in Bengal.

5. On the consultation here entered is recorded a letter from the acting secretary to the government at Fort St. George, submitting, with advertence to that correspondence, a communication from the Sudder Foujdarry Adawlut, of the Madras presidency, in reply to instructions which had been issued to the court by the Right honourable the Governor in council, forwarding to them a copy of the Bengal Regulation III. of 1832 (reported on to your honourable court in

Crim. Cons.
25 September 1832,
Nos. 8 and 9.

East India Company and Board of Control.

paragraphs 18 to 23 of the despatch from this department of the 31st December 1832), and desiring that, if it should appear expedient to introduce into the Madras code provisions similar to those of the regulation in question, the draft of an enactment for that purpose should be submitted by the court.

6. The subject belongs more particularly to the proceedings of the Madras government, and it need only be here mentioned, that it was intimated by the vice-president in council, that nothing had occurred to alter the sentiments of this government, as before expressed, respecting the proper construction of the statute above referred to, and that it was not considered that any of the rules of Regulation III. of 1832, of the Bengal code, were at variance with that construction.

EXTRACT JUDICIAL LETTER to *Bengal*, dated 26 June (No. 1) 1835.

Letter from, dated 9th September 1833, paras. 4 to 6. Construction of the Act 51 Geo. III. c. 23, relative to the slave trade in Bengal.

Para. 29. WE shall take an early opportunity of furnishing you with such observations as we may deem necessary on the important subject of slavery.

EXTRACT LEGISLATIVE LETTER from *India*, dated 31 August (No. 3) 1835.

Public letter to, dated 10th December 1834 (No. 44), para. 71 to 75. Slavery.

Para. 29. THE delicate question of slavery in India will shortly be referred to the consideration of the law commission; at present it is only necessary to communicate our cordial agreement in the just, enlightened and moderate views entertained by your honourable court upon this subject, as expressed in these paragraphs.

EXTRACT LEGISLATIVE LETTER from *India*, dated 29 February (No. 4) 1836.

Leg. Cons. 7 December 1835, Nos. 1 to 5.

Para. 32. THE proceedings noted in the margin contain the drafts of two enactments proposed by the government of Fort St. George, the first, marked A. being intended to prohibit the importation of slaves.

EXTRACT JUDICIAL LETTER from *Bengal*, dated 19 September (No. 18) 1836.

Tenasserim provinces.

Para. 10. THE practice of debtor slavery is one which the commissioner stated could only be abolished by a change in the moral condition of the people. All, therefore, that could be done on the part of government would be to discourage, without absolutely prohibiting, the custom. To this end it was suggested, that, after a certain date, no contract for debtor slavery, under any shape, should be deemed valid in the courts: the 1st July of the current year was the date proposed. In giving public notice of the above measure, Mr. Blundell suggested the expediency of setting forth a short exposition of the objects of government, in desiring to discourage a practice which he describes as degrading and vitiating the people, and as furnishing an additional stimulus to the national passion for gambling.

EXTRACT JUDICIAL LETTER from the Governor of *Bengal*, dated 8 February (No. 7) 1837.

Crim. Proceedings, 26 April 1836, Nos. 28 and 29.

Para. 19. UNDER a representation of the local authorities that great uneasiness prevailed among the Assamese who had settled in Jynteea, most of whom were stated to have been slaves and bondsmen, from their apprehensions that they might be claimed on an occupation of the country by their former masters, Captain Jenkins urged that persons of this description who had fled to Jynteea before our occupancy had, by taking refuge in an independent country, become free, and the subsequent transfer of the country to us could not, he maintained, be held to reduce them again to their former condition. He also submitted, that persons who had previously sought refuge there on account of criminal offences ought not to become amenable to our courts, more particularly as the crimes committed were in general trivial, cow-stealing being the most aggravated of these crimes.

20. I concurred with Captain Jenkins in the opinion that the slaves and bondsmen who had taken refuge in Jynteea, during the independence of that principality, ought not again to be reduced to their former condition, and that no notice ought now to be taken of crimes not more heinous than those referred to by him, committed by parties who fled for protection to Jynteea, before it fell into our possession.

EXTRACT

EXTRACT NARRATIVE of the Miscellaneous Proceedings of the **LIEUTENANT-GOVERNOR** of the North-western Provinces, during the second quarter of the year 1836, dated 18 April (No. 5) 1837. East India Company and Board of Control.

Para. 1. THE Lieutenant-governor having discountenanced the traffic in slaves, heretofore existing in the territory of the rajah of Gurhwal, as will appear by a correspondence received from the political department, included in the documents noted in the margin, and it having appeared by the said correspondence that a similar traffic existed in the province of Kumaon, and generally in the hill districts, a report was required from the commissioner of Kumaon on the subject. Crim. Proceedings, May 1836, Nos. 134 to 141.

2. It appears by this report that slavery has been sanctioned by immemorial usage in the hill districts of Kumaon and Gurhwal, though in a modified degree. The slaves are divided into two classes, namely, household or domestic slaves, and field labourers, the latter of which are invariably domes or outcasts, who till the land and perform other duties of a similar nature, from which the Brahmins and other principal landed proprietors are restricted by the custom of the country. The purchase of these slaves is represented as still very common, and it does not appear to have been previously prohibited by the British Government, but their condition is described as being in general easy and comfortable. Claims for service on the one hand, or for freedom on the other, have been heretofore entertained and investigated by the courts of the province, like other suits. The only specific prohibition or penal provisions on the subject in Kumaon have relation to the sale of wives by their husbands, widows by the heirs or relations of their deceased husbands, and the sale of children for the purpose of being taken out of the hills into some other district. After a further reference to the commissioner for his opinion, instructions were issued prohibiting the entertainment of suits either for the restoration of slaves or the enforcement of slavery in any of the courts subject to his authority.

EXTRACT NARRATIVE of the Miscellaneous Proceedings of the **LIEUTENANT-GOVERNOR** of the North-western Provinces, during the third quarter of the year 1836, dated 29 May (No. 7) 1837.

Para. 56. THE documents noted in the margin contain a reference from the commissioner of the Saugor division, calling for some defined rule to guide the courts of the division in the disposal of suits instituted for the recovery of slaves. The particular case brought to the notice of government was one of a Hindoo girl who had been sold by her father to a Mahomedan, to which last faith she had been converted; the father subsequently reclaimed the girl, though she preferred remaining with her purchaser. Civil Proceedings, August 1836, Nos. 43 and 44.

57. The commissioner was informed in reply, that the father had lost all right to the possession of his daughter by the sale of her, and that the purchaser had acquired none, the sale of a slave being illegal. It was therefore left to the option of the girl to return to her father or remain with her purchaser.

EXTRACT JUDICIAL LETTER from the Governor of *Bengal*, dated 6 July (No. 24) 1837.

Para. 6. THE second exception above alluded to was section X. of the rules originally submitted by the court, providing for the subject of slavery. On this important topic I directed my secretary to write to the court as follows:—

“ His Lordship is not prepared to pass this section. The subject is one of great and general importance, and must be taken up as a whole by the supreme government; but he considers it to be within his competence to declare that all sales of persons as slaves shall be illegal and void from the date on which these rules of practice shall come into operation in Assam. The section, therefore, will stand as on the margin.” Para. 11 of letter dated 25 October 1836.

Sec. X. “ From the date on which these rules of practice shall come into operation in Assam, all courts of justice shall hold all sales of persons as slaves to be illegal and void, and no suit to reclaim the services, as a bondsman or woman, of the person so sold, shall be received in any court on the plaint of any party.”

Civil Proceedings,
22 Nov. 1836,
Nos. 12 and 13.

7. In replying to the letter of my secretary in this department, which gave general approval of the rules, the court submitted a minute by their colleague Mr. Robertson, whose experience as commissioner of Assam made him, of course, take a special interest in the matter, in which he urged the expediency of reconsidering the above alteration, or submitting it at any rate before promulgation for the opinion of the local authorities. The main gist of Mr. Robertson's argument is contained in the following extract from his minute :—

Paras. 2, 3, 4 & 5 of minute
dated 29 October 1836.

“ I will not presume to assert that the contemplated enactment must be followed by great distress and embarrassment, yet I see a chance of such consequences ensuing sufficient to justify my recommending that the same course as his Lordship has commended us for pursuing, with regard to the whole draft, may be followed in respect to this particular provision, and that it may be referred to the local authorities for their opinion on its fitness, before it shall be sent forth as a law.

“ It is to be remembered that the practice of borrowing money, by pledging personal service, is very common in Assam, and that such a practice must be virtually abrogated by a rule declaring that no suit for reclaiming the services of a bondsman shall in future be entertained.

“ Now, it is really no light matter to abolish the existing custom of a nation as to lending and borrowing, be that custom ever so rude and inconsistent with our ideas of humanity.

“ It is at least desirable, surely, to ascertain beforehand to what extent the common dealings betwixt man and man are likely to be affected by such a measure; and therefore, as no provision to the effect of that now before us has been even alluded to throughout our long correspondence with the officers in Assam, I do think that the latter ought to be consulted before a rule of importance, fully equal to that of any of those on which they have been consulted, shall be allowed a place in the code by which they are in future to be guided.”

8. Upon this minute and the recommendation grounded upon it by the Sudder court, I observed as follows :—

Paras. 2, 3 & 4 of letter dated
22 November 1836.

“ It appears to the Governor that the scope of section X. of the new rules, as given on the margin of paragraph 11 of my letter of the 25th ultimo, has been misunderstood by Mr. Robertson and the court, though perhaps, with reference to the prevalence of ‘ the practice of borrowing money by pledging personal service ’ in Assam, the rules in question might advantageously have been drawn up in a form not open to misconception; for it was not intended to affect that practice in any manner, but simply to discountenance the system of slavery in general, and to deprive that already existing of one of its worst features, by disallowing the transfer by sale of property in persons. In fact, voluntary bond service is not slavery at all, but merely a return in labour, according to stipulation, for wages paid in advance; and there are, doubtless, many classes, both in India and elsewhere, universally regarded as freemen, who are, in point of fact, as much bound down to their employers as the parties who in Assam come under a formal engagement to liquidate a loan by personal service rendered to their creditor.

“ His Lordship does not think it desirable, however, that the right to transfer such personal service by sale to a third party should be recognized by the law; and he is therefore of opinion that the section, worded as on the

IX. “ From and after the date on which these rules of practice shall be promulgated in Assam, all sales of persons as slaves, not being transactions whereby an individual of mature age voluntarily binds himself or herself, in return for value received, to render personal service to another, shall be deemed illegal and void; and no suit to reclaim the services of a slave or bondsman or bondswoman so sold, after the date above specified, shall be received in any court, on the plaint of any person: Provided, however, that nothing in this section contained shall be held to relate to voluntary obligations of personal service of the nature above indicated, otherwise than to render the transfer of such service to a third party, after the date of the promulgation aforesaid, illegal and void: Provided also, That this prohibition shall not be construed to extend to any sale that may have been regularly executed according to the law of the province, or established usage previously to the promulgation aforesaid; and the several courts of justice are empowered and directed to entertain such suits as heretofore; and in deciding the same, the courts are to be governed by the law and usage under which the said sales were made.”

margin, will sufficiently provide for the objects which he contemplated, whilst it will obviate the objections raised by Mr. Robertson, and meet the wishes of the court by making the operation of the rule strictly prospective. This was intended in the first instance, but the court appear to apprehend that that intention might have been misunderstood.

“ If

“If the court shall be of opinion that Mr. Robertson’s objections to the section, as it originally stood, are sufficiently removed by the modifications which it has now received, they are authorized to take immediate measures for printing 50 copies of the rules, as proposed in the concluding paragraph of your letter. There has already been considerable delay in passing these rules; their promulgation must be important to the good administration of the province; and unless the court shall be still of opinion that it is material that the local authorities should be consulted upon the slavery section in its present revised form, his Lordship is disposed to think that the rules, with section IX. as above, should be immediately printed and despatched to Assam.”

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9. The court being still of opinion that it would be advisable to consult upon the slavery section with the local authorities in Assam, and doubting even whether a preliminary reference to England might not be necessary before passing rules upon this subject, I desired that the code might be printed for promulgation, with the exception of section IX., upon which the court were authorized to consult the commissioner of Assam and his subordinate officers.

Civil Proceedings, 6th Dec. 1836, Nos. 4 and 5.

10. The results of the reference will be reported to your honourable court, in continuation, with all convenient despatch.

Civil Proceedings, 6th July 1837, No.

EXTRACT JUDICIAL LETTER to *Fort St. George*, dated 6 May 1829.

Para. 44. As the stealing of children, the transportation of them to sell as slaves, and the sale of them for the purposes of prostitution, are all punishable as criminal offences, no alteration of the law appears to have been required in the cases referred to in these paragraphs. With reference to the general question of restricting and regulating by law the sale of children, and interfering in the usages of domestic slavery, we agree with you that it is a subject of much difficulty and delicacy, and that there is more ground to hope for improvement from the gradual operation of the administration of justice in a spirit favourable to personal freedom than from positive enactments. We desire your attention to the sentiments expressed in the 146th and 147th paragraphs of our letter of the 28th April 1824, in regard to the relation of master and slave in the countries subject to your government.

Letter from, 29th December 1826, paras. 102 to 108. Slavery, kidnapping and sale of children.

80. We approve the orders issued by you on this occasion, directing that, in the event of the return of the naqueda, measures should be taken to defeat any attempt he might make to kidnap children, and eventually to bring him to punishment.

Letter from, dated 23d January 1827, para 44. Supposed purchase or kidnapping of certain children at Cochin by a naqueda, subject of the Judda government.

EXTRACT JUDICIAL LETTER from *Fort St. George*, dated 5 February 1830.

Para. 19. We observe that a full communication of the sentiments of your honourable court on the subject of slavery in the provinces subject to this government is promised in the 35th paragraph of your (revenue) despatch bearing date the 21st November 1827, and until that communication shall be received, the rights and relations of masters and slaves will not be made the subject of legislative definition.

Letter to, dated 6th May 1829, para. 44. Slavery, kidnapping and sale of children being punishable as criminal offences, no alteration of the law is thought to have been required in certain cases referred to in paragraphs 102 and 108 of letter from government. With reference to the general question of restricting and regulating by law the sale of children, and interfering with the usages of domestic slavery, the opinion of government is concurred in. The attention of government is directed to the sentiments expressed in the 146th and 147th paragraphs of the court’s letter of the 28th April 1824.

EXTRACT JUDICIAL LETTER from *Fort St. George*, dated 25 June 1830.

Para. 17. THE judges of the Sudder Adawlut having submitted to us a communication from the first judge of circuit in the western division relative to the construction of the Slave Trade Acts, we made references to the supreme government, and to the advocate-general here, for information as to the correct construction of these laws, and have noted in the margin the consultations in which their replies are recorded. It would be satisfactory to us to be made acquainted with the opinion of the honourable Company’s law officers in England on this important subject.

Cons. 12th March 1830, Nos. 9 and 10.
 ” 6th April ” ” 7 and 8.
 ” 11th May ” ” 1 and 2.

EXTRACT JUDICIAL LETTER to *Fort St. George*, dated 1 February (No. 1) 1832,
Letter from, dated 25th June 1830, para. 17. Para. 172. TRANSFERRED to law department.
Construction of Slave Trade Acts.

EXTRACT JUDICIAL LETTER from *Fort St. George*, dated 12 November
(No. 9) 1833.

Cons. 13 Dec. 1831,
Nos. 4 and 5.
Cons. 25 Jan. 1832,
Nos. 8 and 9.

Para. 21. THE Bombay government transmitted to us copy of a letter from Lieutenant-colonel Pottinger, resident in Cutch, representing the circumstances under which some girls had been brought away from Mangalore, and one of them a Christian, named Martina Loz, sold as a slave at Mandavie in Cutch. We transmitted a copy of this communication to the principal collector of Canara, and desired that he would inquire into the conduct of Fackeer Taree Wall, the person stated to have enticed away Martina Loz. The collector stated in reply that he had been unable to discover the person concerned in this transaction, and could not find any Christian of the name of "Pedro Loz" who acknowledged a relationship or connexion with the girl; he therefore suggested that copies of the depositions, &c. taken by Lieutenant-colonel Pottinger might be sent to him, when, he observed, he had no doubt he should be able fully to trace out the affair. A copy of this communication was forwarded for the information of the Bombay government, to which no reply had been received.

EXTRACT JUDICIAL LETTER to *Fort St. George*, dated 23 July (No. 4) 1834.

Letter from, dated 12th Nov. (No. 9) 1833,
para. 21. Abduction of girls from Mangalore,
and sale of one as a slave at Mandavie in
Cutch.

Para. 17. LIEUTENANT-COLONEL POTTINGER, resident in Cutch, reported to the Bombay government the story told by a Christian girl, that she had been enticed away from her relations near Mangalore, had been forced to cohabit with a person belonging to the boat in which she was carried off, and had been sold to the keeper of a brothel at Mandavie in Cutch. The magistrate of Canara, to whom a reference on the subject was made, stated, that although unable to discover the parties from Colonel Pottinger's description of them, yet if the depositions were forwarded to him, he had no doubt of success in tracing the transaction. On the 25th January 1832, a communication to the foregoing effect was made to the Bombay government, from whom you state in your letter of the 12th November 1833, that no reply had been received. We regret that you had allowed so long a period to elapse without renewing your application to the Bombay government, and desire that this may be done without further delay, if the depositions should not have been previously transmitted to you; and we direct also that we may be informed of the result of such proceedings as may be instituted in the case in question.

EXTRACT JUDICIAL LETTER from *Fort St. George*, dated 22 September
(No. 8) 1835.

Letter to, dated 23d July (No. 4) 1834, para. 17. Honourable court desire that the application to the Bombay government for the depositions in a certain case, of the abduction of a girl from Mangalore, may be renewed if they have not been already received.

Para. 14. THE depositions referred to in this paragraph not having yet been received, an application* has been made to the Bombay government for them if they are still forthcoming.

* Cons. 21st August 1835 (No. 46).

EXTRACT JUDICIAL LETTER from *Fort St. George*, dated 26 April (No. 4) 1836.

Cons. 24 April 1832.
" 7 Sept. " Nos. 1 and 2.
" 19 Oct. " " 7 and 8.
" 21 Aug. 1835, " 16 and 17.
" 25 Sept. " " 10 and 11.
" 20 Oct. " " 8
" 17 Nov. " " 6 and 7.
" 9 Feb. 1836, " 11 and 12.

Para. 21. REFERRING to paragraph 17 of our letter in this department, dated 25th June 1830, we have the honour to submit the subsequent correspondence which has taken place on the subject of the slave trade. The draft of an Act prohibiting their importation by land into places dependent upon this presidency was referred to the law commissioners.

EXTRACT JUDICIAL LETTER to *Fort St. George*, dated 5 January (No. 2) 1838.

Para. 21. THE draft of an Act for prohibiting the importation of slaves by land will be brought to our notice by the government of India, after the subject has received consideration from the law commission, to whom it has been referred. Letter from, dated 26 April (No. 4) 1836, para. 21. Slave trade.

EXTRACT JUDICIAL LETTER from *Fort St. George*, dated 19 July (No. 8) 1836.

Para. 26. WITH reference to para. 14 of our judicial letter (No. 8) dated the 22d September 1835, we have the honour to acquaint your honourable court, that having received from the Bombay government the depositions applied for, respecting the abduction of a girl from Mangalore, we transmitted them to the principal collector of Canara, in order that he might prosecute the necessary inquiry; but your honourable court will observe, from the accompanying reply from that officer, that his endeavours have proved fruitless. Cons. 1 Mar. 1836, Nos. 13 and 14. Cons. 19 April 1836, Nos. 45 and 46.

EXTRACT JUDICIAL LETTER to *Fort St. George*, dated 5 January (No. 1) 1838.

Para. 54. WE observe that Mr. Brown, on the 25th February 1834, laid before you a paper containing answers to a series of questions regarding slavery in the East Indies. As the information therein afforded may be of material value to the legislative council of India in their deliberations on the difficult and important subject of slavery, we desire that they may be furnished with a copy of the paper.

EXTRACT JUDICIAL LETTER to *Bombay*, dated 5 December 1827.

Para. 20. WE entirely approve your proceedings on the occasion referred to. Under Regulation I. of 1813, the prescribed penalties will of course be enforced against persons who are convicted of importing slaves. Letter from, dated 25th June 1823, paras. 149, 150. Liberation by the judge of Surat of slaves imported from Zanguebar, and issue of a proclamation announcing the penalties incurred by engaging in the slave trade.

EXTRACT REVENUE LETTER to *Fort St. George*, dated 21 November 1827.

Para. 35. WE have adverted to the information which has been submitted to you by the board of revenue relative to the state of slavery in Malabar; but this is a subject which requires to be taken up as a whole, and upon which you will receive a full communication of our sentiments at a future period.

EXTRACT REVENUE LETTER from *Fort St. George*, dated 18 April (No. 6) 1837.

Para. 25. WE have noted in the margin a letter from the board of revenue, accompanied by a correspondence with the principal collector of Malabar, upon the subject of emancipating the slaves on the government lands of that district, and in which they recommended that authority might be granted to that officer to exclude from his accounts the annual revenue of rupees 927. 13, derived from the slaves, and to proclaim their freedom. We readily acceded to this recommendation on behalf of these slaves, but observed that it was not necessary to proclaim their freedom, but that the measure should be carried into effect in such a manner as not to create either any unnecessary alarm or aversion to it on the part of other proprietors, or to occasion premature hopes of emancipation on that of other slaves. Cons. 15 Nov. 1836, Nos. 54 and 55.

Sir,

India Board, 26 December 1829.

THE commissioners for the affairs of India have, by the desire of Secretary Sir George Murray, directed me to transmit to you two printed copies of the report of the commissioners of inquiry at Mauritius on the slave trade, and to request that you will move the court of directors to cause one copy to be forwarded to the government of Bombay, and the other to be communicated to Major Wilson, the British resident agent at Bushire, whom Major Colebrooke, one of the commissioners who prepared the report, states to be personally known to the imaum of Muscat, and whose agency, it is considered, would be extremely useful in accomplishing the abolition of the slave trade in that quarter.

I am, &c.

Peter Auber, Esq.

(signed) G. Bankes.

East India Company and Board of Control.

Sir,

India Board, 12 January 1831.

I AM directed by the commissioners for the affairs of India to acquaint you, that the board consider it may be desirable that the opinion of the law officers of the Crown and of the East India Company's counsel should be taken, as soon as possible, on the question of the legality of slavery at Malacca, which has been brought to the notice of the authorities in England by the letter from the supreme government, dated 16th June last. The board have therefore desired me to request that the Company's solicitor may be put in communication with the solicitor to this board, and that when a case has been prepared by them, it may be transmitted to this office previously to its being submitted to counsel.

I am, &c.

Peter Auber, Esq.
&c. &c. &c.

(signed) *Sandon.*

Sir,

India Board, 18 June 1831.

THE commissioners for the affairs of India having received no communication from the court of directors, in consequence of the letter which Viscount Sandon addressed to you on the 12th of January last, respecting the legality of slavery at Malacca, have directed me to request that you will call the court's attention to the subject, and move them to cause the draft of a case, for submission to the law officers of the Crown and the East India Company, to be transmitted to the board without further delay.

I am, &c.

Peter Auber, Esq.

(signed) *T. Hyde Villiers.*

Gentlemen,

India Board, 9 September 1836.

DURING the last Session of Parliament attention was drawn more than once to that clause of the late Charter Act which directed that your government in India should devise measures for the amelioration, and, if consistent with the rights of masters of families, the extinction of slavery in your Indian territories.

I do not find, by reference to papers in this office, that any proposal or recommendation in conformity with the tenor of that clause has been made to your court by the government of India, and I would beg to suggest to you the expediency of directing the Governor-general of India to take some immediate steps for carrying into effect the intentions of the Legislature in that respect.

I have, &c.

The Chairman and Deputy-chairman
of the East India Company.

(signed) *John Hobhouse.*

Sir,

East India House, 15 September 1836.

WE have the honour to acknowledge the receipt of your letter of the 9th instant, relative to the provisions of the 88th clause of the 3 & 4 Gul. IV. cap. 85, respecting slavery in India. The court of directors drew the particular attention of the Governor-general in council to this subject in their despatch of date the 10th December 1834 in the public department (paras. 71 to 75); and in a despatch recently received from the government of India (31st August 1835, para. 29), the court have been informed that the question was about to be referred to the consideration of the law commission. In this state of the information on the subject before the court, they are disposed to think that it may not be advisable that further instructions regarding it should at present be addressed to the Governor-general in council.

We have, &c.

The Right honourable
Sir John Hobhouse, Bart.
&c. &c. &c.

(signed) *J. R. Carnac.*
John Loch.

(True Extracts.)

T. L. Peacock,
Examiner of India Correspondence.

East India House, }
30 March 1838. }

DOCUMENTS referred to and connected with the preceding CORRESPONDENCE.

E. I. Company and
Board of Control.
(Documents.)

No. 18.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 3 April 1828.

From *D. Scott*, Esq., Commissioner Lower Assam, to Mr. Chief Secretary *Swinton*.—
(4 March 1828.)

Sir,

I HAVE to request the sanction of the Right honourable the Governor-General in Council for having issued a proclamation in Assam during partial famine in 1825, from the month of June to October, permitting payites, or persons owing service to the State, to sell themselves as slaves or bondsmen, agreeably to the former custom of the country in similar cases, but which, properly speaking, required the sanction of the supreme ruling authority.

2. The whole of the free male population in Assam owing service to the State, none but females can be disposed of by their parents, or sell themselves as bondsmen, without the Rajah's consent. At the time the proclamation in question was issued, many poor people who had been plundered of everything by the Burmese and their allies were dying of hunger; and the evil was still further increased by the liberation, by Captain Neufville, of several thousand Singpho captives, who arrived at their homes in the most destitute condition, and added greatly to the distress which had previously prevailed; under which circumstances, there appeared to me to be no other available means but that mentioned of saving the lives of the starving population.

3. The sanction of his Lordship in Council now required will not, of course, affect in any way the legality of the transactions that may have taken place in consequence of the publication of the above-mentioned proclamation, when considered with relation to the two contracting parties; and it will only relieve the master from any future claims on the part of the State for the services of his slave or bondsman, in his capacity of a payite, the Government resuming at the same time the land formerly constituting his fee.

(signed) *D. Scott*, Commissioner.Commissioner's Office, Lower Assam,
4 March 1828.*Ordered*, That the following letter be written to Mr. Scott.From Mr. Officiating Secretary *A. Stirling* to *D. Scott*, Esq., Agent to the Governor-General.—North-eastern Frontier, (3 April 1828.)

No. 19.

Sir,

I AM directed to acknowledge the receipt of your letter, dated 4th ultimo, and in reply to acquaint you, that the Governor-General in Council relinquishes all claim on the part of the State to the services of those inhabitants of Assam who, under the sanction of your proclamation, contracted an obligation to serve private individuals for their lives, during the pressure of the late famine.

2. It would be satisfactory to Government to have before it a translation of the proclamation referred to in your letter.

(signed) *A. Stirling*,
Officiating Secretary to Government.

Fort William, 3 April 1828.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 29 August 1828.

From *Edward Colebrooke*, Esq., Resident at Delhi, to Mr. Chief Secretary *Swinton*.—
(4 August 1828.)

No. 13.

Sir,

I HAVE the honour to submit, for the consideration and orders of the right honourable the Governor-General in Council, the annexed copies of a correspondence with the magistrate at Delhi, and the translations of the papers connected with it, relative to two female slaves who had eloped from the palace on the night of the 31st July, and who having been apprehended by the police people while attempting to effect their escape across the Jumna, had been carried on the morning of the 1st to the magistrate's cutcherry.

2. His Lordship's decision on this reference will not only be my guide in the disposal of these two women, but will form a precedent for every similar occurrence in future.

3. If they were common servants in any of the palace zenanas I should not hesitate in releasing them, as has been done on many other occasions, but they are claimed by the king on behalf of his son Mirza Saleem as actual concubines to him; and it is accordingly stated on the part of his Majesty, that in virtue of this connexion, the honour, not only of Mirza Saleem, but of the King himself and of the whole palace, is involved in their being restored to the former situation in Mirza Saleem's zenana.

4. It may be proper to state that the palace is thronged with women of this description, kidnapped by persons employed for the purpose, and bought from those persons; and that of the hundreds of brothers and sisters, sons, daughters, and grandchildren of his Majesty, scarcely one here and there will be found to have been born from any but such mothers; and the King accordingly agrees, that exclusive of the disgrace attending the forcible retention of his concubines from a prince of the blood, the precedent might be expected to hold

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hold out an invitation to follow the same course to others under similar circumstances, in consequence of any temporary dissatisfaction at their treatment, or any hope of bettering their situation, even to those who may have borne children to their masters. And he asks what would be the consequence if one of the Begums themselves should elope from the palace, and claim the protection of the police?

5. The question is one of considerable difficulty. The interior of the palace being the only thing which is left to the King, delicacy would make one desirous of not interfering with the zenana concerns and domestic quarrels of its inmates, while humanity revolts at the idea of surrendering, against her will, an unfortunate female who has succeeded in effecting her escape from thralldom.

(signed) *E. Colebrooke*, Resident.

Delhi Residency, 4 August 1828.

P. S.—The women deny their alleged connexion with Mirza Suleem, nor does the King himself assert it, or even hint it; and the appearance of the women seems to throw some doubt on the fact.

From *J. E. Colebrooke*, Esq., Resident at Delhi, to *T. T. Metcalfe*, Esq., Judge and Magistrate, Delhi.—(1 August 1828.)

Sir,

HAVING been given to understand, by a message from his Majesty, that two female attendants of Mirza Suleem, who escaped from the palace last night, were apprehended by the Bullumgurh police in attempting to procure a passage across the Jumna, I have the honour to request that you will transmit to this office the articles noted in the margin belonging to Mirza Suleem, which they are said to have had in their possession at the time of their capture, and set the women themselves at liberty to proceed wherever they may think fit, unless you should choose to detain them to be proceeded against for the theft.

(signed) *J. E. Colebrooke*, Resident.

Delhi Residency, 1 August 1828.

From *T. T. Metcalfe*, Esq., Judge and Magistrate of Delhi, to Sir *E. Colebrooke*, Bart., Resident at Delhi.—(1 August 1828.)

Sir,

I HAVE the honour to acknowledge your letter of this day's date, and to send herewith the articles found in the possession of the slave girls.

(signed) *T. T. Metcalfe*,
Judge and Magistrate.

Delhi Judge and Magistrate's Office,
1 August 1828.

From Sir *J. E. Colebrooke*, Bart., to *T. T. Metcalfe*, Esq., Judge and Magistrate, Delhi.—(2 August 1828.)

Sir,

IN continuation of my letter of yesterday's date, I do myself the honour to transmit to you a sootra, which has been addressed to me by the King, on the subject of the two females who were apprehended in making their escape from the palace.

2. His Majesty alleges no particular reason for desiring that they may be restored to the palace; but Rajah Sohun Lall informs me that they are not common attendants, for whom no such requisition would have been made. He says that they are actual hurrums of Mirza Suleem, whose honour, and, by implication, the honour of the King himself, is connected with their being restored to his zenana.

3. Your long residence at this place, and your experience in all matters connected with your own office, and with the palace, will enable you to assist my judgment on the occasion, from your recollection of what may have been the practice heretofore in regard to any female similarly escaping from the palace. And at the same time I beg the favour of your informing me what the women themselves allege, whether they have any objection to return; and if so, what those objections are.

(signed) *J. E. Colebrooke*, Resident.

Delhi Residency, 2 August 1828.

From *T. T. Metcalfe*, Esq., Judge and Magistrate, Delhi, to Sir *J. E. Colebrooke*, Bart., Resident at Delhi.—(2 August 1828.)

Sir,

I HAVE the honour to acknowledge your letter of this day's date, transmitting a sootra (herewith returned) from his Majesty to your address, and in reply to forward, for your information, the annexed copies of depositions made before me by the females in question, from which you will find that they are decidedly averse to returning to the palace; and that they pray, the one, that she may be restored to her relations at Cawnpore, from whom she was inveigled, and the other, that she may be at liberty to gain an honest livelihood by following the occupation of her father, who was a hulwaree.

2. The

1 Chumbul.
1 Fusht.

2. The charge of ill-treatment is supported by marks visible on their bodies; and nothing can be more confirmatory of their aversion to their late servitude than the fearless manner in which they risked their lives, in the hope of effecting their escape.

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3. The following are instances on record of females who have been set at liberty by the judicial power, after escaping from the palace:

YEARS.	N A M E.	IN WHOSE SERVICE.
1819 -	Survophee Kumlee - - -	Willatee Beegum.
— -	Julko Paroo - - -	Ufzooloonissa Beegum.
1827 -	Nub Kusum, 1st Zunut - -	Uzuzoonissa Begum.
— -	Nub Kusum, 2d ditto - -	Rufutoonissa Begum.
— -	Nub Kusum, 3d ditto - -	Monowuroonissa Begum.

And with such precedents to support the cause of humanity, I venture, with every hope of success, to recommend to your favourable consideration the prayer of those unfortunate females.

Delhi Judge and Magistrate's Office,
2d August 1828.

(signed) *T. T. Metcalfe,*
Judge and Magistrate.

(Translation.)

The Evidence of *Mussumat Gool Behar*, taken without Oath, in the Criminal Court of Delhi, before *Thomas Theophilus Metcalfe*, Esq., Judge, on the 2d day of August, A. D. 1828.

My present name is Gool Behar, and my original one Radha. I am the daughter of Maun Sing, a Rajpoot, and formerly lived at Jeypoor; but since that I have resided at Muthra.

Question. How long is it since you arrived at Delhi?—*Answer.* I have been here five years; Shakir Ali and Bahir Ali sold me here.

Q. From what place did Shakir Ali and Bahir Ali bring you?—*A.* From Muthra.

Q. In what manner did they bring you from Muthra?—*A.* I used to keep a hulwaus shop at Muthra; they began by buying puras (a kind of sweatmeat) at my shop, and after that they awoke me one day while I was sleeping, and after stupifying me by plying me with bunaand fan, they carried me off with them.

Q. Who brought you to Delhi?—*A.* Natho and Subha Benjaras brought me.

Q. What manner did you again come into the possession of Bahir Ali and Shakir Ali?—*A.* Natho, after dressing me, carried me to the house of Bahir Ali, where he dressed me again in the clothes of a Mussulmanee woman, and kept me during four days near the Lalkava; after that he sold me to Mirza Saleem for 115 rupees.

Q. Did Natho sell you to Shakir Ali and Bahir Ali, or in what manner did he make you over to them?—*A.* Natho sold me to Mirza Saleem in conjunction with Shakir Ali and Bahir Ali.

Q. In what manner did they carry you inside the palace?—*A.* They placed me in a ruth, and thus conveyed me inside.

Q. Has anybody made you his concubine (hurreeem) in the palace?—*A.* No one; they kept me as a mere slave girl (kunuz) hudulvundry.

Q. Have you been married to any one in the palace?—*A.* No, I have not been married to any one in the palace.

Q. Had you a husband at Muthra?—*A.* My father and mother died when I was very young, and I was therefore never betrothed to any one.

Q. Had you any relations at Muthra?—*A.* None of my relations reside at Muthra.

Q. What now are your wishes?—*A.* I wish to be free as before.

Q. Are you inclined to return to the palace?—*A.* No; I will never consent to return to the palace.

Q. For what reason?—*A.* Because there is much cruelty going on in the palace.

Q. What kind of cruelty?—*A.* They use the whip there to an unmerciful extent.

Q. Who has ever whipped you?—*A.* Mirza Saleem and his wife used to beat me with a whip, and I even now bear the marks of it on my body, and on my head is the mark of the sole of a shoe, with which I was sometimes beaten. Once they burnt my hand with a match, the mark of which I still retain; and Mirza Saleem and his wife used besides to be continually striking me with a cane.

The Evidence of *Mussummah Kundun*.

My name is Kundun. I am daughter of Buggoo, washerman, and am a native of Anwur Gunga zilla, Cawnpoor. My age is 17 years. I am by trade a washerwoman, but have since been sold as a slave.

Question. How long is it since you left?—*Answer.* Five years.

Q. Who brought you from Anwur Gunga to this place?—*A.* The wife of one Meer Ashruff Alli, by name Bunnoo Begum, and his two mothers-in-law, were living in the Butcha Khana, of the Kussuees, near Anwur Gunga; they lived there during five months in a hired house, and when they went away they deceived me with false assurances, and carried me

E. I. Company and Board of Control. (Documents.) with them, saying, that they would take me to Lucknow. Having been thus deceived by them, I came with them to Delhi.

Q. How long did you live in the house of Ashruff Ali?—A. I lived about a month in his house, after which he sold me.

Q. If any one is sent with you, can you point out the house of Ashruff Ali?—A. I can point out the house in which he lived when I was with him; and a brother-in-law of Ashruff Ali, by name Hidayut Ali, lives in the Chilowka Hooncha.

Q. Who sold you, and at what price, and to whom?—A. The mother-in-law of Meer Ashruff Ali sold me to the wife of Mirza Saleem for 100 rupees.

Q. Has any body in the palace taken you as his concubine (hurreem)?—A. No one has taken me as his concubine.

Q. Have you ever been married?—A. I formerly had a husband at Cawnpoor, whose name was Budhoo, and I saw him once again in Mirza Saleem's camp at Bindrobuñ. I have heard that my husband has a sister, by name Kolia, who lives near the Delhi Gate; she is the wife of Chunsa, washerman, who died about a year ago. I have heard this from a washerman who is in the habit of coming into the palace.

Q. Whereabout does your husband live at Cawnpoor?—A. His original place of residence is Oude, but he has lived some years at Cawnpoor; and his uncle, by name Ordey, with his wife Dola, live also at Cawnpoor, in the _____ of Colonel Gunge.

Q. Why do you object to go back to the palace?—A. Because Mirza Saleem and his wife beat me cruelly, as will be seen by the marks of the whip which I still have on my back and hands; as I am not able to endure such a degree of beating, I am very unwilling to return to the palace.

Q. What then do you wish to do?—A. I wish to return to Cawnpoor, and live with my sister Racha and her father-in-law, by name Sadhaee, who live in the Kkullasee Lines at that place.

Q. Used Mirza Saleem and his wife to beat you with their own hands?—A. At first they used to beat me with their own hands, but afterwards they often ordered a servant of theirs, by name Kalle, to do it.

Shuka from his Majesty to the Resident's Address, dated 2d August 1828.

LAST night two slave girls (kunuzan) belonging to the household of my son Mirza Saleem, let themselves down by a rope from the motee mehal, on the river side of the palace, whence they attempted to cross the Jumna, carrying off with them a silver tas (bason) and sirposh; they were, however, apprehended by the city police out of the boat which was conveying them across the Jumna, and were afterwards carried, by Mr. Metcalfe's orders, to the adawlut. On this I sent an order to Mr. Trevelyan to inform you of the circumstance; and that gentleman despatched a letter to Mr. Metcalfe, and procured the restoration of the silver articles; but the slave girls themselves have not yet been sent. Inasmuch as the duties of the various offices in the royal zenana cannot be performed without slave girls, and formerly, when Sir C. Metcalfe was Resident, many slave girls who had fled from the palace were restored immediately on information being received of their escape, without any proceeding being held in the adawlut; I therefore desire that you will write to Mr. Metcalfe to send those two slave girls back to the palace, and let it not happen that they should remain one night in the gaol. All affairs relating to the palace are dependent on you; and Sohun Lall is coming to you to explain the subject. I desire, that after learning from him the circumstances of the case, you will send the slave girls to the palace without delay.

(True translation.)

(signed) C. E. Trevelyan,
Assistant Resident.

From Sir J. E. Colebrooke, Bart, Resident at Delhi, to T. T. Metcalfe, Esq., Judge and Magistrate at Delhi.—(2 August 1828.)

Sir

I HAVE the honour to acknowledge the receipt of your letter of this day's date, with its enclosures, and to inform you, that as a reference of the case will be made to Government, with a view not only to the disposal of the two women in the present instance, but to the establishment of a rule for my guidance on all future occasions of a similar kind, I have to request that the two women may be detained until the receipt of the orders of Government.

(signed) J. E. Colebrooke, Resident.

Delhi Residency, 2 August 1828.

Ordered, That the following letter be written to Sir Edward Colebrooke.

No. 14. From Mr. Deputy Secretary Stirling to Sir J. E. Colebrooke, Bart., Resident at Delhi.—(29 August 1828.)

Sir,

I AM directed to acknowledge the receipt of your letter dated 4th instant, and in reply to state as follows:—

2. It being clearly established, by the inquiries of the magistrate, that the two females therein referred to were originally kidnapped and brought into the palace by unfair means, and

and fled from it in consequence of the harsh if not cruel treatment which they experienced ; and there being no evidence to show even that they were concubines of any of the royal family, the Right honourable the Governor-General in Council can have no hesitation in authorizing you to release them forthwith. Considerations of justice and humanity would suggest the propriety of the above course, even were it not fully warranted by the precedents cited in Mr. Metcalfe's letter.

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(Documents.)

Fort William, 29 August 1828.

(signed) *A. Stirling*,
Deputy Secretary to Government.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 31 December 1828.

From *E. Colebrooke*, Esq., Resident at Delhi, to Mr. Chief Secretary *Swinton*.—
(5 December 1828.)

No. 4.

Sir,

I do myself the honour to submit the annexed copy of a letter from Captain Grant, commanding the palace guard, reporting the apprehension of a female slave belonging to the Prince Mirza Suleem in the attempt to escape over the palace wall, or, as she herself states, in the attempt to sacrifice her life by throwing herself from the wall ; together with my own reply, and a translation of the examination taken before Captain Grant.

It is not easy to determine, from this second attempt at escape of a slave girl from the same family, whether the female domestics of this prince are really maltreated, or whether the success which attended the former attempt has operated as an inducement for others to follow the example, under mere dissatisfaction at the restraint in which they are kept ; and to whichever cause it may be attributed, I consider it a case in which I ought not to act on my own responsibility ; and I accordingly take the liberty of soliciting the orders of the Right honourable the Governor-General in Council.

(signed) *E. Colebrooke*, Resident.

Delhi Residency, Camp Sumalka,
5 December 1828.

From Captain *P. Grant* to Sir *J. E. Colebrooke*, Bart., Resident at Delhi.—(4 December 1828.)

Sir,

I HAVE the honour to inform you, that a slave girl belonging to Mirza Suleem was seized by one of my sentries last night in trying to make her escape over the wall of the river-face of the palace.

I enclose the woman's own deposition in Persian, taken down by my moonshee, and request your orders, whether to deliver her up to the prince or make her over to the magistrate.

I have had the woman before myself ; she declares that she threw herself from the walls with an intention of sacrificing her life, on account of the ill-usage she was daily subjected to ; but this would be the story of any other unsuccessful runaway ; and as she was taken almost within the precincts of the palace, perhaps you will feel yourself authorized in directing me to restore her to the prince.

(signed) *P. Grant*,
Captain officiating in the Palace.

Delhi, 4 December 1828.

From *J. E. Colebrooke*, Esq., Resident at Delhi, to Captain *Grant*.—(5 December 1828.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 4th instant, and to inform you that a copy of it has been referred to Government for orders relative to the disposal of the female slave apprehended in the attempt to escape over the palace wall.

On the former occasion, Mirza Suleem offered to pledge himself to me that the women should be forthcoming, if Government should be pleased to direct their release ; and I understand him, from Raja Sohern Laul's man, who brought your letter, to be desirous of offering the same pledge on the present occasion, in case the woman should in the meantime be restored to him. I should feel disposed to meet his wishes, if I did not anticipate that the future surrender of her on requisition by order of Government would be more painful to his feelings, and more discreditable to him in the eyes of the public, than the intermediate detention of her. But other considerations also prohibit such a proceeding ; and I accordingly have to desire, as much out of consideration to himself as with a view to obviate all unpleasant discussion hereafter, that you will lodge the woman under some safe surveillance within your own precincts, until the orders of Government can be received. The expense which may be incurred by this measure you will be pleased to charge in a contingent bill.

(signed) *J. E. Colebrooke*, Resident.

Delhi Residency, Camp Sumalka,
5 December 1828.

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(Documents.)

Translation of the Deposition.

WHAT is your name?—My name is Chumelly; I am the daughter of Baldeo, a bunnin of Muttra. I am about 19 years of age, and a slave of Mirza Saleem.

How did you come from Muttra to the prince?—I had been at the celebration of a marriage at the house of a relation, where, being affected with a fever, I was returning home to my father, who kept a shop of flour, &c., at Muttra, when I was met on the way by some bunjaras, who said they knew my father, and that if I would accompany, they would take me to his shop; they accordingly took me to the koonja of Bindrabun. My cries and entreaties had no effect; they brought me on to Delhi, where they lodged me some days in the house of Fuzloo in the Roshampoora Muhulla, and afterwards sold me to the people of the palace, who put me in a rough carriage and took me to the palace. The sum they sold me for is not known to me.

How long have you now been in the palace?—Three years.

How came you to be apprehended and brought here?—About the commencement of last night I took a leap from the shah boorj* of the palace wall and reached the ground, when the sepahies of the guard apprehended and brought me here.

*The height of the lower room in the shah boorj from the garden beneath is very great, probably 50 feet.

Why did you attempt to escape?—The prince and the begum not only beat me daily themselves, but caused servants to flog us, owing to which I attempted to escape.

Were you beaten yesterday?—I was beaten by the begum early yesterday morning for not having champoored her well during the preceding night, which, she said, had deprived her of rest, and striking me, she threatened to beat me soundly on her return to her own habitation.

Have you any fresh marks on your body of the beating inflicted on you daily?—I have marks of the faziana on my feet.

How long is it since you were beaten with the faziana on your feet?—It is now four or five months since I was beaten on the feet.

The marks do not appear to be of a faziana; they seem to be scars of sores. Tell the truth?—They are marks of the whip.

When you leaped from the walls, did you receive any hurt?—I was hurt in the chin, which bled, and on the right arm and left foot.

(signed) P. Grant,
Captain commanding Division.

Witness, *Lall Mohummud Elahee Buxsh.*

(True Copies and Translation.)

(signed) C. E. Trevelyan, Assistant Resident.

No. 5.

From *E. Colebrooke*, Esq., Resident at Delhi, to Mr. Chief Secretary *Swinton*.—
(12 December 1828)

Sir,

IN continuation of my despatch of the 5th instant, relative to the apprehension of a female slave in the attempt to escape from the palace, I do myself the honour to submit, for the consideration of the Right honourable the Governor-General in Council, the annexed translation of a letter to my address from his Majesty, and of my reply.

Delhi Residency, Camp Bootana,
12 December 1828.

(signed) *E. Colebrooke*, Resident.

From his Majesty the King of *Delhi*, received on the 11 December 1828.

A SLAVE girl having got down before the jharoka of the fort, which is in his Majesty's elaqaa, orders were issued to Nazir Ekbal-ud Dowlah and Captain Grant, whose guards and the servants of his Majesty were on duty at that place, to send her to the presence, and the captain accordingly sent her to Nazir Ekbal-ud Dowlah, saying that, after the receipt of the Resident's order, the woman should be sent to the presence. I now learn from the representation of the captain that you have ordered him to keep her in his own custody till orders be received from the Government. The fort is but a habitation of his Majesty, composed of a few acres of land under the protection of Captain Grant; in every matter appertaining to it his Majesty has full authority, with the concurrence of the British Government. Many dependents of this royal threshold have complete authority over their own territories, and no notice is taken of their affairs by the British Government; it is unknown why notice is taken of the most trifling concerns relative to the palace. His Majesty, who is willing on all occasions to meet the wishes of the Government, is not aware of having done any thing contrary to its wishes or the regulations of both sircars. Prior to this, slave girls belonging to his Royal Highness, Mirza Mahomed Saleem, escaped from the fort, and went to the adawlut, where they were emancipated; and in consideration that the city was under the control of the adawlut, silence was preserved in that point. On the present occasion the slave girl being apprehended immediately under the juroka, in the precincts of the fort, and sent to Captain Grant by his Majesty's order, consequently out of the jurisdiction of the city adawlut, there can be no objection to sending her to the palace, because if the slave girls of the muhal are thus emancipated, which is in opposition to the rules of respect due to royalty, the whole of them will go away, and the drudgery of business will fall on the

the begums themselves. There will then be this difference between the inhabitants of the city and the princes of the palace, that the former have authority over their habitations, while the latter shall have none. It will be better that you personally attend at the palace and at once set at liberty the whole of the slaves and every one else you please, and thus save us from frequent afflictions and anguish of heart.

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Board of Control.
(Documents.)

Resident's Reply, dated 12 December 1828.

I HAVE been honoured by the receipt of your Majesty's shoogun relative to the escape of a female slave below the jharoka of the fort. Of her apprehension and other matters, I beg to submit, for your Majesty's information, that immediately on intelligence of the occurrence, I transmitted a statement of the case to Government, for final orders, and a letter to Captain Grant to keep the woman meanwhile in a place of safety. So soon as orders may arrive from Calcutta, they shall be made known to your Majesty. On the subject of the whole of the female slaves running away from the palace, I beg leave to suggest, that if your Majesty will be pleased to issue orders to the inmates of the palace, to treat their slaves in such a manner as to induce them not to hazard their lives in the attempt to escape, no distress will be experienced in future.

(True translation.)

(signed) S. E. Trevelyan, Assistant Resident.

Ordered, That the following letter be written to Sir Edward Colebrooke, in reply to the foregoing despatches from him.

From Mr. Chief Secretary Swinton to Sir E. Colebrooke, Bart., Resident at Delhi.—
(31 December 1828.)

No. 6.

Sir,

I AM directed to acknowledge the receipt of your letters, dated 5th and 12th instant, reporting on the case of a female slave who was apprehended in an attempt to escape from the palace, and, in reply, to communicate the following observations.

2. If the deposition of the female is to be credited, not only did she become a slave subsequent to the date of the proclamations issued in 1811-12, forbidding the traffic in human beings within the British territory, but she was actually kidnapped and carried off from the bosom of her family into bondage, scarcely three years ago.

3. If Mirza Suleem can establish that the girl became a slave in a legal and regular manner before the prohibition of traffic in slaves at Delhi, you will direct her to be restored to his Royal Highness, otherwise she must be set at liberty.

Fort William,
31 December 1828.

(signed) G. Swinton,
Chief Secretary to Government.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 16 September 1831.

No. 11.

From Mr. Secretary Prinsep to Mr. Chief Secretary Swinton.—(23 August 1831.)

Sir,

WITH reference to the report received from Captain Jenkins and Lieutenant Pemberton to your address, forwarded in your letter, dated 24th June last, I am directed to transmit to you, for the consideration of the Honourable the Vice-president in Council, copy of a minute by the Right honourable the Governor-General, of this date.

Shimla,
23 August 1831.

(signed) H. T. Prinsep,
Secretary to Governor-General.

MINUTE by the Governor-General.

No. 12.

THE report by Captain Jenkins and Lieutenant Pemberton upon the Mugh corps is an interesting paper. Some of their suggestions are judicious, and merit consideration, particularly the proposed increase of that corps, and the establishment at Tek Naf of a small party advanced from the regiment of the line cantoned at Chittagong. Our obvious advantage in having a post at Tek Naf would be the preservation of the road from Chittagong, and the consequent increased facility in the march of troops from that point. As Chittagong has ceased to be a frontier post, the whole regiment might hereafter be stationed at Tek Naf, in the event of the salubrity of the place being ascertained. Its proximity to the sea, the sepoys would, I think, soon cease to regard as an objection.

There are symptoms that the people of Arracan are not disposed to sit down quietly under grievances real or imaginary, and I question if it would be practicable to coerce the troublesome and dissatisfied by other means than troops raised from amongst themselves. Our Hindostanee sepoys are so little fitted for service in the low maritime tract of the province, that it is of importance they should be exposed as seldom as possible to its climate, but

E. I. Company and Board of Control. (Documents.) rather be looked upon as a reserve, and to act with effect as such they ought to be kept together, cantoned in a healthy spot. The increase, therefore, of the Mugh corps, to a strength adequate to the discharge of all local duties, seems desirable. But anxious to avoid every change not suggested by a regard to economy, I shall not offer any specific proposal for increasing it, unless the expediency of doing so may be confirmed by the forthcoming report upon Arracan itself. In the meantime it will be well to ascertain from the local authorities what number of men would efficiently execute all the duties which ought to be entrusted to troops raised from amongst the people of the province. The extent being known, we should see whether the duties could not be met by better arrangements and increased exertion, instead of by an increased establishment.

The advantages anticipated from the proposed encouragement to persons of influence to enlist in the corps, are not, in my opinion, overrated: the measure, however, ought to be confined to the commissioned officers. The non-commissioned officers ought to rise from the ranks. The discipline and efficiency of the corps will depend on their intimate knowledge of the minutiae of the drill, and on their being habituated to drill instruction. The motives for encouraging influential persons to enter the Mugh corps, should direct our attention to the employment of respectable natives in the civil departments, in preference to drawing subordinate civil officers from the neighbourhood of Chittagong, or from more distant provinces. The measure would be popular, it would diffuse confidence, and through European agents of conduct and moderation, would bring round an interchange of good offices and feelings of kindness, whilst it would, at the same time, improve the circumstances of some of the destitute families of the province.

The fact of so many slaves of the Munnipooree race being found in the ranks of the Mugh corps requires investigation. Admitting the favourable account given of them in the Report to be correct, it is objectionable, in every way that it can be viewed, to entertain this class of persons. We should be informed upon what conditions they are permitted by their masters to engage in such employment. A part of their pay doubtless goes to their owners; and what they can themselves save, it is certainly hoarded to purchase their liberation, in order to revisit home. I am not aware how Government could set about an act that would free these Munnipoorees, except by purchasing their unconditional emancipation.

I am not quite satisfied whether the Mughs might not object to the East Indians (as they are said to do to the local ensigns), that they are not of that class of officers which they see in regular regiments; and I am doubtful whether East Indians not born on that coast would stand the climate better than Hindostanees or Europeans.

The adjutant of this corps ought to be a person of experience; and if its strength be increased, the commanding officer should be selected with great care and caution. The Mughs require a firm hand, but it must be firmness guided by judgment and tempered by kindness.

It does not appear that Captain Jenkins and Lieutenant Pemberton penetrated into the interior of the Kaladyne. This river ought at an early period to be explored to the utmost extent of its navigation. Lieutenant Duff, of the Mugh corps, is represented to be a competent surveyor. When his services can be spared at a favourable season he should proceed up the Kaladyne, furnish a sketch of his route, and report such information as he can pick up of the state of the tribes inhabiting the neighbouring hills. For the sketch he might produce, and for his trouble, he might be suitably remunerated.

It would be very acceptable to me to be favoured with the sentiments of the Vice-president in Council upon the expediency of adopting any of the suggestions respecting the Mugh corps which have been offered by Captain Jenkins and Lieutenant Pemberton.

(signed) W. C. Bentinck.

Ordered, That the following letters be addressed to the secretary to the Governor-General and Commissioner for Arracan, transmitting to Mr. Halhed copy of the letter to Mr. Prinsep.

No. 13.

From Mr. Chief Secretary *Swinton* to the Secretary to Governor-General.—
(16 September 1831.)

Sir,

I AM directed to acknowledge the receipt of your despatch of the 23d ultimo, enclosing a copy of a Minute by the Right honourable the Governor-General relative to the report by Captain Jenkins and Lieutenant Pemberton upon the Mugh corps, and intimating his Lordship's desire to receive the sentiments of the Vice-president in Council upon the expediency of adopting any of the suggestions submitted by those officers.

2. The first point adverted to by Captain Jenkins and Lieutenant Pemberton relates to the circumstance of almost all the Munnipoorees of the corps being slaves, and to the expediency of some legislative enactment being passed for the removal of that evil. The Vice-president in Council is not aware what remedy could be applied to the correction of this state of things, but it will be necessary in the first instance to obtain more full and accurate information of the nature and conditions of the obligations to perform personal service into which it is presumed the Munnipoorees in the Arracan district have entered, in consequence of having contracted debts which they are unable otherwise to discharge. His Honor in Council proposes therefore to call on the Commissioner to report on this species of slavery as it may exist in Arracan, with reference to the established custom and usages of the country previously to the introduction of our authority, and in particular with regard to the class of Munnipoorees, stating to what circumstances it is owing that this active, and, it is understood, industrious tribe,

tribe, should almost all have placed themselves in that predicament. Mr. Halhed will further be directed to inquire, from the officer commanding the corps, the extent to which individuals may have come under the obligation of personal service, whether for life or for a given period, and the amount required by the master or creditor for the ransom or liberation of his bondsmen. If the natives of Munnipoor are not settled in Arracan, but are in the habit of coming from their own country in search of a livelihood, it may be practicable in future to obtain for the Mugh corps free men of that tribe, and care may be taken previously to enlistment to ascertain whether they are so or not. It will also be a point for inquiry, whether, supposing the Munnipooree bondsmen could be set free, they would be disposed to remain in the province, and continue in the local corps, since it is not unlikely that necessity alone may have induced them to enlist for the sake of earning the means of buying their discharge from their masters, and returning to their homes. The Vice-president in Council is of opinion that it is desirable to entertain a considerable proportion of Munnipoorees in the Mugh corps.

3. The next point adverted to by Captain Jenkins and Lieutenant Pemberton is the augmentation of the Mugh corps to a strength adequate to the discharge of all local duties, and the placing of it on a level with other local corps of the service, officering it from the regulars. The Vice-president in Council is disposed entirely to approve this scheme. In conformity with the desire of the Governor-General, the local authorities will be directed to ascertain and report what number of men would sufficiently execute all the duties which ought to be intrusted to troops raised from amongst the people of the province.

4. With regard to attaching to the Mugh corps, in the event of its being augmented, two or three extra lieutenants from amongst the race of East Indians, the Vice-president in Council sees no objection to the nomination of officers from that class if the selection be not limited to officers of the line. He is further of opinion, that in this case subaltern officers for the Mugh corps might be nominated from amongst the European local officers lately in the service of the Rajah of Nagpore, whose destitute circumstances, in consequence of the dissolution of the Rajah's regular troops, render them deserving of consideration, if opportunities should offer for employing them.

5. On the question of encouraging natives of influence in Arracan to enter the Mugh corps as officers, the Vice-president in Council entirely concurs in the view which has been taken by his Lordship.

6. The Vice-president in Council is disposed to approve the suggestions of Captain Jenkins and Lieutenant Pemberton respecting Kyouk Pheo being maintained as the fixed station of the regular corps of Arracan, which might be retained there as a reserve in one body, the whole of the internal duties of the province devolving on the Mugh corps, when augmented as proposed.

7. With respect to the establishment of a small post at Tek Nauf, advanced from the regiment of the line cantoned at Chittagong, the Vice-president in Council concurs with the Governor-General in thinking that this suggestion of Captain Jenkins and Lieutenant Pemberton might be adopted with advantage, with a view ultimately to the cantoning of a regiment at that place, provided that its salubrity be first ascertained.

8. On the subject of exploring the Kaladyne River to the utmost extent of its navigation, the Vice-president in Council proposes to instruct the Commissioner to employ Lieutenant Duff on that duty at the proper season, a suitable remuneration being awarded to that officer for his trouble.

Fort William, 16 September 1831.

(signed) *G. Swinton,*
Chief Secretary to Government.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 30 September 1831.

No. 90.

Note by the Secretary, 26 September 1831.

WITH reference to the inquiries, by the orders of the 16th instant, the Commissioner in Arracan has been directed to make regarding the condition of the Munnipooreans in that district, most of whom in the Mugh corps are said to be slaves, I beg leave to report, that I have had an opportunity of conversing on the subject with Lieutenant Boscawen, the commandant of the corps, who is now at the Presidency on sick leave.

I have ascertained from him that the Munnipooree sepoy in his corps are not individuals who have become bound for personal service on account of debt, but that they, as well as a great many of their countrymen, were brought into Arracan by the Burmese as slaves during the Burmese war, and were sold to the Mughs about Ramoo, and the southern parts of Chittagong, when the Burmese force retreated from thence.

When the Mugh corps was raised, many of the Munnipoorees deserted their masters and entered in the corps. Claims were sometimes preferred by their owners for their being given up, but Lieutenant Boscawen resisted the demand on the ground of their being entered in the service of the Honourable Company, and effected a compromise between the parties by settling that the men claimed as slaves should give a certain portion of their pay, one or two rupees per mensem, to their owners.

If Government deem it desirable that more particular information should be obtained from Lieutenant Boscawen, I beg leave to submit for approval the accompanying draft of a letter to him, the reply to which, together with the result of the inquiries which the Commissioner has been directed to institute, may enable Government to decide on the course to be pursued.

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If it should be clearly established, from the testimony of the Munnipooreans, that they were carried off into captivity during the war, and sold to British subjects in the Chittagong district, it will be a question, I presume, whether such purchases are valid, and can be maintained in a British court. The chief of Munnipooree was in alliance with us during the war, and if his subjects were carried off by the Burmahs and sold as slaves, have we not a right to reclaim them under the article of the treaty which stipulates for the restoration of prisoners on both sides, and can the present owners, as British subjects, maintain a right over such captives, the subjects of a friendly prince?

If the Mugh owners of the Munnipooree captives have no right to retain them in slavery, we shall set free a large body of active and hardy men, who make excellent soldiers, and are inured to the climate in which they are employed.

(signed) *Geo. Swinton,*
Chief Secretary to Government.

No. 79.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 14 October 1831.

From the Officer commanding the Mugh Sebundy Corps, to Mr. Chief Secretary *Swinton*.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 29th September, and, in answer, beg to state the following:

1. That the Munneepoories, who have enlisted as sepoy in Mugh Sebundy corps, have generally been claimed as slaves by merchants from the neighbourhood of Ramoo, Akyab, and other places on the coast; and, upon inquiry, I have been invariably told that they have been purchased when young, either from the Burmese, who, during the war, constantly carried off the women and children from the villages to sell them as slaves, or by their own parents, in times of want and distress.

2. I, of course, knew they were slaves, as I always made a practice of inquiring into the former life and habits of every man I enlisted.

3. Their owners always claimed them; but, unless I found any individual unfit for the service, they were never given up. A compromise was made, with the consent of both parties, by monthly deductions from the pay of the sepoy.

4. In general, two, three, or four rupees per month, according to the circumstances of the sepoy, were deducted until the fixed sum was liquidated.

5. The sepoy became free when the sum fixed on, as the amount of emancipation, was paid off by these monthly deductions.

6. Suits were frequently instituted in the civil courts for the surrender of these men, but generally discouraged by the local authorities, and referred to me for adjustment.

7. I can only judge of the number of Munneepoories detained as slaves in the districts of Arracan and Chittagong, by the report of the sepoy themselves, who state it to be about 3,000 or 4,000, who have come into the possession of their masters by purchase, as above stated.

8. I am not aware that any regular traffic in slaves exists at present between the Burmese and Mughls.

9. The Munneepoories do not emigrate from their country, or voluntarily enter into contracts of personal service; and it certainly would not be advisable to recruit the Mugh corps with free men from that country, who would be presuming on their caste, and quarrelling with the Mughls, whom they would consider far beneath them.

10. Those at present in the corps know the value of the service, and feel the comfort of regular pay, and would not, I think, even were they declared free, return to their own country.

11. There were 62 Munneepoories in the corps when I left. The climate and jungles of Arracan are pretty much the same as in their own country; and I have never found them affected thereby in any way.

12. These Munneepoories have no caste in Arracan; and, by being quite impartial, I have never found them disagree with the Mughls.

13. They have no more scruples, with regard to intoxicating liquors, than the Mughls.

14. No distinction was made with regard to promotion, whoever was next on the roll, if of good character, whether Mugh or Munneeporee.

15. In the corps I never allowed any man to exert influence over the others, except such as his rank authorized.

16. There is nothing to preclude their intermarrying with the Mughls; they more generally marry women from their own country, whose ransom-money they have themselves paid.

I shall feel much pleasure in affording any further information in my power, with regard to these people or their customs, and habits of the Mughls, as I am most intimately acquainted with every man in the corps, and, having been so constantly with them, have heard more of them than perhaps others have had opportunities of doing hitherto.

(signed) *H. A. Boscawen,*
Lieutenant commanding M. S. Corps.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 28 October 1831.

E. I. Company and
Board of Control.
(Documents.)From *N. J. Halhed*, Esq., Commissioner of Arracan, to Mr. Chief Secretary *Swinton*.—
(18 October 1831.)

No. 84.

Sir,

I HAVE the honour to forward a reply from Captain Delamain to my letter on the subject matter contained in your communication of the 16th September, and enclosure, which, through some mistake in the post-office department, did not reach me so early as it ought to have done.

2. The muster-roll of Munneepoories serving in the corps annexed, will show to the Honourable the Vice-president in Council that there are now enrolled 72 individuals of that nation, not one of whom acknowledges himself to be a slave, though several admit that they are in the practice of contributing a portion of their pay to those who had supported them in early life. They appear to have been taken by the Burmese during war, and are, by the Burmese code, free on peace being made. Further inquiries, however, will be made; and I have called on Captain Delamain to furnish a list of the names of these men, and of their late owners.

3. His Honour in Council will further observe, that there are some Mughhs who admit their state of slavery; and I have also required a list of their names, the sum paid for them, the sums now claimed, and a statement of the fair remuneration to which these owners may be considered entitled as the price of their emancipation, if they are of the class which will admit of their freedom.

4. His Honour in Council will further notice Captain Delamain's opinion with respect to the disposition of the Munneepoories in the corps to return to their country; and I am inclined to concur with the officer in the belief expressed by him, that they have become so far assimilated with the Mugh population as to have lost all wishes to return to their native country.

5. I am also disposed to acquiesce in the opinion he has expressed as to difficulties which are opposed to recruiting from Munneepoor, on the grounds of the indisposition of a people professing the Hindoo religion, with its peculiar exclusive doctrines, to associate with the Mughhs.

6. Having, some time ago, had it in contemplation to submit, for the consideration of the Government, some remarks on the system of slavery obtaining in the province of Arracan, with a view to arrangements for meliorating the condition of this class, which is numerous, I had collected some information on the subject, which may be useful on the present occasion.

7. There are three species of slavery acknowledged under the Birman government, and four classes of slaves.

The first class, or "Pho byng Gounthee," *i. e.* one subjected to authority and domiciliation, by reason of a price paid, comprises those who have become the property of their owner by purchase. The slaves of this description are foreigners, being either Hill-men and women or Bengalees, which latter were captured in former times by pirates or kidnappers, who formed expeditions to Hutteeah, Lundeep, and the Soonderbunds in the neighbourhood of Backergunge, for this purpose, and sold their prisoners on their return. It has been said that this practice was first introduced by the Portuguese pirates.

8. The slaves of this denomination can possess no property. Their masters are answerable to the Legislature for crimes committed by them; they are the heritable property of their owners, who may punish them in any way not affecting life or limb; they may be transferred to others in perpetuity, or for a limited period, the party to whom they are transferred becoming vested with the powers of the former for the time being; they may be manumitted, but cannot otherwise obtain freedom, with exception to girls, who, having been seduced by their master, are considered to become free women on the birth of a male child to him. The second class are called "Khaing daug boh," or born in the house. These are the descendants of the first class, and are subject to all the restrictions under which their parents existed. If the slave of either of the two first classes be given by his owner to a phoongree or priest, he becomes dedicated to religious purposes; and, as a phoongree cannot accept money, or buy or sell, his state of slavery is perpetual. He is called "Keeoong Thankeda," or sweeper of the temple. The third species of slavery is called "Cheet-peca-lara," or the escaped from battle taken by the hand. These are entitled to manumission after occupation of a country, or after peace has been concluded; but they are not unfrequently sold, especially when they are too young to know their rights; if they become acquainted with them, and prove in court that they have never belonged to either of the two first classes, they may recover their freedom. The fourth are slave debtors, and called "Pongrhany," or "Keeoong-bong," or the pledged, in consideration of money paid. There are regular deeds subscribed by the parties, and attested by witnesses, specifying the period which the slave is to serve, and the amount paid. The slaves are free on liquidation of their debt, or the money paid for them, or on the expiration of the period they have engaged to serve, according to the terms of the agreement. A man may pledge himself or his children, and, with her consent, his wife also. These slaves may compel their master or mistress to transfer them to other persons who are willing to pay their original price, or

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(Documents.)

the amount of their debt. If a married female debtor is seduced by her master, the sum of 60 rupees must be written off the debt; if an unmarried female debtor slave cohabits willingly with her pledgee, no deduction is allowed. Slaves of this class may be corrected by the hand of their master or mistress (but not by others at their order), with a cane, with a bunch of rods, or with the open hand, but to such an extent and in such manner only as a parent would correct his own children. Wounds or mutilations inflicted by a pledgee, or by his orders, on his slave debtors, cancel the debt wholly, or in part, according to a table of fines for such acts in the Burman code.

9. The Munneepoories in Arracan were brought down from their country on the invasion by the Burmese troops, among whom were a large portion of Arracanese, who, according to the Burman custom of enslaving the inhabitants of an invaded country, brought down to their houses such children as they could capture. The Munneepoories professed the Hindoo religion; but the slaves or prisoners have now become Boodhists. The Munneepoories are not in the habit of emigrating to Arracan to obtain a livelihood; it is my opinion that those who have enlisted have done so to secure themselves against claims upon them as slaves, which those who first seized and brought them down might have otherwise felt inclined to prefer; it is, I think, evident, that although their high spirit may induce them to deny the fact of their being slaves, they consider themselves under some obligation to their former owners or protectors, which they endeavour to discharge, by allowing them small sums from their monthly pay.

10. I do not concur in Captain Delamain's suggestion of discharging those Mugh sepahies who have admitted that they are slaves. I recommend, on the contrary, their emancipation, the price to be paid by Government in the first instance, and deducted by small monthly portions from their pay. I have directed Captain Delamain to furnish a roll of these men, with such other particulars of information which it may be desirable for Government to be made acquainted with. I do not think it likely that those who avow their state of slavery to people of their own nation, would, on being manumitted through the munificence of Government, feel any inclination to desert their colours.

11. I am inclined to think very highly of the Mugh soldiers, but they require great management; they are an extremely proud, vain race of people, and are liable to be led away by their ruling passions. Not an opportunity of advancing pretensions ought to be given to them; and while they are to be taught subordination to their officers and commandant, they must also be made to consider themselves as the servants of the civil authorities and of the public. No people behave better than they do under the eye of those who are empowered to enforce obedience, yet none are more likely to presume if they think they can do it with impunity. I do not, for this reason, consider it good policy to give their officers the exclusive privilege of sitting as judges on a court martial on their fellow soldiers, enjoyed by native officers in regular corps. The greatest care is necessary in selecting a commandant and officers for this corps; extreme good temper, combined with great firmness and judgment, is essentially requisite on duty; the greatest strictness is indispensable off duty. The men should know their officer to be their friend, but still their superior; he ought to be the promoter of all their sports, the upright arbitrator of all their disputes with one another, yet prove himself their inflexible judge when they are in fault. I do not know of a more difficult or responsible situation than that of a commandant of the Mugh corps; but under an officer possessed of all the requisites, the Mugh corps will be found equal to all that can be expected from it.

*Of 80 men each.

12. Captain Delamain proposes an augmentation of six companies* to the Mugh corps, in addition to its present strength. Adverting to the different duties at the outposts on the frontier and in the several districts, I think that five companies of the present strength might carry on all the duties with effect. A reduction of one-half of the gaol guards at all the stations might hereafter be directed, on placing the Seebundee corps on this branch of duty.

13. I do not concur with Captain Delamain as to the necessity of reducing the strength of the companies, and of increasing their number. The object he has in view in that suggestion may be attained by adding an additional havildar and naik to the companies as at present constituted under the orders of the Right honourable the Governor-General for purposes of parade and discipline. The companies may be made "manageable" by forming them into smaller bodies, into three sections instead of two, or by forming two regimental companies into three companies for parade duties.

14. Considering the duties to be taken, and the expediency of relieving the guards and posts as often as possible, I should think that $1\frac{1}{2}$ companies should be posted at Sandaway, one at Raumtre, and $2\frac{1}{2}$ at Akyab, which would be the head-quarters of the corps at Sandaway. I calculate that more than one-half of the detachment, say 100 men, would be always out on duty; the remainder would take the gaol and treasury guards, and relieve the other guards from time to time. At Raumtre about two-thirds of the detachment would be on duty. At Akyab $1\frac{1}{2}$ company would be on duty out of the station, and as the head-quarters would be the depôt for recruits, and furnish all escorts and other duties, the party there would have full employment.

15. As a measure of economy, it might be provided on reforming the corps, that full batta should be allowed only to the troops on outpost duties, and upon marching to and from relief; half batta when in the cantonments of the several districts or stations. They now draw full batta at Sandaway in situations where supplies are not easily procurable. Or on actual service, that is to say, when employed against an enemy or in services of police involving danger to life or limb, it may be necessary to allow the means of transport of sick
and

and provisions. The corps of Mugh seebundies would consist, under the proposition here submitted, of the following strength:—

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	In Cantonment.				In the Field.			
	Pay.	Batta.	Total of Each.	Total.	Pay.	Batta.	Total of Each.	Total.
5 Soobehdars - - -	30	10	40	200	30	20	50	250
10 Jemadars - - -	15	5	20	200	15	10	25	250
5 Colour Havildars - - -	9	3	12	60	9	6	15	75
30 Havildars - - -	8	3	11	330	8	6	14	420
35 Naicks - - -	7	2.8	2.8	332/8	7	5	12	420
10 Buglers - - -	6/8	2/8	9	90	6/8	5	11/8	115
5 Dabashees - - -	10	-	10	50	10	-	-	50
5 Clashes - - -	5	1	6	30	5	2	7	35
600 Privates - - -	6/8	1	7/8	4,500	6/8	2	8/8	5,200
705 Total.	Sa. Rs. 5,792/8				Sa. Rs. 6,815			

16. The services of two or more European serjeants or serjeant-majors would be extremely useful; and the appointment of the European local officers, late in the Nizam's army, would give the corps an efficiency which will render it in a short time equal to any service.

17. I beg to submit, that if a sufficient number of European officers are nominated to the corps, it will be highly expedient to order them, and not the native officers, to sit on all courts martial for the trial of offences against military discipline, which it may be deemed proper to try by military law. They may be assisted in all possible cases by officers from the regular troops; but I am still of opinion that it would not be expedient to rule the corps altogether by the military code; much should be left to the judgment and discretion of the commandant in communication with the civil authorities, as at present.

18. In reference to the last paragraph of your letter under acknowledgment, I have directed Lieutenant Duff to hold himself in readiness to proceed on the survey of the Koladyne River, and on receiving some particulars of information he has been called upon to supply, I shall instruct him to proceed on his duty. Lieutenant Duff will supply weekly a field-book and report of occurrences and such particulars on the subject to which his attention has been directed, as he may be able to acquire.

Arracan Commissioner's-office,
Chittagong, 18 Oct. 1831.

(signed) N. J. Halhed,
Commissioner for the Affairs of Arracan.

From Captain Robert Innes Delamain, in charge of the Mugh Corps, to the Commissioner, &c., of Arracan.

No. 85.

Sir,

I HAVE the honour to acknowledge the receipt of your letter under date the 3d October 1831, and in reply to inform you, that there are at present 3 havildars, 6 naicks, and 63 sepoy, natives of Munnipoor, in the Mugh corps, a descriptive roll of whom accompanies this letter.

No native of Munnipoor enlisted in the Mugh corps acknowledges himself ever to have been a slave.

On inquiry it appears that many from extreme poverty have been compelled to quit their country during the late war with the Burmese. That *paint* has been known to give their children up to any individual who engaged to clothe and feed them, and on obtaining a certain age have been permitted to seek other service. Many have enlisted in the Mugh corps, and voluntarily paid sums consistent with their means to their former employers, (not as bondmen or slaves to purchase their freedom), but as a remuneration for expenses incurred while in their service. No claim has been preferred against a Munnipoor sepoy since my taking charge of the corps, (10th March 1831), by his former employer, yet no sepoy would withhold payment for reasons above stated.

Orig.

Recruiting in the district or town of Munnipoor for the Mugh corps, I am persuaded would be attended with much difficulty, in consequence of the aversion the natives (being generally Hindoos) bear towards the Mughs.

Such Munnipooreans now in the corps, from a long residence in the province of Arracan, have adopted the customs and manners of the Mughs, and for the same reason, feel an objection to return on any terms to their own country, where they would in all probability be considered and treated as outcasts.

I am of opinion that every confidence may be placed in the Mugh sepoy. I have at all times observed a feeling of anxiety among them to be employed on service. And this I

E. I. Company and
Board of Control.
(Documents.)

attribute to the system of promoting men who have distinguished themselves while in command, &c. and which has uniformly been attended to in the Mugh corps.

Their conduct in cantonments, though sometimes irregular, is certainly not to be compared to what their dispositions are prone to when not curbed or awed by military discipline.

The local duties, treasury guards, &c. throughout the province, may be entrusted to the Mugh corps, though for this purpose an increase would be required of six companies to the present establishment; each company to consist of 1 cubidar, 1 jemadar, 5 havildars, 5 naicks, 2 buglers, 80 sepoy, 1 classees, 1 dobash. The companies, as they at present stand, are too unmanageable, and have too great a disproportion of non-commissioned officers. The conduct of the men is better inquired into, when a proportionate number of the latter are attached to companies.

The natives of Sundowah and Kyouk Phyou, I have already ascertained, object to leaving that part of the province, to enlist as soldiers; at the same time, I would repair from the towns of the Akyab and Arrakan for the additional companies, unless a proportion of Munnipoorees can be obtained, (of which there is not the least doubt). The latter class of natives appear to me to be much smarter, and more intelligent, than the Mugh; but this opinion may arise from the facility with which they speak and understand the common language of Hindoostan.

In submitting the above information on the subject of the natives of Munnipoor attached to the Mugh corps, it is my duty to state, that I have questioned every man present at head quarters on the matter contained in your letter, and their statements corroborating so minutely, I have tendered my reply as a general feeling emanating from themselves.

I avail myself of the present opportunity of reporting, that there are Mugh sepoy now in the corps who acknowledge themselves to be "slaves," and I have to solicit your orders for their being removed from the service.

(signed) *Robert Innes Delamain, Capt. 66th Regiment,*
in charge of the Mugh Corps.

No. 86.

DESCRIPTIVE ROLL of Native Non-commissioned Officers and Sepoy (Munneepooreans) attached to the Mugh Corps.—
Akyab, Arracan, 10 October 1831.

No.	RANK and NAMES.	Caste.	Present Age.	Height.	Town and Province.	Date of Enlisting in the Mugh Corps.	Date of Promotion.		REMARKS.
							Naick.	Havildar.	
	HAVILDARS:		Yrs.	Ft. In.					
3	Chuinrepowai	Chuttrie	30	5 6 $\frac{1}{2}$	Munnipoor	1 Dec. 1829	29 Mar. 1829	19 June 1829	-- These men served in the Mugh levy, and were enlisted in 1824.
	Reifosai	Chittree	29	5 4 $\frac{1}{2}$	ditto	—	—	—	
	Lasoo	ditto	29	5 5 $\frac{3}{4}$	ditto	—	19 June 1829	14 Sept. 1831	
	NAICKS:								
6	Anytioule	ditto	28	5 3 $\frac{1}{2}$	ditto	—	—	—	
	Chaindoong	ditto	29	5 4 $\frac{1}{2}$	ditto	—	—	—	
	Mongpive	ditto	31	5 7	ditto	—	1 Dec. 1829	—	
	Rhopwai	ditto	29	5 3 $\frac{1}{2}$	ditto	19 Dec. 1829	19 Mar. 1831	—	
	Rhopouny	ditto	27	5 6 $\frac{1}{2}$	ditto	1 Dec. 1829	22 Sept. 1831	—	
	Gnunnee	ditto	27	5 1 $\frac{1}{2}$	ditto	1 Sept. 1828	14 Sept. 1821	—	
	SEPOYS:								
5	Ongewai	ditto	30	5 2 $\frac{1}{2}$	ditto	19 Dec. 1829	—	—	
	Praigwai, 1	ditto	30	5 —	ditto	—	—	—	
	Romachai, 1	ditto	33	4 11	ditto	—	—	—	
	Praigwai, 2	ditto	31	5 1 $\frac{3}{4}$	ditto	—	—	—	
	Thoongai	ditto	29	5 2 $\frac{1}{2}$	ditto	—	—	—	
	Romachai, 2	ditto	28	5 3	ditto	—	—	—	
	Gnaproo	ditto	26	5 3 $\frac{1}{2}$	ditto	—	—	—	
	Kungtee	ditto	30	5 6 $\frac{1}{2}$	ditto	—	—	—	
	Praigwai, 3	ditto	26	5 2	ditto	—	—	—	
	Mongjain	ditto	23	5 —	ditto	—	—	—	
10	Lelando	ditto	26	5 5 $\frac{1}{2}$	ditto	—	—	—	
	Sangalee, 1	ditto	32	5 1 $\frac{3}{4}$	ditto	—	—	—	
	Sangalee, 2	ditto	26	5 2 $\frac{3}{4}$	ditto	—	—	—	
	Gnoiamee	ditto	24	4 11	ditto	—	—	—	
	Mongpro	ditto	24	5 2 $\frac{3}{4}$	ditto	—	—	—	
	Tymaakee	ditto	24	5 3 $\frac{3}{4}$	ditto	—	—	—	
	Changhairo	ditto	23	5 2 $\frac{1}{2}$	ditto	—	—	—	
	Sungolee, 3	ditto	24	5 2 $\frac{3}{4}$	ditto	—	—	—	
	Praigwai, 4	ditto	25	5 2 $\frac{3}{4}$	ditto	—	—	—	
	Rhapwai, 1	ditto	27	5 4 $\frac{1}{2}$	ditto	—	—	—	
20	Dhonaping	ditto	32	5 2	ditto	—	—	—	
	Rhapwai, 2	ditto	28	5 3 $\frac{1}{2}$	ditto	—	—	—	
	Rhapwai, 3	ditto	27	5 3 $\frac{1}{2}$	ditto	—	—	—	
	Rhapwai, 4	ditto	31	5 4 $\frac{1}{2}$	ditto	—	—	—	
25	Putroping	ditto	22	5 —	ditto	—	—	—	
	Kongmassien	ditto	24	5 2 $\frac{1}{2}$	ditto	—	—	—	
	Moonsie	ditto	24	5 —	ditto	—	—	—	

AND MEASURES TAKEN FOR ITS ABOLITION.

51

No.	RANK and NAMES.	Caste.	Present Age.	Height.	Town and Province.	Date of Enlisting in the Mugh Corps.	Date of Promotion.		REMARKS.
							Naick.	Havildar.	
			Yrs.	Ft. In.					
	Ongtaing -	Chittree -	23	5 4	Munnipoor	19 Dec. 1829	-	-	} -- These men served in Bayler in Mugh levy, and enlisted in 1827.
	Raignah -	ditto -	24	5 2 ½	ditto -	—	-	-	
30	Maignah, 1 -	ditto -	25	5 4 ¾	ditto -	—	-	-	
	Konybong -	ditto -	24	5 4 ½	ditto -	9 Oct. 1829	-	-	
	Praigwai, 5 -	ditto -	24	5 - ½	ditto -	—	-	-	
	Chamdaboo -	ditto -	26	5 4	ditto -	—	-	-	
	Praigwai, 6 -	ditto -	24	5 - ½	ditto -	—	-	-	
35	Rhapwai, 5 -	ditto -	22	5 2	ditto -	12 Oct. 1829	-	-	
	Ongolak -	ditto -	20	5 6	ditto -	6 Nov. 1829	-	-	
	Gowrai -	ditto -	21	5 3 ½	ditto -	14 Nov. 1829	-	-	
	Churangavah -	ditto -	22	5 5	ditto -	25 Nov. 1829	-	-	
	Kongehara, 1 -	ditto -	25	5 2	ditto -	—	-	-	
40	Praigwai, 7 -	ditto -	20	5 3	ditto -	4 Jan. 1830	-	-	
	Pootwyn -	ditto -	22	5 1	ditto -	—	-	-	
	Twynlah -	ditto -	19	5 1	ditto -	—	-	-	
	Yamina -	ditto -	32	5 2 ½	ditto -	5 Jan. 1830	-	-	
	Onghyree -	ditto -	17	5 2 ½	ditto -	—	-	-	
45	Gnanew -	ditto -	26	5 3 ½	ditto -	23 Jan. 1830	-	-	
	Sangalee, 4 -	ditto -	19	5 4	ditto -	9 Feb. 1830	-	-	
	Koleshan -	ditto -	18	5 2	ditto -	—	-	-	
	Romachai, 3 -	ditto -	21	5 4	ditto -	17 Feb. 1830	-	-	
	Twynbowai -	ditto -	21	5 7	ditto -	23 Feb. 1830	-	-	
50	Mongjim -	ditto -	24	5 3 ¾	ditto -	28 Feb. 1830	-	-	
	Romachai, 4 -	ditto -	24	5 3	ditto -	8 Mar. 1830	-	-	
	Doonyshoe -	ditto -	16	5 - ½	ditto -	25 Mar. 1830	-	-	
	Maignah, 2 -	ditto -	21	5 1	ditto -	26 June 1830	-	-	
	Rhapwai, 5 -	ditto -	31	5 2 ¾	ditto -	11 Sept. 1830	-	-	
55	Mongproi -	ditto -	21	5 1	ditto -	—	-	-	
	Ongewai -	ditto -	24	5 2 ½	ditto -	27 Sept. 1830	-	-	
	Kongbong -	ditto -	23	5 5	ditto -	4 Oct. 1830	-	-	
	Kongchairnee -	ditto -	27	5 5 ½	ditto -	14 Oct. 1830	-	-	
	Konglah -	ditto -	22	5 2 ¾	ditto -	19 Jan. 1831	-	-	
60	Kibjain, 1 -	ditto -	25	5 2 ½	ditto -	21 Apr. 1831	-	-	
	Kibjain, 2 -	ditto -	22	5 4 ½	ditto -	17 June 1831	-	-	
	Kongchain, 2 -	ditto -	20	5 7	ditto -	23 Sept. 1831	-	-	
	Krabong -	ditto -	19	5 5	ditto -	—	-	-	

(signed) James Duff, Lieut.-Col.,
Adjutant.

(signed) R. J. Delamain, Captain 66th Regiment,
in charge Mugh Corps.

Ordered, that copy of the following letter be addressed to the Secretary to the Governor-General, transmitting therewith copy of the above despatch from the Commissioner in Arracan.

From Mr. Chief Secretary Swinton to the Secretary to the Governor-General.—
(28th October 1831.)

No. 87.

Sir,

IN continuation of the subject of my letter to you of the 14th instant, I am directed to transmit to you, for the consideration of the Right honourable the Governor-General, the enclosed copy of the despatch from the Commissioner in Arracan, dated the 18th instant, in reply to the instructions of the 16th ultimo, relative to the state of slavery in which the Munneepoorean sepoy of the Mugh Sebundy corps were supposed to be.

Fort William, 28 October 1831.

(signed) Geo. Swinton,
Chief Secretary to Government.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 11 November 1831.

From N. J. Halhed, Esq., Commissioner at Chittagong, to Mr. Chief Secretary Swinton.—
(31 October 1831.)

No. 28.

Sir,

IN continuation of my letter of the 18th instant, I have the honour to submit, for the consideration of Government, the reply of Captain Delamain to the questions put to him in my letter of 18th instant, regarding the strength of the detachments to be posted in the districts

Guards	Sentry.		—	Total.
	Day.	Night.		
Treasury - -	4	5	4	20
Gaol - - -	5	9	4	36
Kutcherric - -	1	1	4	4
	10	15	—	60
Detached duties - - -				20
				80
Reliefs, say - - - -				20
TOTAL - - - -				100

To which is to be added, 1 soobehdar, 2 jemadars, 5 havildars, and 6 naicks.

Proposed Strength of Outposts in Sandewai.					
POSTS.	Soobadars.	Jemadars.	Havildars.	Naicks.	Sepahees.
Alleygeyoor - -	1	-	2	2	24
Kerozee - - -	-	-	1	1	12
Thabugree - -	-	-	1	1	12
Koolootogah - -	-	1	1	1	16
Goa - - - -	-	1	1	1	16
Kingtelli - - -	-	-	1	1	12
	1	2	7	7	92
Treasury, gaols and Kucheree guard -	-	1	4	4	60
Relief - - - -	1	1	2	2	48
	2	4	13	13	200

tricts of Sandoovie and Raunbee on the withdrawal of the regular troops, and also with reference to the Mugh slave debtors now in the corps.

2. Captain Delamain does not appear to have allowed for the gaol guard at Raunbee, and the circumstances which will render it necessary to have two detachments on duty in the interior.

3. The gaol, kutcherric and treasury duties will require, I should think, at least 60 men, as per margin; detached duties, 20 more. A relief should be available; say 20 men. The Raunbee detachment will not be found too strong if it is limited to 100 sipahees.

4. The detachment duties in the Sandewai district are now heavy, and there are not a sufficient number of men at any of the posts, as will be evident on considering the return enclosed in Captain Delamain's letter with reference to the actual exigencies of the service, and the near vicinity of, I may say, a hostile frontier, adverting to the disposition, habits, and character of the people residing east of the Yeomadony range.

5. The outposts ought to be of the strength noted in the margin. One at Kingtelli is actually necessary, that place being situated to the southward, and more out of the view of the civil authority than any other one. Revolt (a petty one indeed) has already been concocted in that quarter, into which the police were seduced; and if European officers of a liberal education are allowed to the corps, one ought to be in general posted there. The gaol, treasury, and kucheree guards should be at least on the scale proposed for Raunbee, or 60 men; and there should be at least 48 men disposable for a relief at the Lude station, so far distant as it is from all military aid and support.

6. With reference to the Mugh slaves in the corps, five only appear to admit the fact of their state of bondage. Captain Delamain has been desired to enter into further inquiries, the result of which will be made known.

7. I am sorry that I have not yet been favoured with Captain Dickinson's sentiments on the subject under reference; though copies of the several communications received from you have been forwarded

to him, but his absence on circuit duties accounts for the delay.

8. There appear some discrepancies in the statements given by Captain Delamain and Lieutenant Boscawen, the first officer mentioning that a few only of the Munneepoories were slaves, and the latter affirming that all of them were so. I certainly was aware that some of the Munneepoories were slave debtors, but never could have supposed the whole body to have been so; and Lieutenant Boscawen never once stated anything of the sort to me, though under the circumstances in which we are placed, I think Government will decide he ought to have done so on the earliest opportunity.

9. I beg to state, that in my humble opinion it would be highly desirable to begin recruiting as soon as possible, if it is intended that the corps should be increased. The season for entering upon foreign speculations, jurnies, and mercantile arrangements, has arrived, and many persons who would willingly enter the service before taking other employment, will not be disposed to relinquish pursuits in which they have engaged.

(signed) *N. J. Halted.*

Commissioner's Office, Chittagong,
31 October 1831.

No. 29.

From Captain *R. J. Delamain* to *N. J. Halted, Esq.*, Commissioner of Chittagong.—
(25 October 1831.)

Sir,

THE detachment on duty at Ramrie is furnished by the 66th regiment, and I believe consists only of one havildar, one naick, and twelve sepoy; but I think a native officer's post would be required, if furnished by the Mugh corps, which would consist of one soobehdar or jemadar, two havildars, two naicks, and forty sepoy.

The post of Sandoweh would take a complete company; also one company for the duties of the district.

There are no Munneeporee sepoy in the corps who now pay any portion of their receipts to persons who brought them up.

I fear you will consider the enclosed document affords but little information on the subject of Mugh sepoy, who acknowledge themselves to be slaves; but, such as it is, I have had some difficulty in preparing it, in consequence of the apprehension the men are now under of being struck off from the service.

There is no document whatever that I can discover in the regimental office that can give me the smallest information as to the owners' names, place of residence, original purchase-money, or cash in part paid; but I shall constantly make inquiry, and report to you from time to time (if requisite) the result.

After a sepoy has released himself from slavery by discharging his debt as bondman, I am of opinion he is in every other respect qualified for the service.

I have

I have the honour to forward a return of the detachment of the Mugh corps on duty at Sandoweh and its district. E. I. Company and Board of Control. (Documents.)

And am, &c.

(signed) *R. J. Delamain,*
Captain, in charge Mugh Corps.

Akyab, Arracan, 25 Oct. 1831.

Return of a Detachment of the Mugh Corps on duty at Sandoweh and its District.

No. 30.

	Soobadars.	Jemadars.	Havildars.	Naicks.	Buglers.	Sepoys.
At Sandoweh - - -	1	-	-	1	-	25
At Alleygyoo - - -	-	1	-	1	-	18
At Keozee - - -	-	-	1	-	-	11
At Thabazree - - -	-	-	2	-	-	12
At Kulatogah - - -	-	-	1	1	-	11
At Goa - - -	-	-	-	-	-	9
TOTAL - - -	1	1	4	4	-	86

(signed) *R. J. Delamain,*
Captain, in charge Mugh Corps.

Akyab, Arracan, 25 Oct. 1831.

No. 31.

ROLL of MEN in the Mugh Corps who acknowledge themselves Slaves.—Akyab, Arracan, 25 October 1831.

No.	RANK and NAME.	Caste.	Age.	Height.	Village or Town.	Province.	Date of Enlisting.	Owner's Name.	Where Resident.	Sum demanded by Owner.	Amount paid by Owner.	Balance still Due.	Remarks.
			Yrs. Ms.	Ft. In.						£.	£.	£.	
6	SEPOYS												
	Kolah -	Mugh	31 -	5 3½	-- Leymroo-Keony.	Arracan -	Nov. 1825	Thootavug	Cox's bazaar	60	12	48	
	Brewch -	ditto	33 -	5 ¼	Peynein -	ditto -	April 1826	Unknown	- - -	-	unknown	-	These men are all on command.
	Chaingawah	ditto	33 -	5 2	Akyab -	ditto -	Oct. 1829	Haddoo -	- in gaol, Calcutta.	-	unknown	-	
	Yaxai -	ditto	23 -	5 1	Akyab -	ditto -	11 Feb. 1830	Thootavug	Cox's bazaar	-	unknown	-	
	Ongbong -	ditto	20 -	5 2	Akyab -	ditto -	12 -	Tyngrobe	deceased -	-	unknown	-	
	Gowrai -	ditto	27 -	5 6	Krapehain -	ditto -	28 -	-	-	-	unknown	-	

(signed) *James Duff, Lt.*
Adjutant.

(signed) *R. J. Delamain,*
Captain, in charge Mugh Corps.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 25 November 1831.

From Mr. Secretary *Prinsep* to Mr. Chief Secretary *Swinton*.—(2 November 1831.)

No. 6.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 16th ultimo, on the subject of his Lordship's Minute of the 23d August last relative to the Mugh corps, and in reply to state, that the sentiments of the Vice-president in Council being in accordance with those of the Governor-General on most of the points referred to, and it being the intention of his Honour in Council to issue the necessary instructions to carry what is proposed into effect, no further observations on these points are required.

2. The state of bondage in which the Munneepoor men enlisted in the Mugh corps have hitherto been retained has been made the subject of inquiry, and the Vice-president in Council will decide upon the course to be taken in respect to them according to the result. The increase of the Mugh corps, and its being organized as other local corps, appear to have been ordered. With respect however to the attachment of officers to it not of the regular service, and the recommendation of those discharged lately from the Nagpoor establishments, the Governor-General requests to be furnished with a list of those who stand in this position.

3. The experimental establishment of a post at Tek-naf, and the survey of the Koladyne so far as it may be navigable, are points in respect to which the Vice-president in Council is requested

E. I. Company and Board of Control. requested to issue the necessary orders to give effect to the views in which the Vice-president in Council states his concurrence.
(Documents.)

The Governor-General concurs in the appointment of Lieutenant Duff to the latter duty.

Camp Nowagaon, 2 November 1831.

(signed) *H. T. Prinsep*,
Secretary to Governor-General.

Ordered, That the following letter be addressed to the Secretary to the Governor-General, furnishing him with a copy of the list of local officers discharged from the service of the Rajah of Nagpoor, recorded in the Political Consultations of the 5th February, No. 26.

No. 7. From Mr. Chief Secretary *Swinton* to Mr. Secretary *Prinsep*.—(25 November 1831.)

Sir,

I AM directed to acknowledge the receipt of your despatch of the 2d instant, in reply to my letter of the 16th September last, conveying the sentiments of the Vice-president in Council on the several points in the Minute of the Right honourable the Governor-General of the 23d August, relating to the augmentation of the Mugh corps, and other matters connected with the affairs of Arracan, on which his Lordship desired to receive the opinion of his Honour in Council.

2. Some misapprehension appears to have occurred as to the intent of my letter of the 16th September above referred to, which was merely to intimate the sentiments of the Vice-president in Council on the points on which his opinion had been asked, and not, as supposed in your letter under acknowledgment, to state the intention of the Vice-president in Council to issue the necessary instructions to carry into effect the measures suggested by his Lordship, in the expediency of which his Honour in Council has concurred.

3. Under the belief that the Right honourable the Governor-General would take into his consideration the time and manner of effecting the contemplated arrangements for the augmentation of the Mugh corps, and other matters referred to, the Vice-president in Council directed the despatches from the Commissioner, dated the 18th and 31st October, to be transmitted to his Lordship with regard to his final decision on the point in question.

Orig.

4. The only point on which the Vice-president in Council deemed it necessary to issue orders was that relating to the survey of the Koladyne River by Lieutenant Duff, who has, and we declined to undertake the duty, on which subject I addressed a letter to you under date the 11th instant, enclosing a copy of a despatch from Mr. Halhed, proposing the employment of another individual, and submitting the question for his Lordship's consideration and orders.

5. With regard to the Munneepooree sepoy in the Mugh corps who were supposed to be in a state of slavery, the Vice-president in Council is of opinion, that the result of the inquiries which have been made shows that these individuals cannot be considered to be slaves, and proposes, with his Lordship's concurrence, to make a communication to that effect to the Commissioner.

6. With reference to the subject of the second paragraph of your letter, I am directed to state, that we already observed, no orders have been issued for the increase of the Mugh corps, or its organization as other local corps; but the Vice-president in Council will of course be prepared to issue the necessary orders on being apprized of the extent of the increase which, under a consideration of the reports from Mr. Halhed, under the call made on that gentlemen by my letter of the 16th September, his Lordship may finally decide to be expedient. A list of the local officers lately discharged from the service of the Rajah of Nagpoor, as taken from the lists submitted by the Resident, is herewith transmitted, in conformity with the Governor-General's request conveyed in the second paragraph of your letter above adverted to; but I am directed to observe, that in alluding to that class of officers, the Vice-president in Council did not intend to recommend their nomination to the Mugh corps in preference to officers taken from the line, but merely to intimate, that if his Lordship approved of employing any of them in the manner proposed, an opportunity were offered.

7. With regard to the third paragraph of your letter, the Vice-president in Council, considering all the proposed arrangements as being in the course of discussion, did not understand that he was expected to issue immediate orders for the experimental establishment of a post at Tek-nauf, but the subject will now be taken into consideration in the military department with a view to give effect to that measure.

Fort William, 25 November 1831.

(signed) *G. Swinton*,
Chief Secretary to Government.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 25 June 1832.

No. 24. From *C. P. Kennedy*, Esq., Principal Assistant at Subathoo, to *W. H. Macnaghten*, Esq., Secretary to the Governor-General, Simlah.—(22 May 1832.)

Sir,

I HAVE the honour to submit to you the accompanying petition, presented to me by one of the bazar women, named Peroo, belonging to Subathoo, which sets forth that the purchase

chase or sale of women is understood to be prohibited within the protected states, on this side of the Sutledge River; that the chiefs and their ryots across the frontier are in the habit of selling them; and that the Rajah of Mandie has just now several for sale, and requests my leave to buy one from him.

2. As no distinct orders have been promulgated within these states prohibiting the traffic in human beings, which I apprehend exists; and as annually a number of female children are carried to the plains for the purpose of prostitution, I beg leave to submit the propriety of issuing a Government notification to the chiefs, and to hold them responsible for any infringement of the orders, either in alluring children to be sold or carried into their states for the purpose of exportation.

Principal Assistant's Office, Shimla,
22 May 1832.

(signed) *C. P. Kennedy,*
Principal Assistant.

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Board of Control.
(Documents.)

From *W. H. Macnaghten, Esq.,* Secretary to the Governor-General, Shimla, to *C. P. Kennedy, Esq.,* Principal Assistant at Subathoo.—(24 May 1832.)

No. 25.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 22d instant, submitting a petition from Peeroo, a bazar woman of Subathoo, soliciting permission to purchase a female from the Rajah of Mandee.

2. In reply, I am desired to acquaint you, that it would have been sufficient on this occasion had you informed the petitioner that the purchase which she contemplated must be considered as illicit by the British authorities, and that any restraint or other act of ownership attempted to be imposed by her on the female purchased with the design avowed by her, would not only not be supported, but that she would thereby subject herself to penalty. A knowledge of the course of proceeding which the authorities will adopt on such occasions would be sufficient, his Lordship observes, to deter from the practice of purchasing females with a view to their prostitution, without recourse to the promulgation of a prohibition in an independent state to the effect you propose.

Shimla, 24 May 1832.

(signed) *W. H. Macnaghten,*
Secretary to the Governor-General.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 13 August 1832.

From *A. Lockett, Esq.,* Agent to the Governor-General for States of Rajpootana, to *W. H. Macnaghten, Esq.,* Secretary to the Governor-General.—(30 June 1832.)

No. 25.

Sir,

I HAVE the honour to transmit to you, for the information of the Right honourable the Governor-General in Council, the enclosed copy of a letter from the political agent at Kotah.

2. The traffic in female slaves at Kotah, as brought to notice by Captain Ross, is common I believe in every part of Rajpootana, as well as Malwa, and it would be truly desirable to put it down, if the thing were possible; but I confess I know not well how so desirable a measure could be accomplished.

3. Something, however, might possibly be effected by advice and admonition; and should his Lordship be of this opinion, and sanction any interference on my part, a favourable opportunity will occur during my projected tour to the different states of Rajwarra, when I could communicate personally with the several princes and chiefs on the subject, in a friendly and confidential manner, and explain to them the motives which induce the British Government to bring the subject to their serious notice, and the principles of justice and humanity which ought to influence every civilized state to unite in abolishing so disgraceful a traffic.

Rajpootana Agency, Ajmere,
30 June 1832.

(signed) *A. Lockett,*
Agent to Governor-General.

From *R. Ross, Esq.,* Political Agent, Hurrowtee Agency, Kotah, to *A. Lockett, Esq.,* Agent to the Governor-General, Ajmere.—(22 June 1832.)

Sir,

IN transmitting the diary of this agency for the past week, I beg leave to draw your attention to the entries, dated 16th and 21st instant, under the head "Occupation of the Princes," whereby the Maha Rao of Kotah is represented as giving orders to a burda-furosh, or slave-dealer, to proceed to Marwar to purchase four female slaves.

2. This mode of supplying the gunnahs of chiefs and other wealthy individuals, which obtains more or less, I believe, throughout Rajwarra, is, I am sorry to say, very prevalent in Hurrowtee. In Boondee, in particular, a great number of the burda-furosh class reside; and both there and at Kotah the traffic they carry on by the import of slaves from other parts of the country is an avowed and considerable source of revenue.

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3. It is to be feared that a large proportion of those thus consigned to foreign slavery are kidnapped, that being the cheapest mode of obtaining them; and it must therefore be obvious that the employment and protection of the burda-furosh class is calculated to carry either actual or apprehended distress into every village throughout the tract in which they prosecute this detestable traffic, a tract which comprises not only the whole of Rajpootana and Malwa, but extends through Guzerat to the sea.

4. I do not find that any communication on this subject has ever passed between the political agent here and the Hurrowtee durbars; and it is certainly a grave question whether any effectual interference in the matter could be exerted without greatly disgusting the chiefs who employ and harbour the slave-dealers. But the conciliation of these chiefs, though a highly important and desirable object, is not a paramount duty, if, to wave all reference to their own subjects, it can be effected only by conniving at the calamities they inflict on the subjects of other states under our protection.

5. It might probably be thought time enough to consider and provide against such calamities when applied to for the purpose by the rulers of the states which suffer from them. I could not, however, allow the record in the diary to go forth from this office without comment; and to your superior judgment, and to the wisdom of Government, I now commit the rest.

Hurrowtee Agency, Kotah,
22d June 1832.

(signed) R. Ross,
Political Agent.

No. 26.

From *W. H. Macnaghten*, Esq., Secretary to the Governor-General, Shimla, to *A. Lockett*, Esq., Agent to the Governor-General, Rajpootana.—(9 July 1832.)

Sir,

I AM directed by the Right honourable the Governor-General to acknowledge the receipt of your letter dated the 30th ultimo, with reference to the practice alleged to prevail of buying and selling females as slaves in Rajpootana and Malwa, together with its enclosure from the political agent at Kotah.

His Lordship fully concurs in the view which you have taken of this question. You say that it would be truly desirable to put down the traffic if possible, but that you know not well how so desirable a measure could be accomplished. Divested, as his Lordship understands this traffic to be, of all the cruel features which characterized the African slave trade, still there is abundant reason to justify every practicable effort that could be made for its suppression. In a cause so interesting to humanity, his Lordship would not hesitate to sanction any measure to which recourse could be had consistently with the preservation of good faith; but we could not interfere authoritatively to effect the discontinuance of this practice without violating the natural independence which we are pledged to uphold.

Regretting, as his Lordship sincerely does, that a regard for existing treaties, whereby we are bound to refrain from interfering with the internal economy of our allies, must prevent him from sanctioning any proceeding on your part which could bear the appearance of dictation; yet he desires me to acquaint you, that he can see no objection to your availing yourself of any favourable opportunity that may occur of pointing out, in a friendly and confidential manner, to any of the princes and chiefs to whom you are accredited, the manifold evils which a traffic in slaves must entail on the subjects of their own and neighbouring states; the baneful and demoralizing influence of such a system in any country where it prevails, and the credit which it would attach in the estimation of the British Government to any ruler who should prohibit the traffic within his own dominions.

The above observations, of course, presume the traffic to be confined to independent territories; though, if any instance should come to your notice of children being kidnapped from the British territories, with a view of being disposed of by sale in a foreign country, his Lordship will be prepared, on being furnished by you with the particulars, to authorize your making such a remonstrance as may be calculated to prevent a repetition of the grievance.

Shimla, 9 July 1832.

(signed) *W. H. Macnaghten*,
Secretary to the Governor-General.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 24 September 1832.

No. 24.

From *A. Lockett*, Esq., Agent to the Governor-General, Rajpootana, to *W. H. Macnaghten*, Esq., Secretary to the Governor-General, Shimla.—(11 August 1832.)

Sir,

I HAVE the honour to transmit to you, for the purpose of being submitted to the Right honourable the Governor-General, the accompanying copy of a letter to my address, dated the 6th instant, from the acting political agent at Kotah, relative to another instance of traffic in slaves.

2. It appears from this letter that a female child had been lately purchased by a soobadar, in the service of the Maha Rao, for the sum of rupees 125. The father of the girl, who is a gardener in Mewar, proceeded to Kotah, presented himself to the Maha Rao, and pleaded for the restoration of the child. The Maha Rao agreed to cause her to be restored on condition

dition that the purchase-money was refunded. This the father agreed to, but afterwards applied to the Raj Rana to recover the amount from the individual who had sold his child, he being still at Kotah. The Raj Rana accordingly had the slave-dealer apprehended, and issued orders for his being kept in confinement until such time as he should refund the money. This the man agreed to do, but would only acknowledge having received 80 rupees for the child, whereas the soobadar declared that he had paid to him the sum of 125 rupees, for which amount the Maha Rao sued, while the Raj Rana insisted on not urging the slave-dealer to refund more than 80 rupees, which he had received.

3. The case was referred to the acting political agent by the Maha Rao, who requested that he would use his influence to induce the Raj Rana to refund the amount specified by the soobadar, as having been actually paid for the child. Now as the agent's interference was here openly solicited, I am of opinion he might, with propriety, have requested an audience with both the Maha Rao and Raj Rana, and pointed out to them, in friendly but strong terms, the true nature and character of this inhuman traffic, and the motives and principles which ought to influence every respectable chief in every part of the country to discourage it to his utmost. The arguments used by Mr. Corbett to the vakeel against the practice were not, I am afraid, such as would have most effect with the two chiefs of Kotah, namely, that it was at "utter variance with the feelings and laws of the British Government," for many other long-established customs are objectionable on the same grounds. It would perhaps have had more effect to have appealed to their own generosity and feelings of compassion on the occasion; to have entreated them to think of the feelings of the poor miserable parents, when deprived suddenly of their child, perhaps their only child, and of the feelings of that helpless child itself, torn by violence from its natural protectors, and sold for a trifle to an utter stranger in a foreign state. He might have adverted to the disgrace and inhumanity of such a practice, to the numerous serious evils flowing from it, one of which was to demoralize, to brutalize the human heart; and having dwelt on those evils, in a manner calculated to make an impression on their minds, to have concluded by entreating them to add the weight of their high characters to discontinue, and, if possible, to abolish for ever, the practice in Kotah.

Rajpootana Agency, Ajmere,
11 August 1832.

(signed) *A. Lockett*,
Agent to Governor-General.

From *J. Corbett*, Esq., Acting Political Agent, Kotah, to *A. Lockett*, Esq., Agent to the Governor-General, Rajpootana.—(28 July 1832.)

Sir,

I HAVE the honour to acknowledge your letter of the 21st instant, transmitting copy of your despatch to Government, and the reply of Mr. Secretary Macnaghten thereto, relative to the traffic in slaves as practised in Rajpootana.

2. Previous to receipt of your despatch, as above acknowledged, a very favourable opportunity occurred for communicating to the Maha Rao my sentiments on the subject of this infamous traffic.

3. By the daily akhbars I had been made aware of a warm correspondence going on between the Maha Rao and Raj Rana, relative to the case of a female child who had been purchased by a soobadar in the service of the former, and subsequently claimed by her parents, who had traced her to Kotah. It appeared that, on the father of the girl (who is a gardener belonging to Meywar), presenting himself before the Maha Rao, and pleading for the restoration of his child, the Maha Rao agreed to restore her on the assurance of the purchase-money being refunded; this the father guaranteed, and afterwards applied to the Raj Rana to recover the amount from the person who had sold his infant, he being still at Kotah. On this application the Raj Rana had the slave-dealer apprehended, and issued orders for his being kept in confinement, until such time as he should refund the money; this the man at once agreed to do, but would only acknowledge having received 80 rupees for the child; whereas the soobadar declared that he had paid to him the sum of 125 rupees, for which amount the Maha Rao now sued; while the Raj Rana persisted in not urging the slave-dealer to refund more than 80, which he said he had received.

4. On the above altercation, reference was made to me by the Maha Rao, through his vakeel, requesting that I would interfere to induce the Raj Rana to oblige the slave-dealer to refund the amount specified by the soobadar as having been paid for the child.

5. On this reference being made, I at once told the vakeel that I would not interfere in the case; that the Maha Rao's soobadar might recover the money as he best could; and that I should even feel ashamed in having to place such a reference on the records of this office. After a good deal of explanatory conversation, as to our abhorrence and restrictions of the slave-trade, I further told the vakeel, that if I were to interfere in such a case, it could only be in the form of friendly advice to the Maha Rao to endeavour to dissuade him from encouraging a system so detestable, and one at utter variance with the feelings and laws of the British Government, both in this country and in England.

6. I am aware that the tenor of the above conversation was pretty correctly reported to the Maha Rao, and has since reached the Raj Rana; but whether any satisfactory result may accrue from it is doubtful. I shall certainly, however, lose no favourable opportunity for reminding these people, in the manner pointed out, of the sentiments of the Governor-

E. I. Company and Board of Control. (Documents.) General on this subject ; and am happy to find that those which I expressed on the late reference are so much in accordance with his Lordship's, as well as your own.

Harowtee Agency, Kotah,
28 July 1832.

I have, &c.
(signed) *J. Corbett*,
Acting Political Agent.

No. 25. From *W. H. Macnaghten*, Esq., Secretary to the Governor-General, to *A. Lockett*, Esq., Agent to Governor-General, Rajpootana.—(20 August 1832.)

Sir,

IN reply to your letter dated the 11th instant, with its enclosure from the acting political agent at Kotah, I am directed to observe, that no favourable opportunity ought to be omitted of impressing upon the native authorities the abhorrence with which the slave trade is regarded by the British Government, and its repugnance to humanity.

Shimla, 20 August 1832.

(signed) *W. H. Macnaghten*,
Secretary to the Governor-General.

No. 26. From *R. Cavendish*, Esq., Resident, Gwalior, to *W. H. Macnaghten*, Esq., Secretary to the Governor-General.—(28 July 1832.)

Sir,

I HAVE the honour to transmit copy of a letter from the acting magistrate, of the 27th ultimo, a translation of which was forwarded to the durbar, with transcript of my reply ; and I have the satisfaction of reporting the issue of the orders for the prohibition of the slave-trade in the Gwalior dominion, and for the release of 65 slaves, of whom nine were made over to me, being subjects of the Honourable Company, and four others belonging to our allies shall be forwarded on application.

2. Extracts from our newspapers, and translations of my congratulatory letters, are herewith transmitted for his Lordship's information.

3. I shall continue to watch and report the progress and success of her Highness's measures, and to encourage her and the prime minister's zeal in so good a cause. It is unnecessary to remark, that they will be opposed by all the influential characters at the court.

Gwalior Residency, Dhoulpoor, 28 July 1832.

(signed) *R. Cavendish*, Resident.

From *C. G. Mansel*, Esq., Magistrate, to *R. Cavendish*, Esq., Resident, Gwalior.—
(27 June 1832.)

Sir,

IN the month of April last a chumar, by name Bhowany, of Tora, in the zillah of Agra, inveigled his wife, Mussumat Nundoh, into the Gwalior territory, and sold her to a dullol in Pukapoorah, from whence she was subsequently purchased by a burda-furush of Gwalior, by name Ramfull ; she is now, indeed, stated to be in the chubootorch of the bazar of Balaboy for sale on his account.

As the sale, even of a wife, is deemed a misdemeanor under any circumstances, and a heinous criminal offence when the woman's state becomes actual slavery in a foreign country, the husband has been brought to trial in the present instance ; the poor woman, however, is still in bondage ; and I should feel truly obliged if, by your kind offices with the Durbar, she could be restored to her relations. The bearer would be happy to take charge of her.

Zillah Agra, Foujdarry Adawlut, 27 June 1832.

(signed) *C. G. Mansel*, Magistrate.

(True copy.)

(signed) *R. Cavendish*, Resident.

From *R. Cavendish*, Esq., Resident, Gwalior, to *C. Mansel*, Esq., Magistrate.

Sir,

I HAVE the honour to forward to you the woman mentioned in your letter of the 27th ultimo, under charge of the burkundaize.

Gwalior Residency, Dhoulpoor, 25 July 1832.

(signed) *R. Cavendish*, Resident.

Translation of an Extract from the Gwalior Akhbar, dated 13 July 1832.

RAOJEE TRIMBUCK stated to the Bye that there were a great number of slave-dealers residing in the camp, and that they enticed away children and women, old and young, and sold them openly in camp. This, Raojee added, was highly improper, and brought great discredit on the Raj, and that the British authorities were bent on putting a stop to such practices. The Bye ordered him to make some arrangement ; accordingly, about 20 slave-dealers

dealers residing in the Government bazar, and in the bazars of Hindoo Rao Appa Putunker, the Bala Bye Jay Sing Bhow, and others have been found. Out of these, two residing in the Government bazar have been seized; the rest have run away, and, being protected by different sirdars, have concealed themselves. The two who have been seized state that Vikhey Ram Cotwal employed them in this disgraceful work, and that they are his servants; that they enticed their victims away from different places; that they usually sold them in the bazar, and gave the money to the Cotwal, who paid them out of it their wages, keeping the remainder for himself. They likewise stated that there were about 28 young women and children shut up in the house of Poora Dullol. Raojee sent people to secure the above; but the dullol, hearing of his intentions, concealed them in different places; six only were found and released. Raojee took their depositions, and intended providing them with money for their journey, and sending some of his own people to escort them to their homes. He also sent a person to the Cotwal to demand the remainder; the Cotwal concealed himself, and went to the house of Jey Sing Bhow, who is anxious to protect him. It is in contemplation to keep the two who have been seized some time in confinement, and then, after maiming them in some way, to turn them out of camp. One of the above, when examined, states that he had purchased a woman (one of the six), from Inderjecta Dawk Runner, in the service of the British Government, for five rupees. Raojee ordered a letter to be addressed to the Resident on the subject.

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14 & 15. The Cotwal of the Government bazar has been ordered to produce immediately the slave-dealers, and the women who, at his instigation, ran away. Three of the women were accordingly produced, and search is being made after the remainder.

16. Intelligence was brought to the Bye that some of the slave-dealers had sought refuge with Appa Patunker, and that Ukey Chund Cotwal, who is the head of them, was with Jey Sing Bhow. Raojee Trimbeck sent to demand both the dealers and the Cotwal, but Patunker and Jey Sing Bhow refused to surrender them, and replied that the system of slave selling and buying was of old standing in the camp; that Raojee Trimbeck was introducing a new system, but that the old one never should be abolished.

17. Raojee Trimbeck stated to the Bye that the Cotwal had taken refuge with Jey Sing Bhow, and asked how, under these circumstances, he could put a stop to slave-dealing. The Bye ordered the Cotwal to be brought before her, and made him over to Raojee Trimbeck, who took him and confined him in his own house. It is likewise in contemplation to make over to the Resident the women who are inhabitants of the Company's provinces, who have been released from the houses of the slave-dealers, that they may be restored to their homes.

(True translation.)

(signed) J. D. Dyke, Assistant.

18 July.—The Resident to the Regent.

Translation of a Khareeta, addressed by the Honourable Mr. Cavendish to her Highness the Baiza Bye.

FROM reading the akhbars, I have learnt that your Highness, from a desire to do what is right and proper, has shown an anxiety to put a stop to the system of slave dealing, which has so long prevailed in this state; and that you have punished the dullols, who were in the habit of enticing away and selling the children of the poor. This on your Highness's part is highly proper, and will produce its own reward both now and hereafter. The wish which you have shown to accomplish a work so acceptable to God, and one tending so much to the happiness of your subjects, will surely tend to the well-being and prosperity of the state, and will be the means of extending your Highness's good name far and wide; and you may rest assured, that the Governor-General, on my informing him of the circumstance, will be highly pleased and delighted, and will no doubt express his sentiments to you on the subject when he visits Gwalior. Now that your Highness has turned your attention to and are bent on the subversion of this practice, and are determined to root out the dullols, there can be no doubt that slave dealing will soon cease both in the town and camp of Gwalior, as well as in all other parts of the Maha Rajah's dominion.

18 July.—The Resident to the Prime Minister.

(As above, variations adapted to his situation and office.)

25 July.—The Resident to the Prime Minister.

YOUR letter regarding the dawk hurkarah has been received, therewith send him to you. Investigate the case, and if he be found guilty of selling the girl, punish him; if innocent, give him a written acquittal, and he will be retained in the British service.

Note by the Resident.—The hurkarah is a subject of this Government, and resides with his family in Scindia's territory; therefore he was made over to the court.

27 July.—The Resident to the Regent.

I HAVE the satisfaction of acknowledging the receipt of nine persons, subjects of the British Government; and your vakeel informs me that your Highness has released 55 other persons; you will oblige me by making over to me any of them who happen to be the children

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children or connexions of the subjects of our allies, unless your Highness be pleased to send trustworthy persons along with them to their homes, with instructions to bring receipts for them, signed by the authorities of the district.

(True translation.)

(signed) *J. D. Dyke*, Assistant.

No. 27. From *W. H. Macnaghten*, Esq., Secretary to the Governor-General, to the Honourable *R. Cavendish*, Resident at Gwalior.

Sir,

IN reply to your letter, dated the 28th ultimo, I am directed to inform you, that his Lordship has derived unqualified pleasure from the resolution which the Gwalior authorities have taken to put down the slave trade in their dominions; he desires that you will do everything in your power to encourage and confirm them in their good intentions, reporting the result for his Lordship's information.

You are requested to communicate to the Bhaie the sentiments with which her laudable and enlightened efforts in the cause of humanity are viewed by his Lordship.

Shimla,
9 August 1832.

(signed) *W. H. Macnaghten*,
Secretary to the Governor-General.

No. 28. From the Honourable Mr. *Cavendish*, Resident at Gwalior, to *W. H. Macnaghten*, Esq., Secretary to the Governor-General.—(30 July 1832.)

Sir,

I HAVE the satisfaction of forwarding translations of two letters from the Regent and the Prime Minister, fully evincing their resolve to suppress the slave trade, and I have the honour to forward a translation of my letter, and a deposition taken before me.

2. The deponent is one of the nine released by the Bae, as reported in my letter of the 28th instant, and every exertion shall be made by me to recover her four children, but perhaps without success, for the recovery of children is difficult after they have been immured in the "zenanah" of a courtier or respectable person.

3. Of the nine, one only is a child; the others are grown up, and their examinations have been taken, and forwarded to the magistrates of Agra, Mynpooree, Berrailly, and Furruckabad, along with the women.

4. I regret to say, some of our own subjects appear to be concerned in this horrible trade, and this was my principal reason for forwarding the examinations to the magistrates.

5. The 65 slaves not having been sold, were kept in the slave-markets until purchasers could be found. Had they been sold and immured in the "zenanah" of a courtier or respectable person, their recovery would have been almost impracticable.

6. From there being so many unsold in the cantonment itself, and all lately kidnapped, we may form some idea of the extent of the trade, both at court and in the provinces; and I may observe, that the demand for children is greater than the demand for grown up people, for they recollect not, after some time, their parents and place of nativity, and are more obedient than the grown up, who are generally on the look out for an early opportunity of running away.

(signed) *R. Cavendish*, Resident.

Gwalior Residency, Dhoulpoor, 30 July 1832.

Translation of a Khareeta addressed by her Highness the Baiza Bae to the Honourable Mr. *Cavendish*, dated 28th Sufer.

YOUR letter, stating that you had learnt from the akhbars that I had put a stop to slave-dealing, has been received. I had, previous to the receipt of your letter, been thinking in my own mind of the propriety of putting a stop to slave-dealing, and also of punishing the dullols who were engaged in it, with a view to promote the happiness of the people. But these practices were carried on by fraud and in secret. Now, most of the dullols have been seized, and they shall receive such punishment as will act as a warning to others. Do you, out of your goodness, employ yourself in whatever may add to the friendship now existing between the two states, by which the garden of friendship will continue green and flourishing.

Translation of a Khareeta from Raojee Trimbeck to the Honourable Mr. *Cavendish*, dated 25 Sufer.

YOUR letter, stating that you had understood from the akhbars that the Bae had determined to put a stop to slave-dealing, and to punish the dullols, and attributing this to my advice, has been received. Previous to the receipt of your letter, both the Bye and myself had directed our attention to this subject, but the dullols carried on the traffic in secret. Most of them have been seized and confined, and eight out of the number of slaves in their possession, who are subjects of the British Government, have been forwarded to you through Balajee

Balajee Sheodeshwar, and the rest, who are subjects of the state, shall be made over to their respective families. The dullols shall be punished in such a way that others will be afraid to be guilty of such practices; besides which, peremptory orders have been sent to all the aumils to put a stop to slave-dealing.

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Honourable Mr. *Cavendish* to the Regent.—(30 July 1832.)

THE eight women and one child forwarded to me by your Highness have arrived, and have been forwarded to their homes, with one exception, a woman by name Kishnoo, whose four children have been sold at Gwalior; and I solicit your exertions for their recovery. Copy of her examination is forwarded for your Highness's information.

Your vakeel mentioned that 65 women and girls have been released by your orders. Should any of them be the children or connexions of the subjects of Kotah, Kerowlee, &c., the allies of the British, have the goodness to forward them to their homes, under the charge of some confidential persons, with directions to take receipts for their delivery, or to make them over to me.

The Examination of *Kishnee*, a woman who had been sold in the Gwalior Territories.

Question. WHAT is your name; what is the name of your husband, and what is his occupation; and what is your age?—*Answer.* My name is Kishnee; I am the wife of Subsookt Chumar, who was an old inhabitant of Etawah, but for the last two years I have resided at Agra, where I have worked; my age is about 40 years.

Q. Why did you leave your home to come here?—*A.* About two years after the death of my husband, I, with other chumars, came to Agra from Etawah, for the purpose of gaining a livelihood. While so employed, Ley Sing, Ram Loll, and Massooke, three chumars, were in the habit of coming to me repeatedly for about two months, and asking me whether I would dispose of the three boys and a girl I had, and whom, they said, I myself was unable to provide for. They offered to sell them for me; to this, however, I would not consent. About eight months ago, in the month of Poos, the three chumars persuaded me to accompany them, under promise of getting employment for me, wherewith I might be able to support my children. They took me across the Chumbul to the village of Jiloo-Ki Ghurrie, to the house of Oodeajeet, to whom, immediately on my arrival, they sold me, and on the following morning, without giving me any intimation, they went away. Oodeajeet put me into confinement, when I asked him what had become of the chumars who brought me to his house. I remained there for one month, after which Buxa Dullol, together with Dhunnee Ram, Rada Suktoo, and seven others, came to the village. Oodeajeet sold me to these people. Buxa took me to Gwalior, and confined me in his own house, where I remained for two months. After this, he sold my four children, but I do not know where he sold them, as I myself was kept in confinement; this much, however, is certain, that my little girl was sold to a Tewarebnee Brahminee, who one day came to the house of Buxa, in the month of Assen, and said that my child, which she had purchased, was well, and with her.

Q. State what other women and children were in the house of Buxa, or the other dullols, who had been sold by them?—*A.* Twelve women were along with me in the house of Buxa; all have been surrendered to the sircar. Many others have been brought to the house of Buxa and the other dullols, and sold, but I do not know their names.

Q. What do you now want?—*A.* I wish to go to Agra and work for a livelihood, and I wish to have my children restored to me.

Q. Do you wish for anything else?—*A.* Besides the restoration of my children, I require nothing more; and I have no one to look up to but you.

(True translation.)

(signed) *J. D. Dyke*, Assistant.

CIRCULAR to the Residents at Indore, Hyderabad, and Nagpore, Agents for the States of Rajpootana, Dehlee, Bundelcund, and Saugor, and to the Chief Secretaries to the Governor of Fort St. George and Bombay.

Copy Circular.

From *W. H. Macnaghten*, Esq., Secretary to the Governor-General, to *W. B. Marten*, Esq. Resident at Indore.—(12th August 1832.)

Sir,

I AM directed to transmit for your information copies of correspondence with the Resident at Gwalior, reporting the gratifying intelligence of the abolition of the slave trade at that place.

His Lordship desires that you will take every proper opportunity of explaining to the native authorities the anxious wish of the British Government that this horrible traffic should be prohibited throughout India.

Simla, 12 August 1832.

(signed) *W. H. Macnaghten*,
Secretary to the Governor-General.

(True copy.)

(signed) *W. H. Macnaghten*,
Secretary to the Governor-General.

E. I. Company and
Board of Control.
(Documents.)

(Copies of the same to the Residents at Hyderabad and Nagpore; to the Agents of the Governor-General at Ajmere, Bundelcund, Dehlee, and Saugor; and to the Chief Secretaries to the Governments of Madras and Bombay, for the information of the Governors in Council at those Presidencies.)

EXTRACT BENGAL POLITICAL CONSULTATIONS, 30th July 1832.

No. 55. Extract Letter from the Honourable Mr. *Cavendish*, Resident at Gwalior, to *W. H. Macnaghten*, Esq. Secretary to Governor-General, dated 8th June 1832.

Para. 21. Two evils, in my opinion, require the urgent and authoritative interference of the Supreme Government; the first is the slave trade, which is a nuisance and great grievance to all contiguous states, and is carried on to a great extent in the camp of Gwalior; and the second is the asylum and protection afforded to thugs.

22. In the camp there are three slave markets; one belonging to Bala Bhaee, the sister of the late Maha Raja; the other called Mikhas, to the Regent herself, for horses, cattle, and slaves; the third to Hindoo Rao, her brother; and other public markets are established in the provinces. These princes, I regret to say, take a commission or per-centage on the sale of slaves in their bazars, and their rivalry gives every encouragement to the trade.

23. Since my arrival, several of our subjects, and of the subjects of the independent states, have through me recovered their children from these slave markets, and many have failed in their search.

24. If the children of this court's subjects only were sold at these markets, we perhaps should have no right to interfere except by advice; but these markets, close to our frontier, the encouragement given to all dealers, and the almost total impossibility of ever recovering the children from the female apartments, where they are concealed, or rather in which they are buried for a time, and no man can enter, have extended their influence far and wide, to the great injury of our subjects and our allies. In some instances children are supposed to have been carried off by wolves, many of whom are brought to the Gwalior markets.

25. I regret to say, that such is the apathy or horrible avarice of this court and its officers, that "thuggee" is not looked on with horror; in fact, I believe that thugs are as common as robbers and thieves; that the aumils wink at their dark deeds, and share in the spoils. I have now requisitions from the authorities at Saugor for the apprehension of 127 thugs, few of whom will ever be taken up, and the reply to my requisitions will be either there are not such persons, or they left their temporary residence some months ago.

26. With every wish to support the independence of the court, and its just rights, it becomes my duty to declare my opinion, that we have hitherto and for too long a time listened to the Mahratta excuse, reported in paragraph 17 of this despatch, and that less interference in internal matters or trifles, and more decisive and authoritative interposition in the cases above reported, and for the suppression of all frontier plunderers, have long been required, and should be urgently insisted on by our Government.

27. Many who advocate the necessity of interference in internal matters, will accuse me also of supporting their views, and declare the impossibility of managing a native government without interference in its internal relations; but there is a wide difference between interference in internal matters and in foreign relations. Great Britain would not permit France to open a market for the sale of British or other children belonging to our colonies or dependant possessions; Britain would not permit France to be an asylum for pirates, or for a banditti, the plunderers of our merchants; and there can be no law or even reason for permitting such negligence, connivance, or apathy on the part of a government receiving at our hands daily benefits. Algiers was considered a public nuisance, or the enemy of mankind, and was punished first by the English under Lord Exmouth, and now by France. France can change or put to death her kings and ministers, and Algiers her deys, without any right on our part to interfere in such matters; but neither France nor Algiers would be allowed to prey on their neighbours as slave dealers, murderers, or pirates, and the cord of a thug spares neither any nation nor any class or caste of mankind.

No. 57. From *W. H. Macnaghten*, Esq., Secretary to the Governor-General, to the Honourable *Mr. Cavendish*, Resident at Gwalior.—(23 June 1832.)

Sir,

I AM directed to acknowledge the receipt of your letters, dated the 8th and 9th instant, reporting upon the state of the Gwalior country, and to inform you, that they have been perused by his Lordship with much interest.

2. The only part of these letters which appears to require particular notice is that which relates to the system of thuggee and child-stealing.

3. If the countenance which these shocking crimes receive from the Gwalior authorities has not been exaggerated, it certainly appears highly desirable that the promptest means should be adopted for their suppression; measures are in progress under the supervision of Mr. F. C. Smith, which his Lordship confidently hopes will go well nigh to eradicate the offence of thuggee from the soil of India; but to accomplish this purpose, the zealous co-operation of all the local authorities will be requisite.

4. For

4. For the present you will be pleased to furnish an English abstract of all cases of child-stealing which have been brought to the notice of the Resident within the last three years, where the parents of the children may have been our own subjects or the subjects of independent states, and that you will submit all the information which can be collected from the records or other quarters respecting the names and residences of the persons who are engaged in this nefarious practice; the mode in which it is carried on; and the extent to which the Gwalior authorities countenance the system, and participate in the profits derived from it.

E. I. Company and
Board of Control.
(Documents.)

(signed) *W. H. Macnaghten,*

Simla, 23 June 1832.

Secretary to Governor-General.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 8 October 1832.

From Lieutenant-colonel *Lockett*, Agent to the Governor-General, to *W. H. Macnaghten*, Esq., Secretary to the Governor-General.—(29 August 1832.)

No. 33.

Sir,

I HAVE great pleasure in transmitting to you, for the purpose of being laid before the Right honourable the Governor-General, the enclosed copy of a despatch I have this day received from the officiating political agent at Kotah, under date the 20th instant, conveying the gratifying intelligence that the Raj Rana of Kotah, in consequence of the recent correspondence on the subject of traffic in slaves, had issued a purwannah prohibiting the buying or selling of slaves in any part of his territory under penalty of punishment.

2. The officiating political agent does not seem to think, for the reasons stated by him, that the purwannah in question was intended to suppress the traffic completely, but he felt assured that it will tend to deprive the traffic of its cruelest features, namely, the kidnapping of children from the adjacent states, as it will not now be lawful to sell or purchase a child in the Kotah territories without proving the transaction to be by the consent of the parents or relations.

(signed) *A. Lockett,*
Agent to Governor-General.

Rajpootana Agency, Ajmere,
29 August 1832.

From *J. Corbett*, Esq., Acting Political Agent, to Lieutenant-colonel *Lockett*, Agent to the Governor-General, Ajmere.—(20 August 1832.)

Sir.

I HAVE the honour to forward, for your information, copy of a purwannah which has been circulated throughout the Kotah territories by the Raj Rana, prohibiting, the buying or selling of slaves, under penalty of punishment.

2. This desirable object has been brought about by means of the reference made to me by the Maha Rao, connected with the case of the slave girl claimed by her father, as reported in my letter to your address of the 28th ultimo.

3. The reference in question having afforded me a favourable opportunity for expressing my sentiments, and frequently entering into conversation with the vakeels, regarding the views which the British Government entertained on the subject of this detestable traffic, I was much gratified on receiving intelligence from the vakeel that the Raj Rana had most humanely ordered the sum of 125 rupees to be paid to the Maha Rao's soobedar (the price paid by him for the slave girl), at the same time demanding the restoration of the child to her father, and ordering the person who kidnapped and sold her to be kept in close confinement; and further, that the Raj Rana had so fully concurred in the opinion expressed by me on the subject (as the sentiments of the British Government) that he had issued a purwannah prohibiting the traffic in slaves throughout Harrowtee, a copy of which was next day brought to me by the vakeel.

4. I am not so sanguine as to suppose that this purwannah was ever intended to suppress the traffic completely, nor will it be viewed as such, since the customs of Rajwarrah render the use of slave women almost indispensable in the zenanahs of the princes, and in the families of the higher orders of the people; but I feel assured that it will effectually tend to deprive the traffic of its cruelest feature, viz., the kidnapping of children from the adjacent states, since it will not be lawful for any one to sell or purchase a child in the Kotah territories without proving the transaction to be by the consent of the parents or relatives.

5. I am happy to add, that the Maha Rao entirely concurs with the Raj Rana in his opinions on this subject, and has already given proof of his intention to observe the spirit of the purwannah. About a week ago a burda-furash (slave-dealer), belonging to Jyepoor, gave intimation of his having two children for sale (at that time in Boondee), to which the Maha Rao very properly replied, that he would not purchase the children unless their parents came forward to signify their consent to the transaction.

(signed) *J. Corbett,*
Acting Political Agent.

Harrowtee Agency, Kotah,
20 August 1832.

E. I. Company and
Board of Control.
(Documents)

From *W. H. Macnaghten*, Esq., Secretary to the Governor-General, to Lieutenant-colonel *Lockett*, Agent to the Governor-General, Ajmere.—(9 September 1832.)

No. 34.

Sir,

IN reply to your letter of the 29th ultimo, I am directed to request that you will express to the acting political agent at Kotah, and through him to the Raj Rana, the satisfaction with which his Lordship has received the gratifying intelligence of his prohibition of the slave trade into the Kotah territory.

Simla, 9 September 1832.

(signed) *W. H. Macnaghten*,
Secretary to Governor-General.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 22 October 1832.

No. 22.

From Lieutenant-colonel *A. Lockett*, Agent to the Governor-General, to *W. H. Macnaghten*, Esq., Secretary to the Governor-General.—(25 September 1832.)

Sir,

IN continuation of my letter to you of the 29th ultimo, I have the honour to transmit to you, for the purpose of being laid before the Right honourable the Governor-General, the accompanying copy of a letter from the acting political agent at Kotah, conveying the highly gratifying intelligence that the Rao Rajah of Boondy has also prohibited the buying and selling of slaves in his territories under the penalty of severe punishment and confiscation of property.

2. From the purwannah issued by the Boondy Raja, a copy of which is herewith enclosed, it appears that all the slave-dealers are obliged to sign an agreement, that in the event of their continuing illicit traffic, the whole of their property will be confiscated.

3. The conduct of the acting political agent in this, as well as on the late occasion at Kotah, to the chiefs of those states, in representing the discreditable traffic in slaves in so strong and effectual a light, seems entitled to great approbation.

Rajpootana Agency, Camp Moondulla,
25 September 1832.

(signed) *A. Lockett*,
Agent to the Governor-General.

From *J. Corbett*, Esq., Officiating Political Agent, Harrowtee, to Lieut.-colonel *A. Lockett*, Agent to Governor-General, &c.—(17 September 1832.)

Sir,

I HAVE the pleasure to forward a copy of a purwannah, which has been issued by the Rao Rajah of Boondy throughout his territories, prohibiting the buying and selling of slaves under penalty of severe punishment and confiscation of property.

2. This desirable object has been brought about by friendly representation, much in the same way as at Kotah, as reported in my letter to your address under date the 20th ultimo; and the example set by the Raj Rana of Kotah has also tended materially to induce the Rao Rajah of Boondy to adopt similar measures.

3. The Rao Rajah has even established the prohibitory law more completely than the Raj Rana of Kotah, having made all the slave-dealers in Boondy sign an agreement, that in the event of their continuing the illicit traffic, the whole of their property is to be confiscated.

Harrowtee Agency, Camp Patun,
17 September 1832.

(signed) *J. Corbett*,
Officiating Political Agent.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 5 November 1832.

No. 1990.

No. 41.

From *F. C. Smith*, Esq., Agent to the Governor-General, Saugor, &c., to *W. H. Macnaghten*, Esq., Secretary to the Governor-General.

Sir,

I HAVE the honour to acknowledge the receipt of your despatch, under date 12th August last, announcing the abolition of the slave trade in the Gwalior territories, and to transmit, for the information of his Lordship, a draft of the notes I have written to the several chiefs under the superintendence of this office.

2. I shall lose no opportunity to refresh the attention of the chief to the attainment of such an honourable act, which cannot but redound both to the honour and the credit of the British Government.

Jubulpore, Office of Agent to the Governor-General, 8 September 1832.

(signed) *F. C. Smith*,
Agent to the Governor-General.

From *F. C. Smith, Esq.*, Agent to the Governor-General, to the Rajah of Rewah, and Jageerdars under the Agency of the Saugor and Nerbudda Territories.

E. I. Company and
Board of Control.
(Documents.)

(After the usual compliments.)

I HAVE lately received a communication, by order of the Right honourable the Governor-General, announcing the gratifying intelligence that her Highness the Regent Byja Byee of the Scindiah government, has, with great judgment and benevolence, prohibited the horrid and infamous traffic of slaves, and has directed that it shall in future cease for ever in the territories of the Maha Raja.

This wise conduct on her part has given great pleasure and satisfaction to his Lordship, and has exalted her character in the eyes of all intelligent and virtuous persons.

It is too well known to you to require to be stated, that the British Government, faithful to its engagements, never interferes in the internal administration of your government, except by friendly advice, but leaves it entirely to your wisdom and justice, nor is it intended to depart from this proper course in the present instance; but the road to honour is so open, and your dignity will so much be increased by emulating the exalted conduct of the Gwalior durbar, and it will conduce so much to increase the firm friendship which exists between you and the British Government, that I feel it my duty to press on your notice the propriety of adopting measures to abolish the horrid traffic in slaves which exists in your territories, in common with other parts of India.

It will be with great pleasure that I shall report to the Governor-General your wise and philanthropic adoption of this advice, and it will add much to the feeling of friendship which has always existed between both of us.

(A true copy.)

Jubulpore, 8 September 1832.

(signed) *F. C. Smith,*
Agent to the Governor-General.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 26 November 1832.

From the Hon. *R. Cavendish*, Resident at Gwalior, to *W. H. Macnaghten*, Esq., Secretary to the Governor-General.—(27 October 1832.)

No. 38.

Sir,

WITH reference to my letter, dated the 30th July last, reporting the sale of four children belonging to one of the women rescued from slavery, I regret to have to report, for his Lordship's information, that only one of the children has been recovered. I fear that the others have been immured in the zenanahs of influential persons, and cannot now be recovered.

2. It is but just to state, that the prime minister has exerted himself for their recovery, and for the total suppression of the slave trade, though opposed by every influential person in camp and in the country, save and excepting the Regent. And in our own provinces, some more effective measures might be adopted, for many sold in the camp are sent by friends and agents to our own provinces.

3. Our Government long ago prohibited slave dealing, still all the natch (dancing) sets in our provinces have young girls, many of whom have been purchased in this or in other independent territories. It appears advisable therefore to suggest that they be registered, and that the owners be called on to state whence they were procured. Most of them will declare that they have been given to them by their parents, who were poor and unable to support them; and it is a question of some importance, whether this plea should be admitted, and whether parents should be allowed to give their children to persons keeping houses of ill-fame, and educating them for the purpose of prostitution. In my opinion those children should be taken from them, and given to respectable families, on executing a bond to bring them up well, and to marry them when arrived at a proper age; and I can prove this opinion to be in accordance both with English and Mahomedan law, if it be disputed by lawyers.

(signed) *R. Cavendish*, Resident.

Gwalior Residency, 27 October 1832.

From *W. H. Macnaghten*, Esq., Secretary to the Governor-General, to the Honourable *R. Cavendish*, Resident, Gwalior.

No. 39.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 27th ultimo, reporting your further proceedings for the recovery of kidnapped children, and in reply to observe, that the Governor-General is not at present prepared to adopt the measures suggested in the third paragraph of your letter under acknowledgment, though your communication will of course be forwarded for the consideration of the Honourable the Vice-president in Council.

(signed) *W. H. Macnaghten*,
Secretary to Governor-General.

Camp Delhi, 1 November 1832.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BENGAL POLITICAL CONSULTATIONS, 24 December 1832.

No. 1,863.

No. 26. From *J. Bax*, Esq., Secretary to the Government of Bombay, to *W. H. Macnaghten*, Esq.,
Secretary to the Governor-General.

Sir,

WITH reference to my letter of the 24th September, I am directed to transmit to you, for the purpose of being laid before the Right honourable the Governor-General, the accompanying copy of a letter from the Resident in Cutch, of the 13th ultimo, on the subject of the slave-trade in that province.

Bombay Castle, 6 November 1832.

(signed) *J. Bax*,
Secretary to Government.

No. 128, of 1832.

From *H. Pattinger*, Esq., Resident in Cutch, to *J. Bax*, Esq., Secretary to the Government
of Bombay.—(13 October 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 24th ultimo, with the correspondence regarding the abolition of the slave-trade in the protected states, and instructing me to urge the Bhoj Durbar to follow the example of the Gwalior government.

2. I had every reason to believe, from my own observations, that nothing of the sort existed or would be permitted in Cutch even to the smallest degree; but I nevertheless took an opportunity to introduce the subject at a visit I paid his Highness the Rao yesterday evening, when both he and the minister assured me that such a practice was totally unknown, and that in one solitary instance, which occurred some years ago, of a sindee having purchased a young woman from her husband in Kattywar, and brought her into this province on his way home, the durbar, on the female's appealing to it for protection, repaid the man the price he had given for her, and sent her back to her friends.

3. A very limited number of African boys are occasionally imported from Mozambique and Gonzebur ("Swullee") into Cutch, and they are chiefly brought up as sailors, or employed, when brought from the importers, as attendants about men of consequence; but the treatment they receive is of the kindest nature, and they appear to be always looked on more as members of the family to which they belong than as menials, and frequently rise to command the vessels in which they are educated.

4. Girls are sometimes to be met with in Cutch as itinerant Cutch girls, from Guzerattee and Marwar, who are really slaves, having been purchased when very young; but their life, however immoral, is one of perfect free-will, and they belong to a class, of whom there are whole fraternities in the countries just named, who would, as well as the girls themselves, consider any interference on the part of Government as equally uncalled for and tyrannical.

Bhoj Residency, 13 October 1832.

(signed) *H. Pattinger*, Resident.

(True copy.)

(signed) *J. Bax*,
Secretary to Government.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 31 December 1832.

No. 1,879.

No. 11. From *J. Bax*, Esq., Secretary to the Government of Bombay, to *W. H. Macnaghten*, Esq.,
Secretary to the Governor-General.

Sir,

WITH reference to my letter of the 6th instant, regarding slavery in the territories of the native chiefs under this presidency, I am directed by the Right honourable the Governor in Council to request you will submit the accompanying report from the Resident at Sattara, to his Lordship the Governor-General, on the subject.

Bombay Castle, 8 November 1832.

(signed) *J. Bax*,
Secretary to Government.

From *P. Lodwick*, Esq., Resident at Sattara, to *J. Bax*, Esq., Secretary to the Government
of Bombay.—(29 October 1832.)

Sir,

HAVING at an interview with his highness the Rajah of Sattara explained the substance of your letter No. 1,661, and the documents which accompanied it, on the subject of the abolition of slavery in the dominions of the Gwalior government, I have the honour to request you

you will inform the Right honourable the Governor in Council that I took the opportunity of expressing the satisfaction the British Government would derive from so enlightened an example being followed by his Highness's Government.

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(Documents.)

2. From inquiry which I considered it my duty to make relative to the state of the slave-trade in this territory, I cannot discover that it prevails to the extent noticed in the Gwalior states. As a traffic it is known, and is chiefly confined to the disposal of females when distress calls for such a measure, and possibly, in some instances, such sale may prevent the more serious crime of infanticide.

3. His Highness assured me that his attention should be directed to the subject, and that his courts were always open to complaints of this nature; but that, although he admitted slavery to exist to a certain degree, it was of the mildest form, and no such instances as are recorded by the Resident of Gwalior had ever come under his knowledge.

Sattara, 29 October 1832.

(signed) P. Lodwick, Resident.

No. 2,370.

From F. C. Smith, Esq., Agent to the Governor-General, to W. H. Macnaghten, Esq., Secretary to the Governor-General.—(3 November 1832.)

No. 12.

Sir,

I HAVE now the satisfaction to forward, for the information of the Right honourable the Governor-General, in continuation of my despatch of the 8th September last, translation of letters from the chiefs whose titles are noted in the margin, conveying their acquiescence in the proposal which I made to them to abolish the purchase and sale of slaves in future in their territories.

Rajah of Rewah,
Rajah of Shahghur,
Thakoor of Myheer,
Thakoor of Kennera,
Rans of Kotee.

2. I have not received a reply from the thakoor of Sohawl, and the Ocheyras Jagheer is at present under British management.

(signed) F. C. Smith,
Agent to Governor-General.

Camp Singhrampoor, Zillah Jubbulpore,
Office of Agent to Governor-General,
3 November 1832.

Letter from the Rewah Rajah, dated 7th Katik, 1889, Sumvut, in Answer to Letter from the Agent, of the 8th September 1832, A. D., regarding the Traffic in Slaves.

I HAVE the pleasure to acknowledge your gratifying letter, expressive of the great satisfaction felt by his Excellency the Governor-General at the resolution of Byja Bae Sahibah, of Gwalior, prohibiting the purchase and sale of slaves in that territory, and pointing out the advantage and credit which would result from the general adoption of a measure so much approved by his Lordship, and of so beneficial a tendency, with other expressions of friendship and regard.

Any measure, my friend, calculated to benefit my people, the work of God's hands, and to gratify his Excellency the Governor-General, the nosheerawun of the age, I regard as more than desirable. In fact, from the establishment of our treaties, I even more than others, have ever regarded it of the first importance to attend to the wishes of the officers of Government; and accordingly, though traffic in slaves has not existed hitherto in my territories, yet, as in times of great distress poor persons may be tempted to sell their children, I have issued a prohibition for your satisfaction, and all the servants of the state shall be instructed to take care that this shameful practice be not permitted. I trust you will intimate to his Lordship my entire adoption of this excellent advice. And considering me always as anxious to communicate with you, continue to favour me with your letters.

Letter from the Shahgurrh Rajah, on the same subject, 20 October 1832.

I HAVE been gratified by the receipt of your letter, stating that Byja Bae Sahibah, of Gwalior, had ordered the suppression in that territory of the disgraceful custom which had prevailed of selling and purchasing slaves, and that this decision, which must be highly approved likewise by all judicious and rightly-disposed persons, had afforded the greatest pleasure to his Excellency the Governor-General.

This practice has, in truth, never existed in my territory; but in accordance with the wishes expressed in your letter, I have issued a proclamation, forbidding any person to engage in such traffic under pain of severe punishment. What you have written in respect of the Government adherence to the treaty, in refraining from all interference with my internal arrangements, is perfectly correct. I also have been careful to do nothing without giving you intimation; indeed, I have always considered it my interest to preserve mutual good feeling, and by striving to be foremost in this work, an increase may be anticipated of my friendship with yourself and the Government. I trust you will ever consider me as desirous of meeting you, and continue to favour me with your letters.

Letter from the Myheer Rajah, on the same subject, 29 September 1832.

I HAVE been gratified by the receipt of your letter, informing me that Byja Bae Sahibah, of Gwalior, had put a stop to the practice of selling slaves in that territory; and stating, that though the British Government, true to its treaties, would never injure any possessions by

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interference with their management, but leave it entirely to myself, a circumstance always borne in remembrance in offering counsel, yet it would afford you great pleasure to be able to report to his Excellency the Governor-General that I had, by emulating the conduct of Byja Bae Sahibah in the prohibition of this shameful custom, acceded to the advice offered in your letters, and that the friendship between us would thereby be increased.

Although this practice has been heretofore prohibited in my territory, I shall now give further injunctions to all my subjects for its prevention. It is, indeed, most satisfactory to know that by this one act two advantages are gained; first, the benefit of my people, without loss to myself; and, second, a means of increasing my friendship with you, and obtaining the approbation of his Excellency the Governor-General.

I have written this for your information, and trust that until we meet you will ever regard me as desirous of an interview, and continue to favour me with your letters.

Letter from Prag Das of Kunhwarah, on the same subject, 20 September 1832.

I HAVE been gratified by the receipt of yours, stating that the pleasing intelligence had been received from his Excellency the Governor-General that Byja Bae Sahibah, of Gwalior, had judiciously and benevolently ordered the suppression of the practice of selling and purchasing slaves; a resolution which had afforded the greatest satisfaction to his Lordship, and must, no doubt, be approved by all good and sensible persons; and, also, (after reminding me that the British Government, when offering advice, always bore in mind that the management of my territory is entirely committed to me by treaty, and not to be in any way interfered with,) pointing out how greatly it would increase our friendship and insure the approbation of Government, were I, by emulating her good example, to afford you the pleasure of reporting to his Lordship my acquiescence in the advice offered by your letter.

This disgraceful custom of trafficking in slaves has never been permitted or practised in this territory; and I myself continue to be careful that no such bad practices shall exist, as I thereby, while benefiting my people, increase my friendship with you, and obtain the approbation of his Lordship. I have ever been most anxious to adopt your advice, which is always directed to the establishment of good customs and removal of bad ones, and shall accordingly, in conformity with the suggestions of your letter, increase my exertions for the suppression of this practice. I trust you will continue to regard me as a well-wisher, and to favour me with your kind letters.

Letter of the Kothee Chief, on the same subject, 12th Sooddee Kour 1889.

YOUR letter, regarding the purchase and sale of slaves, has reached me. What you have ordered, Sir, has received my entire approval and consent, as I am your dependent; and I have, in accordance with your directions, issued a proclamation that any who shall buy a boy or girl for a slave is to be seized and sent to you. I have been much gratified that you have kindly written to me on so excellent a matter, and should wish that you would always quickly let me know anything of the same kind; that I may immediately execute it. For the rest, you are my master, and I trust you will look kindly on my estate.

(True translations.)

(signed) D. F. M'Leod, A. A. G. G.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 14 January 1833.

No. 44. From *H. S. Græme*, Esq., Resident at Nagpore, to *W. H. Macnaghten*, Esq., Secretary to Government.—(23 December 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 12th August, transmitting copies of correspondence with the Resident at Gwalior, reporting the intelligence of the abolition of the slave trade at that place, and expressing the desire of the Right honourable the Governor-General that every proper opportunity should be taken for explaining to the native authorities the anxious wish of the British Government that this horrible traffic should be prohibited throughout India.

I communicated, very early after the receipt of this letter, with his highness the Rajah on the subject, and was happy to find that all traffic in slaves had been prohibited throughout the Nagpore territories by the British authorities at the time they had the management, after the rupture with the ex-rajah Appa Saheb, and during the minority of the present Rajah Ragajee Bhonslah, and that the Rajah cordially concurred in the continuance of the prohibition. I have allowed some time to elapse, to ascertain whether the practice prevails at any place even partially, and I have much satisfaction in stating, for his Lordship's information, that the prohibition appears to be universally and effectually enforced throughout the Nagpore territories. Formerly the traffic was a source of public revenue, a certain duty having been levied by the Government officers on the sale of slaves in open market. I have no apprehension that the traffic will be revived under the government of the present Rajah, whose disposition is benevolent and liberal.

(signed) *H. S. Græme*, Resident.

Nagpore Residency, Camp at Bhisnoor,
23 December 1832.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 13 June 1833.

E. I. Company and
Board of Control.
(Documents.)From the Hon. *R. Cavendish*, Resident, Gwalior, to *W. H. Macnaghten*, Esq., Secretary to Government.

No. 32.

Sir,

It is with great pleasure I have the honour to report, that the slave trade has been suppressed, and that for months I have not heard of a sale in this territory.

(signed) *R. Cavendish*, Resident.

Gwalior Residency, 21 May 1833.

EXTRACT BENGAL POLITICAL CONSULTATIONS, 13 September 1834.

(No. 1653.)

EXTRACT from the Proceedings of the Hon. the Vice-President in Council, in the Judicial Department, under date the 1st September 1834.

No. 82.

From *W. Fraser*, Esq., Commissioner, Delhi, to Mr. Secretary *Macswen*.—(11 Aug. 1834.)

Sir,

In the month of April or May last, the Nawab Buhadur Jung, Khan of Buhadur Ghur, 15 miles west of Delhi, which forms part of the Bahraitch Jageer, purchased, through the means of a camhar or potter of one of his own villages, three girls and two boys, and two girls, from four men reported to be thugs, who reside at Jhujjur.

2. I request you will communicate to me such orders as the Vice-president in Council may think proper to issue, informing me whether any proceedings, and of what nature, should be instituted in this case. There are no prosecutors, but it is to be feared the boys and girls have been kidnapped, and very possibly their parents murdered.

(signed) *W. Fraser*, Commissioner.Delhi Commissioner's Office, Camp Kurnal,
11 August 1834.

Ordered, That a copy of the foregoing letter from the Commissioner of Delhi, dated the 11th ultimo, be sent for consideration to the Political Department.

Ordered, That the following letter be addressed to Mr. Fraser.

From Mr. Deputy Secretary *Trevelyan*, to the Agent to the Governor-General, Delhi.—
(13 September 1834.)

No. 83.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 11th ultimo, to the address of the Secretary to Government in the Judicial Department, reporting that Nawab Buhadoor Jung, Khan of Buhadurghur, had purchased several children from a person in his jageer, under circumstances which lead to the belief that they may have been kidnapped, and very possibly their parents murdered; and in reply to inform you, that you are authorized to call upon the Nawab, in your capacity as Governor-General's agent, to furnish you with such information as will be calculated to lead to the discovery of the parents of the children, and to the detection of the crime, should any have been committed.

(signed) *C. E. Trevelyan*,
Deputy Secretary to Government.

Fort William, 13 September 1834.

EXTRACT INDIA POLITICAL CONSULTATIONS, 21st November 1834.

From Mr. Secretary *Macnaghten* to the Resident at Lucknow.—(21st November 1834.)

No. 157.

Sir,

WITH reference to the extract from your diary copied in the margin, I am directed to request that you will explain how Mr. Martin happens to be a slave-owner, and that you will state what answer you gave to his application.

August 2d, Mr. Martin, dated 1 August, requests that a slave girl who had run away from his house, and is now with Rajah Dinohun Sing, may be made over to him.

(signed) *W. H. Macnaghten*,
Secretary to Government.

Fort William, 21 November 1834.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT INDIA POLITICAL CONSULTATIONS, 10 December 1834.

No. 27.

From the Resident at Lucknow to the Political Secretary to the Government of India.—
(1 December 1834.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 21st ultimo, and in reply to the first question therein contained, to state that Mr. Martin has, to the best of my information and belief, been possessed of slave property during the last 50 years; but at all events I know that he has been a slave-owner since the year 1800, several slaves having been at that time left to him by the late General Claude Martin. It may be proper here to observe, that Mr. Martin, though now a Christian, was born of Mahomedan parents, and educated in their religion, but he subsequently changed both his religious tenets and his name on becoming a protégé of General Martin, who left some property to him in houses and slaves, besides a small pension in money.

2. With respect to your second question, I beg to say, that I did not give any written reply to Mr. Martin's letter, because he called upon me a few minutes after it reached me, with the view of urging his request personally, fearing that I might not be disposed to comply with it. I told him that I could not give him any aid in such an affair, because, although the slave might belong to him, according to the usages of his country (Oudh) at the time he obtained possession of her, yet as the British Government would never recognise property of that description, even in a foreign state, it would be improper in me to take any steps for the recovery of the woman. Mr. Martin accordingly left in order to try what he could do through the natives about the Durbar, to obtain the restitution of the slave, but his endeavours I find have been unsuccessful.

Lucknow Residency, 1 December 1834.

(signed) J. Low,
Resident.

EXTRACT PROCEEDINGS of the Lieutenant-Governor of the N. W. Provinces, in the
Political Department, 2 January 1836.

No. 2.

From T. T. Metcalfe, Esq., Agent to the Governor of Agra, Delhi, to Mr. Secretary Bushley.
(18 December 1835.)

Sir,

I HAVE the honour to submit, for the orders of the Honourable the Governor, the annexed copies of a letter and enclosure received from the political agent, Deyrah Doon, relative to the sale of slaves within the territory of the Rajah of Gurhwal.

2. No orders have ever been issued in these districts prohibiting the illegal practice, and, with reference to Mr. Commissioner Trail's communication, dated 21st July 1835, by which the practice appears to have been sanctioned within the province of Kumaon, Colonel Young is anxious to receive specific instructions for his future guidance.

Delhi Agency, Camp Ramsuroa,
18 December 1835.

(signed) T. T. Metcalfe,
Agent to the Governor.

From Lieutenant-Colonel Young, Political Agent, to T. T. Metcalfe, Esq., Agent to the
Governor of Agra, Delhi.—(10 December 1835.)

Sir,

DOUBTS existing in my mind as to the legality of the practice of the sale of slaves which exists in the territory of the Rajah of Gurhwal, notwithstanding a similar custom seems to prevail under the sanction of the local authorities in Kumaon, I beg leave to transmit, for your information, an abstract translation of a case which has come before me, and to solicit your orders on the subject, for my future guidance.

2. The custom of permitting Brahmins to purchase Domes for the cultivation of their lands, if it be permitted by Government, is liable to gross abuse, as the proceedings which I have now the honour to transmit proves that prostitutes also are upheld in the purchase; and in the case immediately referred to, neither Uttul, the purchaser, or Bussaloo, the seller, are Brahmins, but Rajpoots, the natural cultivators of the soil in the Hills.

Deyrah Doon, Political Agent's Office,
10 December 1835.

(signed) F. Young, Lieut.-col.,
Political Agent.

Abstract Translation of Proceedings in the Political Agent's Court, Deyrah Doon, in the
Case of Uttul, a subject of the Rajah of Gurhwal, claiming Five Slaves who had
absconded from him, and taken refuge in the Village of Pookree, Deyrah Doon.

No. 1. LETTER from Rajah Soodensunshah, dated 16th August 1835, addressed to Colonel Young, Political Agent,—States, that a person named Uttul, resident in his territory, had presented a petition stating that he had purchased five slaves of the Dome caste from Bussaloo, also resident in his elaqua, for the sum of 180 rupees, and that, after living with him, the petitioner, for one month, they absconded to the village of Pookree, in the Deyrah Dhoon; that he sends the petitioner to the Court at Deyrah, and hopes the slaves will be given up to him.

No. 2.

No. 2. Urzee from Uttul, enclosed in the above letter,—States, that he purchased the five slaves for 180 rupees, for the purpose of cultivating his land; that they ran away from him to the village of Pookree, in the Deyrah Dhoon, and that the chowkedar of the village refused to give them up to him. E. I. Company and Board of Control. (Documents.)

No. 3. Deposition, on Oath of Uttul, dated 14th May 1835,—States as above, and adds, that it is customary in the Hills to purchase slaves, for the purpose of cultivating the land, and that cultivation is principally carried on by slaves of the Dome caste, purchased for such avowed purpose; that he was not aware that there existed any orders or regulations prohibiting the purchase of slaves, as in the Rajah's country such traffic has always been customary, and is still permitted; that he will bring forward three witnesses to the transaction, and has in his possession a written document to prove the purchase; that 80 rupees of the purchase-money is still due by him to Bussaloo, the person from whom he bought the slaves, who had been the property of Bussaloo also for many years; and that under such circumstances, according to the laws and usages of his country, he was at liberty to sell them to whomsoever he pleased.

No. 4. Orders issued to the Nazir to produce the five slaves in court, as well as Bussaloo, the person from whom they were purchased by Uttul, and the three witnesses named by the latter.

No. 5. Letter from Colonel Young, political agent, to Rajah Soordursumshah,—States, that according to his letter to the political agent, under date 16th April 1835, and the subsequent deposition of Uttul, it appeared that five slaves of the Dome caste had been purchased in his territory by the latter. That directions had been given to him to prevent such a practice by every means in his power; that the continuance of the traffic in slaves in his country would bring on him the severe displeasure of the British Government, and that the parties implicated in such traffic would subject themselves to exemplary punishment.

No. 6. Examination of the five Domes in the Court of Deyrah on 5th June 1835. Two of the slaves, viz. Roojoo and his wife Kalee, state, that they are Domes; that the father of Roojoo, during the Goorkha dominion, sold them both to Bussaloo for 17 rupees Kutcha, and that for 33 years they had continued to cultivate the land of their master; that five months since, Bassaloo sold them both together, with their children, to Uttul, for 180 rupees; that they told Uttul they would not stay with him, and that in consequence of his ill-usage they absconded to the Doon, after remaining with him one month.

The ages of the children are four years, 18 months, and eight months.

No. 7. Ordered, that the five slaves are at liberty to reside where they choose, and that no person be permitted to seize them without orders from this Court.

No. 8. Reply of Rajah Soordursun Shah, to the letter of the Political Agent,—States, that the purchase of slaves was formerly truly permitted in his territory, but that since the period when the British Government conquered the country, he has not permitted slaves to be sold in his territory for the purpose of being taken out of it and carried away to other districts. That within his territories individuals of the Dome caste are allowed to be purchased and transferred by sale from one master to another, for the purpose of cultivation, which is carried on solely by Domes, there being no labourers of any other description obtainable, as in the plains, so that were this practice abolished, cultivation would cease.

That the custom is not peculiar to his territory alone, but is general in many parts of the Hills both to the eastward and westward, as well as at Uttuck, and that both Mr. Shore and Mr. Trail permitted the custom to be continued for the above reasons.

No. 9. Copy of a letter from Mr. Trail, Commissioner of Kumaon, addressed to Rajah Soordursoon Sah, under date 30th October 1831, forwarded by the latter to the Political Agent with the above.—After acknowledging the receipt of the Rajah's letter, dated 3d Kartick, regarding two prostitutes, named Suchmee and Goolabee, having purchased a young girl out of his territory, and requesting that she should be sent back,—States, that in the district of Kumaon it is against orders to sell a slave to any person residing in another district, but that the sale of slaves in Kumaon is not prohibited provided they are not taken out of the district. That it is well known, that, in accordance with this rule, thousands of children of both sexes are annually sold, and that without paying money a wife could not be obtained. Further, that these customs are not prohibited by the British government, if slaves are not taken to the plains.

No. 10. Roobukaree sent to Mr. Trail, commissioner of Kumaon, by the political agent Deyrah Doon, detailing the circumstances of the case,—states, that, as the copy of the letter from Mr. Trail, forwarded by the Rajah, has no seal or signature attached, and as the traffic in slaves is prohibited by the British Government, it is requisite to forward an abstract of the proceedings to the commissioner of Kumaon, and to ascertain from him under what authority he has authorized slavery to be continued in his district.

No. 11. Reply to the above from Mr. Trail, dated the 21st July 1835,—States, that the copy of his letter to the Rajah, forwarded by the latter to the political agent Deyrah Dhoon, is perfectly correct, and that the customs, as stated in that letter, were permitted throughout Kumaon; that no person can obtain a wife without purchasing her; and that the Brahmins of Kumaon will not cultivate the land; are obliged to purchase Domes for the purpose; that such customs have been permitted from time immemorial; and

E. I. Company and Board of Control. (Documents.) further, that this kind of slavery has not been prohibited by the British Government, except in the instances of a husband disposing of his own wife to another person, or the sale of a widow.

No. 12. Roobukaree of the political agent Deyrah Doon, dated 1st December 1835,

After preamble recapitulating the above,—states, that agreeable to the orders of Government, both the seller and purchaser of slaves are liable to punishment; and, as it does not appear from Mr. Trail's letter that he has received any instructions on this subject from superior authority, that it is requisite to forward an abstract translation of these proceedings to the Governor-General's agent at Delhi, for his consideration and orders.

(True translation.)

Deyrah Doon, Political Agent's Office,
6 December 1835.

(signed) *J. Fisher*, Captain,
Assistant Political Agent.

Ordered, That the agent at Delhi be informed, that the Government cannot countenance slavery; and that Colonel Young has acted properly in refusing to restore the persons who had fled from the territory of the Rajah of Gurhwal.

Ordered, That a copy of the foregoing despatch, and of its reply, be transmitted to the Judicial and Revenue department, whence the commissioner in Kumaon would be called upon to report regarding the custom of trafficking in slaves in that province, and the practice of cultivating the soil by the labour of Domes purchased for that use, which is said to exist there, and generally in the Hill districts.

EXTRACT INDIA POLITICAL CONSULTATIONS, 8 February 1836.

No. 125. From Lieutenant-colonel *J. S. Fraser*, Commissioner, Coorg, to *W. H. Macnaghten*, Esq., Secretary to the Government of India.—(18 January 1836.)

Sir,

WITH reference to your letter, under date the 12th October last, I have the honour to submit the accompanying report, from Captain Le Hardy, respecting the emancipation of the Paunay slaves in Coorg, and to state, that I have also had personal communication with him on the subject, for the purpose of learning whether any change had occurred in the sentiments of the inhabitants of Coorg on this point, and of ascertaining the consequences with which the proposed measure was likely to be attended.

2. My opinion, in consequence, I beg leave to state with respectful deference, remains as it was before, that the emancipation of the class of persons alluded to is likely to be productive of no advantage, but, on the contrary, of considerable injury, and to deteriorate the condition of these persons themselves, as well as to prove an offensive and, perhaps, in the sequel, a dangerous innovation in one of the oldest and most established institutions of the country.

3. A sense of duty has led me to express myself on this subject without reserve; but it might be improper that I should occupy the time of the Supreme Government, by dwelling on it unnecessarily, or contending further against a measure which it has been imperatively resolved to adopt.

4. I have, therefore, requested Captain Le Hardy to be prepared to carry the arrangement contemplated into effect, on receiving the final instructions of the Government of India, and the decision of the same authority on the disbursements he has proposed.

Mysore, 18 January 1836. (signed) *J. S. Fraser*, Colonel,
Commissioner for Coorg.

(No. 151.)

No. 126. From Captain *C. F. Le Hardy*, Superintendent, Coorg, to Lieutenant-colonel *Fraser*, Commissioner.—(23 November 1835.)

Sir,

HAVING maturely considered the sentiments expressed in the 9th, 10th, and 11th paragraphs of the letter from the Chief Secretary to the Government of India to your address, under date the 12th ultimo, relative to the disposal of Paunay slaves, and having also consulted with the dewans as to the best means of securing an employment and livelihood for these individuals on being emancipated, I have the honour, in obedience to the instructions contained in your letter of the 5th instant, to submit my opinion on the subject in question.

2. The Paunay slaves are classed under three general heads, namely, the Yesmuer, the Kembutty holier, and the Briddeghur holier castes. It is supposed that the greater number of the two former classes, comprising about three-fourths of the whole, will continue to work for the ryots to whom they are now attached, either as domestic servants or daily labourers. There is every reason to expect that nearly the whole of the Briddeghur holier caste who are in the habit of cultivating small patches of laud on their own account, will gladly avail themselves of emancipation to settle independently on the Paunay farms.

3. No

3. No difficulty whatever will exist in providing a maintenance for such as are willing to work, as there can be no doubt of their always finding employment in Coorg, either as domestic servants or daily labourers; and in respect to such as are desirous of undertaking the cultivation of land on their own account, all that appears necessary is to afford them the same assistance as is usually allowed to the lower classes of ryots on first settling in this country, viz., giving them advances to purchase cattle, implements of husbandry, and the means of subsistence, until the produce of their farms shall enable them to depend entirely on their own resources.

E. I. Company and
Board of Control.
(Documents.)

4. But the general opinion entertained by the Coorgs is, that there are a number of bad characters amongst their slaves, who, on finding themselves suddenly relieved from all direct control, will refuse to work, and who will therefore of necessity have recourse to illicit means of obtaining a subsistence; and it is further apprehended that they may hereafter entice other slaves to join them, and thus ultimately occasion very serious disturbances in this country.

5. The evils thus anticipated are no doubt overrated; but as all with whom I have conversed on the subject concur in the same opinion, there is reason to believe that their apprehensions are not altogether unfounded. I am induced to think, therefore, that after the Paunay slaves are emancipated, it is desirable that they should continue, for a short time at least, subject to such control as may render unavoidable the adoption of an honest means of livelihood, and which may gradually induce them to pursue habits of temperance and industry, instead of leading a life of idleness and dissipation.

6. With a view to the attainment of this object, I would beg, with great submission, to recommend, that they be placed under the surveillance of the patails of the gramas which they may select as their places of residence; or be entrusted to the guardianship of ryots living in their neighbourhood; such surveillance, however, to cease in regard to those who, after a short trial, are found well behaved and industriously employed. That the idle or dissipated be retained under strict tutelage until their conduct shall render them deserving of the same indulgence; but that such as prove deaf to all advice, and altogether untractable by mild means, be constrained to work, either by being attached for a specified period as apprentices to respectable ryots, or being employed as coolies, and receiving pay as such, under the superintendence of Government officers, in opening roads, or in the prosecution of other public works.

7. It is to be hoped that compulsory measures may prove quite unnecessary, in order to induce the emancipated slaves to seek an honest employment; and allowing the doubt entertained on that point to be altogether undeserving of serious attention, I would still beg to submit the foregoing plan for consideration, as it can only affect for a very short time such of them as are really fit to undertake the entire management of their own affairs; and a precautionary measure of this kind will, at all events, insure the future happiness and prosperity of many who, owing to the state of entire dependence on others to which they have always been accustomed, will be found at first quite unable to act or think for themselves; and if left suddenly to the sole guidance of their own uncontrolled will, may, there is too much cause to fear, give way to indolence and debauchery.

8. I beg to annex a list of cattle and necessaries which such of the emancipated slaves as are desirous of cultivating on their own account will require, in order to establish themselves independently on the Paunay farms. It is estimated that the cost of the implements, &c. will amount to between 30 and 35 rupees per month, which sum (or its value in kind) may be advanced to them on the usual condition of repayment by instalments in course of three or four years; but I would beg to recommend their being exempted from the payment of the whole of the land rent for the first year, and of half of it for the two following; as without this indulgence it would be almost impossible for them to return the sum advanced for the purchase of their farming stock.

9. Very little assistance will be required by such as seek employment by working as coolies, or attaching themselves to ryots as domestic servants. A donation of two rupees to each man, two rupees to each woman, and one rupee to boys and girls under twelve years of age, will, it is said, be ample to enable them to procure clothing and other necessaries in order to establish themselves on the footing of free labourers on first obtaining emancipation.

10. It now only remains, therefore, to provide for the support of such as are from ill health or old age unable to gain a livelihood for themselves. Nearly 100 will probably be found in this condition, who are now maintained by ryots cultivating the Paunay and other lands, solely in consideration of the advantage derived from their services; but these, like the rest, will of course be left hereafter to depend on their own resources.

11. Two plans are suggested for their maintenance. They may either be brought together and lodged in one of the Paunay houses, with the view to their being there attended to and supplied with necessaries, in the same manner as paupers usually are in poor-houses and other charitable institutions, or else they may be allowed a small stipend, sufficient to purchase food, and obtain accommodation in the gramas to which they belong.

12. The adoption of the first of these plans would involve a monthly expense of between 200 and 300 rupees, as it would be necessary to keep up an establishment of servants for supplying provisions, keeping accounts, &c. The latter would cost less; and although perhaps objectionable in some respects, it appears on the whole the most eligible, as being the simplest, and as according better with the feelings and prejudices of those whose comfort and happiness is the object here held in view.

(signed) C. F. Le Hardy, Superintendent.

Superintendent's Office, Coorg, Mercara,
23 November 1835.

E. I. Company and
Board of Control.
(Documents.)

List of Necessaries required to enable the Emancipated to establish themselves independently on the Paunah Farms.

	<i>Rs. as. p.</i>
Two bullocks - - - - -	12 - -
One cow - - - - -	5 - -
Iron for two ploughs, and other implements of husbandry - - - - -	3 - -
Three butties of paddy for seed - - - - -	10 - -
Ten ditto, for their maintenance until the harvest - - - - -	- - -
<i>Rs.</i>	33 - -

(A true copy.)

(signed) *J. S. Fraser*, Lieut.-Colonel,
Commissioner of Coorg.

Ordered, That the following letter be written to Lieutenant-colonel Cubbon.

No. 127. From *W. H. Macnaghten*, Esq., Secretary to the Government of India, to Lieutenant-colonel *Cubbon*, Commissioner in Coorg.—(8 February 1836.)

Sir,

I AM desired by the honourable the Governor-General of India in Council to acknowledge the receipt of Lieutenant-colonel Fraser's letter of the 18th ultimo, submitting, with reference to my letter of the 12th October last, a report from Captain Le Hardy, respecting the emancipation of the Paunah slaves in Coorg.

2. In reply I am directed to acquaint you, that the Governor-General in Council sees no reason to doubt the propriety of the instructions already issued to Colonel Fraser, especially as that officer has advanced no new argument in support of his opinion.

3. The suggestions of Captain Le Hardy, for giving effect to the views of Government, are approved, and the disbursements which he recommends to be made are sanctioned; a detailed account of them will of course be furnished hereafter.

4. To the arrangements proposed by Captain Le Hardy, however, there is one modification which I am desired to acquaint you is indispensable. The emancipated slaves are not to be placed under surveillance as a measure preliminary to their obtaining freedom; but restraint, in the mode proposed in the sixth paragraph of Captain Le Hardy's letter, may be imposed upon such of them as evince a determined disposition to idleness and mischief.

Fort William, 8 February 1836. (signed) *W. H. Macnaghten*,
Secretary to the Government of India.

EXTRACT PROCEEDINGS of the Lieutenant-Governor of the N. W. Provinces, in the Political Department, 4 April 1836.

No. 86.)

No. 2. From *T. T. Metcalfe*, Esq. Agent to the Governor, to the Officiating Secretary to the Lieutenant-Governor of the N. W. Provinces.—(23 March 1836.)

Sir,

I HAVE the honour to forward the enclosed khureetah, with translation, from the Rajah of Gurhwal to the address of his honour the Lieutenant-governor of the N. W. Provinces.

Delhi Agency, Camp Ghaperah, District Noop, (signed) *T. T. Metcalfe*,
Sn. Dn. D. T. 23 March 1836. Agent to the Governor.

No. 3. Translation of a Petition from Raja *Soodursun Shah* of Sreenuggur, to his Honour the Governor of Agra.

After Compliments,

AT this time, in consequence of a letter from Colonel Young, political agent, I have been informed, that by your Honour's orders the purchasing of slaves for purposes of cultivation is prohibited, and that such custom must be abolished in Gurhwal.

Your Honour, all over the Hills great numbers of Brahmins and Rajpoots reside, men of small property who live by the produce of cultivation, and if you insist on their ploughing and cultivating with their own hands, they will disobey the shasters. In the Plains there are abundance of chumars for this purpose; but in the zillah of Gurhwal cultivation cannot be continued without purchasing men for the purpose. For this reason, all over the Hills slavery

slavery was customary, nor without the sums of money paid for this purpose to the khusseeas, could they marry.

For these reasons Mr. Shore and Mr. Trail permitted the ancient practice of the Hills to exist, in order that cultivation might not be injured, merely prohibiting the purchase of slaves out of any one district for the purpose of being taken to another.

I therefore represent that your honour is the proprietor of the country, and I am obedient to your orders. If it is your desire that slavery should be abolished in the Hills, I am in hopes that you will prohibit it from Kumaon to the Sutledge, so that no individual of this particular district will consider himself degraded.

Your Honour is malik, and whatever you may desire shall be obeyed.

3d Teekad 1251 Higgeree.

(True translation.)

(signed) *J. Fisher*,
Assistant Political Agent.

Ordered, That the Agent at Delhi be requested to call for and submit a copy of the letter addressed by the Political Agent at Deyrah Dhoon to the Rajah of Gurhwal, consequent on the orders of the 2d of January last, regarding slave cultivators.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT INDIA POLITICAL CONSULTATIONS, 2 May 1836.

From *B. H. Hodgson*, Esq., Resident, Catmandhoo, to *W. H. Macnaghten*, Esq., Secretary to the Government of India.

No. 66.

Sir,

HAVE the honour to forward copies of two letters to the magistrate of Tirhoot, dated the 13th and 17th instant, and to solicit the orders of Government upon the point of surrender.

Nepaul Residency, 17 April 1836.

(signed) *B. H. Hodgson*, Resident.

From *B. H. Hodgson*, Esq., Resident, Catmandhoo, to *J. E. Wilkinson*, Esq., Magistrate of Tirhoot.

Sir,

AT the request of the Durbar I have the honour to forward to you a list of fugitive slaves belonging to a chief of this kingdom, who have taken up their abode in your Zillah, and whom it is desired you will have the goodness to use your endeavours to cause the return of to their master, so far as your doing so may consist with law and propriety.

* 11 in number, as
per annexed list.

Nepaul Residency, 17 April 1836.

(signed) *B. H. Hodgson*, Resident.

From *B. H. Hodgson*, Esq., Resident, Catmandhoo, to *J. E. Wilkinson*, Esq., Magistrate of Tirhoot.

Sir,

WITH reference to my despatch to your address of the 13th instant, with its enclosure, I request you will be good enough to limit your services for the present to the ascertainment of the facts, whether the slaves are now forthcoming at the place stated, as well as under what circumstances they fled from Nepaul, and if it is their disposition to return voluntarily to their master, provided he be first pledged not to maltreat them.

2. Though it has been heretofore customary to solicit and obtain the aid of our magistrates in procuring the return of fugitive slaves, I am not sure that such compliance with the Durbar's wishes be warrantable, and I have accordingly referred the question to the decision of Government.

(signed) *B. H. Hodgson*, Resident.

Ordered, That the following letter be written in reply to Mr. Hodgson.

From *W. H. Macnaghten*, Esq., Secretary to the Government of India, to *B. H. Hodgson*, Esq., Resident at Catmandhoo.—(22 May 1836.)

No. 67.

Sir,

I AM desired by the Right honourable the Governor-General of India in Council to acknowledge the receipt of your letter dated the 17th ultimo, forwarding copies of two letters to the magistrate of Tirhoot on the subject of some fugitive slaves belonging to a chief of Nepaul, and soliciting the orders of Government upon the question of surrendering them.

2. In reply, I am desired to acquaint you, that the Governor-General in Council prefers the tenor of your second to that of your first communication to the address of Mr. Wilkinson, it being the object of the British Government to effect the gradual suppression of slavery, and manifest its aversion, instead of lending its support, to the practice, on all possible occasions.

(signed) *W. H. Macnaghten*,
Secretary to the Government of India.

Fort William, 22 May 1836.

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E. I. Company and
Board of Control.
(Documents.)

EXTRACT PROCEEDINGS of the Lieutenant-Governor of the N. W. Provinces, in the
Political Department, 7 May 1836.

(No. 195.)

No. 4. From *T. T. Metcalfe*, Esq., Agent to the Lieutenant-Governor, to the Secretary to the Hon.
the Lieutenant-Governor.—(30 April 1836.)

Sir,

WITH reference to a letter from Mr. Officiating Secretary Scott, under date the 4th instant, I have the honour to annex copy of one from the political agent at Deyra Dhoon, of the 23d instant, enclosing copy and translation of his communication made to the Raja of Gurhwal, consequent on the orders of the 2d of January last, regarding slave cultivators.

Delhi Agency, 30 April 1836.

(signed) *T. T. Metcalfe*,
Agent to the Lieutenant-Governor.

From *F. Young*, Esq., Political Agent, to *T. T. Metcalfe*, Esq., Agent to the Lieutenant-Governor.—(23 April 1836.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 157, with its enclosure, from the secretary to the Agra government, under date the 4th April 1836, and herewith have the honour to transmit a copy and translation of my letter to the Rajah of Gurhwal, consequent on the orders of the 2d January last, stating that Government cannot countenance slavery.

Dehra Doon, Political Agent's Office,
23 April 1836.

(signed) *F. Young*,
Political Agent.

Translation of a Letter from Colonel *Young*, Political Agent, Dehra Doon, addressed to
Soodursun Sah, Rajah of Gurhwal, dated 21 January 1836.

After compliments.

IN the case of Uttul Rajpoot, complainant, *versus* Koogoo, and four other persons, Domes of Gurhwal, a report in English, together with copy and translation of your letter, the depositions of the complainant and defendants, and the roobeekaru of the Commissioner of Kumaon, were forwarded by me, on the 1st December 1835, to Mr. Metcalfe, agent Governor-General at Delhi, for his instructions.

This day a reply has been received from him, dated 13th January 1836, enclosing copy of a letter from the Secretary to the Government of Agra to the following effect: "That the traffic in slaves intended to cultivate land cannot be countenanced by Government; and further, that I acted properly in refusing to restore the persons (Domes) who had fled from your territory."

I therefore request that you will immediately adopt measures throughout your territory to prevent the purchase of slaves to cultivate land, or for any other purpose whatever; and that you will make these instructions generally known to the zemindars and ryots of your country.

It is also necessary for you to understand, that any person disobeying these orders will be punished according to the Regulations.

(signed) *F. Young*, Lieut.-Colonel,
Political Agent.

No. 5. The following Letter was addressed by the Lieutenant-Governor to Rajah *Soodursun Sah*.—
(7 May 1836.)

My friend,

I HAVE received your letter regarding the recent orders issued by the Agent at Deyra Doon for the discontinuance of the purchase and sale of slaves in the Gurhwal territory. My friend, I am aware that it is a common practice in the Hill provinces to traffic in slaves, and I know that the custom cannot be suddenly suppressed; nevertheless it is the duty of all governments to assist cordially in abolishing slavery in whatever form it may exist. The enlightened nations of Europe concur in the policy, and co-operate for the object of extinguishing slavery. It is therefore universally considered to be an odious trade, and the severest laws are passed against it. Slavery degrades the human species, and in its mildest shape it is injurious to the good being of society.

2. I hope therefore that you will cheerfully enlist yourself with the friends and benefactors of mankind, and within the sphere of your authority, that you will discourage and forbid as much as possible the buying and selling of slaves, by which conduct and example you will acquire renown and imperishable reputation for beneficence and philanthropy.

Allahabad, the 9th May 1836.

(signed) *C. T. Metcalfe*.

Ordered, that the following letter be written :

From Mr. Secretary *Bushby* to the Agent to the Lieutenant-Governor N. W. Provinces.
(7 May 1836.)

E. I. Company and
Board of Control.
(Documents.)

(No. 89.)

No. 6.

Sir,

WITH reference to Lieutenant-colonel Young's letter, dated 3d ultimo, to your address, and its enclosure, communicated in your despatch of the 30th idem, I am directed by the Honourable the Lieutenant-governor of the North-Western Provinces to remark, that Lieutenant-colonel Young has, in his laudable zeal to put down slavery in Gurhwal, exceeded his power, and gone beyond the meaning of the instruction issued in my letter of the 2d January, where you were informed that the Government could not countenance slavery. There is no doubt as to the propriety of his having refused to deliver up the persons who had fled from the Rajah's territories; but either of his own accord, or in consequence of instructions from your office, apparently the former, he has directed the Rajah to take measures to prevent the purchase of slaves throughout his territories. This is more than we can reasonably expect from the Rajah so suddenly, more, perhaps, than we have a right to demand. At the same time, to annul Colonel Young's letter entirely, would afford encouragement to a continuance of the traffic, which we earnestly desire to see abandoned. In this dilemma, the Lieutenant-governor directs that you will instruct the agent at Deyra Doon not to interfere further with a view to enforce the execution of the orders issued by him within the separate territories of the Rajah; but he is to discountenance the traffic, by refusing to deliver up fugitives, and do all that friendly influence and advice can effect to put a stop to it.

2. I am desired to forward a letter to the address of the Rajah of Gurhwal on the above subject, a copy of which is annexed for your information, and to desire that it may be transmitted through the agent to the Rajah.

Allahabad, 7 May 1836.

(signed) *G. A. Bushby*,
Secretary to the Lieut.-Governor of the N. W. Provinces.

EXTRACT INDIA POLITICAL CONSULTATIONS, 6 June 1836.

From *B. H. Hodgson*, Esq., Resident at Catmandhoo, to *W. H. Macnaghten*, Esq.,
Secretary to the Government of India.

No. 88.

Sir,

I HAVE the honour to forward to you herewith copy of a letter addressed by me to the magistrate of Tirhoot, under yesterday's date.

Nepaul Residency,
15 May 1836.

(signed) *B. H. Hodgson*, Resident.

From *B. H. Hodgson*, Esq., Resident at Catmandhoo, to *J. E. Wilkinson*, Esq.,
Magistrate of Tirhoot.

Sir,

WITH reference to the tenor of my second letter to you upon the subject of the fugitive Nepaulese slaves, I have the honour to acquaint you, that the Right honourable the Governor-General in Council has signified to me the disinclination of the Government to the surrender of these persons. I request, therefore, you will be pleased to relieve them from the surveillance of your police, and to let them know that they are at liberty to continue in your district, without liability to future question or interference of any sort.

(signed) *B. H. Hodgson*, Resident.

Ordered, That the following letter be written in reply to Mr. Hodgson.

From *W. H. Macnaghten*, Esq., Secretary to the Government of India, to *B. H. Hodgson*, Esq.,
Resident at Catmandhoo.

No. 89.

Sir,

I AM directed by the Right honourable the Governor-General of India in Council to acknowledge the receipt of your letter, dated the 15th ultimo, forwarding copy of a letter addressed to the magistrate of Tirhoot, on the subject of the fugitive slaves.

2. In reply, I am desired to acquaint you, that his Lordship in Council has been pleased to approve the tenor of your communication to that officer.

Fort William, 6 June 1836.

(signed) *W. H. Macnaghten*,
Secretary to Government of India.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT INDIA POLITICAL CONSULTATIONS, 27 June 1836.

(No. 66.)

No. 83. From Lieutenant-Colonel *M. Cubbon*, Commissioner of Coorg, to *W. H. Macnaghten*, Esq.,
Secretary to the Government of India.—(3 June 1836.)

Sir,

WITH reference to your despatch of the 8th February last, I have the honour to transmit, for submission to the Right honourable the Governor-General of India in Council, copy of a letter from Captain Le Hardy, reporting the emancipation of the whole of the Punnah slaves in Coorg, and without a single difficulty or impediment of any kind having been experienced in carrying it into complete effect.

2. I am far from thinking that the feeling of dissatisfaction, adverted to in the third paragraph of that officer's letter, as having been evinced by a few private slaves at not being emancipated also, is either to be regretted or discouraged, so long as it does not show itself in opposition and disorderly conduct; for one great obstacle to the abolition of slavery arises from the broken spirit of the slaves, and their unwillingness to divest themselves of the servile character; but if this feeling should give place to an ardent desire for freedom, it can hardly be doubted that such a change would ensue, both in their own habits and in the sentiments of their masters, as could not fail to lead not only to an amelioration of their present condition, but to prepare the way for eventually, and without risk, bringing about the entire extinction of slavery.

3. I beg to add, that I have, in anticipation of the sanction of the Government of India, authorized the small disbursement contemplated by Captain Le Hardy in the sixth paragraph of his letter of the 26th April last, for the indemnification of such ryots as may be able to establish a just claim to any of the slaves that have been liberated.

Bangalore, 3 June 1836.

(signed) *M. Cubbon*,
Commissioner of Coorg.

No. 84. From Captain *Le Hardy*, Superintendent, Coorg, to the Officiating Secretary to the
Commissioner for the Affairs of Coorg.

Sir,

IN forwarding, for the information of the Commissioner, the accompanying copy of a circular issued to soubadars of talooks, relative to the emancipation of the Punnay slaves, I have the honour to state, that I am now proceeding on tour, in order to communicate in person to the slaves the purport of the same, and to give orders regarding the tuccavie, and other assistance which they may require, in order to avail themselves of the freedom conceded to them.

Superintendent's Office, Coorg,
on Circuit Padyac K. Naad, 17 March 1836.

(signed) *C. F. Le Hardy*,
Superintendent.

Circular Order to Soubadars relative to the Emancipation of the Punnay Slaves,
dated 13 March 1836.

THE Honourable the Governor-General has been pleased to order, that all the slaves which were attached to the Punnays, or which belonged in any way to the Circar, when the Company's troops entered the country, shall be set at liberty.

2. You will accordingly, without delay, call before you the whole of the circar slaves now residing in your talook, and explain to them that they are at liberty to work for whomsoever they like, or to pursue any honest means of livelihood they may choose to select.

3. Such as are desirous of undertaking the cultivation of land on their own account shall be allowed tuccavie, according to the established custom of their country, to enable them to purchase bullocks, implements of husbandry, and necessaries of life to subsist upon until their crops are reaped; and those who prefer working as coolies shall also, if necessary, receive assistance from the circar on first establishing themselves as free labourers.

4. I request that you will distinctly explain the above to the whole of the Punnay slaves, informing them at the same time that they shall, in future, be allowed the entire management and control of their family affairs, and that nobody whatever shall be permitted to interfere with them, provided they behave themselves properly, and do not abuse the liberty which has been conceded to them, by leading a life of idleness and debauchery.

5. You will, however, make them clearly understand, that any who may hereafter evince a determined disposition to idleness and mischief, will render themselves liable to be placed under strict surveillance, and perhaps be compelled to work on the roads, or other public works.

6. I forward herewith a form, agreeably to which I request you will, with the least practicable delay, prepare a statement, showing the occupation which the slaves purpose pursuing; the amount of tuccavie and assistance of any kind which they may require, in order to establish themselves independently.

On receiving this statement from you, I shall visit your talook with the Dewans, and give such further orders as may be necessary regarding the payment of tuccavie, or other assistance required by the slaves. E. I. Company and Board of Control. (Documents.)

(signed) C. F. Le Hardy, Superintendent.

(True copies.)

(signed) M. Cubbon, Commissioner for Coorg.

(No. 38.)

From Captain *Le Hardy*, Superintendent, to the Officiating Secretary to the Commissioner for the Affairs of Coorg, Bangalore.—(26 April 1836.)

No. 85.

Sir,

WITH reference to my letter of 17th ultimo, forwarding copy of a circular order addressed to soubadars, relative to the emancipation of the Punnay slaves, and stating my intention of proceeding on tour, with the view of seeing these instructions carried into effect, I have now the honour to report, for the information of the Commissioner, that the whole of the slaves remaining in Coorg, formerly attached to these estates, have been liberated.

2. Each individual has been furnished with a certificate of freedom; and it has, moreover, been distinctly explained to all of them in my presence, that henceforward they are at liberty to pursue any honest means of livelihood which they choose to select, and shall be allowed all the privileges of free men, unless future misconduct render it necessary to place them under surveillance.

3. A donation of three, two, and one rupee, according to age, has been given to each slave, as proposed in the ninth paragraph of my letter of the 23d November last, to enable them to provide clothes and other necessaries on first establishing themselves independently; and land, as well as advances, and such other assistance as appeared necessary, has also been allowed, on the terms specified in the eighth paragraph of the same letter, to such as expressed a wish to become cultivators.

4. There are about 50 families of the latter class; these are now employed in the cultivation of their own *terms*; while several of the others continue to work on the estates to which they were formerly attached; and although there are numbers who have refused to do so, and are wandering about the country without employment, I am happy to say that I have heard of none having committed any excesses, or having shown any disposition to mischief, as was apprehended.

Orig.

5. There were a few slaves belonging to individuals residing in the neighbourhood of Mercara, who showed some dissatisfaction at not being emancipated also; but these, I have reason to think, were urged to display this feeling by camp followers, and persons of that class, with whom they have for some time past been in the habit of associating. With this exception, the emancipation does not appear to have occasioned any feeling of discontent amongst the remainder of the slave population. The Coorgs were prepared for the measure, and viewed it as a matter of course; and I have much pleasure in adding, that not a single impediment or difficulty of any kind was experienced in carrying it into complete effect.

6. A number of the slaves, on being emancipated, were claimed by ryots as their own property. On investigating these claims, I found many of them altogether inadmissible; but there are a few which, I think, deserve consideration, although they are of so doubtful a nature, that I could not, with any justice, have avoided granting these slaves, as well as the rest, the liberty which they demanded. I thought it, however, but fair to promise the ryots, whose claims appeared deserving of notice, that their petitions should be submitted for future consideration, and that I would recommend their being remunerated for the loss of the slaves, should their right to them be admitted. With this answer all were perfectly satisfied; and, as the value of these slaves does not exceed 200, or at the very utmost 250, rupees, I hope the measure may not be deemed objectionable.

7. I shall do myself the honour to forward a statement of these claims hereafter, together with a detailed account, which is now under preparation, of the disbursements alluded to in the third paragraph of this letter.

(signed) C. F. Le Hardy,
Superintendent.

Superintendent's Office, Coorg, on Circuit,
Snunarpett, 26 April 1836.

(True copy.)

(signed) M. Cubbon, Commissioner for Coorg.

Ordered, That the following letter be written to Lieutenant-colonel Cubbon.

From *W. H. Macnaghten*, Esq., Secretary to the Government of India, to Lieutenant-colonel *Cubbon*, Commissioner of Coorg.—(27 June 1836.)

No. 86.

Sir,

I AM directed by the Right honourable the Governor-General of India in Council to acknowledge the receipt of your letter, dated the 3d instant, transmitting copy of a letter from Captain *Le Hardy*, reporting the emancipation of the whole of the Punnay slaves.

E. I. Company and
Board of Control.
(Documents.)

2. In reply, I am directed to state, that the information which you have furnished in the communication now acknowledged is exceedingly satisfactory.

3. The manner in which Lieutenant Le Hardy proceeded to carry into effect the orders of Government for the emancipation of the Punnah slaves is very creditable to him. His Lordship in Council concurs with you in thinking that the feeling evinced by a few private slaves at the emancipation of their brethren is rather to be desired than deprecated.

4. Lieutenant Le Hardy is authorized to expend a sum not exceeding 250 rupees in remunerating the claimants of private slaves who have been liberated, where such claims appear to be deserving of notice. To that officer's discretion may safely be left the duty of forming a decision on each claim.

Fort William, 27 June 1836.

(signed) *W. H. Macnaghten*,
Secretary to Government of India.

Ordered, That an extract of para. 4 of the foregoing letter to the Commissioner for the affairs of Coorg be sent to the Civil Auditor for his information.

EXTRACT INDIA POLITICAL CONSULTATIONS, 1 August 1836.

No. 80. From *W. H. Macnaghten*, Esq., Secretary to the Government of India, to Major *A. White*, Political Agent, Upper Assam.—(1 August 1836.)

Sir,

WITH reference to the letter stated in your diary of the 30th June last to have been issued by you to Lieutenant Millar, relative to the delivering up of fugitive slaves, I am directed by the Right honourable the Governor-general of India in Council to request that you will state under what circumstances and upon what principle their surrender can be deemed justifiable. There appears to be no provision in the treaty with Poorunder Singh which would authorize such a requisition, and nothing short of a positive obligation would appear sufficient to warrant an interference to compel the return of any individual to a state of slavery.

Fort William, 1 August 1836.

(signed) *W. H. Macnaghten*,
Secretary to the Government of India.

EXTRACT INDIA POLITICAL CONSULTATIONS, 12 September 1836.

No. 102. From Major *A. White*, Political Agent Upper Assam, to *W. H. Macnaghten*, Esq., Secretary to the Government of India.—(27 August 1836.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 1st August, by order of the Governor-general of India, requesting to know under what circumstances and upon what principles it could be justifiable to order Lieutenant Millar to give up certain slaves alluded to in my diary of the 30th June, there being no provision in the treaty with Poorunder Sing to bind us to such a surrender.

In reply I beg leave to state, that the order in question was given with reference to a Khamptee chief, named the Towa Gohain, who stands in quite a different relation to the British Government from that of Poorunder Sing, a feudatory rajah, possessing the power of life and death, inasmuch as that the British Government, although it allows the Khamptee chiefs to manage the internal affairs of their tribes, yet reserves to the political agent, or the officer commanding at Suddeya, the cognizance of heinous offences, and the investigation of complaints preferred against the chiefs themselves; under these circumstances the law with regard to slaves has been the same as that observed in Lower Assam, subject to direct British rule. The Khamptee chief in question, who lives within two or three miles of Lieutenant Millar, complained that his female slave had absconded, and had taken refuge with one of Lieutenant Millar's chupprasees. With reference to this, I told him that if he was *bonâ fide* satisfied that the woman was a slave, and that she had not suffered from any gross maltreatment, that, compatibly with the usages of the British courts in Lower Assam, he was bound to give her up. As to the practice of the courts I speak with confidence, having acted five years in Lower Assam as magistrate and collector, and two years as officiating commissioner in Upper Assam, and as yet I have not heard of any change in the system. Indeed, with reference to this very question, I inquired of one of Captain Jenkins's assistants a few days after the receipt of Lieutenant Millar's letter, whether slaves were still given in Lower Assam; he said that they were; and I have received no official notification to the contrary.

In giving these instructions to Lieutenant Millar, I acted not from my own authority, but simply as an executive officer, bound to carry into effect the system laid down by my superiors. Ten years ago the British Commissioners, Mr. Scott and Colonel Richards, issued a proclamation, stating that the right of the Assamese to a property in their slaves would be respected; and my predecessor, Captain Neufville, in conformity with Mr. Scott's orders, acted upon the same principle at Suddeya in his relations with the Khamptee chiefs, and I followed

followed his example, having received no orders to the contrary from Mr. Robertson or Captain Jenkins, the present agent to the Governor-General.

But if I have erred in so doing, I shall be happy to receive definite rules for my guidance in future.

2. As regards Rajah Poorunder Sing, I have no recollection that he ever made any requisition to me for the surrender of slaves; but it would be satisfactory to obtain a rule of conduct for my guidance in regard to him, the Singhoes, and other chiefs, as, if they see that slaves are given up in the Company's territory, they may conceive it inequitable that persons proved to be such before a British magistrate, and who have not absconded from ill-treatment, should not be surrendered, more particularly females, who generally run away to British sepoys and others, because their high pay enables them to spend more money upon them than the Assamese can afford.

Political Agent's Office, Upper Assam,
27 August 1836.

(signed) A. White,
Political Agent.

E. I. Company and
Board of Control.
(Documents.)

From *W. H. Macnaghten*, Esq., Secretary to the Government of India, to Major *A. White*,
Political Agent, Upper Assam.—(12 September 1836.)

No. 103.

Sir,

I AM desired by the Right honourable the Governor-General of India in Council to acknowledge the receipt of your letter, dated the 27th ultimo, submitting an explanation of the order issued by you to Lieutenant Millar to give up certain slaves, as alluded to in your diary of the 30th June.

2. In reply I am directed to state, that it is the wish of the Governor-General in Council, that all functionaries should consider it as a general rule to refrain from any summary interference for compelling the return to a state of slavery of individuals who may have effected their escape from it. Every individual must be presumed to be in a state of freedom until the contrary is proved; and where rights are claimed affecting his freedom, there seems to be no reason why the claimants should have greater facilities afforded them than in ordinary cases. As the law stands, it may not be proper to reject a regular suit instituted to prove the right of one individual over the labour or person of another, but the plaintiff should at least be required to fulfil completely all the conditions which the law requires in the establishment of his claim.

3. A copy of these instructions will be sent to the agent of the Governor-General, north-eastern frontier, for his information and guidance.

Fort William, 12 September 1836.

(signed) *W. H. Macnaghten*,
Secretary to the Government of India.

Ordered, That a copy of the foregoing correspondence with the political agent in Upper Assam be forwarded to the agent in the north-eastern frontier for his information and guidance.

EXTRACT FORT ST. GEORGE FOREIGN CONSULTATIONS, 17 February 1832.

From Lieutenant-Colonel *Fraser*, Special Agent for Foreign Settlements, to *H. Chamier*, Esq.,
Chief Secretary to Government.—(27 January 1832.)

No. 1.

Sir,

I HAVE the honour to reply to the three points adverted to in the despatch transmitted to me by you, under date the 30th ult., to which my attention has been called.

Of these the Salt question being the most important, I immediately addressed a circular letter to the collectors of the several districts wherein the French settlements are situated, with a request to be informed whether the stipulations of the treaty, signed at Pondicherry in 1818, have continued to be strictly observed.

I have received replies only from the collectors of South Arcot and of Tanjore; but these being the most, and, indeed, the only very essential ones, to have been expected, I lose no time in forwarding them for submission to Government.

It will be satisfactory, I think, to the Right honourable the Governor in Council to learn, that the French Government are continuing to observe the terms of the treaty in perfect honour and good faith; and as this treaty has been found, during 14 years, sufficiently to answer the purpose for which it was framed, and that it is also close upon its termination, for it ceases with the Company's present charter, the Governor in Council will probably deem it unnecessary to disturb the existing arrangements, or to render the petty losses which have been incurred in Tanjore the subject of any formal remonstrance to the French Government.

These losses, whatever their nature or extent may be, can have arisen only from the native merchants at Carical, to whom the French Government farm out the sale of salt, disposing of a small quantity of it to the inhabitants of the adjoining Danish villages. This it would, perhaps, be very difficult for the French Government altogether to prevent; and, unfortunately, we can address no representation on the subject to the Danish Government, as

Dated 16th Jan.
1832; a copy is en-
closed.

Vide Col. Fraser's correspondence with the Danish government, transmitted to the Chief Secretary, 31 March 1831.

they are not bound by the treaty signed, in Bengal in 1824, which it were desirable they had been, to purchase the salt required for their domestic consumption exclusively from us.

In regard to Mr. Wilkins, whose complaints have attracted the notice of the Honourable the Court of Directors, I have the honour to state, that I received no further communication from him, nor ever heard of his name, after the transmission of my letter to Government, under date the 18th June 1822. I was of opinion that any interposition, on my part, would have been improper, or, to say the least, that it was uncalled for, between this person and the law courts of Pondicherry, by which his case was regularly cognizable. Had it appeared to me that he was suffering from any wanton or extra-judicial act of the French authorities, I should not, for a moment, have refused him the protection he demanded; but he had been subjected only to the control of a regularly-constituted and independent jurisdiction, to which it was his duty, as I then remarked, to have looked for the hearing and determination of his case, instead of abruptly throwing himself upon me for my official interference.

With respect to the third and only remaining point of your despatch to which my attention is directed, namely, the kidnapping of children from the Company's territories for the purpose of being sold in the French settlement of Mahè, I have not the least recollection of the case, and request that you will do me the favour of stating its date and circumstances.

Cuddalore,
27 January 1832.

I have, &c.
(signed) J. S. Fraser,
Lieutenant-Colonel and Special Agent.

From Lieut.-Colonel J. S. Fraser, Special Agent for Foreign Settlements, to J. Dent, Esq., Principal Collector of the Southern Division of Arcot, Cuddalore.—(16 January 1832.)

Sir,

Paras. 9 to 12, inclusive.

I HAVE the honour to transmit, for your information, the accompanying extract of a letter from the Honourable the Court of Directors to the Government of Fort St. George, under date the 14th of April 1830, and request you will be so good as to favour me with your opinion, for the purpose of its being communicated to Government, whether, in conformity with the stipulations of the convention of the 13th May 1818, it would appear that the French Government prevent, in as far as depends upon them, the contraband trade in salt, or the re-entrance into our territory of any considerable portion of that quantity which we furnish annually for the *bonâ fide* consumption of the inhabitants of the French settlements.

Submitted to Government, in letter of 31 March 1831.

I beg further to enclose, for your information, the copies of a letter which I had occasion to address to his Excellency M. De Melay on the 22d March last, and of his Excellency's reply; in the latter of which M. De Melay acquaints me of his having repeated his instructions to the administrators of the subordinate French establishments to adhere faithfully to the stipulations of the treaties under date the 7th March 1815 and 13th May 1818.

Cuddalore,
16 January 1832.

I have, &c.
(signed) J. S. Fraser,
Lieutenant-Colonel and Special Agent.

Letter of the same tenor and date addressed to the respective collectors of Tanjore, Malabar, and Rajahmundry.

(A true copy.)

(signed) J. S. Fraser,
Lieutenant-Colonel and Special Agent.

From J. Dent, Esq., Principal Collector, to Lieutenant-Colonel J. S. Fraser, Special Agent for Foreign Affairs, Cuddalore.—(23 January 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 16th instaut, transmitting, for my information, extract from a letter from the Honourable Court of Directors to the Government of Fort St. George, under date the 14th April 1830, and requesting my opinion, whether, in conformity with the stipulations of the convention of the 13th May 1818, it would appear that the French government prevent, in as far as depends upon them, the contraband trade in salt, or the re-entrance into our territory of any considerable portion of that quantity which we furnish annually for the *bonâ fide* consumption of the inhabitants of the French settlement.

Article II.

2. From the inquiry that I have made I have every reason to believe that the stipulations of the convention of the 13th May 1818, as regards the prohibition of the manufacture of salt within the French territories have been rigidly observed, and from the system of renting out the exclusive sale of salt adopted by the French government, it is hardly possible that any can find its way clandestinely into the French limits; the only means, therefore, by which a contraband trade can be carried on, is by the re-entrance into our territory of a portion of that quantity supplied annually by us for the *bonâ fide* consumption of the inhabitants of the French possessions, and I am led to believe that the quantity, if any, which so finds its way back into our territories, is so trifling, that it is undeserving of notice. I have the more confidence in this belief, from the circumstance of no considerable quantity having on any occasion been detected by the sayer servants, although the frontier chokies have, with the exception of one year, always been under amaunie.

3. On

3. On a former occasion, when Mr. Hyde was called upon for an estimate of the inhabitants of Pondicherry, Villanellore, and Bangore, and to state the average quantity of salt, which, on a sufficiently liberal provision of that article, he would deem it expedient to supply for the use of each individual, he computed the population at 40,821, and allowing each individual one measure per month, which he considered very liberal, observed, that the total annual quantity required would be 158 garce, 31 mar. 4 mea.

From Special Agent,
1 October 1823.

From Mr. Hyde,
16 Nov. 1823,
para. 3.

4. I have no means of ascertaining correctly what the population of Pondicherry and the adjacent possessions may now be, but from what I can learn I am inclined to think it little short of 50,000; allowing, therefore, as proposed by Mr. Hyde, one measure per month to each individual, the annual consumption would be 187 garce, 200 mar. From the following statement it will appear that the average supply for the last 15 years amount to 184 garce, 54 mar. 1 meas., and the quantity furnished in the past year was only 152 garce, 354 mar. 4 mea., and from this it is to be observed, all vessels visiting the port of Pondicherry were to be supplied.

Salt supplied to the French Government from 8th January 1817 to 31st	Garce.	Mar.	Mea.
December 1818	148	123	-
Ditto ditto for the year 1819	130	182	6 ½
Ditto ditto for - ditto 1820	113	388	-
Ditto ditto for - ditto 1821	258	110	4
Ditto ditto for - ditto 1822	211	211	-
Ditto ditto for - ditto 1823	210	220	-
Ditto ditto for - ditto 1824	235	22	-
Ditto ditto for - ditto 1825	213	82	-
Ditto ditto for - ditto 1826	216	60	-
Ditto ditto for - ditto 1827	159	377	2
Ditto ditto for - ditto 1828	275	166	-
Ditto ditto for - ditto 1829	239	266	2
Ditto ditto for - ditto 1830	196	246	4
Ditto ditto for - ditto 1831	152	354	1
Total Garces	2,762	11	6 ½

Average per year 184 g. 54 m. 1 m.

5. From the foregoing I think it may reasonably be inferred, that little or any of the salt supplied by us finds its way back clandestinely into our limits.

6. The allowance of one measure per month for each individual is no doubt very ample; but in regulating the supply of one of the chief necessaries of life to the subjects of a foreign state, the British Government, with its accustomed liberality, would not, I conceive, be desirous of instituting a very strict scrutiny.

Cuddalore, Principal Collector's Cutcherry,
23 January 1832.

I have, &c.
(signed) *J. Dent*,
Principal Collector.

From *N. W. Kindersley*, Esq., to Lieutenant-Colonel *J. S. Fraser*, Special Agent,
Cuddalore.—(21 January 1832.)

Sir,

1. IN reply to your letter of the 16th instant, I have the honour to inform you, that a comparison of the proportion of salt supplied to Karrical and Tranquebar to the respective population of those settlements, as furnished to me by the local authorities, with the proportion of salt consumed in the province of Tanjore, with its population, leads me to the conclusion, that the quantity supplied to the French settlement at prime cost is more than is consumed by its population, and that the surplus finds its way, not back into the English territory, but into the Danish settlement, which, as you are aware, it adjoins.

See accompanying
Statement.

2. I do not attribute this to any bad faith on the part of the French Government, but to their system of farming the salt to the highest bidder. When the rent is run up by competition beyond its natural value, it is only by the profit upon the sale of an additional quantity of salt that the renter can cover his loss; and as he cannot increase the consumption within the limits of his rent, nor find a vent for his surplus salt into the British territory, it is sent to the Danish settlement.

3. How far the French Government is bound by the letter of the treaty to prevent its export thither I am not aware, but supposing it to be so, and to act up to it, it is not likely that its endeavours should be successful, unless seconded by those of the Danish Government, which is no way interested, nor, I believe, engaged to do so.

4. The simple remedy appears to be, to fix a maximum quantity of salt to be supplied annually to Karrical at prime cost, with reference to the consumption of our own province, with an advance in the first year of one-sixth of the quantity, or two months' consumption.

Tanjore, Negapatam, 21 January 1832.

I have, &c.
(signed) *N. W. Kindersley*.

CORRESPONDENCE ON THE SLAVE TRADE,

STATEMENT comparing the Consumption of SALT with the POPULATION in the Province of Tanjore and the Settlements of Karrical and Tranquebar respectively.

Years.	Population of Tanjore.	Salt Supplied.	Proportion per 0/0 Individuals.	Population of Tranquebar.	Salt Supplied.	Proportion per 0 0 Individuals.	Total of Columns 2 & 5.	Total of Columns 3 & 6.	Proportion per 0/0 Individuals.	Population of Karrical.	Salt Supplied.	Proportion per 0/0 Individuals.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.
1829	1,128,730	G. m. m. 2,878 155 -	m. m. 102 - $\frac{3}{32}$	18,200	G. m. m. 80 128 -	m. m. 176 4 $\frac{7}{32}$	1,146,930	G. m. m. 2,958 283 -	m. m. 103 1 $\frac{1}{2}$	39,513	G. m. m. 113 - -	m. m. 104 2 $\frac{7}{16}$
1830	1,128,730	2,945 340 4	104 3 $\frac{3}{32}$	18,200	46 80 -	101 4 $\frac{1}{16}$	1,146,930	2,992 20 4	104 2 $\frac{3}{32}$	39,513	118 8 -	119 1 $\frac{7}{16}$
1831	1,128,730	2,867 65 -	101 4 $\frac{3}{32}$	18,200	26 370 -	59 1 $\frac{11}{32}$	1,146,930	2,894 35 -	100 7 $\frac{1}{2}$	39,513	107 320 -	109 1 $\frac{1}{16}$

Tanjore, Negapatam, 21 January 1832.

(E. E. per)

(signed)

N. W. Kindersley.

EXTRACT FORT ST. GEORGE FOREIGN CONSULTATIONS, 19 October 1832.

No. 27.

READ the following letter from Lieutenant-colonel *Fraser*, the Special Agent for Foreign Settlements, to *H. Chamier*, Esq., Chief Secretary to Government.—(13 October 1832.)

Sir,

Lieut.-Col. Fraser to the Chief Secretary, 27 Jan. 1832; Chief Secretary to Lieut.-Col. Fraser, in reply, 17 Feb. 1832.

WITH reference to that part of a despatch which I had the honour to receive from you, under date the 13th December last, relative to the kidnapping of children in Malabar, and to a subsequent correspondence on the same subject, I have the honour to forward the accompanying copy of a letter from me to the principal collector of Malabar, dated the 27th February last, and his reply to me of the 5th instant.

The information conveyed by the latter on the subject to which it relates, will, I trust, be satisfactory to the Right honourable the Governor in Council and the Honourable the Court of Directors.

I have, &c.

(signed) *J. S. Fraser*,
Lieut.-colonel and Special Agent.

Cuddalore, 13 October 1832.

From Lieutenant-colonel *J. S. Fraser*, Special Agent., to *A. F. Hudleston*, Esq., Principal Collector and Magistrate of Malabar, Calicut.—(27 February 1832.)

Sir,

A REPRESENTATION, founded on a report from the Magistrate of Malabar, in the Judicial Department, dated the 7th October 1819, having been addressed in the course of the same year by the Government of Fort St. George to that of Pondicherry, respecting the kidnapping of children from the Company's territories, for the purpose of being sold slaves in the French settlement of Mahè; and the French authorities having promised to give their particular attention to the proper means for suppressing so reprehensible a practice, I have the honour to request, that you will be so good as to acquaint me, for the information of the Government of Fort St. George, what steps may then have been taken to effect this object, and whether they have been found sufficient to answer the desired purpose.

I have, &c.

(signed) *J. S. Fraser*,
Lieut.-colonel and Special Agent.

Kotagherry, 27 February 1832.

From *F. Hudleston*, Esq., Magistrate, to Lieutenant-colonel *Fraser*, Special Agent, Cuddalore.—(5 October 1832.)

Sir,

IN reply to your letter of the 27th February last, addressed to my predecessor, requesting to be informed what steps have been taken by the French authorities at Mahè, for suppressing the practice of kidnapping children for the purpose of selling them as slaves in that settlement, and whether they have been found sufficient to answer the object, I have the honour to state, that the case which led to the representation made to Government by Mr. James Vaughan, the former magistrate of this district, under date the 7th October 1819, appears to have been a solitary instance of the kind, as connected with the settlement of Mahè; and that there is no reason to believe the French authorities at that place have ever been less ready or desirous to suppress so revolting a crime than the officers of the Company's Government.

2. Slavery

2. Slavery exists in Mahè only in the same way that it does throughout the district of Malabar, and no transfer or sale of human beings would be sanctioned there, that would not be tolerated in the British limits, as consistent with the ancient usages of the province. E. I. Company and Board of Control. (Documents.)

3. Adverting to the small extent of the settlement of Mahè, and to the free intercourse and connexion existing between its native inhabitants and those of adjoining districts of the Company, it will be obvious that a child kidnapped from the British limits, and taken to Mahè, would be as readily discovered there as if secreted in any other town on the coast.

I have, &c.

(signed) *F. Hudleston,*
Magistrate.

Magistrate's Office, Calicut,
5 October 1832.

Ordered, That a copy of the foregoing communication be transmitted to the Honourable the Court of Directors, with reference to a despatch from this department, under date the 5th of June last, No. 2 of 1832.

No. 28.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 19 April 1836.

Read the following Letter :

(No. 12.)

From *C. R. Cotton*, Esq., Principal Collector, Mangalore, to Chief Secretary to Government.—(2 April 1836.)

No. 45.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 26th February last with its enclosures, and to state, for the information of Government, that though I have made every possible inquiry respecting the abduction of a girl from this port, I have not been able to obtain any information to throw a light upon the subject. I can discover no reason whatever for supposing that such transactions now take place in any of the ports of Canara. I shall not, however, relax the watchfulness which the prevention of such crimes render necessary.

(signed) *C. R. Cotton,*
Principal Collector.

Canara Principal Collector's Cutcherry,
Mangalore, 2d April 1836.

Ordered, To be brought to the notice of the Honourable the Court of Directors, with reference to para. 17 of their despatch in this department, dated the 23d July 1834, No. 4; and para. 14 of the reply of Government, dated 22d September last, No. 8. No. 46. Resolution thereon.

True Extracts.

(signed) *T. L. Peacock,*
Examiner of India Correspondence.

East India House, }
24 July 1838. }

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 24 October 1827.

From Resident in Persian Gulf to Mr. Secretary *Newham*, 21 July 1827.

Sir,

No. 2.

I HAVE the honour to transmit for the information of the Honourable the Governor in Council the accompanying copy of a letter from his Highness the Imaum of Muscat, which affords another gratifying proof of his Highness's readiness to meet the wishes of the Government. I beg to transmit at the same time a copy of my reply to the above communication.

I conceived it right to make the request I have done respecting the walee of Lemao, as it appears probable that the interference of the Government in this affair occasioned his dismissal; had it not been for that, his conduct might not have been disapproved of by his master.

I understand that his Highness means to proceed against Mombassa in four months with three frigates and several buggalas. It appears probable from the accompanying translations of letters from the agent at Muscat, that both Mombassa and Sevee are places from which slaves are obtained by European vessels.

I have, &c.
(signed) *D. Wilson*,
Resident in the Persian Gulf.

Translation of a Letter from His Highness the Imaum of *Muscat* to Captain *Wilson*,
Resident in the Persian Gulf, dated 20 June 1827.

(A. C.)

On the 9th June I was gratified by the receipt of your kind letter, dated the 25th April, the contents of which I understood; at the same time I beg to acknowledge the receipt of the communication from the Honourable the Governor, which you enclosed to me: the answer I have forwarded to Bombay. I was sincerely grieved at the information you gave me of the departure of my dear friend Colonel Stannus, but have received much consolation from your succeeding to his situation, for your friendship with me is of old. With relation to the Englishman who was in Sevee, I issued orders to my governor to refrain from annoying the people of that place as long as he was there, and have the pleasure to send you the letter from the walee of Lamoo upon the subject. I have, however, directed the walee of Tarizibar to remove him from his situation on account of his proceeding against the inhabitants of Sevee; and though, in fact, they have made peace, and are on friendly terms, yet I have still determined to dismiss the above-named individual, to prevent the repetition of such improper conduct. God willing, I intend to proceed to those parts in the course of November next, to leave a force for the attack of Mombassa, and I shall use every exertion to get the Englishman above alluded to out of Sevee in a proper manner. You inform me it is your intention to visit Muscat; you will be most welcome, for the country is yours, and I trust in God soon to have the pleasure of a personal interview. Continue to honour me with your correspondence.

(True translation.)
(signed) *S. Hennell*,
Assistant to the Resident.

From Resident, Persian Gulf, to His Highness the Imaum of *Muscat*, 21 July 1827.

(A. C.)

I HAD yesterday the honour of receiving your Highness's letter of the 9th June.

2. Your kind attention to the wishes of the Government respecting the affair of Sevee, gives an additional proof of your friendly feelings towards it, and although nothing of this kind was wanting, it is always agreeable to receive such testimonies, and a pleasing duty to acknowledge them.

3. I feel convinced that the Bombay Government would be greatly afflicted if any worthy and zealous individual in your Highness's service should suffer in this affair. If the walee of Lamoo, therefore, should only have committed a mistake, and should otherwise be free from blame, will your Highness excuse the liberty I take in deprecating your wrath in his favour; I am emboldened to do this from your Highness being celebrated for mercy as well as discrimination.

4. It would, I am sure, afford your Highness sincere pleasure to learn that Tahnoon and Sultan Bin Suggur had made peace, and that there was a prospect of the poor people of this Gulf enjoying a quiet pearl fishing season, free from the scourge of war, that affliction of mankind. I had proceeded to Rasul Khymah to offer my mediation, but happily the affair was settled before my arrival, and I trust that both Tahnoon and Bin Suggur may now be induced to adopt peaceable pursuits.

5. I am now proceeding to pay my respects to His Royal Highness the Prince of Fars at Sheraz, where I hope to be after the termination of the Mohurram.

6. I beg that your Highness will continue to honour me with your correspondence, and gratifying accounts of your health and prosperity.

Kana Zenoon, 21 July 1827. (signed) *D. Wilson*.

(True copy.)
(signed) *D. Wilson*,
Resident in the Persian Gulf.

Translation

Translation of an Extract of a Letter from the Agent at Muscat to Captain *Wilson*, dated 13 May 1827.

E. I. Company and
Board of Control.
(Documents.)

A SHIP and batiel belonging to his Highness have this day arrived from Zanziebar; they bring intelligence that the people of Mombassa have replied to the Imaum, that they are willing to pay him obedience, and give him half the produce of the island; but that they are determined never to give up the possession of the country out of their own hands. With reference to the people of the island of Sevee (whose employment is that of selling slaves to the French vessels), 400 or 500 of the Imaum's men went to attack them; an action ensued, in the course of which the latter had 40 killed, and afterwards returned to Zanziebar. A French vessel with two masts has lately been here with a cargo of 300 or 400 loorkys of cloves, the whole of which she has disposed of, and having received ready money, has sailed for the Mozambique, in order to purchase a cargo of male and female slaves.

(True translation.)

(signed) *S. Hennell*,
Assistant to the Resident.

Translation of an Extract of a Letter from Agent at Muscat, dated 26 May 1827, to the Resident.

I MENTIONED about the island of Sevee to you in a former letter, since which a letter has been received by his Highness from Said Ahmed-ben-Serof, informing him that two English frigates had been to Zanziebar, and had desired to know whether his Highness intended taking possession of Mombassa or not, as in case he had no design that way, they would do so. The inhabitants of that place have before told Shaik Ahmed they were willing to obey the Imaum, and to pay him half the produce of the country, but that they would admit no other person into it.

(True translation.)

(signed) *S. Hennell*,
Assistant to the Resident.

From Mr. Secretary *Newnham* to Resident, Persian Gulf.

Sir,

I AM directed to acknowledge the receipt of your despatch dated 21st July last, No. 60, transmitting translate of your correspondence with the Imaum of Muscat, regarding his views towards the islands of Sevee and Mombassa, and to acquaint you that the Governor in Council approves of the tenor of your communication to his Highness on the subject.

A copy of your despatch has been transmitted to Commodore Christian, commanding H. M.'s squadron on the Cape station, for his information.

Bombay Castle, 18 Oct. 1827.

I have, &c.,
(signed) *W. Newnham*,
Chief Secretary.

No. 4.

From Government of Bombay to Commodore *Christian*.

Sir,

As connected with our letter to your Excellency, dated the 10th February last, regarding Bombassa, we have now the honour to forward a copy of a despatch from the Resident in the Persian Gulf, of the 21st July, together with copy of his correspondence with his Highness the Imaum of Muscat, respecting the islands of Sevee and Mombassa.

Our object in forwarding this correspondence is to put you in possession of the fact, that there still exists a brisk trade in slaves on the part of the French from these islands.

Bombay Castle, 18 October 1827.

We have, &c.
(signed) *M. Elphinstone*,
P. Bradford,
F. Warder,
R. T. Goodwin.

No. 5.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 25 June 1828.

TRANSLATE of a LETTER from His Highness the Imaum of *Muscat* to his Agent *Aga Mahomed Shoosty*.

Enclosure of a Letter from His Highness the Imaum of *Muscat* to his Agent *Aga Mahomed Shoosty*.

WITH regard to the slave traffic carried on by the French, which is unknown (to Government), I have to state that some time previous to our arrival at Bombassa, three French vessels

E. I. Company and Board of Control. (Documents.) vessels had arrived at that place, and purchased slaves, one vessel 200, the second 180, and the third 150. They are at all times in the practice of coming and clandestinely purchasing slaves at Nuja at an enhanced rate; if, for instance, the price is 10 kroosh, they pay 70. The people of that place being foolish, and of small understanding, look for the profit without regarding the punishment they are to undergo. At the present time I have dispatched a force to reduce Nuja, because the inhabitants of that place are under the jurisdiction of Kuluck. If the purchase of slaves is prevented at Nuja, they will purchase them at the Mozambique, where this trade is carried on openly. I therefore wish you to make representations to the Honourable the Governor with regard to the people of Mozambique, and let me know what the Honourable the Governor commands. All other people (tribes) are subject to this requisition, except those of Mozambique, who publicly sell slaves.

(signed) *W. Clerk,*
Acting Persian Sec. to Govt.

No. 51. From Mr. Secretary *Newnham* to the Acting Persian Secretary, 24 June 1828.

Sir,

WITH reference to the translate of a letter from the Imaum of Muscat to his agent Aga Mahomed Shoostry, respecting the slave trade carried on by the French at Mombassa, I am directed to request that you will convey to his Highness the acknowledgments of this Government for the sincere interest which he appears to take in the abolition of this detestable traffic in human flesh, which has so long been a disgrace to the civilized world; but that, as far as regards the Portuguese settlement of Mozambique, the Government of this Presidency can neither authorize nor advise any interference.

Bombay Castle, 24 June 1828.

(signed) *W. Newnham,*
Chief Secretary.

No. 52. From Mr. Secretary *Newnham* to the Secretary to Government at the Mauritius, 24 June 1828.

Sir,

I AM directed to transmit to you, for the purpose of being laid before his Excellency the Governor of Mauritius, translate extracts of a letter from his Highness the Imaum of Muscat to his agent at Bombay, respecting the slave trade carried on by the French at the island of Mombassa, together with copy of my letter to the acting Persian secretary, forming a reply to his Highness's communication.

Bombay Castle, 24 June 1828.

I have, &c.
(signed) *W. Newnham,*
Chief Secretary.

No. 53. From Mr. Secretary *Newnham* to the Admiral's Secretary, 24 June 1828.

Sir,

I AM directed to transmit to you, for the purpose of being laid before his Excellency the Naval Commander-in-chief, translate extracts of a letter from his Highness the Imaum of Muscat to his agent at Bombay, respecting the slave trade carried on by the French at the island of Mombassa, together with copy of my letter to the acting Persian secretary, forming a reply to his Highness's communication.

Bombay Castle, 24 June 1828.

I have, &c.
(signed) *W. Newnham,*
Chief Secretary.

No. 54. From Mr. Secretary *Newnham* to the Commodore of the Cape Station.

Sir,

I AM directed to transmit, for your Excellency's information, translate extract of a letter from his Highness the Imaum of Muscat to his agent at Bombay, respecting the slave trade carried on by the French at the island of Mombassa, together with copy of my letter to the acting Persian secretary, forwarding a reply to his Highness's communication.

Bombay Castle, 24 June 1828.

I have, &c.
(signed) *W. Newnham,*
Chief Secretary.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 22 October 1828.

E. I. Company and
Board of Control.
(Documents.)From Private Secretary to Governor of Mauritius to Mr. Secretary *Newnham*.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 24th of June last, accompanied by an extract of a despatch from the Imaum of Muscat to his agent at Bombay, and by a copy of your letter to the acting Persian secretary, forming a reply to his Highness's communication, the whole having reference to the traffic in slaves carried on by the French at the island of Mombassa; and having laid these papers before his Excellency the Governor, I have received his Excellency's directions to signify to you his best thanks for the information which has thus been conveyed to him.

Mauritius, Government-House,
13 September 1828.

I have, &c.
(signed) *T. Viret*,
Private Secretary.

No. 34.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 14 July 1830.

No. 13.

From the Honourable the Court of Directors, dated the 13th January, with Enclosure.
(*Vide* Letters from the Court).

Ordered, That Copy of the Letter from the Honourable the Court of Directors, and its Enclosure, be forwarded to the Residents in the Persian Gulf.

Sir,

I AM directed to transmit, for your information, copy of a despatch from the Honourable Court of Directors, dated the 13th January last, together with a printed copy of the Report of the Commissioners of Inquiry upon the Slave Trade at the Mauritius.

Bombay Castle, 8 July 1830.

I have, &c.
(signed) *Thomas Williamson*,
Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 16 March 1831.

No. 660.

From Resident, Persian Gulf, to Mr. Secretary *Williamson*, 28 January 1831.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 944, dated 8 July 1830, in this department, conveying the copy of a despatch from the Honourable the Court of Directors of the 13th January 1830, which enclosed a copy of the "Report of the Commissioners of Inquiry upon the Slave Trade at Mauritius," and intimated that it was considered my personal acquaintance with his Highness the Imaum of Muscat might "be extremely useful in accomplishing the abolition of the slave trade in that quarter."

2. As appertaining to the subject of the Muscat slave trade, I shall proceed to submit to the Government the result of some inquiries which I have made into the slave trade now existing at that place, and at other ports in this gulf; but before I do so, I shall briefly notice the few documents connected with the slave trade of these countries, which have come to my knowledge.

3. The only agreements or "requisitions" as they are termed, which I am aware of as existing between the British Government and his Highness the Imaum of Muscat, connected in any manner with the slave trade, are, I believe, those made in the year 1822 by Captain Moresby, Royal Navy, who was deputed to his Highness the Imaum by the Government of Mauritius, and which refer to and prohibit only the slave trade that might be carried on with, or by Christian nations, or to Christian countries, from his Highness's dominions; but in no way influence or suppress the "slave traffic to the neighbouring countries of his (the Imaum's) dominions," or relate to "in fact any interference with the trade to Mahomedan countries."

4. With Persia there does not, as far as I am aware, exist any treaty or agreement of any kind relating to any slave trade whatever.

5. Respecting the Arabian States and tribes of this gulf, the 9th article of the "general treaty" concluded with them by Lieutenant-general Sir William Keir Grant, in the year 1820, is as follows: "The carrying off slaves, men, women or children, from the coast of Africa or elsewhere, and the transporting them in vessels, is plunder and piracy, and the friendly Arabs shall do nothing of this nature." But the Governor in Council instructs the resident in the Persian Gulf concerning his understanding of this article, that "it evidently only alludes to descents made on the coast of Africa for the purpose of making slaves; this is justly declared to be plunder and piracy, terms which would have been an abuse of

E. I. Company and
Board of Control.
(Documents.)

language to apply to any trade, however detestable, as long as it was peacefully conducted. In this sense the article must be understood; but every infringement of it, when clearly established, must be resented exactly as a case of piracy would be."

6. The information which I am now about to submit, has been obtained chiefly through the Government's native agents at Muscat, Sharga, or Rashal Khymah, Linga and Bharein, the first native assistant in this office, and others. The Governor in Council will be aware that the natives of the East generally, and of Persia and Arabia particularly, are not in the habit of either thinking or expressing themselves with any great degree of precision, on any subject whatsoever, and will therefore be aware that information collected from them can be looked upon, in its minuter parts, only as an approximation to correctness; still it may be sufficiently near the truth to afford the means of coming to accurate general conclusions, which can hardly be influenced by trifling errors of detail. With this taint and disadvantage, the information now communicated is of course chargeable, but none of the agents would seem to have any interest in misrepresenting facts, and therefore I am inclined to believe that they have not intentionally mis-stated any thing, even although it may be considered that the information be scanty and otherwise defective.

Slave Trade at Muscat.

7. From 1,400 to 1,700 male and female slaves are in general annually imported into Muscat. There are two seasons of the year called Mokhaod and Dumany; during the period of both these seasons of last year, about 900 slaves were openly imported, and paid customs of two German crowns each, and about 250 or 300 more were smuggled in without having paid any duty.

8. About three-fourths of the slaves imported are brought by sea from Sowahel, on the coast of Africa; the remaining fourth are Abyssinians brought lastly by sea from the province of Yemen, in Arabia.

9. The proportion of the female slaves imported is generally three-fourths greater than the male; and both sexes are brought at from 10 to 14 years of age; very few indeed are sold at 30 years.

10. From 10 to 15 eunuchs are brought annually to Muscat; but no slaves are so mutilated there, as they are made eunuchs either in their own countries, or in some parts of Yemen.

11. The slaves which come from Sowahel, or the coast of Africa, sell lower than the others. Females of that race usually are sold at from 25 to 45 German crowns: males from 20 to 35; whilst female Abyssinians sell from 35 to 150 German crowns, and males of the same nation from 35 to 100. Eunuchs are sold at from 80 to 300 crowns, and there are some of them who have been instructed to read and write a little. On the first sale of the slaves, the importer may probably realize a profit of from 20 to 30 per cent.

12. The slaves are chiefly brought to Muscat by the subjects of that state, but they are brought also by the people of the province of Yemen in Arabia, viz. of Mocha and Thonfar, of Makalla, a place in the province of Hadramah, coast of Arabia, and Sheher, a place near Makalla.

13. The mortality on board of the vessels which convey these slaves is sometimes very considerable, and sometimes less; but when the small-pox breaks out it is always very great.

14. The most of the slaves are taken prisoners during the wars which arise among the tribes in the countries from which they are originally brought; but some also are kidnapped, and sold along with the others.

15. No slaves are brought to Muscat through the interior of Arabia, on account of the badness of the roads.

16. The people of Soor, who are subject to Muscat, import slaves from the coast of Africa and from Yemen also, and they smuggle a few of them into Muscat; but they send the greater number to Bushire, Bassora and other places.

17. The slaves which are imported into Muscat are subsequently sent to various places in the province of Oman itself (in which Muscat is), to the ports of Persia, to the island of Bharein, to Katuf and Kowate, on the Arabian coast of this gulf, to the coast of Mekran, and Scinde, to Asiatic Turkey, and other countries.

18. The next places I shall proceed to mention as connected with the slave trade, are Rasal Khymah and Sharga, they being on the same line of the Arabian coast as Muscat, but situated within the Persian Gulf and belonging to an Arabian state to which Sir William Keir Grant's treaty extends.

Slave Trade at Rasul Khyma and Sharga.

19. The average number of slaves imported annually into Rasul Khyma may be 50 of both sexes; into Sharga 120, and about 40 more to the other Joasmee dependencies. Total 210 male and female, in about equal proportions.

20. Last year Shaik Sultan Bin Suggers' own buggalow brought from the coast of Africa 30 slaves to Rasul Khyma, but this is a rare occurrence, vessels seldom going there from the Joasmee states; 180 slaves, the balance of the 210 above stated, were brought from Muscat; but of the numbers thus imported, a portion only was sold on the spot, the rest were exported to the island of Bharein, or the province of Fars in Persia.

21. The slaves above mentioned are generally natives of the coast of Africa, Nubians or Abyssinians are rare in this state, there being seldom more than three or four brought annually.

22. There

22. There are no eunuchs imported into this state, the people do not like them, and their use is confined to princes and men of rank in Persia.

23. The price of a good slave from the coast of Africa, at from 14 to 22 years of age, averages from 40 to 50 German crowns, male or female. The value of a fine Nubian female is 100 to 150 crowns; the males however of this nation bear a still higher price.

24. The slaves are brought by sea, none coming from the province of Nedjd or elsewhere inland; but they could be brought from Muscat by land, along the coast, with great facility, if at any time there were any impediments by sea.

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(Documents.)

Slave Trade at the Island of Bharein.

25. Sir William Keir Grant's treaty extends also to the Island of Bharein, one of the largest and most fruitful in the Persian Gulf.

26. The average number of slaves imported into Bharein annually is about 300, in nearly equal proportions of male and female; but during the year just past, there came about 210 Africans of the coast from Muscat and elsewhere, and 31 Abyssinians were brought direct from Barbarra on the coast of Abyssinia; there were also a few Nubians brought. These two last races are particularly prized by the chiefs at Bharein, as they consider them excellent soldiers, and the chiefs of Bharein have from 400 to 500 of them, whom they employ during war.

27. Eunuchs are not brought to Bharein, the chief men there do not keep such persons.

28. The price of a slave from Mombassa, on the coast of Africa, is at Bharein from 30 to 40 German crowns, Abyssinians from 50 to 150 crowns, the females selling higher than the males. Nubian males from 40 to 80 crowns.

29. Many of the Africans from Mombassa, or their descendants, are pearl divers or fishermen, but they are not all slaves; only about two-thirds of the men originally of Mombassa are slaves; the other third are free, and receive a share of the pearls that may be found. Of the fishermen about one-third are slaves, whose masters are poor people, who fish along with them; the other two-thirds are free, and fish or perform other work for their own benefit; perhaps one-half of the population of Bharein may, in some measure, be considered slaves, having descended from people who certainly were so; but they now assume the name of Uttoobe, the tribe of their masters, and they seem to have greater consideration and power than the original Bhareins, whom they aid the Uttoobes to oppress.

Slave Trade at Bushire in Persia.

30. During the year just past about 245 slaves, among which there was a greater proportion of females than males, were imported into Bushire; but about 55 of these belonged to pilgrims proceeding to Mecca, and were brought by them from the interior of Persia, the remainder came from Muscat; and of the above total the slave brokers state that only 120 were actually sold in Bushire, the rest were re-exported to Bussora, &c. The duty paid on each slave is two rupees. During the last year the importation of slaves was greater than during the two or three former years, and they were almost all brought from Muscat or Soor, excepting a few direct from Mocha or Jedda.

31. From 5 to 10 eunuchs are annually imported into Bushire, generally from Mocha or Jedda; no persons are so mutilated here.

32. The price of a slave from Mombassa, on the coast of Africa, is from 30 to 45 German crowns, Abyssinians from 60 to 120 crowns, but a superior Abyssinian female perhaps may sell at 300 crowns; Nubians are seldom brought, and sell at little higher prices than the people of Mombassa; eunuchs sell at from 100 to 300 crowns.

33. The other ports in Persia, such as Bunder, Abass, Linga, Kongoon, &c. &c., the ports also of the Arabian shore of this gulf not before mentioned, as Aboothabee, Kateef, Grain, &c. &c. seem all to draw their supplies of slaves, particularly those of the coast of Africa, almost entirely from Muscat, or its dependency Soor; any direct communication with the coast of Africa being very rare.

34. In conclusion, I venture to express a hope that the information now brought forward may prove useful, should circumstances at any time induce the Honourable the Governor in Council to enter upon a consideration of the best means of accomplishing the important but difficult object, from its affecting complicated interests, of inducing the different states in this quarter now engaged in the traffic in slaves, to abandon it entirely; than which, few single acts could contribute so much towards their progress to civilization, and the ameliorating extension of their peaceful commerce and intercourse with India, and elsewhere, to the infinite benefit of their neighbours as well as of themselves.

Residency in the Persian Gulf,
Bushire, 28 Jan. 1831.

I have, &c.
(signed) *D. Wilson*,
Resident in the Persian Gulf.

Summary of Proceedings respecting the Slave Trade on the Coast of Zanzibar.

The Honourable the Court of Directors, in their despatch dated 11 April 1821, forwarded a letter and memorial they had received from the Vice-Presidents and Directors of the African Institution, respecting the slave trade carried on at Zanzibar, and directed that every means of persuasion might be exerted with the Imaum of Muscat to abolish this inhuman traffic within his possessions.

See Egypt.
1821, Political
Cons. 1 October,
page 259.

In consequence of which a letter was addressed to his Highness, requesting him to co-operate in the suppression of so detestable a traffic.

In October 1821 the Supreme Government forwarded copies of two letters from the Governor of the Mauritius, which, after adverting to the progress made in effecting the annihilation of slave trade at that island, under the operation of the treaty concluded with the King of Madagascar, noticed as a consequence of that measure, the resort of the French ships engaged in that traffic to the east coast of Africa, and particularly to the port of Zanzibar, belonging to the Imaum of Muscat.

In the mean while a despatch was also received from the Imaum, complaining of the detention by one of our cruizers of two of his ships laden with slaves. By disclaiming, in reply, all intention of stopping his Highness's ships, or interfering with his independence, the opportunity was taken to notice that it would be most gratifying to the British Government, and to the whole nation, if he would forbid the slave trade entirely within his dominions; but if such were impracticable, that his Highness would issue orders to all the local authorities, to prevent all dealing in slaves from being carried on by European agents.

By a subsequent letter from the Imaum, dated 13 December 1821, his Highness was engaged to prevent British dependents from carrying on the slave trade, and issued orders to the local authorities at Zanzibar, directing that no slave be sold to any Europeans who might visit that place, but appeared reluctant to prohibit the traffic among his own subjects.

1822, Pol. Cons.,
Jan. 9, p. 120.

The resident at Bushire was directed to use every effort to enter into such explanations and arrangements with his Highness as might lead to the effectual check, if not to the entire suppression of that nefarious traffic.

1822, Pol. Cons.,
26 June, p. 158.

The Hakim of Zanzibar, in a letter to the Imaum of Muscat, detailed his proceedings in preventing the sale of slaves to the captains of some French ships that had put into that port for slaves.

Captain Moresby of his Majesty's ship *Menai* arrived at Bombay in 1821, and communicated to the Government the treaty he had, under instruction from the Governor of the Mauritius, entered into with his Highness the Imaum of Muscat, for the total suppression of the slave trade from his Highness's dominions on the east coast of Africa with Christian nations, and permitting the seizure of the vessels bearing even his Highness's flag, if found with slaves to the eastward of a line drawn from Cape Delgado, and passing 60 miles from Socotra on to Dieu Head, beyond which no vessel would proceed *bonâ fide* bound only to his Highness's Asiatic territories, or to the Mahomedan states, included within the limits.

At the period of this discussion a letter was written by the Government to the Governor of Zanzibar, forwarding some articles of presents, and thanking him for his zealous exertions in suppression of the slave trade.

1 & 4, Jan. 1826,
p. 103.
See Persian Gulf,
Muscat, &c.

On the receipt of despatches, dated as per margin, from the resident in the Persian Gulf, on the subject of the Imaum of Muscat's complaints of the conduct of the British agents on the coast of Africa, and of the claim advanced by his Highness to our assistance against all his enemies, Mr. Elphinstone observed, in his Minute of the 14th January 1826, that in a conversation which he had with his Highness's agents, he took occasion to observe, that the present interference with him originated in the anxiety of the British Government to put a stop to the slave trade, and that the degree in which he was supposed to be engaged in that traffic greatly interfered with the esteem in which his Highness would otherwise be held by all Englishmen; that he was, therefore, anxious for his sake as well as for that of humanity, that some means should be thought of for putting a stop to the traffic throughout the whole of his dominions; that if he would state what sort of compensation would induce his Highness to abandon it, Mr. E. would, if his views were at all consistent with the policy of the British Government, bring the subject publicly before the proper authorities.

Considering the present proposal entirely inadmissible, Mr. E. told the agent his opinion, and added, that as the whole project was a mere suggestion, the Imaum must not suppose that he should take his declining to accede to it on any attainable terms in the least amiss.

In the following extracts of a private letter from the Imaum to his agents at Bombay, his Highness's views, and the terms on which he is willing to meet the wishes of Government, are clearly defined:—

“ We now write this in reply to the proposition for the entire suppression of the slave trade, made through you by the honourable the Governor.

“ You are well acquainted with the fact, that the chief revenue and advantage derived from Zanzibar, arose from the sale of Blacks; but, that notwithstanding this, on Captain Moresby's coming here (to Muscat) some time ago, and on his requesting us to come to some agreement on this point (the abolition of the slave trade as respected Europeans) we put up with a very great loss, and consented to Captain Moresby's propositions, in order that we might satisfy and please the British Government. At the present moment they appear to desire this prohibition, to be universally extended (*i.e.* to Asiatics and Mussulmans as well as Europeans); you know well what a weighty matter this is with Mussulmans, and that to them it appeared a very harsh measure; should such a measure be adopted, the whole (Mahomedan) world will become our enemies; some overtly and some secretly; and the case of one who becomes viewed as an universal enemy is very difficult, notwithstanding which, by reason of the friendship I entertain for the English nation, and the alliance I hold with them, I would not mind incurring any risk.

“ This

"This matter might, accordingly, be arranged on either of the following conditions:—

1st. "That the British Government bind themselves to defend me against either mine own, or their enemies, both by land and by sea.

2d. "Or, if they consider the above proposition inexpedient, then let them give me the country of the Portuguese (Mosambique, &c.), according to Captain Owen's promise to me.

3rd. "Or, if this also be impracticable, let them (the British Government) make a provision (in money) for me, that we may then go to Zanzibar and reside there, and give up our native country."

In 1828, the Imaum's agent at Bombay received a letter from his Highness, stating that he had dispatched a force to reduce Nuja with a view of preventing the sale of slaves there, and at the same time directed the agent to obtain the sentiments of this Government with regard to the traffic in slaves carried on at Mosambique.

The acknowledgments of Government were conveyed to his Highness for the sincere interest he took in the abolition of this detestable traffic in human flesh; but informed that, as far as regarded the Portuguese settlement of Mosambique, the government of Bombay could neither authorise nor advise any interference.

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1828, Pol. Cons.,
25 June, No. 50 &
51.
See Bushire Resi-
dency, &c.

Reply to, from Mr. Secretary *Williamson* to Resident in the Persian Gulf.

No. 661.

Sir,

I AM directed to acknowledge the receipt of your Despatch, dated the 28th January, submitting the result of your Despatch, dated the 28th January, of the slave trade in the Persian Gulf, and to convey to you the thanks of Government for the information afforded in this very interesting report, copy of which will be transmitted to the Honourable the Court of Directors by an early opportunity.

Bombay Castle,
11 March 1831.

I have, &c.
(signed) *Thomas Williamson*,
Secretary to Government.

Ordered, that copy of the above report be transmitted to the Honourable the Court of Directors.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 30 November 1831.

No. 3231.

From Lieutenant-Colonel *Pottinger* to Mr. Secretary *Norris*, 18 November 1831.

Sir,

I THINK it proper to acquaint Government that just before I quitted Cutch to come down to the presidency, a girl applied to me to obtain her release, who stated that she had been enticed away (with two others) from Mangalore, and sold to the keeper of a brothel at Mandavie.

2. I immediately established an investigation, the result of which was as follows: that two of the girls were Moplins, and one (the complainant) a Malabar Christian; the former had been married at Mangalore to men belonging to the boat in which they were carried to Cutch, but the third was brought away, under a promise of being made the wife of the son of the tindal of the vessel, with whom, however, she soon quarrelled, and was disposed of as above stated.

3. The tindal deposed, that a person of the name of Fuckeer Taree Walla, (who, he says, is well known to the authorities at Mangalore), proposed to him to make the girl his daughter-in-law; that he agreed to this proposal under the belief she was a Moplin; that he incurred some expense at Mangalore, and that she came on board his boat voluntarily.

4. On the other hand, the girl declared that she was gagged, and carried on board the boat at night; that the man above-named (Fuckeer Taree Walla) threatened to have her drowned if she attempted to complain; that she told the tindal when she was permitted to speak that she was a Christian, but that notwithstanding that knowledge she was brought to Mandavie, and (after being forced to cohabit for some time with the tindal's son) was sold as a slave.

5. Of the latter important fact there is not the smallest doubt, for the transaction was conducted through the agency of the Kotwal of Mandavie; but from the statements made by the other girls, I am disposed to believe that no violence was used to force the complainant from Mangalore, though there can be no doubt that she was enticed away under false promises.

6. I directed the Bhoj Durbar authorities at Mandavie to see that the complainant was fed, and taken every care of till the pleasure of Government should be ascertained respecting her. I would recommend that she be either sent back to Mangalore, or left at liberty to go where she likes (which appeared to be her wish); but, under any circumstances, his Lordship in Council will, perhaps, consider it desirable that a communication should be made to the Madras government, in order that Fuckeer Taree Walla's share in the matter may be inquired into, and that steps may be adopted to prevent anything of the kind in future.

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7. The name of the tindal (who has been forced to give security for his appearance) is Noor Mahomed, and the Dingee he commands is called "The Chal." The girl's name who complained to me is "Martina Soz;" she said she was an orphan, and that her uncle Pedro Soz resides at Korial, near Mangalore.

8. The other two girls appear quite satisfied with their present situation and mode of life, and one of them told me that the chief civil authority (I think she said Mr. Vaughan) had granted a licence for her marriage.

Bombay, 18 November 1831.

I have, &c.
(signed) *H. Pottinger.*

No. 3232.

Reply to, from Mr. Secretary *Norris* to Lieutenant-Colonel *Pottinger*.

Sir,

I AM directed to acknowledge the receipt of your letter of the 18th instant, reporting the circumstance of some girls having been brought away from Mangalore, and one of them sold for a slave at Mandavie; and to acquaint you that the Right Honourable the Governor in Council approves of your proceedings on the occasion; and that the suggestions contained in the sixth paragraph have been acted upon.

Bombay Castle, 26 November 1831.

I have, &c.
(signed) *C. Norris,*
Chief Secretary.

No. 3233.

From Mr. Secretary *Norris* to Chief Secretary at Madras, 26 November 1831.

Sir,

I AM directed to transmit to you, for the purpose of being laid before the Right Hon. the Governor in Council of Fort St. George, for such steps as the Madras government may be pleased to take, the accompanying copy of a letter from Lieut.-Colonel *Pottinger*, resident in Cutch, dated the 18th instant, representing the circumstances of some girls having been brought away from Mangalore, and one of them sold as a slave at Mandavie, in Cutch.

Bombay Castle, 26 November 1831.

I have, &c.,
(signed) *Charles Norris,*
Chief Secretary.

No. 3234.

From Mr. Secretary *Norris* to Acting Resident in Cutch.

Sir,

I AM directed to transmit to you for your information and guidance the accompanying copy of a letter from Lieutenant-Colonel *Pottinger*, dated the 18th instant, regarding some girls who were brought away from Mangalore, one of whom was sold at Mandavie as a slave, and of my reply of this date.

Bombay Castle, 26 November 1831.

I have, &c.,
(signed) *Charles Norris,*
Chief Secretary.

No. 538.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 22 February 1832.

From the Acting Secretary to Government at Fort St. George, to Secretary to Government Bombay.

Sir,

WITH reference to your letter of the 26th November 1831, I am directed by the Right Honourable the Governor in Council to transmit for your information the accompanying copy of a letter from the principal collector of Canara.

Fort St. George, 25 January 1832.

I have, &c.,
(signed) *T. R. Wheatley,*
Acting Secretary to Government.

From Principal Collector, Canara, to Secretary to Government,
Fort St. George, 13 January 1832.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 13th ultimo, together with its accompaniments, and beg leave to acquaint you, for the information of the Right Honourable the Governor in Council, that, after every inquiry I have made, I am unable to discover who Fakeer Taree Walla may be; neither can I find any Christian of the name of "Pedro Soz," who acknowledges a relationship or connexion with "Martino Soz." Under these

these circumstances I am, of course, unable to prosecute any inquiry; but, if allowed, I would suggest that copies of the depositions, &c., taken by Lieutenant-Colonel Pottinger should be sent me, when I have no doubt I would be able fully to trace out the transaction.

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I have, &c.,

(signed) *N. S. Cameron,*
Principal Collector.
Canara, Principal Collector's Cutcherry, or Circuit Oodpy,
13 January 1832.

(A true copy.)
(signed) *T. R. Wheatley.*

From Mr. Secretary *Norris* to Acting Resident in Cutch, 16 February 1832.

No. 539.

Sir,

WITH reference to Lieutenant-Colonel Pottinger's letter of the 18th November last, reporting the circumstance of some girls having been brought away from Mangalore, and one of them sold as a slave at Mandavie, I am directed to transmit to you the accompanying copy of a letter from the Acting Secretary to the government at Fort St. George, of the 25th ultimo, forwarded me from the principal collector of Canara on the subject, and to request that you will forward to me copies of the depositions taken by Colonel Pottinger connected with the case.

I have, &c.,

(signed) *Charles Norris,*
Chief Secretary.
Bombay Castle, 16 February 1832.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 26 September 1832.

No. 3401.

From Mr. Secretary *Macnaghten* to Mr. Secretary *Bax*.

Sir,

I AM directed to transmit, for the information of the Right Honourable the Governor in Council, copy of a correspondence in the political department, on the subject of the abolition of the slave trade in the protected states.

I have, &c.,

(signed) *W. H. Macnaghten,*
Secretary to Governor-general.
Shimla, 14 August 1832.

From Resident, Gwalior, to Mr. Secretary *Macnaghten*, 28 July 1832.

Sir,

I HAVE the honour to transmit copy of a letter from the acting magistrate, of the 27th ultimo, a translation of which was forwarded to the Durbar, with transcript of my reply, and I have the satisfaction of reporting the issue of orders for the prohibition of the slave trade in the Gwalior dominion, and for the release of 65 slaves, of whom nine were made over to me, being subjects of the Honourable Company, and for others belonging to our allies, shall be forwarded on application.

2. Extracts from our newspapers, and translations of my congratulatory letters, are herewith transmitted for his Lordship's information.

3. I shall continue to watch and report the progress and success of her highness's measures, and to encourage her and the prime minister's zeal in so good a cause. It is unnecessary to remark that they will be opposed by all the influential characters of the court.

I have, &c.,

(signed) *R. Cavendish,*
Resident.
Gwalior Residency, Dhoulpoor,
28 July 1832.

From Magistrate, Agra, to Resident, Gwalior, 27 June 1832.

Sir,

IN the month of April last a Chumar, by name Bhowany, of Tora, in the Zillah of Agra, inveigled his wife, Mussunal Nundok, into the Gwalior territory, and sold her to a Dulloll in Puckapoorah, from whence she was subsequently purchased by a Hurdah furash of Gwalior, by name Rampule. She is now, indeed, stated to be in the Chubutros of the bazaar of Balaboy for sale in her own account.

As the sale even of a wife is deemed a misdemeanor under any circumstances, and a heinous criminal offence, when the woman's state becomes actual slavery in a foreign country, the husband has been brought to trial in the present instance. The poor woman, however,

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however, is still in bondage, and I should feel truly obliged if, by your kind offices with the durbar, she could be restored to her relations. The bearer would be happy to take charge of her.

Zillah Agra, Foujdarry Adawlut,
27 June 1838.

I have, &c.,
(signed) *C. G. Mansel*,
Magistrate.

(True Copy.)
(signed) *R. Cavendish*, Resident.

From Resident, Gwalior, to Magistrate, Agra.

Sir,

I HAVE the honour to forward to you the woman mentioned in your letter of the 27th ultimo, under charge of the burkandauze.

Gwalior Residency, Dhoulpoor,
25 July 1832.

I have, &c.,
(signed) *R. Cavendish*,
Resident.

Translation of an Extract from the Gwalior Akhbar, dated 13 July 1832.

Raojee Trimbeck stated to the Bye that there was a great number of slave dealers residing in the camp, and that they enticed away children and women, old and young, and sold them openly in camp. This, Raojee added, was highly improper, and brought great discredit on the Raj, and that the British authorities were bent on putting a stop to such practices. The Bye ordered him to make some arrangements; accordingly about 20 slave dealers residing in the government bazaar, and in the bazaars of Hindoo Rao Appa Patumka, the Baba Bye, Jey Sing Bhow, and others have been found; out of these, two residing in the government bazaar have been seized, the rest have run away, and, being protected by different sirdars, have concealed themselves. The two who have been seized state, that Ukhey Ram Cutwal employed them in this disgraceful work, and that they are his servants; that they enticed their victims away from different places, that they usually sold them in the bazaar, and gave the money to the Cutwal, who paid them out of it their wages, keeping the remainder for himself. They likewise stated that there were about 28 young women and children shut up in the house of Peera Dullol. Raojee sent people to secure the above, but the dullol hearing of his intentions, concealed them in different places; six only were found and released. Raojee took their depositions, and intended providing them with money for their journey, and sending some of his own people to escort them to their houses. He also sent a person to the Cutwal to demand the remainder; the Cutwal concealed himself and went to the house of Jey Sing Bhow, who is anxious to protect him. It is in contemplation to keep the two who have been seized some time in confinement, and then after maiming them in some way, to turn them out of camp. One of the above, when examined, stated that he had purchased a woman (one of the six) from Inderjeet, a dawk runner, in the service of the British Government, for five rupees. Raojee ordered a letter to be addressed to the resident on the subject.

14 & 15. The cutwal of the Government bazaar has been ordered to produce immediately the slave dealers, and the women who, at his instigation, ran away. Three of the women were accordingly produced, and search is being made after the remainder.

16. Intelligence was brought to the Bye that some of the slave dealers had sought refuge with Appa Patumka, and that Ukhey Chund Cutwal, who is the head of them, was with Jey Sing Bhow. Raojee Trimbeck sent to demand both the dealer and the cutwal, but Patumka and Jey Sing Bhow refused to surrender them, and replied that the system of slave selling and buying was of old standing in the camp; that Raojee Trimbeck was introducing a new system, but that the old one never should be abolished.

17. Raojee Trimbeck stated to the Bye that the cutwal had taken refuge with Jey Sing Bhow, and asked him, under these circumstances, if he could put a stop to slave dealing. The Bye ordered the cutwal to be brought before her, and made him over to Raojee Trimbeck, who took him and confined him in his own house. It is likewise in contemplation to make over to the resident the women who are inhabitants of the Company's provinces, who have been released from the houses of the slave dealers, that they may be restored to their homes.

(True translation.)
(signed) *J. Dixen Dyke*, Assistant.

July 18.—The Resident to the Regent.

Translation of a Kurreetta, addressed by the Honourable Mr. *Cavendish* to Her Highness the Bazeer Bye.

FROM reading the ackbars, I have learnt that your Highness, from a desire to do what is right and proper, has shown an anxiety to put a stop to the system of slave dealing, which has so long prevailed in this state, and that you have punished the dullols, who were in the habit of enticing away and selling the children of the poor. This, on your Highness's part, is highly proper, and will produce its own reward both now and hereafter. The wish which you have shown to accomplish a work so acceptable to God, and one tending so much to the happiness of your subjects, will surely tend to the well being and prosperity of the state, and will be the means of extending your Highness's good name far and wide; and you may
rest

rest assured that the Governor-general, on my informing him of the circumstance, will be highly pleased and delighted, and will no doubt express his sentiments to you on the subject when he visits Gwalior. Now that your Highness has turned your attention to, and are bent on the subversion of, this practice, and are determined to root out the Dullahs, there can be no doubt that slave dealing will soon cease, both in the town and camp of Gwalior, as well as in all other parts of the Maha Rajah's dominions.

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July 18.—The Resident to the Prime Minister.

(As above, with variations addressed to his situation and office.)

July 25.—The Resident to the Prime Minister.

YOUR letter regarding the dawk hurkurah has been received. Herewith send him to you. Investigate the case, and if he be found guilty of selling the girl, punish him; if innocent, give him a written acquittal, and he will be retained in the British service.

Note by the Resident.—The hurkurah is a subject of this Government, and resides with his family in Scindia's territory; therefore he was made over to the court.

July 27.—The Resident to the Regent.

I HAVE the satisfaction of acknowledging the receipt of nine persons, subjects of the British Government, and your vakeel informs me that your Highness has released 55 other persons. You will oblige me by making over to me any of them who happen to be the children or connexions of the subjects of our allies, unless your Highness be pleased to send trustworthy persons along with them to their homes, with instructions to bring receipts for them, signed by the authorities of the districts.

(True translation.)

(signed) *J. D. Dyke*, Assistant.

From Mr. Secretary *Macnaghten* to Resident at Gwalior.

Sir,

IN reply to your letter, dated the 28th ultimo, I am directed to inform you, that his Lordship has derived unqualified pleasure from the resolution which the Gwalior authorities have taken to put down the slave trade in their dominions; and he desires that you will do everything in your power to encourage and confirm them in their good intentions, reporting the result for his Lordship's information.

You are requested to communicate to the Bhou the sentiments with which her laudable and enlightened efforts in the cause of humanity are viewed by his Lordship.

I have, &c.

(signed) *W. H. Macnaghten*,
Secretary to the Governor-General.

Simbak, 9 August 1832.

(True copy.)

(signed) *W. H. Macnaghten*,
Secretary to Governor-General.

From Resident of Gwalior to Mr. Secretary *Macnaghten*.

Sir,

I HAVE the satisfaction of forwarding translations of two letters from the Regent and the Prime Minister, fully evincing their resolve to suppress the slave trade; and I have the honour to forward a translation of my letter, and of a deposition taken before me.

2. The deponent is one of the nine released by the Bou, as reported in my letter of the 28th instant, and every exertion shall be made by me to recover her four children, but perhaps without success; for the recovery of children is difficult after they have been immured in the zenanah of a courtier or respectable person.

3. Of the nine, only one is a child; the others are grown up; and their examinations have been taken, and forwarded to the magistrates of Agra, Manpooree, Barailly, and Furruckabad, along with the women.

4. I regret to say some of our own subjects appear to be concerned in this horrible trade, and this was my principal reason for forwarding the examinations to the magistrates.

5. The 65 slaves, not having been sold, were kept in the slave market until purchasers could be found. Had they been sold, and immured in the zenanah of a courtier or respectable person, their recovery would have been almost impracticable.

6. From there being so many unsold in the cantonment itself, and all ately kidnapped, we may form an idea of the extent of the trade, both at the court and in the provinces; and I may observe, that the demand for children is greater than the demand for grown-up people, for they recollect not after some time their parents and place of nativity, and are more obedient than the grown-up, who are generally on the look out for an early opportunity of running away.

I have, &c.

(signed) *R. Cavendish*.

Gwalior Residency, Dhulpoor,
30 July 1832.

Translation

E. I. Company and
Board of Control.
(Documents.)

Translation of a Khurreeta, addressed by Her Highness the Baija Bae to the Honourable Mr. *Cavendish*, dated 26th Suffur.

YOUR letter, stating that you had learnt from the Akbar that I had put a stop to slave dealing, has been received. I had, previous to the receipt of your letter, been thinking in my own mind of the propriety of putting a stop to slave dealing, and also of punishing the Dullols who were engaged in it, with a view to promote the happiness of the people. But these practices were carried on by fraud and in secret: now most of the Dullols have been seized, and they shall receive such punishments as will act as a warning to others. Do you, out of your goodness, employ yourself in whatever may add to the friendship now existing between the two states, by which the garden of friendship will continue green and flourishing.

Translation of a Khurreeta from Roojee Trimback to the Honourable Mr. *Cavendish*, dated 25th Suffur.

YOUR letter, stating that you had understood from the Ackbars that the Bae has determined to put a stop to slave dealing, and to punish the Dullols, and attributing this to my advice, has been received. Previous to the receipt of your letter, both the Bae and myself had directed our attention to this subject, but the Dullols carried on the traffic in secret. Most of them have been seized and confined, and eight out of the number of slaves in their possession, who are subjects of the British Government, have been forwarded to you through Ballajee Sheeodeswar, and the rest, who are subjects of this state, shall be made over to their respective families. The Dullols shall be punished in such a way that others will be afraid to be guilty of such practices; besides which, peremptory orders have been sent to all the aumils to put a stop to slave dealing.

Honourable Mr. *Cavendish* to the Regent, 30th July 1832.

THE eight women and one child, forwarded to me by your Highness, have arrived, and have been forwarded to their homes, with one exception: a woman, by name Kishnoo, whose four children have been sold at Gwalior, and I solicit your exertions for their recovery. Copy of her examination is forwarded for your Highness's information.

Your vakeel mentioned that 65 women and girls have been released by your orders; should any of them be the children or connexions of the subjects of Kotah, Kerrowbe, &c., the allies of the British, have the goodness to forward them to their homes, under the charge of some confidential persons, with directions to take receipts for their delivery, or to make them over to me.

The Examination of *Kishnoo*, a Woman who had been sold in the Gwalior Territories.

Q. What is your name? what is the name of your husband? and what is your occupation? and what is your age?—A. My name is Kishnoo; I am the wife of Subsookh Chunnor, who was an old inhabitant of Etawah, but for the last two years I have resided at Agra, where I have worked; my age is 40 years.

Why did you leave your home to come here?—About two years after the death of my husband, I, with other chumars, came to Agra from Etawah for the purpose of gaining a livelihood; while so employed Jey Sing, Ram Loll, and Musookha, three chumars, were in the habit of coming to me repeatedly for about two months, and asking me whether I would dispose of the three boys and one girl I had, and whom they said I myself was unable to provide for. They offered to sell them for me; to this, however, I would not consent. About eight months ago, in the month of Poos, the three chumars persuaded me to accompany them, under the promise of getting employment for me, wherewith I might be able to support my children. They took me across the Chumbul to the village of Jilooke Ghurree, to the house of Oodeajheet, to whom, immediately on my arrival, they sold me; and on the following morning, without giving me any intimation, they went away. Oodeajheet put me into confinement, when I asked him what had become of the chumars who brought me to his house. I remained thus for one month; after which Buxa Dullol, together with Dhunney Ram, Rhada, Suktoo, and seven others, came to the village. Oodeajheet sold me to these people. Buxa took me to Gwalior, and confined me in his own house, where I remained for two months; after this he sold my four children, but I don't know where he sold them, as I myself was kept in confinement; this much, however, is certain, that my little girl was sold to a Tehwarenee Brahminee, who one day came to the house of Buxa, in the month of Assar, and said that my child, which she had purchased, was well, and with her.

State what other women and children were in the house of Buxa, or the other Dullols, or who had been sold by them?—Twelve women were along with me in the house of Buxa; all have been surrendered to the circar; many others have been brought to the house of Buxa, and the other Dullols, and sold, but I don't know their names.

What do you now want?—I wish to go to Agra, and work for a livelihood, and I wish to have my children restored to me.

Do you wish for anything else?—Besides the restoration of my children, I require nothing more; and I have no one to look up to but you.

(True translation.)

(signed) *J. D. Dyke*, Assistant.

Reply

Reply to, from Mr. Secretary *Bax*, Bombay, to Mr. Secretary *Macnaghten*.

E. I. Company and
Board of Control.
(Documents.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter dated the 14th ultimo, with its accompanying correspondence, on the subject of the abolition of the slave trade in the protected states, and to acquaint you, that the several political authorities under this Government, as noted in the margin, have been furnished with copies thereof, with a request to urge the native governments to follow the example of the Gwalior government.

No. 3402.

To the Resident at Sattarah.
Ditto ditto Cutch.
Ditto Agent at Surat.
Ditto Political Agent at
Dharwar.
Ditto Political Com. for
Guzeerat.

I have, &c.,

(signed) *John Bax*,
Secretary to Government.

Bombay Castle, 24 Sept. 1832.

Ordered, That the following letters be written.

From Mr. Secretary *Bax* to the Resident at Sattarah.

No. 3403.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying copy of a correspondence on the subject of the abolition of the slave trade in the protected states, and to request that you will urge the Rajah of Sattarah to follow the example of the Gwalior government.

I have, &c.

Bombay Castle, 24 Sept. 1832. (signed) *John Bax*,
Secretary to Government.

From Mr. Secretary *Bax* to the Resident in Cutch, 24 Sept. 1832.

No. 3404.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying copy of a correspondence on the subject of the abolition of the slave trade in the protected states, and to request that you will urge the Cutch durbar to follow the example of the Gwalior government.

I have, &c.,

Bombay Castle, 24 Sept. 1832. (signed) *John Bax*,
Secretary to Government.

From Mr. Secretary *Bax* to the Political Commissioner for Guzeerat.

No. 3405.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying copy of a correspondence on the subject of the abolition of the slave trade in the protected states, and to request that you will urge his Highness the Guicowar, and the several native princes and chiefs within your range, to follow the example of the Gwalior government.

I have, &c.

Bombay Castle, 24 Sept. 1832. (signed) *John Bax*,
Secretary to Government.

From Mr. Secretary *Bax* to the Acting Agent at Surat.

No. 3406.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying copy of a correspondence on the subject of the abolition of the slave trade in the protected states, and to request that you will urge the several native princes and chiefs within your range to follow the example of the Gwalior government.

I have, &c.

Bombay Castle, 24 Sept. 1832. (signed) *John Bax*,
Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

From Mr. Secretary *Bax* to the Acting Agent at Dharwar.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying copy of a correspondence on the subject of the abolition of the slave trade in the protected states, and to request that you will urge the several native princes and chiefs within your range to follow the example of the Gwalior government.

I have, &c.

Bombay Castle, 24 Sept. 1832.

(signed) *John Bax*,
Secretary to Government.

No. 3809.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 7 November 1832.

From Resident in Cutch to Mr. Secretary *Bax*, 13 October 1832.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 24th ultimo, giving cover to a correspondence regarding the abolition of the slave trade in the protected states, and instructing me to urge the Bhooj Durbar to follow the example of the Gwalior government.

2. I had every reason to believe from my own observation that nothing of the sort existed, or would be permitted in Cutch, even to the smallest degree, but I nevertheless took an opportunity to introduce the subject at a visit I paid his Highness the Rao yesterday evening, when both he and the minister assured me that such a practice was totally unknown; and that in one solitary instance, which occurred some years ago, of a sindee having purchased a young woman from her husband in Kattywar, and brought her into this province on his way home, the durbar (on the female appealing to it for protection) repaid the man the price he had given for her, and sent her back to her friends.

3. A very limited number of African boys are occasionally imported from Mozambique and Zanzebar ("Swallee") into Cutch, and they are chiefly brought up as sailors, or employed (when bought from the importers) as attendants about men of consequence; but the treatment they receive is of the kindest nature, and they appear to be always looked on more as members of the family to which they belong than as menials, and even frequently rise to command the vessels in which they are educated.

4. Girls are sometimes to be met with in Cutch as itinerant nautch girls (from Guzerattee and Marwar), who are really slaves, having been purchased when very young; but their life (however immoral) is one of perfect free will, and they belong to a class (of whom there are whole fraternities in the countries just named) who would (as well as the girls themselves) consider any interference on the part of Government as equally uncalled for and tyrannical.

I have, &c.

Bhooj Residency, 13 October 1832.

(signed) *H. Pottinger*, Resident.

No. 3810.

Ordered, That copy of the above letter be forwarded to the Secretary to the Right honourable the Governor General in reference to proceedings 26th September, Nos. 3401 and 7.

From Mr. Secretary *Bax* to Mr. Secretary *Macnaghten*, 6 November 1832.

Sir,

WITH reference to my letter of the 24th September, I am directed to transmit to you, for the purpose of being laid before the Right honourable the Governor General, the accompanying copy of a letter from the Resident in Cutch of the 13th ultimo, on the subject of the slave trade in that province.

I have, &c.

Bombay Castle, 6 Nov. 1832.

(signed) *John Bax*,
Secretary to Government.

No. 3832.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 21 November 1832.

From the Resident at Sattarah to Mr. Secretary *Bax*, 29 October 1832.

Sir,

HAVING at an interview with his Highness the Rajah of Sattarah explained the substance of your letter, No. 1661, and the documents which accompanied it, on the subject of the abolition of slavery in the dominions of the Gwalior government, I have the honour to request you will inform the Right honourable the Governor in Council, that I took the opportunity of expressing the satisfaction the British Government would derive from so enlightened an example being followed by his Highness's government.

2. From inquiry, which I considered it my duty to make relative to the state of the slave trade in this territory, I cannot discover that it prevails to the extent noticed in the Gwalior states.

states. As a traffic it is not known, and is chiefly confined to the disposal of females when distress calls for such a measure, and possibly in some instances such sale may prevent the more serious crime of infanticide.

3. His Highness assured me that his attention should be directed to the subject, and that his courts were always open to complaints of this nature; but that although he admitted slavery to exist to a certain degree, it was of the mildest form, and no such instances as are recorded by the resident of Gwalior had ever come to his knowledge.

Sattara, 29 October 1832.

I have, &c.
(signed) *P. Lodwick*, Resident.

E. I. Company and
Board of Control.
(Documents.)

Resumed consideration of our Proceedings in this Department on this subject, under yesterday's date.

Ordered, That a copy of the report from the Resident at Sattara be transmitted to the Secretary the Right honourable the Governor General for his Lordship's information.

From Mr. Secretary *Bax* to Mr. Secretary *Macnaghten*.

No. 3833.

Sir,
With reference to my letter of the 6th instant regarding slavery in the territories of the native chiefs under this Presidency, I am directed by the Right honourable the Governor in Council to request you will submit the accompanying report from the Resident at Sattara to his Lordship the Governor General on the subject.

Bombay Castle, 8 Nov. 1832.

I have, &c.
(signed) *John Bax*,
Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 9 September 1835.

No. 2356 (A.)

From the Chief Secretary at Fort St. George to Mr. Chief Secretary *Norris*, 21 August 1835.

Sir,
The Honourable the Court of Directors, in a recent despatch, having directed the prosecution of the inquiry respecting the abduction of girls from Mangalore, and sale of one of them as a slave, at Mandavie in Cutch, which is referred to in the correspondence noted in the margin, I am directed to submit to the Right honourable the Governor in Council of Bombay the request of the Right honourable the Governor in Council of this presidency, to be furnished with copies of the depositions, &c. taken by Lieutenant-colonel Pottinger on the subject, without which the principal collector of Canara, in his letter of the 13th January 1832 (copy of which was transmitted to you on the 25th of the same month), stated his inability to trace out the transaction.

From the chief
secretary to Go-
vernment, 26 Nov.
1831.
Ditto, ditto, dated
25 Jan. 1832.

Fort St. George, 21 August 1835.

(signed) *W. Canning*,
Chief Secretary.

From Mr. Chief Secretary *Norris* to the Resident at Cutch, 9 September 1835.

No. 2356 (B.)

Sir,
With reference to your letter of the 18th November 1834, in the Political Department, I am directed by the Right honourable the Governor in Council to forward to you the accompanying copy of a letter from the Chief Secretary to the Government at Madras, dated 21st August last, and to request you to send, with as little delay as possible, the depositions, &c. taken on the occasion by you in the case of a slave girl.

Bombay Castle, 9 September 1835.

(signed) *Charles Norris*,
Chief Secretary.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 21 October 1835.

No. 2900.

From *H. Pottinger*, Esq., Resident in Cutch, to Mr. Chief Secretary *Norris*, 2 October 1835.

Sir,
I HAVE the honour to acknowledge the receipt of your letter of the 9th ultimo, giving cover to a copy of one from the Chief Secretary to Government of Fort St. George, and directing me to furnish the depositions taken by me in November 1831, in the case of a slave girl.

2. I beg to inform you, that my letter of the 18th of that month was drafted at Bombay, from notes I had hastily made in English, from the inquiry I personally conducted; and I cannot discover, from the records of this Residency, that Major Bagnold (acting resident) instituted any further investigation on the receipt of your letter of the 16th of February 1832, to which my attention has just been drawn.

E. I. Company and
Board of Control.
(Documents.)

3. I now understand that the girl who complained to me left Mandavie of her own accord, with a relation who followed her from Malabar, shortly after I went to Sinda; that she is since married, and is living with her husband (who is brother of the Portuguese messman of the 24th regiment Native Infantry) at Baroda.

4. The tindal who sold the girl was obliged, by my orders, previous to my proceeding to Bombay in October 1831, to refund the sum he had received as her price; and as she must have been at this station for some months after I returned from Sinda, I conclude she was quite satisfied.

5. The Right honourable the Governor in Council will perhaps direct the Political Commissioner for Guzerat to obtain, at Baroda, any further explanation that may be required from the girl; or I shall be prepared to address Mr. Williams on receiving your reply. In the meantime I shall immediately take steps to ascertain what has become of the tindal and his son, and if forthcoming, I shall have their depositions taken, and also find out from them the residence, &c. of Fakeer Taree Walla, who would appear to have been the principal in the abduction.

Bhoj Residency, 2 October 1835.

(signed)

H. Pottinger,
Resident in Cutch.

From Mr. Chief Secretary *Norris* to the Resident in Cutch, 19 October 1835.

No. 2901.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 2d instant, relative to the abduction of a slave girl from Mangalore, and to inform you, that the Political Commissioner for Guzerat has been directed to obtain from the girl, said to be now at Baroda, such explanation of the transaction as she may be able to give.

2. The Governor in Council, I am also directed to inform you, will await your further report on the subject.

Bombay Castle, 19 October 1835.

(signed)

C. Norris,
Chief Secretary.

From Mr. Chief Secretary *Norris* to the Political Commissioner for Guzerat,
19 October 1835.

No. 2902.

Sir,

I AM directed, by the Right honourable the Governor in Council, to transmit to you the accompanying copy of a letter from the Resident in Cutch, dated 2d instant, respecting the abduction of a slave girl from Mangalore.

2. It being understood that the girl in question is now at Baroda, the Governor in Council requests that you will obtain from her such explanation of the transaction as she may be able to give, and transmit the same to Government as soon as possible.

Bombay Castle, 19 October 1835.

(signed)

C. Norris,
Chief Secretary.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 2 December 1835.

No. 3382.

From *J. Williams*, Esq., Political Commissioner for Guzerat, to Mr. Secretary *Willoughby*.

Sir,

I HAVE the honour to acknowledge the receipt of Mr. Norris's letter of the 19th instant, No. 1339, enclosing copy of a letter from the Resident in Cutch, relative to the abduction of a slave girl from Mangalore.

2. In reply, I beg to enclose the deposition of the girl in question, who is now residing at Ahmedabad, and living with the servant of Captain Ord of the 24th regiment Native Infantry.

Political Commissioner's Office, Shaheebaing,
31 October 1835.

(signed)

J. Williams,
Political Commissioner.

Deposition of Martha, a Portuguese, aged about 25 years, inhabitant originally of Mangalore, but at present residing at Guzerat.

I WAS living in the house of one Fakeer Taree Walla, at Mangalore, when I was seduced away by a Mussulman tindal, whose name I do not know. I tried my utmost to remain, and not to accompany this man, but my efforts were in vain, for he took me away at night on board of a boat, and sailed off; he told me not to cry or be sorry, as he was taking me to

to Bombay, where he would get me married to some respectable Portuguese at that place; but instead of taking me to the place he promised, he landed me at Mandavie, where, on my arrival, finding that I was deceived by the tindal, I complained against him to the kotwal of that place (a Mahratta), who questioned the tindal how he came to get me; he replied that he had purchased me from my parents at Mangalore: I immediately replied that it was no such thing, and told the kotwal that I was forcibly taken away by him. After being confined in the chawry for four days I was sold to one of the prostitutes residing there, but for what amount I am not aware of, as it was done privately between the parties concerned. I was not above ten days at the prostitute's house when this news reached my cousin Pedro, who, on hearing it, came to me, and I told him to take me away from this place; he said he would take me away; he then took me along with him to the kotwal, and informed him that he (my cousin) would not permit me to turn a Mahomedan, and that if my parents had sold me to the tindal he would repay the amount to him. The kotwal then made the circumstance known to Colonel Pottinger, the Resident at Bhooj, who was then at Mandavie, and who questioned me how I came with this man. I replied that I was seduced away by the tindal, and taken at night on board of a boat which sailed from Mangalore; he then asked me whether my parents had sold me to the tindal, I replied in the negative, and told Mr. Pottinger that my parents were dead; he then asked the tindal from where he had brought me; he replied, from Mangalore. Colonel Pottinger again asked the tindal whether my parents had sold me to him, or whether he had taken me forcibly away; he replied that my parents had sold me to him. I then told Colonel Pottinger that my parents did not sell me to this man, but that the Fakeer Tarry Walla had delivered me in custody of the tindal. Colonel Pottinger then questioned the man if he had any document to prove his assertions; he replied, I have none. Colonel Pottinger then told the tindal that if ever he seduces any more girls, and brings them for sale, he would be punished. After this Colonel Pottinger told us that the proceedings of our case will be sent to Bombay, and, as soon as it is decided, we shall be informed of it. I was then kept in government katee, where I received a quarter of a rupee a day for my maintenance. Previous to Mr. Pottinger proceeding to Bombay I went to that gentleman, and told him that as he was going to Bombay how my case would be decided; he said that the mehta would settle matters as soon as an answer is received. On the return of Mr. Pottinger from Bombay I again went to that gentleman to know about my case; he referred me to Mr. Roberts, who, he said, will settle my affair. This gentleman, on my acquainting him with the circumstance, sent for the kotwal, the tindal, and the prostitute, and Mr. Roberts asked the tindal how he came to dispose of me to the prostitute; he replied that he did not sell me, but that it was the kotwal who sold me to the prostitute, which the kotwal acknowledged. Mr. Roberts then desired the kotwal to repay the sum to the prostitute, which was accordingly done, and two agreement papers were taken by Mr. Roberts from the tindal and the prostitute, in which they both bound themselves that they will do no injury to me nor claim me as a person belonging to them, which documents I am sorry I have lost. After the investigation I accompanied my cousin to Bhooj, with whom I remained only for about six days, when I went to live with one Caiten de Costa, late servant of Major Barclay; and up to the present time I am still living under his protection.

I have given the above to the best of my recollection.

The × Mark of *Martha*.

Witnesses.

(signed) *Sukha Rum Antoba*,
Head Purvoo, Pay-office, N.D.A.

(signed) *Baberinshea Cammet*,
Clerk of the Pay-office, N.D.A.

Ahmedabad, 27 October 1835.

From Mr. Secretary *Willoughby* to Colonel *Pottinger*, Resident in Cutch, 1 December 1835.

No. 3383.

Sir,

WITH reference to Mr. Chief Secretary Norris's letter of the 19th October relative to the abduction of a slave girl from Mangalore, I am directed by the Right honourable the Governor in Council to transmit, for any remarks which you may have to offer, copy of a letter from the Political Commissioner for Guzerat, dated 31st of the same month, together with the deposition of the girl in question.

2. I am also directed to call your attention to that part of the deposition which represents that she was sold by the kotwal of Mandavie, and not by the tindal, and that the former paid back her price to the prostitute who bought her: and, further, that you will be pleased to forward to Government copies of the agreements entered into by the tindal and prostitute, if such are on record, or to be obtained.

Bombay Castle, 1 December 1835.

(signed) *J. P. Willoughby*,
Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 31 December 1835.

From Colonel *Pottinger*, Resident in Cutch, to Mr. Secretary *Willoughby*, 19 November 1835.

No. 3791.

Sir,

IN continuation of the subject of my letter, No. 175, of the 2d ultimo, I have the honour to forward an original deposition (with a translation) taken from the tindal who brought the slave girl referred to therein from Mangalore.

2. The Right honourable the Governor in Council will perceive, that this deposition differs in some respects from the statement made to me by the tindal in October 1831, inasmuch as he now asserts, that the kotwal, at the time, of Mandavie, sold the girl to the procuress; and that she had been previously married to his adopted son. This latter assertion, I must explain, however, is not to be taken in our sense of a marriage, as the girl was then known to be a Christian, and no formal ceremony was performed, though 100 correes may have been expended in eating, drinking, and other rejoicings, common on such occasions amongst this class of people.

3. The man who was then kotwal of Mandavie has gone with the late minister Luckmeedass to Hindoostan on pilgrimage; but there can be no doubt that the sale of the girl was effected with his knowledge and concurrence. A peon, since dead, who was at that period employed in the palace here, which is used as a travellers' bungalow, (with the Rao's permission), told another man, whose deposition, as being entirely hearsay, and not susceptible of corroboration, I have not considered it worth while to take, that the girl, in the first instance, sought refuge in the palace; that the tindal came there to demand her as his property, but that she refused to accompany him, and he was not allowed to force her away; that the next day the girl went away voluntarily with the kotwal's people, and that the peon (deceased) heard afterwards she had been sold, with her own consent, to a procuress.

4. The latter person has also left Mandavie, but some women of the same calling, who were her neighbours, state, that they saw the girl in the procuress's house; that she then seemed to be quite contented and happy; that they understood the tindal's adopted son (who has been absent for 18 months, and is believed to be dead), always disliked the girl, owing to her being a Christian, and also from finding that she had been depuclated before she went to cohabit with him, and that he therefore neither showed any wish to get her back, nor interfered in the matter.

5. It seems to me probable, that the girl was originally enticed away, and not brought against her will, as she formerly declared; but this point can only be finally ascertained by tracing out the man, named Fukeero Taree Walla, who is described as living at the spot where (the Government) horses are shipped and unshipped at Mangalore.

Bhooj Residency, Camp at Mandavie,
19 November 1835.

(signed) *Henry Pottinger*,
Resident in Cutch.

Translation of the Deposition of Nakwa Nooroo Kullanee, by caste a Sodhu, Tindal of the Dingee "Cheel" of Mandavie in Cutch.

I WENT to Mangalore in Sumwut 1887 (A.D. 1829-30), and there met Fukeero Taree Walla, who resides at the spot where the Government horses are landed. He had a girl whom he sold to me for four rupees and a dollar; I brought her to Mandavie, and married her to my adopted son, on which occasion I laid out 100 correes. Four months after the girl ran away and took refuge with the kotwal of the town, declaring she would not remain in my house. The kotwal sent for me, on which I offered to take the girl back to Mangalore, but he would not hear of this plan, and he sold her to a procuress in the town of Mandavie, repaying me my 100 correes, which I had expended on the marriage. After this, a man (a Christian by caste) came from Bhooj, and the girl again escaped from the procuress's house, and fled to the kotwal, who delivered her up to the Christian, in company with whom she went away to Bhooj: this much I know, and to this extent I formerly stated to the Resident.

You have deposed that you bought the girl from Fukeero Taree Walla; at the time he handed her over to you, did she come of her own accord, or was she gagged and tied?—The girl came of her free will, and told me, that her mother had received two rupees of the price I paid for her. It was early in the evening when the girl embarked with me. Fukeero brought her to the beach, and put her into the boat.

You formerly stated to the Resident that you had bought the girl to marry her to your son, believing her to be a Maplin, and that after you had brought her on board, you discovered she was a Christian: is this true?—I bought her as a slave to marry her to my adopted son, and after he had married her (that is, consummated the marriage), she staid four months in my house, when she ran away to the kotwal, who repaid me my expense: this is true. I had, at that time, a legitimate son only three years old; but I bought the girl, as I have before deposed, to marry her to my adopted son, and did so.

You now state, that the kotwal sold the girl to the procuress; the kotwal, you know, is not here to refer to (having gone on a pilgrimage to Hindoostan); but nothing of this kind appears in the girl's statement: how is this?—When the girl ran away from my house, she told the kotwal that I had promised her fine clothes and ornaments, and had deceived her, therefore

therefore she would never return to my house. On this, the kotwal informed her she would get fine clothes and ornaments only in the house of a procuress, where he would place her if she liked it, to which she consented, and the kotwal obliged the procuress to refund my expenses.

E. I. Company and
Board of Control.
(Documents.)

Dated the 10th of Kartik Wudd 1892, corresponding with the 15th of November 1835.

(signed) By the mark of *Nooroo Nakwa*.

Witnessed by,

- | | |
|----------------------------|------------------------------|
| 1. Shah Ramjee Jewahir. | 5. Shah Goolalchund Veerjee. |
| 2. Shah Mootshah Karidass. | 6. Soomra Janoo Ismael. |
| 3. Maloom Dad Meeanee. | 7. Soomra Ismael Humeer. |
| 4. Nakwa Doso Essa. | |

Written by the hand of *Shah Kurrumchund Ruttansi*.

(True translation.)

(signed) *Henry Pottinger*,
Resident in Cutch.

Ordered, That the above letter lie over until Colonel Pottinger's further report on the subject is received.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 13 January 1836.

MINUTE by Right honourable the Governor, dated 13 January 1836; subscribed to by
Mr. Sutherland.

No. 84.

IN consequence of the opinion of the Advocate-general contained in a letter, which I shall shortly submit for the Board's consideration, to the effect that we cannot legally seize and detain vessels having slaves on board belonging to persons not British subjects, or residing in British territory, I beg to propose that the orders recently issued to the superintendent of the Indian navy, placing the coast of Kattewar and Cutch under the surveillance of the commodore of Surat, be for the present cancelled.

13 January 1836.

(signed) *R. Grant*.

From Mr. Secretary *Willoughby* to the Superintendent of the Indian Navy, 13 January 1836.

No. 85.

Sir,

WITH reference to my letter of the 19th ultimo, I am directed to acquaint you, that the Right honourable the Governor in Council has been pleased to cancel, for the present, the orders placing the coasts of Kattewar and Cutch under the surveillance of the commodore of Surat therein contained.

(signed) *J. P. Willoughby*,
Secretary to Government.

Bombay Castle, 13 January 1836.

From Mr. Secretary *Willoughby* to the Acting Political Agent in Kattewar, the Resident in Cutch, and Political Commissioner for Guzerat, 13 January 1836.

No. 86 to 88.

Sir,

WITH reference to my letter of the 19th ultimo, I am directed to acquaint you, that the Right honourable the Governor in Council has been pleased to cancel, for the present, the orders issued to the superintendent of the Indian navy, placing the coasts of Kattewar and Cutch under the surveillance of the commodore at Surat.

(signed) *J. P. Willoughby*,
Secretary to Government.

Bombay Castle, 13 January 1836.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 27 January 1836.

From *A. Burnes*, Esq. Assistant-Resident in charge, to Secretary to Government,
29 December 1835.

No. 232.

Sir,

I HAVE the honour to acknowledge the receipt of your communication of the 19th instant, intimating the determination of the Right honourable the Governor in Council to suppress the traffic in slaves, and which, agreeably to the commands therein conveyed, I have this morning notified to his Highness the Rao of Cutch.

2. I have been requested by his Highness to state, that the subject shall have his immediate attention; that he will issue a proclamation prohibiting the traffic, and, to the utmost of his exertions, zealously second the wishes of the Right honourable the Governor in Council, in suppressing a traffic which is so odious in our eyes.

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3. While

E. I. Company and
Board of Control.
(Documents.)

3. While his Highness thus resolves to meet the pleasure of Government, he has requested me specially to bring to notice, that there are no other slaves brought into this country but negroes from Zanzibar, and that, in our sense of the term, as applied to West India slaves (these are his Highness's own words), the situation of these people is quite different, they being received as members of the families to which they are admitted, and treated with great kindness, some of the females being even married.

4. The best reply which I can afford as to the mode and extent of this traffic, is on the authority of his Highness the Rao himself, who has just told me that there are about 400 or 500 individuals annually brought to Mandavie, who are either sent to Sinda or married to the "Sudhees" (negroes) now in Cutch, who form a numerous and I may say happy community.

5. In conclusion, his Highness has requested me to beg the favour of Government suspending the order for the detention of any of the Cutch vessels till the close of this fair season, as there are many now absent on the east coast of Africa, the owners of which will undoubtedly bring negroes along with them to Mandavie. Without timely warning, his Highness expresses a hope that the Right honourable the Governor in Council will not hold those people criminal.

6. I have forwarded your communication and a copy of this to the Resident now in Bombay, who will, no doubt, be able to furnish more complete information. It however appears to me not improbable that there may be some negro slaves also imported into Cutch from Muscat, as I have seen about 40 of these poor creatures sold publicly in the bazaar there, so late as January 1833; and I was informed that such was a daily and common occurrence.

Bhooj Residency, 29 December 1835.

(signed) *A. Burnes,*
Assistant-Resident in Charge.

No. 233.

From Mr. Secretary *Willoughby* to *A. Burnes, Esq.*, Assistant-Resident in Charge,
23 January 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter dated the 29th ult., reporting the result of your intimation to his Highness the Rao of Cutch, of the determination of this Government to suppress the traffic in slaves, and to request that you will embrace an early opportunity of conveying to his Highness the expression of the high satisfaction of Government at the readiness he has displayed in meeting its wishes to co-operate in the annihilation of this nefarious trade in human flesh.

2. It may be true, as stated in the third paragraph of your letter now under reply, that in the province of Cutch this trade is not productive of the same misery as exists in the West Indies; but nevertheless it is, I am desired to observe, the bounden duty of Government to suppress it by all the means they can command, consistently with existing laws and treaties.

3. The fact stated by you in the fourth paragraph, that 400 or 500 slaves are annually brought to Mandavie, is, in the opinion of the Governor in Council, deserving of serious consideration.

4. In reply to the fifth paragraph, I am directed to state, that it is not at present the intention of Government to order the detention of any vessels bound to Cutch, although slaves may be on board of them; the Governor in Council, however, desires that you will urge his Highness the Rao to release and provide for the support of any slaves who may thus be brought into his dominion.

5. In conclusion, the Right honourable the Governor in Council directs me to observe, that it is very desirable that the Rao's proclamation against the traffic in question, alluded to in the second paragraph of your letter, should be issued immediately, and circulated as extensively as possible.

Bombay Castle, 23 January 1836.

(signed) *J. P. Willoughby,*
Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 3 February 1836.

No. 316.

From *Henry Pottinger, Esq.*, Resident in Cutch, to Secretary to Government,
16 January 1836.

Sir,

Lieutenant Burnes has forwarded to me a copy of his letter to your address of the 29th ult. on the subject of the trade in slaves in Cutch, and with reference to the concluding paragraph I have the honour to refer the Right honourable the Governor in Council to my letter to the Chief Secretary, of the 13th October 1832, of which I herewith transmit a copy.

2. I trust that the objection to the immediate introduction of the prohibition, pointed out in the third paragraph of Lieutenant Burnes communication, will be taken into the favourable consideration of Government; otherwise the inconvenience and actual loss to merchants whose vessels are now absent from Mandavie on the voyages to the eastern coasts of Africa, the Red Sea, &c. will be very great.

Bombay, 16 January 1836.

(signed) *Henry Pottinger,*
Resident in Cutch.

From *Henry Pottinger*, Esq., Resident in Cutch, to *John Bax*, Esq. Chief Secretary to Government, 13 October 1834.

E. I. Company and Board of Control. (Documents.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 24th ult., giving cover to correspondence regarding the abolition of the slave trade in the protected states, and instructing me to urge the Bhooj durbar to follow the example of Gwalior government.

2. I had every reason to believe, from my own observation, that nothing of the sort existed or would be permitted in Cutch, even to the smallest degree; but I nevertheless took an opportunity to introduce the subject at a visit I paid his Highness the Rao yesterday evening, when both he and the minister assured me that such a practice was totally unknown, and that in one solitary instance, which occurred some years ago, of a Sindee having purchased a young woman from her husband in Kattywar, and brought her into this province on his way home, the durbar (on the female's appealing to it for protection), repaid the man the price he had given for her, and sent her back to her friends.

3. A very limited number of African boys are occasionally imported from Mosambique and Zanzibar ("Swallee") into Cutch, and they are chiefly brought up as sailors, or employed (when bought from the importers) as attendants about men of consequence; but the treatment they receive is of the kindest nature, and they appear to be always looked on more as members of the family to which they belong, than as menials, and even frequently rise to command the vessels in which they are educated.

4. Girls are sometimes to be met with in Cutch as itinerant nautch girls (from Guzerat and Marwar), who are really slaves, having been purchased when very young; but their life (however immoral) is one of perfect free will, and they belong to a class (of whom there are whole fraternities in the countries just named) who would (as well as the girls themselves) consider any interference on the part of Government as equally uncalled for and tyrannical.

Political Department,
Bhooj Residency, 13 October 1834.

(signed) *H. Pottinger*,
Resident.

Recorded, the point noticed in the Resident's letter having been already provided for.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 23 December 1835.

Memorandum by the Political Secretary, dated 1 December 1835.

Nos.
3578 & 3579.

I BEG leave to state, for the information of the Board, that having some time since ascertained that a trade in slaves was carried on to a considerable extent in Cutch and Kattywar, I considered it to be my duty to institute inquiries, with a view of enabling me to suggest measures to suppress the inhuman traffic.

2. My attention was first attracted to the subject by frequently observing African boys in attendance upon the chiefs of Kattywar, when they visited Rajcote. The suspicion which this circumstance originated, that slaves were imported into the province, was confirmed from various quarters, and the fact was finally placed beyond doubt, by my discovering that the Custom-house books, at the port of Porebunder, contained entries of slaves, upon whom regular duties had been levied.

3. I was pursuing active inquiries on the subject, when sickness compelled me to leave Kattywar for the Presidency. I am not, therefore, able to afford such full information respecting it as I could desire.

4. I believe that a trade in slaves has more or less been carried on at all the ports of Kattywar, and if my information is correct, to a still greater extent with those in Cutch.

5. The slaves are said to be chiefly imported from the dominions of the Imaum of Muscat, and from various ports in Arabia; they are also occasionally imported into Kattywar from Cutch and Scind. The trade is principally conducted by the Budalla and Carwa castes, who are to be met with in considerable numbers at all the ports of Kattywar. These tribes are generally entertained by owners of vessels trading with the ports of Arabia, the Persian Gulf, and the African coast; they are paid at a certain rate for each voyage, and are allowed to trade to a limited extent on their own account, for which purpose a portion of tonnage is assigned to them. By this means they are enabled to import slaves, for whom, I am sorry to say, they find a ready market among the chiefs (Rajpoot, Mahomedan and Katty) of Kattywar. The places to which they are said chiefly to resort for slaves are Bucca, Judda, Maculla, Sohal, &c.

6. The slaves imported are of both sexes, but males are stated to predominate. At Porebunder, a stout healthy boy, of eight or nine years of age, is said to sell for about 40 rupees, the value increasing up to a certain age and diminishing afterwards. A youth of 20 is not readily disposed of, from his not being likely to bear easily the yoke of slavery, but on the contrary disposed to avail himself of the facilities which undoubtedly exist of escaping from bondage. At Rajcote, I am informed, well-formed and tractable boys are sometimes sold for 80 or even 100 rupees, but the average price is stated to be about 60 rupees. Female slaves sell dearer, because the poorer classes of Scindies, and other Mahomedans, purchase them at prices greatly inferior to what they would have to expend in purchasing wives of their own caste.

E. I. Company and
Board of Control.
(Documents.)

7. The demand for African boys in Cutch is stated to be very great. They are there taught all the mechanical arts, and become most useful members of the community. At Mandavie there are said to be, at the least, 800 houses belonging to the Budala and Carwa castes. The importation of slaves from the coasts of Arabia is conducted on an extensive scale at that port, and they are occasionally re-imported from thence into Kattywar. I am informed that professed slave-dealers are to be found there, who clandestinely transport slaves to Guzerat and all parts of Hindostan.

8. The slave trade is likewise carried on with the port of Dider, in Kattywar, belonging to the Portuguese, and a great number of African boys are to be seen there.

9. To the best of my knowledge, African slaves in Kattywar are always employed in domestic, but never in agricultural occupations. They are highly prized, and generally speaking well treated. I have heard it surmised that the late Rana of Porebunder was of African origin, and certainly, if physiognomy can be trusted, I should say that the present chief of Limree, a boy of about 14 years of age, is of the same extraction. In all probability he was a purchased slave, but he was allowed to succeed to that principality several years before I became connected with Kattywar.

10. I could not discover any allusion to the existence of slavery in the agency records, and the subject does not appear to have ever attracted the attention of my predecessors.

11. In considering the measures best adapted to suppress this nefarious trade, with all its attendant evils, two modes suggested themselves. First, that the British Government, in virtue of the sovereignty it exercises over Kattywar, should issue a proclamation, denouncing the trade, and rendering all who may hereafter engage in it liable to severe penalties, whether principals or accessories. Second, to enlist the chiefs of Kattywar in the cause of humanity, by inducing them to prohibit the traffic, to release all slaves imported, and to detain the vessels and crews importing them.

12. I judged it expedient to select this second mode, not that I for one moment doubted the right of Government to resort to the first, or the propriety of exercising such right, if ultimately found necessary, but because I am of opinion that the object in view will be far more effectually and speedily gained by inducing the chiefs themselves to assist, than by direct interposition on our part.

13. Under this impression, in September last I addressed suitable letters to the chiefs noted in the margin, denouncing the trade in human flesh as opposed to the laws of God and man, and calling upon them to release all slaves brought to their ports, and to detain, until they received instructions from me, the vessels in which they were imported, and their crews.

14. I received replies to all these letters, except two. I am happy to state that the tenor of the answers is satisfactory, and I think proves that there is no indisposition on the part of the chiefs to aid Government in suppressing the detestable traffic. The Nawab of Joonaghur and the authorities at Jafferabad, had not replied to my letter when I left Rajcote, but I have no reason to expect opposition on their part.

15. I annex translations of the answers I received, marked (A.) (B.) (C.) and (D.) The first of these is from the Jam of Noanuggur. It represents that he was unable to furnish a return of the number of slaves which have been imported at his ports, during the last 10 years, because for the last 20 years it has not been usual to levy any duty upon them, the same having been interdicted by a lady named Uchcoobhye, who for several years administered the affairs of Noanuggur, it being considered a sin to collect duties on the sale of human beings. For the future, the Jam states, care will be taken and arrangements adopted to prevent the importation of slaves into Kattywar altogether.

16. The second letter is from the Rana of Porebunder. It first states that none of his merchants are engaged in the slave trade, and then alludes to a vessel bound to Mandavie with slaves on board, having some time ago put into Porebunder, upon whom duties were demanded, and, after some discussion, paid. It then states, that vessels from Mozambique occasionally touch at Porebunder, bound to other ports, by which means a few slaves may be imported, and persons residing at Porebunder, trading with Arabia, may occasionally purchase slaves for their own use; but that nothing like a trade in slaves exists. In conclusion, the Rana promises to prevent any importation of slaves for the future, to detain all vessels arriving with slaves on board, and to afford assistance to the officer commanding the detachment at Porebunder, when occasion required it. The Rana's last remark, viz., "that the slave trade carried on at Mandavie, in Cutch, ought to be abolished," is deserving of serious consideration.

17. The third letter is from the chief of Mangrolle, and states that no accounts are kept of the importation of slaves, as it is not customary to levy duties upon them. The chief promises to adopt measures to prohibit the sale of slaves, and to report to the political agent when any are imported.

18. The fourth letter is from the Thacoor of Bhownuggur, in which he promises to enter most cordially into the views which had been communicated to him for the suppression of the trade. I may here observe, that when at Gogo, on my way to Bombay, I had an opportunity of speaking on this subject with the Thacoor of Bhownuggur, and was much gratified to observe that he viewed the traffic with feelings of abhorrence, and cheerfully promised to co-operate in any measures we might adopt for its suppression. His principal port, however, is subject to our Regulations, which, of course, prohibit, under severe penalties, the slave trade.

19. I think the Board will be of opinion, that the result of my reference to the chiefs above mentioned holds out a very fair prospect of ultimate success attending whatever measures are adopted for the suppression of the trade. Their ready consent to co-operate with

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1. His highness the Nawab of Joonaghur.
2. The Jam of Noanuggur.
3. The Rana of Porebunder.
4. The Thacoor of Bhownuggur.
5. The Chief of Mangrolle.
6. The authorities at Jafferabad.

us is gratifying; and it will be easy to punish them hereafter should they fail to act up to their promises.

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20. In addition to addressing the chiefs possessing ports in Kattywar, I wrote the letter marked (E) to Captain Reid, the officer commanding the detachment stationed at Porebunder, requesting him that, in the event of any slaves being hereafter imported there, that he would, in communication with the local authorities, adopt measures for their release, and the detention of the vessels in which they were brought until he could receive my instructions as to their final disposal.

21. It is the cause of the highest gratification to me now to report that, in consequence of these measures, no less than 74 human beings have already been rescued from bondage, viz., 44 males and 30 females.

22. The accompanying letter, to my address, from Captain Lang, marked (F), reports that three vessels have recently arrived at Porebunder having 79 slaves on board, whose ages vary from six to fifteen. Their names, and the number of slaves brought by each, are as follow :

	Males.	Females.	Total.
1. Dow Gunanee, Synd bin Sattum - - -	24	16	40
2. Dow Futtehberre, Hamud bin Jaffer - - -	18	8	26
3. Dow Futtehberre, Synd bin Ally - - -	7	6	13
TOTAL - - -	49	30	79

These vessels are stated to have come from the "Maculla Coast," laden with goods consigned to Bombay, and merely to have touched at Porebunder for wood and water. There can, however, be no doubt that they put in there by design, for the purpose of landing the slaves.

23. The Rana's letter, enclosed in Captain Lang's, states the number of slaves to be 79, but only 74 have been delivered over to Captain Reid. It does not appear what has become of the remainder, but Captain Lang is instituting inquiries on the subject.

24. In a second letter marked (G), Captain Lang forwards one from Captain Reid, complaining that the authorities at Porebunder have not acted up to the promises made to me in the Rana's letter, noticed in paragraph 16. Captain Reid represents that the arrival of the vessels was not reported to him for several days; that eight slaves had not been given up to him, and that those now in his custody were discovered hid in boxes and other places of concealment in the holds of the vessels.

25. Captain Reid further reports, that it has come to his knowledge that about 24 slaves were landed at Porebunder on the 30th October, and marched into the interior of Kattywar in charge of two Arabs. If this is the case, I should think the fact will easily be proved, and that Captain Lang will not experience much difficulty in ascertaining to what place they have been taken, or in releasing them.

26. Two days ago I received, per boat, a letter from Captain Reid, marked (H), and another from the Rana, marked (I), reporting that the three vessels in which the slaves were brought had left Porebunder. Captain Reid states that the authorities there connived at their departure. The Rana states that the nakhodas of the boats gained over the Arabs, in whose custody they had been placed. I have little doubt that Captain Reid's version of the story is the correct one.

27. I may now perhaps be permitted to make a few remarks upon this correspondence, in the same manner as I should have done had I continued political agent in Kattywar: and at the same time to suggest some measures for the Board's consideration, having in view the suppression of the slave trade, the existence of which is now fully proved.

28. First. Captain Reid's proceedings are deserving of the highest approbation, and are highly creditable to his zeal and humanity.

Second. It is for the Board alone to determine whether it is expedient to adopt measures against the owners and nakhodas of the vessels in which the slaves were imported.

From the fact of the vessels having goods on board consigned to this port, Captain Reid inferred that they would be found here, and therefore persuaded the authorities at Porebunder to depute three persons who could point them out. I have communicated with these persons, but they declare that they have searched for, but have not succeeded in discovering the vessels.

I think the senior magistrate of police, and the superintendent of the Indian navy, might be furnished with the information contained in the 22d paragraph of this memorandum, and be directed, in case the vessels are now in the harbour, to take possession of them, and to apprehend the nakhodas, and detain them, unless they can find bail. Perhaps, however, the law officers of Government should be first consulted.

Considering that heretofore the slave trade has not been interdicted or interfered with in Cutch and Kattywar, it would not, I humbly conceive, be either just or expedient to deal with the present case as if it had occurred in our own territory. I think, in this the first instance of detection, releasing the slaves will be sufficient without any additional punishment; and my object in proposing that a search should be made for the vessels importing them, is merely to make it evident to the owners and crews that what has occurred at Porebunder has been done by the order of Government, which will probably deter them from retaliating upon the Rana's vessels trading with their country, the dread of which appears to have created great alarm.

E. I. Company and
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(Documents.)

Third. I am disposed to view with some indulgence the conduct of the Porebunder authorities in not having fully acted up to the promise contained in the Rana's letter (vide B.), unless it is established that the 24 slaves alluded to in one of Captain Reid's letters were, after being landed at Porebunder, carried into the interior, in which case a fine might be imposed. In our first endeavours to put down the trade we should, I think, avoid acting with too great severity, which, I am convinced, would only defeat the humane object we have in view.

Fourth. I do not agree with Captain Lang, that the Rana of Porebunder should defray the expense of feeding and clothing the slaves that have been released at that port; I think this expense should be borne by the British Government, and that Captain Reid should be directed to prefer a contingent bill for the amount, without the intervention of the Commisariat. Captain Lang appears to think, that by subjecting the chiefs to this expense, they would exert themselves more actively to put down the trade; but I am of opinion that, to avoid the expense, they might be disposed to conceal the importation of slaves.

Fifth. With regard to the disposal of the slaves now under Captain Reid's custody, I should think that they should, in the first instance, be brought down to the presidency. The senior magistrate of police might be directed to take charge of them; to frame a register of their names and ages, and to ascertain from what places they were brought. They might ultimately be set at liberty, or conveyed back to their country, as opportunities may offer. One advantage of their being brought to Bombay would be, that it would become manifest that they are released by our intervention, which would operate as a check to the trade. The superintendent of the Indian navy should be directed to adopt measures for carrying this object into effect; and it might be suggested to him that the *Thetis*, the commodore's ship at Surat, might be made available for the duty.

Sixth. Captain Lang reports, that two female slaves were recently brought in a vessel from Mandavie to a port belonging to the Jam of Noanuggur, who, in conformity to the promises made to me in his letter (vide A.), promptly seized them. The satisfaction of Government at that chief's conduct might be communicated to him, and the slaves be forwarded, with those at Porebunder, to Bombay.

Seventh. For the more effectual suppression of the trade hereafter, I beg respectfully to suggest the following measures:

1st. That the Resident at Bhooj should be directed to furnish Government with a full report upon the mode and extent in which the slave trade is now carried on with the ports of Cutch, and to lose no time in concerting measures with the Rao of Cutch for its complete extinction within his dominions.

2d. That a proclamation be lithographed and circulated, one by the British government in Kattywar, and one by the Cutch government, in that province, denouncing, under heavy penalties, the inhuman traffic; requiring the chiefs and others to assist in suppressing it, and to afford information against all persons who may hereafter import, sale, or purchase slaves. The penalties to be briefly set forth in this document.

3d. That the coasts of Cutch and Kattywar be immediately placed under the surveillance of the Commodore of Surat, and that that officer be instructed to search all vessels of every denomination, and to detain any with slaves on board, or supposed to be engaged in the slave-trade. In the performance of this duty he should communicate freely with the political authorities in Cutch and Kattywar, and the several collectors, reporting his proceedings in each case in detail, for the ultimate orders of Government.

4th. That the Political Commissioner for Guzerat be instructed to induce H. H. the Guicawar to suppress the slave trade in his ports in Kattywar; viz. at the island of Bate, Dirarka, &c. It must be obvious that, to render our measures effective, no part of the coast must be left open to slave dealers.

5th. That, if practicable, measures be adopted to suppress the trade at the Portuguese port of Dieu.

6th. That the Seedee chief of Jungeera be required to suppress the trade at Jafferabad, in Kattywar, which belongs to him. Mr. Wathen might be requested to communicate with his vakeel here on this subject.

7th. That the whole of these proceedings be communicated to the British authorities in the Persian Gulph, and the Imaum of Muscat, in order to apprise those concerned in the trade, that all who will not abandon it will be subjected to severe punishment, including the confiscation of ships, with their cargoes, in which slaves are imported.

8th. That Arabic versions of the proclamation against the slave trade be prepared and extensively circulated in the Persian Gulf, and at the ports of Arabia, as opportunity may offer.

9th. I do not think it requisite to call upon the chiefs of Kattywar to enter into the specific engagements proposed by Captain Lang; negotiating on the subject might create an impression adverse to the cause, and I think it better that we should at once take upon ourselves to declare it unlawful, and a punishable offence. A copy of the proclamation suggested in the second head should be furnished to every chief in Kattywar; Captain Lang's present proceedings should be approved, his attention be drawn to the report of Captain Reid, about the 24 slaves carried into the interior, and to the subject of the slave trade generally, whether carried on by sea or by land.

Such are the measures which immediately occur to me as likely to effect our object; others will no doubt suggest themselves when we become more familiarly acquainted with the subject. I trust I shall be pardoned obtruding my remarks at such length upon the Board's notice; but I consider the subject to be as interesting, and deserving of as much consideration

consideration and attention as the suppression of infanticide, in the attainment of which object, I would feign hope, great progress has been made.

(signed) *J. P. Willoughby,*
Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

1 December 1835.

(A.)

Extract of a Letter from the Jam of Noanuggur to his Agent *Doolubjee Mooloosunker*, at Rajcote, on the subject of one regarding the Importation of Slaves, addressed to the Jam by Mr. *Willoughby*.

AFTER Jam Jussajee ascended into Paradise in 1871 Sumvut, the custom of levying duties on slaves imported from the coasts of Arabia ceased to exist; Bae Achooba, on the death of her husband, having interdicted the levy, as objectionable on the score of religion, it being accounted a great sin to collect duties on the sale of human beings. In consequence of that interdict it has become impossible to furnish the statement required, of the number of slaves imported during the last ten years, no duties being levied, nor any accounts kept. In future care will be taken, and arrangements adopted, to meet the wishes of Mr. *Willoughby*, viz., that of co-operating in putting an end to the importation of slaves into Kattewar altogether.—Assovud 3; 9 October 1835.

(B.)

Translation of a Letter from *Rana Wikmathjee*, the Chief of Porebunder, to
J. P. Willoughby, Esq.

YOUR letter forwarded through Captain Reid, dated the 24th September, was duly received on the 30th of the same month (recapitulates the contents of Mr. *Willoughby's* letter). None of my people, whether merchants, Mussulman seamen, or others, have any concern whatever in trade of the Seedee slave. Three years ago, a vessel sailing for Mandavie was wind-bound at Porebunder; there were slaves on board. When the vessel was about to proceed on her voyage, I made a demand for the payment of duties on the slaves; this demand drew forth a complaint from the Mandavie people in charge of the vessel, which they preferred to Captain Lang at Joonaghur, to which place they proceeded in person; Captain Lang told them that if it was the custom at the port to levy duties on slaves, that such should be paid: these duties were accordingly levied, and the vessel allowed to depart. This circumstance is known to you. Vessels from Mosambique in Arabia, put in at this bunder for wood and water, and then proceed to other bunders; occasionally, perhaps, by this means a few slaves might be imported. Persons residing at Porebunder, trading with the coasts of Arabia, may also sometimes purchase slaves for their own personal use, but nothing like a trade in slaves exists. I shall, however, adopt proper measures for the future, and prevent even the few instances that might occur as above stated. Should any Arab vessels arrive, having slaves on board for sale, I shall detain them, and inform the European officer here forthwith, and afford him all the aid he may require; a strict surveillance will in future be kept. The slave trade carried on at Mandavie in Cutch ought to be abolished. This is my petition.—2d October 1835.

(C.)

Slave Trade.

Letter from *Shaik Shaik Meeah Wullud Budduroodeen-bhye*, of Mangrolle,
to *J. P. Willoughby, Esq.*, Political Agent.

(A.C.)

ACKNOWLEDGES the political agent's letter, and recapitulates contents.

No accounts are kept of the sale of Seedee slaves, it not being the custom at this port to levy any duties on the traffic. Now, however, in consequence of the receipt of your letter, a strict surveillance will be instituted, and the sale of slaves prohibited, and reports duly made to you of the arrival of any at this place.—Assovud 5th, St. 1891; 12th October 1835.

(D.)

Letter from *Mehta Mandonjee*, Jubteedar of Mangrolle, to *J. P. Willoughby, Esq.*,
Political Agent.

ACKNOWLEDGES the receipt of the political agent's letter, and after recapitulating contents, states,

I have communicated with the durbar on the subject, and I am told that no duties have been ever levied at this port on the importation of slaves, nor any accounts kept in this respect. In future all slaves that may be brought, the durbar states, it will take charge of, and inform you accordingly.—12th October 1835; Assovud 5th, 1891.

E. I. Company and
Board of Control.
(Documents.)

(E.)

From *J. P. Willoughby*, Esq., Political Agent in Kattywar, to Captain *Reid*, Commanding at Porebunder.

Sir,

HAVING reason to believe that slaves are occasionally imported into Kattywar from the coast of Africa, the Red Sea, and the Persian Gulf, I am exceedingly desirous to adopt measures to suppress this inhuman traffic; I avail myself, therefore, of your residence at one of the principal ports in the province to obtain information on the subject.

2. Some time since I prevailed upon the authorities at Porebunder to promise to put a stop to the importation of slaves at that port, and to seize and detain all vessels frequenting it, having slaves on board, reporting such detention for my information and instruction.

3. I am by no means certain, however, that this promise will be adhered to, and I therefore request that you will have the goodness, on the arrival of vessels from any of the ports above alluded to, to adopt measures for ascertaining whether any slaves are on board, and having ascertained that such is the case, that you will call upon the local authorities to release and transfer the slaves to your custody, and to detain the vessel, its commander and crew at Porebunder, until a reference has been made to me for instruction respecting the course to be pursued towards them.

4. I am given to understand that this traffic is carried on with the ports of Cutch and Scinde, as well as those of Kattywar; and it is not at all unlikely that slaves originally imported by vessels resorting to Cutch and Scinde are subsequently brought into Kattywar.

5. I therefore request that you will extend your inquiries on the subject to all vessels arriving at Porebunder from the ports of Cutch and Scinde, but more especially to those manned by Arabs, who are stated to be the persons chiefly engaged in the nefarious trade.

6. In the performance of the above duty, you will perhaps be subjected to some expense, for which you will have the goodness to prefer a contingent bill to be submitted for the sanction of Government.

7. Enclosed is a letter to the address of the Rana of Porebunder, advising him of the instructions contained in this letter, and requesting him to afford you every assistance in carrying them into effect.

I have, &c.

Katteewar Political Agent's Office,
Rajcote, 22 Sept. 1835.

(signed) *J. P. Willoughby*,
Political Agent.

(True copy.)
(signed) *W. Lang*,
Acting Political Agent.

From the Assistant Political Agent in Charge, Kattywar, to the Political Agent, Kattywar, dated 10 November 1835.

Sir,

I HAVE the honour to transmit an original letter from Captain Reid, together with translate of one from the Rana of Porebunder, reporting the arrival of a large number of Seedee slaves, their transfer to Captain Reid's custody, and the detention at Porebunder of the three vessels in which they were imported, together with their commanders and crews; I likewise annex copy of my reply to Captain Reid.

2. Although the statement of the Porebunder authorities with regard to the retaliation likely to be exercised towards their merchants and others residing at or trading to ports on the coast of Arabia is deserving of serious consideration, which it will no doubt receive in this final disposal of this and other similar cases; still I am unwilling to interfere to release the vessels, detaining only the slaves and their owners, till the instructions of Government are received, since you particularly desired that all letters on this subject should be sent to you, and the orders contained in the third paragraph of your letter of the 22d September last to Captain Reid strictly direct the detention of all concerned.

3. It appears to me, however, that we cannot in fairness call upon the chiefs possessing bunders in Kattywar to seize all slaves brought to them, and set them at liberty, turning off the vessels and owners without them; and you will observe that the Rana, out of a due regard to his own interests, declares he will be obliged to pay for the slaves, if called upon to release them, a mode of procedure which would tend much to defeat the object we have in view. I beg, therefore, with every deference, to suggest that a vessel should be sent from Bombay to receive charge of the slaves and the vessels which brought them, and take the whole to the Presidency, where the unfortunate beings could either be set at liberty or returned, as opportunities may offer, to their native country; and their owners, as well as the commanders of the vessels which brought them, be proceeded against as may be usual in such cases.

4. A prohibition to the chiefs who possess bunders in Kattywar to prevent the importation of slaves, to which effect they would no doubt all be easily persuaded to enter into engagements, would altogether put a stop to this inhuman traffic, as far as this province is concerned; but the unfortunate beings exported from Arabia in the meantime, before the prohibition became known, would still be doomed to slavery in some other part of the country. The only effectual plan, therefore, would be to call upon the chiefs to detain all
vessels

vessels with slaves on board, and make them over to the charge of any officer Government might appoint to cruise off the coast of Kattywar, for the purpose of receiving them; a measure which, to put a final stop to this nefarious traffic, it would not probably be necessary to persevere in more than two or three years. The British Government must, however, effect the understanding necessary to be come to with the authorities in Arabia, as it would be unreasonable to call upon the chiefs to incur the responsibility they dread in this respect.

E. I. Company and Board of Control. (Documents.)

5. I take this opportunity of informing you that two female slaves were brought lately in a Mandavie vessel to Noanuggur for sale. In reply to the Jam's application, as to how he was to proceed on that occasion, I desired him to detain the slaves till your orders were received, but to permit the vessel to depart, warning its commander, that, in the event of his ever importing slaves again, both himself and his vessel would be seized. The Jam's letter to his vakeel on this subject, together with all the replies which have as yet been received from the different chiefs, regarding the abolition of slavery, have already been transmitted to you as desired; and I shall feel obliged by your obtaining the instructions of the Right honourable the Governor in Council for my guidance in this and all other cases of the kind which may occur, with the least possible delay.

Kattiawar Political Agent's Office,
Rajcote, 10 November 1835.

I have, &c.
(signed) *W. Lang*,
Assistant Political Agent in Charge.

From the Officer commanding Detachment, Porebunder, to the Political Agent, Rajcote, dated 5th November 1835.

Sir,

With reference to Mr. Willoughby's letter to my address, No. 232 of 1835, in the Political Department, dated 22d September last, I have the honour to report to you that three vessels are now at this port from the * undermentioned places in the Persian Gulf, who had slaves on board; viz.

* Sowud bunder.
Kibirta bunder.
Gassin bunder.

- 1st. Batilla Gunnum, Nachoda, Shed Deen Salim, 19 males and 15 females - 34
- 2d. Batilla Futta-hul-Chan, Nachoda, Ahmed Deen Jafer, 16 males and 8 females, 24
- 3d. Batilla Futta-hul-Chan, Nachoda, Sad-bin Allee, 7 males and 9 girls - 16

Making a total of - - - - - 74

The slaves have been this day landed, and are now under my custody; the vessels, together with their commanders and crews, are under charge of the local authorities.

2. As this is the first occasion in which the authorities here have aided in the suppression of this inhuman traffic, they are most anxious to have your orders on the subject. I shall also feel much obliged if you will inform me how these poor creatures are to be subsisted, accommodated, and clothed, they being totally naked; in the meantime I have placed them in the tents belonging to my detachment, and ordered a bannian to furnish them with such simple rations as may be considered adequate to their immediate wants, until I receive your orders regarding their further disposal.

3. Their ages are from six to fifteen years, or thereabouts.

Porebunder, 5 November 1835.

I have, &c.
(signed) *A. T. Reid*,
Captain Commanding Detachment, Porebunder.

Translation of a Letter from the Rana of Porebunder to Captain *Lang*, Assistant Political Agent in Charge, dated Kartig Vud, 1st Sumvut 1892; A. D. 6th November 1835.

With reference to your letter, dated 24th September last, regarding the importation of Seede slaves from Arabia, I have to report that three dows from the Maculla coast, laden with goods consigned to Bombay, consisting of limestone and loban *, having put into this port for water and provisions, my people went on board, and discovered that the vessels contained slaves. This discovery was communicated to Captain Reid, agreeably to the instructions formerly received from the political agent, and that officer directed the subedar of the detachment to proceed with my people on board, when they ascertained the number of slaves, male and female, to amount to 79. The following is a statement of the vessels, with their nacquodahs, and the slaves:

* A gum used as incense by the Mahomedans.

Names of Vessels.	Names of Nacquodahs.	Male.	Female.	Total.
1. Dow Gunamee - -	Suyud bin Sallum - -	24	16	40
2. Dow Futtehbera - -	Hamed bin Jaffer - -	18	8	26
3. Dow Futtehbera - -	Suyed bin Allee - -	7	6	13
		49	30	79

E. I. Company and
Board of Control.
(Documents.)

Captain Reid declared he would have the slaves disembarked, and placed in his custody. The Arabs explained that they had received the slaves on board as mere passengers, and that Captain Reid was at liberty to take the slaves with their owners in custody, after which leave should be given them to depart; that they were poor people, and not to blame; that they were persons who employed their vessels on hire; that, had they been aware of any objection towards receiving slaves on board, they would not have taken them in their vessels; that, for these reasons, permission should be granted them to depart, and they promised never to receive slaves in their vessels for the future.

These people seldom visit my port. This year there is a famine in Arabia, on the Maculla coast, to which the present instance is to be attributed. The owners of these slaves state that they purchased them, and that if they are paid their money Government can keep the slaves.

Vessels from my port trade with the Maculla coast and other shores of Arabia, where the sovereign authority is exercised by the Mussulman powers. In reprisal for any annoyance their vessels may receive at our hands, my people who frequent their shores will be similarly treated. These people, *i. e.* the Arabs, are an ignorant race; their communications with this port are limited to furnishing themselves with supplies of water, wood, and provisions, for which purpose a few individuals of each vessel occasionally disembark; they pay no duties or customs to me whatever. Such has been the rule with the Arab dows in reference to this port from the most ancient times. In cases where they enter the harbour for the purpose of repairing their vessels, they pay a duty on each of 15 dollars; such is the custom. My petition is, that this port may not be destroyed, but made to flourish; that my vessels and people who trade with Arabia may not be subjected to ill-usage; that, considering these points, you will write an answer, especially as the coasts of Arabia are thronged with Arabs, and the chief trade of my people is with the Arabs. I have nothing to fear here, having Government on my side; but I beg you will consider that my vessels and people on the coasts of Arabia will be subjected to annoyance and ill-usage.

P. S.—Of the number of slaves, *viz.* 79, ten are said to be the children of seamen. I shall be glad should the Government liberate them; but as the owners got them by purchase, it will be well if they are paid their money. But if Government should take the slaves without paying for them, I shall be obliged to incur the expense myself, as my vessels and people are perpetually in intercourse with the Arabs, who will no doubt put them in restraint, and exact the payment of the money from them; add to this loss that of the duties I have already suffered. I beg therefore you will keep these points in consideration, when issuing final orders regarding the dows and slaves now here, in order that my port may continue to flourish, and the trade carried on by my people may not be disturbed. Government is powerful in all things. I have nothing to fear from the countries under the authority of the Sircar, but have great cause for anxiety on the score of the ports in Arabia, whose customs are so different from ours. This anxiety is not unfounded; and I therefore beg you will in reply weigh these things.

(True translation.)

(signed) *W. Lang,*
Acting Political Agent in Charge.

From *W. Lang, Esq.,* Acting Political Agent in Charge, Kattywar, to Captain *Reid,* Commanding Detachment at Porebunder, dated 10 November 1835.

Sir,

In acknowledging the receipt of your letter of the 5th instant, I have the honour to request that you will detain the slaves, either in your tents or in any commodious apartment which the Rana may provide, till the instructions of Government, which I have written to solicit with the least possible delay, are received as to their final disposal. I enclose a letter to the Rana on the subject, calling upon him likewise to detain the vessels with their commanders and crews, as required by Mr. Willoughby; but in the event of any force being required to effect this object, I am confidently of opinion that it should not be resorted to upon this the first occasion of a seizure of the kind; and I trust the detention of the slaves themselves, which must of course be rigidly enforced, will, for the present, sufficiently answer the object in view. I have called upon the Porebunder authorities to provide the unfortunate beings with wholesome food, and any clothing which may be absolutely necessary, as I consider that they should, after having engaged with Mr. Willoughby to prevent importation of slaves, bear all expenses of this kind, which will make it the more their interest to discourage the inhuman traffic. I shall feel obliged by your seeing that these instructions are carried into effect.

The letter received on this subject from the Rana of Porebunder, mentions the number of slaves at 79, but afterwards deducts 10 as the progeny of the nackhoodas of the vessels; whereas you state the number in your custody at 74. Some explanation on this point appears therefore necessary.

Katteewar, Political Agent's Office,
Rajcote, 10 November 1835.

I have, &c.
(signed) *W. Lang,*
Acting Political Agent in Charge.

(True copy.)

(signed) *W. Lang,*
Acting Political Agent in Charge.

From *W. Lang*, Esq., Acting Political Agent in Charge, Kattewar, to *J. P. Willoughby*, Esq., Political Agent in Kattywar, Bombay. E. I. Company and Board of Control. (Documents.)

Sir,

WITH reference to my letter of the 10th instant, I have the honour to transmit another original letter from Captain Reid, on the subject of the slaves lately imported at Porebunder. I shall make all the inquiries in my power regarding the statement it contains against the Porebunder authorities, for having permitted two Arabs to convey 24 unfortunate beings into the interior of the province for sale, and report the result hereafter.

Katteewar Political Agent's Office,
Rajcote, 15 Nov. 1835.

I have, &c.
(signed) *W. Lang*,
Acting Political Agent in Charge.

From Captain *A. T. Reid*, Commanding Detachment, Porebunder, to the Political Agent, Rajcote, dated 6 November 1835.

Sir,

SINCE I had the honour of addressing you on the 5th instant, it has come to my knowledge (and I consider it my duty to report it) that the authorities here have not rendered that assistance in the cause of humanity, which, from their professions to Mr. Willoughby, in answering his communication to them, announcing the purport of his letter to me of the 22d September last, it will appear they then promised.

2. The boats in which the unfortunate 74 creatures alluded to in my letter came here, were not reported to me until several days after they had arrived; and I leave it for you to judge, whether it was likely that the authorities here could have been ignorant of the fact, that their vessels from the Gulf, totally manned by the Arabs, had arrived at the port, and that each of them had a considerable number of slaves on board.

3. As soon as it became known to me that slaves were in these vessels, I immediately sent the subedar, and five of the most intelligent of my detachment on board, for the purpose of searching for, and to bring me a list of them; and it was with considerable difficulty that I prevailed on the Rana's man (Nuttoo Metah) to send some of their people to assist; and notwithstanding, I am sorry to say that on landing the slaves eight of them were found wanting, whom I have not as yet been able to prevail on the Rana's people to release and hand over to me; these eight are not included in the 74 formerly reported; the poor wretches were some of them concealed in boxes and other private places in the hold, which will in some degree explain the difficulty my people had in collecting them.

4. I have also been informed by good authority, that about 24 unfortunate wretches of the same description were clandestinely landed from a boat here, about the morning of the 30th ultimo, and marched through the village of Chya, to the interior of the province, accompanied by two Arabs; this, I need scarcely add, the authorities here deny, but with the means at your disposal for prosecuting further inquiry, together with the proof I shall be able to bring, I think it will not be difficult to show that any zeal or assistance in the suppression of this inhuman traffic is not to be looked for from the Rana of Porebunder.

Porebunder, 6 November 1835.

I have, &c.
(signed) *A. T. Reid*,
Captain Commanding Detachment, Porebunder.

From Captain *A. T. Reid*, Commanding Detachment at Porebunder, to *J. P. Willoughby*, Esq., Political Agent, Kattawar, Bombay, dated 21 November 1835.

Sir,

I AVAIL myself of a boat, which will sail for Bombay to-day, to furnish you with the accompanying copies of a correspondence I have had with Captain Lang, in charge of the political agency in Kattawar, respecting three Arab vessels which were detained here by your directions, by the Rana, in consequence of their having had slaves on board.

2. My reason for addressing you direct by this conveyance is, that the vessels which got away from this, as reported in my letter to Captain Lang of the 18th instant, may, I hope by your means, (if their detention would be legal) be still got hold of; the principal part of their cargoes, I am given to understand, were consigned to Bombay; it is natural to suppose they have proceeded to that port.

3. I have prevailed on the Rana to send herewith three men belonging to this (their names as per margin), who will, if necessary, be able to point out the vessels if they are at Bombay, and identify their commanders.

4. A letter from the Rana to your address, on the subject, is also forwarded by this opportunity.

Porebunder, 21 November 1835.

I have, &c.
(signed) *A. T. Reid*,
Captain Commanding Detachment at Porebunder.

Ahmed been Synd.
Abdoola been
Nasser.
Ahmed been Ma-
homed.

E. I. Company and Board of Control, (Documents.) From Captain *A. T. Reid*, Commanding of Detachment, Porebunder, to the Political Agent, Rajcote, dated 5 November 1835.

1st. WITH reference to Mr. Willoughby's letter to my address, No. 232, of 1835, in the Political Department, dated the 22d September last, I have the honour to report to you that three vessels are now at this port from the undermentioned places in the Persian Gulf, which had slaves on board; viz.:—

1. Battilla Gunnum, Nachoda, Shed-Deen-Salim : males, 19 ; females, 15	-	34
2. Battilla Futta-hul-Choir, Nachoda, Ahmed-bin-Jajeer : males, 16 ; females, 8	-	24
3. Battilla Futta-hul-Shair, Nachoda, Sad-been-Ally : males, 7 ; girls, 9	-	16
Making a total of		74

The slaves have been this day landed, and are now under my custody; the vessels, together with the commander and crew, are under charge of the local authorities.

2. As this is the first occasion in which the authorities have here aided in the suppression of this inhuman traffic, they are most anxious to have your orders on the subject. I shall also feel much obliged if you will inform me how these poor creatures are to be subsisted, accommodated and clothed, they being totally naked. In the meantime I have placed them in the tents belonging to my detachment, and ordered a banyan to furnish them with such simple rations as may be adequate to their immediate wants, until I receive your orders regarding their further disposal.

3. Their ages are from 6 to 15, or thereabouts.

I have, &c.

Porebunder, 5 November 1835.

(signed) *A. T. Reid*,
Captain Commanding of Detachment, Porebunder.

From *W. Lang*, Esq. Assistant Political Agent in Charge, Kattawar, to Captain *Reid*, Commanding Detachment, Porebunder, dated 10 November 1835.

Sir,

IN acknowledging the receipt of your letter of the 5th instant, I have the honour to request that you will detain the slaves either in your tents, or in any commodious apartment which the Rana may provide, till the instructions of Government, which I have written to solicit with the least possible delay, are received as to their final disposal. I enclose a letter to the Rana on the subject, calling upon him likewise to detain the vessels, with their commanders and crews, as required by Mr. Willoughby; but in the event of any force being required to effect this object, I am confidently of opinion that it should not be resorted to upon this the first occasion of a seizure of the kind; and I trust the detention of the slaves themselves, and which must of course be rigidly enforced, will for the present sufficiently answer the object in view. I have called upon the Porebunder authorities to provide the unfortunate beings with wholesome food, and any clothing which may be absolutely necessary, as I consider that they should, after having engaged with Mr. Willoughby to prevent the importation of slaves, bear all expenses of this kind, which will make it the more their interest to discourage the inhuman traffic. I shall feel obliged by your seeing that these instructions are carried into effect.

The letter received on this subject from the Rana of Porebunder mentions the number of slaves at 79, but afterwards deducts 10 as the progeny of the nakhoodas of the vessels; whereas you state the number in your custody at 74; some explanation on this point appears therefore necessary.

I have, &c.

Katteewar Political Agent's Office,
Rajcote, 10 November 1835.

(signed) *W. Lang*,
Assistant Political Agent in Charge.

From Captain *A. T. Reid*, Commanding Detachment, Porebunder, to the Political Agent, Rajcote, dated 6 November 1835.

Sir,

SINCE I had the honour of addressing you on the 5th instant, it has come to my knowledge (and I consider it my duty to report it), that the authorities here have not rendered that assistance in the cause of humanity which, from their profession to Mr. Willoughby, in answering his communications to them, announcing the purport of his letter to me of the 22d of September last, it would appear they then promised.

2. The boats in which the unfortunate 74 creatures alluded to in my letter came here, were not reported to me until several days after they had arrived; and I leave it for you to judge whether it was likely that the authorities here could have been ignorant of the fact that these vessels from the Gulf, totally manned by Arabs, had arrived at the port, and that each of them had slaves on board.

3. As

3. As soon as it became known to me that slaves were in these vessels, I immediately sent the subedar and five of the most intelligent of my detachment on board for the purpose of searching for and to bring me a list of them, and it was with considerable difficulty that I prevailed on the Rana's man (Nuttoo Metah) to send some of his people to assist; and notwithstanding, I am sorry to say that on landing the slaves eight of them were found wanting, whom I have not as yet been able to prevail on the Rana's people to release and hand over to me; these eight are not included in the 74 formerly reported. The poor wretches were some of them concealed in boxes and other private places in the hold, which will in some degree explain the difficulty my people had in collecting them.

E. I. Company and
Board of Control.
(Documents.)

4. I have also been informed, by good authority, that about 24 unfortunate wretches of the same description were clandestinely landed from a boat here about the morning of the 30th ult., and marched through the village of Chyer into the interior of the province, accompanied by two Arabs (this I need scarcely add, the authorities here deny), but with the means at your disposal for prosecuting further inquiry, together with the proof I shall be able to bring, I think it will not be difficult to show that any zeal or assistance in the suppression of this inhuman traffic is not to be looked for from the Rana of Porebunder.

I have, &c.

Porebunder, 6 November 1835.

(signed) *A. T. Reid*,
Commanding of Detachment, Porebunder.

From Captain *A. T. Reid*, Commanding Detachment, Porebunder, to the Political Agent, Rajcote, dated 16 November 1835.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 10th instant, on the subject of the slaves. I am not the least apprehensive that any force will be necessary to keep the commanders and crews in the restraint they now are, provided the authorities here exert the power they no doubt possess, in enforcing the wishes of the British Political Agent.

2. I am sorry to acquaint you, that although I have had an interview this morning with Nuttoo Metah, and explained to him the nature of your communication to me, as well as his acknowledging that you had written to the same purpose to the Rana, will not have anything to do with feeding, clothing or quartering the slaves, until they can again hear from you on the subject. I hope, therefore, you will have the kindness to favour me with your further orders regarding them. And in communicating with the durbar, I should feel obliged if you would distinctly explain to them that it is your wish that they should defray the expense I have sanctioned towards feeding the slaves, from the day I took charge of them, to prevent my having bills or accounts on the general commissariat, which might take a considerable time in getting sanctioned.

3. With regard to what the Rana has said respecting 10 of the slaves being the progeny of the nakhodas, I am of opinion there will be no difficulty in clearing up, nor do I think they now wish to adhere closely to this claim; the nakhodas are evidently Arabs, and the children Africans, a totally distinct race, and their appearance certainly is against the supposition. The third paragraph of my letter of the 6th instant will have fully explained to you the difference between the Rana's statement and mine respecting the number of the slaves, as alluded to in your letter now under reply.

I have, &c.

Porebunder, 16 November 1835.

(signed) *A. T. Reid*,
Captain Commanding of Detachment, Porebunder.

From Captain *A. T. Reid*, Commanding Detachment, Porebunder, to the Political Agent, Rajkote, dated 18 November 1835.

Sir,

I HAVE the honour to acquaint you, that the three vessels which were detained here by the Rana on account of their having slaves on board, as reported in my letter to you of the 5th instant, have been permitted by the Rana to sail from hence last night, together with their commanders and crews, and I have not the slightest doubt in my own mind but the Rana (whatever excuse he may offer to you) was accessory to the plot.

2. Instead of keeping the nakhodas in confinement, as he promised, under a suitable guard of old and tried sepoy, I am given to understand they were simply under the charge of a few Arabs, who have only been about one month in the Rana's service. The boats were not unrigged and brought into the harbour as I recommended, neither were the crews in confinement as directed by the orders of the political agent. The vessels were permitted to anchor (within the last few days) at a considerable distance from the shore, with the whole of their crews, without a single sepoy belonging to the Rana on board, although Nuthoo Metah always informed me the crews were in custody, as well as the nakhodas, and that there was not the slightest chance of their getting away.

E. I. Company and
Board of Control.
(Documents.)

3. A letter from the Rana to your address accompanies this; but I fear his explanation will be far from satisfactory to the British Government.

4. The 74 slaves remain in my charge, as formerly reported.

Porebunder, 18 November 1835.

I have, &c.,
(signed) *A. T. Reid*,
Captain, Commanding Detachment, Porebunder.
(True copy.)

(signed) *A. T. Reid*,
Captain, Commanding Detachment, Porebunder.

Extract of a Letter from Rana *Sree Vurkumatjee*, the Rana of Porebunder, to *J. P. Willoughby*, Esq., dated 4th Margsir Sood, Sumvut 1892, or 25th November 1835.

Sir,

* Reid.

You have written me orders regarding the slaves which came from Arabia, since which three dows have arrived at my port; the slaves which were in them I have made over to Mr. (name unintelligible*), and I have placed the three Arab nakhoodas under an Arab guard; but going out on pretence of easing themselves, they gained over the Arabs who accompanied them. It being in the night time they then got on board their boats, and put off to sea (in their dows). Their vessels have goods on board for Bombay, and those people have probably arrived at Bombay. I have sent Seta Ahmed to inquire after them, and he will represent the whole of the circumstances to you, sir. You, sir, are powerful enough to take proper measures respecting those persons. The names of those vessels, as well as of the nakhoodas, are written; and two of my own Arabs, who know the nakhoodas, have been embarked (for Bombay); these will point them out. I will act, sir, according to any orders you, sir, may be pleased to write me; but three of my own vessels, and four belonging to merchants, have sailed full of goods to Arabia. Now, the Arabs will, without fail, stop them, and will throw difficulties in the way of my vessels and merchandize, for these Arabs are a very bad people. I have, therefore, written a petition on the subject to Rajkote, which Mr. Lang, having translated into English, has no doubt sent to you, sir.

* Meaning himself.

The Arabs gave out that they will reimburse themselves for all the loss incurred by their slaves being taken away, by stopping the Rana's* vessels and goods on the coast of Arabia, near Maculla. I therefore pray that you, sir, to get some such rule established by Government that these Arabs may not be able to raise disputes with me concerning their slaves; these slaves are landed on the coasts of Cutch, and at other ports, where no interruption is shown to the traffic; and as the trade is now stopped by me, the enmity of the whole of Arabia will be drawn upon me, and my port will be destroyed; therefore be pleased to devise some plan, that this rule of Government may remain unfringed, and my port be preserved; and please to arrange so that my vessels proceeding to Arabia may not be molested, and that I may not incur the enmity of all the people of Arabia. It rests with Government, which alone has the power to effect such arrangement.

Oblige me, sir, by kindly writing a reply to this epistle.

The names of the three dows, and three nakhoodas, are written in a separate note.

No. 3580.

MINUTE by the Right Honourable the Governor, dated 8 December 1835.

I HAVE to express my sincere thanks, in which I doubt not the Board will participate, to Mr. Willoughby, for having furnished to us the important information contained in these papers, for the pains which he took before he quitted Kattywar to ascertain the state, and avert the progress of the cruel traffic which he describes, and for his judicious suggestions with respect to the measures to be adopted both at the instant, and prospectively, in relation to the whole matter.

2. Mr. Willoughby justly remarks, that as we attain a fuller knowledge of the facts of the case, other measures will occur to us; and, for this reason, and also because I am anxious that no time should be lost in acting on the suggestions he has offered, I think it best to content myself on this occasion with saying generally, that we should immediately take the several steps he advises, under seven divisions, the last of which is itself distributed into nine heads, and wholly directed to the object of the future suppression of the traffic.

3. In relation to one point on which Mr. Willoughby does not speak quite decisively, I would observe, that no proceedings should be commenced against the nakhodas of the vessels now in Bombay harbour, which are suspected to contain slaves, until the opinion of the Advocate-general (which should be required summarily) is taken as to the powers which the law gives us in such cases.

In reference to the representation which Mr. Willoughby recommends to the Imaum of Muscat, some of whose subjects are supposed to be concerned in the slave trade in question, that chief should be reminded of his having formerly undertaken to suppress the trade in his own dominions; and though I feel the delicacy of pressing on him the performance of that engagement (for we have not treated him very liberally), I should not scruple to remind him of it, and at least to exhort its observance, on the ground of humanity.

5. Anxious for the circulation of these papers, I will no longer detain them.

(signed) *R. Grant*.

8 December 1835.

Minute

Minute by Mr. *Ironside*, dated 10 December.

I FULLY concur in all that is stated above.
10 December.

(signed) *E. Ironside.*

E. I. Company and
Board of Control.
(Documents.)

No. 3581.

Minute by the Honourable Mr. *J. Sutherland*, dated 10 December.

I MOST fully concur in all that is above stated in the Right honourable the Governor's Minute. It appears to me that it would somewhat promote the object in view if Mr. Willoughby, who has acted with such zeal on all occasions, as well as the present, in the cause of humanity, would have the goodness to send a condensed account to the Courier newspaper, as well as the native papers, as this will more generally diffuse knowledge of the determination of Government to suppress slavery.

10 December.

(signed) *J. Sutherland.*

No. 3582.

From the Political Secretary to Government to the Acting Political Agent, Katteewar, dated 19 December 1835.

No. 3583.

Sir,

I AM directed to acknowledge the receipt of your letters to the late Political Agent in Kattywar, dated the 10th and 15th ultimo, with their enclosures, reporting the arrival at Porebunder of three vessels, stated to have come from the coast of Maculla, with a number of slaves on board, and your proceedings consequent thereon.

2. In reply, I am instructed to communicate to you the following observations and instructions :

3. Captain Reid's proceedings respecting the slaves are highly creditable to his zeal and humanity, and the Governor in Council requests that you will convey to that officer the high approbation of Government.

4. The Governor in Council is disposed to view with some indulgence the conduct of the Porebunder authorities, in not having fully acted up to the promise contained in the Rana's letter to the late political agent, unless it is established that the 24 slaves alluded to by Captain Reid were, after being landed at Porebunder, carried into the interior, in which case a fine should be imposed ; but it is desirable that too great severity should not be had recourse to, in our first endeavours to put down the slave trade, as such will only tend to defeat the humane object in view.

5. The Governor in Council is not of opinion that the Rana of Porebunder should defray the expense of feeding and clothing the slaves that have been released at that port ; the expense is to be borne by Government ; and you are requested to instruct Captain Reid to submit a contingent bill of the amount, without the intervention of the commissariat.

6. You appear to think, that by subjecting the chief to the expense they would exert themselves more actively to put down the trade ; but the Governor in Council is of opinion, that to avoid the expense they might be disposed to conceal the importation of slaves.

7. With regard to the disposal of the slaves now under Captain Reid's custody, the Governor in Council has resolved that they shall, in the first instance, be sent to Bombay, with a view to their being set at liberty, or conveyed back to their country, as may be deemed most expedient. The superintendent of the Indian navy has been instructed to adopt the necessary steps for carrying the slaves to Bombay ; and you will accordingly issue instructions to Captain Reid to make them over to the officer who may be deputed to Porebunder for the purpose of receiving charge of them.

8. With reference to the fifth paragraph of your letter of the 10th November, respecting the two female slaves recently brought in a vessel from Mandavie to a port belonging to the Jam of Noanuggur, who, in conformity to a promise made to the late political agent, promptly seized them, the Governor in Council requests that you will convey to that chief the satisfaction of Government with his conduct, and that these individuals may be also sent to Bombay with those at Porebunder.

9. The Governor in Council having resolved that the coasts of Cutch and Katteewar should be immediately placed under the surveillance of the commodore at Surat, the superintendent of the Indian navy has been requested to instruct that officer to search all vessels of every denomination, and to detain any vessel having slaves on board, or supposed to be engaged in the slave trade. In the performance of this duty he will also be instructed to communicate freely with the political authorities in Cutch and Katteewar, and the several collectors, reporting his proceedings to Government.

10. Copies of my letters to the Resident in Cutch, and political commissioner for Guzerat, are enclosed for your information.

11. Measures will also be adopted to suppress, if practicable, the slave trade at the Portuguese settlement of Dieu.

12. The Seedee of Junjeera will also be requested to suppress the trade at Jafferabad.

13. The Governor in Council does not think it necessary to call on the chiefs of Katteewar to enter into the specific engagements proposed by you ; negotiating on the subject might create an impression adverse to the cause ; the Governor in Council considers it better that the British Government should at once take upon itself to declare the traffic unlawful, and a punishable offence.

E. I. Company and
Board of Control.
(Documents.)

14. A proclamation will hereafter be sent to you on the subject, copy of which you will furnish to every chief in the Katteewar.

15. With reference to the 4th paragraph of Captain Reid's letter of the 6th November, respecting the 24 slaves stated to have been carried into the interior, I am directed to request that you will cause inquiries to be made respecting the place to which they have been taken, and to adopt measures for their release. The Governor in Council also requests your particular attention to the subject of the slave trade generally, whether carried on by sea or by land, and that you will report from time to time any information you may obtain likely to assist in effecting the complete extinction of this infamous traffic.

16. In conclusion, I am instructed to convey to you the approbation of Government with your proceedings on the present occasion.

Bombay Castle, 19 Dec. 1835.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

No. 3584.

From the Political Secretary to Government to the Resident in Cutch,
dated 19 December 1835.

Sir,

It having been brought to the notice of Government that a trade in slaves is carried on to a considerable extent between the ports of Cutch and Katteewar, and those of Arabia and the Persian Gulf, I am directed by the Right honourable the Governor in Council to request that you will furnish Government at your earliest convenience with a full report upon the mode and extent in which the slave trade is now carried on with the ports of Cutch, and to lose no time in concerting measures with the Rao of Cutch for its complete extinction within his dominions.

2. I am instructed on this occasion to acquaint you, that Government has determined on immediately placing the coasts of Cutch and Katteewar under the surveillance of the commodore at Surat, and that officer will be instructed to search all vessels of every denomination, and pending the orders of Government, to detain any vessel with slaves on board, or supposed to be engaged in the slave trade. In the performance of this duty, the commodore has been instructed to communicate freely with you, reporting his proceedings to Government.

Bombay Castle, 19 Dec. 1835.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

No. 3585.

From *J. P. Willoughby*, Esq., Secretary to Government, to the Political Commissioner for Guzerat, dated 19 December 1835.

Sir,

It having been brought to the notice of Government that a trade in slaves is carried on to considerable extent between the ports of Cutch and Katteewar, and those of Arabia and the Persian Gulf, I am directed by the Right honourable the Governor in Council to request that you will use your best endeavours to induce his Highness the Guicowar to suppress the slave trade in his ports in Katteewar, viz., at the islands of Bate, Dwarka, Koremar, &c., and that you will report to Government the result of your communication with his Highness on the subject.

Bombay Castle, 19 Dec. 1835.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

No. 3586.

From the Political Secretary to Government to the Superintendent of the Indian Navy,
dated 19 December 1835.

Sir,

I AM directed by the Right honourable the Governor in Council to acquaint you that Government has come to the determination of immediately placing the coasts of Cutch and Katteewar under the surveillance of the commodore of Surat, with the view of suppressing a trade in slaves which has recently been proved to be carried on by vessels trading from Cutch and Kattywar, with various ports in Arabia and the Persian Gulf.

2. The Governor in Council therefore requests that you will issue instructions to that officer to search all vessels of every denomination, and, pending the instructions of Government, to detain any with slaves on board, or supposed on reasonable grounds to be engaged in the slave trade.

3. In the performance of this duty the Governor in Council authorizes the commodore's communicating freely with the political authorities in Cutch and Katteewar, and the several collectors, reporting his proceedings in each case in detail for the ultimate orders of Government.

Bombay Castle, 19 Dec. 1835.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

From

From the Political Secretary to Government to the Superintendent of the Indian Navy,
dated 19 December 1835.

E. I. Company and
Board of Control.
(Documents.)

Sir,

As connected with my letter of this date, No. 1626, I am directed to acquaint you, that about 74 slaves have been landed from three Arab vessels which had put into the port of Porebunder, and are now under charge of Captain Reid, the commanding officer at that place.

2. It being desirable that these slaves should be removed to Bombay, with a view to their being set at liberty or conveyed back to their country, the Governor in Council desires me to request that you will adopt measures for bringing them to Bombay, and at the same time to suggest that the *Thetis*, now at Surat, be made available for the duty.

3. On the arrival of the slaves in Bombay, the Governor in Council requests you will cause them to be made over to the senior magistrate of police, who has been requested to take charge of them.

I have, &c.

Bombay Castle, 19 Dec. 1835.

(signed) *J. P. Willoughby*,
Secretary to Government.

No. 3587.

From the Political Secretary to Government to the Senior Magistrate of Police,
dated 19 December 1835.

No. 3588.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you copy of my letter of this date to the superintendent of the Indian navy, regarding a number of slaves now at Porebunder, and to acquaint you, that that officer has been instructed to make them over to your custody on their arrival at Bombay.

2. On the arrival of the slaves, the Governor in Council requests that you will cause a register to be framed of their names and ages, and that you will, if possible, ascertain from what places they were originally brought, as it is the intention of Government either to set them at liberty, or have them conveyed back to their country, as may be deemed most expedient.

3. You will be pleased on their arrival to cause the slaves to be supplied with accommodation, provisions, &c., until it shall be determined how they are to be ultimately disposed of, submitting for the sanction of Government a contingent bill of the expense.

I have, &c.

Bombay Castle, 19 Dec. 1835.

(signed) *J. P. Willoughby*,
Secretary to Government.

From the Political Secretary to Government to the Advocate-General.

No. 3589.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying original correspondence from the acting political agent in Kattewar, reporting the arrival of three vessels at Porebunder with several slaves on board.

2. These vessels are stated to have come from the "Muculla coast," laden with goods consigned to Bombay, and merely to have touched at Porebunder for wood and water. It is, however, highly probable that they put in there by design, for the purpose of landing the slaves.

3. The slaves have been released, and made over to the officer commanding at Porebunder, and the vessels having made their escape, are supposed to have come to Bombay.

4. In transmitting the above papers, the Governor in Council requests that you will have the goodness to favour Government with your opinion, whether the vessels in which the slaves were imported can be detained, and whether their nakhodas or commanders can be proceeded against for violating the laws in force prohibiting the traffic in slaves?

5. I am further directed to inform you, that Porebunder belongs to a Rajpoot chief, who, though tributary to the British Government, is not subject to ordinary rules and regulations in force under this Presidency.

I have, &c.

Bombay Castle, 19 Dec. 1835.

(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

W. H. Wathen,
Chief Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 31 December 1835.

From the Superintendent Indian Navy to the Right honourable the Governor in Council,
dated 21 December 1835.

No. 3695.

Right honourable Sir,

I HAVE the honour to acknowledge the receipt of Mr. Secretary Willoughby's letter (No. 1627) of the 19th instant, and beg to state in reply, that two cutters will be sent, as soon as they can be got ready, to reinforce the senior officer at Surat, to carry into force the orders of Government.

As it will be necessary to have intelligent officers in each vessel, I beg to recommend an addition to the number employed on that station, of one lieutenant and one midshipman, upon the full batta of their rank, when placed in charge of a vessel, and, when subordinate, on half-batta.

I also beg to recommend a petty officer being placed in each of the cutters, as they will be found very useful in many respects.

Superintendent's Office, Bombay,
21 December 1835.

I have, &c.
(signed) *Charles Malcolm*,
Superintendent I. N.

No. 3696.

From the Political Secretary to Government to the Superintendent Indian Navy,
dated 26 December 1835.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 21st instant (No. 778), and to request that you will have the goodness to state the strength of the naval force now employed to the northward, and the duties it has to perform.

Bombay Castle, 26 Dec. 1835.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

No. 3792.

From the Acting Political Agent, Kattewar, to the Political Secretary to Government,
dated 23 November 1835.

Sir,

WITH reference to my letter of the 20th instant, I have the honour to transmit an original letter from Captain Reid, reporting that the vessels which imported the slaves lately to Porebunder have been allowed to depart, with their commanders and crews. I likewise annex translate of the Rana's answer to my letter of the 11th instant on this subject; but shall delay replying to it till favoured with the instructions of the Right honourable the Governor in Council regarding the traffic in slaves in this province, as I trust to receive these at an early date.

Kattiawar Pol. Agent's Office,
Rajcote, 3 Nov. 1835.

I have, &c.
(signed) *W. Lang*,
Acting Political Agent.

Translation of a Letter from Rana *Wikmathjee*, of Porebunder, to Captain *Lang*, dated 13 Kartig Vud, (A. D. 18 November 1835).

I have received your letter of the 6th Kartig Vud (11th November). Recapitulates the contents.

In reply to your request, that the slaves should be placed in comfortable quarters this cold season, I beg to inform you, that the Arabs and slaves are kept by Captain Reid, in tents pitched under the fort-walls, near the lines of the detachment, so that there is no fear of their suffering from cold. Captain Reid, however, demands other quarters for them. The slaves are 75 in number, and there are besides about 10 persons attending on them. I cannot find sufficient quarters to keep the whole in. These slaves are scarcely human beings; they eat, sleep, do every thing on one spot, and wear no covering or clothes: they are eaters of fish, which they consume half cooked; the offensive smell which is consequently occasioned extends to the distance of half a coss around, and therefore there can be no better place found for them than where they now are. In Porebunder the inhabitants are chiefly composed of Brahmins and Banians, and you are aware of the want of room. You have written that I should make arrangements for providing the slaves with food, and other necessaries: my answer is, that these Arabs live solely on fish, and little on grain; our religion forbids all intercourse with such people, and Captain Reid has therefore made arrangements for feeding them, &c.; he has entrusted the care of them to Mussulman sepoy of the detachment, who supply them with food. As for the expenses which may be incurred, I shall defray them on receiving an order to pay the amount, and debit the same to "Account Customs." In regard to the clothing which may be necessary for the slaves, if you write to Captain Reid about it, I shall pay the money on order, and forward that

that officer's bill to you. When Mr. Willoughby was last at Porebunder, he directed that all slaves that may arrive at this port should be taken charge of, and a report made to Rajcote, and that all expenses on their account would be defrayed by Government. Slaves are imported at all bunders, for Arab vessels frequent the whole of them, but they are no way interfered with except at my port. For I am obliged to obey Government, and desire to act agreeably to its wishes; in doing this I have been greatly benefited. For there are seven or eight Arab dows here, who do not consider that their detention is owing to Government, but who plainly threaten me, stating, that as I have detained them, they will retaliate by detaining my vessels at the ports in Arabia, and demanding satisfaction of them for my conduct. Thus they speak, and they will assuredly retaliate on my vessels that trade with Arabia. Three of my own vessels have sailed, together with four or five belonging to merchants, for Arabia; great anxiety is excited on their account. A feud has arisen between me and the Arabs, and the destruction of my bunder is the fruit I have reaped. Government makes me pay the sum of 26,000 rupees; this includes my share of the customs, for both shares united only make up the 26,000. If 2,000 or 4,000 rupees are gained in any year, through an increase of the trade, the sum is appropriated to the expenses of the port; when I petition on the subject, Government declines to pay any attention. On the other hand, however, Government orders me to furnish food and clothing to the slaves; the vessels have been detained by me by order of Government; what is my fault that I should be made to bear the expenses of keeping the crews of three vessels, and the slaves, amounting in all to about 200 persons? First, my bunder is being destroyed; second, the Arabs will be at enmity with me; and third, my vessels will assuredly be detained at their ports by the Arabs. I feel great anxiety on this account. A reference to the Bombay Government will take up some time; but 400 Arabs are ready in their vessel here, from which my merchants and people have great cause of fear. I am a loser to the extent of 500 rupees, on account of unlevied duties; and I am at the same time prosecuting enmity with the Arabs, and my bunder is being ruined. The sircar is powerful to consider all this, and point out a mode of relief. Three of the vessels have goods on board for Bombay, so that it is desirable to let them depart. These dow Arabs are getting quarrelsome, and I beg you will grant permission for their departure, and inform me regarding the slaves as soon as a reply is received from Government.

E. I. Company and
Board of Control.
(Documents.)

(True translation.)

(signed) *W. Lang,*
Acting Political Agent.

From the Commander of the Detachment, Porebunder, to the Political Agent, Rajcote,
dated 18 November 1835.

Sir,

I HAVE the honour to acquaint you that the three vessels which were detained here by the Rana, on account of their having slaves on board, as reported in my letter to you of the . . . instant, have been permitted by the Rana to sail from hence last night together with their commanders and crews, and I have not the slightest doubt in my own mind that the Rana (whatever excuse he may offer to you), was accessory to the plot.

Sic. orig.

2. Instead of keeping the nakhodas in confinement as he promised, under a suitable guard of old and tried sepoy, I am given to understand they were simply under charge of a few Arabs, who have only been about one month in the Rana's service.

3. The boats were not unrigged and brought into the harbour, as I recommended; neither were the crews in confinement, as directed by the orders of the political agent. The vessels were permitted to anchor within the last few days at a considerable distance from the shore, with the whole of their crews, without a single sepoy belonging to the Rana on board, although Nuthoo Metah always informed me the crews were in custody as well as the nakhodas, and that there was not the slightest chance of their getting away.

4. A letter from the Rana to your address accompanies this; but I fear his explanation will be far from satisfactory to the British Government.

5. The 74 slaves remain in my charge, as formerly reported.

Porebunder, 18 November 1835.

I have, &c.
(signed) *A. T. Reid,*
Commander of Detachment, Porebunder.

(True extract.)

W. H. Wathen, Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 13 January 1836.

No 67.

From the Acting Political Agent, Kattewar, to the Political Secretary to Government,
dated 20 November 1835.

Sir,

WITH reference to my letter of the 10th instant, to your address as political agent in Kattywar, I have the honour to transmit another original letter from Captain Reid on the subject of the slaves lately imported at Porebunder, together with copy of my reply, and to request that you will obtain the orders of the Right honourable the Governor in Council

E. I. Company and Board of Control. (Documents.) for me, as to whether the expenses incurred now and hereafter on account of slaves, are to be borne by the Chiefs or Government.

Katteewar Political Agent's Office,
Rajcote, 20 November 1835.

I have, &c.
(signed) *W. Lang*,
Acting Political Agent.

From the Acting Political Agent, Katteewar, to Captain *Reid*, Commanding Detachment at Porebunder, dated 20 November 1835.

Sir,

IN acknowledging the receipt of your letter of the 16th instant, I have the honour to request that you will continue to sanction the issue of wholesome food, and any clothing which may prove absolutely necessary for the slaves, by the banyan you have employed for the purpose, and likewise keep a correct account of the expense incurred, till the orders of Government upon the subject are received, when its payment will either be enforced from the Rana of Porebunder, or made from this office, on a contingent bill which you will require in that case to prefer to me, as may be directed by the Right honourable the Governor in Council.

2. I enclose a letter to the Rana of Porebunder, requiring him to make over the eight slaves mentioned in your letter of the 6th instant, if they should not be the progeny of the Arab seamen, a point which you now state can be easily cleared up.

Katteewar Political Agent's Office,
Rajcote, 20 November 1835.

I have, &c.
(signed) *W. Lang*,
Acting Political Agent.

(True copy.)
(signed) *W. Lang*, Acting Political Agent.

From the Officer Commanding Detachment, Porebunder, to the Political Agent, Rajcote, dated 16 November 1835.

Sir

I HAVE the honour to acknowledge the receipt of your letter of the 10th instant, on the subject of the slaves. I am not the least apprehensive that any force will be necessary to keep the commanders and crews in the restraint they now are, provided the authorities here exert the power they no doubt possess, in enforcing the wishes of the British Political Agent.

2. I am sorry to acquaint you, that although I have had an interview this morning with Nuthoo Metah, and explained to him the nature of your communication to me, as well as his acknowledging that you had written to the same purport to the Rana, the Rana will not have anything to do with feeding, clothing or quartering the slaves, until they can again hear from you on the subject. I hope, therefore, you will have the kindness to favour me with your further orders regarding them, and in communicating with the durbar I should feel obliged if you would distinctly explain to them that it is your wish that they should defray the expense I have sanctioned, towards feeding the slaves, from the day I took charge of them, to prevent my having bills or accounts on the general commissariat, which might take a considerable time in getting sanctioned.

3. With regard to what the Rana has said respecting 10 of the slaves being the progeny of the nakhodas, I am of opinion there will be no difficulty in clearing up, nor I do think they now wish to adhere closely to this claim; the nakhodas are evidently Arabs, and the children Africans, a totally distinct race, and their appearance certainly is against the supposition, and the third paragraph of my letter of the 6th instant will have explained to you the difference between the Rana's statement and mine, respecting the number of the slaves, as alluded to in your letter now under reply.

Porebunder, 16 November 1835.

I have, &c.
(signed) *A. Reid*,
Commanding Detachment, Porebunder.

No. 68.

From the Political Secretary to Government, to the Acting Political Agent, Katteewar, dated 12 January 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter dated the 20th November, with enclosures, and to refer you to my letter of the 19th ult., sanctioning the expense on account of the slaves lately imported at Porebunder being borne by Government.

Bombay Castle, 12 January 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

Minute

MINUTE by the Right honourable the Governor, subscribed to by Mr. *Sutherland*, dated 13 January 1836.

E. I. Company and
Board of Control,
(Documents.)

IN consequence of the opinion of the Advocate-general, contained in a letter which I shall shortly submit for the Board's consideration, to the effect that we cannot legally seize and detain vessels having slaves on board belonging to persons not British subjects, or residing in British territory, I beg to propose that the orders recently issued to the superintendent of the Indian navy, placing the coasts of Kattywar and Cutch under the surveillance of the commodore of Surat, be for the present cancelled.

13 January 1836.

(signed) *R. Grant*.

No. 84.

From the Political Secretary to Government to the Superintendent Indian Navy, dated 13 January 1836.

No. 85.

Sir,

WITH reference to my letter of the 19th ult., I am directed to acquaint you, that the Right honourable the Governor in Council has been pleased to cancel, for the present, the orders placing the coasts of Katteewar and Cutch under the surveillance of the commodore of Surat, therein contained.

Bombay Castle, 13 January 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From the Political Secretary to Government to the Acting Political Agent in Katteewar, dated 13 January 1836.

No. 86.

Sir,

WITH reference to my letter of the 19th ult., I am directed to acquaint you, that the Right honourable the Governor in Council has been pleased to cancel, for the present, the orders issued to the superintendent Indian navy, placing the coasts of Katteewar and Cutch under the surveillance of the commodore of Surat.

Bombay Castle, 13 January 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

W. H. Wathen, Chief Secretary to Government.

The same to the Resident in Cutch.

No. 87.

Ditto, Political Commissioner.

No. 88.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 20 January 1836.

From the Acting Political Agent in Katteewar to the Political Secretary to Government, dated 20 December 1835.

No. 97.

Sir,

I HAVE the honour to forward two letters in original, one from Captain Reid, and the other from Captain Apthorp, regarding the slaves landed at Porebunder in the beginning of last month, from three Arab dows, as reported in my letter of the 10th ultimo. I likewise transmit copy of my reply of this date to the latter officer, who has received charge of the Porebunder outpost from Captain Reid in the usual course of relief.

2. I have taken the liberty of addressing all my letters on this subject direct to you, as they require early attention, and beg to suggest, that all communications regarding slaves who may hereafter be seized and detained at any of the ports in Kattywar should, for the same reason, be transmitted direct to Government. I regret to state that the death of two more of the slaves at Porebunder has occurred since the date of Captain Apthorp's official letter.

3. The concluding paragraph of Captain Reid's letter alludes to a conspiracy, of a very serious nature, which was in contemplation about nine months ago, by Ramsing, the uncle of the young Rana, and another of his bhyaad, by name Myhrajjee, who is now at Rajcote, against the Porebunder authorities. It very fortunately, however, came to nothing; but I am now engaged in investigating the whole of the circumstances attending it, and shall do myself the honour, at an early date, of reporting the same, and suggesting such precautionary measures as appear necessary, through the political commissioner for Guzerat.

Kattywar, Political Agent's Office,
Rajcote, 20 December 1835.

I have, &c.
(signed) *W. Lang*,
Acting Political Agent.

E. I. Company and
Board of Control.
(Documents.)

From *W. Lang*, Esq., Acting Political Agent in Kattywar, to Captain *Apthorp*, commanding Detachment Porebunder, dated 20 December 1835.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 12th instant, reporting your having assumed charge of the Porebunder outpost, and to inform you, as regards the 71 slaves made over to you by Captain Reid, that such clothing as is absolutely necessary to preserve them from the cold must be provided at the expense of Government, the Porebunder authorities having refused to furnish any. I shall therefore feel obliged by your procuring for each of the slaves a coarse cumlee, or anything else you may consider equally well suited for the purpose, the charge for which, as also for food to the slaves, and pay to the person you have very properly entertained to cook for them, should be made in a contingent bill, drawn upon me monthly in the usual form. In the meantime, I enclose an order upon the Rana of Porebunder for an advance of 100 rupees, although I hope you will be able to procure the necessary clothing for the slaves at the rate of from three-fourths of a rupee to a rupee for each.

I have, &c.

Katteewar, Political Agent's Office,
Rajcote, 20 December 1835.

(signed) *W. Lang*,
Acting Political Agent.

(True copy.)

(signed) *W. Lang*,
Acting Political Agent.

From Captain *A. T. Reid*, 12th Regiment N. I., to Captain *Lang*, Acting Political Agent, Rajcote, dated 12 December 1835.

Sir,

I BEG leave to inform you, that in consequence of my having been relieved from the duties of this post by a detachment of the 2d Regiment N. I., under the command of Captain *Apthorp*, I have this day handed over the slaves and papers connected with them to that officer.

2. They have been subsisted from the 5th of November to this date, at the rate of five Porebunder pice each per diem, both days inclusive; and I should feel much obliged if you could advance part or whole of the amount to Captain *Apthorp*, who can take and forward to you the necessary receipt; the man, *Jan Mahomed*, who subsists the slaves, being a person of little capital, and consequently unable to remain long without reimbursement.

3. I take this opportunity of reporting the death of three of them on the dates given in the margin.

1 boy, 29 Nov.
1 boy, 3 Dec.
1 girl, 8 Dec.

4. The Rana's uncle, *Ramsing*, now in confinement here by your orders, has also been made over to Captain *Apthorp*. A letter from him to your address, partly acknowledging the several accusations against him, written in my presence, is herewith enclosed.

I have, &c.

Porebunder, 12 December 1835.

(signed) *A. T. Reid*,
Captain, 12th Regiment N. I.

From the Officer commanding Detachment at Porebunder, to the Acting Political Agent, Rajcote, dated 12 December 1835.

Sir,

I HAVE the honour to report, that I have this day received charge of the Porebunder outpost from Captain Reid, as also 71 slaves, whom, agreeably to your instructions, I shall continue to subsist until you receive the decision of Government on the subject.

Their subsistence has hitherto been made at the rate of five pice per diem for each, which, as it appears as small a sum as will provide them with simple food, I shall continue; but I have found it necessary to increase the monthly expense by the hire of a man, at four rupees per mensem, to cook for them, as they are children between the ages of seven and eleven years, and a small quantity of grass for their bedding. The former duty has hitherto been carried on by Captain Reid, directing two sepoy's of his detachment to perform it, a duty which I do not consider myself authorized to call upon them to perform. Your letter, under date 20th November, also authorizes the issue of such clothing as may be absolutely necessary; and as they are now literally without a rag, I shall furnish some, as they appear to suffer much from cold.

I have, &c.

Porebunder, 12 December 1835.

(signed) *F. Apthorp*,
Commanding Detachment at Porebunder.

From

From the Political Secretary to Government to the Acting Political Agent, Rajcote,
dated 14 January 1836.

E. I. Company and
Board of Control.
(Documents.)

Sir,

I AM directed to acknowledge the receipt of your letter dated the 20th ultimo, with its enclosures, regarding the slaves landed at Porebunder in November last, and to acquaint you, that the Right honourable the Governor in Council approves of your proceedings as therein reported.

2. The Governor in Council is pleased to authorize all communications on the subject of slaves or the slave trade being made direct to Government, as suggested in the second paragraph of your letter now acknowledged.

Bombay Castle, 14 January 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

No. 98.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 27 January 1836.

From the Superintendent Indian Navy to the Right Honourable the Governor in Council,
dated 1 January 1836.

No. 204.

Sir,

I HAVE the honour to report the arrival of the Honourable Company's brig "Thetis," with 69 slaves, from Porebunder, having sailed on the 29th ultimo from that place, and to inform your Right honourable Board that the senior magistrate of police has been requested to take charge of them, agreeably to the instructions contained in the third paragraph of Mr. Secretary Willoughby's letter, No. 1627, of the 19th December last.

Superintendent's Office, Bombay,
1 January 1836.

I have, &c.
(signed) *Charles Malcolm*,
Superintendent Indian Navy.

From the Senior Magistrate of Police to the Political Secretary to Government,
dated 11 January 1836.

No. 214.

Sir,

I HAVE the honour to acquaint you, for the information of the Right honourable the Governor in Council, that the Africans alluded to in your letter, No. 1628 of 1835, have reached Bombay, and been lodged, clothed, and fed by me. Accompanying is a register of their names, sex, age, and (so far as can be ascertained) country.

They are for the most part children, and can recollect little more than that they were brought to the coast from remote places in the interior.

Bombay Police Office, 11 January 1836.

I have, &c.
(signed) *John Warden*,
Senior Magistrate of Police.

REGISTER of CHILDREN received from *Porebunder*.

Names of Boys.	Age.	Parents.	Country.
Boveto - - - -	10	Unknown - - -	Mahooloo.
Sangolo - - - -	10	Ditto - - - -	Moodondeh.
Nassib - - - -	9	Parents dead - -	Mocondeh.
Tuanah - - - -	9	Ditto - - - -	Unknown.
Sangolo - - - -	9	Unknown - - - -	Yansah.
Moobaruck - - -	8	Ditto - - - -	Ditto.
Parvate - - - -	8	Parents dead - -	Osoh.
Nassib - - - -	8	Ditto - - - -	Kilvah.
Woolade - - - -	8	Unknown - - - -	Unknown.
Sangolo - - - -	8	Parents dead - -	Kissegulance.
Moobaruck - - -	8	Unknown - - - -	Unknown.
Yacoote - - - -	7	Ditto - - - -	Ditto.
Woundago - - -	7	Ditto - - - -	Ditto.
Moobaruck - - -	7	Ditto - - - -	Ditto.
Woolade - - - -	7	Ditto - - - -	Ditto.
Sangolo - - - -	6	Ditto - - - -	Ditto.
Nassib - - - -	6	Ditto - - - -	Ditto.
Kamiss - - - -	6	Ditto - - - -	Ditto.

CORRESPONDENCE ON THE SLAVE TRADE,

E. I. Company and
Board of Control.
[Documents.]

Names of Males.	Age.	Parents.	Country.
Nassib - - - -	6	Unknown - - -	Unknown.
Moobaruck - - - -	6	Ditto - - -	Ditto.
Sangolo - - - -	6	Ditto - - -	Ditto.
Sangolo - - - -	6	Ditto - - -	Ditto.
Muftah - - - -	6	Ditto - - -	Ditto.
Nassib - - - -	6	Ditto - - -	Ditto.
Keeseery - - - -	6	Ditto - - -	Ditto.
Nassib - - - -	6	Ditto - - -	Ditto.
Mahaboo - - - -	6	Ditto - - -	Ditto.
Sangarah - - - -	6	Ditto - - -	Ditto.
Sangolo - - - -	6	Ditto - - -	Ditto.
Mahagoo - - - -	5	Ditto - - -	Ditto.
Muzabah - - - -	5	Ditto - - -	Ditto.
Nassib - - - -	5	Ditto - - -	Ditto.
Woolede - - - -	5	Ditto - - -	Ditto.
Moobaruck - - - -	5	Ditto - - -	Ditto.
Mahadoo - - - -	4	Ditto - - -	Ditto.
Sangolo - - - -	4	Ditto - - -	Ditto.
Moobaruck - - - -	4	Ditto - - -	Ditto.
Mutuanah - - - -	4	Ditto - - -	Ditto.

Names of Females.	Age.	Parents.	Country.
Marianah - - - -	15	Parents dead - - -	Unknown.
Jafrinah - - - -	14	Unknown - - -	Ditto.
Tamasah - - - -	10	Ditto - - -	Ulugoongah.
Nazique - - - -	8	Ditto - - -	Moolimah.
Faidah - - - -	8	Ditto - - -	Ditto.
Jafrinah - - - -	8	Ditto - - -	Ditto.
Salamah - - - -	7	Ditto - - -	Ditto.
Jehenjah - - - -	7	Ditto - - -	Ditto.
Jehenjah - - - -	7	Ditto - - -	Ditto.
Tamasha - - - -	7	Ditto - - -	Ditto.
Jehanjah - - - -	7	Ditto - - -	Ditto.
Kuteteh - - - -	7	Ditto - - -	Ditto.
Faidah - - - -	7	Ditto - - -	Ditto.
Mariama - - - -	6	Ditto - - -	Ditto.
Jehenjah - - - -	6	Ditto - - -	Ditto.
Tamasha - - - -	6	Ditto - - -	Ditto.
Kehanch - - - -	6	Ditto - - -	Ditto.
Salamah - - - -	6	Ditto - - -	Ditto.
Camah - - - -	6	Ditto - - -	Ditto.
Jehanjah - - - -	6	Ditto - - -	Ditto.
Jecazee - - - -	6	Ditto - - -	Unknown.
Jehanjah - - - -	6	Ditto - - -	Ditto.
Zehadah - - - -	5	Ditto - - -	Ditto.
Jehanjah - - - -	5	Ditto - - -	Ditto.
Salamah - - - -	5	Ditto - - -	Ditto.
Jacazee - - - -	5	Ditto - - -	Ditto.
Mariama - - - -	5	Ditto - - -	Ditto.

(signed) *John Warden,*
Senior Magistrate of Police.

No. 215.

From the Political Secretary to Government to the Senior Magistrate of Police,
dated 22 January 1836.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 11th instant, No. 10, forwarding a register of the slaves lately arrived from Porebunder.

The Governor in Council requests that you will ascertain whether any of the boys are disposed to enter the Indian navy, should there be no objection to their being so provided for, on which point the acting Advocate-general will be consulted.

Perhaps the girls might be given over to some charitable institution, though it is difficult to point out any that exists likely to consent to receive charge of them; the Governor in Council, however, requests that you will institute inquiries on the subject, with the understanding that Government will contribute a monthly allowance for their support.

Should

Should any family wish to receive one or more of these children, there would, in the opinion of the Governor in Council, be no objection to such an arrangement, the party receiving them entering into an engagement to feed, clothe and protect them, and ultimately to assign wages to them in return for their services, which, however, for some time to come, can be of little value. E. I. Company and Board of Control. (Documents.)

You will be pleased to transmit your report on the subject with as little delay as possible.

I have, &c.,

Bombay Castle, 22 January 1836.

(signed) *J. P. Willoughby,*
Secretary to Government.

From the Political Secretary to Government to the Acting Advocate-General,
dated 22 January 1836.

No. 216.

Sir,

WITH reference to my letter of the 19th ultimo, No. 1629, to the Advocate-general, regarding the arrival at Porebunder of certain vessels with slaves, to which port they had been imported, it is believed, from the coast of Maculla, for the purpose of being sold; I am directed by the Right honourable the Governor in Council to request that you will favour Government with your opinion on the following points connected with their disposal, the slaves in question having been subsequently brought to Bombay by the direction of Government.

First. Whether there is any objection to the males entering the Indian navy, should they be disposed so to do.

Second. Whether the girls might not be made over to some charitable institution willing to receive charge of them, with the understanding that Government would contribute a monthly allowance for their support.

Third. Whether, in the event of any family wishing to receive charge of one or more of them, there would be any objection to such an arrangement, the party receiving them entering into an engagement to feed, clothe and protect them, and ultimately to assign wages to them in return for their services, which, however, for some time to come, can be of little value.

2. The Governor in Council will also feel obliged by your stating the nature of the covenant which the party or parties who may apply for any of the children should be required to enter into.

I have, &c.,

Bombay Castle, 22 January 1836.

(signed) *J. P. Willoughby,*
Secretary to Government.

From the Senior Magistrate of Police to the Political Secretary to Government,
dated 16 January 1836.

No. 217.

Sir,

I HAVE the honour to acquaint you, for the information of Government, that of the African children under my charge two girls have died, one a few days ago, in the Native General Hospital, and the other yesterday, too suddenly to be carried there before death. She had eaten her dinner, then vomited some blood and died.

When they arrived four were ill, and carried to the hospital; since which 13 have sickened and gone there, which, with the sudden death, has alarmed the remainder so much that today they all refuse to eat. The two elder girls have set this example of abstinence, which all the rest have followed. They say if they eat they will become sick, be carried away, and die. I have had them from the first under the care of the surgeon to the police establishment; they are lodged in a house which was lately occupied by an European constable, and look very well.

It is possible that good food and little exercise may be prejudicial to them; but African children are so valuable in Bombay that I have been afraid to let them go abroad lest they should be stolen.

I will request the surgeon to give directions regarding the quantity of food which should be given them for the future, and to favour me with any other suggestions.

I have, &c.,

Bombay Police Office,
16 January 1836.

(signed) *John Warden,*
Senior Magistrate of Police.

From the Political Secretary to Government to the Senior Magistrate of Police,
dated 22 January 1836.

No. 218.

Sir,

I AM directed to acknowledge the receipt of your letter of the 16th instant, reporting the death of two of the African children under your charge, and to acquaint you that the circumstance is much to be regretted.

E. I. Company and
Board of Control.
(Documents.)

2. The Governor in Council requests that you will call upon the surgeon who attends the children to report his opinion as to the cause of the sickness which prevails among them, and to state what he considers the best mode of alleviating it.

3. Every care and attention should be bestowed upon the sufferers, and every precaution taken to prevent the sickness from spreading.

4. The Governor in Council is of opinion that the slaves might be allowed to take exercise morning and evening, guarded by a sufficient number of police peons, to obviate the chance of their being stolen, as appears to be apprehended by you, if they were permitted to quit the place where they are lodged.

I have, &c.,

Bombay Castle, 22 January 1836.

(signed) *J. P. Willoughby,*
Secretary to Government.

(True extract.)

(signed) *W. H. Wathen,*
Chief Secretary to Government.

No. 472.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 24 February 1836.

From the Senior Magistrate of Police to the Political Secretary to Government,
dated 18 January 1836.

Sir,

IN continuance of the subject of my letter, dated the 16th instant, I have the honour to submit, for the information of Government, copy of one to my address from the surgeon to the police.

Previous to receiving this, it had struck me that the children might, at night, have left the mats and blankets with which I had provided them, and slept on the chunam; and I directed the Fort constable to endeavour to procure an upper-roomed house, with boarded floors, for their accommodation, and he has just reported to me that he has to-day so lodged them in Military-square, where I shall visit them to-morrow.

The elder girl told me on Saturday that they had ceased to eat, because they wanted to know their fates; and on my assuring them that I had reported their arrival, and expected orders regarding them shortly, they appeared satisfied.

I take the opportunity of handing up a number of original applications which I have received regarding these children, to which I have not answered.

I have, &c.,

Bombay Police Office,
18 January 1836.

(signed) *John Warden,*
Senior Magistrate of Police.

From *M. T. Kays*, Esq., M.D., Surgeon to the Police, to *John Warden*, Esq., Senior Magistrate of Police, dated 18 January 1836.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 16th, enclosing a copy of a letter from you to Government of the same date, referring to the sickness which has broken out, and the two casualties that have occurred among the African children placed under your charge.

In my daily visits to the house wherein the children are kept I have observed that every possible care and attention which could be devised have been paid to them since their arrival; they are kept clean, well clothed, and well fed. All of them appear cheerful and full of spirits, so that I cannot account for the two deaths which have occurred otherwise than probably to their having eaten more than was necessary of boiled rice, and then sleeping on the cold chunam floor. This I consider to be a cause sufficient for the sudden deaths which have happened.

I have given instructions to the European constable who has charge of them to have their diet better regulated, and more attended to than it has been; also to provide them with a house that has a boarded floor for them to sleep on, the chunam ones being too cold at this season of the year: and, finally, I would recommend exercise morning and evening.

I have, &c.,

Bombay, 18 January 1836.

(signed) *M. T. Kays*, M.D.,
Surgeon to the Police.

(True copy.)

(signed) *John Warden,*
Senior Magistrate of Police.

From

From the Senior Magistrate of Police to the Political Secretary to Government,
dated 25 January 1836.

E. I. Company and
Board of Control.
(Documents.)

Sir,

In reference to the 4th paragraph of your letter, No. 78, I have the honour to acquaint you, that Captain Henderson, the agent for clothing the army, who has an estate at the Cape of Good Hope, is desirous of procuring three of the African boys under my charge, in order to send them as labourers to that colony.

He will engage to clothe and feed them, and to assign them suitable wages when they shall reach maturity. I think this an eligible offer, both as respects the person from whom it comes, and the prospect it offers to the children; labour is high and abundant at the Cape of Good Hope, and the Government may therefore, I think, be sure, that in making over the children to Captain Henderson, they will be furnishing them with a good and permanent maintenance.

As Captain Henderson is anxious, should his request be complied with, to procure a passage for the boys on board the *Triumph*, or *Lady Raffles*, both of which ships will sail at the end of the week, I take the liberty of soliciting that I may be favoured with the orders of Government on the subject.

Bombay Police-Office,
25 January 1836.

I have, &c.
(signed) *John Warden*,
Senior Magistrate of Police.

No. 473.

From the Senior Magistrate of Police to the Political Secretary to Government,
dated 25 January 1836.

No. 474.

Sir,

In reply to your letter, No. 78, I have the honour to acquaint you, for the information of Government, that only eight of the African boys are willing to serve in the Indian navy.

The accompanying is a statement of applications from Christian families for these children. Should they be complied with, five girls will alone remain on my hands.

The only charitable institution likely, so far as I am informed, to receive the children, is the *Bycullah Education Society*; but as the acquiescence or otherwise of the trustees will probably depend on the number and age of the children seeking admittance, it will perhaps be better to make no application on the subject, until Government shall have decided on the requisitions of which the accompanying is a statement. Many Hindoos and Mussulmans would gladly take the remaining children; but I hope I have anticipated the wishes of Government in recording the requests of Christians alone.

If the Government should think proper to vest me with any discretion in the matter, my best efforts shall be directed to the disposal of the children with persons of respectable character, where they will be well treated. It might be advisable to add to the terms of transfer prescribed by Government, a stipulation that persons taking these children should produce them at least once a year at the police-office, until they shall have severally attained the age of 15 years, in order that their actual condition may be ascertained, and complaints heard and redressed, and the Government might perhaps also reserve to itself the right of withdrawing a child without assigning any reason.

I am sorry to have to report that another female child has died in the *Native General Hospital*.

Bombay Police-Office,
26 January 1836.

I have, &c.
(signed) *John Warden*,
Senior Magistrate of Police.

STATEMENT of Applications from Christian Families for the African Children.

	Boys.	Girls.
Indian navy - - - - -	8	-
Captain Henderson - - - - -	3	-
Dr. Kays - - - - -	1	1
Captain Barnes, brigade-major of King's troops - - - - -	1	1
Mr. East - - - - -	1	1
Mr. Farrel, high constable - - - - -	1	1
Mrs. Drummond, lady of Lieut. Drummond, of the Native Infantry - - - - -	-	2
Mrs. Sinclair - - - - -	-	1
Mr. John Waldercy - - - - -	1	1
Mr. Henderson, court keeper - - - - -	-	2
Mr. De Mello, respectable Portuguese - - - - -	1	-
Mr. De Silva - - ditto - - - - -	1	1
Mr. Pereira - - ditto - - - - -	1	1
Mr. Manoel De Souza, Komavisdar of Salsette, a very respectable man - - - - -	2	2
Mr. Hutchinson, clerk in the secretary's office - - - - -	1	-

E. I. Company and
Board of Control.
(Documents.)

	Boys.	Girls.
Mr. Hampton, clerk in the secretary's office - - - - -	2	-
Mr. Henshaw, clerk in the warehouse - - - - -	1	2
Mr. Philips, head-accountant, treasury - - - - -	1 small	-
Mr. De Abrew, retired clerk of the commissariat; recommended by commissary-general - - - - -	1	1
Mr. Braz Fernandez, of the accountant-general's office - - - - -	2	-
The vicar-general of the Apostolic mission, Padre Luis Mary; a most respectable man - - - - -	7	-
Mr. Ramos, Company's printer - - - - -	1	1
Mr. Joze Antonio, late high constable - - - - -	1	2
Mr. Fernandez, of the secretary's office - - - - -	1	2
	39	22

(signed) *John Warden,*
Senior Magistrate of Police.

No. 475.

From the Advocate-General to the Political Secretary to Government,
dated 4 January 1836.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 19th ultimo, together with the accompanying original correspondence, requesting my opinion whether the vessels in which the slaves (alluded to in such correspondence) were imported could be detained, and whether their nachodahs or commanders could be proceeded against for violating the laws in force prohibiting the traffic in slaves.

Both these questions may be answered in the negative. If there is any treaty, however, between the British Government and the states to which these vessels and their nachodahs belong, they should, as well as the slaves and their owners, be dealt with according to such treaty; but the vessels being foreign vessels, belonging to Arabs, cannot be detained, and the nachodahs, being also Arabs, cannot be proceeded against for a violation of laws to which they are not in any way amenable; much less too in the present case can we interfere, as Porebunder, where the vessels were seized, is a foreign port, not subject to our laws. Our Slave Trade Abolition Laws* apply only to "subjects of his Majesty, or persons residing or being within the United Kingdom, or any of the dominions, &c. belonging to his Majesty, or in his possession, or under the Government of the Honourable East India Company," and can have no force over foreigners.

* 51 Geo. 3, c. 23.
5 Geo. 4, c. 113.

Desirable as it would be to see the extinction of slavery throughout the whole world, it cannot be forgotten that in Great Britain, civilized as it is, the African slave trade, which the British Parliament characterised as a traffic in human flesh, contrary to humanity and sound policy, was not (even as to British subjects only) abolished until 1807, and that, after a struggle of 20 years; and that it took a further period of 27 years to obtain only a limited and local abolition of slavery itself in the British colonies, for the Statutes are not of universal application throughout the whole of the British dominions. Slavery exists in British India (on the Malabar coast in particular to a considerable extent), recognised and sanctioned by law: the late Charter Act of the 3 & 4 Will. 4, chap. 85, sect. 88, providing "That the Governor in Council should take into consideration the means of mitigating the state of slavery, and of ameliorating the condition of slaves, and of extinguishing slavery throughout the territories of British India so soon as such extinction shall be practicable and safe; and that in preparing drafts of laws for such purposes (which drafts are to be transmitted home), "due regard shall be had to the laws of marriage, and the rights and authorities of fathers and heads of families;" but that no such laws should be promulgated or put in force without the previous consent of the authorities at home.

With regard to foreign slavery, or the slave traffic carried on by foreign states, the abolition agreed to by treaties was merely gradual, and to take effect after a limited number of years; and England, as an inducement to Portugal and Spain (the two great countries engaged in this traffic), gave up to each a considerable sum of money to compensate them for the losses they would sustain in giving up the trade. It is to be lamented that the African slave traffic is nevertheless, in spite of treaties, still carried on by those countries, and more or less also by other European states, as well as by America, which shows how much the commerce of these countries is connected with their success in the slave trade. The slave traffic in the Asiatic states is equally notorious, and I should suppose that the commercial prosperity and importance of many of these states may also depend in a great measure upon their slave traffic and system of slavery. In the present instance, the Rana of Porebunder is evidently alarmed, and expresses himself apprehensive of reprisals from the Arabs, of a loss of the revenues of his port and the commerce of his subjects, in consequence of this single interruption of the slave trade carried on by the Arabs.

The British laws not extending to the slaves in question, it must be left to the Governor in Council to dispose of them in such manner as policy may direct. The slaves cannot be paid for

for by either the British Government or the Rana (which the latter says he must do if they are not returned to their owners), otherwise there will be nothing to prevent recurrences of the same nature. I can, however, only venture to suggest, that if there is not any treaty in the present case, the slaves should be delivered over to the state or government to which their owners belong, accompanied with a strong remonstrance from this Government on the inhumanity of the traffic, and with such recommendation for their liberation as Government may think advisable. It might not be practicable or safe in the country to which the vessels belong, to interfere, without great caution, in their slave system and traffic, considering the wild and lawless character of the Arab; but this is a question of considerable delicacy, which I am unable fully to advise upon, and, being so entirely of a political nature, I must leave it to the better judgment of the Governor in Council.

E. I. Company and
Board of Control.
(Documents.)

I have, &c.

Bombay, 4 January 1836.

(signed) *A. Le Messurier,*
Advocate-General.

From the Acting Advocate-General to the Political Secretary to Government,
dated 25 January 1836.

No. 476.

Sir,

I HAVE had the honour to receive your letter, dated the 22d instant, requesting my opinion on three points connected with the disposal of certain persons who had been brought as slaves to Porebunder, and who thence have been conveyed by the directions of Government to Bombay.

There cannot be any objection, I conceive, to the males entering the Indian navy, should they be disposed so to do; but before any overtures are made to induce them to enter that or any other service, they should, I think, be altogether released from the restraint under which they have been held since their arrival at Bombay. They seem entitled to be considered as freemen, and any proposals made to them before they are actually treated as free to all intents and purposes, might produce an improper effect, or might receive a harsh and improper construction.

It appears equally unobjectionable and expedient that the girls should be made over to some charitable institution willing to receive charge of them, with the understanding that Government will contribute a monthly allowance for their support; but though such a measure on the part of Government would be highly beneficent, and could not, I think, occasion any unpleasant consequences, still I do not think the Government has any strict legal title thus to place itself in *loco parentis*, and exercise a controlling power.

In the event of any family wishing to receive charge of any of the males or females, it appears to me that such an arrangement might be rendered unobjectionable, the party receiving them entering into an engagement to feed, clothe, and protect them, and ultimately or immediately to assign wages to them in return for their services. I am not, however, informed whether, by the contemplated arrangement, it is intended to produce the relationship of master and apprentice, or that of master and servant. Even if the apprentice statute laws extended to this country, it could scarcely be desirable to establish the relative characters of masters and apprentices in the present instance; and indeed, with respect to such of the males and females in question as are infants, the difficulty of doing so would be very great. The Government, as already observed, has not any strict legal right to place itself in *loco parentis*, and there is no person at present entitled or willing to act in that capacity. Hence it would be difficult to get any person or persons to become bounden to the masters for the faithful discharge of their duties by the infant apprentices.

By common law, indeed, any person may bind himself an apprentice. An infant, even without his parent's consent, may voluntarily bind himself, an indenture of apprenticeship being considered for his benefit; but no action can be brought at common law against an infant apprentice on his covenant to serve, nor can he be sued in equity. Although the males and females alluded to might therefore voluntarily bind themselves apprentices, and execute indentures for that purpose, and although, with respect to such of them as may be of age, no difficulty would arise from their so binding themselves, as they would be liable on their covenants to serve, yet such of them as are infants would not be liable on their covenants to serve, and therefore many persons would be reluctant to take them as apprentices, especially as the masters would be liable to actions on their covenants to the infants, although the infants would not be liable on their covenants to the masters.

I cannot perceive, however, that any benefit would result from establishing contracts of apprenticeship in this instance, for justices of the peace are not, I imagine, empowered to interfere between masters and apprentices in this country as they are in England; and thus the parties to the contracts would be left to their respective remedies by action upon the indentures, and apprenticeships are unnecessary in India for the purposes of exercising trades.

For these reasons, it appears to me that the object of Government would be attained by causing contracts, as between master and servant, to be entered into by the males and females and the persons willing to receive them respectively. Such contracts should be reduced to writing, but should not, I think, be under seal. They should contain promises, on the part of the servant, faithfully to perform the duty appropriate to the capacity in which he or she undertakes to serve, and for the period agreed upon; and the master, on his part, should undertake for the good treatment, feeding, clothing, and instruction of the servant, and also

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to pay wages to the servant, to such amount and at such time or times as should have been previously determined on by the parties.

The contracts should be signed by both master and servant, the respective signatures being duly attested by competent witnesses; and care should be taken that the agreement or arrangement on the part of the servant should be perfectly voluntary and without compulsion.

The master would unquestionably be bound by such a contract, even with an infant, (*Holt v. Ward*, 2 Sh. 938, and *Warwick v. Bruce*, 2 M. & S. 210,) and it might be argued that such an agreement, being for the benefit of the infant, would be binding on him also, (5 Br. P. C. 570, 2 T. R. 159, and 6 T. R. 558.) Besides, it has been held an indictable offence to neglect to supply necessaries to a child, servant, or apprentice, whom a person is bound by duty or contract to provide for, if such child, &c. be of tender years, and unable to provide for itself, (*Rex v. Friend and o's*, Russ. & R. C. C. 20.)

I have, &c.

Bombay, 25 January 1836.

(signed) *H. Roper*,
Acting Advocate-General.

No. 477.

From the Political Secretary to Government to the Senior Magistrate of Police,
dated 13 February 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letters, dated as per margin, respecting the African children under your charge, and to transmit to you copy of a letter from the Acting Advocate-General, dated the 25th ultimo, on the subject.

18 January.
25 Ditto.
26 Ditto.

2. In transmitting the above letter, I am instructed to communicate to you the following observations and instructions connected with the disposal of these children.

3. The Governor in Council is of opinion that the British Government stands, as to these children, *in loco parentis*, on account of their tender years.

4. They are too young to be treated as freemen; they should not however be forced into the Indian navy or elsewhere, any more than a child would be forced by a parent of proper feeling.

5. The Governor in Council is of opinion that they should not be sent to the Cape of Good Hope, or elsewhere abroad, but that they may be placed out in service, girls as well as boys, in the way suggested by the Acting Advocate-General, but with the obligation to be brought up Christians, and to be produced at the police office, or (if in the districts) at the nearest magistrate's, twice a year, till they are 18 years of age.

I have, &c.

Bombay Castle, 13 February 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

No. 478.

From the Political Secretary to Government to the Acting Advocate-General,
dated 13 February 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 25th ultimo, connected with the disposal of the African children lately brought to Bombay, and to transmit, for your information, copy of my letter of this date to the senior magistrate of police on the subject.

I have, &c.

Bombay Castle, 13 February 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

No. 509.

From the Acting Political Agent in Kattewar to the Political Secretary to Government,
dated 5 January 1836.

Sir,

I HAVE the honour to transmit Captain Apthorp's letter of the 29th ultimo, just received, reporting his having delivered over 69 male and female slaves to the charge of Lieutenant Harvey, I. N. The two female slaves from Nowanugger, directed in the eighth paragraph of your letter of the 19th ultimo to be sent to the presidency by the same opportunity, had not reached Porebunder when Lieutenant Harvey arrived; but I requested Captain Apthorp, under date the 27th ultimo, to receive charge of them, and as I am informed by Captain Brucks, of the Indian navy, that Porebunder will be visited weekly by the cruising vessels, an opportunity will no doubt soon be obtained of sending them also to Bombay.

I have, &c.

Kattewar, Political Agent's Office,
Rajcote, 5 January 1836.

(signed) *W. Lang*,
Acting Political Agent.

From

From the Officer Commanding Detachment at Porebunder to the Acting Political Agent,
Kattywar, dated 29 December 1835.

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Sir,

HAVING received through Captain Brucks, senior naval officer commanding the Surat station, the instructions of Government that the slaves under my charge should be made over to Lieutenant Harvey, commanding Honourable Company's brig of war Thetis, on the arrival of that vessel, for transmission to Bombay, I do myself the honour to inform you, that I have this day delivered over to Lieutenant Harvey, I. N., 69 male and female slaves, being the whole number in my charge.

I have, &c.

Porebunder, 29 December 1835.

(signed) *J. Apthorp*,
Captain Commanding Detachment, Porebunder.

From the Political Secretary to Government to the Acting Political Agent in Kattywar,
dated 17 February 1836.

No. 510.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 5th ultimo, with its enclosure, and to request that you will instruct Captain Apthorp, commanding the detachment at Porebunder, to forward by the first opportunity, to the senior magistrate of police at Bombay, the two female slaves from Nowanuggur, alluded to in your letter above acknowledged.

I have, &c.

Bombay Castle, 17 February 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

From the Senior Magistrate of Police to the Political Secretary to Government,
dated 19 February 1836.

No. 556.

Sir,

I HAVE had the honour to receive your letter, No. 187, and have disposed of 33 children as therein directed.

Of the remaining 32, four are in hospital with the small-pox or chicken-pox, and 17 boys and 11 girls positively refuse to serve Christians, or at all events to be Christians. They wish to follow the Mahomedan faith.

I beg therefore to be permitted to dispose of the remaining children, omitting, in the agreement between their masters and themselves, the provision that they are to be instructed in the Christian religion.

I have, &c.

Bombay Police Office,
19 February 1836.

(signed) *John Warden*,
Senior Magistrate of Police.

From the Political Secretary to Government to the Senior Magistrate of Police,
dated 20 February 1836.

No. 557.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of yesterday's date, reporting your having disposed of 17 boys and 11 girls who refuse to serve Christians, or at all events to become Christians; and to request that you will be pleased to state the ages of the children who are stated to object to become Christians.

I am further instructed to request, that you will forward to Government a register showing the names and profession or employment of the parties who have received the 33 children, alluded to in the first paragraph of your letter, specifying also the names and ages of the children received by each.

The Right honourable the Governor in Council presumes that you have made proper inquiry that the persons receiving these children are in such circumstances as to enable them to maintain them decently and comfortably.

I have, &c.

Bombay Castle, 20 February 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

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Board of Control.
(Documents.)

No. 569.

From the Acting Political Agent in Kattywar to the Political Secretary to Government,
dated 21 January 1836.

Sir,

I HAVE the honour to transmit an original letter from Captain Apthorp, commanding the detachment at Porebunder, regarding the arrangements lately made with a view to put a stop to the traffic in slaves in this province. I likewise annex copy of my reply of this date, and request you will be good enough to obtain the instructions of the Right honourable the Governor in Council on the subject of the first paragraph of my letter.

Kattywar Political Agent's Office,
Rajcote, 21 January 1836.

I have, &c.,
(signed) *W. Lang*,
Acting Political Agent.

From the Acting Political Agent in Kattywar, to the Officer Commanding Detachment,
Porebunder, dated 21 January 1836.

Sir,

IN acknowledging the receipt of your letter of the 17th instant, I have the honour to inform you, that it does not appear to me advisable that you should detach any parties of the men under your command on the duty alluded to in the third paragraph of your letter. In the event of a greater number of vessels being seized than the officer commanding the armed pattamar can send with safety to the presidency, their detention at Porebunder would be preferable, in which case it would be necessary for you to receive charge of the slaves they might have on board, and to have the vessels brought into the kharree; or, should this be found impracticable from their size, and you should be of opinion that the detention of the nakhodas and crew is the only means of ensuring the vessels remaining, you are hereby authorized to place such of them as you may think proper under confinement, leaving a sufficient number to take care of the vessels. I shall, in the meantime, refer this point for the instructions of the Right honourable the Governor in Council, and send you the earliest information in my power, should any other system be ordered in preference.

2. I have written again to the Jam of Noanugger regarding the two female slaves who are to be sent to Porebunder from that place, and transmit herewith a letter to the senior naval officer of the Kattywar coast, requesting him to receive charge of them, and take the earliest opportunity of sending them to Bombay.

3. I am making inquiries on the subject of the export of slaves from the province alluded to in the concluding paragraph of your letter, as it was lately brought to my notice by Captain Brucks. I think you will find that any traffic of this description which may have taken place has been confined to years of the greatest scarcity, when you are aware such sales are by no means uncommon in every part of the country. I shall, however, feel obliged by your sending me any correct information you can obtain on this point, and particularly if you could ascertain the number of boys and girls who may have been exported as slaves from the port of Porebunder during, and since, the great famine of 1813-14, specifying the years in which the exports took place, and the ports to which they were made. I enclose a letter to the Rana, calling upon him to make out as correct a statement of this description as he can, and take it to you, in case you should have an opportunity of proving any part of it, which is, of course, all I can require of you, the return only being necessary in the Gujerattee language.

Kattywar, Political Agent's Office,
Rajcote, 21 January 1836.

I have, &c.,
(signed) *W. Lang*,
Acting Political Agent.

(True copy.)

(signed) *W. Lang*,
Acting Political Agent.

From the Officer Commanding Detachment at Porebunder to the Acting Political Agent,
Kattywar, dated 21 January 1836.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 27th ultimo.

2. The two female slaves adverted to you in your letter have not yet been forwarded by the Jam of Nowanugger, although so long a time has elapsed since they ought to have arrived.

3. With reference to the fourth paragraph of your letter, I shall have much pleasure in doing everything in my power to assist the officers of the Indian navy in the suppression of the slave trade, and shall feel obliged by your informing me, in reference to a question put to me by Captain Brucks, commanding the naval station at Surat, who was here two or three days ago, whether, in the event of the pattamar cruising between this port and Jafferabad, seizing so many boats as not to have sufficient force to escort them to Bombay, I am authorized to give a guard for that purpose from the detachment under my command.

4. I beg to bring to your notice, that I have been informed that slaves are sometimes, especially in seasons of scarcity, exported from this coast; principally, or I believe in every case, young girls from 5 to 12 years of age.

Porebunder, 17 January 1836.

I have, &c.,
(signed) *J. Apthorp*,
Captain Commanding Detachment at Porebunder.

From

From the Political Secretary to Government to the Acting Political Agent in Kattywar,
dated 20 February 1836.

E. I. Company and
Board of Control.
(Documents.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 21st ultimo, with enclosures, relative to the suppression of the slave trade in the province of Kattywar, and to refer you to my letter of the 13th of last month, informing you of the suspension, for the present, of the instructions issued to the commodore at Surat to detain boats having slaves on board.

2. With reference to the third paragraph of your letter to Captain Apthorp, commanding the detachment at Porebunder, I am desired to apprise you, that the Governor in Council will await your further report on the subject therein alluded to.

Bombay Castle, 20 February 1836.

I have, &c.,
(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)
(signed) *W. H. Wathen*,
Chief Secretary to Government.

No. 570.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 1 March 1836.

From the Senior Magistrate of Police to the Political Secretary to Government,
dated 23 February 1836.

No. 694.

Sir,

IN reply to your letter, No. 227, dated the 20th instant, I have the honour to acquaint you, for the information of Government, that as the elder children have expressed their unwillingness to adopt the Christian religion, their ages may be stated at from ten to seven, and the two young women are, of course, among the number of those who do not wish to be introduced into Christian families.

2. The Mahomedan religion is the only one of which, till they came to India, these children perhaps ever heard; and, as it is also the religion adopted by their countrymen in Bombay, with whom alone the children have been able to converse, it is, I think, hopeless, as regards the two young women, and a few of the elder children, to attempt to shake their preference: but since I had last the honour of addressing you on this subject, I have received a proposition from Mr. Townsend, which may be expected to lead ultimately to the adoption of Christianity by those whom it may embrace, as well as to more favourable results in other respects than any offer I have yet had.

3. Mr. Townsend wishes, that I should transfer to him temporarily so many of the younger children as it may suit him to take without any formal agreement whatever, leaving it to the children, on their visit to me at the end of six months, to remain with Mr. Townsend, or to return to my care as they may prefer.

4. Mr. Townsend states his views to me as follows: "Of the name (of religion) I would say nothing to them; with their manner of food and clothing I would not interfere; I would have them put in schools where they would be well taught and kindly treated, and instructed in a manner which might eventually lead to their embracing Christianity. The object would be to enlighten their minds, to make them acquainted with our sacred books, and to give them such a course of education as would enable them hereafter to earn their bread."

5. Although no such eligible offer as this has hitherto been made, I have taken precautions that the children should not fall into the hands of those who were not recommended, or whose character did not, from my own knowledge or from inquiry, afford tolerable security that they would not abuse their trust. I annex a register of their names, with remarks, and I shall take care, at the half-yearly visits of the children to me, that they shall have an opportunity of speaking freely of their condition; and I shall not scruple to deprive any one of his children on the slightest expression on their part of a wish to leave him; there were better offers than a few of those which I have accepted; such, for instance, as that of Sir Roger de Faria; but the children were wayward, and while some Portuguese gentlemen could have got any number, there were some persons with whom the children positively refused to go; and I would not allow any person to have them whom the children did not follow out of the office cheerfully.

6. I may avail myself of this opportunity of bearing testimony to the manner in which Mr. Read, the head constable of the Fort, who has had charge of the children, has performed his part, of which I could not have had a more satisfactory token than the anxiety they showed to be domesticated with him; and as this officer has had much trouble, I hope his Excellency in Council will not object to one item of my contingent bill, consisting of a suitable present to Mr. Read.

Bombay Police Office,
23 February 1836.

I have, &c.
(signed) *John Warden*,
Senior Magistrate of Police.

P. S.—I am sorry to have to report the death of a female child in the Native General Hospital, of bowel complaint.

(signed) *J. Warden*.

CORRESPONDENCE ON THE SLAVE TRADE,

REGISTER of AFRICAN CHILDREN who have been DISPOSED OF.

Master's Name.	Master's Employment.	Names of Children.	Ages of Children.	Remarks.	
Braz Fernandez	Head clerk in the Accountant-general's office.	Murgookoo and Nusebo.	From five to seven		
John Henderson	The court keeper	Saleemee and Kehinja.			
Mary	Aya in Captain Sinclair's service.	Tummasa			-- Recommended by Captain Sinclair; she wished to adopt the child as her own, and being herself an African, the little girl was quite pleased with her lot.
Antonio Francis Pereira	Clerk in the Medical Store-keeper's office.	Sungare			
Captain William Henderson	Clothing agent	Songon, Nusseeb, Nusseband, Mahaboob.			
Manoel de Souza	Kumarisdar of Salsette, Government pensioner and owner of land in Salsette and Caranjah.	Sungere, Moobarreck, Jackasee, Rehimjee, Moorlasee, and Marian.			-- I have known him 15 years; a better protector the children could not have.
J. William Redwood	Apothecary to European General Hospital.	Jackasee			
John Joseph de Souza	Pensioner, gets about 200 rupees a month.	Khutibe and Sullama			
Manoel Francis de Mello	Clerk in the Secretary's office	Sungere and Mufta			
Minguel de Quadras	Assistant civil auditor's office	Sungore and Mootoana.			
Mathews de Cruz	Pensioner, gets 500 rupees a month.	Tumasa, Kanuya, and Kuhana.			
John Esprance	Clerk in the Bombay General Library.	Kooleedee			-- His father, who is to support the child, is a pensioner on rupees 100 per mensem.
John de Abracio	Pensioner, recommended by Colonel Frederick.	Mahboob			
William Read	Head constable, Fort Division	Mariam and Tassil			
John Farrell	High constable	Moobarrick and Fahida			
J. L. M. de Souza	Son of Sir Minguel de Souza, living at Mazgon.	Sungore			

(signed) *John Warden,*
Senior Magistrate of Police.

No. 695.

From the Political Secretary to Government to the Senior Magistrate of Police,
dated 29 February 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 23d instant, with enclosure, respecting the African children placed by Government under your charge, and to authorise you to make over to Mr. Townsend, in the manner therein proposed, as many of the children as he may be inclined to receive.

The Governor in Council thinks that the judgment and humanity with which you have discharged the duty of charity towards these children entitle you to high commendation.

I am, at the same time, desired to request you to express to Mr. Read, the head constable of the Fort, the approbation of Government at the manner in which he has performed his part towards the children in question.

The Right honourable the Governor in Council requests that you will report to Government the amount of the present which you propose to be made to Mr. Read.

I have, &c.

Bombay Castle, 29 February 1836.

(signed) *J. P. Willoughby,*
Secretary to Government.

From

From Captain *Henderson* to the Private Secretary to the Right Honourable the Governor,
dated 18 February 1836.

E. I. Company and
Board of Control.
(Documents.)

My dear Major,

I do not know whether you have seen the correspondence between Government, the Acting Advocate-general, and the Senior Magistrate of Police, on the subject of the African children which have been rescued from slavery; if you have, you will have observed that I applied to the senior magistrate for four of them, to be employed on my farm at the Cape.

No. 696.

I received a note yesterday from Mr. Warden, telling me Government is of opinion the boys should not be sent to the Cape of Good Hope. This I am sorry for, as well on my own account, as on account of the future prospects of the boys; and I am inclined to think that Sir Robert formed the above opinion from not being aware as to how the boys would be situated.

In the first place, I had agreed for their passage on the *Raffles*. I have arranged with the carpenter, the boatswain, the butcher, and the cook, each to take charge of one to the Cape; and had authorised my agents to give these men a present, if the captain reported favourably of their care of the boys while on board. And further, I have ordered a waggon to be sent down to Cape Town, to convey them to the farm, so sure was I of obtaining them.

The farm is in a part of the country far removed from any town or village, where, from bad company, their morals are likely to be corrupted.

The overseer and his wife are strictly religious and kind people, who would, I am sure, treat these boys like members of their own family. Their religious instructions would be most particularly attended to; and on a farm such as it is, their work would neither be hard nor harassing. When they grow up, and may wish to change their master, or fancy they can better themselves, they will always find plenty of employment and good wages. In short, the boys cannot fail in turning out good men, and useful to themselves and their employers: whereas, from a pretty close observation of upwards of 26 years, I question their being equally so in India.

Should Sir Robert, on reconsideration, grant me the boys, I shall endeavour to make the same arrangement in the Buckinghamshire that I did in the *Raffles*, and where also they will have the advantage of two friends of mine, who are proceeding to the Cape, to look after them.

Should you have an opportunity of bringing the above to Sir Robert's notice, I shall feel very much obliged by your doing so; and I am inclined to think, I may say, to hope when he knows what a benefit he is conferring on the boys, he will not object to their being placed on my service.

As they are to be distributed, and their future fates decided on Wednesday or Thursday, there is no time to lose.

Believe me, &c.

Tuesday, 16 February.

(signed) *H. Henderson.*

From the Political Secretary to Government to the Senior Magistrate of Police,
dated 29 February 1836.

Sir,

No. 697.

I AM directed to transmit to you the enclosed copy of a letter from Captain Henderson to the address of the private secretary to the Right honourable the Governor, dated the 16th instant, expressing his wish to have four of the African children under your charge, and stating the arrangements he had made for their transport to the Cape of Good Hope, to be employed on his farm there, and for their comfort and religious instruction when at that place.

The Right honourable the Governor in Council thinks that Captain Henderson might be allowed to have the number of children he requires, especial care being taken that they accept his service with their own free consent, and he undertaking (which the Governor in Council doubts not that officer will willingly do) to report their state to you from time to time.

In reference to the mode in which the consent of the children is to be expressed, the Governor in Council thinks that it should be declared by each child for himself respectively, before you, and you are requested to set them at ease in declaring or refusing it, and to record what passes, with the names and description of the several children concerned.

I have, &c.

Bombay Castle, 29 February 1836.

(signed) *J. P. Willoughby,*
Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

From the Political Secretary to Government to Captain *H. Henderson*.

Sir,

No. 698.

WITH reference to your letter to the address of the private secretary to the Right honourable the Governor, dated the 16th instant, expressing your wish to have four of the African children, now under the protection of Government; I am directed by the Right honourable the Governor in Council to refer you to the Senior Magistrate of Police, who has received the necessary instructions on the subject.

I have, &c.

Bombay Castle, 29 February 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATIONS, 9 March 1836.

No. 770. MINUTE by the Right honourable the Governor, subscribed to by Mr. *Sutherland* and Mr. *Ironside*, dated 20 February 1836.

ON these applications, I have only to say further, that I think Mr. Warden should be kind enough to take care that these Africans, as far as possible, should be disposed of, not merely to Christian, but to Protestant masters.

20 February 1836.

(signed) *R. Grant*.

No. 771. From the Political Secretary to Government to the Senior Magistrate of Police, dated 4 March 1836.

Sir,

ADVERTING to the fourth paragraph of your letter to my address, dated the 18th January last, handing up several original applications for the African children placed by Government under your charge, I am directed to inform you, that in addition to the instructions already conveyed to you from time to time regarding these children, it is the desire of the Right honourable the Governor in Council that you will be kind enough to take care that they should be disposed of, as far as possible, not merely to Christians, but to Protestant applicants.

I have, &c.

Bombay Castle, 4 March 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 6 April 1836.

No. 1176. From the Senior Magistrate of Police to the Political Secretary to Government; dated 16 March 1836.

Sir,

I HAVE had the honour to receive your letter, No. 295 of 1836, and beg leave herewith to submit, for the sanction of the Right honourable the Governor in Council, a contingent bill on account of the 69 children which were under my care two months, amounting to 579 rupees 6 annas, inclusive of a present of 50 rupees to Mr. Read, which is, I think, a suitable sum for his trouble.

I have, &c.

Bombay Police Office, 16 March 1836.

(signed) *John Warden*,
Senior Magistrate of Police.

From the Political Secretary to Government to the Senior Magistrate of Police ;
dated 4 April 1836.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 16th ultimo, and to acquaint you, that the Right honourable the Governor in Council has been pleased to sanction the contingent bill on account of the African children which accompanied it, amounting to 579 rupees 6 annas, inclusive of the present of 50 rupees to the head constable.

No. 1177.

Bombay Castle, 4 April 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From the Political Secretary to Government to the Acting General Paymaster ;
dated 4 April 1836.

No. 1178.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you a contingent bill for expenses incurred on account of African children lately under the charge of the senior magistrate of police, amounting to 579 rupees 6 annas, and to request that you will pay the amount to that officer.

Bombay Castle, 4 April 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From the Political Secretary to Government to the Acting Civil Auditor and Accountant-General ; dated 4 April 1836.

No. 1179.

Sir,

I AM directed by the Right honourable the Governor in Council to acquaint you, that the acting general paymaster has been instructed to pay to the senior magistrate of police 579 rupees 6 annas, for expenses incurred by him on account of the African children lately under his charge.

Bombay Castle, 4 April 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 11 May 1836.

From the First Assistant Political Commissioner for Guzerat in Charge, dated 13 April 1836,
to the Political Secretary to Government.

No. 1870.

Sir,

IN reply to your letter of the 19th December last, No. 1625, I have the honour to forward a translate of an order sent by his Highness to the managers of Oka and Umrellee to prevent slaves being landed at their bunders.

Political Commissioner's Office,
Baroda, 13 April 1836.

I have, &c.
(signed) *A. Malet*,
First Assistant Political Commissioner
in Charge.

Translation of an Order from his Highness to the Waewutdars of Umrelee and Okamundel ;
date 2d Zilhas, A. D. 20 March 1836.

SLAVES of both sexes from Arabia, Scind, &c. are brought to the bunders for sale in this country ; do you therefore take care that in future any slaves brought by ships to the bunder may not be allowed to land ; make strict arrangements for this purpose.

(True translation.)

(signed) *A. Malet*,
First Assistant Political Commissioner in Charge.

E. I. Company and
Board of Control.
(Documents.)

MINUTE by the Right honourable the Governor; dated 27 April 1836.

No. 1871.

THE prohibition herein reported is something gained towards the object in view.

2. I do not however think it is sufficient. If his Highness merely prohibits the landing of slaves at his ports, it is to be feared that they will be landed at those of Kattywar and Cutch.

3. I think therefore his Highness should be requested to issue orders, not only prohibiting their being landed, but for the release of the slaves, and the punishment of those who bring them; at the same time this must be his Highness's free act, and nothing like compulsion can be resorted to.

4. If his Highness is pleased to adopt the suggestions contained in the third paragraph, public notice of six months should be given of his intention to do so.

27 April 1836.

(signed) R. Grant.

No. 1872.

From the Political Secretary to Government to the First Assistant Political Commissioner for Guzerat in Charge; dated 5 May 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 13th ultimo, forwarding translation of an order sent by his Highness the Guicowar to the managers of Oka and Umrellee to prevent slaves being landed at their bunders, and to acquaint you that this prohibition is something gained towards the object in view.

2. The Governor in Council however does not think it is sufficient. If the Guicowar merely prohibits the landing of slaves at his ports, it is to be feared that they will be landed at those of Katteewar and Cutch.

3. The Right honourable the Governor in Council therefore directs, that you will request his Highness to issue orders, not only prohibiting slaves being landed, but for their release, and the punishment of those who bring them. At the same time I am instructed to observe, that this must be his Highness's free act, and nothing like compulsion should be resorted to.

4. If his Highness is pleased to adopt the suggestions contained in the preceding paragraph, public notice should, in the opinion of the Governor in Council, be given of his intention to do so.

I have, &c.

(signed) W. H. Wathen,
Chief Secretary.

Bombay Castle, 5 May 1836.

No. 1893.

MINUTE by the Right honourable the Governor, subscribed to by Mr. *Sutherland* and Mr. *Ironside*; dated 25 February 1836.

RESPECTING the accession of the Board yesterday to Mr. Townsend's offer to receive several of the children, and educate them, I think Government ought to make some pecuniary allowance for those so transferred, seeing that otherwise they must be maintained wholly by private charity.

Perhaps the secretary would inquire, and state to the Board how many children shall thus have been transferred to Mr. Townsend's care, and what allowance should be made for them respectively.

25 February 1836.

(signed) R. Grant.

No. 1894.

Memorandum by the Secretary; dated 10 March 1836.

I BEG to inform the Board, that 15 boys and 9 girls have been transferred to Mr. Townsend.

10 March 1836.

No. 1895.

MINUTE by the Right honourable the Governor; dated 26 April 1836.

I THINK Government should for the present give 50 rupees per mensem; and perhaps Mr. Townsend will be so good as to report when he thinks the grant may be discontinued, or diminished, for, of course, it cannot be perpetual.

26 April 1836.

(signed) R. Grant.

From the Chief Secretary to Government to the Acting General Paymaster ;
dated 6 May 1836.

No. 1896.

Sir,

I AM directed to acquaint you, that the Right honourable the Governor in Council has been pleased to grant, as a temporary measure, an allowance of rupees (50) fifty per mensem, towards the maintenance of 24 African children, placed by Government under the charge of Mr. E. H. Townsend, at that gentleman's own request, for the purpose of education, and to authorize you to pay to him the amount in question until further orders.

I have, &c.
(signed) *W. H. Wathen,*
Chief Secretary.

Bombay Castle, 6 May 1836.

From the Chief Secretary to Government to *E. H. Townsend, Esq.*; dated 6 May 1836.

No. 1897.

Sir,

I AM directed to acquaint you, that the Right honourable the Governor in Council is pleased to grant, as a temporary measure, an allowance of rupees (50) fifty per mensem, towards the maintenance of the 24 African children placed by Government under your charge at your own request; you will have the goodness to report when you think the grant in question may be discontinued or diminished.

2. The acting general paymaster has accordingly been authorized to pay to you the above amount until further orders.

I have, &c.
(signed) *W. H. Wathen,*
Chief Secretary.

Bombay Castle, 6 May 1836.

From the Chief Secretary to Government to the Accountant-General and Civil Auditor ;
dated 6 May 1836.

No. 1898.

Sir,

I AM directed to acquaint you, that the Right honourable the Governor in Council has been pleased to grant, as a temporary measure, an allowance of rupees (50) fifty per mensem, towards the maintenance of 24 African children placed by Government under the charge of Mr. E. H. Townsend, at that gentleman's own request, for the purpose of education, and that the acting general paymaster has accordingly been authorized to pay to Mr. Townsend the amount in question until further orders.

I have, &c.
(signed) *W. H. Wathen,*
Chief Secretary.

Bombay Castle, 6 May 1836.

(True extract.)

(signed) *W. H. Wathen,*
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 18 May 1836.

Petition from *Jeevun Oodhowjee*, Gomasta or Manager of the firm of Dhurumsy Lukmedass, to the Right Honourable Sir *Robert Grant*, G. C. H., Governor and President in Council, Bombay; dated 30 April 1836.

No. 2017.

Most respectfully sheweth,

THAT the firm of Dhurumsy Lukmedass was established in Bombay about 42 years ago, and that ever since an extensive trade and business has been carried on under that title from this port to Kattywar, Cutch, Scind, the Persian Gulf, and principally to the Red Sea, by the parties interested in the said firm, under the protection of the British Government. That in connection with the said firm, a similar trade and business are carried on under the same name and title, from Porebunder, in Kattywar, by Mooljee Dhurumsy, an inhabitant of that place, and the heir and representative of Dhurumsy Luckmedass, deceased, the founder of the firm.

E. I. Company and
Board of Control.
(Documents.)

That on the 5th February last, a vessel of the kind commonly called a Gunga, belonging to the above-mentioned firm, named Bhowany Pursad, Tindal Ajah, having on board 19 persons, (inclusive of the crew, the tindal, and two Banian supra-cargoes), and carrying the British flag, sailed from Porebunder, bound to Maculla laden with cotton, jooree (grain), and piece goods; and while prosecuting her voyage had occasion to put in at Cusson bunder, (about 100 miles above Maculla on the same coast), and anchored there on the 29th February, at which time there were at anchor in the said bunder a vessel belonging to Cutch, and an Arab buggla, named Juddul Khair, Nacodah Syed bin Salum Uskurra, of the Mehraanee tribe, inhabitant of Wadee, which place, as well as the said Cusson bunder, your petitioner believes is a dependency of Maculla.

That shortly after the gunga Bhowany Pursad dropt her anchor, the said Syed bin Salum Uskurra sent people to require the attendance of the tindal on board his buggla; whereupon the malum or navigator, named Jadow, and one Souchund Banian, a supra-cargo, with two lascars, entering their own boat went on board the Arab buggla. Syed bin Salum then asked them to what port their vessel belonged, and they replied Porebunder. On hearing this he ordered his people to seize the said four persons and detain them on the buggla, which was accordingly done. He then gave some directions to the Arabs of his own vessel, in consequence of which several of them armed themselves, and the Bhowany Pursad's boat pulled towards that vessel, and when within musket shot fired into her, but fortunately without injuring any of the persons on board, who had escaped below. They then boarded and took possession of the Bhowany Pursad, beating and otherwise maltreating the crew, after which they compelled the crew to take up the anchor, and the Arab buggla, with Syed bin Salum on board, getting under weigh at the same time, took that vessel in tow, and sailed with her to Wadee.

That at Wadee, by orders of the said Syed bin Salum, the tindal, supra-cargoes, crew, &c. of the gunga Bhowany Pursad, in all 19 men, were landed in the custody of the Arabs, and exposed for sale as slaves. The fate with which they were threatened was averted through the humanity of a Banian, who has been for some time resident at Wadee. Compassionating their situation, he aided them in effecting their escape, and provided them with a boat, in which they put to sea, and reached Maculla. There six of the lascars procured a passage in a native vessel named the Dowlut Pursad, Malum Kessow Wala, in which they arrived at Bombay on the 22d April.

1. Dewa, kharwa.
2. Ramah, ditto.
3. Khima, ditto.
4. Gonah, ditto.
5. Dossa, sepoy.
6. Ally, ditto.

That from these lascars, whose names are entered in the margin, your petitioner learned the foregoing particulars, as also that the Bhowany Pursad had on board at the time of her seizure, 75 candies of cotton, of the value of rupees 11,000; 100 candies of jooree (grain) valued at rupees 1,500, and piece goods of the value of rupees 1,000, which, together with the vessel itself, worth rupees 4,000, aggregate rupees 17,500, being the amount of property belonging to the firm of Dhurumsy Luckmeedass, piratically seized and taken possession of as above stated by the said Syed bin Salum Uskurra. But as the cargo was put on board at Porebunder, your petitioner has written to Mooljee Dhurumsy at that place, for a particular and accurate account, which when received shall be duly laid before your honourable Board.

That shortly after the 19 persons composing the crew, &c. of the Bhowany Pursad arrived at Maculla, after their escape from Wadee, Arab buglah, Juddul Khair, with Syed bin Salum on board, came to Maculla, when the former complained against him to the Hakim, or ruler of Maculla, and entreated his interference to recover their vessel and her cargo, or the value of the same, from Syed bin Salum; but the Hakim informed them in reply, that as the act of piracy had been committed in the port of Wadee, which belongs to the Mehraanee tribe of Arabs, who were not subject to him, he could not comply with their prayer. Had the vessel sailed last from the port of Maculla he might, he said, have some pretext for interfering; but as it was, all he could do was to refer the petitioners to the British Government, under the protection of whose flag she was sailing when the act of piracy was committed, and who, he doubted not, would not fail to demand, as they were able to enforce, full reparation for the injury done to their subjects, and insult offered to their flag.

That the truth of the foregoing details can be established by the evidence of the six men lately part of the crew of the plundered vessel, who have arrived from Maculla, and whose depositions on oath your petitioner begs the magistrate may be instructed to receive and lay before your honourable Board. The statement made by them to your petitioner is corroborated by letters received by the vessel in which they arrived, addressed by persons residing at Maculla to merchants of this place, translations of which, if requisite, can also be laid before your honourable Board.

That your petitioner has addressed a letter communicating the intelligence thus received by him to the principal at Porebunder, and entertains a confident hope that the Rajah of that place will (through the political agent in Kattywar) address your honourable Government on the subject, praying that measures may be taken to redress the wrong sustained by the said firm of Dhurumsy Luckmeedass at the hands of the said Syed bin Salum Uskurra of Wadee.

That from all the information which your petitioner has been able to collect, it appears that the said Syed bin Salum is a chief, or at least a person of note and consequence, in Wadee, and that he committed the act of piracy as detailed above in retaliation for the seizure a few months ago of a number of African children which were brought to Porebunder in three Arab vessels, to be sold as slaves. The seizure was made by the Rajah of Porebunder, it is believed at the requisition of the British Government, to whom the slaves were made over. The vessels out of which they were taken belonging to the Mehraanee tribe of Arabs, to whom

whom the port of Wadee, with the country adjacent, belongs, and one of whose chiefs or principal men is the Syed bin Salum Uskurra, who, there is every reason to believe, committed the piracy which is the subject of this representation, by way of reprisal for the seizure of the slaves, as the Arabs of the vessels out of which the slaves were taken threatened to plunder every vessel out of Porebunder that they, or the boats belonging to their tribe, might meet with.

That as not only the firm of Dhurumsy Lukmedass, but also many merchants, both of Bombay and Porebunder, as well as other places, carry on a very extensive trade with the ports in the Red Sea, in the voyage to which their vessels, and vessels laden with their merchandize, must pass near the coast inhabited by the Mehraanee tribe of Arabs of Wadee, your petitioner apprehends that, unless prompt and decisive measures shall be taken by your honourable Government, the vessels and property of your subjects will continue to be plundered, the lives of your subjects in charge of such vessels and property exposed to danger from the attacks of a barbarous tribe, and, what is far worse, they will be exposed to all the horrors of slavery. What should be done to avert these evils, to maintain the honour of the English flag, and to protect your subjects and their property against the effects of that vindictive feeling of a petty but savage tribe of people, your petitioner confidently leaves to the wisdom and firmness of your honourable Government. As the firm of Dhurumsy Lukmedass, however, has already suffered from the lawless act of the Mehraanee tribe of Arabs of Wadee, your petitioner humbly trusts your honourable Board will pardon him for entreating, on behalf of his principal, that, if an embargo can with justice and propriety, and with due regard to every object that it may be expedient to keep in view, be laid on the vessels belonging to the Mehraanee tribe which annually frequent Bombay, as also Porebunder and other ports in Guzerat, and many of which may shortly be expected at these places, such a measure may be speedily adopted, in order that your honourable Government may secure the means of indemnifying the firm of Dhurumsy Luckmedass for the loss of the Bhowany Pursad and her cargo, piratically seized and taken away by a chief of that tribe. If a demand for restitution should be refused, your petitioner however leaves his case entirely in your hands, being persuaded that your honourable Board will take such steps as shall be best calculated to secure full redress and reparation for the insult offered to the British flag, and the injury sustained by the firm of Dhurumsy Luckmedass.

And your petitioner, &c.

Bombay, 30 April 1836.

(signed) *Jeevun Oodhowjee,*
Gomastah or Manager of the Firm of
Dhurumsy Lukmedass.

E. I. Company and
Board of Control.
(Documents.)

MINUTE by the Right honourable the Governor, dated 9 May 1836.

No. 2018.

1. I REQUEST that the chief secretary will have the goodness to furnish me, with as little delay as possible, with any information there may be on record, or which he may be able to obtain from other sources, regarding the Bunder of Cusson, in the vicinity of Maculla, whether it is a dependency of that place, or whether it belongs to any other chief.

2. I also request to be favoured with any information that may be procurable regarding the chief of Wadee, and the Mehraanee tribe of Arabs to whom the town of that name is stated to belong.

3. This information is required to enable me to judge what measures should be adopted in consequence of the seizure in the port of Cusson of a boat belonging to Porebunder, by the nacoda of a vessel belonging to Wadee, in retaliation for the emancipation of a number of slaves imported in December last at Porebunder.

4. In the petition on this subject from the agent of the firm of Dhurumsy Luckmedass, to whom the vessel seized at Cusson belonged, it is stated that six of her crew have returned to Bombay. It is desirable that their depositions should be taken by the senior magistrate of police, which I request may be done accordingly.

Mhabuleshwer, 9 May 1836.

(signed) *R. Grant.*

From *W. H. Wathen*, Esq., Chief Secretary to Government, to the Senior Magistrate of Police; dated 13 May 1836.

No. 2019.

Sir,

I AM directed to transmit to you copy of a petition from Jeevun Oodhowjee, gomastah or manager of the firm of Dhurumsy Luckmedass, complaining of the plunder of a vessel belonging to the above firm by the nacoda of a vessel belonging to Wadee, on the coast of Arabia.

2. In forwarding the above petition, the Right honourable the Governor in Council requests that you will take the depositions of the persons named in the margin, being part of the crew of the plundered vessel, or such of them as may be forthcoming, and who have been directed to attend at the police office for the purpose of being examined.

697.

T

S. As

1. Dewa, kharwa.
2. Ramah, ditto.
3. Khima, ditto.
4. Gonah, ditto.
5. Dossa, sepoy.
6. Ally, ditto.

E. I. Company and
Board of Control.
(Documents.)

3. As it is of importance that the depositions of these men should be taken at an early period, the Governor in Council requests that you will lose no time in examining them, and forward the same to Government, with the least practicable delay.

4. This letter will be delivered to you by the parties concerned.

Bombay Castle, 13 May 1836.

I have, &c.
(signed) *W. H. Wathen*,
Chief Secretary.

(True Extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 25 May 1836.

No. 2261.

Memorandum by the Chief Secretary ; dated 21 May 1836.

THE maalim of the plundered vessel having arrived at Bombay, I have taken his deposition, translate of which accompanies the memorandum ; for, as he had come down in charge of a boat from Porebunder, and would not be detained, there was not time to send him to the senior magistrate of police.

Lieutenant Welstead having arrived from Muscat, perhaps the superintendent Indian navy might be requested to call upon that officer to furnish such information as he may be able, in respect to the Mehree Arabs, and especially whether Bunders Haswail and Wadee are dependencies of Kisseen, or under an independent chief of their own, with any further particulars regarding the country, &c.

21 May 1836.

(signed) *W. H. Wathen*, Chief Secretary.

Translation of a Deposition.

I, Maalum Jadow Govund, by caste a Hindoo kharwa, inhabitant of Porebunder, about 26 years of age, a sailor by profession, do hereby depose, that I was made maalum (pilot) of the vessel Bhowanee Pursad, owned by Mooljee Dhurumsee, and that we had on board Tindal Arjun Kuranees, Dhurumshee Geerdhurdass, Sowchund Meeta, a crew of 12 kharwas, two sepoyes, and one banian, by name Kuchro, in all 19 persons ; also a cargo consisting of a quantity of goowar, some bales of cotton and other sundries, the detail of which has escaped my memory, the same being the property of the above-mentioned Mooljee. That we weighed anchor from our port on the 15th of Maha Sood (2d February 1836), set sail for Mukulla ; that in the course of about 24 days we arrived off the port of Kisseen, where, encountering a strong gale, we cast anchor in eight fathoms of water, and so remained during the night ; that early next morning a boat belonging to Syeed Eseykore, of the Mehra tribe, arrived where we were, having on board that person, and some armed Arabs ; that on our being asked to what port our vessel belonged, we, conceiving that they might be in quest of a boat from Porebunder, in consequence of some children which they had imported to that place, for the purpose of selling them as slaves, having been taken away by order of the Honourable Company's Government, answered Mangalore ; that they, however, said that our vessel was not of Mangalore, but of Porebunder. Perchance these people, who were in the habit of visiting our port, knew us ; we certainly recognised them. That they told us to go on board their vessel, and that, after inquiry, they would release us ; that accordingly myself and Sewchund Kuranee got into our muchwa, and went on board their vessel, where we found one Khojia, and about 75 armed Arabs, who detained us both in custody ; that afterwards, about 30 or 35 of them getting into our muchwa, went on board our ship, and, seizing all the khulasees and others, captured the boat ; that they then said they would not let our vessel depart, because some slaves they had carried in their boats to Porebunder (which place is under the British authority), had been landed and taken from them ; that they also mentioned it being their intention to seize on every boat which might come there from within the British jurisdiction. That the Khoja aforesaid warned us against picking any quarrel with them, on pain of being killed. That they afterwards set sail, and carried our boat with theirs to the bunder of Wadee ; that they kept us prisoners on board during the night, and that the next morning we were landed on the coast of Wadee, with merely the clothes we had on our backs, our boat, with its whole cargo, including some of my own property (consisting of some piece-goods, &c., worth about 200 rupees), and also that of some of the others, being in the meantime seized on. That we, in consequence, had no resource, and therefore went to a Banian, who has a shop in Wadee, where we remained. That three days after the people aforesaid sailed from Wadee, taking our boat along with them ; that at the time of their departure they left one Arab at Wadee, with directions to sell us, but that fortunately we met a respectable Arab, who promised to procure for us a passage to Mukulla, and who accordingly hired a boat for 16 rials, in which every one went to Mukulla, except myself, who was engaged in getting some supplies from the Banian in question. That I subsequently went to Mukulla in another boat, after my companions, and met them ; that we communicated the above occurrence to the hakim of Mukulla, who, however,

however, said that the place (Wadee) was not within the limits of his jurisdiction; that, having no alternative, we thought of returning to Bombay, but that in the meanwhile, the steamer arriving, we went on board her, and informed the captain of the circumstances. That he told us to proceed to Bombay, and apply to the Governor in Council, and that, agreeably to whatever orders might be received from Government, inquiry would be made. That we then looked for a passage to return to Bombay, but not finding a boat sufficiently large to bring us all at once, the two kuranees and six kharwas embarked in the kotiyō (boat) of Kessow Maalum, and another vessel, whilst myself and the rest got on board a chubeena (war-boat) then at Mukulla (belonging to the authorities of Bate), and went to Bate, whence we proceeded to Porebunder, where we informed the shipowner of all the above circumstances; and that, finally, the shipowner went to the political agent, taking us with him, and communicated the matter to him. The circumstances which befel us are as herein stated; there is no mis-statement in this deposition, this 23d May 1836, Bombay.

E. I. Company and
Board of Control.
(Documents.)

(signed) *Maalum Jadow Govund.*

Witnesses,

(signed) *Thuckur Jeevun Oodhowjee.*
Mheta Narunjee.

(signed) *H. Hebberts,*
Deputy Secretary in the Persian Department.

MINUTE by Mr. *Ironside*; dated 25 May 1836.

No. 2262.

THE information pointed at in this memorandum should be applied for; and, on its being furnished by the superintendent of the Indian navy, all proceedings should be sent to the Right honourable the Governor.

25 May 1836.

(signed) *J. Sutherland.*

From *W. H. Wathen*, Esq., Chief Secretary to Government, to the Superintendent Indian Navy; dated 25 May 1836.

No. 2263.

Sir,

I AM directed by the Right honourable the Governor in Council to request that you will have the goodness to call upon Lieutenant Welstead, of the Indian navy, who, it is understood, has just arrived from Muscat, to furnish Government with such information as he may possess in respect to the Mehree Arabs, and especially whether Bunders Haswail and Wadee are dependencies of Kisseen, or under an independent chief of their own, and with any further particulars regarding the country, &c.

Bombay Castle, 25 May 1836.

I have, &c.
(signed) *W. H. Wathen*, Chief Secretary.
(True extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 2 June 1836.

From the Superintendent Indian Navy, to the Right honourable the Governor in Council.

No. 2340.

Right honourable Sir,

IN acknowledging the receipt of Mr. Secretary Willoughby's letter, No. 1667, of the 26th instant, requesting me to state the strength of the naval force now employed to the northward, and the duties it has to perform, I have the honour to inform your Right honourable the Board, that the small force of armed vessels placed at the disposal of the senior naval officer at Surat is for the protection of the extensive trade from the Gulph of Cutch to Bassein; and that officer has to co-operate with the collector of sea customs to suppress a system of smuggling (by affording convoy particularly to the cor-ton-boats), which has been practised to an alarming extent, at the expense of the public revenue; as also to subdue the late-discovered traffic in slaves, carried on by vessels trading from Cutch and Kattywar with various ports in Arabia and the Persian Gulf, by an active surveillance of those coasts. For more particular information relative to the duties of the station, I have the honour to refer you to my letter dated 31st May 1831, No. 168.

The enclosed statement will show the strength of the force under that officer, and the duty each vessel is placed upon, for the above purpose, at present.

Superintendent's Office, Bombay,
31 December 1835.

I have, &c.
(signed) *Charles Malcolm,*
Superintendent Indian Navy.

E. I. Company and
Board of Control.
(Documents.)

STATEMENT showing the ARMED FORCE of the small Vessels at present employed under the Senior Indian Naval Officer at Surat.

Vessels.	By whom Commanded.	Duty Employed upon.	Remarks.
Thetis - - - -	- - - - -	- - Directed to proceed to Cutch, to bring down the slaves to the presidency, and on her return to Surat will be employed in the surveillance of the coast for the suppression of slavery and smuggling, and as guard vessel.	
Bheema Pattamar -	Mr. Midshipman Selby	- - Employed at present under Mr. Selby, conveying treasure to Cutch, and ordered to return to the general duties of that station, under the directions of the Political Resident of Cutch, and the senior Indian naval officer at Surat, with Mr. Gardiner in charge.	
Pownah Pattamar -	Lieutenant Powel -	- - Employed in the Gulf of Cambay, on the coast of Kattywar, for the protection of trade and suppression of slavery.	
Bhowany Pattamar -	Lieutenant Ethersey	- Employed on the survey of the Gulf of Cambay.	
Margaret Cutter -	- - - - -	- - Under sailing orders, to be placed at the disposal of the senior Indian naval officer at Surat, for the foregoing duties.	

Superintendent's Office,
Bombay, 30 December 1835.

(signed) *Charles Malcolm*,
Superintendent Indian Navy.

(True extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 13 July 1836.

No. 2955.

From Sir *C. Malcolm*, Superintendent Indian Navy, to the Right honourable Sir *Robert Grant*, G.C.H., President and Governor in Council; dated 15 June 1836.

Right Honourable Sir,

I HAVE the honour to transmit for your Right honourable Board's information, the accompanying extract of a letter from Acting Commander Haines, of the Honourable Company's surveying brig *Palinuris*, dated Mocha Roads, the 26th April last, relative to the capture and plunder of a buggalo under English colours, by the Mahara Arabs, together with a report from Commander Rowland, of the Honourable Company's steamer *Hugh Lindsay*, dated 11th instant, on the same subject.

I have, &c.

Superintendent's Office, Bombay,
15 June 1836.

(signed) *C. Malcolm*,
Superintendent Indian Navy.

Extract of a Letter from Acting Commander *Haines* to the Superintendent of the Indian Navy; dated 26 April 1836.

E. I. Company and Board of Control: (Documents.)

WHEN at Maculla, the report of the capture and plunder of a bugalo, under English colours, by the Maharah Arabs, was confirmed. She was carried into Wadee, and her capture considered as a retaliation or an act of retribution for the 69 slaves taken from a boat belonging to them at Porebunder, and conveyed to Bombay. The boat they have captured had a valuable cargo on board. Commander Rowland however having, I believe, inquired into the particulars, renders it almost unnecessary for me to write. The news of the affair has spread, and the value of the capture may prompt them to try further experiments in the same way, if their actions are not checked, for they are a daring resolute tribe, prompt to retaliate, as experience has shown, and they possess the means of doing material injury to our trade.

(True Extract.)

(signed) *C. Malcolm*,
Superintendent Indian Navy.

Sir,

Bombay, 11 June 1836.

I HAVE the honour to acknowledge the receipt of your letter of the 9th instant, with its enclosure, and I beg to inform you, that when at Maculla last March, a number of Banyans came on board, and requested my interference regarding the capture of a buugalow, from Porebunder, by the Maharah Arabs. Being on my way up the Red Sea, and as the individuals concerned were on the eve of returning to Bombay, I recommended them to bring the circumstance to the notice of Government on their arrival.

I have, &c.
(signed) *J. H. Rowland*,
Commander.

Bombay, 11 June 1836.

From *J. P. Willoughby*, Esq., Secretary to Government, to the Superintendent Indian Navy; dated 9 July 1836.

No. 2956.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 15th ultimo, with its enclosures relative to the capture and plunder of a buggalo under English colours, by the Mahara Arabs.

2. In reply, the Right honourable the Governor in Council instructs me to request that you will state what means are at your disposal, in the event of Government determining to despatch a vessel of war to that part of the Arabian coast where the buggalo is said to have been carried, and at the same time that you will suggest means for protecting the trade from further aggressions on the part of the tribe.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

Bombay Castle, 9 July 1836.

(True Extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 20 July 1836.

From the Superintendent Indian Navy to the Right Honourable the Governor in Council; dated 25 January 1836.

No. 3072.

Sir,

I HAVE the honour to enclose a very interesting report from Captain Brucks, the senior Indian naval officer at Surat, dated 20th instant, regarding the slave trade carried on, on the coast of Kattywar, with Zanzibar and the coast of Africa, in which your Right honourable Board cannot fail to observe that the Portuguese in Dieu carry on this traffic to a very considerable extent.

Superintendent's Office, Bombay,
25 January 1836.

I have, &c.
(signed) *Charles Malcolm*,
Superintendent Indian Navy.

From the Senior Naval Officer at Surat to the Superintendent Indian Navy; dated 20 January 1836.

Sir,

IN obedience to the instructions conveyed in Mr. Secretary Willoughby's letter, under date the 19th ultimo, forwarded in your assistant's letter of the 21st, placing the coasts of 697.

E. I. Company and
Board of Control.
(Documents.)

Kattywar and Cutch under the surveillance of the commodore on the station for the suppression of trade in slaves, I have now the honour to report my return from the inspection of the coast of Kattywar. The period for my being relieved being so near, prevented my visiting that of Cutch. The following is the result of my inquiries and observations.

2. At Porebunder there appears to be on an average five boats, which annually proceed to the coast of Africa and the Island of Zanzibar, for the purposes of trade. In each of these boats, on the return voyage, there is generally brought from six to eight slaves. They do not form part of the regular cargo, but are the private ventures of the nacodas and lascars, and are passed off, if inquiry is made, as servants. There is also a considerable trade with Arab vessels from both Gulfs and the coast of Africa. In all these slaves are, either openly or in a similar manner to the above, imported. These vessels arrive at Porebunder at two periods, immediately before and after the monsoon. I have also heard, to escape the authorities at Porebunder, slaves are landed at Newa Bunder and the other ports of the Rana's territories. The slaves, many of them, will find their way into Bombay in a similar manner.

3. The next place is Mangalore. This place sends one or two boats to Zanzibar, and has some trade with the Gulfs; and the same remarks apply to it as to Porebunder.

4. Verrowal, a very large town, under the government of the Jownaghur Nawaub, has a considerable trade with both Gulfs and Zanzibar; and, from the information I have been able to collect, numbers of slaves are brought in here as well as other ports in the Nawaub territory; some few openly, but most in the manner described under the head of Porebunder. A town called Patton, near it also, is a place where slaves may be, and I believe are, landed. Dieu is a Portuguese settlement, between which, and Mozambique on the coast of Africa, is a regular trade. Four to six brigs are constantly employed in this trade, besides an occasional additional vessel. In all these vessels slaves are imported to that place on the return voyage. I could not learn if any form part of the cargoes, but an average of 10 in each vessel, and at times 20, are brought by the mallims, and those employed on board. A portion of these go into the opposite territory; some are taken by the mallims to Gogah, and others are smuggled by one or two at a time, as part of the crew or servants, into Bombay and Surat. I have reason to believe this traffic here is much more extensive, but I had great difficulty, from the place not belonging to a European power, to gain such full information as I could have wished.

5. The other ports on this coast I had not time to visit; but I believe all, from Dieu to Tullodjea, have a part in this trade, as well as the coast of Okannundal and the various places on the Gulf of Cutch. I have also been informed, both now and formerly, while in the Persian Gulf, that Mandavie has much traffic in slaves, I believe clandestinely; and a very large portion of these slaves, there is no doubt, are imported into the British territory in the manner above described. I trust my proceedings will be satisfactory to you and the Government.

Surat, 20 January 1836.

I have, &c.
(signed) *G. B. Brucks*,
Captain, Senior Naval Officer.

No. 3073. **MINUTE** by the Right Honourable the Governor, dated 17 May 1836; subscribed by the Board.

THIS report confirms the account previously received from the late political agent in Kattewar, of slaves being imported in considerable numbers on this side of India.

We must do all in our power to put down this nefarious traffic, but must act with prudence and discretion.

This report should be sent to the Government of India, with all the other correspondence on the subject.

17 May 1836.

(signed) *R. Grant*.

(True Extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 3 August 1836.

No. 3270. From the Assistant Resident in Charge, Bhooj, to the Political Secretary to Government; dated 11 February 1836.

Sir,

I HAVE taken an early opportunity of explaining to his Highness the Rao of Cutch, the instructions of the Right honourable the Governor in Council, regarding the suppression of the slave trade, as conveyed in your letter of the 23d ultimo.

2. His Highness had previously sent orders to all the seaports of his country, peremptorily prohibiting this odious practice; and likewise issued the accompanying proclamation a few days since, an original and translation of which I forward.

3. I am requested by his Highness to say, that he has given the most extensive publicity to it; and he cannot doubt its being rigidly adhered to, as he is determined to enforce it.

4. Since there is so great a traffic between Cutch and Bombay, the wishes of the Right honourable

honourable the Governor in Council regarding its being most widely circulated might be obtained by its publication in the Gazette.

E. I. Company and
Board of Control.
(Documents.)

5. With reference to my former letter on this subject, I beg to draw the attention of Government to the Imam of Muscat's encouragement of the slave trade. I see that the Rao is afraid of giving umbrage to that personage, since the commercial prosperity of Cutch might be thereby injured.

6. A few days since, six Negroes deserted from an Arab vessel at Mandavie, and came to Bhoj to complain that they had been starved and ill-treated by their master. They admitted that they were slaves, and the Rao immediately said they should be free, and might live in his household, at which they were delighted. In a short time the navigator of the vessel appeared, and proved to his Highness that the slaves belonged to a near relation of the Imam, and the Rao immediately delivered them up. I mention this circumstance for the notice of the Right honourable the Governor in Council, as it is a case in which his Highness the Rao's interests forced him to act at variance with his wishes. If the slave trade is abolished by the Imam, it will cease in Cutch; and I can assure Government that the Rao entertains most humane and benevolent opinions on this subject.

Bhoj Residency, 11 February 1836.

I have, &c.
(signed) *A. Burnes*,
Assistant Resident in Charge.

Seal of
His Highness the
Rao of Cutch.

Translation of a Proclamation by His Highness Maha Rao Shree Daisuljee, Rajah of
Cutch: dated 6 February 1836.

BE it known to the principal merchants of Mandavie and every other merchant, as well as trader in Cutch, whether belonging to it or only trading thereto; to all navigators of vessels, and to the inhabitants of Cutch generally, that if any slaves, Negroes or Abyssinians, shall be brought for sale to any seaport in Cutch after the middle of July next, the vessel conveying them shall be confiscated, and its cargo shall become the property of this Government (Durbar); no petition for its restoration shall be listened to; and further, the offenders shall be brought to condign punishment, whether they belong to Cutch or to another country. There will be no departure from this resolution; a vessel which brings slaves shall be seized, and summary punishment inflicted on those who navigate her.

The British Government have made arrangements to suppress the trade in slaves throughout the adjacent countries, and it has instructed the officers commanding its ships, to seize and retain all vessels bringing slaves. I therefore strictly prohibit, after the date before-mentioned, any more slaves being brought into this country. Let all my subjects discontinue this custom, and take heed of this proclamation, and look to their interests and welfare by attending to it.

Given at Bhoj, this 6th day of February 1836.

(A true Copy.)
(signed) *A. Burnes*,
Assistant Resident in Charge of the Bhoj Residency.

From the Political Secretary to Government to the Resident in Cutch;
dated 30 July 1836.

No. 3271.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your assistant's letter, dated the 11th February last, forwarding translation of a proclamation issued by his Highness the Rao of Cutch, prohibiting the slave trade in his territories, and to acquaint you, that the promptitude with which his Highness has agreed to co-operate with the British Government in the suppression of this horrible traffic is highly commendable.

2. The Governor in Council requests that you will communicate these sentiments to his Highness the Rao.

Bombay Castle, 30 July 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True Extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

No. 3272.

EXTRACT BOMBAY POLITICAL CONSULTATION, 3 August 1836.

From *J. Erskine*, Esq., Political Agent, Kattywar, Rajcote, to *W. H. Wathen*, Esq., Chief Secretary to Government, Bombay; dated 19 May 1836.

Sir,

I HAVE the honour to forward copy of a letter from the officer commanding at Porebunder, together with copy of a letter from the Rana, and translate of the deposition taken before me of the tindal in charge of a Porebunder boat, which has been seized and plundered by the Arabs on the Arabian coast in retaliation for the act of the Porebunder authorities in seizing the 79 slaves last year, in obedience to the orders of the British Government.

2. I beg to refer to Captain Lang's letter of the 10th November last, and the letter of the 19th of December, conveying the orders of Government to that officer on the subject, from which the Right honourable the Governor in Council will perceive that the Porebunder authorities predicted the retaliation which has now taken place.

3. The Porebunder authorities are very anxious on the subject, and are in the full impression that seven or eight vessels, laden with goods, which have gone since the plundered vessel from this port, have also been seized by the Arabs, and have requested me to lose no time in bringing the circumstance to the notice of Government, in case the season should soon prevent any steps being taken to obtain restitution.

4. This must be considered a very important subject; as one in which the combined efforts of a numerous tribe, addicted to this traffic, are being directed towards frustrating the views of humanity, at this time so generally recognised by the civilized world, for the extinction of this disgraceful remnant of barbarism, and requires some immediate and energetic steps on the part of Government to relieve the Porebunder state from the situation in which it is placed, as well as to maintain the good faith of the British name.

5. The Cove of Sheerkussun is described as being about 100 miles on this side of Maculla, and belongs to a tribe of Arabs called Mehree; but I am ignorant whether it is subordinate to Maculla or independent.

6. The Porebunder people have asked me to request Government to send a steam-boat to save time, but the expediency of that will be decided better by Government than I have it in my power to do.

I have, &c.

Katteewar Political Agent's Office, Camp
Porebunder, 19 May 1836.

(signed) *J. Erskine*,
Political Agent.

To *James Erskine*, Esq., Political Agent, Kattywar, Rajcote.

Sir,

AT the request of the Rana of Porebunder, I do myself the honour of forwarding the accompanying petition relative to the seizure of a batella belonging to a Banyan (by name Jakor Moola Durumsee), by some Arabs belonging to Sheer Kusoon, on the Arabian coast.

2. It appears that the boat was bound from Porebunder to Maculla; but in consequence of bad weather, was obliged to anchor in the karee of Sheerkussun, where another boat belonging to Cutch had taken refuge. The Cutch boat was not molested.

3. The reason assigned by the commanders of the dow who took possession of the boat belonging to this port (almost immediately on her anchoring), was, that last year three of their boats, on their arrival at Porebunder, with seventy-nine (79) slaves on board, had been seized, and the slaves released by the British authorities at that place.

4. The value of property on board the boat seized by the Arabs, I am informed by the acting kamavisdar of this place, amounts to rupees (18,920. 1.) eighteen thousand nine hundred and twenty rupees, one quarter.

5. I beg to refer you to the accompanying documents for the particulars of this affair.

I have, &c.

Porebunder, 3 May 1836.

(signed) *C. W. Whitehead*,
Lieut. 12th Reg. Commanding at Porebunder.

(A true copy.)

(signed) *J. Erskine*,
Political Agent.

Translation of Rana *Veekmatjee's* Letter from Porebunder, to *James Erskine*, Esq.,
Political Agent in Kattywar.

After Compliments,

IT is represented by Rana *Veekmatjee* of Porebunder, that after the import of Arab slaves having been prohibited by the Sirkar, three dows (boats) of Muhree Shukr, of Kurshun,

on

on the Arabian shore, came here with slaves, and the Sirkar took the slaves from them, as follows :

E. I. Company and
Board of Control,
(Documents.)

Twenty-six slaves from Dow Tuthi-buhr, Nakhoda Hamed bin Jafur.
Forty slaves from Dow Gunjo Ghinamu, Nakhoda Sand bin Salim.
Thirteen slaves from Dow Futhi-buhr, Nakhoda Sand bin Ally.

We, anticipating the breach of friendship between the Arabs and ourselves, which might be produced by such conduct, despatched three or four petitions to the Sirkar on this subject, as the traffic of our harbour depends upon the Arabian coast; goods worth lacs of rupees are exported there; and our merchants, together with their ships, were in the habit of coming and going; but the Sirkar regarded not our petitions. A newly built batella, by name Bhowanee Purha, belonging to one of our subjects, named Thukkur Moola Dhurumsee, laden with commodities, lately sailed from this to Maculla bunder. The batella, together with the property in her, value about 18,920 rupees and 1 quarter, was taken and plundered, a memorandum of which is herewith enclosed for your information. Not having received any intelligence of seven or eight boats belonging to our merchants, and our own, which have sailed for the Arabian coast, we are much concerned lest anything of this nature should happen to them also. Slaves may have been imported by boats of Mandavie, Cutch, Mangrole, Veravel, Nugur, Khamahija, Joorya, and Bhawnuggur, and they must also have been prohibited from permitting it; but the Arabs took no notice of the Cutch boat anchored by ours, but contented themselves with plundering ours; men coming out of Nakhoda Hamed bin Jaffer's dow in small boats have plundered our merchant's batella.

In consequence of this loss, our merchants have stopped their trade. Now, how can we pay the tribute, and the sum of 26,000 rupees of the share of the customs, to the Sirkar, besides our own expenses?

The Arabs have not molested any ship of the other harbours, but plundered our merchants; the other Talookdars, being under the Sirkar's flag, have very probably connived at the import of slaves at their ports; but we, in obedience to the Sirkar, submissively delivered the slaves, and petitioned about the matter, which not having been regarded, we are now reaping the fruit of it. Had all the boats been plundered by Jassmees (Arab pirates), according to the custom of that country, I and my merchants would have sustained the loss patiently; but this was done in consequence of the Sirkar's taking the slaves; and under the patronage of the Sirkar this calamity has befallen us. It is incumbent on the Sirkar to have the batella, with her contents, restored.

We are thus plundered under a just government; and after sustaining the serious loss of 20,000 rupees, we see no mode of safety. Our ancestors came under the protection of the Government previous to all the Talookdars, consequently the Sirkar has had the goodness to grant us friendly support up to the present time above any Oka Talookdar; we, therefore, solicit and trust that the Sirkar, regarding their old kindness, will adjust about the restoration of our merchant's boat, together with the goods, and make future arrangement with the Arabs to let our merchants' trade remain unmolested. Our ancestors also, foreseeing protection under the Sirkar, entered into intimacy with the Sirkar, and allowed a half custom share, previous to all the Talookdars; we hope that, considering that intimacy, the Sirkar will relieve us from this grievance, and protect our boats now which are absent on the Arabian coast, and recollect that the Sirkar is our guardian. With this we conclude our petition. Dated Vyshahh und 1st 1892, corresponding with 1st May 1836.

(A true translation.)

(signed) *James Erskine,*
Political Agent.

Translate of a Deposition taken before *J. Erskine, Esq.*, Political Agent in Kattywar, of *Urzun Heera Karwa*, of Porebunder, aged 30 years.

I HEREBY depose, that on the 15th Marghur Sood last, I was commanding a boat, of the name of Bowany Pursand, belonging to Tukkhur Mooljee Durumsee, on its way to Maculla. On the road I put into and anchored at Sheer Kussoon on account of rough weather. There was there also anchored an Arab boat about 300 yards from me. This boat weighing anchor, came close to us, and discharged a volley of 50 matchlocks upon us, and then proceeded to take every thing out of the boat, with all the Lascars, amounting to about 19, and took them and the property on shore. The Arabs took the property and the boat and set us at liberty, when we made the best of our way to Maculla. We reported to the chief of Maculla that the Arabs had plundered our ship. Then he said, he had no authority over them; but that if we gave them back their slaves, they would restore the property and the boat.

Question. Have you any knowledge of the persons who plundered your boat, how many there were, and who was the principal man?—*Answer.* Seyud Issakhore Meya. There were about 100 men. They took the boat and property to Wadee.

Q. Were you by yourself, or were there any other boats anchored there?—*A.* There was our boat, and there was a boat belonging to Mandavie.

Q. Did the Arabs offer any molestation to the Cutch boat?—*A.* None whatever.

Q. When the Arabs first attacked you, did you ask them what they wanted?—*A.* We asked, "Why are you attacking us?" And they said, "You are from Porebunder, where our slaves were stopped, so we intend plundering you."

E. I. Company and
Board of Control.
(Documents.)

Q. How did you understand what the Arabs said, or they you?—*A.* There was a Khoja on board the Arab boat, who is an inhabitant of Bombay, who interpreted.

Q. Did you, or any of you, ever know anything of this Khoja?—*A.* No; but Mooljee, saying that the father of the Khoja is in Bombay.

Q. How did the Arabs treat you?—*A.* They stripped the whole of us of all our clothes, arms, and every thing we had, leaving us just sufficient to cover our bodies, and having kept us one day and one night, they set us on shore, and after 15 days of imprisonment they allowed us to go where we pleased.

Q. Mooljee Shet said something about the Arabs intending to sell you as slaves; is there any truth in that?—*A.* We had three boys of about 10 years old on board, and they intended selling them, but finding no purchaser, they let them go.

Q. Do you know at all about the value of property on board?—*A.* I understand there was about 20,000 rupees worth; but I know nothing for certain. The Shet had a Ghoomasta on board, who is gone to Bombay by another vessel.

(This is true deposition.)

his × mark.

Taken before me this day, Porebunder, April the 14th, 1836.

(signed) *J. Erskine,*
Political Agent.

Extract Paragraphs 4 to 8 from a Minute by the Right honourable the Governor;
dated 5 July 1836.

4. A QUESTION however has arisen out of our proceedings on this case of great importance. In consequence of the seizure, by authorities at Porebunder, of the slaves brought to that port in November last, an Arab chief in the Red Sea has retaliated, by seizing a vessel belonging to Porebunder, engaged in peaceful commerce; and it is feared that other measures of the same kind are meditated.

5. The Government of India should be requested to direct us how to proceed in this case; and all the information that we have been able to collect regarding the chief and his resources who has committed this act of piracy, as it may be termed, together with such suggestions as it occurs to us to propose, should be forwarded to that authority.

6. We cannot, I am of opinion, allow such an act to pass with impunity; and I think that, when the season opens, one or more of our cruisers should be despatched to the Red Sea to demand of the chief of Wadi the release of the vessel and her cargo, or their value; and if the demand is refused, to enforce it by blockading the port or ports belonging to himself or his people until redress has been afforded.

7. In the meantime, the officer in command of any cruiser now in the Red Sea should be directed to obtain as accurate information as possible of the extent of the possessions and resources of the chief of Wadi, and of the tribe over which he rules. Orders to this effect should be issued to the superintendent of the Indian navy.

8. No doubt can exist that the Rana of Porebunder, who seized the Wadi slaves by the direction of the British authorities, must be saved harmless from any the slightest pecuniary loss to himself or his subjects in consequence of that act. There can be as little question, I conceive, that the Wadi chief has, in strict justice, no right to compensation for the value of the slaves seized.

No. 3273

From *J. P. Willoughby*, Esq., Secretary to Government, to the Political Agent in Kattywar;
dated 30 July 1836.

Sir,

I AM directed to acknowledge the receipt of your letter of the 19th May, with its enclosures, relative to the seizure of a boat belonging to Porebunder by the Arabs on the Arabian coast, in retaliation for the act of the Porebunder authorities in rescuing a number of slaves in November last.

In reply, the Right honourable the Governor in Council instructs me to inform you, that the subject is under the consideration of Government, and to authorize you to assure the authorities at Porebunder that the British Government will use its best efforts to obtain restitution of the vessel which has been seized.

Bombay Castle,
30 July 1836.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

No. 3274.

From *Charles Malcolm*, Superintendent Indian Navy, to the Right honourable Sir *Robert Grant*, G. C. H., President and Governor in Council.

Right honourable Sir,

IN acknowledging the receipt of Mr. Chief Secretary Wathen's letter, No. 991, dated the 25th instant, requesting me to call upon Lieutenant Welstead to furnish Government with such

such information as he may possess in respect to the Mehree Arabs and the town, &c. therein alluded to, I have the honour to forward the accompanying letter from that officer on the subject, dated the 27th instant.

Superintendent's Office, Bombay,
30 May 1836.

I have, &c.
(signed) *C. Malcolm*,
Superintendent Indian Navy.

E. I. Company and
Board of Control.
(Documents.)

To Captain Sir *Charles Malcolm*, R. N., Superintendent of Indian Navy.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 26th instant, requiring me to state, for the information of Government, if the towns of Wady or Haswail are dependencies of Kisseen; and also to furnish any information I am possessed of respecting the Mehree Arabs.

Our survey during the time I was attached to the *Palinurus* had not extended to that part of the coast on which these towns are situated, and I am consequently unable to afford any precise information respecting them; but I observe they are included within the limits of the Mahara district, and may consequently be considered in a measure as dependencies of Kisseen. The Bedouins who occupy this tract, which, though formerly far more extensive, now extends along the sea shore from Rao Furtak to the small village of Siout, a distance of only about 60 miles, are amongst the wildest, and at the same time the most numerous and powerful, of the tribes on the whole southern coast of Arabia. Speaking a different dialect, and varying in many of their local usages and customs from other Bedouins, they are regarded by their neighbours as a distinct race, and are both feared and hated by them. They are split into various hordes under separate sheiks, who acknowledge in the Sultan at Kisseen a common chief; but these dependencies exist by a tie so loose that it must be considered more nominal than real. At the time we were despatched in the *Palinurus* to negotiate for the purchase of the island of Socotra, which belongs to this chief, he became on one occasion apprehensive that we should attack his town, and called in, in consequence, some of the neighbouring Bedouins. These, (contrary to the existing practice in all other parts of Arabia, where the grand sheik, as lord of the tribe, can command the military services of any number of individuals belonging to it), he was compelled to remunerate; and on a subsequent occasion, when he contemplated an attack on the British force at Socotra, he was constrained to forego his designs, in consequence of possessing neither sufficient influence nor money to command or hire a sufficient number of followers.

Amar ben Tawary, who has hitherto (to the exclusion of his nephew) exercised the power of Sultan*, is now old and blind, and consequently unable, from his infirmities, to perform the more active duties of his station, which have passed into the hands of his relations, the Sheik of Turtuk; of these Abdallah bin Tawaree is the most influential; but still, from the respect which the Arabs bear to the counsels of their old men, no measure of importance would by the tribe be considered as publicly sanctioned without the concurrence of Amar: yet, for the reasons given in the former part of this letter, I do not think that he, or those who are associated with him, possess sufficient influence either to prevent an act of aggression on the part of any branch of the tribe, or to punish it when committed.

Should it at any future period be considered necessary to have recourse to coercive measures, the most effectual, if not the only, plan of annoying them, would be to seize their trading buggalows† and blockade their ports. The Mahara district does not afford the common necessaries of life, and a considerable quantity of grain and dates are necessarily imported; but the fish which abound on their coast forms the principal article of their food, and if their boats were prevented from putting to sea in quest of them, the distress it would occasion would soon bring the inhabitants to listen with attention to any demands which should be made on them. A blockade of this nature might, I think, be very easily effected by two small vessels, since the heavy surf which lines this part of the coast in the north-east monsoon leaves but few spaces where their boats can land.

Bombay, 27 May 1836.

I have, &c.
(signed) *Welstead*.

*On the death of the preceding Sultan, the Mahara district became divided among several chiefs. Next to those at Kisseen, who still continue to be regarded as of the parent stem, is considered now to possess the most general influence.

† Each port has five or six, and some more, belonging to it; they trade principally to the Red Sea, to Zanzibar, and to the coast of India.

From *J. P. Willoughby*, Esq., Secretary to Government, to the Superintendent of the Indian Navy; dated 30 July 1836.

No. 3275.

Sir,

WITH reference to your letter of the 30th May last, forwarding one from Lieutenant *Welstead*, containing information regarding the Mehree Arabs and the towns of Wadi and Haswail, I am directed by the Right honourable the Governor in Council to request, that you will instruct the commander of any cruiser now in the Red Sea to obtain as accurate information as possible of the extent of the possessions and resources of the Chief of Wadi, and of the tribe over which he rules.

Bombay Castle, 30 July 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True Extract.)
(signed) *W. H. Wathen*,
Chief Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY POLITICAL CONSULTATION, 24 August 1836.

Memorandum by the Chief Secretary; dated 14 May 1836.

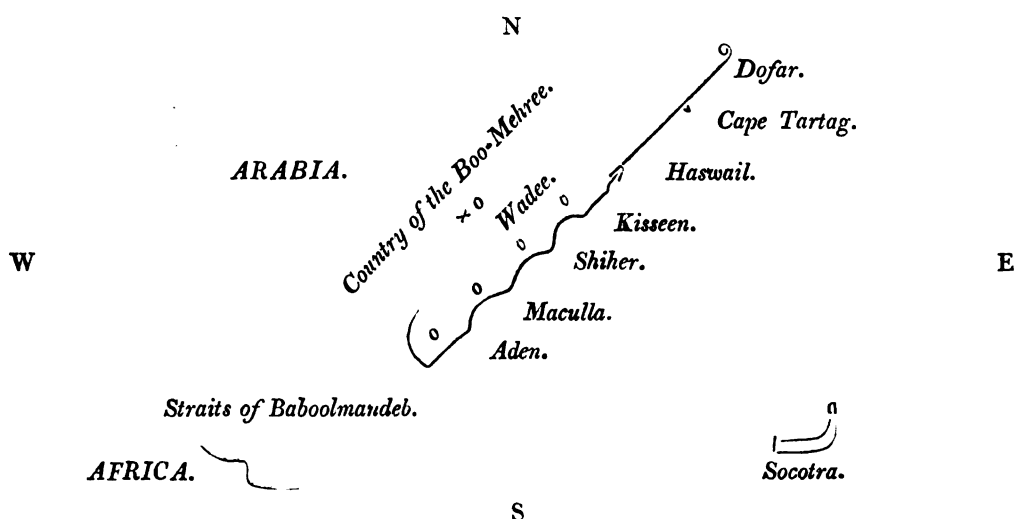
No. 3571.

THE greater part of the coast eastward of Shihur, as far as Dofar, belongs to the Bòo-Mehree (Bedouin) Arabs. Of this tribe are the sooltans of Kisseén, Sihoot and Dofar.

They are more or less independent of each other, and constantly engaged in feuds. Every small town is said to be not only independent of its neighbours, but each cluster of houses in such place is represented as having its independent chief; at the same time it is usual at times, and on emergencies, for the various influential chiefs to consult together, and act in concert.

It is difficult to say how far the Wadee people are connected with those of Kisseen, except that they are of the same tribe, or whether the supremacy of the sooltans of Kisseen (the sovereigns also of Socotra) is at all acknowledged by them. I have communicated with the superintendent of the Indian navy on the subject, and that officer thinks that nothing certain can be elicited until the arrival of Lieutenant Welstead and Acting Commander Haines, who possess, he believes, most accurate information on these points.

The accompanying rough sketch will give the Right honourable the Governor in Council some idea of the geographical situation of the country of the Boo-Mehree-Buddooee-Arabs :



Accompanying this is an extract from Captain Haines' journal, giving some account of this coast. The superintendent of the Indian navy informs me that the whole of the coast is quite unsafe to approach during the south-west monsoon; and I learn that the vessels belonging to that coast do not attempt the passage to India until the end of the season of the rains, reaching this coast about the end of August or beginning of September, so that there will be a sufficient space of time remaining to obtain the most precise information from the officers above alluded to before the season opens.

I do not think the native information I have procured sufficiently correct to be acted upon. Some assert that Wadee is dependent on Kisseen; others quite the contrary.

One point is quite certain, which is, that Kisseen is not a dependency of Maculla, and I believe never has been. The sooltans of Kisseen are of quite a different tribe from the nukeebes of Maculla, and their tribe always much more powerful. They were known, at the time of the first arrival of the Portuguese in India, as the Tartages, from their inhabiting the vicinity of that cape. They had conquered Socotra a few years before the Portuguese discovered that island, and eventually retook it from the latter people.

In regard to Wadee, it is a place situated some miles inland. Its port is a place called Haswail. The Bedouin population in the interior is said to be very numerous. Some years ago the whole of the coast, with the exception of Kisseen, was brought under the subjection of one shaik, by name Syyud Moothomed Ageels, but having tyrannized over the tribe, he was finally put to death, and the people are said ever since to have been without any one chief, and continually fighting with each other.

The Wadee Arabs carry on a considerable trade with the Suwahil, or eastern coast of Africa, and bring from thence numbers of negro slaves, whom they dispose of at the various ports in the Red Sea and Persian Gulf. This year, having tried a speculation of this description to Porebunder, their slaves were seized and released; they consequently think themselves now privileged to enjoy, what to an Arab are such precious rights to exercise, revenge and retaliation.

Their boats come principally to Bombay and Porebunder; they bring frankincense and gum, and articles from the African coast, and take back cotton, joowaree, &c.

I regret that no better information than what is stated above is procurable here.

(signed) *W. H. Wathen*,
Chief Secretary.

14 May.

Extract from Captain *Haines'* Journal.E. I. Company and
Board of Control.
(Documents.)

"THE sheik or dowlah of Fartash, Esan ben Moobarack, can muster the greater number of fighting men, and next to him the dowlah of Sihout. Ben Husman is also the name of the tribe near Gheshen; in fact, *Affrettee*, *Ben Husman*, and *Mahara* are one and the same. The small towns or villages in the bay between Fartash and Ghekisseenshen are Sugghur, *Haswail*, *Waadee*, Keibraat, Keiaseed, and Guddefoot, Hymaat, Teereen, Shaban, Terrese, Ghuffa, Ghirl ben Gemeen, Bowiseer, Rogee to the west of Rass Sharuam, Attel, Kuttah, and Sihout, to Sihoun, a large and populous town in the interior, it is ten days' journey."

(True extract.)

(signed) *C. Malcolm.*From *John Warden*, Esq., Senior Magistrate of Police, to the Chief Secretary to Government; dated 16 May 1836.

No. 3572.

Sir,

I HAVE had the honour to receive your letter, No. 877, and submit herewith the examinations on oath of the three persons named in the margin, being the only persons in Bombay of those who were on board the Bhowanee Pursad at Wadee.

Dewa Govind,
Dhurumsee Geerd-
hurdass, Sowchund
Meeta.Bombay Police Office,
16 May 1836.I have, &c.
(signed) *J. Warden*,
Senior Magistrate of Police.

The Examination of *Dewa Govind*, taken, upon Oath, before me, *John Warden*, Esq., one of His Majesty's Justices of the Peace for the Town and Island of Bombay, on Monday the 16th day of May 1836,

Saith,—I am a khulasee, or seaman, and live at Porebunder. Four or five months ago I left Porebunder in a boat named Bhowanee Pursad, belonging to Dhurumsee Lukmeedass, of Porebunder, of burthen 150 candies, and a crew of 18 persons; we were bound to Maculla with a cargo of cotton and jowarree; the vessel had no pass from the British Government, as it was a new one, and this was her first voyage; and she had not been to Bombay, where these passes are given; but we carried English colours. The name of the nakhoda, or captain, was Aga; he is at Porebunder; I do not recollect the date on which we sailed, but it was about eight days before the Hooly (on or about the 24th of February) last; leaving Porebunder we sailed for Maculla, but in consequence of bad weather, were obliged to put into the port of Kurson, showing the British flag; there were two Cutch boats and an Arab vessel anchored there when we arrived; after we had anchored, the Arab vessel came alongside of us, and fired over us, and 60 or 80 Arabs boarded us, and took possession of our vessel. I and the rest of the crew were placed under restraint, and in a few minutes they set sail, and the same evening we reached Wadee. The following morning I and the rest of the crew were sent on shore; and the next day an Arab put us into another small boat, and sent us to a place called Sherebunder, and there six of us were put on board a boat called Mahde Pursad, and sent to Bombay, where we arrived 15 or 20 days ago. The persons who came to Bombay with me are named Rama, Dossa, Khemoo, Govind, and Ali; the three last are boys; and further I say not.

Mark of *Dewa Govind*.

Taken and sworn the day, month, and year first herein above written, before me,

(signed) *John Warden*,
Justice of the Peace.

The Examination of *Dhurumsee Geerdhurdass*, taken, upon Oath, before me, *John Warden*, Esq., one of His Majesty's Justices of the Peace for the Town and Island of Bombay, on Monday the 16th day of May 1836,

Saith,—I am a merchant, and live at Porebunder; I was lately a kuranee or supercargo on board a boat named Bhowanee Pursad. On the 15th of Mahasood (2d of February last) I sailed from Porebunder on board the boat Bhowanee Pursad, bound to Maculla, with a cargo of cotton and jowarree. The crew consisted of a naquida or captain, named Urjan, 14 lascars, and two boys, with three Banian merchants, and two fukeers as passengers. Twenty days after leaving Porebunder, there was a gale of wind, with rain, when the captain thought it advisable to come to an anchor; we accordingly bore away, and four days afterwards anchored at a place on the Arabian coast, called Kirsun Bunder, where there were also anchored two boats, one an Arab, and the other belonging to Cutch. We arrived at this place about three o'clock in the afternoon, and entered the harbour under English colours. We lay there all night; and the following morning, about daylight, the Arab vessel weighed anchor, and made sail towards us; and on arriving within 10 yards of our vessel, about 20 men, armed with muskets, fired at us, but hurt no one. After the firing had ceased, a man, who said he was the kuranee of the Arab vessel, called to us not to be

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afraid, and desired us to send two of our crew on board of their vessel. We accordingly lowered our boat, and sent two of the crew to the Arab vessel, where they were detained. About 20 of the Arabs then got into our boat, rowed to our vessel, and boarded us; they were armed with swords and pistols. They assaulted us, and took possession of the vessel; they also weighed our anchor and made sail, in company with their own vessel, to a place called Waddee Hunswell, when the Arabs sent us ashore, and confined us in house. They plundered our vessel, and took all our clothes from us. We were detained there four days; and on the fifth day an Arab put us on board a small boat, and sent us to Maculla, where we arrived in three or four days. We reported the circumstance to the Maculla authorities, who would give us no redress, saying that the British Government had injured them by capturing their slaves, and that the Arabs had merely retaliated. We remained at Maculla about a month, when six of our crew embarked in a small boat for Bombay. I, and a person named Sowchund Mottee, embarked in a boat called the "Futty Rayman," and, after a passage of 35 days, arrived in Bombay yesterday; and further I say not.

(signed) *Dhurumsee Geerdhurdass.*

Taken and sworn the day, month, and year herein first above written, before me,

(signed) *J. Warden, Justice of the Peace.*

The Examination of *Sowchund Meeta*, taken, upon Oath, before me, *John Warden, Esq.*, one of His Majesty's Justices of the Peace for the Town and Island of Bombay, on Monday the 16th day of May 1836,

Saith,—I am a merchant, and live at Porebunder. On Mahasoodh 15th (2d February 1836), I embarked, with the last witness, named *Dhurumsee Geerdhurdass*, on board the boat *Bhowanee Pursad*, which was captured at Waddee. I have heard the examination of the said *Dhurumsee Geerdhurdass* read over, and interpreted to me, and I make oath that the statement given by him is true and correct. I arrived with him yesterday.

(signed) *Sowchund Meeta.*

Taken and sworn the day, month, and year first herein above written, before me,

(signed) *John Warden, Justice of the Peace.*

(True extract.)

(signed) *W. H. Wathen,*
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 24 August 1836.

No. 3573. From the Secretary to the Government of India to the Secretary to Government of Bombay; dated 11 April 1836.

Sir,

I AM directed to acknowledge the receipt of the Abstract of Papers laid before the Council of Bombay on the 1st ultimo, and, with reference to entries Nos. 694 and 698, to request that the Right honourable the Governor-General of India in Council may be furnished with copies of the correspondence that may have taken place regarding the African children referred to, and that information may be afforded as to the mode in which they may be ultimately disposed of.

I have, &c.
(signed) *W. H. Macnaghten,*
Secretary to the Government of India.

Fort William, 11 April 1836.

No 3574. Minute by the Right honourable the Governor, subscribed to by Mr. *Ironside*; dated 5 July 1836.

THE whole of our proceedings consequent on the information received from Mr. *Willoughby*, regarding the existence of the slave trade in Cutch and Kattywar, as well as those adopted for the disposal of the slaves seized at Porebunder, should be forwarded to the Government of India with as little delay as possible.

2. The object is to suppress an inhuman traffic in slaves, carried on within the limits of the coasting trade of our immediate dependents and tributaries, and almost under our own eyes. It is both our duty and our policy to consult the Government of India on the best means of accomplishing this important end.

3. To facilitate their decision, a copy of the treaty with the Imaum of Muscat, prohibiting, within certain limits, the slave trade, should accompany our proceedings; and I think we should suggest that our political resident at Bushire be authorized to endeavour to prevail upon the Imaum to extend that treaty, so as to include the provinces of Cutch and Kattywar. At present, vessels are only liable to seizure if found "to the eastward of a line drawn from Cape

Cape Deegrado, passing east of Socotra, and on to Dieu Head, the western point of the Gulf of Cambay,"*

9. I am aware that, in putting down the slave trade, and branding it as a crime, the British Legislature proceeded by much more cautious steps than the spirit of the proposition which I have just stated would warrant. Many circumstances made that caution necessary. But, in strict justice, there can be no more question of our natural right to put down an atrocious crime which we see committing on the high seas, than of the right of an individual to protect and deliver a traveller whom he sees falling into the hands of robbers in the desert, and compensation is as much due to the brigand in the one case as in the other.

10. Still, I conceive that some forbearance and consideration should be shown to this Arab chief, who was made to forfeit the fruits of a proceeding which he did not know to be a crime. I conceive, therefore, that any officer employed in adjusting accounts with him should be instructed to grant him liberal terms, or, in other words, to make him, under whatever name, some allowance, by way of salvage, for the value of his slaves. Any danger lest this precedent should be abused in the manner pointed out by the Advocate-general must be obviated, by giving fair and strong warning throughout the eastern seas, that no indulgence is to be expected by slave-traders in future.

11. The promptitude with which his Highness the Rao of Cutch has agreed to co-operate with us in the suppression of the slave trade should be highly commended.

12. Mr. Erskine, in reply to his letter of the 19th May, should be informed, that the subject is engaging the consideration of Government, and be authorized to assure the authorities at Porebunder that the British Government will use its best efforts to obtain restitution of the vessel that has been seized.

(signed) *R. Grant.*

5 July 1836.

MINUTE by Mr. Farish.

No. 3575.

I ENTIRELY concur in the course pointed out by the Right honourable the Governor in this Minute, and that the communication to the Supreme Government should be expedited as much as possible.

One of the suggestions offered by Mr. Willoughby, in his able paper of 1st December, might, I would submit, be, to a certain extent, acted upon at once; I mean the issue of a proclamation, to be lithographed, and very extensively circulated in Kattewar and Cutch, and also, in the Arabic and Persian languages, in the Persian Gulf and the Ports of Arabia, and (I would add) distributed among the Arab shipping which resort to our harbours, or those of our tributaries.

The state of the question, as being under reference to the Government of India, will prevent the proclamation being so full and precise as the ultimate decision of that authority may require, yet, either in the form of a proclamation, manifesto, or authentic notice, we might at once publish a declaration, stating the abhorrence with which the British Government views the debasing and cruel traffic in human beings, and its determination that it shall not be carried on in its own ports, nor where its influence extends; that all slaves brought there will be instantly liberated, and the parties † buying and selling in our country punished according to the laws. To this extent, a notice circulated throughout their states and ports, in their own language, could not, in any way, transfer the proceedings of the Government of India, or weaken at all the effect of any proclamation which might afterwards be issued to announce more determined and effectual measures. It would rather, by reiteration, enforce the subject on their attention, as one deeply engaging the attention of the Honourable Company's government. In the meantime also, it may be attended with the best effects in checking exportations of slaves for India in the approaching season, and will promote a strong ground on which to call to account any Arab chief who may attempt further reprisals, and possibly deter them from some already purposed, to which the proceedings of Wadi, thus long unnoticed, as far as the Arabs are aware, might afford encouragement.

(signed) *J. Farish.*

† Buyers and sellers of slaves have been imprisoned by the petty sessions, and the report of this will have spread, as well as the trial of Captain Hawkins.

Further Minute by the Right honourable the Governor, subscribed to by Mr. Ironside; dated 12 July 1836.

No. 3576.

I EXTREMELY dislike appearing to check any movement in so good a cause as the suppression of this abominable traffic. The whole *pinch* of the question, however, if I may use that familiar expression, is, as to the suppression of it among our allies; and since this is a question which must be settled exclusively by the Government of India, who may unsay anything we choose to proclaim, I cannot but think that our wisest course will be, not to commit the British Government on any public declaration till we have the instructions of that Government, which we may get to receive as soon as possible.

12 July.

(signed) *R. Grant.*

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(Documents.)

Further Minute by Mr. *Farish*, subscribed to by the Right honourable the Governor.

No. 3577.

As the Right honourable the Governor apprehends that my suggestion may embarrass the proceedings, I readily acquiesce in the course proposed by him.

(signed) *J. Farish.*

No. 3578.

From the Secretary to Government of Bombay to the Secretary to the Government of India.

Sir,

WITH reference to your letter dated the 11th of April last, requesting to be furnished with copies of the correspondence relating to certain African children recently rescued from slavery at Porebunder, in Kattywar, and subsequently brought to Bombay by order of this Government, I am directed by the Right honourable the Governor in Council to transmit to you, for submission to the Right honourable the Governor-General of India in Council, extracts from the proceedings of this Government, showing how these children were originally liberated, and how they have been subsequently disposed of.

2. In submitting these proceedings, I am instructed to solicit the attention of the Government of India to the Memorandum, dated the 1st December 1835, submitted by the Political Secretary, bringing to the notice of this Government the existence of a considerable trade in slaves between the dominions of the Imaum of Muscat and the coasts of Arabia, and the ports of Cutch and Kattywar, and to the measures therein suggested for its suppression, the whole of which were approved of by this Government, and some of them immediately carried into effect.

3. I am further directed to request the attention of the Government of India to the several letters which accompanied this Memorandum, relating to the arrival at Porebunder of these Arab vessels, having upwards of 70 slaves on board, whose ages varied from six to fifteen. These vessels were reported to have come from the coast of Maculla, with goods consigned to Bombay, and merely to have touched at Porebunder for wood and water. There can, however, in the opinion of the Governor in Council, be no doubt, that they put into that port by design, for the purpose of landing and disposing of the slaves, 69 of whom were released by the authorities at Porebunder, and afterwards brought to Bombay.

4. The vessels in which the slaves were imported having arrived at Bombay, the Advocate-general was called upon to report whether they could be detained, and whether the nakhodas or commanders could be proceeded against for having violated the laws in force against the slave trade.

5. In reply, the Advocate-general stated it to be his opinion, that this Government had no right either to detain the vessels, or to proceed against their commanders for an infraction of laws, to which they were not in any way amenable, more especially in the instance out of which the reference originated, as Porebunder, where the vessels had put in, was a foreign port, and not subject to our laws. In consequence of this opinion, no proceedings were adopted against the vessels or their commanders.

6. In the meantime, the slaves arrived in Bombay, and were delivered over to the charge of the senior magistrate of police, to be treated with the care and humanity their situation required.

7. The Acting Advocate-general was now consulted regarding their ultimate disposal, and was requested to favour Government with his opinion on the following points :

First. Whether there was any objection to the boys entering the Indian navy, should they be so disposed.

Second. Whether the girls might not be made over to some charitable institution, with the understanding that Government would contribute a monthly allowance for their support.

Third. Whether, in the event of any family wishing to receive charge of one or more of the children, there would be any objection to the arrangement, the party receiving them entering into an engagement to feed, clothe, and protect them, in return for their services.

8. The following is an extract from Mr. Roper's reply to the above reference :

" There cannot be any objection, I conceive, to the males entering the Indian navy, should they be disposed so to do, but before any overtures are made to induce them to enter that or any other service, they should, I think, be altogether released from the restraint under which they have been held since their arrival in Bombay. They seem entitled to be considered as freemen, and any proposals made to them before they are actually treated as free, to all intents and purposes, might produce an improper effect, or might receive a harsh and improper construction.

" It appears equally unobjectionable and expedient, that the girls should be made over to some charitable institution, willing to receive charge of them, with the understanding that Government will contribute a monthly allowance for their support ; but though such a measure on the part of Government would be highly beneficent, and could not, I think, occasion any unpleasant consequences, still I do not think the Government has any strict legal title thus to place itself in *loco parentis*."

" In the event of any family willing to receive charge of any of the males or females, it appears to me that such an arrangement might be rendered unobjectionable, the party receiving them entering into an engagement to feed, clothe, and protect them, and ultimately or immediately to assign wages to them in return for their services."

9. The

9. The acting Advocate-general finally recommended that the relationship of "master and servant" should be established between the parties, in preference to that of "master and apprentice."

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10. After having duly considered the advice above given, the Governor in Council was of opinion that the British Government stood as to these children, on account of their tender years, *in loco parentis*; that they were too young to be treated as freemen; that they ought not to be forced into the Indian navy or elsewhere any more than a child would be forced by a parent of proper feeling; but that they should be placed out on service, girls as well as boys, in the manner suggested by the acting Advocate-general, with the obligation however that they should be brought up Christians, and be produced at the police-office, or (if in the districts) at the nearest magistrate's, twice a year, till they are 18 years of age.

11. Some of the children have accordingly been disposed of in the above manner in respectable families. The remainder, 15 boys and 9 girls, have been transferred to the care of Mr. Townsend, acting secretary to Government, without any formal agreement being entered into, the children being at liberty to remain with that gentleman, or to return ultimately to the senior magistrate of police.

12. In expressing his desire to receive charge of these children, Mr. Townsend thus explained his views and intentions towards them:

"Of the name (of religion) I would say nothing to them; with their manner of food and clothing I would not interfere. I would have them put in schools where they would be well taught and kindly treated, and instructed in a manner which might eventually lead to their embracing Christianity. The object would be to enlighten their minds, to make them acquainted with our sacred books, and to give them such a course of education as would enable them hereafter to earn their bread."

13. The Governor in Council felt no hesitation in accepting Mr. Townsend's benevolent offer, and considering it only just that Government should contribute towards the expense of maintaining the children transferred to his charge, an allowance of 50 rupees per mensem has been assigned for that purpose until such time as he may think the grant can be discontinued.

14. In adopting the measures above reported, the object of this Government has been to suppress the inhuman traffic of slaves carried on within the limits of the coasting trade of our immediate dependents and tributary chiefs, almost under the eyes of Government; and the Right honourable the Governor in Council now considers it to be his duty to consult the Government of India on the best means of accomplishing this important end.

15. To facilitate the decision of the Government of India on this reference, I am instructed to transmit copy of a treaty concluded by Captain Moresby, of His Majesty's ship *Menai*, with his Highness the Imaum of Muscat, on the 29th August 1822, with additional articles, prohibiting within certain limits the slave trade.

16. The Governor in Council begs to suggest for the consideration of the Right honourable the Governor-General of India in Council, that the Resident in the Persian Gulf should be instructed to endeavour to prevail upon the Imaum of Muscat to extend the above treaty so as to include in its provisions the provinces of Cutch and Kattywar. At present vessels engaged in the slave trade are only liable to seizure if found to the eastward of a line "drawn from Cape Delgado, passing east of Socotra, and on to Dieu Head, the western point of the Gulf of Cambay."

17. A question of great importance has, however, arisen connected with the release of the slaves imported at Porebunder, in the month of November last. In consequence of that measure an Arab chief in the Red Sea has retaliated by seizing a vessel belonging to that port, engaged in peaceful commerce, and it is apprehended that the example may be followed in other instances.

18. The correspondence and documents herewith forwarded will put the Government of India in possession of all the information which this Government has as yet been able to obtain regarding the chief of Wadi, by whom this act of piracy, as it may almost be termed, has been committed.

19. In requesting the instructions of the Right honourable the Governor-General of India in Council, as to the line of conduct to be pursued by this Government towards the chief of Wadi, I am directed by the Governor in Council to state, that in his opinion the proceedings of this chief cannot be allowed to pass with impunity; this Government would therefore recommend, that when the season opens, one or more of the Company's cruizers should be despatched to the Red Sea for the purpose of requiring the chief of Wadi to release the captured vessel and her cargo, or its value; and in case the demand is refused, that it should be enforced either by blockading the port or ports belonging to the chief, or by detaining any vessels belonging to himself or his subjects, until redress has been afforded.

20. In the mean time the officer in command of the Euphrates cruiser, now in the Red Sea, has received instructions to procure as accurate information as possible of the extent of the possessions and resources of the chief of Wadi, and of the tribe over which his rule extends.

21. The Governor in Council is aware, that in putting down the slave trade, and branding it as a crime, the British Legislature proceeded by much more cautious steps than the spirit of the proposition above stated would warrant. Many circumstances rendered that caution necessary, but in strict justice there can be no more question of our natural right to put down an atrocious crime which we see committing on the high seas, than of the right of an individual to protect and deliver a traveller whom he sees falling into the hands of robbers in the desert, and compensation is as much due to the brigand in the one case as in the other.

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(Documents.)

22. Nevertheless the Governor in Council conceives that some degree of forbearance and consideration should be shown towards the chief of Wadi, who has been made to forfeit the fruits of a proceeding which he did not know to be a crime. Under this impression the Governor in Council would recommend that the officer who may be employed in effecting the release of the vessel that has been seized, should be authorized to grant him liberal terms, or, in other words, to make him, under whatever name, some allowance by way of salvage for the value of the slaves. Any danger lest this precedent should be abused in the manner pointed out by the Advocate-general in his letter of the 4th January 1836, must be obviated, by giving strong and explicit warning throughout the eastern seas, that no indulgence is to be expected by slave traders in future.

23. With regard to the Rana or chief of Porebunder, who seized the Wadi slaves by direction of the British authorities in Kattywar, I am directed by the Governor in Council to observe, that this Government considers itself imperatively called upon to adopt every practicable measure to avert any the slightest pecuniary loss to that chief or his subjects in consequence of that praiseworthy act.

24. On reference to the political secretary's memorandum alluded to in the second paragraph of this despatch, the Right honourable the Governor-General of India in Council will perceive, that the whole of the chiefs who possess ports in Kattywar have readily consented to assist in the suppression of the slave trade, with the exception of his Highness the Nawab of Joonaghur, whose answer had not then been received.

25. His Highness the Guicowar has also so far complied with the wishes of this Government, as to issue orders prohibiting the landing of slaves at the ports subject to his authority in Kattywar. The Governor in Council did not however consider a prohibition of this kind sufficient for the complete suppression of this nefarious traffic, as it may be expected that if slaves are only prevented from landing at the Guicowar's ports, the owners would succeed in landing them at other ports in their vicinity. The Resident at Baroda has therefore been instructed to urge his Highness to direct his officers to release all slaves brought into his dominions, and to punish the parties who may import them, leaving it however entirely to his free will to comply with the wishes of Government or not.

26. A similar communication has also been made to his Highness the Rao of Cutch, who immediately assented to the wishes of this Government, by issuing a proclamation peremptorily forbidding the carrying on of the slave trade within his territories, and denouncing those who may hereafter engage in the traffic.

Bombay Castle, 22 August 1836.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

(True extract.)

(signed) *W. H. Wathen,*
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 21 September 1836.

No. 3999. Petition from *Jewun Oodhowjee*, Goomashta or Manager of the Firm of Dhurumsey Lukmeedass, to the Right honourable Sir *Robert Grant*, G. C. H., Governor and President in Council; dated 29 August 1836.

Most respectfully sheweth,

THAT on the 30th April last your petitioner laid before your honourable Board an humble address, representing that a gunja, or native trading vessel, belonging to the above-mentioned firm, which had been laden with various merchandise, and which was under the command of Tindal Ajah, on the 5th February last, despatched from Porebunder in Kattywar to Maculla, was piratically seized and taken possession of at Cusson Bunder, about 100 miles above Maculla, though sailing under the protection of the British flag, by the nacoda of an Arab vessel, one Syed been Uskurra, of the Mehranee tribe, inhabitant of Wadee, a dependency of Maculla, by way of reprisal for the seizure, under the orders of the British Government, of some African children out of an Arab vessel belonging to the said tribe, in which they had been brought to Porebunder to be sold as slaves.

That your petitioner in the said representation humbly entreated your Honourable Board would be pleased to take such measures as in your wisdom might seem meet to recover the vessel, worth rupees 4,000, and the value of the merchandise rupees 13,500, so piratically seized by the aforesaid Syed been Uskurra; but up to the present time your petitioner has not been honoured with any answer to his said petition.

That your petitioner therefore humbly craves the liberty to pray, that your honourable Board will be graciously pleased to take his petition into your consideration, and to cause the grievous wrong the said firm has suffered by the outrage committed by the said Syed been Uskurra to be redressed, by enforcing the restoration of their said vessel and the property which it contained, or full indemnification for the loss they have suffered.

And your petitioner, &c. &c.

Bombay, 29 August 1836.

(signed) *Jewun Oodhowjee,*
Gomashta or Manager of the firm of
Dhurumsey Luckmedass.

From *J. P. Willoughby*, Esq., Secretary to Government, to *Jewun Oodhowjee*, Goomashta or Manager of the Firm of Dhurumsey Luckmedass, Bombay; dated 16 September 1836. E. I. Company and Board of Control. (Documents.)

IN reply to your petitions dated the 30th April and 29th ultimo, complaining of the plunder of a vessel belonging to the firm of Dhurumsey Luckmedass, by the nacoda of a vessel belonging to Wadi, on the coast of Arabia, I am directed by the Right honourable the Governor in Council to inform you that your case is under consideration.

No. 4000.

Bombay Castle, 16 September 1836. By order, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From *Charles Malcolm*, Esq., Superintendent I. N., to the Right Honourable Sir *R. Grant*, G. C. H., President and Governor in Council; dated 28th July 1836. No. 4043.

Right honourable Sir,

1. I HAVE the honour to acknowledge the receipt of Mr. Secretary Willoughby's letter, No. 1293, of the 9th instant, requesting me to report what means are at my disposal in the event of Government determining to despatch a vessel of war to that part of the Arabian coast where the buggla, under English colours, is said to have been carried by the Maharee Arabs, and at the same time to suggest means for protecting the trade from further aggressions on the part of the tribe.

2. In reply, I have the honour to state that the honourable Company's sloop of war Clive, at present under refit, is disposable for the service required. From all that I can learn of the circumstances of the act of piracy complained of, it appears to me that the Arabs who perpetrated the deed, if not actually belonging to that part of the Mahara tribe residing at Kisseen, or its immediate vicinity, are nevertheless connected with, and in fact belonging to, the tribe residing in villages between Kisseen and Maculla.

3. In referring to Commander Haines's Journal when carrying on the negotiation with the chief at Kisseen, he therein states, that a brother of the deceased sultan was the only person who possessed any trading boats, and that he trades between the Red Sea, Barburra, and India; if this account is implicitly to be relied upon, in all probability the vessel which carried the slaves to Porebunder, and afterwards committed the piracy, belonged to him.

4. The best mode of discovering the actual pirates, if I may venture to suggest, would be to send the owner of the goods plundered, and the nakhoda, or any of the crew of the plundered vessel who can be found, over to Kisseen, with the officer appointed to investigate the subject.

5. With regard to suggesting means for protecting the trade from further aggressions on the part of the tribe, I beg to state, that I see only two ways of proceeding; the first is by negotiation; if that fail, to get the full amount of the property restored, to make reprisals upon their trade, where it can be found, until full satisfaction is given; if they should in consequence offer violence to any traders or trading vessels on their coast or elsewhere, then to seize Socotra, which belongs to the tribe, destroy entirely all their fishing boats on the coast, whether traders or fishing boats, with any other which may attempt to give them aid, blockade their ports, and allow no supplies to go into their country; this, with the destruction of their fishing boats, will cause great distress, and must in all probability bring them to reason. With such barbarians, I fear, no measures of a moderate nature would have the desired effect. One man of war on their coast, with the aid of the vessel stationed in the Red Sea, to seize their vessels there and at Barburra, could effect all that I have proposed, except the seizure of Socotra.

Superintendent's Office, Bombay, I have, &c.
28 July 1836. (signed) *Charles Malcolm*,
Superintendent I. N.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 28 September 1836.

From the First Assistant Political Commissioner in Charge, Baroda, to the Political Secretary to Government; dated 20 August 1836. No. 4131.

Sir,

IN reply to Mr. Chief Secretary Wathen's letter, in the political department, No. 806, dated 5th May, I have the honour to forward a translation of a yad from his Highness, stating that his managers have been ordered to punish persons who bring slaves into his territories.

Political Commissioner's Office, I have, &c.
Baroda, 20 August 1836. (signed) *A. Malet*,
First Assistant Political Commissioner in Charge.

697.

x 2

E. I. Company and
Board of Control.
(Documents.)

Translation of a Yad from his Highness Syajee Row, Gaikwar, to the First Assistant to the Political Commissioner in Charge; dated 2 Jumma deul awul 1237; A. D. 15 August 1836.

AFTER recapitulating the contents of the assistant political commissioner's yad, to this I reply, that in conformity with what was written, the Kamdars of the bunders of Bet, Dwarka, Koreenar, &c., have been again enjoined, and in that way they will make arrangements.

In the event of any one's bringing slaves privately, without the knowledge of the Kamdars, the persons so bringing them will be punished by them, and the slaves, boys and girls, will be liberated.

(True translation.)

(signed)
Second Assistant Political Commissioner.

No. 4132. From the Political Secretary to Government, to the First Assistant Political Commissioner for Guzerat in Charge; dated 26th September 1836.

Sir,

IN acknowledging the receipt of your letter, dated the 20th ult., with its enclosed translation of a yad from his Highness the Guicowar, I am directed to inform you, that it is satisfactory to learn that his Highness had issued instructions to his officers to punish persons importing slaves into his territories; and the Governor in Council hopes that those instructions will be adhered to.

I have, &c.

Bombay Castle, 28 Sept. 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 8 October 1836.

No. 4167. From the Political Agent in Katteewar, at Rajcote, to the Secretary to Government, Bombay; dated 15 August 1836.

Sir,

1. I HAVE the honour to report, for the orders of Government, the detention at Mallia, by the mehta in charge of that talooka, of a party of slaves under the charge of a Turk, who arrived at that place from Mandavie in Cutch, with a paper purporting to be a free pass (but without signature), granted by the Rao of Cutch and Colonel Pottinger.

2. On the arrival of this party at Mallia first being reported to me, I forwarded copy of the paper produced (translation of which I have now the honour to forward), to Colonel Pottinger, requesting any information which that officer might be able to give on the subject; and, in reply, Colonel Pottinger declared that the paper produced was a forgery.

3. The whole party have been sent in here by my orders, and consists of the agent for the slave dealer, two Seedee servants, and 10 children from 7 to 18 years of age.

4. I have detained the former in confinement, and placed the latter in Captain Lang's guard of Arabs, until I shall be favoured with the commands of the Right honourable the Governor in Council with regard to their disposal.

5. To return these unfortunate children to their native country would, I fear, be merely exposing them to a repetition of the evil, even were it possible for us to convey them in safety to their respective families; so that I should be disposed to recommend their being taken care of here, either by Government, until they attain an age when they can obtain a livelihood themselves, or given over to some respectable persons who would be a guarantee for their good treatment.

6. The Turk in charge of the children states himself to be agent for a person called Mothee Topun, who resides at Mandavie, and carries on trade between that port and Muscat, and who is, therefore, I suppose, amenable to the jurisdiction of the Rao of Cutch. This person ought certainly to be punished. Not to mention the forgery of the passport, he must have been perfectly aware of the trade being disallowed under the jurisdiction of the British Government, as well as in Cutch. I should, therefore, recommend that the Resident be requested to call upon the Rao to exact a fine from that person, out of which the subsistence of the children can be defrayed, and thereby testify to the Arabs and the merchants the determination of the British Government to discountenance, by every means in its power, this revolting traffic.

I have, &c.

Katteewar Political Agent's Office,
Rajcote, 15 August 1836.

(signed) *J. Erskine*, Political Agent.

Translation of a Paper, purporting to be a Passport for the Seedee Slaves, granted by the Rao of Cutch and Colonel Pottinger.

E. I. Company and
Board of Control.
(Documents.)

Mandavie Bunder.—Shah Kooshalchund Hunsrajanee.

THE Sirkars claim on account of these Seedees having been settled with Colonel Pottinger's assent; let them not be stopped, as they are proceeding with the permission of the Rao and the Sirkar (British Government).

They landed from Muscat on the 6th of Jait Sood.

(True translation.)

(signed) *J. Erskine*, Political Agent.

From the Secretary to Government to the Political Agent in Kattewar;
dated 30 September 1836.

No. 4168.

Sir,

1. IN reply to your letter dated the 15th ult., with its enclosure, reporting the detention of 10 slaves brought to Mallia by a Turk from Cutch, who states himself to be the agent of a person called Mothee Topun, residing at Mandavie, and who is engaged in trade between that port and Muscat, I am directed to convey to you the entire approbation of Government with your proceedings on the occasion.

2. The Right honourable the Governor in Council is pleased to direct that you will forward to Bhooj, as prisoners, the agent for the slave dealer and the two Seedee servants, mentioned in the third paragraph of your letter, in order that their conduct may be investigated by his Highness the Rao of Cutch. A copy of my communication to Colonel Pottinger on the subject is enclosed for your information.

3. The superintendent of the Indian navy has been instructed to despatch, when the season opens, a boat to Gogo or Porebunder, for the conveyance to Bombay of the slaves you have liberated, and to give you timely intimation of the same, and in the meantime you will take every care of them.

4. In conclusion, I am desired to request that you will forward to Government a register of the names and ages of the slaves in question; and that you will ascertain and report when they were imported, and from what country.

Bombay Castle, 30 Sept. 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From the Secretary to Government to the Resident in Cutch; dated 30 September 1836.

No. 4169.

Sir,

1. IN transmitting to you the enclosed copy of a letter from the political agent at Rajcote, dated the 15th ult., and of my reply thereto of this date, regarding certain slaves taken to Mallia in Kattewar, by a Turk from Cutch, calling himself the agent of Mothee Topun, of Mandavie, I am directed by the Right Honourable the Governor in Council to request that you will advise his Highness the Rao to investigate the conduct of the agent for the slave-dealer, and the two Seedee servants, whom Mr. Erskine has been requested to send to Bhooj for that purpose; and, if found guilty of having forged the passport said to have been granted by his Highness and yourself, to punish them for that offence, as well as for having violated his Highness's recent proclamation against the slave trade.

2. I am further desired to request that you will be pleased to request his Highness to institute a strict inquiry into the conduct of the reputed slave merchant Mothee Topun, in order that he may not escape, if guilty, the penalty attached to a violation of the proclamation above adverted to, and that others may thus be deterred from pursuing a similar course.

Bombay Castle, 30 Sept. 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From the Secretary to Government to the Superintendent of the India Navy;
dated 30 September 1836.

No. 4170.

Sir,

THE political agent in Kattewar having recently rescued 10 slaves, imported into that province by a Turk from Cutch, and Government having determined that these slaves should be removed to Bombay, I am directed to request that you will, when the season opens, despatch a boat to Gogo or Porebunder for that purpose, giving the political agent timely intimation of the same.

On the arrival of the slaves in Bombay, you will be pleased to cause them to be made over to the senior magistrate of police, who has received instructions to take charge of them.

Bombay Castle, 30 Sept. 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

From the Secretary to Government to the Senior Magistrate of Police ;
dated 30 September 1836.

Sir,

No. 4171.

I AM directed to transmit, for your information, the annexed copy of my letter of this date to the superintendent of the Indian navy, regarding certain slaves about to be brought to Bombay from Kattewar; and to request that you will, on their arrival, receive charge of them, and supply them with accommodation, provisions, &c., until it shall be determined how they are to be ultimately disposed of.

Bombay Castle, 30 Sept. 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

No. 4172.

From the Secretary to Government to the Secretary to the Government of India ;
dated 30 September 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you, for the purpose of being submitted to the Right honourable the Governor-General of India in Council, an extract from the proceedings of this Government, regarding certain slaves who have recently been imported into Kattewar from Cutch, and who have been rescued by the political agent at Rajcote.

Bombay Castle, 30 Sept. 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 8 October 1836.

No. 4267.

From Sir *Charles Malcolm*, Superintendent Indian Navy, to the Right Honourable Sir *R. Grant*, G. C. H., President and Governor in Council; dated 12 September 1836.

Right honourable Sir,

With reference to my letter No. 444, under date the 15th June last, I have the honour to forward an extract of a letter from Acting Commander Haines, dated the 24th August, relative to the capture of a buggalo under English colours, by the Mahara Arabs, and her subsequent restitution to her commander.

2. In paragraph 3 of the extract in question, a sketch of the Mahara ports is also given.

Superintendent's Office, Bombay,
12 September 1836.

I have, &c.
(signed) *C. Malcolm*,
Superintendent Indian Navy.

Extract of a Letter from Acting Commander *S. B. Haines* to the Superintendent of the Indian Navy; dated Mocha, 24 August 1836.

2. WITH reference to your letter No. 1545, relative to the piracy committed by the Mahara Arabs, I have the honour to state the particulars of the affairs as far as I have been able to ascertain them. It appears that a bugalo, belonging to the Mahara Arabs, had made a voyage to the coast of India, with a cargo consisting in part of slaves. This portion of her cargo was seized at Porebunder; and, on her return to the town of Waddy, one of the Mahara ports, she was despatched to cruize off Ras Furtuk, for the purpose of intercepting the first vessel under British colours that should make her appearance, a measure resorted to in hopes that, by her detention, they might subsequently receive the value of the liberated slaves. As far as I have been able to learn, a bugalo, belonging to Bombay, bound to the Red Sea, was captured and taken to the anchorage of Waddy, where the cargo, said to have been a valuable one, was landed; but it appears that the act was committed during the absence of the Sheikh Esan bin Mombarak bin Alian bin Kiershant, by individuals of the town, who were interested in the disposal of the slaves. On the arrival of this chief, he called a council of the elders of the tribe, who decided that the boat and cargo should be restored to her commander, which was accordingly done, without injury having been sustained by either.

3. Relative to the Mahara ports, I beg leave to give the following sketch. From Ras Furtuk to the town of Saihout is an exposed line of coast, with the two small bays of Gishen and Hatteb. Villages and small towns are numerous; the principal are Haswail, Waady close to Ras Furtuk, Segheer, Kiberant, Reiasheet, Gashen, Goodefoot, Hatteb, Kuttah, and Saihoot. There are a few anchorages for small vessels on the coast protected from easterly winds, of which Bunder Hatteb is reported to be the best situated, under Ras Sharwain. The Maharas possess about 15 boats of burthen, which trade to India and the east coast of Africa.

Africa. Most of their owners reside at Saihoot, and a few at Waady. The towns in the district are thinly populated, and the inhabitants subsist principally upon fish. E. I. Company and Board of Control. (Documents.)

(True Extract.)

(signed) *C. Malcolm,*
Superintendent Indian Navy.

From *J. P. Willoughby*, Esq., Secretary to Government, to the Superintendent Indian Navy; dated 5 October 1836. No. 4268.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 12th ultimo, forwarding an extract of one from Acting Commander Haines, relative to the capture of a buggalo under English colours, by the Mahara Arabs, and her subsequent restoration to her owner.

2. In reply, the Right honourable the Governor in Council instructs me to inform you that this intelligence, if authentic, is highly satisfactory, and that it will be communicated to the owner's agent in Bombay.

Bombay Castle, 5 Oct. 1836.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

From *J. P. Willoughby*, Esq., Secretary to Government, to the Political Agent, Kattywar; dated 5 October 1836. No. 4269.

Sir,

WITH reference to my letter of the 30th July last, relative to the seizure of a boat belonging to Porebunder, by the Arabs on the Arabian coast, I am directed by the Right honourable the Governor in Council to transmit to you, for the information of the authorities at Porebunder, copy of a letter from the Superintendent Indian navy, dated the 12th ultimo, with its enclosure from Acting Commander Haines, respecting the capture of a buggalo under English colours, by the Mahara Arabs, and her subsequent restitution to her commander.

Bombay Castle, 5 Oct. 1836.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

From *J. P. Willoughby*, Esq., Secretary to Government, to *Jewun Oodhowjee*, Gomashta or Manager of the Firm of Dhurumsy Luckmidass, Bombay; dated 5 October 1836. No. 4270.

WITH reference to my letter of the 16th ultimo, I am directed by the Right honourable the Governor in Council to transmit to you the accompanying extract from a letter from Acting Commander Haines of the Indian navy, dated 24th August, relative the capture of a buggalo under English colours, by the Mahara Arabs, and her subsequent restitution to her commander.

Bombay Castle, 5 Oct. 1836.

By order, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

From *J. P. Willoughby*, Esq., Secretary to Government, to the Secretary to the Government of India; dated 5 October 1836. No. 4271.

Sir,

WITH reference to the 17th paragraph of my letter of the 22d August last, I am directed by the Right honourable the Governor in Council to transmit to you, for the purpose of being laid before the Right honourable the Governor-General of India in Council, copy of a letter from the Superintendent of the Indian navy, dated the 12th ultimo, with its enclosure from Acting Commander Haines, relative to the capture of a buggalo under English colours, by the Mahara Arabs, and her subsequent restitution to her commander; and of my reply of this date.

2. In forwarding the above letter, the Right honourable the Governor in Council would beg to suggest, for the consideration of the Government of India, whether this Government ought not to address the Wadi chief, warning him against such seizure hereafter, and that, in consideration of his having released the vessel of his own accord, this Government do not intend further to notice his conduct.

3. Copies of my letters to the political agent in Kattywar, and to the owner's agent in Bombay, are also forwarded for the information of his Lordship in Council.

Bombay Castle, 5 Oct. 1836.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

(True extract.)

(signed) *W. H. Wathen,*
Chief Secretary to Government.

E. I Company and
Board of Control.
(Documents.)

No. 4671.

EXTRACT BOMBAY POLITICAL CONSULTATION, 26 October 1836.

Petition from *Jewun Oodhowjee*, Gomashta or Manager of the firm of Dhurumsy Luckmidass, to the Right Honourable Sir *R. Grant*, G. C. H., Governor and President in Council; dated 11 October 1836.

Most respectfully showeth,

THAT in reply to his petitions of the 30th April and 29th August last, complaining of the plunder of a vessel belonging to the firm of Dhurumsey Luckmeedass, by the nacoda of a vessel belonging to Wadi, on the coast of Arabia, and soliciting redress, your petitioner was informed by Mr. Secretary Willoughby, under date the 16th ultimo, that his case was under your consideration; but since the receipt of such communication your petitioner has received information which he considers it his duty to lay before your Honourable Board.

That rumours have reached your petitioner of the Mehranee tribe of Wadi, by one of whose vessels the piracy in question was committed, having surrendered the vessel belonging to Dhurumsy Luckmeedass, of which they had taken possession, as well as the goods and merchandize therein contained at the time; though other reports represent that the vessel only has been delivered up, or been offered to be restored to the British authorities, by the Mehranee Arabs of Wadi; but your petitioner is unable to ascertain which of these accounts, if either, is correct; and his object in mentioning them is respectfully to beg that your honourable Board will not overlook the justice and expediency of insisting upon full restitution of all the property (both vessel and goods) so piratically taken possession of by the nakoda of the Mehranee vessel belonging to Wadi, as otherwise the firm of Dhurumsey Luckmidass will remain a sufferer, and the Arabs be encouraged to insult the British flag, by seizing and carrying into their ports vessels with merchandize sailing under its protection.

That your petitioner respectfully begs leave to bring to the notice of your honourable Board, that a vessel belonging to the Mehranee tribe of Wadi has within the last few days arrived in this port, and others may be shortly expected; and he would therefore humbly entreat, that, if full restitution of the vessel and property piratically seized by that tribe has not been already made, and if an embargo can with justice and propriety be laid upon the vessels belonging to the Mehranees, orders may be issued, without delay, for that purpose, as such a step seems best calculated to ensure the restoration of the property seized by them, and full reparation for the insult offered to the British Government.

And your petitioner, &c.

Jewun Oodhowjee,

Gomashta or Manager of the firm of Dhurumsey Luckmidass;

Bombay, 11 October 1836.

No. 4672.

From *W. H. Wathen*, Esq., Secretary to Government, to *Jewun Oodhowjee*, Gomashta or Manager of the Firm of Dhurumsey Luckmidass, Bombay; dated 24 October 1836.

IN reply to your petition, dated the 11th instant, suggesting that an embargo may be laid on all the Wadi vessels visiting the port of Bombay, until restitution of the plundered vessel and her cargo, belonging to the firm of Dhurumsey Luckmidass, has been effected, I am directed by the Right honourable the Governor in Council to refer you to Mr. Secretary Willoughby's letter of the 5th of this month, and to signify to you that as immediate restitution of the plundered vessel has been made, Government cannot adopt such measures of retaliation as above alluded to.

By order, &c.

(signed)

W. H. Wathen,

Secretary to Government.

Bombay Castle, 24 Oct. 1836.

(True extract.)

(signed)

W. H. Wathen,

Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 16 November 1836.

No. 4963.

From the Resident in Cutch to the Secretary to Government, Bombay; dated 14 October 1836.

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of the 30th ultimo, regarding certain slaves stopped at Malliah in Kattywar.

2. I cannot disguise from the Right honourable the Governor in Council my surprise at the style of the political agent's letter to you of the 15th of August. The enclosed copies of my two letters, Nos. 162 and 170 of the 4th and 9th of July, to that gentleman, will show that his Highness the Rao was most anxious to trace and punish the forger of the alleged passport, and also that there had been, in the transaction, no violation of the proclamation regarding the slave trade, and consequently no grounds whatever for fining Madhoo Topun, or any one else.

3. I

3. I take this occasion to repeat my conviction, that it is only by getting his Highness the Imam of Muscat to prevent the exportation of slaves, that we shall ever succeed in checking it. All that have been brought to Cutch will now be carried to Sind, and thence find their way by land into the countries to the eastward. The Rao made the same observation to me when I spoke to him on this very affair.

Bhoj Residency, Camp at Mandavie,
14 October 1836.

I have, &c.
(signed) *H. Pottinger*,
Resident in Cutch.

E. I. Company and
Board of Control.
(Documents.)

From the Resident in Cutch to the Political Agent, Rajcote; dated 4 July 1836.

Sir,

1. I HAD the honour to receive your letter of the 23d ultimo, with its Guzerattee enclosures, regarding a slave dealer who has been detained at Malliah.

2. I beg to enclose to you a copy of Captain Burnes's letter of the 11th February last, to the Political Secretary to Government at Bombay, as well as a transcript of the proclamation issued by his Highness the Rao, abolishing all trade in slaves in this province after the 16th of this month.

3. I had never heard of the circumstance to which your letter refers until it came to hand the day before yesterday, and as the Karbarry of this place and his head assistant are both now at Bhoj (furnishing their accounts for last year), I have written to the Rao to ascertain whether the passport asserted to have been given by Khocshalchund Hemsraj, and in which the names of the British Government and Colonel Pottinger have been most improperly inserted, is genuine or not.

4. Madhoo Topun, the man to whom the Seedhee slaves are said to belong, is one of the agents of the Muscat government at this place, and I conclude it will be found that the Seedhees were consigned to him by the Imam, or some of his relations, who I understand monopolize the traffic entirely at Muscat; but I have not made any inquiries on this point, until I receive the Rao's answer.

5. Under any view of the case, as the dealer has gone into a province where the abolition had been finally notified and acted on, I should think there can be no doubt but the slaves are virtually free; and I would beg to suggest your applying to Government for orders as to their disposal, and also your detaining the man who has charge of them till you receive instructions.

Bhoj Residency, Camp at Mandavie,
4 July 1836.

I have, &c.
(signed) *Henry Pottinger*.

From the Resident in Cutch to the Political Agent, Rajcote; dated 9 July 1836.

Sir,

WITH reference to the 3d paragraph of my letter, No. 162 of the 4th instant, I have the honour to acquaint you, that the pass note produced by the slave dealer detained at Malliah turns out to be a forgery, as nothing of the sort has ever been given to him or any one else by the Karbarry of Mandavie, or his assistants, and his Highness the Rao has requested me to beg you will be so good as to have the original note secured, and send it to me, in the hope that it may lead to the discovery and punishment of the person who wrote it.

Bhoj Residency, 9 July 1836.

I have, &c.
(signed) *Henry Pottinger*.

(True Copies.)

(signed) *Henry Pottinger*.

From the Chief Secretary to Government to the Political Agent, Katteewar;
dated 4 November 1836.

No. 4964

Sir,

WITH reference to your correspondence with the Resident in Cutch, regarding certain slaves detained at Malliah in Katteewar, I am directed by the Right honourable the Governor in Council to state, that you ought to have complied with Colonel Pottinger's requisition as contained in his letter of the 9th July, as the only likely way of detecting the forgery.

2. The Governor in Council further directs me to state, that it is remarkable that in your letter of the 15th August no notice is taken of Colonel Pottinger's request, and to desire you to comply with it forthwith if practicable.

Bombay Castle, 4 Nov. 1836.

I have, &c.
(signed) *W. H. Wathen*,
Chief Secretary.

E. I. Company and
Board of Control.
(Documents.)

From the Chief Secretary to Government to the Resident in Cutch ;
dated 4 November 1836.

No. 4965.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your despatch, dated the 14th ultimo, regarding certain slaves detained at Mallia, in Kattewar, and to transmit, for your information, copy of my letter of this date to the political agent in Kattewar on the subject.

I have, &c.

Bombay Castle, 4 Nov. 1836.

(signed) *W. H. Wathen,*
Chief Secretary.

No. 4999.

From the Political Agent in Kattewar to the Secretary to Government ;
dated 20 October 1836.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 1777, dated 30th ultimo, communicating the instructions of the Right honourable the Governor in Council for the disposal of the slaves from Cutch in my custody, and of the Turk and two Seedee servants who accompanied them from thence into Kattewar.

2. These instructions I beg to state, for the information of the Government, shall be duly carried into execution without delay. The Turk and two Seedee servants will immediately leave Rajcote for Bhooj, properly escorted ; and the 10 slaves will start for Gogo to-morrow, where they are to reach in time to admit of their embarkation on the 1st proximo. I have requested the naval officer at Surat to despatch a vessel to Gogo, to reach that port by the above date.

3. Annexed is a register of the names and ages of the slaves, as requested in the last paragraph of your letter. They cannot give any account of themselves, and the little information the register contains has been obtained from the Turk. He mentions that a vessel, named the Meirum, of the owner of which he pretends to be ignorant, imported into Mandavie in Cutch in the month of Jet (May/June) last, a cargo of about 80 or 90 slaves from Muscat, consigned to several merchants at that port. The 10 brought here formed the share of his master, Madowjee, otherwise called Mothee Topun. Of the fate of the remainder he affirms he is wholly ignorant.

I have, &c.

Kattewar Political Agent's Office,
Rajcote, 20 October 1836.

(signed) *James Erskine,*
Political Agent.

REGISTER of the Names and Ages of 10 Slaves of the Seedee Caste, imported into Kattewar, for the purpose of Sale, from Cutch, belonging to a Sowcar of Mandavie in that Province, named Mahdowjee Topun.

No.	NAMES.	CASTE.	SEX.	Age.	When Imported into Cutch.	From what Country Imported.
1	Singora - -	Mooreema -	male -	10	} May June 1836	Muscat.
2	Singora - -	Mohirra -	ditto -	12		
3	Singora - -	Muneedee -	ditto -	13		
4	Singora - -	Meehow -	ditto -	12		
5	Mukasee - -	Jugoora -	female	9		
6	Mukasee - -	Jugoora -	ditto -	7		
7	Murhaee Avo - -	- -	ditto -	13		
8	Tumasha - -	Geendee -	ditto -	15		
9	Chunaga - -	Toombee -	ditto -	10		
10	Wareedey - -	Meea - -	ditto -	16		

Kattewar Political Agent's Office,
Rajcote, 20 October 1836.

(signed) *James Erskine,*
Political Agent.

From the Chief Secretary to Government to the Senior Magistrate of Police ;
dated 5 November 1836.

E. I. Company and
Board of Control.
(Documents.)

Sir,

WITH reference to Mr. Secretary Willoughby's letter, dated the 30th September, No. 1779, I am directed by the Right honourable the Governor in Council to transmit, for your information, the accompanying register of the names and ages of the slaves therein alluded to.

No. 5000.

I have, &c.

Bombay Castle, 5 Nov. 1836.

(signed) *W. H. Wathen*,
Chief Secretary.

(True Extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 30 November 1836.

From *W. H. Macnaghten*, Esq., Secretary to Government of India, to *J. P. Willoughby*, Esq.,
Secretary to the Government, Bombay; dated 31 October 1836.

No. 5267.

Sir,

I AM directed by the Right honourable the Governor-General of India in Council to acknowledge the receipt of your letter, dated the 5th instant, transmitting copy of a letter from the superintendent of the Indian navy, and of its enclosure from Acting Commander Haines, relative to the capture of a buggalo, under English colours, by the Mahara Arabs, and her subsequent restitution, together with copy of your reply, and of your letters to the political agent in Kattywar, and to the owner's agent in Bombay.

2. In reply, I am directed to state, that this intelligence is very satisfactory; but, with reference to the intention alluded to in the second paragraph of your letter, of addressing the Wadi chief, I am directed to suggest, for the consideration of the Right honourable the Governor in Council, whether it would not be proper that the communication should be made in conciliatory terms, and whether, considering the ready deference which that chief has shown to the wishes of the British Government, it would not be expedient rather to acknowledge, with satisfaction, his praiseworthy conduct, and to endeavour to establish a better understanding with him in future, than to make use of any warning against future aggressions, or to introduce any other topic which may lead to irritation.

I have, &c.

Fort William, 31 October 1836.

(signed) *W. H. Macnaghten*,
Secretary to Government of India.

Minute by the Right honourable the Governor, subscribed by the Board ;
dated 22 November 1836.

No. 5268.

A LETTER to the effect suggested should be immediately prepared and forwarded to Captain Haines, its delivery being made dependent on the fact of the boat and cargo having been actually restored.

Perhaps it is not expedient to detain the Clive, under the contingency of her being required ultimately in the Red Sea, as her services are much required in the Persian Gulf.

22 November 1836.

(signed) *R. Grant*.

Resolution of Government in the Political Department.

No. 5269.

ORDERED, That copy of the extract of the letter from Commander Haines, dated 24th August 1836, together with copy of the letter from the secretary to the Government of India, dated the 31st October, be transferred to the Persian department, with instructions that a letter be forthwith prepared to the effect suggested by the Government of India, and forwarded to the Political department.

Bombay Castle, 26 November 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

**E. I. Company and
Board of Control.
(Documents.)**

Copy of a Letter from the Right honourable the Governor, to Sheikh Eesa bin Moobaruk, of the Tribe of Mehëra Sheikh, of Wadee ; dated 26 November 1836.

A. C.,

AND further, I have felt much gratified by the receipt of information from the British officers in those seas, that on your return to Wadee you immediately ordered the restoration of a vessel from Porebunder, which was under British colours, and which had been seized by some of the people of your tribe.

I beg to express to you my very great gratification at the ready deference you have shown to the wishes of the British Government, and my satisfaction with your praiseworthy conduct on this occasion, and to inform you, that I shall have great pleasure in using every endeavour on my part to establish on a firm footing the friendly connexion thus commenced.

For the rest, &c. &c. &c.

No. 5270. From *J. P. Willoughby*, Esq., Secretary to Government, to the Superintendent India Navy dated 26 November 1836.

Sir,

WITH reference to my letter of the 5th ult., No. 1821, I am directed by the Right honourable the Governor in Council to transmit to you the enclosed khurreeta to the address of the chief of Wadi, and to request that you will cause it to be forwarded to Commander Haines as soon as practicable.

2. In forwarding the above letter, the Governor in Council desires me to inform you, that its delivery is to be made dependent on the fact of the boat and cargo having been actually restored; you will, therefore, be pleased to instruct Commander Haines to this effect.

I have, &c.

Bombay Castle, 26 November 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

No. 5271. From *J. P. Willoughby*, Esq., Secretary to Government, to the Secretary to the Government of India; dated 26 November 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 31st ult., relative to the capture of a buggalo, under English colours, by the Mahara Arabs, and to transmit to you, for the purpose of being laid before the Right honourable the Governor-General of India in Council, a translation of the letter written to the chief of Wadi in consequence, together with copy of my letter to the superintendent of the Indian navy on the subject.

I have, &c.

Bombay Castle, 24 November 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

No. 5277. From Sir *Charles Malcolm*, Superintendent India Navy, to the Right honourable Sir *Robert Grant*, G. C. H., President and Governor in Council.

Right honourable Sir,

I HAVE the honour to report the arrival of the honourable Company's sloop of war Clive, with treasure from the coast.

With reference to my letter, under date the 29th July, No. 549, Political department, I beg to state that the Clive is now available, for the purpose of being sent to the coast of Arabia, to inquire into the circumstances attending the capture and plunder of a buggalo, under English colours, by the Maharee Arabs.

Should the Clive, however, not be required for the above-mentioned duty, I beg to recommend that she be dispatched to the Persian Gulf to relieve the honourable Company's sloop of war Coote.

I have, &c.

Superintendent's Office,
Bombay, 9 November 1836.

(signed) *Charles Malcolm*,
Superintendent Indian Navy.

From *J. P. Willoughby*, Esq., Secretary to Government, to the Superintendent Indian Navy ;
dated 26 November 1836.

E. I. Company and
Board of Control.
(Documents.)

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 9th instant, in the Marine department, and to acquaint you that the Right honourable the Governor in Council deems it inexpedient to detain the Clive, under the contingency of her being required ultimately in the Red Sea, as it is believed her services are much required in the Persian Gulf.

No. 5278.

I have, &c.

Bombay Castle, 26 November 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

Petition from *Jewun Oodhowjee*, Gomashta or Manager of the Firm of Dhurumsy Luckmeedass.

No. 5307.

To the Right honourable Sir *Robert Grant*, G. C. H., Governor and President in Council ;
dated 17 November 1836.

Most respectfully sheweth,

THAT your petitioner was duly honoured with Mr. Chief Secretary Wathen's replies, dated the 5th and 24th October, to his petitions to your honourable Board, the former enclosing an extract from a letter from Commander Haines, of the Indian navy, dated the 24th August, from Mocha, reporting that he had heard at that place that the gunga, or boat, belonging to the above-mentioned firm, which had been piratically seized and plundered by Arabs (of the Mahrane tribe) of Wadec, near Mocullah, had, together with the cargo, been restored ; and the other intimating that, as restitution of the plundered vessel had been made, Government could not lay an embargo on the boats belonging to Wadi now in the harbour of Bombay.

That, although at the time of the receipt of the above-mentioned communications, your petitioner strongly suspected the correctness of the information received by Commander Haines, and reported by him to Government (as persons who had arrived in the Wadi boats, which sailed from that port subsequently to the date of that officer's report, stated that they saw the vessel at that place, and believed that she had not been restored, nor her cargo), yet your petitioner, fearful of trespassing, without sufficient cause, upon the valuable time of your honourable Board, forebore to represent his doubts, especially as he was in daily expectation of receiving letters and advices from the friends and connexions of the firm at and in the neighbourhood of Wadi, from which he would learn the true state of the case.

That a few days ago your petitioner received a letter from Banian merchants established at Sahoot, a port distant only a few miles from Wadi, dated the 20th September last, being nearly a month after Commander Haines' report was written ; and your petitioner now begs leave to submit the said letter, with a translation of the same, from which it will be seen, that Commander Haines was misinformed ; that the vessel has not been restored, and that the cargo has been made away with by the pirates of Wadi.

That, under these circumstances, your petitioner humbly entreats your honourable Board to take the subject into your serious consideration, and to afford him the redress which he has solicited at the hands of your honourable Government, whose subject he is, and under whose colours the vessel was sailing when she was seized and plundered by the Arabs of Wadi ; more especially as this act of piracy was committed by them by way of reprisal for the seizure and liberation, by your Government, of a number of African slaves which had been taken for sale to Porebunder, in one of their vessels last year. Your petitioner, therefore, most earnestly begs that your honourable Board will cause an embargo to be laid on the Wadi vessels now in the harbour, or despatch one of the honourable Company's armed vessels to Wadi, to recover the boat and cargo, or the value thereof (being, of the vessel, 4,000 rupees, and her cargo 13,500 rupees), or adopt such other measures as, in your wisdom, shall seem meet to obtain full reparation for the grievous wrong and injury sustained by your petitioner.

And your Petitioner, &c. &c. &c.

Bombay Castle, 17 November 1836.

(signed) *Jewun Oodhowjee*,
Gomashta or Manager of the Firm of
Dhurumsy Luckmeedass.

P. S.—Your petitioner respectfully begs that the original letter from the merchants of Sahoot may be returned to him.

E. I. Company and
Board of Control.
(Documents.)

Translation of the Goozerattee Letter.

At the prosperous and renowned sea-port town of Porebunder. To the respectable and honoured Thucker Luckmidass Madhowjee, and Bhy Mooljee Dhurumsee, who are worthy of every good quality. Written from the sea-port town of Sahoot, by Shah Dhumpal Heerjee, and Gosulia Tulsy Natha, and Mungh Dewjee Cursonjee, and all the other members of the mercantile community:—Please to read our compliments. We are all well here; write us letters concerning your welfare. We have to inform you, that your vessel, which sailed from Porebunder, was taken away by the Vudarus people, with the cargo therein, wherein there were your supercargoes Thucker Dhurumsee and Mungh Sowchund Mittah, also Mungh Cuchra Burshotum, who came from Vudarus. The Shaikh of this place was sent to Wadi (or Vadarus), by his employer, for the cargo, under a promise of some reward if he succeeded in getting it restored; and he exerted himself to the utmost for this purpose, but nothing was given back. Afterwards your people left directions with us to use whatever means and endeavours were likely to be successful. Then we caused Syed Agul, of this place, to send word to the people of Gedha; and Syed Agul went himself to Wadi, and requested the plunderers of the vessel to restore it and the cargo; but they replied that the whole of the cargo was made away with, though, on the entreaties of Syed Agul, they promised to deliver over the vessel with her rigging. The owner is at liberty, they say, to come and take her away. The cargo is made away with, and it will not come back. Syed Agul has written an Arabic letter to you, which is enclosed herein. He has also written to us, to enclose it in our Hindoo letter to you; and we have enclosed herein the letter of Syed Agul. On the perusal thereof you will know all. If you require your vessel and her rigging, agreeably to his letter, then send your man to Syed Agul at Gedha, and get possession of it. We have written this pursuant to his direction. Know this: we took every care of your supercargoes while they were at this place, as you will learn from themselves. Further, brothers and sirs, we must write you price-current of Sher and Macalla cotton, at 34 or 36 per bhar, and Pove Gujee cloth at 30 or 34 per cargo; superfine rice at 1 ½ per moovah, and mangrole rice 1 ¼ per moovah, and fine any rice at 0 3 10 per moovah; black pepper at 14 or 14 ½ per moovah; and dry ginger at 7 or 7 ½ per moovah; and turmurick at 5 or 5 ½ per moovah; and sugar-candy at 2 ½ or 2 ¾ per furasela; and soft sugar at 1 ¾ or 2 per furasela; and the price of the other articles is the same. Write us the price-current of your place. We have further to inform you, that all the vessels have sailed for Muscat and Bus-sorah. Thank God; may they arrive safe. Know this, all the other matters are doing well. Give our best compliments to all the shop. Read the best compliments of all at this place. Sumwut year 1892. Bhadrurva Shoodh 10th, 20th September, A. D. 1836), 21st day of Nowvoze.

Address—To Thucker Luckmidass Madhowjee and
Thucker Mooljee Dhurumsee, at Porebunder.
(1 Letter.)

No. 5308.

MINUTE by the Right honourable the Governor, subscribed by the Board ;
dated 23 November 1836.

COPY of this petition and enclosure should be sent to the superintendent of the Indian navy, with orders to instruct Captain Haines to inquire into the truth of the statement of the petitioner, and to endeavour, by peaceable means, to obtain restitution of the vessel and cargo, if still detained.

Even by the account of the petitioner's correspondent, the vessel and rigging is at his disposal. This should be pointed out to him.

Captain Haines, on the 24th August, reported "Shaik Esan having called a council of the elders of the tribe, it was decided that the boat and cargo should be restored to her commander, which was accordingly done, without injury having been sustained by either;" it is, therefore, to be hoped that petitioner is misinformed.

23 November 1836.

(signed) R. Grant.

No. 5309.

From J. P. Willoughby, Esq., Secretary to Government, to the Superintendent Indian Navy ;
dated 29 November 1836.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you copy of a petition from Jewun Oodhowjee, goomashta or manager of the firm of Dhurumsey Luckmedass, dated the 17th instant, together with its enclosure, regarding the boat belonging to the above firm, which was seized by the Mehranee Arabs, and to request that you will instruct

instruct Captain Haines to inquire into the truth of the statement made by the petitioner, and to endeavour, by peaceable means, to obtain restitution of the vessel and cargo, if still detained.

E. I. Company and Board of Control. (Documents.)

Bombay Castle, 29 November 1836.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From *J. P. Willoughby*, Esq., Secretary to Government, to *Jewun Oodhoujee*, Gomashta or Manager of the Firm of Dhurumsey Luckmeedass, dated 29 December 1836.

No. 5310.

1. I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your petition dated the 17th instant, regarding the boat piratically seized and plundered by the Mehranee Arabs, and to acquaint you, that a copy thereof will be forwarded to Commander Haines, with instructions to inquire into the truth of your statement, and endeavour to obtain restitution of the vessel and cargo if still detained.

2. The Governor in Council also directs me to observe, that by your correspondent's own account it would seem that the vessel and rigging is already at your disposal, and as Captain Haines reported that it had been directed by the elders of the tribe that the boat and cargo should be restored to her commander, it is to be hoped that you have been misinformed.

Bombay Castle, 29 November 1836.

By order, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 7 December 1836.

From the Superintendent of the Indian Navy to the Right Honourable Sir *R. Grant*, G. C. H. President and Governor in Council; dated 21 November 1836.

No. 5393.

Right honourable Sir,

WITH reference to Mr. Secretary Willoughby's letter, No. 1,779, of the 30th September last, I have the honour to report, that (9) nine rescued slaves have been brought from Gogo, on board the pattamar Bhima, and were this morning made over to the charge of the senior magistrate of police.

Superintendent's Office, Bombay,
21 November 1836.

I have, &c.
(signed) *Charles Malcolm*,
Superintendent I. N.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 21 December 1836.

From the Senior Magistrate of Police to the Secretary to Government; dated 28 November 1836.

No. 5590.

Sir,

I HAVE the honour to acknowledge the receipt of your letter dated the 30th of September last, and to state, that the African children therein alluded to have arrived, and been placed with Dr. Wilson, who took many of those that came last year, and with whom they are supported and properly taken care of, through the benevolence, I believe, of private individuals.

2. Should the Government ultimately determine that the children should be disposed of otherwise, they will be at any time forthcoming.

Bombay Police Office,
28 November 1836.

I have, &c.
(signed) *John Warden*,
Senior Magistrate of Police.

E. I. Company and
Board of Control.
(Documents.)

No. 5591.

Memorandum by the Political Secretary to Government; dated 9 December 1836.

THERE are now 32 children, for whom an allowance is required from Government, viz. 20 boys and 12 girls, and they have been disposed of as follows:

	Boys.	Girls.
In Bombay - - - - -	9	10
Nasick - - - - -	2	2
Belgaum - - - - -	4	-
Poona - - - - -	5	-
	20	12

An allowance of 50 rupees per mensem has already been granted for their support; but perhaps it would be a better plan to assign a certain sum (say three rupees) for each per mensem, to be reduced as casualties occur, or as the children are provided for.

Mr. Townsend might perhaps be requested, when the above arrangement is communicated to him, to furnish an annual return of the children for the information of Government.

(signed) *J. P. Willoughby,*
Secretary to Government.

9 December.

No. 5592. From the Secretary to Government to *E. H. Townsend*, Esq.; dated 19 December 1836.

Sir,

I AM directed to inform you that the Right honourable the Governor in Council has been pleased to sanction an allowance of three rupees per mensem, for the maintenance of each of the 32 African children under your care, the same to be reduced as casualties may occur, or as they are provided for, and to request that you will have the goodness to furnish an annual return of these children for the information of Government.

2. I am further desired to observe, that the above arrangement is intended to supersede the allowance of 50 rupees per mensem, granted in the Government letter to your address of the 6th May last.

Bombay Castle, 19 December 1836.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

No. 5593. From the Secretary to Government to the Acting General Paymaster; dated 19 December 1836.

Sir,

WITH reference to Mr. Chief Secretary Wathen's letter of the 6th May last, No. 819, I am directed to inform you, that the Right honourable the Governor in Council has been pleased to grant an allowance of three rupees per mensem for the maintenance of each of the 32 African children placed by Government under the care of Mr. E. H. Townsend, and which amount you will be pleased to pay him until further orders, in lieu of the 50 rupees per mensem, authorized in the above letter, for the support of the 24 children then under that gentleman's charge.

Bombay Castle, 19 December 1836.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

No. 5594. From the Secretary to Government to the Accountant-General; dated 19 December 1836.

Sir,

WITH reference to Mr. Chief Secretary Wathen's letter of the 6th May last, I am directed to inform you, that the Right honourable the Governor in Council has been pleased to grant an allowance of three rupees per mensem for the maintenance of each of the 32 African children placed by Government under the care of Mr. E. H. Townsend, and which amount the acting general paymaster has accordingly been authorized to pay to that gentleman until further orders, in lieu of the sum of 50 rupees per mensem, sanctioned in the above letter, for the support of the 24 children then under Mr. Townsend's charge.

Bombay Castle, 19 December 1836.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

(The same to the Civil Auditor.)

(True extract.)

(signed) *W. H. Wathen,*
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 31 December 1836.

From the Senior Magistrate of Police to the Secretary to Government;
dated 16 December 1836.

No. 5657.

Sir,

I HAVE the honour to submit, for the sanction of the Right honourable the Governor in Council, a contingent bill, with voucher annexed, amounting to 21 rupees and 4 annas, for the expenses incurred on account of the African children lately arrived from Porebunder.

I have, &c.

Bombay Police Office,
16 December 1836.

(signed) *John Warden,*
Senior Magistrate of Police.

From the Secretary to Government to the Senior Magistrate of Police;
dated 26 December 1836.

No. 5658.

Sir,

I AM directed to acknowledge the receipt of your letter of the 16th instant, forwarding or sanction a bill, amounting to 21 rupees and 4 annas, for expenses incurred on account of the African children lately brought from Porebunder, and to return the same, passed by the Right honourable the Governor in Council.

I have, &c.

Bombay Castle, 26 December 1836.

(signed) *J. P. Willoughby,*
Secretary to Government.

From the Assistant Political Agent in Charge to the Secretary to Government, Bombay;
dated 10 December 1836.

No. 5692.

Sir,

I HAVE the honour to transmit copy of a letter from the officer commanding at Rajcote, reporting the death of one of the 10 slaves lately rescued at Mallia. The others were made over to the tindal of the honourable Company's armed pattamar Bheema, which arrived at Gogo on the 15th ultimo, having been sent there by the senior naval officer at Surat, to receive and convey them to the Presidency.

I have, &c.

Camp at Panchegaun,
10 December 1836.

(signed) *Wm. Lang,*
Assistant Political Agent in Charge.

From Major *W. Sandwith*, Commanding Rajcote, to the Political Agent in Kattewar;
dated 24 November 1836.

Sir,

I HAVE the honour of informing you, that the naique, commanding the escort to the 10 slaves, proceeded to Gogo, has reported to me the death of one of them on the road down.

I have, &c.

Rajcote, 24 November 1836.

(signed) *W. Sandwith,*
Major Commanding Rajcote.

(True copy.)

(signed) *Wm. Lang,*
Assistant Political Agent in Charge.

(True extract.)

(signed) *W. H. Wathen,*
Chief Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY POLITICAL CONSULTATION, 11 January 1837.

No. 34.

Petition from *Jewun Oodhowjee*, Goomashta or Manager of the Firm of Dhurumsee Luckmeedass, to the Right Honourable Sir *Robert Grant*, G. C. H., Governor and President in Council, dated the 20 December 1836.

Most respectfully sheweth,

THAT to his last petition, wherein he submitted a letter from his correspondents at Sahoot, stating that the boat belonging to the above-mentioned firm, which had been piratically seized and plundered by Arabs (of the Mehranee tribe) of Wadee, near Macullah, was still at that port, and that her cargo had been made away with, your petitioner has had the honour of receiving a reply, under the hand of Mr. Secretary Willoughby, dated the 29th ultimo, stating that a copy of your petitioner's representation and its enclosure would be forwarded to Commander Haines, with instructions to inquire in the truth of the statements therein contained, and endeavour to obtain restitution of the vessel and cargo if still detained.

That your petitioner begs leave to return his grateful thanks for the attention your Honourable Board have been graciously pleased to bestow on his case, and the measure which has been adopted with the view of obtaining restitution of the property in question.

That as Commander Haines is stationed at Mocha, and difficulties or delays might arise from the want of some person to receive, on behalf of the said firm, the vessel and cargo which, by the latest accounts, were at Wadee, your petitioner, with all due deference, solicits your Honourable Board's permission to send an agent to wait upon Captain Harris, for the purpose of receiving charge of whatever property that officer may be able to recover.

That if your Honourable Board see no objection to your petitioner deputing such a person, he humbly begs to be furnished with a letter from Government to Commander Haines, to be forwarded with one Veljee Sowjee, whom your petitioner proposes to send as his agent, containing instructions to that officer to deliver to the bearer (the said Veljee Sowjee) the property which may be recovered from the pirates.

That as the Wadee Arabs committed the outrage in question avowedly in retaliation, as stated by Commander Haines himself, for the act of the Government of this Presidency, in taking possession of, and emancipating the African children which had been brought in one of their vessels last year to Porebunder, to be sold into slavery, your petitioner would humbly but earnestly submit, that the firm of Dhurumsee Luckmeedass has a strong claim on the British Government, under whose flag the vessel was sailing, for that protection and redress which he solicits, persuaded that under the circumstances stated your Honourable Board will feel it to be alike due to justice, and to the dignity and honour of the British Government, not to allow an innocent party to be a sufferer or subjected to any loss from the spoliation of his property, and an outrage committed by those lawless people, with the express and declared object of injuring and insulting the Government. Your petitioner now humbly but confidently appeals to your Honourable Board for redress and compensation, not only for the actual loss of property sustained by the above-mentioned firm at the hands of those pirates, but also for the damage and injury the firm has suffered in the loss of their reasonable profits, by the seizure and detention of the vessel and cargo, and in the expenses incurred for the salary and passage-money of the agent to be deputed for the purposes above stated, to which point your petitioner accordingly entreats that the attention of Commander Haines may be directed, with such instructions as your Honourable Board may see fit to issue on the subject.

That as a vessel belonging to the port of Wadee, and the property of one of the chiefs of that place, under whose sanction the act of piracy was committed, arrived in this harbour a few days ago, your petitioner begs leave to mention this fact, in case your Honourable Board should deem it proper to cause inquiry to be made of the nacoda of that vessel, whether the boat and her cargo, piratically seized by the Wadee Arabs, have been restored or not. In such case your Honourable Board would be at once satisfied of the correctness of the information, that no such restoration has taken place, and with such proof of the fact your Honourable Board may not consider it a harsh proceeding to lay an embargo upon the vessel from Wadee and her cargo, until information be received of the actual restitution of the property seized by the Arabs of that port, and full reparation having been made for the insult and indignity offered by them to the British Government in the commission of that outrage.

And your petitioner, &c. &c.

(signed) *Jewun Oodhowjee*,
Goomashta.

Bombay, 20 December 1836.

P. S.—Just as your petitioner was on the point of presenting this address, he received from his principal at Porebunder an original Arabic letter from one of the principal men of Mehra, to which the port of Wadee belongs, dated the 1st September last, which, with a translation thereof, your petitioner begs leave to submit, as confirmatory of the statements contained in the letter from his Banian correspondents at Sahoot, handed up with his last petition, that the vessel is still lying in the port of Wadee, though the chief professes his willingness to restore it, and that the cargo has been divided and dissipated beyond redemption. Scarcely a doubt, your petitioner presumes, can now remain of the fact that no restitution

tution has taken place ; but as it can be placed beyond all question by the testimony of the E. I. Company and
 nacodah and crew of the vessel belonging to one of the chiefs of that place, now in the har- Board of Control.
 bour, your petitioner most earnestly entreats that your Honourable Board will take into your (Documents.)
 gracious consideration the advisability of examining those people, and of taking advan-
 tage of the present opportunity to secure full reparation, as well as to mark the sense
 entertained by your Honourable Board of the outrage in question, by detaining that vessel,
 or demanding security for the restitution of the property of a British subject piratically
 seized by the Arabs of Wadee.

And your petitioner, &c. &c.

(signed) *Jewun Oodhowjee*, Goomasta.

Substance of a Letter from Syed Sheriff Dukil, Son of Syed Sheriff Ahmed, Son of Abdulla,
 Son of Mahasin, Son of Sharik Abdooburker, Son of Salive, of Mahra, to Beberija of
 Khormeya, Mangrole, dated 19th Jumadil Wud 1252 (1st September 1836).

I WRITE to you from Mahara. During my absence from Mahra, some Bedouins of Mahra
 attacked a vessel and plundered her of all her cargo. On my return this circumstance
 came to my knowledge, and I immediately despatched some people after the pirates to seize
 and recover the goods ; but the pirates in the meantime fled into the interior. I found only
 the vessel with its naval stores, and the people on board safe, but no cargo. I have taken
 possession of the ship and its stores. I write this to you to inform you of the same. These
 Bedouins are ignorant and imprudent people ; they do not consider the consequences which
 are likely to arise from their acts.

I wish you to send some agent to take charge of the ship, with letters to me to the chief
 of Mahra, and all others of this place, couched in conciliatory terms, and releasing us from
 all claim on account of the said vessel and cargo.

An answer early is requested.

MINUTE by the Right Honourable the Governor, subscribed to by the Board ;
 dated 4 January 1837.

No. 35.

PETITIONER may be furnished with a letter of introduction to Commander Haines,
 and that officer may be requested to aid him to the utmost in recovering his vessel and
 cargo.

To save time the letter may be addressed direct, and the superintendent of the Indian
 navy informed.

Copy of the petition should be sent to Commander Haines.

As the Euphrates is in the Red Sea, the superintendent of the Indian navy might be
 requested to issue instructions to her commander to proceed on to Wadi, and to endeavour
 by peaceable means to obtain restitution of the vessel and cargo. This vessel is not em-
 ployed on any particular duty, but is stationed for general purposes in the Red Sea.

4 January 1837.

(signed) *R. Grant*.

From *J. P. Willoughby*, Esq., Secretary to Government, Bombay, to Acting Commander
S. B. Haines, H. C. Surveying Brig Palinurus, Red Sea ; dated 10 January 1837.

No. 36.

Sir,

IN transmitting to you the accompanying copy of a petition from Jewun Oodhowjee, goo-
 mashta or manager of the firm of Dhurumsey Luckmeedass, of Bombay, adverting to the
 piratical seizure and plunder, last year, of a vessel belonging to the said firm by the Mahara
 Arabs of Wadi, on the coast of Arabia, and intimating his intention to depute an agent to the
 Red Sea for the purpose of receiving charge of such property as may be recovered from the
 pirates, I am directed by the Right honourable the Governor in Council to request, that you
 will be pleased to aid the petitioner's agent to the utmost in your power in recovering the
 vessel and cargo.

I have, &c.

(signed) *J. P. Willoughby*,
 Secretary to Government.

Bombay Castle, 10 January 1837.

From *J. P. Willoughby*, Esq., Secretary to Government, to *Charles Malcolm*, Esq., Super-
 intendent of the Indian Navy ; dated 10 January 1837.

No. 37.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the
 accompanying copy of a petition, with enclosure, from Jewun Oodhowjee, goomashta or
 manager of the firm of Dhurumsey Luckmeedass, dated the 20th ultimo, on the subject of
 the piratical seizure and plunder, last year, of a vessel belonging to that firm by the Mahara
 Arabs, and to request that you will be pleased to instruct the commander of the Honourable
 Company's brig of war, Euphrates, now in the Red Sea, to proceed to Wadi, and there en-
 deavour by peaceable means to obtain restitution of the vessel and cargo.

E. I. Company and
Board of Control.
(Documents.)

2. I am at the same time desired to inform you, that at the particular solicitation of the petitioner, he has been furnished with a letter to the address of Commander Haines, requesting that officer to aid the agent deputed by the petitioner to the Red Sea in recovering the plundered property.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

Bombay Castle, 10 January 1837.

No. 38. From *J. P. Willoughby*, Esq., Secretary to Government, to *Jewun Oodhowjee*, Goomashta or Manager of the Firm of Dhurumsey Luckmeedass, Bombay.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your petition, with enclosures, dated the 20th ultimo, and to transmit to you the enclosed letter to the address of Acting Commander Haines, of the Honourable Company's surveying brig *Palinurus*, wherein that officer is requested to afford the agent about to be deputed by you to the Red Sea every aid in his power in recovering the vessel and cargo belonging to the firm of Dhurumsey Luckmeedass, plundered last year by the Mahara Arabs of Wadi.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

Bombay Castle, 10 January 1837.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 19 January 1837.

No. 87. From *James Erskine*, Esq., Political Agent in Kattewar, to *J. P. Willoughby*, Esq., Secretary to Government, Bombay; dated 2 December 1836.

Sir,

1. I HAVE the honour to inform you, that a person called *Kursoujee Veeram*, a sawkar of Mandavie in Cutch, hired a boat from a sawkar of Bate last January, and sent her to Arabia. In the course of 10 months the boat returned to Bate, and brought a quantity of Abyssinian slaves, male and female. The carcoon of the manager of his Highness the Guicowar in Oka Mundel described the number as 10 male and two female, and when requested to forward them to my charge at this place, sent four male and four female. These are all safely lodged in the charge of the officer commanding the detachment here; and I beg to solicit the sanction of Government to the expenditure of a small sum for food and clothing for these helpless creatures, some of whom are but six and seven years of age, as well as to request I may be favoured with instructions as to their disposal.

2. From the discrepancy in the number stated by the Oka manager's carcoon, I am led to suspect that the entire cargo of the boat was slaves, and for the purpose of discovering this, I have sent a copy of this communication to the Resident in Cutch, who may have it in his power to detect the delinquency of the Mandavie merchant, and, although I fear such hope is faint, to recover some of the unfortunate children.

3. I have addressed the Oka manager's carcoon, informing him of my satisfaction at his praiseworthy conduct in detaining the boat and the slaves, and have also enjoined him to do his best towards discovering whether there are any more children imported at that time now in Oka, who could be released from their servile captivity.

Kattewar Agent's Office, Porebunder,
2 December 1836.

I have, &c.
(signed) *J. Erskine*,
Political Agent.

No. 88. From *J. P. Willoughby*, Esq., Secretary to Government, Bombay, to *James Erskine*, Esq., Political Agent in Kattewar; dated 12 January 1837.

Sir,

I AM directed to acknowledge the receipt of Mr. Erskine's letter, dated 2d ultimo, No. 400, reporting the recovery of four male and four female slaves from a boat freighted by a person called *Kursoujee Veeram*, a sawkar of Mandavie in Cutch, and to acquaint you, that the Right honourable the Governor in Council entirely approves of the measures adopted by that officer.

2. I am further directed to inform you, that the superintendent of the Indian navy has been requested to send a boat to Porebunder to convey the slaves to Bombay, with instructions to her commander to report his arrival at that port to you, when you will be pleased to adopt the necessary measures for their being embarked.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

Bombay Castle, 12 January 1837.

From *J. P. Willoughby*, Esq., Secretary to Government, Bombay, to *Charles Malcolm*, Esq., Superintendent of the Indian Navy; dated 12 January 1837.

E. I. Company and
Board of Control.
(Documents.)

Sir,

I AM directed by the Right honourable the Governor in Council to request that you will despatch a boat to Porebunder for the purpose of recovering and bringing to Bombay four male and four female slaves.

No. 89.

2. You will be pleased to instruct the commander of the vessel to report his arrival at Porebunder to the Acting Political Agent in Katteewar, who has been instructed to adopt the necessary measures for the embarkation of the slaves in question.

3. On the arrival of the slaves in Bombay, the Governor in Council requests that they be made over to the senior magistrate of police, who has received instructions to take charge of them.

Bombay Castle, 12 Jan. 1837.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From *J. P. Willoughby*, Esq., Secretary to Government, Bombay, to the Senior Magistrate of Police; dated 12 January 1837.

No. 90.

Sir,

I AM directed by the Right honourable the Governor in Council to acquaint you, that the superintendent of the Indian navy has been instructed to despatch a boat to Porebunder, for the purpose of bringing to Bombay four male and four female slaves, and to request that you will, on their arrival, receive charge of them, and supply them with accommodation, provisions, &c. until it shall be determined how they are to be ultimately disposed of.

Bombay Castle, 12 Jan. 1837.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

From *J. P. Willoughby*, Esq., Secretary to Government, Bombay, to *W. H. Macnaghten*, Esq., Secretary to Government of India; dated 12 January 1837.

No. 91.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you, for the purpose of being laid before the Right honourable the Governor-General of India in Council, copy of a letter from the political agent in Katteewar, dated the 2d ultimo, reporting the release of four male and four female slaves from a boat belonging to Bate, in that province, together with copy of my reply of this date.

Bombay Castle, 12 Jan. 1837.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True Extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 1 February 1837.

From *James Erskine*, Esq., Political Agent in Katteewar, to *J. P. Willoughby*, Esq., Secretary to Government, Bombay; dated 2d December 1836.

No. 314.

Sir,

ON the subject of your letter of the 5th October last, I have the honour to forward translation of a memorandum from the Porebunder authorities, setting forth that although the Mahara Arabs desired the owners of the buggalow to take her back, they refused to give any account whatever of the property lost, not any part of which has been restored.

2. This is a most severe loss to the merchants here, besides the serious blow the character of the British Government will sustain; and I earnestly entreat the early attention of Government to the case.

3. The Porebunder people state that the trade between them and the Arabian coast has been entirely ruined, owing to the capture of the slaves by order of the British Government. This evil, however, will be remedied in time. When the Arabs perceive that nowhere on these shores can the slave trade be carried on, and that Porebunder was merely the first to carry into execution the humane wishes of Government, they will soon forget their enmity with it, and the trade will revert into its original channel.

Katteewar Political Agent's Office,
Porebunder, 2 Dec. 1836.

I have, &c.
(signed) *James Erskine*,
Political Agent.

E. I. Company and
Board of Control.
(Documents.)

Translation of a Memorandum on the part of the Porebunder Authorities; dated
25 November 1836.

IN the year 1892, three vessels belonging to the Mahara Arabs arrived at this port, with about 80 slaves on board, who were immediately taken into custody by the British detachment stationed here. Afterwards the Mahara Arabs made reprisal by seizing a vessel of this place, trading with their coast. The British Government interfered, and informed us through you, that the vessel with her cargo had been safely restored to her owner by the Arabs. We have, however, since received information from correspondents on the Arabian coast, that the Arabs have offered to restore the vessel without its cargo, and profess to know nothing of what has become of the latter. The vessel and goods thus detained are worth 20,000 rupees, and belong to Tukkur Dhurumsee Luckmeedass and Mooljee Dhurumsee, to whom we pray they may be restored. If not, how will the merchants of this port, after sustaining so great a loss, be able to carry on the trade? It will be out of our power also to pay the stipulated sum of 26,000 rupees per annum, for which the Government have farmed their share of the customs of this port to us. For in consequence of the enmity that has arisen between us and the Arabs, owing to the seizure of the slaves, all trade between us is at an end. Add to this the failure of rain this year in this country, from which we have suffered an immense loss. We petition you, being our protector, and beg you will do what seems best to you to afford us relief.

(True Translation.)

(signed) *J. Erskine,*
Political Agent.

No. 315.

MINUTE by the Right Honourable the Governor, subscribed to by the Board.

COPY of the instructions recently issued to the superintendent of the Indian navy may be sent to the political agent for information.

(signed) *R. Grant.*

No. 316.

From *J. P. Willoughby*, Esq., Secretary to Government, Bombay, to *James Erskine*, Esq., Political Agent in Katteewar; dated 30 January 1837.

Sir,

WITH reference to Mr. Erskine's letter of 2d ultimo, No. 402, with enclosure regarding the vessel belonging to Porebunder, detained by the Mahara Arabs, I am directed by the Right honourable the Governor in Council to transmit, for your information, the accompanying copy of a letter, written under date the 10th instant, to the superintendent of the Indian navy on the subject.

Bombay Castle, 30 Jan. 1837.

I have, &c.
(signed) *J. P. Willoughby,*
Secretary to Government.

No. 329.

From *W. H. Macnaghten*, Esq., Secretary to Government of India, to *J. P. Willoughby*, Esq., Secretary to Government, Bombay; dated 19 December 1836.

Sir,

I AM desired by the Right honourable the Governor-General of India in Council to acknowledge the receipt of your letter, dated the 26th ult., transmitting copy of a letter written to the chief of Wadi, and copy of a letter to the superintendent of the Indian navy.

2. In reply I am directed to observe, that his Lordship in Council entirely approves the tenor of the communications in question.

Fort William, 19 December 1836.

I have, &c.
(signed) *W. H. Macnaghten,*
Secretary to the Government of India.

(True extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 22 February 1837.

No. 562.

From *Charles Malcolm*, Esq., Superintendent of the Indian Navy, to the Right honourable Sir *Robert Grant*, G. C. H., President and Governor in Council; dated 27 Jan. 1837.

Right honourable Sir,

WITH reference to that part of Mr. Secretary Willoughby's letter, under date the 10th inst., No. 22, which requests that the commander of the Honourable Company's brig of war, *Euphrates*, may be instructed to proceed to Wadi, for the purpose of obtaining restitution of the vessel and cargo plundered by the Mahara Arabs, I have the honour to state my apprehension that the *Euphrates*, if sent on this duty, would run the risk of not being able

able to reach Suez by the time appointed for her to be in readiness to receive, for transmission to India, the London mail of July 1837.

2. Acting Commander Haines has received full instructions on this subject, and in his last communication, under date the 21st November, he reports having commenced measures to obtain restitution of the captured property, in which I have little doubt but that he will succeed, as the *Palinurus* being engaged in surveying the coast in the vicinity of Wadi, ample opportunity will be afforded for inquiring into the affair.

3. Should it be considered necessary, the vessel of war which must shortly be sent to relieve the *Euphrates* from the charge of the Red Sea station, can be directed to touch at Wadi on her passage across.

Superintendent's Office,
Bombay, 27 January 1837.

I have, &c.
(signed) *C. Malcolm*,
Superintendent of the India Navy.

E. I. Company and
Board of Control.
(Documents.)

MINUTE by the Right honourable the Governor.

If any apprehension is entertained of the *Euphrates* not reaching Suez in time, if she proceeded to Wadi, the measure must be abandoned, and that suggested in the last paragraph of the superintendent's letter be adopted.

(signed) *R. Grant*.

No. 563.

From Mr. Secretary *Willoughby* to the Superintendent of the Indian Navy ;
dated 17 February 1837.

No. 564.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 27th ult., No. 23, and to acquaint you, that if any apprehension is entertained of the *Euphrates* not reaching Suez in time if she proceeded to Wadi, the measure must be abandoned, and that suggested in the last paragraph of your letter now acknowledged be adopted.

Bombay Castle, 17 Feb. 1837.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

(True extract.)

W. H. Wathen,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 22 February 1837.

From *William Lang*, Esq., Acting Political Agent in Kattewar, to *J. P. Willoughby*, Esq.,
Secretary to Government, Bombay; dated 2 February 1837.

No. 622.

Sir,

WITH reference to my letter of the 23d ult., I have the honour to annex copy of a report from Captain Reed, commanding the Porebunder detachment, of the death of one of the unfortunate slaves therein alluded to. Captain Jacob, who was on the spot, and to whom, you will perceive, the letter is addressed, immediately sanctioned the purchase of the necessary clothing. As I wrote on the 25th ult. to Captain Harris, senior naval officer at Surat, in reply to his application to be informed when the vessel to convey the slaves to Bombay was to be sent, she may be expected to arrive at Porebunder in a few days; but I hope no inconvenience will arise from her being detained there a short time, if necessary, till the slaves are sufficiently recovered to be embarked.

Kattewar Political Agent's Office,
Rajcote, 2 Feb. 1837.

I have, &c.
(signed) *William Lang*,
Acting Political Agent.

From *A. P. Reid*, Captain Commanding Detachment at Porebunder, to Captain *Jacob*,
Assistant Political Agent; dated 2 February 1837.

Sir,

I HAVE the honour to report to you that one of the slave boys in charge of my detachment died yesterday of small-pox; and I take this opportunity of bringing to your notice, that four of the others are now in hospital with this complaint, and the probability of the remaining five catching the same loathsome disease.

2. The native doctor has represented to me the necessity of giving to each of these poor creatures

E. I. Company and Board of Control. (Documents.) creatures a piece of cloth, as an article of bedding (they being without anything of the sort); and I beg, under their present unfortunate circumstances, that his recommendation be immediately complied with.

I have, &c.

(signed) *A. P. Reid*, Captain,
Commanding Detachment at Porebunder.

(True copy.)

(signed) *William Lang*,
Acting Political Agent.

No. 623. From *J. P. Willoughby*, Esq., Secretary to Government, to *William Lang*, Esq., Acting Political Agent, Rajcote; dated 20 February 1837.

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 2d instant, with its enclosure, announcing the death of one of the slave boys at Porebunder, and to acquaint you that the Right honourable the Governor in Council is pleased to sanction the purchase of the clothing for the survivors, as therein recommended.

2. You will be pleased to submit a separate contingent bill for the expenses incurred on account of these children.

I have, &c.

Bombay Castle, 20 February 1837.

(signed) *J. P. Willoughby*,
Secretary to Government.

No. 655. From *William Lang*, Esq., Acting Political Agent in Katteewar, to *J. P. Willoughby*, Esq., Secretary to Government, Bombay; dated 8 February 1837.

Sir,

WITH reference to my letter of the 2d instant, I regret to have to inform you of the death of two more of the unfortunate slaves at Porebunder, from small-pox; one, that of a boy, is reported by Captain Reid to have occurred on the 8th ult., and the other, that of a girl, on the 1st instant.

2. I take this opportunity of stating that I have already written to Captain Reid on the subject of taking every possible precaution against infection, although that officer has, in all probability, done so from the first; and I have likewise requested him to detain the vessel, which Captain Harris has no doubt by this time ordered to Porebunder, till the other slaves who have caught the disease are sufficiently recovered to render it perfectly safe, both for themselves and the boat's crew, to embark them for Bombay.

I have, &c.

Katteewar Political Agent's Office,
Rajcote, 8 February 1837.

(signed) *William Lang*,
Acting Political Agent.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 1 March 1837.

No. 822. From Sir *Charles Malcolm*, K. C. B., Superintendent of the Indian Navy, to the Right honourable Sir *Robert Grant*, G. C. H., President and Governor in Council; dated 20 February 1837.

Right honourable Sir,

1. I HAVE the honour to propose that the honourable Company's sloop of war *Coote* may, as soon as her refit is completed, be despatched to the Red Sea, to relieve the honourable Company's brig-of-war *Euphrates* from the charge of that station.

2. On her passage across, the *Coote* may be instructed to touch at Wadi to obtain restitution of the boat seized by the Maharah Arabs, as stated in Mr. Secretary Willoughby's letter to my address, No. 22, of the 10th January last.

I have, &c.

Superintendent's Office,
Bombay, 20 February 1837.

(signed) *C. Malcolm*,
Superintendent of the India Navy.

From *J. P. Willoughby*, Esq., Secretary to Government, Bombay, to *Charles Malcolm*, Esq., Superintendent of the Indian Navy; dated 27 February 1837.

E. I. Company and
Board of Control.
(Documents.)

Sir,

IN reply to your letter dated the 20th instant, recommending that the honourable Company's sloop of war *Coot* be despatched to the Red Sea, to relieve the *Euphrates* from the charge of that station, and suggesting that the former vessel on her passage across touch at *Wadi*, to obtain restitution of the vessel seized by the *Maharah* Arabs; I am directed to inform you, that the Right honourable the Governor in Council has been pleased to approve of the arrangement.

No. 823.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

Bombay Castle, 27 Feb. 1837.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

EXTRACT BOMBAY POLITICAL CONSULTATION, 1 March 1837.

From Captain *Lang*, Acting Political Agent in *Katteewar*, to *J. P. Willoughby*, Esq., Secretary to Government, Bombay; dated 23 January 1837.

No. 824.

Sir,

IN acknowledging the receipt of your letter of the 12th instant, I have the honour to inform you, that I have written to Captain *Reid* to make over, and to the officer in charge of the expected vessel to receive charge of, the slaves at *Porebunder*, who are, I believe, six males and four females. I take this opportunity of forwarding a statement from one of them, by name *Yacoob*, which was sent to me by Captain *Foquett*, then commanding the detachment; and beg to state, that I have written to the *Oka* manager on the subject of the complaint it contains, but have not as yet received a reply.

I have, &c.
(signed) *William Lang*,
Acting Political Agent.

Durwa, 23 Jan. 1837.

Yacoob, one of the Slaves in my charge, makes the following Statement.

I AM the slave of *Salim Bin Ahmed*, a relation of the sultan or chief of the port of *Bombas*.

I embarked on board the vessel which brought me to *Bate* by permission of my master; it was destined for *Mandavie*, where I intended to learn the trade of a carpenter; there were 12 slaves on board; instead of proceeding to *Mandavie* the vessel came to *Bate*, where we were all disembarked. Three of the slaves, a father and two sons, were set at liberty at *Bate*, the remainder (9) and myself were sent here. The authorities at *Bate* took from me a sword, a matchlock, and a *jhumbia*; and the party who escorted me to *Porebunder* took a knife, which I was allowed by the *Bate* authorities to retain. I wish my property to be restored. My intention is to take service, earn something, and return in a fitting condition to my master.

The above statement made in my presence this 10th day of December 1836.

(signed) *William Foquett*,
Captain Commanding Detachment at *Porebunder*.

From *J. P. Willoughby*, Esq., Secretary to Government Bombay, to Captain *W. Lang*, Acting Political Agent in *Katteewar*; dated 27 February 1837.

No. 825.

Sir,

IN acknowledging the receipt of your letter dated the 23d ultimo, forwarding a statement from an individual named *Yacoob*, one of the ten slaves lately rescued from the *Sowcar* of *Mandavie* in *Cutch*, complaining of certain property having been taken from him, and expressing a wish to be allowed to return to his late master; I am directed by the Right honourable the Governor in Council to request, that you will permit *Yacoob* to proceed wherever he may think fit, at the same time informing him that he is entirely free, and that you will endeavour to recover from the authorities at *Oka* the property he states has been taken from him.

I have, &c.
(signed) *J. P. Willoughby*,
Secretary to Government.

Bombay Castle, 27 Feb. 1837.

(True extract.)

(signed) *W. H. Wathen*,
Chief Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY POLITICAL CONSULTATION, 22 March 1837.

No. 1231.

MINUTE by the Right honourable the Governor, subscribed to by the Board ;
dated 22 March 1837.

I BEG to propose that the Commander of the Coote be authorized to offer the chief of Wadi compensation for the slaves released at Porebunder, on his restoring the vessel and cargo seized by him.

2. The commander should be directed to fix such compensation on the lowest scale possible, but it should not, under any circumstances, exceed 25 rupees per each slave.

3. He should, however, be directed to adopt every practicable means for preventing the present case being construed into a precedent, by making known that in future no compensation will be granted.

4. The commander should be further instructed to endeavour to obtain restitution of the vessel and cargo, or their value, by peaceable means ; but, on failure thereof, will point out to the chief that other means will be resorted to, to enforce compliance with so just a demand.

22 March 1837.

(signed) *R. Grant.*

No. 1232.

From *J. P. Willoughby*, Esq., Secretary to Government, Bombay, to *Charles Malcolm*, Esq., Superintendent of the Indian Navy; dated 22 March 1837.

Sir,

WITH reference to my letter dated the 27th ultimo, relative to the Honourable Company's sloop of war Coote, touching at Wadi on her passage to the Red Sea, for the purpose of obtaining restitution of the vessel and cargo seized by the Mahara Arabs ; I am now directed to inform you, that the Right honourable the Governor in Council is pleased to authorize the commander of the Coote to offer compensation to the chief of Wadi for the slaves at Porebunder, on his restoring the property seized by him.

2. This compensation, however, I am desired to state, should be fixed on the lowest scale possible ; and should not, under any circumstances, exceed the sum of 25 rupees for each slave.

3. You are requested to impress upon the commander the importance of his adopting every practicable means for preventing the present case being construed into a precedent, by making known that in future no compensation will be granted.

4. The Governor in Council further directs, that the commander of the Coote be instructed to endeavour to obtain restitution of the vessel and cargo, or their value, by peaceable means ; but, on failure thereof, that officer should point out to the chief of Wadi that other means will be resorted to for the purpose of enforcing compliance with so just a demand.

I have, &c.

(signed) *J. P. Willoughby,*
Secretary to Government.

Bombay Castle, 22 March 1837.

(True extract.)

(signed) *W. H. Wathen,*
Chief Secretary.

(True extracts.)

(signed) *T. L. Peacock,*
Examiner of India Correspondence.

East India House, }
24 July 1838. }

EXTRACT BENGAL PUBLIC CONSULTATIONS, 5 July 1827.

E. I. Company and
Board of Control.
(Documents.)

(No. 877.)

From Mr. Deputy Secretary *Steele*, Bombay, to Secretary to the Supreme Government.—
(17 May 1827.)

Sir,

I AM directed by the Honourable the Governor in Council to transmit to you, for the purpose of being brought to the notice of his Excellency the Right honourable the Vice-president in Council, the accompanying copy of a correspondence which has taken place in regard to the seizure of a vessel on suspicion of her being engaged in the slave trade, and an extract of a letter to his Majesty's Commissioners at the Mauritius, from which his Excellency in Council will be made acquainted with the particulars of the alleged slave traffic, and the suspicions which they suggest as to its prevalence.

No. 15.

I have, &c.

(signed) *Arthur Steele*,
Deputy-secretary to Government.

Bombay Castle, 17 May 1827.

From *J. Babington*, Esq., Magistrate, Canara, to Chief Secretary to Government,
Bombay.—(3 February 1827.)

Sir,

I BEG that you will do me the favour to lay the following facts before the Honourable the Governor in Council for his information :—

No. 16.

2. On the 23d instant, the brig "Esperance," of 98 tons, under English colours, Pierre Berichon, master, anchored in the roads on her voyage from the Mauritius to Bombay, for the purpose, as stated by the commander, of obtaining medical advice for his mate, who was in a dangerous state of health; the zilla surgeon in consequence proceeded on board the brig and attended the mate, who expired on the 24th, and the body was brought on shore, and buried at the Roman Catholic church here.

3. Several circumstances of an extraordinary nature having occurred, and the captain having stated to the master-attendant that there were suspicious characters on board, and that he considered his life in danger unless they were removed, that officer referred him to me as the proper authority to investigate the matter. Captain Berichon accordingly attended at my office, and having deposed to these facts, I lost no time in securing the persons of two individuals, who, from his account, had been smuggled on board at Bourbon, on the eve of the departure of the vessel, had remained in her after she had sailed, and had combined with the supercargo, and had endeavoured to make him alter his destination, and to proceed to the coast of Africa instead of to Bombay.

4. I enclose for the information of the Honourable the Governor in Council, the original deposition of the captain of the brig to those and several other facts which in the course of three days' examination were brought to light by me, during which it became necessary to secure the persons and examine the papers of the supercargo and his servant, as well as those of the two individuals originally denounced by Captain Berichon; and as it also appeared by the admission of that individual, as well as by documents in his possession, (duplicates of which were discovered on the person of the supercargo), that the latter was the real owner of the vessel, though a foreigner, and that the British subject, whose name was entered in the certificate of registry, pass and other documents, as owner of the brig, had no share of or interest in her, she was seized by the collector of customs, under 6 Geo. 4. cap. 110, which requires the seizure of any vessel so situated.

Encl. No. 1.

5. The investigation held by me on this occasion has led to a discovery of other circumstances which have made it necessary for me to place the following individuals in confinement, and forward them to the government of Bombay, viz.—

1. Joze de Souza Vicera, Portuguese subject.

2. Anastazio, a Portuguese subject, born at Goa, and ostensibly servant of the first prisoner.

4. Gunenthel, a French subject, lately residing at St. Denis, Isle of Bourbon.

6. Neither of the individuals, in the first place, have any pass or other document entitling them to leave the last port from which they sailed, and none of them is mentioned on any of the ship's papers, excepting the first, who is called supercargo, but has no authority to quit either the Mauritius or Bourbon. It appears clear from the documents seized by me, that, with the possible exception of the fourth, Gunenthel, they have been for some time past engaged in the slave trade on the African coast, and there is every reason to be satisfied that it was their intention to have carried the brig in the first instance to the same destination instead of to Bombay, if they had not been prevented; it is evident also that her ultimate destination was Mozambique, and there is every reason to believe that the life of any one on board would have been endangered who should have attempted to prevent her voyage thither.

7. The fact of the intention to carry the brig eventually to Mozambique is evident, from the documents I now enclose, and it is confirmed by the admission of the prisoner Vicera, before me, that it was his intention to carry the ship into Goa, and there change her flag to that of Portugal, proceeding afterwards wherever he pleased to go with her.

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A 2

8. From

E. I. Company and
Board of Control.
(Documents.)

8. From amongst the papers seized by me on this occasion, I have selected a few for transmission with this letter, to show the grounds on which I have proceeded in imprisoning these persons. The remaining papers will be forwarded in the brig with the prisoners, sealed up and addressed to you. The whole, I trust, will prove valuable, by furnishing satisfactory evidence against many individuals whose names are mentioned in them as promoters of the detestable and illegal slave trade that has so long existed between the island of Bourbon and the African coast, in spite of every effort on the part of his Majesty's ships to prevent it.

9. I regret much that I was unable to secure the two documents that the captain has sworn he saw in the possession of Vicera, the first prisoner, the private log-book of the "La Mouche," and the authority from the owners to ship slaves in her, not because I consider these documents necessary to substantiate the guilt of the individual—that I conceive to be incontestably proved under his own hand; but because the possession of them might have enabled the government to trace this traffic to many of its abettors who may now escape detection, and because the same vessel alluded to in the captain's deposition before me is, I understand, now at Bourbon; she was seized by the French government there in 1817, on suspicion of being concerned in the slave trade, but for want of sufficient proof was released, under security, in case of further evidence being attained thereafter. I am still engaged in searching for these documents, and if they have not been destroyed (of which I have yet no proof), I do not doubt that I shall ultimately discover them.

Vide Encl. No. 1,
Q. 13.

10. The first document to prove the guilt of the prisoners Vicera and Meguel is the enclosed original letter, marked A., from the former to the latter. It was found by me in the writing-desk of Meguel, when I seized his papers; the captain of the brig "Jevears" says, that it is all in the hand-writing of Vicera, and in comparing it with several letters and papers received by me from that person, and with documents respecting the ownership of the brig, no doubt of the fact exists in my mind.

11. The next paper, marked B., is a letter from Domingo Baptista, the person mentioned in the answer to the 6th question in the examination of Captain Berichon, No. 1, showing the connexion of these individuals with him; this person was found at Bourbon, and seized and sent off to Mozambique, in consequence of the strongest suspicion of his being engaged in the slave trade; the documents marked C., D. and E. are letters found in the possession of Meguel from several individuals at Rio de Janeiro, in August 1825, commissioning him to purchase slaves at Mozambique on their account. F. is a letter to Meguel from the Mauritius, in the hand-writing of Vicera, but not signed, proving their further connexion with the individual, Domingo, who was sent off the island of Bourbon. It also proves the intention to carry the brig to Mozambique, in the first instance, and bears honourable testimony of the determination of the commander not to allow this to be done; this letter is dated seven days after the departure of the brig from Mauritius to Bourbon, Vicera having remained behind the vessel and joined her at the latter island. The paper marked G. was found by me in the shaving-case of Vicera, it is apparently written by himself, and is a memorandum of the sale and costs and charges of two slaves sold to a Mr. Denchaulti, on account of one Jeronimo Franc Fer^a. H. contains extracts from a book of commission sales, &c. found in the trunk of Anastazio, who acted as servant to Vicera, having been deposited by the latter when he first discovered the nature of my suspicions regarding him. This book is generally written by Vicera himself, as I can judge of the writing, and shows his connexion with the slave trade from the year 1815 to the year 1825. In the packet also found by me on Vicera's person, there is a receipt for two female slaves, signed by one Mayer, at Bourbon, and dated the day of the departure of the vessel, and which tends to confirm the deposition of Captain Berichon in answer to the 11th question in his examination. The reply of this person to my demand of his papers and his consequent examination is also enclosed, which shows the anxiety he evinced to evade this demand, and the falsehoods to which he resorted to prevent the discovery of his papers.

Encl. No. 3.

12. The only documentary proofs that bear direct upon the question of the concern of the other Portuguese, Anastazio, with these two individuals in their slave traffic are, first, a memorandum, marked I., found in a box belonging to him, and which is apparently in his hand-writing (though when he appeared before me he denied the fact); the mention made of him and his property in slaves in the paper marked A., and an invoice and two bills of lading for seven bags of cloves in the brig in his name, which is inconsistent with his assumed character of a servant. He also admits that he came in the "La Mouche" from Mozambique to Bourbon in company with the first prisoner, Vicera, and he has no paper to prove that he had authority either to reside on or quit that island.

In Encl. No. 1.

13. With regard to the French subject, Gunenthel, little has appeared against him, excepting the facts of his having been smuggled on board at Bourbon, his having combined with Vicera against the captain of the brig in the attempt to carry her to the African coast, and the different accounts given by him, in his written statement and examination before me, of his property on board the brig, and in the examination of Vicera on the same subject, in the enclosed paper, marked J.

14. It appears to me, after a tedious and patient investigation into this matter, that if I had not fortunately made the discoveries I have mentioned in this letter, and arrested the individuals now forwarded to Bombay, they would have forced the commander to go into Goa, and having there obtained a Portuguese pass, the brig would have been carried to Mozambique on the slave trade by these individuals, assisted by a few of the present crew, the commander being put on shore or otherwise disposed of.

15. I have

15. I have little doubt that a further investigation of the papers of these prisoners, an examination of the prisoners themselves, and of the commander and crew of the brig, will put the government in possession of much information regarding the illicit traffic in slaves on the coast of Africa, the means by which it has been carried on, and the individuals concerned in it. I have enclosed in this address two sealed letters,* addressed to Mozambique, that I discovered on the occasion, which I have not thought it advisable to open, as sufficient evidence has, I think, been obtained to justify my proceedings, without resorting to a measure which can be adopted with more propriety by higher authority.

E. I. Company and
Board of Control.
(Documents.)

*Marked K. & L.

16. I have placed the whole of the papers seized by me, that do not form enclosures of this letter, in the hands of Lieutenant M'Donald, the master-attendant of this port, who, under the unusual circumstances of this case, has been placed in charge of the brig, and will carry her to Bombay; that officer will on her arrival hand over these documents to you with the prisoners.

17. As it would not have been safe, with reference to the state of the crew, their connexion with the prisoners, and other circumstances, to send the prisoners in the brig without a competent guard, I have obtained from the officer commanding at this station the services of a havildar's party, who will go with the vessel, under the orders of Lieutenant M'Donald, and I beg the favour of their being sent back to this station as soon as possible.

18. The brig will sail for Bombay as soon as provisions and water can be laid in for the guard.

I have, &c.

Canara, Mage^s Cutcherry, Mangalore,
3 Feb. 1827.

(signed) *J. Babington*, Magistrate.

(Copy—sic. orig.)

Je sous signe Pieire no du Beninor, capitaine nu brich Anglaush Esperance of Port Lewis.

Qu ayant des soupeons trie forts sue lamourgation que to subriecargue Mons. Joze de Souza Vicera voulaio faire Biriemon mon friease inest la crulion a Lt. Nil. Maurice qui a a sujet ma doune des instructions been formelle qui me deffendents expremiment de n'entreprendre cnenu commerce litticite, que Monsieur Joze de Souza de Vicera a voulu me faire entreprendre la heritume jours de mon deport on me dengeant vers la cote d'Afrique qui je liu de fortemeur refun et esquegage peut certifier leur ayant doane connaissance se nunerjour deugae vantail me faire fain. Le subricar que quia a seyet in a observe quije devais sennée es endueit de plus cinguttant lt. embarquement des duer persoemes trommies trommies abord un letter svar Mosambique et les objects portis sur manifeste douts les proprietaires ne sont for a Bombay comm to a ported mes commisseruents ubo voyage de go a qui omt we faire entrepandu se subrecargue auguel je me refuse mes expeditions is infanant pus mention.

Fe deitan denyé que no veretant compromettre in ina personur nemonequipage co monfire la contion de navire dont feveen seurre se veximan sis instruction a fin de nepa se compromettre aupue du len gouvernement.

Ji faisaes abundons elle brick L'Esperance on gouvernement de Mangalor.

Mangalor avengh sug^a janvier a lannae mil huit a ent veregt^t sujet.

P. Berichon, Captain.

Sworn before me this twenty-ninth day of January (at Mangalore) in the year of our Lord one thousand eight hundred and twenty-seven (A. D. 1827.)

(signed) *J. Babington*, Magistrate.

EXAMINATION of Captain *Berichon*, commanding the Brig "Esperance," taken on the 29th January 1827, by *J. Babington*, Esq., Magistrate and Justice of Peace at Mangalore.

Question 1. You have stated in your declaration now sworn to before me, that the supercargo, Joze de Souza de Vicera, directed you to alter your course and steer to the coast of Africa 28 days after sailing from Bourbon; did he state for what purpose he required the vessel to be carried to that coast?

Answer. He told me, that as the voyage was tedious, and that we should require provisions, he wished us to go there to get provisions, and also to finish some business he had on hand there.

Q. 2. Did he explain to you the nature of the business?

A. No.

What took place after you refused to alter your course?

He told me that he was master on board; he would next morning enter a protest against me for refusing to obey his orders, in order to remove me from my command of the brig.

Q. 3. Did

A. Yes;

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Q. 3. Did he make this protest?

A. Yes; he did so before Michael and Gunenthel.

Q. 4. Do you know where the protest is?

A. It is in his possession.

Q. 5. How came the letter addressed to Mozambique into your possession?

A. It was given to me with other letters when I embarked in the boat to go on board, at Bourbon.

Q. 6. You have stated to me, you conceive certain goods addressed to the supercargo at Bombay are intended for Mozambique; why do you think so?

A. Because a man named Domingo, to whom the letter is addressed, lived with Monsieur Mayer at Bourbon, and left his goods with him, when he was sent off from the island on board the French brig "Pauline" by the government to Mozambique, without being allowed to embark any property. I also saw these things at Bourbon, at Mr. Mayer's house, by whom I was informed that they belonged to the said Domingo. I wrote also to my brother at Mauritius that the supercargo had embarked these goods for Bombay, when the proprietor, to my knowledge, was at Mozambique, and that I feared that he intended to embark in an unlawful trade with the brig, but that I would prevent it.

Q. 7. Had you other reason to believe that the supercargo intended to employ the brig in the slave trade?

A. Yes; because I also know that the young Portuguese, named Michael, had come with him, the supercargo, when he carried a cargo of 50 slaves from Mozambique to Bourbon.

Q. 8. How do you know this circumstance?

A. I was informed by Mr. Mayer in Bourbon, and by himself, the supercargo, as also by a paper that he showed me on board.

Q. 9. What paper was it?

A. It was a permission from the owners of a French vessel, called "La Mouche," to embark in her 50 slaves from Mozambique; agreeably to which he had embarked them, and sold them at Bourbon.

Q. 10. Do you recollect the date of the permission?

A. No.

Q. 11. Did the supercargo tell you to whom he had sold these slaves?

A. No; he sold 48 to different people, and two negresses are now unsold, at least they were so when I left Bourbon, as I saw them lying sick at Mr. Mayer's.

Q. 12. Do you know where that paper now is?

A. In his possession; at least it was so when we arrived here; but he had landed some papers.

Note.—A letter seized among the papers belonging to Meguel, and signed Joze de Souza Vicera, and marked A., is shown to him.

Q. 13. Look at the letter now shown to you, and state in whose hand-writing it is, and by whom seized?

A. It is the writing and signature of the supercargo, Joze de Souza Vicera.

Examination continued on the 31st January 1827.

Q. 14. Was it with your consent that Gunenthel embarked in the brig "Esperance" on the 14th November last from Bourbon?

A. No.

Q. 15. Did you on any occasion receive any money from him for his passage?

A. Never.

Q. 16. Did you ever demand a passport from him, and, if so, what was the answer you received?

A. I did demand of him his passport on the 15th, the day after we sailed, and he said he had not one.

Q. 17. When he said he had no passport, what observation did you make to him?

A. I told him that I would denounce him to the first magistrate I should meet; to which he replied, that he had no fear on that account.

Q. 18. What has been his conduct on board since that conversation took place?

A. He combined with the supercargo against me, and frequently repeated to me that the vessel belonged to Joze Vicera, and that he would not receive any orders from me. He also made repeated protests against my proceedings as captain.

Q. 19. Were

A. I was

Q. 19. Were you acquainted with Gunenthel at Bourbon ?

Q. 20. You have stated to me that you are afraid of an attempt upon your life by Gunenthel, Meguel and Joze Vicera ; what induced you to entertain those fears ?

A. I was not ; I never saw him until he was on board the brig.

A. After the attempt made by them to change my route to the coast of Africa, against my wish and contrary to my instructions, and the sudden death of my second officer, and also the attempts made to force me to carry the vessel to Goa, for which place I had no cargo nor letters, I feared that attempts would be made by them upon my life.

E. I. Company and Board of Control. (Documents.)

(Copy—sic orig.)

Fe certifie writes us rejeoncer conforms ane ane unonstances cunaris dans te vaye.

(signed) P. Berichon, Captain.

Sworn before me, at Mangalore, this 31st day of January 1827.

(signed) J. Babington,
Magistrate and Justice of Peace.

(Copy—sic orig.)

I um° senhor ministro collector geral recibi adrdem de V° S^a dactada de 29 de Januro dia dehye evulingo age jugliza agaal sendotra duzida importugues pelo traductor de V° este me depe gue V° mal cbvedita or dem ne ord evava gou en a presentare a V° to doo orpapis que turtra emmen poder rossementes a brigue Esperanca uneon amentes aomen titule de solre carga dosvesmo av gue a tenciozan ruponde que emgt° astitulo de sombre cargo este nad existe senad nalista da matricula da equipagera que o capt do mes mo brique terose emell auricia no tribunal da policia on de fue a prezentado pelo desto capt mest acto emquants appassis concer mentes as as brique Esperanas norquaes esta taxada amontra distordade estes to dos ertai ramed do eburnador do brigue cenapenas tive a cojuas asigrados peto nome armador as guades fir ver no dia 26 do coul. aos e V° nastomon are meter dezindome guija ostenha visto damao de capitao ecomo en des cenfiace daim partecalidate de V° or fiscuvind ao men consignata conagnatario a Bombay para or fazer a firenzentar as governo dagevella cidade guandoen the deure que era necessario pirem se suo mesta uella de Mangallor precizois se me thaortes popeis en ordeno ard men correspondente pa que os intrigue do govern de Bombay, entao V° podu pedelloo as dito governis.

He sque respectezame tenho arupender a V° senhor ministre collector geral dequen tendo a nonnre deser.

D. V^s.
A mais obediente servo,
Joze de Souza Vicera.

(Copy—sic orig.)

Pergiscate.

Reposta.

Manderos peloo jhoje fazia tencao dunvear a Qd V^s.

Qwando e em que nodomandon vmee estes papees Cox a Bombaim ?

Picira.
Nodia 26 he que or rementz.

Quam he a sco correspondente em Bemlaim a quem V. M^{ee} Maudon aquece illes passier ?

Senhor Regerio de Faria.

Mem.—At this stage of the examination, the magistrate having called for the list of letters forwarded to Bombay on the day specified, and no letter having been entered therein directed to Sir Roger de Favia, the deponent was informed that it would be necessary to search his person, when he immediately produced the papers marked Nos. 1 to 10.

(signed) J. Babington, Magistrate and J. P.

(Copy—sic orig.)

Je soussigne Domeneque Gunenthel sellier filso legitera de jue Guillaume Gimonthail et de Jeame Mardsedel natif de 1st Giront department, de S. Prierge age de zaught Bult aurb declare que daw be commencement du moir D^r Jowentre, agent ajovin par la voice du journeur de si be Bourbon on joi Mon. Duniutta depaie, saunir mil bent cents vienzt deux que le Baie Anglaie L'Esperance commander par Mr. Berichon etail destine pour Bombay ne pouvent point me procurer a Bourbon su marchandise naissaicerer pour so fabrication die voiturer ou exerce sa profession if resoluo daler me ler procurer a Bombay on ye savoir y trouser tout, &c. qui metal naiesire ye feer trouver le capitain due brues Esperance jroun in arrangee avie liv pour avoir passage a hoa boit il massura que meyant quum passager il pourrant me douser passage ye fir tour mee preparatife it etant alle pour prendre impose poit soir me duvendu me declaration du ridocteur du journal courmee

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A A 4

quoir

E. I. Company and
Board of Control.
(Documents.)

quoir vary fait mettre mon depart um sai det journal in chicut par be temper necessaria pour faire recouver mon depart (ye demain parailu sur la femble se 227 noven cre at le mareevest parte se 14) ye ful trowrer le capitaine pour contremander sa passage que yany arrite a son bord il ajner lui avoir explique ler motif^a que in ons pretail de partir oveclice que setail faulte de narvir parta temp^r navis sucre pour me faire affichee il Massina que ye narez nullement beson dausen passport daw scude, il que se ye roulaj il sa cragehait de me conduire a Bombay laur possessoit a preravoir coorcenn die par de non passage qui efui lroir centr piestur ye fao la weeble de nous deport la lu compter dans sa chembre qu il avait chez le consignaburre dio navire a pu lin avour kavio L' Aruzcat ye lau demandair un reiv allorie le friere me delunt que ne me prurant par ne porter sur son rote il me pouvait pui me donner aveun eevit laur le compromettre elveir que li ye roulez po uvair aller a bord daw luistear meme yusassy de confrans en lui pour lue laisser largent il ye ne fur a bord que le lendemain 14 noxew pre new ler sept veuver du matin arrire a bord ye trouvai le capitaine il law legout amu que lent l equipage unergtent a prer mao arrive a bord le capitaine fur a terrur il revail vere le dey newrer anoxur au Legont quil attract recouer une sertaine quantie de caissur de rin de Bordeaux que le subrecargo avate actrite mue lei quatre leurir de lapein midy se subrecargue bricit in bort avec une passage nowdion a table il ela se mucut a diner ave now ewew her sing weamer le capitaine for faire reser ser expedition a bord de rafregatte la Loire que itail en rade de Bourbon il a prer son ectour scrtrint tremmer du Loir tous st. equipage prat scrtifier que yeloine bord an cons entement da capitaine que yar mauze to ate la joumer a sa table que peaed aut ler premier yourn de notre navigation gitain true burn avec eur (len affucere) at que le ne fut quapre avoir disapprove louree proceder euree le suprecargou que nour acour ite contenuettement daw ave silescieuse inde farance fai ale lemain ci bort de Bavecoupr des faller routta at dew fausser manunrrer quil a failter deo rideveerquil a faister a toal le guipage deofanlo declaration quil roatait bar faire due centre li suprecarque il de Bavcoaprdautre particularita que le subrecargoe va p 40 testu centre luc.

Poar le cein persuader de la fausse declaration quil a faitte dene question trer simple beurant devoiler la verite quil cherettee a coarrerdine veille.

La premure est le comus il le did yai ete infent troare a bort pourquoe le your de moi appravation a bord natil par comme la se pratizai fait passer trut l equipage seer le Gaollard de derriera et leur faire connaitre moa apparation a bord ver caliser san desamparer faire signor lu procer verbal par tour ceux qui etail a bord lt Enariment a ture failere sa declaration an capitan da port il a fait le contraire elunt dissandan a ture area lue il did are capitaine da port que ye fesair partie de son equipage il quarante truit tuerer a prier il fait an declaration quil a dead enfrule trouvait bond il fabrique le your nene urn procer ver cal quil nest legne de personne il qui procure de leie mens et lincapaite de lor antier.

Mangalor le and night sept yourier mil trust cent wingt sept.

(signed) *Gunenthel.*

Witness,
(signed) *Joseph Leal,*
J. W. Vouchero.

Taken before me at Mangalore, this 27th day of January 1827.

(signed) *J. Babington,* Magistrate and J. P.

QUESTIONS put to *Dominique Gunenthel,* Sellier, by and before *J. Babington,* Esq., Magistrate of Mangalore.

Question. You say in your declaration that you embarked at Bourbon for Bombay, for the purpose of purchasing articles required in your profession of carriage-builder; by what means did you propose to purchase them?

Answer. I have 2,000 piastres in the supercargo's hands for the purpose.

Q. Have you a receipt for that sum?

A. I have.

Q. Where is it?

A. On board the brig.

Q. You say that, about four in the evening of the day you sailed, you saw the supercargo come on board with a passenger; who was this passenger?

A. Michael, now present.

Q. When did you give the 2,000 piastres to the supercargo of the brig, and in what coins?

A. About 10 or 15 days after quitting Bourbon; but I am not sure of the time. The coins were gold and silver coins, principally gold mohurs and rupees.

Q. Is the receipt of the supercargo dated on the day of the payment?

A. I believe so, but I am not sure; I put the receipt in my trunk, where it now is.

(signed) *Gunenthel.*

Taken before me, at Mangalore, this 28th day of January 1827, having been previously explained in French.

(signed) *J. Babington,* Magistrate and J. P.

EXAMINATION

EXAMINATION of *Joze de Souza Vicera*, on the 28th day of January 1827, by *John Babington*, Esq., Magistrate, &c. of Mangalore.

E. I. Company and
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Question 1. HAVE you any money belonging to Gunenthel?

Answer. I had; but which I returned to him whilst on board.

Q. 2. What was the sum?

A. I do not know the exact extent; but it might have been little more or less than a thousand five hundred, or as far as two thousand pezos.

Q. 3. When he gave you this money, did you give him any receipt for it?

A. I did not give him one, nor did he ask me for it.

Q. 4. In what was the money wrapped up; in a purse or in what; and in what coins, as far as you can state?

A. In a piece of paper, I believe, were gold coins, and in a purse, which the paper contained, were silver ones.

Q. 5. Was that paper sealed and signed by him?

A. Neither signed nor sealed.

Q. 6. When did you return the money to him?

A. About the 8th December.

(signed) *Joze de Souza Vicera*.

Taken before me, at Mangalore, this 28th day of January 1827.

(signed) *J. Babington*,
Magistrate and Justice of the Peace.

No. 320, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to the Advocate-general.

Sir,

I AM directed by the Honourable the Governor in Council to transmit to you the accompanying copy of a letter from the magistrate and justice of the peace at Mangalore, dated the 3d instant, with its original enclosure, and to request your opinion as to the measures to be pursued with regard to the brig "Esperance," and the prisoners on board of her.

2. The Governor in Council also requests you will concert with the senior magistrate of police, and endeavour to prosecute the inquiries suggested in Mr. Babington's letter, with the view of fully discovering and putting a stop to the traffic in slaves, as therein described.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 15 February 1827.

No. 321, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to the Senior Magistrate of Police.

Sir,

I AM directed by the Honourable the Governor in Council to transmit to you, for your information and guidance the accompanying copy of a letter this day addressed to the advocate-general, who will give you a perusal of the enclosure to that letter.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 15 February 1827.

From Lieutenant *M' Donald* to Mr. Secretary *Norris*.—(15 February 1827.)

Sir,

I HAVE the honour to inform you of the arrival of the brig "Esperance" (seized by the principal collector in Canara), having on board a detachment of one havildar and 13 rank and file of the 50th M. N. I., for the safe custody of four prisoners, whom I am ordered to deliver over to the government of Bombay, as you will perceive by my instructions, and which I have the honour to enclose in original.

I have, &c.

Brig "Esperance," Bombay Harbour,
15 February 1827.

(signed) *W. M' Donald*, Lieut. n. c. m.,
and Master-attendant of Mangalore.

E. I. Company and
Board of Control.
(Documents.)

From *J. Babington*, Esq., Magistrate, to Mr. Secretary *Norris*.—(3 February 1827.)
Sir,

I HAVE the honour to forward under charge of Lieutenant M'Donald, the master-attendant of this port, a tin box, containing the books and papers mentioned in my letter, under date the 31st ultimo, sent by post, as per list which accompanies them, signed by me.

I have, &c.

(signed) *J. Babington*, Magistrate and J. P.

Canara, Mg^{ts} Cutcherry, Mangalore,
3 February 1827.

From *J. Babington*, Esq., Magistrate, to Lieutenant *M'Donald*.—(31 January 1827.)
Sir,

I HAVE the honour to request that you will receive on board the brig "Esperance" the following persons as prisoners, and deliver them over to the government of Bombay, on your arrival there, viz. :—

1. Joze de Souza Vicera, a Portuguese subject, late supercargo of the brig "Esperance."
2. Meguel Alves Machado de Carvalho, a Portuguese subject, found on the same brig, as passenger.
3. Anastazio Niega, a Portuguese subject, stating himself to be servant of the first prisoner.
4. Gunenthel, a French subject, a passenger on the brig "Esperance."

For the better security of these prisoners, I have sent a guard as per margin, who will act under your orders whilst employed on the present duty, and whom you will be pleased to place under the orders of the government of Bombay when the prisoners are delivered over.

I have, &c.

Canara, Mg^{tes} Cutcherry, Mangalore, (signed) *J. Babington*, Magistrate and J. P.
31 January 1827.

(True copy.)

(signed) *W. M'Donald*, H. M. C.,
and Master-attendant of Mangalore.

1 Havildar,
2 Nacques,
12 Privates,
of 50th M. N. I.

No. 337.

From Mr. Secretary *Norris* to the Advocate-general.—(19 February 1827.)

Sir,

IN reference to my letter of the 15th instant, I am directed by the Honourable the Governor in Council to acquaint you with the arrival of the brig "Esperance," the prisoners, and a box of papers connected with the seizure of the vessel, which will be open for your inspection.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 19 February 1827.

No. 338, of 1827.

From Mr. Secretary *Norris* to the Senior Magistrate of Police.

Sir,

I AM directed by the Honourable the Governor in Council to transmit to you a box containing the enclosures to a despatch from the magistrate of Canara, dated 4th February, as also sealed packets of papers found on the prisoners who received* in the brig "L'Esperance" under suspicion of being concerned in the above trade.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 19 February 1827.

* Sic orig.

RESOLUTION.

A DETACHMENT of a havildar, two nacques and twelve privates of the 50th regiment of Madras native infantry having arrived at Bombay on board the brig "Esperance," ordered, that the adjutant-general be advised of their arrival, that measures be taken for their being taken charge of, and returned to Mangalore.

2. A vessel having been lately taken up for the purpose of proceeding to Mangalore, to bring up coir for the marine, this circumstance be also communicated to the military department, in view to the detachment, if convenient, being conveyed in the vessel already engaged.

3. Ordered, that the preceding resolution be transferred to the military department, that the necessary orders may be thence issued.

From

From Lieutenant *M^cDonald* to Mr. Secretary *Norris*.—(19 February 1827.)

Sir,

ADVERTING to my letter, under date the 15th instant, reporting my arrival in the brig "Esperance," of which vessel I was placed in charge by the principal collector in Canara, in order to her being delivered over, with certain papers, to the admiralty court at this presidency, as also four prisoners, under a military guard, composed of a detachment of the 50th regiment M. N. infantry, whom I was ordered to deliver over to the government of Bombay on my arrival, and not as yet having received an answer to my letter respecting the guard and prisoners, and having been called upon by the senior magistrate of police by warrant to continue them in my custody till one o'clock this day, and then to bring them before him, which has been complied with.

Considering that officer acting under the authority and on behalf of government, and deeming it my duty under such circumstances to comply with every requisition, by warrant or otherwise, directed or conveyed to me by that authority, I beg leave to inform you that a constable has been placed on board in charge of the prisoners, and that I continue to hold the command of the guard, but do not now consider myself responsible for the safe custody of the prisoners formerly under my charge, and that the duty of the guard are still, by my order, and at the requisition of the magistrate, in charge of the prisoners till relieved by government.

I therefore respectfully beg leave to be informed to whom I am to deliver over the guard.

I have the honour herewith to enclose you a copy of my instructions from the principal collector in Canara, and beg to be informed to whom I am to deliver over the brig and papers, as I am informed by the advocate-general that there is no court of admiralty here at present. I have deposited the papers connected with the vessel's seizure in the hands of the senior magistrate of police till I receive further instructions from government.

I have, &c.

(signed) *W. M^cDonald*, Lieutenant H. C. M.

Bombay, 19 February 1827.

From *J. Babington*, Esq., Magistrate, to Lieutenant *M^cDonald*.—(1 February 1827.)

Sir,

HAVING discovered documents in the possession of the captain and supercargo of the brig "Esperance," under English colours, now in the roads, which prove the brig to belong to a foreigner, and not to the owner entered in the ship's register, who is a British subject, I thought it proper on the 27th instant to seize and place peons in charge of her.

I request, in consequence, that you will take charge of the brig as soon as possible, and carry her to Bombay, to be there condemned, if, as it appears to me, she has been trading against the law.

6 Geo. 4, cap. 110.

The peons placed in charge of the brig by me on the 27th instant will give her over to you and obey your orders.

On your arrival in Bombay you will be pleased to deliver over the brig to the admiralty court, in order to her condemnation with the least possible delay, for which purpose the necessary documents will be placed in your hands by me when you are ready to sail, in a sealed packet, addressed to the registrar of that court.

I have, &c.

(signed) *J. Babington*,

Principal Collector, and Collector of Sea Customs.

Canara, Principal Coll^r, Cutcherry,
Mangalore, 1 February 1827.

P. S. When you shall have performed the duty herein required, I request that you will take the earliest opportunity of returning to Mangalore.

(signed) *J. Babington*, Magistrate.

(True copy.)

(signed) *W. M^cDonald*, Lieutenant.

No. 273, of 1827.

From Mr. Secretary *Norris* to the Advocate-general.

Sir,

I AM directed by the Honourable the Governor in Council to transmit to you the accompanying copy of a letter from Lieutenant *M^cDonald*, dated the 19th instant, and to request your sentiments upon the subject of the two concluding paragraphs.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 24 February 1827.

E. I. Company and
Board of Control.
(Documents.)

From *J. Babington*, Esq., Magistrate, to Mr. Secretary *Norris*.—(4 February 1827.)

Sir,

WITH reference to my letter of yesterday's date, I have now the honour to transmit such translations of the documents therein forwarded as my limited means have enabled me to make.

The Honourable the Governor in Council is doubtless aware that the establishment of a local magistrate does not afford him the means of obtaining translations of documents in foreign European languages, and this circumstance will, I trust, lead him to excuse the imperfect nature of those herewith enclosed.

I have, &c.

Canara, Magistrates, Cutcherry, Mangalore,
4 February 1827.

(signed) *J. Babington*,
Magistrate and J. P.

From *George Norton*, Esq., Advocate-general, to Mr. Secretary *Norris*.—(24 February 1827.)

Sir,

IN reply to your letter of this day's date, enclosing a copy of a letter from Lieutenant *M'Donald*, I have the honour to state that the subject of his letter is under discussion and consideration before the honourable the chief justice on the point of his authority to open an admiralty court, and other matters connected with the seizure of this vessel, and that I shall have the honour of reporting on the subject in a very few days; till then, I humbly recommend government to refrain from any interference with the vessel, and to leave it in the custody in which it was brought. The senior magistrate of police has proceeded on his own powers in a regular way as regard the individuals charged with slave-dealing.

I have, &c.

(signed) *George Norton*, Advocate-general.

Bombay, 24 February 1827.

No. 391, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to Lieutenant *M'Donald*.—(1 March 1827.)

Sir,

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter of the 15th ultimo and its enclosures, and to inform you that the subject of your communication is under reference to the Advocate-general, and upon receipt of his report government will furnish you with an answer.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay, 1 March 1827.

From the Advocate-general to Mr. Secretary *Norris*.—(7 March 1827.)

Sir,

WITH reference to your letters respecting the seizure of the brig "*Esperance*," and the measures to be adopted in regard to that vessel and the prisoners on board of her, as well as the prevention of slave-traffic, I beg to state that I am preparing to report my opinion with every despatch.

It seems, however, expedient that, under the circumstance of her present detention under the custody of Lieutenant *M'Donald* being unauthorized by law, in my opinion, and the probability of some litigation in case such detention is continued, especially if the vessel and cargo is demanded, I should immediately advise the Honourable the Governor in Council on the point.

Supposing the vessel forfeited, which I believe she is, there are no other persons in India who can, in my opinion, legally seize her; for the cause of forfeiture appearing in the papers with me, except his Majesty's naval officers and commissioned officers in the army, the collector and magistrate at Mangalore, I conceive, has no such authority, nor has this government. The prisoners, therefore, sent with her having been brought before the senior magistrate of police, depositions taken and the parties committed, I conceive government should not authorize the detention of the vessel any longer, but immediately withdraw their officers from custody.

I recommend that Captain *Berichon*, who was in command of this vessel when seized, and against whom there is no suspicion, should at the same time be apprized that the vessel is at his disposal, and the government do not intend to interfere in seizing or detaining her; I also humbly recommend that Captain *Furneaux* be made acquainted with the circumstances, and be offered the opportunity of consulting the papers, should he be so disposed, with a view to his seizing the vessel, should he see cause, he being the only person, as a King's naval officer on the spot, who can be a legal captor, unless government should be disposed to authorize any officer of the army so to seize.

I have, &c.

Bombay, 7 March 1827.

(signed) *George Norton*, Advocate-general.

No. 423,

No. 423, of 1827.

E. I. Company and
Board of Control.
(Documents.)

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to Lieutenant *M'Donald*.—(7 March 1827.)

Sir,

WITH reference to my letter dated the 1st of this month, I convey the directions of the Honourable the Governor in Council, that as the prisoners suspected of being concerned in the slave trade, for whose safe custody the military guard under your orders was prescribed, have been delivered over to the police, you forthwith remove the guard and place it under the orders of the town-major.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 7 March 1827.

No. 424.

From Mr. Secretary *Norris* to the Town-major.

Sir,

I AM directed by the Honourable the Governor in Council to inform you, that Lieutenant *M'Donald* of the Honourable Company's marine, has been instructed to make over to you the military guard which was placed under his orders, by the magistrate of Mangalore, for the safe custody of some prisoners suspected of being concerned in the slave trade; you will accordingly be pleased to receive charge of the guard.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 7 March 1827.

No. 425, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to Captain *Furneaux*, of his Majesty's Ship "Hinde."

Sir,

I HAVE the honour of transmitting to you a letter from the collector of sea customs at Mangalore to the chief secretary to this government, communicating the circumstances under which he had thought proper to seize and send to Bombay, under the charge of the master-attendant of that port, the brig "L'Esperance," to be delivered over to the admiralty court, in order to her condemnation, and to offer you an opportunity of consulting the papers in my possession, forwarded on this occasion, should you be so disposed, and with a view to your seizing the vessel.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 7 March 1827.

No. 426, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to the Advocate-general.

Sir,

I AM directed to acknowledge the receipt of your letter of this day's date.

2. As the brig was not made over to the government, but put in charge of the master-attendant at Mangalore by the custom-master at that station (both officers belonging to the Madras government), with instructions to make her over to the admiralty court at Bombay, it does not appear necessary for the government to interfere with the disposal of that vessel.

3. The guard which was sent by the magistrate to accompany the prisoners has been withdrawn, and a letter, of which the enclosed is a copy, has been written to Captain *Furneaux* commanding his Majesty's ship "Hinde."

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 7 March 1827.

E. I. Company and
Board of Control.
(Documents.)

No. 433, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary Norris to *J. Babington*, Esq., Magistrate.—(9 March 1827.)

Sir,

I AM directed to acknowledge the receipt, on the 14th ultimo, of your letter of the 3d ultimo, to the chief secretary's address, with its enclosures, and the receipt on the 15th ultimo, by the brig "Esperance," under the orders of Lieutenant M'Donald, master-attendant of Mangalore, of your further letter of the 3d ultimo to the chief secretary, with the box of the papers which accompanied it, all relative to the cases of four (4) persons suspected of being concerned in the slave trade, and forwarded prisoners by you in the brig "Esperance."

2. The prisoners have been delivered over to the senior magistrate of police, to be proceeded against according to law, and the papers above mentioned have been submitted to the inspection of the senior magistrate and of the Company's law officers, for the purpose of supporting any prosecution which it might be found expedient to institute. The guard of Madras sepoy, in charge of the prisoners, has also been removed from on board the brig.

3. On the 25th of last month his Majesty's ship "Hinde" anchored in this harbour; it therefore became necessary to make Captain Furneaux acquainted with the information obtained upon the subject of the slave trade, as also with the situation of the brig, as stated in your letter of the 3d ultimo to the chief secretary to this government, and in your instructions of 1st February, as principal collector of sea customs, to Lieutenant M'Donald, which that officer had, on his arrival, communicated to government. A copy of my letter to Captain Furneaux is herewith transmitted.

4. It is understood that Lieutenant M'Donald has been unable to carry into effect your instructions above alluded to, there being no court of admiralty at Bombay for the purposes contemplated.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 9 March 1827.

From Acting Senior Magistrate to Mr. Secretary Norris.—(8 March 1827.)

Sir,

IN reference to your letters to my address of the 15th and 19th ultimo, relative to the brig "Esperance," seized and sent to Bombay by the collector and magistrate at Mangalore, I have the honour to apprise you, for the information of the Honourable the Governor in Council, that on the 22d ultimo I committed the supercargo of the said brig and three other persons, also belonging to the vessel, to gaol, for being concerned in slave dealing, and that on personal application yesterday by Captain Furneaux, of his Majesty's ship "Hinde," I delivered to him two different packets of sealed papers transmitted with your letter to me of the 19th, in the same state as received from you, together with a sealed packet placed in my hands by Lieutenant M'Donald, the officer sent up in charge of the brig from Mangalore, addressed to the register of the admiralty court in Bombay, in view to enable Captain Furneaux to institute proceedings against the brig, he having in the meantime detained her.

I would on this occasion take leave to notice to government that the parties above alluded to, as committed by me for trial before the supreme court, are committed upon the sole evidence of the late master of the brig, Mr. Peter Berichon, who has in due course been bound over in his personal recognizance to appear and prosecute; the circumstances, however, under which he is placed by the seizure of "L'Esperance," deprive him (as he represents his case to me, and I have no reason to disbelieve him), of the means of maintaining himself here until the sessions, and being without either money or friends, he is necessitated to throw himself upon the liberality of government for the requisite means of support during the period he may thus be detained; under this explanation, therefore, and in consideration that if he is obliged, for want of immediate subsistence, to forfeit his recognizance and return to the Isle of France, all chance of establishing the offence against the parties committed will be lost; it appears to me that the ends of public justice will be best consulted by an allowance being made to him at the rate of rupees per diem, so long as his presence is required here.

I have, &c.

(signed) *J. D. Vitre*,
Acting Sen^r Mag^s of Police.

Bombay Police-office, 8 March 1827.

No. 434, of 1827.

GENERAL DEPARTMENT.

E. I. Company and
Board of Control.
(Documents.)From Mr. Secretary *Norris* to the Senior Magistrate of Police.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 8th instant, and to convey to you the authority of the Honourable the Governor in Council to grant to the master of the brig "L'Esperance" such allowance for his maintenance during the detention here as you may judge to be necessary.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

(Copy—sic orig.)

Monsieur *Wm. Newnham*, Esq., Secrétaire-in-chef au Gouvernement à Bombay.

Mosyecur,

LES marevaises circonstances qui ont fait de me réclamer à la magistrature de Manglor ayant fait avorter et conduit à Bombay le bruth Anglais "l'Esperance" que je commande je vous adresse to présente pour vous donner connaissance de la pénible situation dans laquelle je me trouve de puis mon arrivée à Bombay me je ne corenais persvaire capable de ne unier de moyens d'existence.

N'etaut nullement compromis dans ses documents qui on a pu aneter entre les mains des perturbateurs qui j'avais abored de mon navire que ont été conduit à Bombay and moi meme ayant rempli mon devoir en me refusant au commerce qu'il voulait faire entre prendua men navire Malajee ses expéditions.

Se me rebance comme serjet de tu magiste Britanique, à l'we manite due government de Bombay, pour pouvoir être mine de ma vie existence pendant le séjour que le gouvernement me force à faire dans la ville de Bombay pour compuraetre dansees affaires ne je ne ervis millement être compromis.

N'ayent ni lagement argent pour me pourvoir mes may ensd existences ir ayant free prevoir de parcelles circumstanced puis que je devois is reto arner descetement à l'he Maurice on se bouve ma famille if que j'habite ordeswarrements.

Je me réclame Monjeur à Lagenirusite à Lagenurusto de men government pour inab-sister jusques la decision qui l'on doit prendre relativement à mon équipage des sommes assez majuis coque ne pu is ernon rutamer puis que depuis de rg burdgerens qui ge suis in reir in à ile duide jeur la naires que l'on in aforie de quitter sane en carnnaître lis natife es sans mirae sanucer de mes moyens saw me mettre à l'abuts du terness il de ma nourriture.

Ne dvertant pas monjurer que vous premier in consideration le motif que figuris vos exphejeur is que mes menées jas dauna connaissance à Mr. De Veltry qui in à pa me donner un reponce capable d'arnullover ma position je ne rusame avas borles on vous priant de pourvoir aug may ens que rusame de man government vie me permettre in à famille par les occasions que jas dans amomments pour l'île maurice.

Jas l'honneur de tre avec respects

à Monsieur,

Votre très humble rotur dussart,

Bombay, 3 Mars, 1827.

(signed) *P. Berichon*.

No. 437, of 1827.

From Mr. Secretary *Norris* to Monsieur *Berichon*, Master of the Brig "L'Esperance."

Sir,

IN answer to your letter of the 3d instant, I am directed to inform you, that as it appears from the report of the senior magistrate of police that you are detained here, the senior magistrate has been authorized to make you an allowance for your maintenance during your detention.

I am, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 9 March 1827.

No. 440, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to Lieutenant *M^cDonald*, Master-attendant at Mangalore.

Sir,

WITH reference to my letter of the 7th instant, I convey the directions of the Honourable the Governor in Council, that, after transferring the guard of Madras sepoy to the town-major, you return to your duties at Mangalore.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 10 March 1827.

E. I. Company and
Board of Control.
(Documents.)

No. 12, of 1827.

POLITICAL DEPARTMENT.

From Mr. Secretary *Wathen* to Mr. Secretary *Newnham*.—(3 March 1827.)

Sir,

I HAVE the honour to report for the information of the Honourable the Governor in Council, that the agent to his highness the imaum of Muscat begs me to mention, that Messrs. Rautanny, of Bourbon, consigned to him for his highness two chests of loaf sugar of the Mauritius, being by his highness's special request that the boxes were sent on board the brig "L'Esperance," which has lately been brought into this harbour as a prize, in consequence of which his highness's sugar is detained.

2. His highness's agent requests the Honourable the Governor in Council to allow the 168 loaves of sugar contained in the two chests to be delivered to him for transmission to Muscat.

The letter from Messrs. Rautanny and the captain's receipt are enclosed.

I have, &c.

Bombay, Persian Secretary's Office,
3 March 1827.

(signed) *W. H. Wathen*,
Persian Secretary to Government.

MINUTE by the Honourable the Governor.

ANY measure in the power of government should be taken to procure the release of this sugar over to* depositing the value in the hands of the proper person, or becoming responsible for it when adjudicated.

* Sic orig.

(signed) *M. Elphinstone*.

MINUTE by Mr. *Warden*.

THE imaum's agent, I conclude, can do this without the necessity for our interfering.

(signed) *F. Warden*.

MEMORANDUM by the Advocate-general.

As Captain Furneaux does not mean to hold the vessel, for so he has just informed me, and as government does not mean to order the seizure, I presume, as prize, I think government may send to Captain Furneaux to request his allowing the sugar to be landed, or may wait till to-morrow, by which time Captain F.'s people will be withdrawn. When the vessel is in the custody of the owner or captain, the imaum's agent may be informed that he is at liberty to bring away and pass the sugar.

(signed) *G. Norton*, Advocate-general.

MEMORANDUM by the Secretary, subscribed to by the Board.

THE Persian secretary may inform the imaum's agent that government does not apprehend that he will meet with any obstruction to-morrow in obtaining possession of the sugar.

No. 441, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to the Persian Secretary to Government.

Sir,

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter of the 3d instant, and to request you will inform the agent of his highness the imaum of Muscat, that government does not apprehend that he will meet with any obstruction to-morrow in obtaining possession of the sugar consigned to Bombay in the brig "L'Esperance."

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 10 March 1827.

P. S.—The enclosures to your letter are returned.

From the Advocate-general to Mr. Secretary *Norris*.—(10 March 1827.)

Sir,

I HAVE the honour to reply to your letter of the 15th ultimo, transmitting the enclosures therein mentioned, requesting my opinion as to the measures to be pursued with regard to the brig "Esperance" then expected at this port, and the prisoners on board of her; and also requesting me to endeavour, in concert with the senior magistrate of police, to prosecute the inquiries suggested in Mr. Babington's letter, with a view of fully discovering and putting a stop to the traffic in slaves, as therein described. I have also to acknowledge the

the receipt of your letter of the 19th ultimo, apprizing me of the arrival of the ship, and that a certain box of papers transmitted with her were open to my inspection. I have also to acknowledge the receipt of your letter of the 7th, apprizing me of the determination of government not to interfere with regard to the disposal of the vessel, and of the letter written to Captain Furneaux of his Majesty's ship "Hinde." It becomes consequently unnecessary for me to turn any further attention to any measure as regards the brig, although it may be pertinent to remark, that I was prepared to have recommended the determination come to under all the circumstances of the case. In considering, however, the other subject of reference to me, it seems to me expedient that I should lay before the notice of government some particulars of what has passed in the matter of this seizure.

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2. Upon the receipt of your first letter, and perusal of those of its accompanying enclosures, which were not either sealed up or in the Portuguese language, which I do not understand, I had no difficulty in concurring in opinion with the magistrate, Mr. Babington, that the prisoners were all more or less concerned in the felony of slave-trafficking. My first steps, therefore, were to place these papers before the senior magistrate of police, and to direct the Honourable Company's solicitor to attend at the police office to assist in their investigation. I also went myself and informed the magistrate that I was at his service to advise him in any matter of law or difficulty. I mentioned to him the subject of your letter of the 19th ultimo, which led to the box of papers therein mentioned being deposited with him.

3. The magistrate proceeded with the investigation, and in the result, upon depositions taken before him, committed the four prisoners to their trial for the felony.

4. At this stage of the proceedings it became an obvious subject of consideration, as well with a view to the conviction of the offenders as to the condemnation of the vessel itself, and the means of conveying requisite information in other quarters of the proceedings brought to light by the papers seized on board the brig, how advantage could be taken of the evidence contained in the papers; and on this point some difficulties presented themselves which it may be useful to explain.

5. It appeared to me from the beginning, as it does still, that, in quality of seisor or captor of a forfeited vessel, Mr. Babington has no right whatever. It followed, that the detention of the vessel through himself or Mr. M'Donald, who acts under him, after her arrival here (and more especially after the commitment of the prisoners), and the seizure and detention of papers found on board, even for the purpose of evidence, cannot in strict law be justified. Neither can this government, in my opinion, legally seize or detain the vessel, papers, &c. The only authorities empowered to seize by statute are collectors of the King's customs, for forfeiture in regard to registry, and governors, &c. of the King's colonies and plantations, and the King's commissioned officers in the navy and army, for forfeitures in regard to slave dealing; a consideration of these circumstances induced me not to break open seals, or pursue further measures myself, or to advise government so to do, until it should be settled whether the vessel would be taken possession of by a person legally authorized to seize as for a forfeiture, in which case these papers and every thing else contained in the vessel would be under legal custody. The senior magistrate also judged it prudent, under similar impression, to refrain from searching among the papers further than was absolutely necessary to authorize him to commit the prisoners, though there could be no objection in strict law to his examining into all matter of evidence once placed before him, whether legally obtained in the first instance or not.

6. Whoever might eventually be the seisor, it seemed to me that, in pursuing this vessel to condemnation, the most efficacious and usual course would be by proceeding in the vice-admiralty court, and the more so, as a large packet of original papers was sealed up and directed to the registrar of the vice-admiralty court. It turns out, however, that no vice-admiralty court has ever been held in the present chief justice's time, and that there are no officers, proctors or advocates admitted to practise in any such court. I brought the circumstances to the knowledge of the honourable chief justice, who threw out doubts on the wording of the commission of his authority to hold such a court, but intimated his willingness to hear an argument on the question. I accordingly attended him in his chambers, and argued on the existence of his jurisdiction. The honourable judge said he would take time to consider, and would deliver his opinion at a future day.

7. A few days after this, and before that opinion was delivered, the prisoners obtained a writ of habeas corpus; and a notice of this, without any intimation of the grounds on which the writ was obtained, was put into the hands of the Honourable Company's solicitor by Mr. Graham, who has been lately admitted to practise as an attorney, about half an hour before they were brought up; the Company's solicitor, being at this time without any instructions to act as attorney for the prosecution of this case, did not pay any attention to the notice. I am given to understand, that the honourable chief justice, sitting above in chambers after the court had risen, discharged all the prisoners; but that one, if not more of them, was obliged to find bail.

8. On the 3d instant the chief justice intimated in court that he thought he had no jurisdiction to hold a vice-admiralty court; and from the observations he made on my arguing this question before him, I am led to conclude that the learned judge's grounds of judgment are, that the office of judge of the vice-admiralty was incident to that of recorder, and seised with it.

9. It should be noticed, that, although it would be the more efficacious method to sue the condemnation of this vessel in a vice-admiralty court, that proceedings may nevertheless be carried on for that purpose in the supreme court by ex-officio information through me; but I conceive that in a case depending as this does altogether upon examination of the ship's

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papers, and the examination of all persons on board, the rules of evidence and course of examination in the supreme court would render the probability of success in a suit slight in comparison with that of a suit in a vice-admiralty court.

10. Under these circumstances I advised government, as per my letters of the 24th ultimo and 7th instant, and I trust I shall not be considered as too cautious in my suggestions, as the Honourable the Governor in Council cannot but be aware that any the least deviation from a strict legal course is greedily taken advantage of for the purpose of suing the government and its servants. Indeed, I learn that suits have already been launched against Lieutenant M'Donald, and perhaps others, on account of this seizure and detention of the vessel, cargo, papers, &c.

11. I have taken the liberty of waiting on Captain Furneaux, as soon as I learnt that he was in possession of the papers and had seized the vessel, with a view to asking information from him as to any particulars affecting the objects of your reference to me, and to solicit him to allow the Honourable Company's solicitor to inspect any papers of importance; this was readily conceded, and the Honourable Company's solicitor looked over the various papers. I learn from these gentlemen that as regards a falsification of registry there can be no doubt, and the Honourable Company's solicitor is in possession of documents in counterpart of those seized, which he conceives will sufficiently establish that fact; but as to the slave-dealing and attempts at that traffic, they both conceive that the papers inspected carry the proof no further than what is already on deposition before the senior magistrate of police, and that no further information, by way of suspicion or otherwise, can be derived from these papers than what has been detailed by Mr. Babington.

12. Captain Furneaux has declined prosecuting the vessel, this evidence of the slave-dealing not being in his opinion absolutely decisive, and he does not think the mere falsification of registry, without more in the way of trading as a British vessel, is a circumstance justifying the seizure.

13. The papers will be accordingly given up, and most of them will be in the hands of Mons. Berichon, the master of the brig, who will be always ready to produce them when called upon.

14. Under the circumstances I believe thus detailed, I beg to recommend that the governments of the other presidencies and the admiral of the station should be apprized of the particulars of the slave-trafficking which have been discovered, and the suspicions they suggest as to its prevalence, and that advice of the idea entertained by the honourable the chief justice as to the defect in the vice-admiralty jurisdiction in this presidency be likewise forwarded for the consideration of the home authorities. The opportunity might also suggest some notice of the defect of the admiralty jurisdiction of the supreme court, as pointed out by me in my letter of the 22d November last.

15. As the prisoners have been discharged by habeas corpus, and I conceive such discharge could only have happened through the impression entertained by the learned judge discharging them, either that there was no evidence or very slight evidence against them, I must leave it to the discretion of the Honourable the Governor in Council, whether he would direct the law officers to take up the prosecution of the case.

I have, &c.

Bombay, 10 March 1827.

(signed) *George Norton*, Advocate-general.

No. 500.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to the Advocate-general.

Sir,

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter of the 10th instant, and to request your opinion whether there is a probability that the parties who are charged with being penally implicated in the slave trade would be convicted if prosecuted in the supreme court.

I have, &c.

Bombay Castle, 16 March 1827.

(signed) *C. Norris*, Secretary to Government.

No. 501, of 1827.

GENERAL DEPARTMENT.

From Mr. Secretary *Norris* to the Acting Senior Magistrate of Police.

Sir,

WITH reference to my letter of the 15th ultimo, I am directed to request that you will be pleased to furnish government, for communication to the other presidencies, and to the admiral, with a report of the information on the slave trade obtained by you in the course of the investigation which you conducted relative to the proceedings of the individuals who arrived in the brig "Esperance," charged with being concerned in that illegal traffic.

I have, &c.

(signed) *C. Norris*, Secretary to Government.

Bombay Castle, 29 March 1827.

From

From *J. D. De Vitre*, Acting Senior Magistrate of Police, to Mr. Secretary *Norris*.—
(12 April 1827.)

E. I. Company and
Board of Control.
(Documents.)

Sir,

In reply to your letter to my address of the 29th ultimo, calling upon me to furnish government with a report of the information on the slave trade obtained in the course of the investigation recently conducted by me relative to the proceedings of the individuals who arrived in the brig "L'Esperance," charged with being concerned in that illegal traffic, I have the honour to state, as already communicated in my letter to you of the 8th ultimo, that the supercargo of the said vessel and three other persons on board were, on the 22d February last, committed by me to take their trial before the supreme court at the next ensuing sessions for being concerned in slave-dealing, upon the information and deposition on oath of the master of the said brig, the sole evidence in the case.

Subsequent proceedings, however, before the supreme court, in the parties committed having been brought up by habeas corpus and admitted to bail, would lead to a belief that the *prima facie* case upon which the prisoners had been handed up for trial was not thought by the court sufficiently strong to justify their application to be out upon bail being refused, and as no further evidence has subsequently been able to be obtained against them, an acquittal may not, therefore, unreasonably be contemplated.

From the different documents appertaining to the above alluded to supercargo, and which during the investigation in question came under my notice, it appeared, clearly, that he had not very long ago been engaged in the diabolical traffic of slave-dealing between Mozambique and the Brazils, where, though it is allowed under certain provisions, yet, when coupled with the evidence of the master of the brig already adverted to, left but too forcible an impression of illegal trade in the same way being contemplated on the voyage of "L'Esperance" at the time of her last leaving the Isle of France.

Government are already aware that "L'Esperance" was shortly after the above commitment taken charge of by Captain Furneaux of his Majesty's ship "Hinde," and they have probably learnt also that she has been subsequently given up by that officer.

The names of the parties committed as above by me are,—

1. Joseph de Souza Vicera.
2. Meguel Alves Machada.
3. Dominick Gunenthel.
4. Anastazio de Viegas.

I have, &c.

(signed) *J. D. De Vitre*, Acting Sen^r Mag^e of Police.

Bombay Police-office, 12 April 1827.

(True copies.)

(signed) *Arthur Steele*, Deputy-secretary to Government.

EXTRACT of a LETTER from the Government of His Majesty's Commissioners at *Mauritius*, dated 24 March 1827.

5. WHILEST on the subject of the slave trade, we think it proper to inform you that we have heard it stated on the authority of persons employed in trading to the eastward, that a considerable traffic in slaves is carried on in French settlements, principally Bourbon, and it may probably appear to you to be a subject worthy of further inquiry.

No. 17.

(True extract.)

(signed) *Arthur Steele*, Deputy-secretary to Government.

Ordered, That a copy of the foregoing despatch be transmitted for information to the Government of Prince of Wales' Island, and to his Excellency the naval commander-in-chief of his Majesty's squadron in India respectively, and that the necessary communication be made at the same time to the government of Bombay in reply to Mr. Deputy-secretary Steele's letter above recorded.

EXTRACT BENGAL PUBLIC CONSULTATIONS, 21 November 1828.

(No. 1787.)

From Government of *Prince of Wales' Island*, to the Right honourable Lord *William Cavendish Bentinck*, Governor-general in Council.—(20 October 1828.)

My Lord,

WITH reference to the communication under date the 17th April last, which we had the honour to receive from the Honourable the Governor-general in Council, on the subject of the removal from Bencoolen of certain emancipated slaves and convicts, the adjustment of the accounts with the agent, &c. we beg leave to transmit, for the information of your Lordship in Council, annexed copy of a minute in Council by our president, proposing the measures best calculated, under existing circumstances, for carrying the wishes of the supreme government into effect, and bringing the matter to a close; we trust the steps we have taken will meet the approval and sanction of your honourable board.

No. 2.

(signed)

R. Fullerton.
R. B. Eetton.

Fort Cornwallis, 20 October 1828.

F. I. Company and
Board of Control.
(Documents.)

MINUTE by the President.

REFERRING to the long period that has elapsed since the receipt of the despatch from the supreme government dated the 17th April last, transmitting copies of the correspondence upon the subject of the removal from Bencoolen of certain Bengalees and emancipated convicts, and to the non-receipt of the expected reply from the Netherlands government of Java to the letter from the supreme government under the same date, it becomes necessary to consider the measures that are best to be pursued under all the circumstances of the case. Private but authentic intelligence has long ago reached this, that the despatch in question had been received by the Governor-general at Java, since which there have been three direct arrivals from thence without any thing official being received. The privileges allowed by the 14th article of the treaty will cease at no distant period (17th March 1830), and procrastination may defeat the main objects of the present discussion. Three years have already passed in fruitless negotiation, and it must be obvious that difficulties will rather be increased than diminished by further delay; and if it be an object with the Netherlands government to put off the settlement, it is to be feared that no further notice will be taken of the communication already made, unless an officer be deputed for the express purpose of coming to a distinct understanding on the subject; such a measure appears to have been in the contemplation of the supreme government, provided the expected reply proved unsatisfactory or inconclusive, and under all circumstances it may not, it is hoped, be considered improper to resort to it under continued silence.

The particular points it was desirable to have settled before any agent again proceeded to Bencoolen, and with which object the letter of the 17th April last was written, are as follows:—

1st. That no objection shall be made by the Netherlands local officers to the departure in such vessel or vessels as may be provided by us of any description of persons declaring their desire to remove when called upon to make their election in the manner proposed by the Governor-general of the Netherlands possessions in India, nor to their wives and families accompanying them.

2dly. That if local debts are offered and established in bar of the right of any one to remove, it shall be necessary that the creditors shall be satisfied for their just debts before permission is given to remove; but it shall be entirely in the discretion of the British agent to aid in the adjustment, by an advance of money or otherwise, to such extent as he may deem fit, and his doing so shall not be made a ground for withholding permission to remove to those entitled under the treaty to that privilege.

3dly. That no law not in force at the time of transfer shall be pleaded or allowed effect in bar of the right to remove declared by the treaty.

The object, therefore, of our agent in holding communication with the head of the Netherlands government in India must be to obtain the assent of that high authority to the three propositions therein stated; having obtained them, he will without delay proceed with the necessary credentials to Bencoolen.

The Honourable Company's ship "Hastings" being under despatch to Bombay, and as we have determined on her proceeding by the Straits of Sunda in order to accommodate the widow of the late bishop with a passage to North Ireland to join one of the Indiamen, a measure induced from consideration of the circumstance in which that lady was placed by the death of her husband while on a tour of visitation, that ship which is well adapted to the purpose may, without giving rise to much delay, be appropriated to the purpose of the mission, and save the expense of hiring a ship on purpose. Mr. Ibbetson, whose state of health requires a sea voyage, will undertake the management of the mission, and at no further expense than any extra charges to which the execution of the duty may subject him. The reasons and wishes of the supreme government are so fully and perspicuously detailed in its correspondence with the Netherlands government, that it is not necessary here to dwell upon any point in particular, or to furnish any instruction beyond those already expressed. It seems, however, in reference to letters of the 17th April 1828, to be indispensably necessary that the agency of Mr. Bogle should be brought to a close, and his accounts settled, and that the payment of such pensioners as may remain at Bencoolen should be made by the Netherlands government there, to be met in part or in whole, as the case may be, by the counterpayment on our part of their pensioners at Malacca. Lists of such as are now payable at Bencoolen will be furnished to Mr. Ibbetson, and the account of those of the Netherlands government at Malacca may be furnished by the resident councillor there with all necessary information. It appears that, under any circumstances, the presence of an agent at Bencoolen would be necessary to adjust finally the accounts of Mr. Bogle, and make definite arrangement for the future payment of the pensioners.

I therefore propose that this list, with copies of all the correspondence, be furnished to Mr. Ibbetson, and that he be requested to hold himself in readiness to depart hence about the 5th proximo. During his absence, which it is calculated will not exceed two-and-a-half months, the senior civil servant of the station, Mr. Anderson, may act as member of council, continuing, however, to superintend the office of secretary, an arrangement by which no additional expense whatever need be incurred.

(signed) R. Fullerton.

Ordered, That the following letter be addressed to the secretary to the government of Prince of Wales' Island:—

From

From *H. T. Prinsep*, Esq., Secretary to Government, Bengal, to *J. Anderson*, Esq., Secretary to Government, Prince of Wales' Island.—(21 November 1828.)

E. I. Company and
Board of Control.
(Documents.)

Sir,

I AM directed to acknowledge the receipt of a letter, dated the 20th ultimo, with its enclosure, from the Honourable the Governor in Council of Prince of Wales' Island, to the address of the government of this presidency, on the subject of the removal from Bencoolen of certain emancipated slaves and convicts, and the adjustment of accounts with the agent.

No. 4.

2. In reply, I am desired to state, for the information of the Honourable the Governor in Council, that the Governor-general in Council approves the measures taken or proposed to be so by the Honourable the Governor in Council, in order to bring to issue the adjustment of the several questions remaining to be settled with the Netherlands authorities connected with the transfer of Bencoolen, and likewise for the closing of Mr. Bogle's accounts.

3. The deputation of the Honourable Mr. Ibbetson, on the duty and the assignment of the "Hastings" frigate, to convey that gentleman to Java and Bencoolen for the purpose, has the entire approbation of his Lordship in Council, more especially as the arrangement is represented as not calculated to entail expense beyond the necessary detention of the ship "Hastings" and Mr. Ibbetson's extra charges, which, it is presumed, cannot be large.

(signed)

H. T. Prinsep,
Secretary to Government.

Fort William, 21 November 1828.

EXTRACT BENGAL PUBLIC CONSULTATIONS, 11 August 1829.

From Sir *E. Barnes* to the Right honourable Lord *W. C. Bentinck*, G. C. B., Governor-general in Council, &c. &c. &c.—(16 July 1829.)

My Lord,

I BEG leave to transmit to your Lordship the copy of a petition presented to me by Mr. J. A. Gauder, a resident of Point de Galle, in this island, imploring the assistance of his Majesty's Government for the recovery from slavery of his son, William Gauder, who, it seems, in the year 1819, fell into the hands of Malay pirates, and is now in the territories of the petty prince of Pussama, in the island of Sumatra.

No. 3.

This matter was represented to Sir T. S. Raffles, Lieutenant-governor, Fort Marlborough, by his Excellency Sir Robert Brownrigg, in June 1819, but I do not discover whether any and what measures were taken upon the occasion by Sir T. S. Raffles, though no doubt every practicable endeavour was made for the liberation of the individual.

For your Lordship's further information, I enclose the copy of a detailed examination of J. G. Becker, of Point de Galle, who has lately made his escape from a state of captivity under the Malays in the island of Sumatra; and as this government has no communication with any of the governments to the eastward, I see no other plan than having recourse to your Lordship's interference, either through the medium of Penang, or any agent the Honourable the East India Company may have resident in the island of Sumatra, with the view to obtain the enlargement of this individual; and I feel assured that your Lordship's humanity and feeling for the sufferings of a British subject, and the anxiety of a parent, will induce your Lordship to use every means in your power to effect that object.

King's House, Colombo,
16 July 1829.

(signed) *E. Barnes*.

To his Excellency Lieutenant-general Sir *Edward Barnes*, K. C. B., Governor and Commander-in-chief in and over the Island of Ceylon, &c. &c. &c. Colombo.

The humble PETITION of *Johan Adam Gauder*, of Galle;

Sheweth,

THAT the petitioner humbly begs leave to lay before your Excellency his afflictions, and to crave the exertion of your influence towards alleviating them. The circumstance of the affliction under which he labours is of so peculiar a nature, that it has perhaps never been equalled, and the recital of it has never failed to draw sympathy from all who listened to it, and it is but justice to your Excellency's feelings to anticipate the same effect from a rehearsal of it. Not to delay you any longer, the petitioner begs to say, that in the year 1819, Captain Onetto, his son-in-law, the petitioner's daughter, and two of his sons, Frederick and William, were reported by the Ceylon Gazette to have been barbarously massacred by a mutinous crew on board a brig called "Wilhelmina," whereof Captain Onetto was master, off the coast of Acheen. The ruffians had quarrelled in dividing the spoil, and one of them had given information to the king of Acheen, who had them seized and delivered over to the government of Sulo Penang, and were by it tried, convicted and executed. The deaths of Captain Onetto and the petitioner's eldest son, Frederick, appeared plain, but there was an obscurity in the account as to the death of his son, William; and till lately the petitioner considered him also murdered, when, to his great astonishment, a young man of the name of George Becker, who had escaped from captivity from the interior of Sumatra, gave him the information that his son, William, was still living, and in captivity among the natives of Pussama, and a sworn declaration by George Becker is hereunto annexed.

No. 4.

E. I. Company and
Board of Control.
(Documents.)

It appears from Marsden's Sumatra, as well as from the information of George Becker, that the petty prince of Pussama, with several others, are subject to the sultan of Palembang, and immediately under his directions; consequently there exists a hope (due measures being taken) that his son, his long-lost son, may yet be restored to him. The petitioner must look up to your Excellency for the promotion of his scheme, and it entirely depends upon your Excellency to prevent a hoary head bowing down with sorrow to the grave for the bereavement of his children.

The petitioner therefore humbly prays your Excellency will be graciously pleased that this government would make an application to the resident at Palembang, through the government of Batavia, that through his influence the sultan of Palembang may demand the restoration of his son, William, now known there by the name of Mahomet Akur, from the petty prince of Pussama, together with the servant girl who was taken along with him.

For which act of benevolence the petitioner, as in duty bound, shall ever pray.

(signed) *J. A. Gauder.*

The DECLARATION of *John George Becker.*

So far as I can recollect, it was in the year 1821 I was taken captive by pirates and carried to the interior of Sumatra, to a place called Kisam. After I had been there for about three years and a half, there happened to be a festival at Pussama, in honour of a victory, and the nomination of the king's son, which is a custom prevalent in that country. Three kings or chiefs were invited to be present at the occasion. The king of Kisam, of Macacow, of Sucow. The king of Kisam had about 300 followers, as retinue, carrying fighting-cocks. Cock-fighting forms one of the chief of their amusements on such public occasions. I was attendant on the king, and we took about two months going to Pussama. During the festival there was gaming of dice and cards, and throwing up of coin. I often formed one in a party gaming. About four days after my arrival there, while many of them were engaged in gaming, a native of Kisama, a fellow-attendant with me on the king, observed to me, "That yonder young man" (pointing to a young man sitting in a circle gaming) "is not a native of Pussama, but one like yourself, an European, who has been brought there while yet young, together with a servant girl, now about five or six years ago." My curiosity being awakened, I desired my companion to ask the young man what his name was, and where his country. He inquired of him, and was told his name was William, and he was of Ceylon. This being told me, my suspicions were strongly excited, and I begged of the young man who called himself William (through the other) for a private interview. This being granted, I asked him with great impatience for his full name, and his native place in Ceylon; when, to my great astonishment, I heard him declare, "I am William Gauder, of Galle." I immediately recognized in him an old school-fellow and townsman; in almost the same breath I told him who I was, and no sooner had he heard it, but he embraced me and wept. After the first transports of the meeting were over, I inquired of him how he came there, having before heard that he was murdered along with his brother-in-law, on board the brig "Wilhelmina." He then informed me, that, on the night the massacre took place on board that vessel, he saw his brother, Frederick, struck, but with what he could not tell, and fall dead into the sea. Soon after, during the tumult, two Javanese who were on board, passengers, took him (William) and a servant girl of Mrs. Onetto into a canoe, and made their escape, and consequently William could not tell what was the fate of his sister and the captain. They were three days at sea, when they reached the coast of Sumatra, where they landed, and travelled into the interior country for about two months, resting, however, at intervals for days together; they at last reached the country of Pussama, where William Gauder and the servant girl were delivered over to the king or chief of Pussama. The Javanese then departed, pretending they were going on a mercantile speculation, and would return, and promised to take them back to some sea-port where they might get an opportunity of returning to their native land; but William Gauder has never seen them since. He has since been circumcised and taken into the Mahomedan faith, and the girl was living in confidence with a native, and had five children. During my stay at Pussama we were constantly together, and often spoke about attempting an escape, but as that was not practicable, from the distance we lived from each other, William Gauder conjured me, in case I could make an escape to Ceylon, to inform his father, or any of his surviving relations, of his being alive and the circumstances of his captivity, and he promised me that should he escape he would perform the same friendly office towards me. I continued at Pussama about a month, and after our separation, which was truly a painful one, I did not see him again.

I have also observed there were four other aged persons who did not appear to me natives, and on inquiry found they were also Europeans, who resided there for a great length of time, and had embraced their religion. From the circumstance of their age and learning they had assumed the sacerdotal habit, which is a thing common for aged and learned men in a superior rank in society. They were addressed too with the appellation of "Tuan," equivalent to our "Mr." The inferior situation of life I filled as a servant of the king precluded me from the privilege of having any intercourse with them, consequently I am ignorant who they were, and what their names, but of this I am aware, both from their countenance and the information I received, that they were Europeans.

Galle, this 24th day of April 1829.

(signed) *G. Becker.*

Sworn to before me, this 24th day of April 1829.

(signed) *J. M. Lavalliere.*

Chief

Chief Secretary's Office, Colombo, 4 May 1829.

John George Becker appears before me to give further information relative to the circumstances set forth by him in a deposition made before the sitting magistrate of Galle, touching the fact of William Gauder, son of J. A. Gauder, of Galle, who was supposed to have been murdered with others, in the year 1819, in the brig "Wilhelmina," being alive, and in durance amongst the Malays, in the territories of the petty prince of Pussama.

J. G. Becker, in answer to questions put to him, states: It was about the year 1815 when he first commenced to seek his livelihood by following the profession of a mariner. He embarked first in the brig "Eliza," commanded by Mr. Daviot, and after having served as a seacunny in several other vessels, he ultimately entered on board a country ship, "The Minto," at Malacca; this may have been about 1819; he quitted that ship at Bencoolen, about six months afterwards, and was employed in a nutmeg plantation, belonging to Mr. Williams, as an overseer, in which employ he remained about 18 months, when he set up a mercantile concern with one Raden, a Malay, residing at Bencoolen; they traded in tobacco, cocoa-nut oil, &c.; at this period he made two voyages in a small vessel belonging to them to Batavia, and on his return from the second voyage stress of weather drove them down to the island of Pulo Battoneva, about 15 miles to the southward of the port of Croee; there he was attacked by pirates, and taken prisoner, with seven others, four of the crew being killed: this was in the year 1821. He became a servant to the king of Kism, and he was employed working in the fields. He first saw William Gauder at Pussama, whither he went in attendance upon the king of Kism. He was one month at the same place with William Gauder, and frequently had conversation with him; is quite sure the person he alludes to was William Gauder; he personally related to the deponent all the circumstances attending the capture of the brig "Wilhelmina," as set forth in the deposition before the sitting magistrate of Galle.

He does not know exactly whereabouts Kism is; when he was landed he was marched up the country to Kism; he was one month on the journey, but they did not march every day; the distance he conceives may be about 200 miles from where he landed; cannot tell whether he marched in the direction of north or east; it could not have been either south or west. Pussama and Kism are not the names of large territories subject to the dominion of kings, but merely large villages, containing each about 200 inhabitants, of whom the chiefs are called kings; but the chief of Kism is under the authority of the chief of Pussama, and so are the chiefs of Sucow and Macacow. It is 10 days' journey from Kism to Pussama, about 160 miles; there are no intervening villages; cannot tell the exact direction of the march, or whereabouts Pussama is, but thinks it may be in the centre of the island of Sumatra, between Palembang on one coast and Bencoolen on the other. He now states, after some further interrogatories, that these villages, that is, Kism, Pussama, Macacow and Sucow, are Lampoor villages, meaning, belonging to or within a kind of district called Lampoor.

Touching his escape: he took an opportunity of secreting himself in the jungle, on an occasion of some ceremony which kept the inhabitants of the village within their houses. He remained in the jungle, sometimes travelling, sometimes concealed, for 37 days; he lived upon fruits and herbs; at the end of this time he came upon a small river, called Wyumpae, it was about four feet deep and rocky, when he was recognized by three persons, who were fishing. He related to them who he was, and the circumstances of his escape, and they took him under their protection to their village, called Geddong, which is in the interior of the country; there is a sultan over the village, who is tributary to the Dutch; he took me to Boomiagong, about two days' journey from Geddong, and gave me over to the Dutch resident who is stationed there, and who is under the Dutch residency of Palembang. He was sent by the Dutch resident to Boomiagong, to a sea-port called Telloote; from thence he went in a Dutch gun-boat to Pantam; from thence to Batavia; from Batavia to Singapore; thence to Malacca; thence to Penang; and from Penang to Ceylon, and arrived at Galle on the 23d January last.

As the means of recovering this person, William Gauder, he states that it must be done either through the Dutch resident at Palembang, or the English settlement at Bencoolen. He thinks that if the Governor of Bencoolen would order Raden Tumoomgong and Tuam Panabahan, the two native chiefs of the Malay settlement of old Croee, under the government of Bencoolen, to make inquiry in the Lampoor country, with which they sometimes trade in sarongs, that they would be able to induce the chief of Pussama to set him at liberty for a gift of money, say 50 dollars; a present would also be necessary to be made to the two chiefs of old Croee, to ensure their co-operation.

This amount would serve, or somewhere thereabouts, to redeem both William Gauder and Maria, the Singalese servant girl belonging to Mr. Gauder; for, although she has children by one of the natives, she declared to me she was anxious to get back to Ceylon.

The above having been read and explained to me, I certify to be the purport of the information I have given, and that the same is correct and true.

(signed) *J. G. Becker.*

The above examination was taken by me and committed to paper this 4th day of May 1829.

Witness. (signed) *Jos^t Swan.*(signed) *Tho^s Eden, Dep^t Secy.*

(True copy.)

(signed) *W. Matheson, Extra Ass^t.*E. I. Company and
Board of Control.
(Documents.)

No. 5.

Upon the map the province of Lampoor is the southward of the island of Sumatra, bounded by the Straits of Sunda.

E. I. Company and
Board of Control.
(Documents.)

Ordered, That the following letter be addressed to the secretary to the government of Prince of Wales' Island :—

From Mr. Secretary *Prinsep* to *John Anderson*, Esq., Secretary to Government of Prince of Wales' Island.—(11 August 1829.)

No. 6.

Sir,
I AM directed by the Right honourable the Governor-general in Council to transmit to you, for the purpose of being laid before the Honourable the Governor in Council, the accompanying copy of a letter from his Excellency the Governor of Ceylon, dated the 16th ult., and of its enclosures, and to request that early measures may be taken to inquire for the young man, William Gauder, and to procure his release from captivity, should he be discovered, and found to be detained against his will, as represented.

(signed) *H. T. Prinsep*, Secy to Govt.

Fort William, 11 August 1829.

Ordered, That the following letter be addressed to the Governor of Ceylon :—

From Mr. Secretary *Prinsep* to his Excellency Sir *William Barnes*, Governor of Ceylon.

No. 7.

Honourable Sir,
WE have the honour to acknowledge the receipt of your Excellency's letter, dated the 16th ult., requesting our assistance to recover from slavery, amongst the Malays of Sumatra, the son of Mr. J. A. Gauder, a resident of Point de Galle, carried off in the year 1819.

2. In reply, we beg to acquaint your Excellency that the government of Prince of Wales' Island have been directed to take measures to inquire for the young man, William Gauder, and to procure his release from captivity, should he be discovered, and found to be detained against his will, as represented.

(signed) *H. T. Prinsep*, Secy to Govt.

Fort William, 11 August 1829.

EXTRACT BENGAL PUBLIC CONSULTATIONS, 8 September 1829.

No. 1046.

From *J. Anderson*, Esq., Secretary to Government, Prince of Wales' Island, to
H. T. Prinsep, Esq., Secretary to Government.—(8 June 1829.)

No. 41.

Sir,
I AM directed by the Honourable the Governor in Council to transmit, for the information of the Right honourable the Governor-general in Council, enclosed copies of minutes, lists, &c. relative to the people who lately arrived from Bencoolen.

Fort Cornwallis, 8 June 1829.

(signed) *J. Anderson*, Secy to Govt.

MINUTE by Mr. *Ibbetson*.

No. 42.

THE Caffres brought by me from Bencoolen have lately frequently applied for the payment of their pensions, stating themselves to be in want, and ignorant who else to apply to for relief; I am perfectly willing, until permanent arrangements are determined upon, to superintend these payments. They received four guilders monthly at Bencoolen, and if they receive as many siccas here, they will be better paid, I think, with reference to the price of food. Appended are the only extracts from letters of Mr. Prince, relating to this subject, to be found amongst the correspondence.

There is a communication still remaining to be made to the assistant-president at Bencoolen (from myself I propose), regarding the seven female prisoners who remained behind, as explained in my letter of the 14th ultimo, and I have only within these few days been made acquainted with the circumstance, that a Lascar pensioner of six rupees per month, to whom I refused a passage from Bencoolen in consequence of debt, smuggled himself on board, and is now here clamorous for his pension. A male pensioner has also died since his arrival here, and as some have received advance of money whilst others are in arrears, there is much that requires adjusting. I should further suggest, those who engage themselves in private employment should be encouraged to do it on forfeiture of their pension; many are already so engaged, and this should be noticed in a monthly roll or abstract to be submitted to government.

8 May 1829.

(signed) *R. Ibbetson*.

EXTRACT of a LETTER from Mr. *Prince*, dated Tappanooly, 8 September 1825, to
Messrs. *Lewis & Bogle*.

HAVING received the instructions of the Right honourable the Governor-general in Council, under date the 14th April last, on the 5th instant, to offer to the Caffres emancipated by the late Lieutenant-governor in the year 1818 the option of proceeding to Prince of Wales' Island or Singapore upon a moderate pension, not exceeding six rupees, you will please to communicate this liberal consideration of government to the individuals in question, and to procure a passage for such of the Caffres who may desire to remove; but it is to be clearly explained to those who wish to remain on Sumatra, that government cannot provide for their maintenance.

EXTRACT

EXTRACT of a LETTER from Mr. *Prince*, dated 14 September 1826, Bencoolen, to
Mr. Secretary *Lushington*.

E. I. Company and
Board of Control
(Documents.)

Sir,

THE emancipated Caffres who have applied at the police office for passes to enable them to quit Bencoolen, have been at length informed by the magistrate, that only such of them as were employed by the English Government at the period of the transfer would be permitted to quit, provided they have no debts, which the resident disapproves of my discharging.

This number amounts to twenty-four women and four men, out of one hundred and fourteen individuals who have applied, and the permission is qualified by a restriction on the part of government to the grown-up sons and daughters who are not permitted to follow their parents; the rest of the emancipated convicts are required to remain on the spot.

Such an arrangement separates husband and wife as well as mothers from their children, for many of the women who are permitted to go are married to Caffre men who are restricted.

Under the operation of such an unfeeling and unprecedented exercise of authority, these poor people have come to the determination of remaining at Bencoolen to share the fate of their husbands and children, until the wisdom of the supreme government shall devise more effectual means for their ultimate removal.

With the view, therefore, of rendering their present situation as comfortable as the liberality and humanity of his Lordship in Council originally intended, I have, subject to his approbation, transferred two-thirds of the amount of the monthly allowance which was to be granted each person for their maintenance at Prince of Wales' Island to their immediate use at Bencoolen.

REPLY to the above.

THE allowances granted by you to the Caffres detained at Bencoolen are sanctioned.

MINUTE by the President.

I APPROVE of Mr. Ibbetson's suggestions in regard to the Caffres lately arrived from Bencoolen, and accordingly propose that a regular roll be made out, showing the sum payable monthly to each, and moreover that an examination be made, so as to ascertain arrears that may be due to some and advances to be deducted from others, and that they be generally informed that the pensions are only granted in consideration of distress, and will cease on their obtaining employment and other means of subsistence; it may be hoped that the superior amount here derivable from their labour will induce the able-bodied at least to prefer private employ. It does not appear to me that any pension should be paid to the pensioner who smuggled himself on board. It is not impossible, indeed, that a claim may still be set up against the government for the amount of his debts.

If Mr. Ibbetson will undertake the preparation of the roll and the examination of their accounts, it will be a most desirable arrangement, for which he will be entitled to the thanks of government.

8 May 1829.

(signed) *R. Fullerton*.

MINUTE.

CONFORMABLY with my offer and the resolution of the board on the 8th ultimo, respecting the Bencoolen pensioners, I have much pleasure in submitting the accompanying account current of this date, in continuation of the one I had the honour to forward on my arrival here from that settlement, by which it will appear that I have still in hand, from former balances, the sum of sicca rupees 1,597. 12. to be appropriated to these monthly payments, another of which is now due, the subsistence being paid in advance.

List No. 1, or voucher to the above account, explains itself, particularly if reference is had to the last list of pensions and advances made at Bencoolen.

List No. 2 is equally explanatory, and I beg to propose, in favour of the individuals there enumerated, that the accompanying draft of a letter from myself to the resident at Bencoolen be approved, which will enable them to receive their pensions at that settlement.

The 3d is a list of an invalid pensioner, named Mahomed Loffee, who smuggled himself on board; the circumstance is noticed in the letter above mentioned; and I would still urge that his name be inserted with those at this settlement, and his arrears paid him. He must have paid his debts at Bencoolen, as he has shown me his pass to quit.

I intimated in my former minute, that many pensioners had engaged themselves in private employ; but I now find that, on hearing they should not be allowed such indulgence and still continue to receive their pensions, they have resigned, preferring apparently a bare subsistence with sloth and idleness to higher wages and personal exertion. It is, however, to be observed, that the greater part are women, who, equally with the men, can procure a livelihood about the town, without absolutely hiring themselves at monthly wages; so that, from this circumstance and the habits of idleness they have contracted for the last four years at Bencoolen, I am of opinion that their services will never be made available with advantage.

1 June 1829.

(signed) *R. Ibbetson*.

E. I. Company and
Board of Control.
(Documents.)

Dr. - The Honourable Company in Account Current with R. Ibbetson, Esq. - Cr.

1829:			
May. To Amount paid into the Honourable Company's Treasury - - -	2,000 - -	By Amount due from last Account, dated the 14th April last - -	4,062 12 -
„ Amount of Pensions as per voucher for the months of April and May - - -	465 - -		
	2,465 - -		
By Balance - -	1,597 12 -		
TOTAL Sicca Rupees -	4,062 12 -	TOTAL Sicca Rupees -	4,062 12 -

Prince of Wales' Island, }
1 June 1829.

(Errors excepted.)

(signed) R. Ibbetson.

No. 1.

LIST of CAFFEE PENSIONERS arrived at Prince of Wales' Island from *Bencoolen*, on board the Honourable Company's Ship "Hastings," on the 14th April last, and are entitled to the following Arrears for April and May 1829, at the rate of Four Rupees per Month for Men and Women, and One Rupee for Boys and Girls.

No.	NAMES.	For April and May.	REMARKS.	No.	NAMES.	For April and May.	REMARKS.
1	Kodia Pamomk -	8	{ -- in advance at Bencoolen to 8th September next. ditto - ditto. ditto - ditto.		Brought forward -	239	
2	Byong Gelo - - -	-		25	Leekeenah - - -	8	
3	Mcallah - - -	-		26	Jenny - - -	8	
4	Manday - - -	8		27	Fanny Mooda - - -	6	
5	Hakim - - -	-		28	Angilliah - - -	-	
6	Sambay - - -	8		29	Sally Keehil - - -	-	
7	Deedee - - -	8		30	Christmas - - -	8	
8	Almas - - -	8		31	Beingani - - -	8	
9	Vambullah - - -	8		32	Anamance - - -	8	
10	Lasmah - - -	-	33	Sally Pandan - - -	8		
11	Lammay - - -	8	34	Assah - - -	8		
12	Jack Batai - - -	-	35	Lananghan - - -	8		
13	London - - -	2	36	Pombak - - -	8		
14	Dick - - -	-	37	Mageriah - - -	-	{ -- in advance to 31 July.	
15	Liko Liko - - -	-	38	Kintee - - -	8		
16	Jombo - - -	4	39	Penki - - -	-	ditto - ditto.	
17	Pernamoo - - -	-	40	Kafai Keehil - - -	-	ditto - ditto.	
18	Fatee - - -	-	41	Sanang Hattee - - -	8		
19	Buyong Francis - - -	-	42	Allas - - -	8		
20	Friday - - -	8	43	Learnah - - -	8		
21	Bombay - - -	8	44	See Loosoo - - -	8		
22	Marlbrough - - -	-	45	See Paggee - - -	8		
23	See Ben - - -	-	46	Mary - - -	8		
			47	Magindee - - -	8	died 13 May.	
			48	Rumanah - - -	8		
			49	Sulinah - - -	8		
			50	Kattete Keehil - - -	8		
			51	Judia - - -	8		
			52	Undamine - - -	8		
	WOMEN:						
1	Phillis Lammay - - -	4	{ -- already paid for April and May. ditto - ditto.		BOYS:		
2	Mananna - - -	4		1	Wilmck - - -	2	
3	Bardasee - - -	8		2	Lahap - - -	2	
4	Canvo - - -	8		3	Ladany - - -	2	
5	Fanny two - - -	8		4	Datto Sempsons Lam - - -	2	
6	Lucy Gadong - - -	8		5	Datto Gadong - - -	2	
7	Jance - - -	-		6	Buong Padang - - -	2	
8	Kemputtee - - -	8		7	Miakim - - -	2	
9	Kyan Gadong - - -	8		8	Pouyong Keehil Ally - - -	2	
10	Lillo - - -	2		9	Sattack - - -	2	
11	Kechill - - -	8		10	Puloe - - -	2	died 7 May.
12	Mary Rangang - - -	8		11	Sarre Basar Sick - - -	2	
13	Dongah - - -	8		12	Inmuhat Undamoree - - -	2	
14	Rengah Maado - - -	8	13	Byong Ullim - - -	2		
15	Sattae Gadong - - -	-					
16	Phillis Benteemy - - -	8		GIRLS:			
17	Sally Dick - - -	7	1	Ramayoon - - -	2		
18	Baletee two - - -	8	2	Jumuhah - - -	2		
19	Mawar - - -	8	3	Messeh - - -	2		
20	Barrah - - -	8	4	Merne - - -	2		
21	Uyan Phillis - - -	8	5	Anna Magerah - - -	2		
22	Commiss - - -	8	6	Christmas Keechil - - -	2		
23	Amphalayah - - -	8	7	Rumanah - - -	2		
24	Donakeyh - - -	8	8	Pho-chee Keechil - - -	2		
			9	Manday Nain - - -	2		
	Carried up - - -	239		TOTAL Rupees -	465		

Fort Cornwallis, 28 May 1829.

(signed) R. Ibbetson.

LIST

No. 2.

E. I. Company and Board of Control. (Documents.)

LIST of CAFFRE PENSIONERS in the List of those to quit *Bencoolen* for *Prince of Wales' Island*, but who voluntarily remained behind on the sailing of the "Hastings," without giving any notice of such intention.

No. in original List.	NAMES.	REMARKS.
WOMEN:		
1	Album - - - -	Pension paid at Bencoolen, to 30th April.
17	Curoose - - - -	Ditto - - - ditto, - 31st March.
18	Jumahat - - - -	Ditto - - - ditto, - 30th June.
36	Tattack - - - -	Ditto - - - ditto, - 31st March,
40	Pillis Modo - - - -	Ditto - - - ditto, - 31st July.
44	Ameran - - - -	Ditto - - - ditto, - 31st March.
46	Mally - - - -	Ditto - - - ditto, - ditto.
Boy:		
14	Inne - - - -	Ditto - - - ditto, - ditto.

Fort Cornwallis, 28 May 1829. (signed) *R. Ibbetson*,
Late British Commissioner.

No. 3.

LIST of a LASCAR PENSIONER on the List of those to remain at *Bencoolen*, but who smuggled himself on board the "Hastings," and is now here clamorous for his Pension.

No. in original List.	Name.
8	Mahomed Sophee.

Fort Cornwallis, 28 May 1829. (signed) *R. Ibbetson*.

From *R. Ibbetson*, Esq., late British Commissioner, to *M. Francis*, Esq., Assistant-resident, Bencoolen.—(1 June 1829.)

Sir,
 WITH reference to my letter dated 21st March last, I have the honour to forward the enclosed list of additional pensioners, and to request that their names may be enrolled with those already receiving payment from your government.
 The dates from which they are respectively entitled to receive payment is specified under the column of remarks, and I take this opportunity of acquainting you that a pensioner, named Mahomed Sophee, No. 8 in your list, unexpected to me, smuggled himself on board, and is now here receiving his arrears. He produced, however, his pass to quit Bencoolen, and I have to request that his name may be therefore erased from the list in your possession.
 Fort Cornwallis, 1 June 1829. (signed) *R. Ibbetson*,
 Late British Commissioner.

RESOLUTION, 8 June 1829.

Resolved, That the measures reported by Mr. Ibbetson, and his proposed letter to the address of the assistant-resident at Bencoolen, be approved.
 (signed) *J. Anderson*,
 Secretary to Government.

From *C. Morley*, Esq., Accountant-general, to Mr. Secretary *Prinsep*.—(31 August 1829.)

Sir,
 I HAVE the honour to acknowledge the receipt of your letters of the 16th June and 21st July last, and of their several enclosures in original from Prince of Wales' Island, together with copies of letters addressed by this government to the Penang authorities, and to the Commissioners-general at Batavia.
 2. With reference to that part of the first paragraph of your letter of the 16th June, in which I am directed to furnish a memorandum of the payments to be made at this presidency under Mr. Ibbetson's arrangements, I have the honour to state, that, on reference to the documents forwarded from Prince of Wales' Island, it appears that the only payments required to be made are to Messrs. S. Palmer and a* Burnett, Bencoolen, pensioners, who have expressed their desire to have their pensions paid at Calcutta; the allowance of the former appears to be due from 1st March, and he has requested his pension to be paid to Messrs. Ferguson & Co., and that of the latter from 1st February 1829; I therefore beg to recommend
 697.

No. 43.

* Sic orig.

E. I. Company and
Board of Control.
(Documents.)

Sc. Rupees.			Spanish Dollars.	
A.	6,767	9 8	3,209	53
B.	4,662	4 9	2,211	09
C.	2,929	12 11½	1,389	46
D.	1,848	1 -½	876	44
E.	1,965	7 9½	932	13
<hr/>			<hr/>	
	18,173	4 2½	8,618	65

recommend that the necessary instructions may be issued to the civil auditor to pass the pension bills of the above-mentioned individuals on presentation.

3. With advertence to the 2d paragraph of your letter above referred to, I have the honour to forward five sets of bills of exchange, drawn out agreeably to the orders of government conveyed in that letter, on account of payments made at Hooghly and Ceylon to the pensioners of the Batavia government, from the commencement up to the 30th of April last (the close of the past official year), together with five abstracts, containing the particulars of the payments and the original receipts of the parties. The bills, I presume, are to be signed by the secretary to government in the financial department. The monthly payments which the bills cover could not be stated in the body of the bills, the pensions not being all paid for the same months; but this information will be found in the abstracts above referred to.

4. The commercial exchange between Batavia and this government, at the periods when the several payments were made, not being ascertainable (no bill having been drawn from Batavia), I have converted the sums in sicca rupees (in which currency the pensioners were paid) into dollars at the intrinsic value, viz. sicca rupees 210. 86. per 100 dollars.

5. I beg to suggest that the abstracts, together with the original vouchers, may be forwarded with the advice of the bills to Batavia; and when the amount of the bills which are proposed to be forwarded to Singapore is realized, notice may be sent to this office, to enable me to credit the Batavia government and debit Prince of Wales' Island with the same, Singapore being subordinate to the latter government.

6. You will observe, by the 3d and 4th quarters' abstracts, that the payments by the collector of Hooghly have been irregularly made, that is, the pensions for some intermediate months remain to be paid, while those for the antecedent and subsequent months have been discharged, which discrepancies, the collector states, arise from the restrictions of the Audit-office, and to which the attention of the civil auditor has been drawn.

7. In consequence of the arrangement proposed in Mr. Wood's letter of the 21st February 1828, to the address of Mr., then Acting-secretary Maloney, that each of the presidencies making payment to the Netherlands pensioners should settle quarterly with the Batavia direct, which arrangement was sanctioned by government on the 13th of the following month, I have not been furnished with statements of such payments made at Madras and Bombay, which precludes my compliance with the requisition of government, in regard to the making out of the bills for the sums advanced on this account by the several governments of India, and I beg to recommend that the presidencies of Madras and Bombay may continue to settle the payments as proposed in Mr. Wood's letter above alluded to.

8. Should the abstracts and bills now forwarded be approved of, I shall in future do myself the honour of forwarding similar documents quarterly.

9. With respect to the payments which may be made by the Dutch authorities to the pensioners of the government residing at Bencoolen, as well as on account of interest on the Bencoolen promissory notes, I beg to recommend, should the Batavia government prefer drawing for the same on Prince of Wales' Island instead of on Calcutta (which question appears to remain undecided), that the Penang government may be desired to furnish this office with quarterly statements of the sums which may be paid by them to the Netherlands government in liquidation of the advances to the Bencoolen pensioners, in order that credit may be given to Prince of Wales' Island for the same on the books of this presidency.

10. I take this opportunity of submitting a memorandum of sums retrenched by the civil auditor from the amount of pensions paid by Mr. Bogle, the late agent at Bencoolen, in the month of April 1826, and from 1st August to 1st December 1827, amounting to Rs. rupees 345. 11. 10.; and, with reference to the remarks therein contained, I beg to recommend that a communication may be made to Prince of Wales' Island on the subject, for the information of Mr. Bogle, and for such explanation as he can afford.

11. The several original enclosures of your letters under acknowledgment are herewith returned (as per annexed list), with exception to the accounts and vouchers of Mr. Bogle, which have been retained for adjustment. Copies of such other documents as would enable me to adjust the accounts of this government with Prince of Wales' Island, &c., have also been taken for the guidance of this office.

(signed) *C. Morley*, Accountant-general.

Fort William, 31 August 1829.

LIST of DOCUMENTS accompanying Letter from the Government of Prince of Wales' Island to the Supreme Government, dated 23 April 1829.

Mr. Ibbetson's Minute, dated 22 October 1828.

Mr. Ibbetson's Minute, dated 22 April 1829.

Letter from Mr. Ibbetson to the Government of Prince of Wales' Island, dated 24 January 1829, with six Enclosures.

Letter from Mr. Ibbetson to the Government of Prince of Wales' Island, dated 22 March 1829, with twenty-three Enclosures.

Letter from Mr. Ibbetson to the Government of Prince of Wales' Island, dated 14 April 1829, with Enclosures.

Letter from the Government of Prince of Wales' Island to the Supreme Government, dated 8 June 1829, with its Enclosures.

(signed) *C. Morley*, Accountant-general.

MEMORANDUM

No. 44.

MEMORANDUM of Sums retrenched by the CIVIL AUDITOR on account of PENSIONS paid by Mr. R. Bogle, Honourable Company's Agent at Bencoolen, in April 1826, and from 1st August to 1st December 1827.

NAMES.	Date of Pension List.	Amount Retrenched. Ms. Rs.	REMARKS.		
Munghup -	1 April 1826	12 - -	} Retrenched for receipts.		
Surean Karee -	- ditto -	12 - -			
Invalid Shaick Abdullah Subadar -	- ditto -	11 11 10	} -- Being the amount of his allowance from the 25th to the 31st of March 1826, he having been stated to have died on the former date. -- Mr. Bogle, in the concluding paragraph of his letter, under date the 28th January 1828, to the address of the chief secretary (Mr. Lushington), states that "Mr. John Carrell, the pensioner, having had permission to draw his pension at Prince of Wales' Island, he is struck off the list from 1st August last," which accordingly appears to have been paid by that government from 1st July 1827; and, besides, there is no signature of Mr. Carrell in the pension lists dated 1st August and 1st September 1827, although he regularly granted his receipts in the preceding months, and yet the amount has been charged in Mr. Bogle's accounts.		
Mr. J. Carrell -	1 Aug. and 1 Sept. 1827	160 - -			
Radin Kurma	1 August, 1 September, 1 October, 1 November and 1 December 1827.	150 - -	} -- In the 2d para. of Mr. Bogle's letter, above referred to, it is stated, that "Radin Kurma, being still at Padang, has requested that his pension may remain unpaid till his personal appearance at Bencoolen." As no receipts have been granted by this individual, I am inclined to suppose that he had not made his appearance at Bencoolen up to that period, but the amount has been charged by Mr. Bogle.		
				TOTAL Ms. Rs. -	345 11 10

(Errors excepted.)

Fort William, Accountant-general's Office,
31 August 1829.

(signed) C. Morley, Accountant-general.

Resolved, That the following letter be addressed to his Excellency the Commissioner-general at Batavia :—

From Government of Bengal to his Excellency Viscompte Du Bus de Gesignies, Commissioner-general of his Netherlands Majesty's possessions.—(8 September 1829.)

No. 45.

Honourable Sir,

IN pursuance of the arrangement which formed the subject of our communication to your Excellency, under date the 16th June last, we beg to announce to your Excellency that we have forwarded to the resident councillor at Singapore five sets of bills drawn by us on your Excellency's government, for reimbursement of sums paid to pensioners of his Netherlands Majesty from the treasuries of this presidency and at Ceylon, up to the 30th April last.

2. We have the honour to enclose, for your Excellency's satisfaction, abstracts of the particulars of the payments, with the receipts of the parties to whom the sums were paid respectively in original, and hoping they will be found correct, we trust, when the bills shall be forwarded by the resident councillor at Singapore for payment, that they will be duly honoured.

	Sc. Rs.	Spanish Dollars.
A.	6,767 4 8	3,209 53
B.	4,662 4 9	2,211 09
C.	2,929 12 11½	1,389 46
D.	1,848 1 6½	876 44
E.	1,965 7 9½	932 13
	18,173 4 2½	8,618 65

3. The conversion has been made from the sicca rupee into Spanish dollars, at the rate of 210. 86. per 100 dollars, which is the rate of the intrinsic relative value of the coins, our accountant-general having certified that the commercial exchange at the periods when the payments were made was not ascertainable.

4. As the Governor-general in Council is about to leave Calcutta for a time in progress to the western provinces of this presidency, we beg your Excellency's permission for future bills to be signed on our behalf until further advice by the honourable Mr. Bayley, who will remain at the presidency with the authority and title of Deputy-governor.

(signed) W. C. Bentinck.
Combermere.
W. B. Bayley.
C. T. Metcalfe.

Fort William, 8 September 1829.

Ordered, That the following letter be addressed to the secretary to the government of Prince of Wales' Island :—

From Mr. Secretary *Prinsep* to *J. Anderson*, Esq., Secretary to Government,
Prince of Wales' Island.—(8 September 1829.)

Sir,

No. 46.

WITH reference to the communication of this government to the address of the Honourable the Governor in Council, dated the 16th June last, I am directed by the Right honourable the Governor-general in Council to transmit to you, for the purpose of being forwarded to the resident-councillor at Singapore, the accompanying five sets of bills of exchange drawn by this government on his Excellency the Commissioner-general of his Netherlands Majesty's possessions in the East Indies, for reimbursement of sums paid to pensioners of the Batavian government from the treasuries of this presidency and at Ceylon, up to the 30th April last, and to request that the resident-councillor may be instructed to forward immediate information to this government of the amount of the bills being realized, in order to enable the accountant-general to credit the Batavian government and debit the Prince of Wales' Island with the same, Singapore being subordinate to the latter government. A similar adjustment of account will require to be made with the government of Prince of Wales' Island on account of the Bencoolen pensioners, in the event of the Netherlands authorities drawing on Penang instead of this government. Copy of para. 9 of the letter of the accountant-general relating to this subject is enclosed for information.

2. The abstracts of the particulars of the payments made in Bengal and at Ceylon, on account of which the enclosed bills have been drawn, together with the receipts in original of the parties to whom the same were paid respectively, have been forwarded to his Netherlands Majesty's government at Batavia. A copy of the address of the Governor-general in Council to his Excellency the Commissioner-general at Batavia of this day's date on the subject is enclosed for the information of the Honourable the Governor in Council.

Para. 10.

3. I am further directed to transmit an extract from a letter from the accountant-general of this presidency, dated the 31st ultimo, and copy of the memorandum referred to, and to request that measures may be taken to recover the sums retrenched from the accounts of Mr. Bogle.

(signed) *H. T. Prinsep*,
Secretary to Government.

Fort William, 8 September 1829.

Ordered, That the government of Fort St. George and Bombay be requested to issue instructions to the local officers under their authority respectively to furnish quarterly statements of such payments as have been made to the Netherlands pensioners at those presidencies.

EXTRACT BENGAL PUBLIC CONSULTATIONS, 9 February 1830.

From *H. M. Parker*, Esq., Acting Secretary to Government, to *J. Pearson*, Esq.,
Advocate-general.—(9 February 1830.)

Sir,

No. 3.

Letter from the
Government of
Malacca, dated
26 November 1829,
with 16 Enclo-
sures.

WITH reference to the several original documents noted in the margin, and which are herewith transmitted for your consideration, I am directed by the Governor in Council to request your opinion on the following point, viz., whether slaves registered at Malacca under the preceding Netherlands government are to be legally considered in a state of slavery, since the transfer of that place to the British authority, and the establishment of an English court of justice.

You will be pleased to return the documents with your reply.

(signed) *H. M. Parker*,
Acting Secretary to Government.

Council Chamber, 9 February 1830.

EXTRACT BENGAL PUBLIC CONSULTATIONS, 11 May 1830.

From *S. Garling*, Esq., Resident Councillor, to *W. T. Lewis*, Esq., Assistant-resident.—
(22 May 1829.)

Sir,

No. 26.

1. SEVERAL circumstances, some of which have fallen under my personal observation, tend to create belief in my mind that obstacles are needlessly opposed to the gradual emancipation of those individuals who for too long a period have borne the designation of slaves. I beg to call your most serious attention to this subject, as this neglected class of individuals are entitled to rights which they cannot, under present circumstances, secure to themselves. It is with regret I intimate my apprehension that some measures adopted in the police department have not had a salutary tendency.

2. Among several instances in which individuals of this degraded class have been left exposed to the unhappy consequence of not meeting with seasonable support I may mention the following, which has occurred within the last few days.

3. A woman, reporting herself to be kept in Mr. D. Kock's premises as a slave, and habited in a garb corresponding with that description, sought refuge on the grounds of a gentleman, who complains that his name has been needlessly and painfully dragged into notice.

notice. Two men, as from Mr. Kock, endeavoured to seize the woman in the above sanctuary; they were at first prevented; two days ago she was suddenly missed, and the gentleman received private intimation that the woman had been led back to her former master's.

E. I. Company and
Board of Control.
(Documents.)

4. I trust you will take such measures as you may esteem the case to demand for ascertaining whether or not the woman has been taken back. So unprotected an individual cannot be expected to have a friend versed in legal forms who can take the proper measures for securing her liberty; I therefore hope you will take active measures for personally conferring with the woman referred to.

I have, &c.

(signed) *S. Garling*, Resident Councillor.

Malacca, 22 May 1829.

From *W. T. Lewis*, Esq., Assistant-resident, to the Honourable *S. Garling*, Esq., Resident Councillor, Malacca.—(23 May 1829.)

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of yesterday's date.

2. A person belonging to Mr. Kock, named Menah, came to the police about the same time that I received this letter, and lodged a complaint, which is to be heard by the justice in quarter sessions.

3. In answer to the first paragraph of your letter, I am not aware that any measures have been adopted in the police department regarding slaves, only in those cases that have been attended with cruelty and violence; the parties on those occasions have been brought before the magistrates.

4. You were pleased to communicate personally to me respecting the re-delivery of slaves to their owners, since which none to my knowledge have been sent back from this office. In some cases, when the individuals have merely applied for their freedom, they have been sent away by me, as I do not consider myself, as superintendent of police, the arbiter of the right of persons, and ascertained the point before the honourable the recorder left Malacca, who cautioned me not to interfere in cases which belong to the higher court.

5. As superintendent of police, and an officer under the executive government, I have nothing to guide me in my duties but the public orders, which have been usually given in writing. Nothing on this subject has been sent to this office, and as it cannot be supposed that people (holding, as the owners do, certificates signed by the officers of government) will quietly lose so much property without appealing to be remunerated, and as it may become a question hereafter on what authority I have acted, I trust that, should you deem it my duty to declare persons free who came to the police, that these orders may be explicit.

6. In executing my duty as a justice of the peace, and feeling a diffidence in deciding points of justice, reference has been invariably made by me to books, and having at a great expense lately received law books from England, and on referring to "Russell on Crimes," the last Act of Parliament on slavery noticed was passed in the fifth year of his present Majesty's reign, c. 113. By this Act slaves are not emancipated.

7. It must be a source of regret that human beings and fellow-creatures should be placed in a state of slavery; but as an humble individual it would be presumption in me to doubt the propriety of it, when the question has employed the oratory and abilities of so many noble and learned men in Parliament.

8. I beg leave to forward an extract from the said Act, by which it appears that the legislature has introduced a clause allowing even the sale of slaves provided they are not taken out of the country.

9. As this Act was passed in 1824, I have no doubt it is amongst those sent out by the Honourable Court of Directors, particularly as it is mentioned in the Act as being applicable to forts, settlements, factories or territories now or hereafter belonging to his Majesty, or under the government of the United Company of Merchants of England trading to the East Indies, nor could it be supposed that the Legislature would do an act of injustice to a part of their subjects in the East Indies by depriving them of property lawfully acquired, and that this clause was only applicable to those in the West Indies.

10. As it is a case involving so much property, and as the honourable board intimated that the question will be referred to the law officers at Calcutta, I would wish, with due submission, to await an answer before I act on this point as a justice of the peace.

(signed) *W. S. Lewis*,
Assistant Resident, Supt Police.

Malacca, 23 May 1829.

From *S. Garling*, Esq., Resident Councillor, Malacca, to *W. S. Lewis*, Esq.,
Police Magistrate.—(25 May 1829.)

Sir,

1. I HAVE to acknowledge the receipt of your letter of the 23d instant, with its enclosure.

2. I have no immediate means of referring to the Act, or to the work cited by you. The enclosure transmitted in your letter is rather an abstract of part of the Act than an extract from that document: taking it, however, in the defective state in which it appears, I do not see that it bears in any way upon the question at issue. You infer that "by this Act slaves

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are not emancipated." It seems to me, that the term "emancipation," as applied to members of this community, has no meaning. The Act, so far as I can discover, can operate only in those places where slavery is legal. If this be true, it will be for you, in the first instance, to settle in your mind that local slavery has legal existence. For my own part, I do not conceive that the unsophisticated administration of British law, unmodified by Act of Parliament, can tolerate the existence of slavery; I refer you to Blackstone's "Commentaries." You may find it difficult to trace the term "slave" in Burn's "Justice of the Peace." I refer you also to Auber's "Analysis" on the subject of slavery.

3. You intimate that you do not consider yourself, as superintendent of police, the arbiter of the rights of persons. It is a singular feature in the communications on this subject, which I have once or twice had with you, that you persist in the mention of emancipating, freeing from slavery, and other like terms; such expressions do not seem applicable to the occasion.

4. You state, further, that "you ascertained the point before the honourable the recorder left Malacca, who cautioned you not to interfere in cases which belong to the high court." It is not clear to me what point you speak of as being ascertained. As for the caution, it scarcely needed to be noticed, being sufficiently obvious; but what has all this to do with the question at issue? If slavery legally exists, the higher court would not, I presume, undertake to liberate from personal bondage any more than the police magistrate. If slavery do not legally exist, the recognition of the freedom of individuals is no interference with the jurisdiction of the upper court. I cannot understand for what purpose you quote the notice of the honourable the recorder, unless I am to gather your meaning from what occurred in respect of Cammooning, just previous to the departure of that functionary.

5. If you wish to have the unequivocal opinion of the honourable the recorder on this point, something may be elicited from the deputation who waited upon him for this express purpose, just previous to his embarkation. But if their testimony be insufficient, I beg to refer you to the recorder's charge to the grand jury of Penang, under date the 8th July 1828 (a passage to which I have solicited your notice on more than one occasion); for more immediate reference an extract is enclosed.

6. What you would require in writing I do not comprehend; the bearing of British law and of Acts of the British Legislature must be supposed to be as clear to you as to the executive government, and so far as their sanctions extend, the executive government cannot modify, and is not, I believe, accustomed to expound in the absence of legal advisers. Reference may be made to the law officers at the supreme presidency, but meanwhile you are left to act upon your own responsibility.

7. I have been free to give my opinion, yet as an opinion, and I have felt called upon to do so, as your mind seems to entertain a bias unfavourable to the cause of local freedom: it is hence, I fear, in some measure, that those who have had slaves feel indisposed to recognize their freedom, and consequently averse to make any compromise. The menials hear of their right to freedom, and are imitated* that obstacles oppose themselves to the exercise of this liberty. The minds of the former proprietors are excited to bitter animosity against their menials, and scenes ensue in the public streets which ought not to be tolerated.

8. While I leave you to the full exercise of your own discretion on the point, I do most seriously invite you to consider whether the magistrate has not the means of exercising a most kindly influence over the minds of all classes. The masters might be induced to acquiesce in the adoption of temporizing measures with their menials, and these, observing that they possessed friends where they have a right to expect a friend, would probably remain in service for a trifling compensation, and the apprehension of these poor individuals throwing themselves in bodies unprovided for upon the public be altogether averted.

Malacca, 25 May 1829.

(signed) *S. Garling*, Resident Councillor.

EXTRACT BENGAL PUBLIC CONSULTATIONS, 11 May 1830.

From *John Pearson*, Esq., Advocate-general, to *H. T. Prinsep*, Esq., Secretary to Government.—(5 May 1830.)

Sir,

No. 31.

1. I HAVE the honour to acknowledge the receipt of the acting-secretary's letter and other documents relative to slavery at Malacca.

2. I am aware of the great importance of the subject, and I believe, from the very voluminous correspondence which has passed, I am aware of the particular facts. I collect that slavery has existed at Malacca very far beyond the memory of any living man; that for some centuries it has been allowed. Before the cession of the settlement to the Crown of England it belonged to the king of the Netherlands, and was governed by the Dutch law; and I understand the question put to me to be simply this, whether those persons who had been previously slaves, and entered as such in the register, are liberated by the cession to the English Government, and the establishment of an English court of judicature?

I am of opinion that they are not; and, entertaining this view of the subject, I cannot but regret that the recorder did not continue long enough in the settlement to have the question brought judicially before him, for he appears to have entertained a different opinion, and it would have been easier for the master than I fear it will be for the slave to bring the matter by an appeal before the King in Council.

3. The

3. The principles advanced in the correspondence at Malacca, that the laws of England have been wholly introduced by the new charter of justice, and that, under all circumstances, those laws refuse to acknowledge the existence of slavery, appear to be each of them too broadly laid down. On the former of these points I would say, that, where no express enactments exist, the laws of the Government state are only so far introduced into a settlement as are suitable to the position in which it is placed. Only such parts of the law of England, for example, are extended to her eastern possessions as are applicable to their respective situations. Nor is the second observation borne out to its full extent. The law will not indeed allow the existence of slavery in England, but the position that the instant a negro or slave from the colonies lands in England, he (in the language of Sir William Blackstone) becomes a free man, is itself a recognition of the state of slavery in the land from which he has been brought. I may add, that the Legislature has often interfered to extend or limit or regulate slavery in the colonies belonging to England. Thus, also, a contract made in England for the purchase of a slave in one of the colonies is good.

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4. It would only be a waste of time if I were to repeat or enlarge upon the opinions entertained on this subject by the writers on national law. The principle on which it has been held that slavery cannot exist in England is of a more limited kind; either prescription or express law is necessary for its foundation, and whatever may have been the case of villainage, we have neither of these for domestic slavery. Slavery is not a natural but a municipal relation; it is an institution, therefore, which is necessarily confined to certain places, and which ceases when the individual is brought into a country where such municipal relations do not subsist: it would perhaps be too much to say that a slave, when landed in England, is to all intents and purposes emancipated, and that the relation will not revive if he chose to return to the colony to which he belonged. It has, however, been decided that no dominion can be exercised in England over a slave according to the colonial laws. This was the question before the Court of King's Bench in a very important case, in the 12th year of the late King, and the decision was, that the master had no right over such person, any more than over an ordinary servant.

5. I have thought it right to set forth the grounds upon which domestic slavery cannot subsist in England, because the views often taken of the subject are erroneous, and because I conceive that these erroneous opinions lead, as in the present case, to practical inferences which are not warranted by law.

6. I have not adverted to the Acts of Parliament passed for the abolition of the slave trade, though a reference is made to them in the accompanying correspondence. I own they do not appear to me to bear at all upon the present question; I am of opinion, indeed, that that which is now in force, the 5th Geo. 4, c. 113, applies to the settlement of Malacca, though that settlement may not possess an admiralty jurisdiction. But, if it did not apply, it would seem to follow (however incredible it might be) that the trade—the legal privilege of importing men as slaves from Madagascar and other countries—was yet open to that settlement. But if (as I believe) the statute does apply to Malacca equally with other places, then sections 13 and 14 will be found to acknowledge and even to guarantee the possession of slaves, and then transfer from one part of the colony to another.

7. The Governor-general in Council will see that, in my judgment, the result of the whole case of the facts and of the reasoning is, that slavery having existed for so long a period in Malacca, and not having been abolished by any express law, the relation continues at the present day; in other words, I think that those persons who were slaves, and entered as such in the register, “under the government of the Netherlands, are legally to be considered in a state of slavery since the transfer of that place to the British authority, and the establishment of an English court of justice.”

(signed) *J. Pearson*, Advocate-general.

Fort William, 5 May 1830.

Resolved, That the following letter be addressed to the government, Prince of Wales' Island, Singapore and Malacca:—

From Government of India to the Honourable *R. Fullerton*, Esq., Governor and Council at Prince of Wales' Island, Singapore and Malacca.

Honourable Sir,

We have the honour to acknowledge the receipt of your letter, dated 26 November last, with the minutes and documents mentioned to accompany it, referring for our opinion the important question, whether slaves registered under the preceding Netherlands government are to be considered still in a state of slavery since the transfer of that place to the British authority, and the establishment of an English court of justice therein.

No. 32.

2. The opinion of the advocate-general having been taken on this point, a copy of the same is enclosed. It appears to us to be conclusive and satisfactory on the question referred; by it, therefore, the government and local authorities at Malacca must be guided, until a different construction shall be put on the law by higher authority.

(signed) *W. C. Bentinck.*
W. B. Bayley.
C. T. Metcalfe.

Fort William, 11 May 1830.

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EXTRACT BENGAL PUBLIC CONSULTATIONS, 11 January 1831.

From *R. Ibbetson*, Esq., Resident, Singapore, to Mr. Secretary *Prinsep*.—
(24 November 1830.)

No. 13.

25 Sept. 1829.
30 Sept. 1830.

Sir,

WITH reference to your letter to the secretary of the late government on these straits, dated the 11th August 1829, transmitting copy of one from his Excellency the Governor of Ceylon, with its enclosures, relative to a young man named William Gauder, stated to be in a state of captivity on Sumatra, I have the honour to forward, for the purpose of being laid before the Right honourable the Governor-general in Council, copies of letters (dated as per margin) to and from the resident of Rhio on the subject, by which it will appear that nothing satisfactory has yet resulted from the inquiry and interference of the Netherlands authorities at Sumatra.

Resident's Office, Singapore,
24 November 1830.

(signed) *R. Ibbetson*, Resident.

From *J. Patullo*, Esq., Secretary to Government, Prince of Wales' Island, to Major *Elout*, Resident at Rhio.—(25 September 1829.)

No. 14.

Sir,

I HAVE the honour, by order of the Honourable the Governor in Council of Prince of Wales' Island, Singapore and Malacca, to transmit to you the accompanying correspondence from the government of Ceylon and Bengal, relative to a person said to be held in captivity by the raja of Pussama, on the west coast of Sumatra.

You will perceive by a reference to the documents now forwarded, that the interference of your government on that coast is, and at Palembang, likely to be the readiest means of emancipating the person named. The Honourable the Governor in Council therefore takes the present opportunity of bringing this subject under your notice, as the nearest Netherlands authority, for the purpose of your taking any steps which may appear to you necessary, with the fullest confidence in your assistance towards procuring the release of the unfortunate individual.

(signed) *J. Patullo*, Secretary to Government.

Singapore, 25 September 1829.

No. 10.

(Translation.)

From Lieutenant-colonel *Elout* to *K. Murchison*, Esq., Resident at Singapore.

Sir,

Rhio, 30 September 1830.

THE Governor of Prince of Wales' Island, by direction of the Governor-general of British India, Lord W. C. Bentinck, transmitted to me, some time ago, a copy of a letter addressed to Lord William by Sir Edward Barnes, the Governor and Commander-in-chief of Ceylon; to that communication was annexed a petition to the address of Sir Edward Barnes, from an individual named J. A. Gauder, residing at Point de Galle, in the island of Ceylon.

The object of the representation in question was to solicit that some inquiries might be made regarding the petitioner's son, William Gauder, who it appears had been captured by pirates in 1819, and was supposed to be still living in a state of slavery under the petty prince or chief of Pussama, on the island of Sumatra. This belief was founded on the declaration of a person who had an interview with Mr. Gauder, senior, and a transcript of whose statement was forwarded to me, with copies of the other papers.

Immediately on the receipt of those documents, I caused transcripts of them to be made for the Netherlandish resident on the west coast of Sumatra, as well as for the functionary at Palembang; I have not yet received the reply of the former; but from what Sir Edward Barnes states in his letter to the Governor-general respecting the representations which had been made to Sir Stamford Raffles, the late Lieutenant-governor of Fort Marlbro', and which do not appear to have led to any discovery, I apprehend that the result of the inquiries instituted by the resident on the west coast of Sumatra, whose seat of authority is at Padang, but of which Bencoolen is now one of the dependencies, will be equally unsuccessful.

Further measures will, however, be adopted by myself in regard to this matter, as I have been appointed by the Governor-general of Netherlandish India to be resident on the west coast of Sumatra, and am on the eve of proceeding to assume charge of the civil and military functions in that quarter, awaiting only the arrival here of the new resident appointed in my room.

In the meanwhile, I have just received a reply from the resident at Palembang, which is not very satisfactory. It appears that the same individual who called himself George Becker, at Ceylon, had presented himself in the Lampongs, under the name of Hendrick Prins, in October 1826, when he was arrested at Kebong, by the assistant resident, for having sold amulets to some natives, and committed other acts which subjected him to the suspicion of wishing to abduce the common people and disturb the public tranquillity; when the person in question was taken up, he avowed having embraced the Mahomedan faith.

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I have myself, during a course of 15 years' service in India, seen and heard a good deal of this class of vagabonds and sharpers, who thrust themselves into countries where men of honest principle do not venture to appear, and who, on quitting those places, relate endless tales regarding the Europeans whom they pretend to have seen in captivity, &c. &c. ; sometimes their object is only a pecuniary one, and by this motive, I believe, the person named George Becker, alias Hendrick Prins, (if the identical individual), was actuated in the communications made by him to that unfortunate man, Mr. Gauder, senior. There are others, however, of this class who aim at a higher object, hoping to be deputed as commissioners from one government to countries placed politically and geographically under the control and supremacy of another government.

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There is no danger, however, to be apprehended from persons of this latter description when they address themselves to experienced functionaries ; and the conduct of the former ought not to restrain us from instituting inquiries, even when we might see reason to distrust their reports ; because, should the account they give prove in the end to be true, we would feel compunction at not having preferred the chance of being the dupes of a tale, to remaining insensible to the possible misfortune of a fellow-creature.

As, however, it is of some consequence in the present case to ascertain what degree of credit is to be attached to the story of the person who made his declarations at Ceylon, under the name of George Becker, and whom Monsieur du Bois (the assistant-resident of the Lampongs, a Netherlandish functionary of great experience, who has seen all the papers transmitted by Lord William) declares to be no other than the individual whom he arrested, and who then called himself Hendrick Prins, I entreat, sir, you will endeavour to obtain some information regarding the character of him who, in the memorial to the address of Sir Edward Barnes, is called George Becker ; I feel persuaded that the Governor and Commander-in-chief of Ceylon will be able to acquire this information by means of the police officers.

Indeed the case cannot be otherwise, since Monsieur du Bois, the assistant-resident of the Lampongs, in writing to the resident at Palembang, declares that the person of George Becker can be no other than the man who, in 1826, had been arrested by him, and then called himself Hendrick Prins, and avowed that he had embraced the Mahomedan faith.

(signed) *Elout*, Lieutenant-colonel.

The above is a translation from a very inaccurate transcript of the original French document.

(signed) *W. Foresty*, Translator.

From *J. Patullo*, Esq., Deputy Secretary to Government, to *R. Ibbetson*, Esq., Resident at Singapore.—(11 January 1831.)

Sir,

I AM directed by the Honourable the Vice-president in Council to acknowledge the receipt of your letter dated the 24th November last, with its enclosures, regarding William Gauder, stated to be in a state of captivity in Sumatra, and to inform you that a communication on the subject will be made to his Excellency the Governor of Ceylon.

No. 15.

Fort William, 11 January 1831.

(signed) *J. Patullo*,
Deputy Secretary to Government.

Ordered, That the following letter be addressed to the chief secretary to the government of Ceylon:—

From *J. Patullo*, Esq., Deputy Secretary, to the Honourable *J. Rodney*, Chief Secretary to Government, Ceylon.—(11 January 1831.)

Sir,

WITH reference to the communication made by this government to his Excellency the Governor of Ceylon, under date the 11th August 1829, I am directed by the Honourable the Vice-president in Council, to transmit to you, for the information of his Excellency, the accompanying copy of a letter from the resident at Singapore, Prince of Wales' Island and Malacca, dated the 24th November last, and of its enclosures, relative to William Gauder, who was stated to be in a state of captivity in Sumatra.

No. 16.

Fort William, 11 January 1831.

(signed) *J. Patullo*, Dep. Sec. to Government.

EXTRACT BENGAL PUBLIC CONSULTATIONS, 9 JUNE 1834.

From *D. M'Farlan*, Esq., Chief Magistrate, Calcutta, to Mr. Secretary *Bushby*.—
(3 June 1834.)

Sir,

I HAVE the honour to transmit herewith copies of a letter addressed by me to the marine board, under date the 26th ultimo, with the board's reply thereto, dated the 31st ultimo, on the subject of adopting further means of preventing the importation of slaves into

No. 25.

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Calcutta,

E. I. Company and Board of Control. (Documents.) Calcutta, and to suggest, for the consideration of his honour the Vice-president in Council, that orders should be issued to the pilots, requiring them to take diligent notice of, and to report to the police-office, every case where they may have good cause to believe that male or female slaves were imported or might still be in the ships.

(signed) *D. M'Farlan*, Chief Magistrate.

Calcutta Police-office, 3 June 1834.

From *D. M'Farlan*, Esq., Chief Magistrate, Calcutta, to the Secretary to the Marine Board.—(26 May 1834.)

Sir,

No. 26.

HAVING of late been led incidentally to consider the means possessed by the Calcutta police of preventing the importation of male and female slaves into Calcutta from the Persian Gulf and other ports, and of bringing to justice those who may attempt such importation, it occurred to me that the officers of the pilot service possessed means of acquiring information on the subject which might be usefully applied.

It is obvious that the police cannot issue search warrants, to be executed in every ship that arrives in the port, upon a mere vague and general suspicion that the vessel, as coming from a certain quarter of the world, is likely to, or might possibly, have slaves on board. The slaves themselves cannot complain. The crew are not likely to do so; and it follows that the traffic may go on to some extent, though I have no reason to suppose such to be the case now, without the police knowing any thing about it.

May I beg, therefore, to be apprized by you whether the board would sanction a general order being issued to the pilots bringing vessels into this port, requiring them to take diligent notice, and instantly to report to the police every case where they may have good cause, from the circumstances which they observe on the trip, to believe that male and female slaves were imported, or might still be in the ships?

Should the board have no objection to the measure proposed, I propose addressing government on the subject.

(signed) *D. M'Farlan*, Chief Magistrate.

Calcutta Police-office, 26 May 1834.

From *C. B. Greenlaw*, Esq., Secretary, to *D. M'Farlan*, Esq., Chief Magistrate.—
(31 May 1834.)

Sir,

I HAVE the honour, by direction of the marine board, to acknowledge the receipt of your letter, under date the 26th instant, and to assure you of their readiness to meet your wishes, and that instructions should be given to the pilots of inward-bound vessels from the Persian Gulf and other ports from which the importation of male or female slaves may be apprehended, to ascertain when any such individuals are on board, and they are quite satisfied that the pilots themselves would be most happy to be aiding in the prevention of such importations.

The board, however, consider that the pilots cannot be held to be responsible should any slaves be landed from any particular vessel; all that can be required of them is, to report in any case, when from circumstances they may be led to believe that slaves are on board, using their best observation in charge of inward-bound vessels from suspicious places.

Fort William, Marine Board-office, (signed) *C. B. Greenlaw*, Secretary.
31 May 1834.

Ordered, That the following letter be written :—

From Mr. Secretary *Prinsep* to *D. M'Farlan*, Esq., Chief Magistrate of Calcutta.—
(9 June 1834.)

Sir,

No. 27.

I AM directed to acknowledge the receipt of your letter dated the 3d instant, with its enclosure, and in reply to state, that the Vice-president in Council entirely approves the means proposed by you to be taken to guard more effectually against the importation of slaves into Calcutta in Arab ships and other craft.

2. The Vice-president in Council doubts not that the members of the pilot service will zealously assist in promoting this object, and concurs with the marine board in the view taken by them of the manner and extent to which the services of the officers of this establishment can be made available for the purpose.

(signed) *H. T. Prinsep*, Secretary to Government.

Council Chamber, 9 June 1834.

Ordered, That a copy of the above letter be sent for information to the marine board.

EXTRACT BOMBAY PUBLIC CONSULTATIONS, 9 May 1827.

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From *George Norton*, Esq., Advocate-general, to Mr. Secretary *Norris*.—(25 April 1827.)

Sir,

No. 70.

Para. 1. I HAVE the honour to reply to your letter dated the 21st instant, requesting my opinion, for the information of the Honourable the Governor in Council, as to the form in which the required authority for seizing slave ships should be conferred on captains of the Honourable Company's cruisers.

2. There is no particular form provided by statute according to which this authority is directed to be delegated. The plainest mode which I should recommend would be by directing the appointment to the individual by name, then referring by way of recital to the statute 5 Geo. 4, c. 113, and the authority and power thereby vested in the Honourable the Governor to proceed by virtue thereof, to depute and authorize, &c. &c. following the words of the 43d section of the statute. The signing and sealing such a document might either pursue the form adopted in granting papers, or it might be in the form of—"In witness whereof, I, the Governor and President, &c. &c. and Governor and Commander-in-chief, &c. &c. have hereunto set my hand, and the seal of the aforesaid Honourable Company, this day of &c. &c."

3. It becomes, however, my duty to intimate to the Honourable the Governor in Council my strong doubts whether the section in question, the 43d of the 5th Geo. 4, cap. 113, does in truth delegate that authority to the Honourable the Governor, as conceived by the Lords Commissioners of the Admiralty. Speaking with every the most respectful deference to that right honourable board, I am the rather induced to state my humble sentiments on the subject, under an impression that the grounds of my doubts may not have been adverted to, and no legal advice referred to on this occasion. The representation from this government having reached home so very near the period of the promulgation of the statute in question, and referring to circumstances of slave-dealing, and difficulties occurring previous to the passing that Act, may possibly have suggested a presumption that the Act had in view the Honourable Company's governments as well as all other countries under the dominion of his Majesty.

4. The words of the 43d section, though not very comprehensive in their import, might, if taken by themselves, be reasonably construed to extend to territories, conquests and dominions belonging to and under the immediate government of the Honourable Company, inasmuch as they are all dominions of his Majesty, and the governments are administered under subjection to his crown. But, in looking to other statutes, we may be induced to attach a more limited construction to the words of the section, and to perceive a direct distinction between the territories adverted to in this section and those which may belong to or be under the immediate government of a peculiar body.

5. It is to be observed, that the original Abolition Acts gave authority of seizure to his Majesty's naval and custom officers only. The 51st Geo. 3, cap. 23, sec. 8, extends the authority of seizure to governors, &c. in Africa, exactly in the same words as are employed in the 43d section of 5 Geo. 4, cap. 113, but makes an express distinction between these "colonies, settlements, forts and factories belonging to his Majesty," and those belonging to "*the African Company*," and extends the authority to governors of *both* such places.

6. There seems great reason to believe that the only slave-dealing within the contemplation of the original Abolition Acts was that carried on between the colonies of the West Indies and the coasts of Africa. Slave-dealing within the limits of the Company's charter, if it was considered at all, probably was so no more than as respected the mere trading from the lower part of the eastern coast of Africa round the Cape, and not internal traffic within the Indian seas. Some attention may have been directed, at the passing of the 5th Geo. 4, to the traffic within these seas, which has but within these very few years become of any magnitude; but even should that have been the case, it may be a reasonable conclusion that no greater extension of the authority of seizure was intended than to the governor of possessions more immediately under his Majesty's prerogative, such as the Cape and Mauritius, there being already an admiral's station within these seas. I should much doubt whether the factory at Canton or Singapore or Calcutta were contemplated in the wording of the clause in question.

7. If these considerations may raise a doubt, that doubt is much enhanced in my own mind by perusing the statutes of 4 Geo. 4, cap. 41, sec. 3, and 6 Geo. 4, cap. 4, cap. 110, sec. 3. By these statutes, passed so immediately before and after that in question, when authority is clearly intended to be given to *all* governors in his Majesty's dominions, as well in Asia as in Africa and America, in regard to the registry of ships, we find that, although much more comprehensive language is adopted in reference to governors of places "*belonging to his Majesty*," which are noticed under the terms "*colonies, plantations, islands and territories*," instead of colonies, settlements, "*forts and factories*," yet the appointees of the *East India governments* are authorized to act in the registry of ships by a distant and special clause in the respective sections of these Acts.

8. The adoption of the word, *governments* of India, in contradistinction to that of *governors*, fairly implies, that the Legislature in delegating powers to the India governments contemplated a differently-constituted authority than that of a governor of one of his Majesty's more immediate possessions, namely, the President *in Council*. If this be the case, and correctly so, it would be a stress of the language of the 43d section of 5 Geo. 4, cap. 113, to construe the terms, governors, &c. as applicable to the governors of India.

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9. The statute is highly penal, and must be construed strictly, even though the wording should not come literally up to the intentions of the Legislature. But I am by no means satisfied that the *intention* was to give authorities to officers, who, like the marine officers of the Honourable Company, are not so directly under the control of his Majesty's Government as officers appointed by his Majesty's own immediate governors would be.

10. The doubts I have now the honour to state have occurred to my mind some time since; but I have refrained from troubling the Honourable the Governor in Council with any representation of them until it appeared to me the occasion called for it.

Bombay, 25 April 1827.

(signed)

George Norton, Advocate-general.

MINUTE, by the Honourable the Governor, subscribed by Sir *T. Bradford* and Mr. *Goodwin*.

No. 71.

As it would include our officers in responsibility and in litigation to act on a doubtful statute, the advocate-general's letter had better be referred home.

(signed)

M. Elphinstone.

MINUTE by Mr. *Warden*.

No. 72.

IN the second paragraph of Mr. Courtenay's letter of the 3d of February, the recommendation of this government, that measures may be taken for obtaining legal authority for the officers of the East India Company's cruisers to seize slave traders, is submitted to the consideration of Earl Bathurst.

2. In reply to that recommendation information is required of any native prince having entered into treaties with the East India Company for the abolition of the slave trade, by which it is stipulated that their ships or subjects may be seized by the Company's officers, in order that it may be considered whether it may be proper that the authority of Parliament should be interposed for carrying such treaties into effect.

3. The treaty with the imaum of Muscat expressly excludes the Company's cruisers from making captures of his vessels engaged in the slave trade within the stipulated limits, and therefore no interpretation is necessary in reference to that state. But what is the intent of the 9th act of the treaty with the Arabs?

4. This government has determined that, whatever may have been the intention of the negotiators, it is not applicable to the slave trade. But suppose the vessels of Arabs parties to that treaty were to make descents on the coast of Africa, Malabar and Goozerattee, are our cruisers competent to seize them, and would such seizures, if brought to Bombay, be cognizable as an act of plunder and piracy by his Majesty's courts without an Act of Parliament? I should think not.

5. This, then, appears to be a question which should be referred to the authorities at home, that the Company's cruisers may be legally empowered to seize Arab vessels, and carrying off slaves, "men, women and children, from the coast of Africa or elsewhere, and transporting them in vessels," which is declared to be an act of plunder and piracy.

6. The slave trade (whatever may be their subsequent treatment under their Arab masters, when transported to Arabia, and have become domestic slaves) cannot be said to be a traffic peaceably conducted; men, women and children are forcibly seized in the interior, and carried off; and if Arab vessels be engaged in such seizure and carrying off, the violence of which is continued from the coast of Africa to the coast of Arabia, it is still the slave trade. It may lose much of its detestable character when those unfortunate beings are landed in a foreign clime. Under their Arab masters, the ultimate purchasers, they may be well treated and protected, and even enjoy a considerable degree of power and influence, but, until they may be so disposed of, the preceding transactions, that is, the seizing and selling on the coast of Africa, or elsewhere, and the buying and carrying off by Arab vessels, constitute, I submit, to all intents and purposes, a traffic in slaves, or the slave trade, which the 9th Act of the treaty with the Arabs has rendered an offence as criminal as piracy and murder.

6. The despatch from the honourable court of the 27th of September has led me to a reconsideration of the proceedings to which I refer, when a different construction was put on the 9th act of the treaty with the Arabs, to which I must have subscribed. The question is not unimportant, and I am free to confess that, on a reconsideration of the article, I am of opinion, for the reasons assigned, that it not only contemplates but clearly defines the slave trade, which the Arabs subscribing to the treaty have agreed should be treated as plunder and piracy.

3 May.

(signed)

F. Warden.

MINUTE, by the Honourable the Governor, subscribed by Sir *T. Bradford* and Mr. *Goodwin*.

No. 73.

I BELIEVE the reference already recommended to England only involves all the suggestions in Mr. Warden's minute regarding the increase to be granted to the power of our cruisers to seize slave traders.

My interpretation of the treaty is, that carrying off slaves by force was to be considered as piracy, not that dealing in slaves, however detestable, was to be so considered.

(signed)

M. Elphinstone.

M'Leod, desp.
27 Feb. 1823,
paras. 56 to 63,
Ins. 26 of March.

EXTRACT BOMBAY PUBLIC CONSULTATIONS, 15 August 1827.

E. I. Company and
Board of Control.
(Documents.)From Mr. Acting Chief Secretary *Blane* to Mr. Secretary *Norris*.—(27 June 1827.)

Sir,

His Excellency the Governor of Mauritius having had under consideration a report which has recently been made to him regarding certain proceedings which are stated to have taken place on board the brig "Esperance," belonging to this port, from whence she sailed in the month of October last, and under the command of Captain Berichon, destined on a voyage to the island of Bourbon, and from thence to Bombay; and it appearing that the supercargo, Joseph Souza de Vicera, a Portuguese by birth, and certain of the crew of the brig "Esperance," were under trial at Bombay, on charge of having poisoned the mate of that vessel, I have received the directions of his Excellency the Governor to request that you will be pleased to move the Honourable the Governor in Council of Bombay to give directions that a copy of the proceedings consequent on the trial may be forwarded hither for the information of the colonial government.

No. 42.

27 June 1827.

(signed) *A. W. Blane*,
Acting Chief Secretary to Government.

No. 1459, of 1827.

From Mr. Secretary *Norris* to Mr. Acting Chief Secretary *Blane*.—(18 August 1827.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 27th June last, and to forward to you, by order of the Honourable the Governor in Council, to be laid before his Excellency the Governor of the Mauritius, the accompanying copies of all proceedings which took place under this government regarding the seizure and temporary estimate of the brig "Esperance" belonging to Port Lewis.

No. 43.

Bombay Castle, 13 August 1827.

(signed) *C. Norris*,
Secretary to Government.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 13 June 1828.

From the Reverend Mr. *Boucho* to the Honourable *R. Ibbetson*, Esq., Resident Councillor.—(13 June 1828.)

Honourable Sir,

It is with extreme regret that I feel compelled to bring to your notice the following circumstance, which my conscience will not allow to pass in silence.

A few days ago a Chinese junk arrived here from the west coast of Sumatra, and imported to this island not less than 80 captives from Pulo Nias, who have been sold to different Chinese, and a few young girls have been seen in the houses, entertained by some Chinese, for the purpose of prostitution.

As a traffic of this nature is in itself so horrible, as also contrary to humanity and the laws of all civilized nations, more particularly odious to the British Government, I pray and hope that your goodness of mind will at once point out the expediency of using the influence of your high authority, and in concert with his excellency the naval commander-in-chief, adopt prompt and decisive measures not only to restore these poor and unfortunate individuals from slavery, but to prevent for the future such inhuman commerce.

I have, &c.

Prince of Wales' Island, 13 June 1828.

(signed) *Boucho*, Mis. Apo.

Sent to the police for investigation and report.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 23 June 1828.

From *R. Caunter*, Esq., Superintendent of Police, to the Honourable *R. Ibbetson*, Esq., Resident Councillor.—(19 June 1828.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 13th instant, with its enclosure, and having made inquiry into the subject to which it refers, beg to report the result.

The complaint of the Rev. Mr. Boucho appears to be well founded, and there is reason to believe the Chinese junks from this port do deal in slaves when trading on the west coast of Sumatra.

The accompanying document, No. 1, is a list of junks belonging to this port, lately returned here from that coast. Three of them, Nos. 2, 4 and 6, are the vessels that have imported these people, and are said to have all been at Pulo Nias slaving: No. 2 is the junk that appears to have been chiefly concerned in this trade. From the statement of

697.

E E 4

Nahoo,

E. I. Company and
Board of Control.
(Documents.)

Nahoo, one of the most intelligent of the Nias girls, it seems that this junk went to Pulo Nias and there took on board 70 or 80 persons of both sexes, conveyed them to the Malayan ports on the west coast, or to Achin, where they were all landed except 15 or 16, who have been brought on to this place; 13 of these have been traced, but the others not yet found. List No. 2 contains the names, &c. of the persons brought here in the three junks, and now in charge of the police.

Junk No. 4 is the one in which the girl, Nahoo, with some others arrived here. By her account it appears that she and three others were trans-shipped from junk No. 2 to this one about 10 days before they came here.

Whether the persons brought here were procured as slaves, or ever intended as such, is doubtful; they are generally, I believe, in this island made servants of at first, and the females, when grown up, become the wives or concubines of their Chinese masters. It is, however, necessary to remark, that the nakhodas of the junks never reported the arrival of these Nias people to this department as they ought to have done. They are certainly, in general, benefited by the change, though some of the females brought here have no doubt been improperly disposed of.* If the mode of procuring them was but legal, their importation into the British territories must be greatly for the advantage of these poor people, who would otherwise, in all probability, be sold as slaves into native states, without any hope or prospect of redemption.

* Luklye, Noora,
Naha, Sea-aaloo.

Their extreme ignorance renders it impracticable to obtain from them precise or satisfactory information, and to expect any from the Chinese crews of the junks is out of the question. They appear happy and healthy, and not to wish to return to their own country. The woman, Kafeeha, lives with the nakhoda Khung Too, and does not wish to leave him.

As depositions are taking, and the nakhodas of the three junks will be sent to the sessions to answer for their conduct, and as the Act 51 Geo. 3, c. 23, and other statutes, make owners and vessels, I believe, also liable, I beg respectfully to suggest the propriety of ordering these three junks to be detained until the matter has been finally decided.

Having no proper place to accommodate such a number of females, and the Rev. Mr. Boucho having kindly allowed them to be received into the nunnery, I have consented to their remaining there, and being subsisted by this department until the pleasure of government regarding them is known, and hope this measure will be approved of by the Honourable Governor in Council.

I have, &c.

Police-office, 19 June 1828.

(signed) R. Caunter, Supt of Police.

NAMES of CHINESE JUNKS reported at the POLICE OFFICE to have arrived from the West Coast of Sumatra and Achin, from 1st May to this date.

No.	Junks' Names.	Owner.	Nakhoda.	From whence reported.	—
1.	Seen Soonhun -	Tik Cheong -	Lee Goan -	Padang -	
2.	Hoh Hoatheen -	Chea Soey -	Khung Too -	Achin -	-- This vessel appears to have imported eight persons, viz. four women, two girls and two boys.
3.	Him Haphoat -	Soo Cheon -	Tan Yukhan -	- "	
4.	Soon Sing -	Lim Seong -	Lim Piklow -	- "	-- This vessel appears to have imported nine persons, viz. six women, two girls and one boy.
5.	Sin Heen -	Bhoon Seoo -	Lee Lake -	- "	
6.	Khin Ee -	Lim Seong -	Lim Yooye -	Padang -	-- This vessel appears to have imported two persons, viz. one woman and one boy.

Police Office, }
19 June 1828. }

(signed) R. Caunter,
Supt of Police.

LIST

LIST of *Nias* WOMEN and CHILDREN brought here in the Junks Hoatheen, Soon Sing and Khin Ee, belonging to this Port, and now in charge of the Police.

E. I. Company and Board of Control. (Documents.)

No.	NAMES.	SEX.	REMARKS.
HOATHEEN:			
1.	Saandee - -	Woman -	Found on board the junk.
2.	Kafeeha - -	- " -	- ditto - ditto; living with the nakhoda.
3.	Nahah - -	- " -	-- Found in Sim Tiklow's house; supposed to have been sold for prostitution.
4.	Jenoah - -	Girl -	Found in the house of Chea Sooev, owner of the junk.
5.	Lykah - -	- " -	Found on board the junk.
6.	Dalooch - -	Boy -	- ditto - ditto.
7.	Boodee Boodee - -	- " -	-- Sold for 23 dollars to a native woman, named Mah Tejah, who has adopted him, quite a child.
SOON SING:			
8.	Luhlye - -	Woman -	-- Found in Tiklow's house, supposed to have been sold for prostitution.
9.	Noord - -	- " -	- ditto - ditto.
10.	Sinaaloo - -	- " -	- ditto - ditto.
11.	Cheghye - -	- " -	Found in China Koo Chow's house.
12.	Nahoo - -	Girl -	Found in Nakhoda Piklow's house.
13.	Esah - -	- " -	-- Found in Sim Tiklow's house, with the before-mentioned women, quite a child.
14.	Kaachoney - -	Boy -	Found in Nakhoda Piklow's house.
KHIN EE:			
15.	Rakhye - -	Woman -	Found in Nakhoda Lim Yooy's house.
16.	Lama - -	Boy -	Found on board the junk.

Police-office, }
19 June 1828. }

(signed) *R. Caunter*,
Supt' of Police.

From *R. Ibbetson*, Esq., Resident Councillor, to *R. Caunter*, Esq., Superintendent of Police.—(23 June 1828.)

Sir,

I HAVE to acknowledge the receipt of your letter of the 19th inst. reporting particulars relating to a traffic in slaves lately carried on by three Chinese junks belonging to this port.

The steps you have taken for the trial of the nakhodas are perfectly judicious, and the necessary instructions to the master-attendant have been issued for the detention of such junks, which you will cause to be pointed out to him.

The temporary subsistence and accommodation of the females, noticed in the concluding paragraph of your letter, is also approved, and may continue pending further directions from the Honourable the Governor in Council.

I am, &c.

(signed) *R. Ibbetson*, Resident Councillor.

Fort Cornwallis, 23 June 1828.

From *R. Ibbetson*, Esq., Resident Councillor, to the Master-attendant, *C. W. H. Wright*, Esq.—(23 June 1828.)

Sir,

THE nakhodas of three Chinese junks belonging to this port are now in custody at the police-office, charged with trafficking in slaves, which, if fraud, operates a forfeiture of their vessels and property on board. You will therefore be pleased, pending the trial and investigation of the business, to detain the junks in question, which will be pointed out to you, upon application to the superintendent of police.

I am, &c.

(signed) *R. Ibbetson*, Resident Councillor.

Fort Cornwallis, 23 June 1828.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 28 June 1828.

From *C. W. H. Wright*, Esq., Master-attendant, to the Honourable *R. Ibbetson*, Esq., Resident Councillor.—(27 June 1828.)

Sir,

I HAVE the honour to report that three Chinese junks, whose owners and nakhodas, with others concerned, trafficking in slaves, belonging to this port, have, in obedience to your orders, been taken charge of, by putting one man into each, at 15 sicca rupees per month,

E. I. Company and Board of Control. (Documents.) month, removing them from their former anchorage, and mooring them abreast of the Honourable Company's warehouse, also unshipping and landing their rudders, and respectfully trust these measures will meet your approbation.

I have, &c.
(signed) C. W. H. Wright, Master-attendant.

Master-attendant's Office,
27 June 1828.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 9 July 1828.

THE following letter to the Company's law-agent, respecting the prosecution of persons concerned in the slave trade, is recorded :—

From *John Anderson*, Esq., Secretary to Government, to *W. Caunter*, Esq., Law-agent.—
(8 July 1828.)

Sir,

I AM directed to enclose copies of letters received from the superintendent of police relative to a charge against certain inhabitants of this island, for being concerned in slave-dealing, and to direct that you will communicate with the superintendent of police, as also with the Rev. Mr. Boucho, who, it appears, gave the information, in order that the best means may be taken to bring the offenders to justice, in the prosecution of whom you will act in your official capacity as far as the court may, under the circumstances of the case, admit. If, from the recent discovery of the offences, it appears advisable to defer the trial till next sessions, you will move the court to that effect.

I am, &c.
(signed) *John Anderson*, Secy to Govt.

Fort Cornwallis, 8 July 1828.

THE following letter, addressed jointly to the superintendent of police and master-attendant, in view to vigilance required in their several departments, towards checking the practice of slave trade, is likewise recorded :—

From *John Anderson*, Esq., Secretary to Government, to *C. W. H. Wright*, Esq., Master-attendant, and *R. Caunter*, Esq., Superintendent of Police.—(8 July 1828.)

Gentlemen,

It having come to the knowledge of the Honourable the Governor in Council that certain persons, principally females, have lately been imported into this island in three junks, who, there is every reason to believe, have been brought away as slaves from Pulo Nias, you are directed, each in your own department, to institute in future a more vigilant search and inquiry on the arrival of junks and native vessels than there seems to have been observed on this occasion. I am further directed to desire that you will inquire, in the manner least calculated to attract notice, whether any and what number of junks, the property of inhabitants of the island, are now out on voyages to the west coast of Sumatra, the purpose of which, there is too much reason to fear, is principally to carry on the abominable traffic of slave-dealing, which the laws of the country, as well as every principle of humanity, require this government to suppress to the utmost extent of their power.

I am, &c.
(signed) *John Anderson*, Secy to Govt.

Fort Cornwallis, 8 July 1828.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 21 July 1828.

From *William Caunter*, Esq., Law-agent to the Honourable Company, to
John Anderson, Esq., Secretary to Government.—(10 July 1828.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 8th instant, enclosing two others, addressed respectively to the honourable the resident councillor by the superintendent of police, and the Rev. Mr. Boucho, relative to a complaint against the owners and nakhodas of certain junks belonging to this port, supposed to have been engaged in slave-dealing.

I have now to acquaint you, for the information of his Excellency the Governor in Council, that, in obedience to the instructions contained in your letter, I yesterday moved the court for an order that the recognizances entered into before the magistrates by the prisoners and their bail might be severally respited until the ensuing sessions, in consequence of an existing defect in the evidence, which rendered it hazardous for the prosecutor to proceed to trial. On a suggestion which fell from the bench, before the court proceeded to dispose of my motion, I called at the police-office for the purpose of applying to the magistrates that the prisoners might be forthwith committed to gaol, on the grounds set forth in an affidavit which supported the motion in court. The only magistrate present at the time was Richard Caunter, Esq., who declined taking any further steps in the matter, alleging that the parties were then before the court, and had been admitted to bail by himself and another magistrate, in conformity with the provisions of a late Act of Parliament, commonly called "Mr. Peel's Act," which gives power to two justices of the peace to take bail in certain cases of felony. The court, on being apprized of these circumstances, held that

that the magistrates, in admitting the prisoners to bail in the present instance, had exercised a discretion authorized by the Act in question, and in the absence of any indictment, the court itself had no power to order their committal. The men being then surrendered by their bail, I was obliged to adopt the only course left open to me, that of praying that my original motion might stand, which was granted, and the motion itself allowed accordingly.

Adverting to another important particular embraced in my application to the court, I must beg leave to add, that it has been left to me to provide due means for the religious instruction of the persons brought here from Pulo Nias, so as to qualify them to give evidence at the next assizes. Under all circumstances, I have thought it advisable that such as have been already placed with the Rev. Mr. Boucho should continue under his care undisturbed, on his giving me a pledge that the requisite instruction shall be administered to them for the above purposes, under his own immediate inspection,—a measure which, I trust, will meet the sanction of government.

I shall endeavour, in communication with the superintendent of police and Mr. Boucho, to get possession of all the evidence which these cases may be capable of supplying.

The enclosures forwarded in your letter I have now the pleasure to return, and

Have, &c.

Prince of Wales' Island,
10 July 1828.

(signed) *Wm. Caunter*,
Law-agent to the Honourable Company.

The secretary reports, that the above was acknowledged, and the hope of the board expressed that the Rev. Mr. Boucho would do all that is required in respect to the education of the children.

The superintendent of police having (agreeably to order conveyed to him on the 12th instant) submitted attested copies of depositions taken at the police-office in the matter of the slave trade, the same are recorded as follows:—

Prince of Wales' Island, }
to wit. }

DEPOSITIONS and EXAMINATIONS taken before *Richard Caunter*, Esq., one of his Majesty's justices of the peace in and for the said island, against two of the tribe Khung, Piklow of the tribe Lim, and Joocy or Yoocy of the tribe Sim, Chinese-men, nakhodas or commanders of the Chinese junks, Hoh Hoatheen, Soon Sing and Khin Ee, belonging to this port, for trading or dealing in slaves, and having, during their late voyage to the west coast of Sumatra, shipped on board the said junks, at Pulo Nias, a number of persons of both sexes, carried them away from that island to the Malayan or Achinese ports on the west coast aforesaid, and there sold or disposed of most of them as slaves, and secretly imported the others into this island for the same purpose; also against the owners of the said junks, and their agent or agents, on suspicion of being concerned in the said slave-dealing, and permitting the said junks to be so employed.

George Godfrey, constable, deposeth,—That in three Chinese junks belonging to this port, lately arrived from the west coast of Sumatra, have been clandestinely imported several Nias women and children, who, there is reason to believe, from the account given by themselves, have been purchased as slaves at Pulo Nias by the Chinese nakhodas or commanders of these vessels.

The junks that appear to have been concerned in this trade are the Hoh Hoatheen, Nakhoda Khung Too, belonging to a Chinese merchant of this place, named Cheah Soeey, and the Soon Sing, Nakhoda Piklow, and the Khin Ee, Nakhoda Sim Yoocy, belonging to Sim Seong, Chinese merchant of this place. Cheah Soey, the owner of the Hoatheen, is not at present here, but in China.

The nakhodas of these junks did not report to the police that they had brought any passengers, and no less than 16 persons, viz. eight women, four girls and four boys, have been traced, and are now here, who appear to have been clandestinely imported by them, and there is reason to suppose there are some that are not yet found. Dalooah, one of the Nias boys brought in the junk Hoatheen, says eight persons came in her, viz. three boys and five females, but he is unable to give a satisfactory list of their names.

The Nias girl, Nahoo, arrived here in the junk Soon Sing, and says the following persons were imported with her in that vessel, and that one girl, named Pera, died at sea, viz. :

Noora, female.
Booboh, ditto.
Che Ghye, ditto.
Tehandoo, ditto.

Sevadoo, female.
Esah, ditto.
Suchlye, ditto.
Kachoey, boy.

Altogether nine. The junk Khin Ee has brought two, viz. Rakkye, a woman, and Sama, a boy.

It appears, from what these people say, that the three junks were all at Pulo Nias, and brought away from thence upwards of 100 persons, most of whom were afterwards landed

E. I. Company and Board of Control. (Documents.) and disposed of at different Malayan ports. The Chinese purchased or procured these people at Pulo Nias with blue cloth.

The Hoatheen, Nakhoda Khung Too, is said to have shipped at Pulo Nias 70 or 80 persons, among whom was the girl, Nahoo. They were all disposed of at the Malayan ports, except eight that arrived here, and four (among whom was Nahoo) who were trans-shipped at sea into the Soon Sing, about 10 days before they came into this harbour. What number the Soon Sing junk shipped at Pulo Nias cannot be ascertained; she, however, appears to have imported here five besides those trans-shipped into the Hoatheen, and one died on board her at sea.

The Khin Ee is said to have shipped 12 persons at Pulo Nias, 10 of whom were disposed of on the Malay coast, and the other two brought here. Four of the women and one of the little girls, viz. Luklye, Noora, Nahoo, Savaaloo, and Esah, were found in the house of a Chinaman, named Sim Tiklow, where deponent has reason to believe these women were placed or sold for purposes of prostitution; in fact, they declare they have been compelled to lead that sort of life during the few days they were in this house.

From the best information that can be obtained there appears to have been 19 persons altogether imported here in the three junks, 16 of whom have been traced. The three not yet found are women named Booboh, Sehandoo and Eseeo. Those that are found are too ignorant to give clear and satisfactory information, but there is every reason to believe what has been elicited from them to be in the main correct.

(signed) *Geo. Godfrey.*

Sworn before me, this 21st day of June 1828.

(signed) *R. Caunter, Justice of Peace.*

Francisco, a Nias man, of the Christian faith, inhabitant of this island, deposes,— That he has questioned the Nias people who have been found, and lately brought here in the Chinese junks, and has interpreted what they stated to the magistrate. Deponent has every reason to believe what they say is true, as they are too young and too ignorant to fabricate stories of this kind; besides which many circumstances prove the truth of their statement, particularly the number of persons brought here, which the Chinese at first said were only nine that were found on the first day. These poor people have no religion or proper idea of an oath; but some of them appear intelligent, and might be instructed. Deponent has heard what witness, George Godfrey, has stated in his deposition, and thinks it true and correct.

Mark of

✕

Francisco.

Sworn before me, this 21st day of June 1828, after the same had been duly explained to deponent in the Malay language.

(signed) *R. Caunter, Justice of Peace.*

Mah Teejah, Siamese woman, inhabitant of the district of Teleek Ayer Raja, deposes,— That she purchased the little Nias boy, Boodee Boodee, here present about 20 days ago, for 23 dollars, from Nakhoda Khung Too, at the shop of a Chinaman, named Sooeey, owner of the junk Hoatheen. Deponent has no family of her own, and purchased this child for the purpose of adopting it. Deponent paid the purchase-money, 23 dollars, to the aforesaid Nakhoda Khung Too, at the time she took away the child.

Mark of

✕

Mah Teejah.

Sworn before me, this 21st day of June 1828, after the same had been duly explained to deponent in the Malay language.

(signed) *R. Caunter, Justice of Peace.*

Nahoo, one of the most intelligent of the Nias girls, brought here in the junk Soon Sing, Nakhoda Piklow, stated that she was put on board the junk from the Hoh Hoatheen, Nakhoda Khung Too, about 10 days before their arrival here: that she was shipped at Pulo Nias, together with 70 or 80 others, males and females, and was some weeks on board the Hoatheen before she was trans-shipped to the Soon Sing; most of these were landed at different places they touched at; but several remained on board when she was trans-shipped. Booboh and Noora, two females, and Kachoeey, a boy, were trans-shipped with her from the Hoh Hoatheen to the Soon Sing, and arrived here with her. There were also four others that came in this junk, who, deponent understood, had been shipped in her at Pulo Nias, and a young girl, named Pera, died on board at sea. Deponent was eight or ten days on board the Hoh Hoatheen before she sailed from Pulo Nias, and saw two other Chinese junks there; but where they came from or what junks they were she cannot say. The Hoh Hoatheen sailed first from Pulo Nias, and left the other two at anchor there.

(signed) *R. Caunter, Justice of Peace.*

Noora,

Noora, a Nias girl, brought here in the junk *Soon Sing*, Nakhoda *Piklow*, corroborates *Nahoo's* statement, and further states, that on their arrival here, she, *Luklye*, *Tenaaloo* and *Naha*, were put by the nakhoda in the house of a Chinaman, by whom they were compelled every night to prostitute themselves to different men. They were in this house seven or eight days. A young girl, named *Esah*, who came in the same junk, was also placed in this house.

E. I. Company and
Board of Control.
(Documents.)

(signed) *R. Caunter*, Justice of Peace.

Luklye, Nias girl, brought here in the junk *Soon Sing*, states that she and 16 or 17 others were shipped and brought away from *Pulo Nias* in that junk, all of whom, except those that arrived here, were landed at a Chinese port. *Luklye* corroborates *Noora's* statement respecting their being compelled to lead a life of prostitution in the house of the Chinaman here, with whom they were placed by the nakhodar; their ears and hair were cut and trimmed to improve their appearance. Deponent understood this Chinaman had purchased them from the nakhoda.

(signed) *R. Caunter*, Justice of Peace.

Jenooah, Nias girl, brought here in the junk *Hoh Hoatheen*, Nakhoda *Khung Too*, corroborates *Nahoo's* statement respecting the number of persons shipped on board that vessel at *Pulo Nias*, and the subsequent disposal of them at Malayan or Achinese ports.

(signed) *R. Caunter*, Justice of Peace.

Lama, a Nias boy, brought here in the junk *Khin Ee*, Nakhoda *Sim Yooy*, states, he with 11 others was shipped in this vessel at *Pulo Nias*, he thinks about two months ago, all of whom except a girl named *Rakhye* and himself were disposed of at different Achinese ports they touched at; *Rakhye* and he were brought to this place; he recollects seeing two other junks besides the *Khin Ee* at *Pulo Nias*, and the day the *Khin Ee* sailed, another arrived there.

(signed) *R. Caunter*, Justice of Peace.

Rakhye, Nias girl, brought here in the junk *Khin Ee*, Nakhoda *Sim Yooy*, corroborates the boy *Lama's* statement, and further says, that on their arrival here, the boy *Lama* and her were taken on shore to the nakhoda's house, and put to work there; they had been two days in the house when taken out of it by the police.

(signed) *R. Caunter*, Justice of Peace.

Dalooah, Nias boy, brought here in the junk *Hoatheen*, Nakhoda *Khung Too*, corroborates the statement of *Nahoo* and *Jenooah* respecting the number of persons taken on board that junk at *Pulo Nias* (at which place he was also shipped in her), and the subsequent disposal of most of these persons at different Malayan ports to which the junk afterwards went. *Dalooah* was several days on board the junk at *Pulo Nias* before she sailed from that place.

(signed) *R. Caunter*, Justice of Peace.

The foregoing Nias boys and girls appear quite ignorant of the nature of an oath, consequently cannot be sworn to their information.

(signed) *R. C.*

Nakhoda *Khung Too*, of the junk *Hoh Hoatheen*, denies the charges against him of having been in any way concerned in slave-dealing; states that he did not go to *Pulo Nias*, nor has he ever been at that place; that the eight Nias people, six females and two males, brought here in his junk were taken on board at *Trumore*, on the west coast of *Sumatra*, where defendant was obliged to receive six of them in liquidation of a debt from a Chinaman there, named *Tong Chooy*, who were taken on board merely as debtors, not as slaves, and came away with defendant of their own free will; the two other females on board as passengers for this place; defendant intended most of them to be servants in his own family; one of the women is his concubine; defendant denies having trans-shipped any to the junk *Soon Sing*; the little boy, *Boodee Boodee*, defendant consented to let the woman *Mah Teejah* have, as she wished it, and promised to adopt the child; 15 dollars paid by her (not 23) was not as purchase-money, but to indemnify for the expenses he had incurred on this boy's account.

Question. Why did you not report these people at the police on your arrival here?—
Answer. Because I was ignorant of the regulations, having only been two voyages as nakhoda out of this port.

Mark of
✕
Khung Too.

Acknowledged before me, this 26th day of June 1828.

(signed) *R. Caunter*, Justice of Peace.

E. I. Company and
Board of Control.
(Documents.)

Lim Picklow, nakhoda of the junk *Soon Sing*, denies having been at all concerned in slave-trading; admits he brought six Nias people here in his junk, viz. five females and one boy; they were taken on board at Achin, not as slaves but free persons; one of the women and the boy were intended for servants in defendant's family, the other four women were concubines to four of the crew; defendant did not go to Pulo Nias, nor has he ever been at that island; these people all came voluntarily away from Achin, where their debts were paid for them by defendant and his people to their respective masters; defendant denies having received on board any trans-shipped persons from the *Hoh Hoatheen*, and declares what is stated by the Nias people on that point is entirely false; he pleads ignorance of the regulations for not reporting the arrival of these people at the police; the women found in *Sim Ticklow's* house, said to have been prostituted, are the four that came as concubines with some of the crew, and were put there by their husbands for a few days whilst the junk hauled on shore to careen and repair.

(signature of) *Lim Picklow*.

Acknowledged before me, this 26th day of June 1828.

(signed) *R. Caunter*, Justice of Peace.

Sim Jooley, or *Yooley*, nakhoda of the junk *Khin Ee*, denies having been at all concerned in slave-dealing; says, he was never at Pulo Nias, and took on board the Nias boy and girl that came in his junk at Padang; they were brought here as debtor servants for his own family; came voluntarily with him from Padang, and were never procured as slaves, or intended to be dealt with or used as such, but merely as debtor servants; defendant received a letter with them from a native chief at Padang, which document defendant has still in his possession; defendant intended to have reported their arrival at the police, but they were taken into custody before he had time to do so; he arrived here on the Saturday; the next day (Sunday) he could not report them, and that afternoon, about four o'clock, they were taken up; he denies ever having had any others on board during the voyage, or disposed of any, as alleged, on the west coast.

Mark of

✕

Sim Jooley alias *Yooley*.

Acknowledged before me, this 26th day of June 1828.

(signed) *R. Caunter*, Justice of Peace.

Sim Ticklow, Chinese man, shopkeeper, inhabitant of George Town, states that the little girl and one of the Nias women, taken out of his house, were sent here to him by a Chinaman of Padang, named Choo, for servants; the young girl defendant intended to adopt; the other three women were concubines of three of the crew of the junk, who requested him to let them remain in the house a few days whilst the junk hauled on shore to careen and repair; defendant denies ever having compelled them to prostitute themselves, or that they were ever intended for such a life.

Mark of

✕

Sim Ticklow.

Acknowledged before me, this 26th day of June 1828.

(signed) *R. Caunter*, Justice of Peace.

Sim Seong, merchant, owner of the junks *Soon Sing* and *Khin Ee*, denies having ever sanctioned the said junks to be employed in slaving, or knowing that they have been so employed; if they have been at Pulo Nias it is without his knowledge or permission; they had no orders to go there, nor were they ever fitted out or intended to be employed in such a way; the Nias people who came here in them embarked, defendant understood, voluntarily; came here to seek service, or settle in some other way as free people, and were never considered as slaves, or intended to be dealt with as such.

(signature of) *Sim Seong*.

Acknowledged before me, this 26th day of June 1828.

(signed) *R. Caunter*, Justice of Peace.

Cheah Cheong, Chinese merchant, agent for his brother, *Soeey*, owner of the junk *Hoh Hoatheen*, states the same as *Sim Soeey*, and declares he never authorized that junk to be employed in slaving, nor did he suppose the Nias people that came passengers in her to this place could ever have been regarded as slaves.

(signature of) *Cheah Cheong*.

Acknowledged before me, this 26th day of June 1828.

(signed) *R. Caunter*, Justice of Peace.

Sim Ticklow, re-examined.

Question. What are the names of the Chinese men who placed the three Nias women in your house?—*Answer*. Their names are *Sim Boo Soat*, *Sim Keh Wow* and *Sim Tong Jah*. They are seamen belonging to the junk *Soon Sing*.

(signed) *R. Caunter*, Justice of Peace.

(True copy.)

(signed) *R. Caunter*, J. P.

No. 1.

LIST of the CREW of the Junk *Hoh Hoathoen*, belonging to *Cheah Sooy*.

No.	NAMES.	Names in Chinese.	Station.	Remarks.	No.	NAMES.	Names in Chinese.	Station.	Remarks.
1	Khung Too	- - -	nakhoda.		14	Chea Sit	- - -	seaman.	
2	Sim Eang	- - -	writer.		15	Chea Cheoo	- - -	"	
3	See Kikyeon	- - -	jurumeedy.		16	Chea Chong	- - -	"	
4	Chea Boanseng	- - -	gunner.		17	Chea Paye	- - -	"	
5	Ong Chekeem	- - -	syrang.		18	Chea Ooey	- - -	"	
6	Chea Beng	- - -	seaman.		19	Chea Gin	- - -	"	
7	Khung Kong Cheam	- - -	"		20	Khung Sek	- - -	"	
8	Yoey Cham	- - -	"		21	Ang Awk	- - -	"	
9	Kow Soh	- - -	"		22	Ooey Hin	- - -	"	
10	Tan Kih	- - -	"		23	Gow Koan	- - -	"	
11	Hoh Pow	- - -	"		24	Chea Been	- - -	"	
12	Ooey Han	- - -	"		25	Ooey Tean	- - -	"	
13	Ooey Keoh	- - -	"		26	Chea Leean	- - -	cook.	

(signed) R. Caunter, Superintendent of Police.

No. 2.

LIST of the CREW of the Junk *Sooa Sing*, belonging to *Sim Seong*.

No.	NAMES.	Names in Chinese.	Station.	Remarks.	No.	NAMES.	Names in Chinese.	Station.	Remarks.
1	Sim Picklow	- - -	nakhoda.		16	Lim Toah Keh	- - -	seaman.	
2	Sim Choh	- - -	writer.		17	Ten Chee	- - -	"	
3	Hoh Cheong	- - -	jurumeedy.		18	Kaoo Peh Lye	- - -	"	
4	Sim Ching	- - -	gunner.		19	Tan Lye	- - -	"	
5	Sira Hoey	- - -	syrang.		20	Chea Yok Lia	- - -	"	
6	Tan Chin	- - -	seaman.		21	Lim Kong Fang	- - -	"	
7	Koo Choo	- - -	"		22	Lim Toah Lek	- - -	"	
8	Neoh Pong	- - -	"		23	Lim Kong Soon	- - -	"	
9	Kow Keep	- - -	cook.		24	Lim Lim Wan	- - -	"	
10	Oon Tah	- - -	seaman.		25	Lim Teong San	- - -	"	
11	Sim Kong Chan	- - -	"		26	Koey Teah	- - -	"	
12	Gow Kong Chye	- - -	"		27	Choah Yon	- - -	"	
13	Lim Kong Tah	- - -	"		28	Lim Boo Toat	- - -	"	
14	Lim Keh How	- - -	"		29	Yow Teong	- - -	"	
15	Lim Peng	- - -	"		30	Koah Teang	- - -	"	

(signed) R. Caunter, Superintendent of Police.

No. 3.

LIST of the CREW of the Junk *Ktia Es*, belonging to *Sim Seong*.

No.	NAMES.	Names in Chinese.	Station.	Remarks.	No.	NAMES.	Names in Chinese.	Station.	Remarks.
1	Lim Jooyoo Chooy	- - -	nakhoda.		15	Lim Hong	- - -	seaman.	
2	Gow Kah	- - -	writer.		16	Lim Chabok	- - -	"	
3	Neoh Choo	- - -	jurumeedy.		17	Lim Awk	- - -	"	
4	Lim Soo	- - -	gunner.		18	Gow Joh	- - -	"	
5	Gow Asseng	- - -	syrang.		19	Gow Tean	- - -	"	
6	Yoo Seang	- - -	seaman	} gone to China.	20	Gow Ba Hoak	- - -	"	
7	Che Sing	- - -	"		21	Gow Chin Seng	- - -	"	
8	Jeon Too	- - -	"		22	Neoo Sooy	- - -	"	
9	Lim Cheen	- - -	"		23	Ooey Bong	- - -	"	
10	Lim Tong	- - -	"		24	Ooey Tee	- - -	"	
11	Lim Seng	- - -	"		25	Chean Kih	- - -	"	
12	Lim Gan	- - -	"		26	Lim Tin	- - -	"	
13	Lim Mow Seng	- - -	"		27	Lim Ean	- - -	"	
14	Lim Chong Eak	- - -	"		28	Lim Lap	- - -	cook.	

(signed) R. Caunter, Superintendent of Police.

E. I. Company and
Board of Control.
(Documents.)

No. 1.

NAMES of CHINESE JUNKS reported at the POLICE OFFICE to have arrived from the West Coast of *Sumatra* and *Achin*, from the 1st May to this date.

No.	Junk's Name.	Owner.	Nakhodar.	From whence reported.	Reported Date of Arrival.	REMARKS.
1	Seen Soonbeen	Tik Cheong	Lee Goan	Padang	8 May 1828	- - This vessel appears to have imported eight persons, viz. four women, two girls and two boys. - - This vessel appears to have imported nine persons, viz. six women, two girls and one boy. - - This vessel appears to have imported two persons, viz. one woman and one boy.
2	Hoh Hoatheen	Chea Soey	Khung Too	Achin	2 " "	
3	Kim Haphoet	Soo Cheow	Tan Yuktean	- ditto	29 " "	
4	Soon Sing	Sim Seong	Lim Piklow	- ditto	30 " "	
5	Sin Heen	Bhoon Seoo	Lee Lake	- ditto	5 June "	
6	Khin Ee	Sim Seong	Sim Yooy	Padang	14 " "	

Police-office, 19 June 1828.

(signed) R. Coaster, Superintendent of Police.

No. 2.

LIST of NIAS WOMEN and CHILDREN brought here in the Junks *Hoatheen*, *Soon Sing* and *Khin Ee*, belonging to this Port, and now in charge of the Police.

No.	NAMES.	SEX.	REMARKS.
HOATHEEN:			
1	Saandee	woman	found on board the junk.
2	Kafeha	- ditto	- ditto - - ditto, living with the nakhoda.
3	Naha	- ditto	found in Sim Tiklow's house, supposed to have been sold for prostitution.
4	Jenoah	girl	found in the house of Chea Soey, owner of the junk.
5	Sykah	- ditto	found on board the junk.
6	Dalooah	boy	- ditto - - ditto.
7	Boodee Boodee	- ditto	- - sold for 23 dollars to a native woman, named Mah Teejah, who has adopted him; quite a child.
SOON SING:			
8	Luklye	woman	found in Tiklow's house, supposed to have been sold for prostitution.
9	Noora	- ditto	- ditto - - ditto.
10	Tevaaloo	- ditto	- ditto - - ditto.
11	Cheghye	- ditto	found in China Koo Chow's house.
12	Nahoo	girl	found in Nakhoda Piklow's house.
13	Eeah	- ditto	- - found in Lim Siklow's house, with the four before-mentioned women; quite a child.
14	Kaachoy	boy	found in Nakhoda Piklow's house.
KHIN EE:			
15	Rackhye	woman	found in Nakhoda Lim Yooy's house.
16	Lama	boy	found on board the junk.

N. B. Besides the 16 above-mentioned persons, there are three women, named Boboh, Schandoo and Eeoo, not yet found.

Police-office, 19 June 1828.

(signed) R. Coaster, Superintendent of Police.

Ordered, That the following letter with copies of the above depositions be addressed to the naval commander-in-chief.

To his Excellency Rear-Admiral *Gage*, Naval Commander-in-chief, &c. &c. &c.—
(19 July 1828.)

Sir,

We have the honour to enclose copy of depositions respecting slave-dealing by certain Chinese inhabitants of this island. The transactions therein described will become the subject of legal investigation at the next session of Oyer and Terminer; but as it would appear that a considerable trade in slaves is carried on between Pulo Nias and Achin, and other parts on the island of Sumatra, and it is to be feared by vessels the property of native residents in these settlements, we have thought it right to submit the above papers, in order that such measures may be adopted as may seem to your Excellency best calculated to put an end to these illegal traffickings, in the prevention of which we shall be happy to afford every assistance in our power.

We have, &c.

(signed) R. Fullerton.
R. Ibbetson.

Fort Cornwallis, 19 July 1828.

Resolved further, that the depositions respecting the slave trade carried on in these ports be sent to the resident councillors of Malacca and Singapore respectively, for their information, and in view to check the practice generally in these straits.

EXTRACT

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 5 August 1828.

E. I. Company and
Board of Control.
(Documents.)From Rear-admiral and Commander-in-chief *W. H. Gage*, to his Excellency the Honourable *R. Fullerton*, Governor in Council, Prince of Wales' Island.—(28 July 1828.)

Sir,

IN consequence of your Excellency's letter in council of the 19th instant, intimating that the transactions described in copies of depositions therein transmitted, respecting slave dealings by certain Chinese inhabitants of this island, will become the subject of legal investigation at the next session of Oyer and Terminer, but that as it would appear that a considerable trade in slaves is carried on between Pulo Nias and Achin, and other ports on the island of Sumatra, and that it was to be feared by vessels the property of natives resident in these settlements, you had thought it right to submit the above papers to me, in order that such measures might be adopted as might seem best calculated to put an end to this illegal traffic, in the prevention of which you would be happy to afford every assistance in your power, I have looked very narrowly into the power with which I am vested, in the anxious hope that I should be able to afford your Excellency some effectual aid towards the prevention of that traffic, and regret to find that my power is too circumscribed to be made available in any way that could tend to the attainment of so desirable an object; for unless a vessel be under the British flag, or the most positive and satisfactory proof be adduced that she actually belongs to a subject or subjects of his Majesty, or to a person or persons residing within the dominions or settlements of his Majesty, or under the government of the East India Company, and is *bonâ fide* engaged in the slave trade at the time, I am wholly without authority, during a period of peace, to sanction her being brought to for examination on the high seas (much less for detention), or within a league of the territory of any power in amity with his Majesty.

Thus circumstanced, your Excellency will readily perceive the great responsibility which an officer would incur by bringing to for examination any suspicious vessels he might meet at sea, not coming within the strict letter of his authority, more especially as it will be obvious to you that if he was to bring to such vessels in this quarter, with a view to the detection of the traffic in question, the footing on which the trade with these settlements is placed, and the manner in which a valuable part of it (the very part in the progress of which it would seem that slave-dealing is sometimes resorted to between different ports on the coasts of Sumatra) is carried on with the adjoining independent native powers and tribes, in native boats and vessels navigated wholly by natives, present so many obstacles to the effectual examination of the said vessels, that he could scarcely hope to detect any illegality in their proceedings that would in any degree relieve him from such responsibility.

I have, &c.

(signed) *W. H. Gage*,

Rear admiral and Commander-in-chief.

Java, at Prince of Wales' Island,
28 July 1828.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 14 August 1828.

THE secretary reports that the master-attendant was yesterday directed to restore the junks detained as having been concerned in slave-dealing, it appearing that the parties are supposed to be possessed of sufficient property to satisfy all demands consequent on their prosecution at law.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 27 August 1828.

From *C. W. H. Wright*, Esq., Master-attendant, to *J. Anderson*, Esq.,
Secretary to Government.—(15 August 1828.)

Sir,

I BEG leave to acknowledge the receipt of your letter, under date the 13th instant, which reached me yesterday afternoon, and to report, for the information of the Honourable the Governor in Council, that, in obedience to the orders therein conveyed, I lost no time in acquainting the owners of the junks (detained under the orders of the honourable the resident councillor, of the 23d June last, in charge of this department) they were at liberty to take them away, and to make arrangements for sending men to remove them from their present anchorage, where I had found it necessary to moor them. They have been this morning restored, and full possession given to the owners, who have taken them up the harbour abreast of their own warehouses.

(signed) *C. W. H. Wright*, Master-attendant.

Master-attendant's Office, 15 August 1828.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 9 December 1829.

THE secretary reports that the following letter was addressed to the resident councillor of Singapore from Malacca, on the 30th ultimo, relative to an offensive letter published in the "Singapore Chronicle," and containing certain injunctions for his observance:—

E. I. Company and
Board of Control.
(Documents.)

From Mr. Secretary *Patullo*, Malacca, to Resident Councillor, Singapore, Hon. *K. Murchiston*.
—(30 November 1829.)

Sir,

THE attention of the Governor in Council having been drawn to a letter published in the "Singapore Chronicle," under the name of the late editor of the "Malacca Observer," I am directed to inform you that, by the withdrawal of the fixed payment of 60 dollars, it was not intended that the supervision over the press hitherto exercised should cease, which from the insertion of such a letter appears to have been supposed.

I am at the same time directed to enclose copy of a minute of the president on the circumstances which led to the discontinuance of the "Malacca Observer." The partial and offensive style adopted by the editor in the discussion of the question of local slavery, in which the inhabitants are deeply interested, had tended completely to destroy the peace, harmony and good order of the settlement, and as that question has been submitted to the decision of the highest authorities, executive and judicial, it is most desirable that the subsisting irritation should be allowed to subside, and pending reference, that publications at a neighbouring settlement having a tendency to keep it above, and coming professedly from the same channel, should be discouraged; I am accordingly directed to desire that no observations bearing on the question of local slavery at Malacca be for the present permitted to appear in the "Singapore Chronicle;" and although measures founded on the case will not be necessary so long as the Singapore paper is published on the terms originally settled, and subject to review of authority, the present is considered a fit occasion to notice that in cases of offensive publication, the printers are alike responsible with the publishers; it is observed also, that the Singapore paper issues, like the "Malacca Observer," from the mission press. That a press instituted for the purpose of diffusing useful knowledge and the principles of religion and morality, should be made the instrument for disseminating scandalous aspersions on the government under which the members of the mission reside, is a point for the consideration of those in Europe from whom they draw their principal support, and whose particular notice will doubtless be attracted by the communications that may eventually be made to the proper authorities.

In conclusion, I am directed to desire that, although it is expected that you will act on the principles here laid down, it is not advisable that you should either send this letter for publication, or give any reason or ground for your proceeding in the admission or rejection of any paragraph that seems to you to be offensive.

I am further directed to desire that you will state the name of the present editor of the "Singapore Chronicle."

(signed) *J. Patullo*, Secretary to Government.

Malacca, 30 November 1829.

With reference to the above letter of instructions, the secretary presents for record the following letter addressed to the managers of the school at Malacca:—

From Mr. Secretary *Patullo* to the Managing School Committee at Malacca.—
(30 November 1829.)

Gentlemen,

THE attention of the Honourable the Governor in Council has been called to a publication in the "Singapore Chronicle," signed, "The late Editor of the 'Malacca Observer,'" advertising, in a most improper and offensive style on the discussions on the slave question which have lately created so much interest in this settlement. It is known that the person signing himself as above is employed as schoolmaster at Malacca, under your superintendance, and paid by means of the monthly allowance granted by government for schools. I am therefore directed to call your particular attention to this point, and to acquaint you, that should any future publication advertising to slavery, and emanating from the same person, appear hereafter, the allowance will be immediately withdrawn by government.

The question has been referred for opinion to the highest authorities, and it is most desirable that those feelings of irritation which the discussions have caused should be allowed to subside until the final decision on the subject.

(signed) *J. Patullo*, Secretary to Government.

Malacca, 30 November 1829.

The following Minute of the President, dated Malacca, 30th November, propounding certain questions regarding slave debtors at the three settlements, is recorded:—

MINUTE by the PRESIDENT.

THE question of slavery having lately engaged so much attention, it may not be improper to institute some inquiry into a practice, I fear, nearly akin to it, that of dealing in slave debtors. A slave debtor is understood to be one who receives a certain sum or acknowledges a certain debt to another, on the understanding that his services are pledged until the repayment of the sum takes place. It is desirable on the one hand that engagements free and voluntary for service during a stipulated period should be maintained and supported, as tending to promote the cultivation and improvement of the place; on the other hand, it is most expedient that means should be kept in view to prevent the practice degenerating into

into mere slavery under another name; the object at present being information only, the following points of inquiry present themselves:—

E. I. Company and
Board of Control.
(Documents.)

1st. Does the practice generally prevail at the settlement?

2d. Are slave debtors imported? Are the services of natives of the place so sold?

3d. If so, by what description of people generally?

4th. Of what race or nation are the slave debtors generally so imported?

5th. In what manner is it supposed the importers obtain the slave debtors?

6th. Are agreements generally made between the debtor and the employer, or are the agreements made between the proprietor and intended employer?

7th. If money is paid, who receives it; the importer or the slave debtor?

8th. Does the slave debtor always know or understand the engagements entered into?

9th. Does he know the terms and conditions, that is, the exact relation in which he stands to the employer bargaining for his service?

10th. Is it in your opinion advisable to require the registry of all such engagements, and these being made at the police-office before a magistrate, as done at Penang, in order to secure to all parties full understanding of the bargain they are entering into, examining the nature of the case, so as to prevent abuses, that is, the practice of importing and selling slaves under the name of slave debtors?

Malacca, 30 November 1829.

(signed)

R. Fullerton.

Ordered, That copies of the queries 1st to 10th contained in the above minute be sent to the resident councillors of Malacca and Singapore, and to the superintendent of police at Prince of Wales' Island, for the purpose of the required information being submitted to the government.

Superintendent of Police at Malacca, to *J. Patullo, Esq.,* Secretary to Government.—
(30 November 1829.)

Sir,

I HAVE the honour to forward for the information of the Honourable the Governor in Council certain proceedings of the inhabitants of Malacca, regarding the emancipation of their domestic slaves.

I take this opportunity of explaining how highly I feel myself honoured by having been called upon to make known to his Excellency the Governor these meritorious proceedings, which reflect the highest honour and credit on the whole of the inhabitants of Malacca, as evincing the humane principles by which they have been actuated in having thus voluntarily and unanimously come to the determination of emancipating their domestic slaves in so short a given period.

The Honourable the Governor is no doubt aware of the poverty of the greatest part of the native inhabitants, and will therefore the better appreciate the sacrifice they have made.

The publicity which will be given to this act will I trust be the means of interesting the owners of slaves in the East and West Indies to follow the example of their brethren of Malacca.

(signed)

W. T. Lewis.

Malacca, 30 November 1829.

PURSUANT to the wishes of the Honourable the Governor, a meeting of the inhabitants was convened on Wednesday, the 18th November, to take into consideration the best mode for abolishing slavery in this settlement.

Mr. Lewis having been requested to take the chair, the letter received from the secretary to government was read; and after discussing the matter therein alluded to, viz. the speedier termination of the state of slavery in name and substance than can be expected to result from the gradual demise of the persons now in the list, the following resolutions were made:—

That it is highly desirable that means be taken to put an end to slavery.

That it appears that domestic works have always been executed by slaves; that all the respectable inhabitants are dependent on this mode of service, and that, therefore, the abolition cannot be immediately effected; therefore it is resolved, that the several classes of natives be invited to name some definite and as short a period as may be practicable for completing this desirable measure.

That the Portuguese, Chinese, Malays and Chooliats, do severally agree amongst their own tribes to name the period, and that they do depute five persons from each class to meet the gentlemen of the settlement on Wednesday next the 25th instant, to make known their sentiments.

(signed)

W. T. Lewis.

Wednesday, 25 November 1829.

THE meeting being but thinly attended on account of the badness of the weather, resolved that it be adjourned to Saturday the 28th instant.

(signed)

W. T. Lewis.

E. I. Company and
Board of Control.
(Documents.)

Malacca, Saturday, 28 November 1829.

A MEETING having assembled pursuant to the resolution of the 18th and 25th instant; and the deputations of natives being present, viz. five persons on behalf of the Portuguese; five persons on behalf of the Chinese; five persons on behalf of the Malays; five persons on behalf of the Chooliats.

The sense of the meeting is taken, and 12 years fixed for the emancipation of the slaves borne on the register books of this settlement.

It is therefore resolved, that Mr. Lewis, in the name and behalf of the inhabitants of Malacca, do convey to the Honourable the Governor their acknowledgment of his Excellency's regard for their interests, as shown by redressing the grievances of the inhabitants complained of in their petition.

That the inhabitants are sensible that the decision of the judges in the case now to be referred will be consonant to the law of England, and the legislative Acts regarding slavery, by which they, as British subjects, are bound both by inclination and duty to abide; but

That pending such reference, and to prove to his Excellency the Governor and the world in general that their motives have been guided by a sense of humanity, they hereby record their assent.

That slavery shall not be recognized in the town and territory of Malacca after the 31st December one thousand eight hundred and forty-one (1841).

5 Chooliats. (signature.)	Mrs. A. Kraal. J. Hendricks. J. W. De Wind.	A. A. Eelge. A. Mingoot. A. R. D. Songa.
5 Malays. (signature.)	T. Williamson. H. S. Bogle.	R. T. Grey. J. Goustlaw.
5 Chinese. (signature.)	T. Nenbrarmer. D. Nenbrarmer. A. Kenn. G. D. Sharnhirst. J. Koch. Mrs. H. Kraal. P. Avern. J. J. Minass. J. Greyes. C. Nenbrarmer.	J. B. Westerhoot. J. S. Robbig. J. W. Welge. G. L. Bannrgarton. C. J. Meyer. J. R. Gordon. J. W. Bonnrarton. T. J. Nenbrarmer. W. Hooden.

The board, in advertence to the measures reported in Mr. Lewis's communication, records its entire approval thereof, pending the reference to higher authority, and directs that copies of the letter and proceedings do form an enclosure in the despatch to the honourable court of directors, now under preparation.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 14 April 1830.

Monday the 24th day of March 1830:

Court opened pursuant to adjournment.

Present:

The Honourable Robert Fullerton, Esq., Governor,
The Honourable S. Garling, Esq., Resident Councillor,
William Thomas Lewis,
Alfred Majoribanks Bond, } Esqrs., Justices of the Peace.
Johannes Leffler,

Andiko Gonsaloo, complainant, *against* Sabina, defendant.

THE term of imprisonment to which the court sentenced the defendant, on the 17th day of February last, having expired, and the said defendant being this day brought up in the custody of the sheriff, and still refusing to return to her master's service, the following judgment by the honourable the president is read, and directed by the court to be entered in the day's proceedings.

Since the question of slavery was last before this court, I have attentively considered the subject, referred to Acts of Parliament and other authorities within my reach, and after the most attentive revision of the whole, I am of opinion that there is nothing, either in the Act of Parliament by which Malacca was put into the possession of the East India Company, nor in that by which the creation of a new court of judicature was authorized, nor in the letters patent themselves by which the court was constituted, which appears to me to be sufficient to destroy or take away any right of property in a slave which any Dutch inhabitant may have had before the cession, and even the Act of the 5 Geo. 4, c. 113, s. 13, recognizes and protects existing rights of property in slaves.

I am further of opinion, that in all cases relating to slaves standing on the registry at the time of cession, this court is bound to adhere to the laws, customs and usages in force regarding them, until those laws may be changed, either by his Majesty in Council or by an Act of Parliament. While this court, therefore, will protect all slaves from ill-treatment and improper usage on the part of the masters, they must, at the same time, enforce due obedience on the part of the slave, and, in respect to the return of absconding slaves, follow exactly the course established under the Netherlands government, and hitherto observed.

Ordered,

Ordered, accordingly, That the slave, Sabina, standing on the registry as the property of Andiko Gonsaloo, be forthwith returned to his master, the said complainant, according to the order passed on the 11th November 1829. E. I. Company and Board of Control. (Documents.)

Defendant remanded to the custody of the sheriff accordingly.

Mr. Lewis, the superintendent of police at Malacca, by the authority of government, moves on behalf of the Company, that copies of all papers relative to slavery at this station remaining of record in this court, be forwarded to government; and it is ordered that such copies be made and forwarded accordingly.

A true extract from the minute book of the court of quarter sessions at Malacca.

(signed) *J. Loch*,
Acting Register of the Court of Judicature of
Prince of Wales' Island, Singapore and Malacca.

Resolved, That it be recorded and transmitted to the honourable court of directors in the next general despatch.

EXTRACT PRINCE OF WALES' ISLAND PUBLIC CONSULTATIONS, 23 June 1830.

From the Honourable the Governor-general in Council to the Honourable *R. Fullerton, Esq.*, Governor in Council at Prince of Wales' Island, Singapore and Malacca.—(11 May 1830.)

Honourable Sir,

1. WE have the honour to acknowledge the receipt of your letter dated 26th November last, with the minutes and documents mentioned to accompany it, referring for our opinion the important question whether slaves registered under the preceding Netherlands government are to be considered still in a state of slavery since the transfer of that place to the British authority, and the establishment of an English court of justice therein.

2. The opinion of the advocate-general having been taken on this point, a copy of the same is enclosed. It appears to us to be conclusive and satisfactory on the question referred. By it, therefore, the government and local authorities at Malacca must be guided until a different construction shall be put on the law by higher authority.

We have, &c.

(signed) *Wm. Bentinck*,
W. B. Bayley,
C. T. Metcalfe.

Fort William, 11 May 1830.

From *John Pearson, Esq.*, Advocate-general, to *H. T. Prinsep, Esq.*, Secretary to Government.—(5 May 1830).

Sir,

I HAVE the honour to acknowledge the receipt of the acting-secretary's letter and other documents relative to slavery at Malacca.

2. I am aware of the great importance of the subject, and I believe, from the very voluminous correspondence which has passed, I am aware of the particular facts. I collect that slavery has existed at Malacca very far beyond the memory of any living man; that for some centuries it has been allowed. Before the cession of the settlement to the Crown of England, it belonged to the king of the Netherlands, and was governed by the Dutch law; and I understand the question put to me to be simply this: whether those persons who had been previously slaves, and entered as such in the register, are liberated by the cession to the English government and the establishment of an English court of judicature? I am of opinion that they are not; and, entertaining this view of the subject, I cannot but regret that the recorder did not continue long enough in the settlement to have the question brought judicially before him; for he appears to have entertained a different opinion, and it would have been easier for the master than I fear it will be for the slave to bring the matter by an appeal before the King in Council.

3. The principles advanced in the correspondence at Malacca, that the laws of England have been wholly introduced by the new charter of justice, and that under all circumstances those laws refuse to acknowledge the existence of slavery, appear to be each of them too broadly laid down. On the former of these points I will say, that where no express enactments exist, the laws of the Government state are only so far introduced into a settlement as are suitable to the position in which it is placed. Only such parts of the law of England, for example, are extended to her eastern possessions as are applicable to their respective situations. Nor is the second observation borne out to its full extent. The law will not indeed allow the existence of slavery in England, but the position that the instant a negro or slave from the colonies lands in England he (in the language of Sir William Blackstone) becomes a free man, is itself a recognition of the state of slavery in the land from which he has been brought. I may add, that the Legislature has often interfered to extend or limit or regulate slavery in the colonies belonging to England. Thus, also, a contract made in England for the purchase of a slave in one of the colonies is good.

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E. I. Company and
Board of Control.
(Documents.)

4. It would only be a waste of time if I were to repeat or enlarge upon the opinions entertained on this subject by the writers on national law. The principle on which it has been held that slavery cannot exist in England is of a more limited kind; either prescription or express law is necessary for its foundation. And whatever may have been the case of villanage, we have neither of these; for domestic slavery is not a natural, but a municipal relation. It is an institution, therefore, which is necessarily confined to certain places, and which ceases when the individual is brought into a country where such municipal relations do not subsist. It would, perhaps, be too much to say, that a slave when landed in England is to all intents and purposes emancipated, and that the relation will not revive if he chooses to return to the colony to which he belonged. It has, however, been decided that no dominion can be exercised in England over a slave according to the colonial laws. This was the question before the Court of King's Bench in a very important case in the 12th year of the late King, and the decision was, that the master had no right over his person any more than over an ordinary servant.

5. I have thought it right to set forth the grounds upon which domestic slavery cannot subsist in England, because the views often taken of the subject are erroneous opinions, and lead, as in the present case, to practical inferences which are not warranted by the law.

6. I have not adverted to the Acts of Parliament passed for the abolition of the slave trade, though a reference is made to them in the accompanying correspondence. I own they do not appear to me to bear at all upon the present question. I am of opinion, indeed, that that which is now in force, the 5th Geo. 4, c. 113, applies to the settlement of Malacca, though that settlement may not possess an admiralty jurisdiction. But if it did not apply, it would seem to follow (however incredible it might be) that the trade, the legal privilege of importing men as slaves from Madagascar and other countries, was yet open to that settlement. But if (as I believe) the statute does apply to Malacca equally with other places, then sec. 13 and 14 will be found to acknowledge, and even to guarantee the possession of slaves, and their transfer from one part of the colony to another.

7. The Governor-general in Council will see that, in my judgment, the result of the whole case of the facts and of the reasoning is, that slavery having existed for so long a period in Malacca, and not having been abolished by any express law, the relation continues at the present day. In other words, I think that those persons who were slaves, and entered as such in the register under the government of the Netherlands, are legally to be considered in a state of slavery, since the transfer of that place to the British authority and the establishment of an English court of justice.

I have, &c.

Fort William, 5 May 1830.

(signed) *John Pearson*, Advocate-general.

EXTRACT SINGAPORE CONSULTATIONS, 12 March 1830.

THE following Minute by the Honourable the President, dated 4th instant, on the subject of slave debtors, is recorded.

MINUTE by the President.

I HAVE now perused and considered the reports lately received on the practice long prevailing at the eastern settlements, of employing persons under the denomination of slave debtors. In the discussions which took place at Malacca on the question of slavery, our attention was naturally drawn to the consideration of a practice so nearly akin. Inquiry seemed to me to be the more necessary, as an idea was entertained and advanced that the practice did not partake of the nature of slavery, but was, in fact, a mere voluntary contract or agreement for labour for a given time, in consideration of a certain sum advanced, and that the party so engaging himself had the means of emancipating himself by repaying the amount. I am fully aware, that, in respect to Chinese emigrants, such a practice does prevail; their labour for a year is disposed of on certain conditions, and the amount is paid as passage-money to the master of the vessel who brings them. These transactions are at Penang regularly registered in the police-office, and considering the character of the Chinese, there is certainly not much danger of abuse, but as regards natives of the adjacent islands, less able to understand or maintain their own rights, I confess I never viewed the practice generally in this favoured light, and have always been rather disposed to consider it a mere cover for slavery; and even at Penang, where conducted under express regulations as a contract for labour, it is always likely to degenerate into pure slavery.

The reports now received fully explain the general nature of the system, and establish the following facts: that the practice of importing slave debtors clandestinely still continues; that persons so imported are procured by nakhodas of prahus and other native vessels from the adjacent islands, mostly from Bali; that they are procured exactly in the same manner as regular slaves, by purchase, money or goods in barter; that they are frequently the captives taken by the pirates; that they are imported, to all intents and purposes, as articles of trade; instead of the amount payable being stated at once and openly avowed as their price, it is represented as a debt due by the slave debtor to the importer, and, on the payment of that sum, the debtor is transferred, but it does not appear that (excepting Chinese, as above described) the person so transferred has any voice in the transaction, or even knowledge of the terms of transfer, but considers him or herself as a
slave

slave to all intents and purposes. The practice, therefore, so conducted, I need scarcely observe, is actual slave-dealing, and subjecting all concerned to the penalties of the law, and it would be the bounden duty of any magistrate to bring every case that comes to his knowledge before the criminal sessions, and commit all concerned for trial. E. I. Company and
Board of Control.
(Documents.)

Professing, however, to discuss this question in all its bearings, we must not omit the mention of its few redeeming qualities, nor overlook arguments which, beside those drawn from the long-established custom and usage of these countries, may be adduced, if not in its support, at least in palliation of its evils; the slavery or service is entirely domestic, and not partaking of the severe labour exacted from the slaves of our West India colonies. As regards females, the great portion of them so imported become the wives of Chinese and other settlers. The proportion between the sexes in this settlement, according to the last census was, males, —, females, —, and the small number of the latter has always been considered one great cause of crime. The emigration of females from China is not allowed; from India it is repugnant to Hindoo ideas; of indigenous Malays, the proportion between the sexes is nearly equal. It is only, therefore, from females imported under the present system that population can arise out of the progressive addition of new settlers; and it will be recollected, that the female slaves imported into Penang, into Pulo Nias, before the operation of slave laws, are the mothers of the whole indigenous population of Prince of Wales' Island. I mention these circumstances as forming part of the subject, but by no means to urge them as arguments in favour of the continuance of a practice in which evil so far predominates; for, giving all weight to the above consideration, it must be admitted, also, that the practice of female slave-dealing is liable to and often attended with circumstances of depravity that far outweigh the advantage on the other side. Setting aside all considerations of local policy, we are, no doubt, bound by every obligation, legal as well as moral, to put down a practice which, however conducted in form, is, in reality, slave-dealing forbidden by law, and the continuance of which must carry with it a continuation of all the horrors induced by it in other places, as exemplified in the case of African slave-dealing, the encouragement to wars for the purpose of making captives for sale, and in these seas even the piracies which it encourages, slaves being often the principal object in view. Where the habit is inveterate, and in a place like Singapore affording the best market for slaves, as well as every other saleable article, the suppression will not be an easy matter, and much evasion, particularly by Chinese, will probably take place, notwithstanding all our endeavours; but, with a view to its suppression, I would recommend, that, in the first place, notice be given to the three ports that the practice, coming within the provision of the Act of Parliament, is strictly prohibited, and all offending parties will, on discovery, be liable to the penalties of that Act. In the next place, it must be the duty of the master-attendant, and the persons employed in the registering of imports and exports, from time to time to make inquiries on this subject and report when necessary to the magistrates, in order that suspicious cases may be inquired into and traced, and parties, if advisable, be brought to justice. When so little actual control is exercised over the trade, there being no custom-house at these ports, I know of no other measures that can be taken to repress the practice.

The only remaining part of the discussion is the situation of those who have been imported and disposed of as above, and are now in service of particular persons. There cannot be a doubt that all so situated are *ipso facto* free, and that no one can from such a transaction establish any legal claim to their service against their consent, and that an application to the magistrates, before whom such cases must regularly come, would insure their discharge; but it must here be considered, that, although many be detained against their consent, and even ill-treated, that many are also satisfied with their situation, any direct interposition by government would be objectionable. It might be the means of throwing many out of immediate employ, who but from their present masters have no means of subsistence, and might moreover induce the dismissal of children and aged persons now maintained, who would be otherwise left to starve. So long as the servant is well treated by the master and satisfied with his condition, there can be no moral reason or call for our interference; on the other hand, when parties are ill-used and dissatisfied, there cannot be a doubt that here, as in other places, such will find their way to the proper tribunal, the magistrates, and there can be as little doubt that the magistrates would annul a claim to forced service founded on no better title than the sale of an imaginary debt said to be due to a nakhodah, without either the knowledge or admission by the party transferred with it; and it is as little to be doubted that the release of one so situated would be followed by the application of others who felt the desire to be released and had the means of deriving subsistence by their own free labour. The admitted claim to release would probably secure to many such treatment from masters as would prevent too numerous applications; long established customs are not at once to be subverted, and practice repugnant to our ideas may for a time continue, but it can hardly be doubted that such practices and prejudices, inconsistent with the principles of reason and natural justice, will in due course be removed by the silent operation of our laws, and courts of justice in making known those laws and putting them into effect. When called upon, we do all that can reasonably be done for the amelioration of the habits of our people, and their gradual advancement in the scale of civilization.

4 March 1830.

(signed) R. Fullerton.

E. I. Company and
Board of Control.
(Documents.)

Ordered, That the following government proclamation for abolishing the practice of employing slave debtors be recorded :—

GOVERNMENT NOTIFICATION.

THE attention of the Honourable the Governor in Council having lately been called to the practice which prevails in these eastern settlements, of importing and employing persons under the denomination of "slave debtors," but which, in reality, is only a cover to actual slave-dealing, and appears from the mode in which such persons are in most instances obtained to be attended with all its miseries and human suffering; it is hereby publicly notified that such practice is in itself illegal, being contrary to the Act of Parliament 5 Geo. 4, c. 113, and that all persons offending in this respect will subject themselves, on discovery, to the penalties laid down in the above-cited Act.

By order, &c.

(signed) *J. Patullo*, Secretary to Government.

Singapore, 9 March 1830.

The following letters to the resident councillors at Prince of Wales' Island and Malacca on the above subject are also recorded :—

No. 54.

From *J. Patullo*, Esq., Secretary to Government, to the Honourable *R. Ibbetson*, Esq., Resident Councillor, Prince of Wales' Island.—(9 March 1830.)

Sir,

I AM directed to enclose for the purpose of being published in the government gazette, and promulgated in the native languages, the accompanying proclamation, declaring the illegality of the practice of importing and employing persons under the denomination of "slave debtors."

You are requested to give it every publicity, by circulating it through means of the police department at your settlement, and further direct the master-attendant and registrar of imports and exports to make inquiries on the subject from time to time, and report to the magistrates any suspicious cases which may come to notice, in order that the parties may, if advisable, be brought to justice.

I have, &c.

(signed) *J. Patullo*, Secretary to Government.

Singapore, 9 March 1830.

No. 55.

A SIMILAR letter to the resident councillor of Malacca.

The secretary reports that a copy of the above proclamation was sent to the superintendent of police at this settlement, for the purpose of being made generally known, and promulgated in the native languages, and to the registrar of imports and exports and master-attendant, with instructions to these officers to make inquiry from time to time as to the import of slave debtors, and report when necessary to the magistrates, in order that the parties may, if advisable, be brought to justice.

The secretary further reports that the proclamation was published for general information in the "Singapore Chronicle."

EXTRACT

EXTRACT MALACCA CONSULTATIONS, dated 21 October 1829.

MINUTE by the President.

CIRCUMSTANCES having occurred which have drawn my attention to the state of slavery existing at this settlement, I propose that Mr. Lewis, in his capacity of superintendent of police, be forthwith directed to collect and lay before the Governor in Council every rule, order, or regulation, or decision that may have been passed on the subject, from the year 1795 to the present day; and further, that he be directed to extract from the records of the late Government every document that may be found bearing on that question, more particularly copies of all registers of slaves that can be traced, accompanying the whole with a full and complete report on the case.

Malacca, 20 October 1829.

(signed) *R. Fullerton.*

The secretary reports that the superintendent of police has been called on to report as directed in the above minute.

EXTRACT MALACCA CONSULTATIONS, dated 3 November 1829.

RECORDED the following minute by Mr. Garling, dated 28th October, relative to proceedings by the magistrates in the case of two men claimed as slaves by a Chinese named Olim.

MINUTE by Mr. *Garling*; Malacca, 28 October 1829.

MY attention has been drawn to the circumstance of the police magistrate returning to a Chinese named Olim two men claimed by him as slaves on or about the 27th of this month. One of these, I am informed, had been sold to a hacman, or at least was carried beyond seas without any intimation to Government. I have occasionally received intimation that slaves are yet being introduced into Malacca from beyond seas, and that others have been, or were about to be, transported from Malacca.

Under these circumstances it seemed to me necessary that the case of Olim should be brought to the notice of the court of judicature. The accompanying document, which I desire to record with minute, was prepared by me this morning, for the purpose of being laid before the bench. It may want the technicalities of form, but I conceive that it possesses every essential requisite for the purpose of securing its object. If otherwise, the registrar of the court could frame the paper or affidavit in due form.

(A.)

Knowing, however, that the Honourable President has strong objections to the question being brought before the court, and hoping that, in accordance with his verbal suggestion, some early measures will be pursued for meeting the present exigency on the slave question, I have abstained from taking any further steps in the matters referred to in the accompanying document. I must however reserve to myself the full liberty of using this document hereafter, if by any contingency the expected compromise should not be duly met by the inhabitants, and in consequence thereof fail.

I propose that the magistrates, whether acting singly or in session, should record all their proceedings connected with slaves, whether as regards their re-delivery or their punishment, or the support and protection which may be given to those falling under that denomination.

I take this opportunity of recording my firm belief that local slavery has no legal existence. I am prepared to support this opinion by reference to principles and documents which are, to my mind, perfectly satisfactory. I am aware of the objections against a sudden emancipation of slaves. Without entering into details in this place, it may suffice to say, that I am prepared to meet the question on this issue; ever, however, bearing in mind that just and natural rights must not be altogether sacrificed to expediency.

I avail myself of this same opportunity of declaring, that my views are strictly in unison with the spirit of the verbal suggestions of the Honourable President, as I understood the same. So that slavery be put down, and the people relieved by any convenient compromise of their present degrading bonds, which affect their minds as well as their bodies, I shall be satisfied.

The proposed compromise should be rendered acceptable to the slaves as well as to the proprietors; the real rights of the one party should be as invincible as those of the other. The question can no longer be conveniently deferred. I particularly notice this, because I referred the subject to Government so early as 24th December 1828. In the reply thereto from the acting deputy-secretary, dated 9th January last, I am advised that "the question will be referred to the law officer at Calcutta."

The sentiments of the Honourable Board, as conveyed in that letter, are precisely such as I have all along entertained, and such as I am of opinion may be substantiated upon the most unquestionable grounds; viz. "The Government is decidedly of opinion that slavery has not, in any shape, a legal existence at Malacca. No provisions whatever are made for its continuance by the treaty of transfer; and it is not, as in the West Indies, recognized by Act of Parliament, or by any law made under sanction of the legislature."

(signed) *Samuel Garling,*
Res^t Council.

E. I. Company and
Board of Control.
(Documents.)

(A.)

I AM prepared to swear that I have the strongest grounds for believing that one Olim, a Chinese inhabitant of this town of Malacca, and therefore within the jurisdiction of this court, did, within the space of the last twelve months, more or less, transport to Seac one Laytian, claimed by him, the aforesaid Olim, as a slave; that the said Laytian did, within the space of the last three months, or thereabouts, return from Seac to Malacca; that within the past two days the said Laytian was, by authority of one of the magistrates of this settlement, sent back to the premises of the aforesaid Olim, and the aforesaid Laytian is now confined, or kept to work against his consent, by the aforesaid Olim; and that the aforesaid Laytian is, to all intents and purposes, restrained of his liberty against his consent, and contrary to his own wishes.

I am also further prepared to swear, that I have strong grounds for believing that the aforesaid Laytian has no relative or friend who is willing, or at least able to help him by bringing his case before this Court, and that there are no convenient means of ascertaining the truth of the premises, except under process issuing from this court.

And whereas I am of opinion, that such confinement or restraint is illegal, and that he, the said Laytian, runs the hazard of being again sent beyond the seas without his own consent; I do, on behalf of the aforesaid Laytian, move, that a writ of *habeas corpus* be issued, commanding the aforesaid Olim to produce the body of the aforesaid Laytian; and upon the return of the writ, to show for what cause or causes he, the aforesaid Olim, doth restrain the aforesaid Laytian of his personal liberty.

Malacca, 28 October 1829.

(signed) Samuel Garling.

The President lays before the Board the following minute in reference to the above recorded:—

MINUTE by the President.

I HAVE perused Mr. Garling's minute of the 28th instant. He has blended together questions perfectly distinct. The first question, and now for the first time brought regularly before the Government by the petition of the inhabitants, is simply this, Whether persons, being slaves under the preceding Netherlands' Government, at the time of cession, by previous purchase, or by birth, recognized and registered as such, do or do not come within the provisions of sec. 13, Act 5 Geo. 4, c. 113, and as such, are or are not to be considered as lawfully being slaves within this settlement? To determine this question, reference to, and examination of, all rules and registers delivered over at the time of the cession, are indispensably required. Several have been sent in, but require translation; and although the petition itself, as well as reference to the Act quoted, (which I find to be general to all His Majesty's possessions, and not confined to the West Indies) has led me to entertain doubts of the correctness of the opinion given extra-judicially by Sir C. Claridge, and, I confess, the one entertained by myself on the *prima facie* view of the case, I must protest against being forced into a premature discussion; I must at the same time protest against casual expressions used by me in private conversation being made the ground of public minutes. Whatever opinions and suggestions I have to offer, will be recorded in due course, and then only can become the subject of official discussion.

As to the next point urged by Mr. Garling, his belief that slave dealing is carried on by inhabitants of this settlement, and that one person has actually exported and re-imported a person for the purpose of slavery, on this point the law is clear; any person convicted of such, must be deemed guilty of felony, and punished as the law directs. If Mr. Garling possesses information against any person so dealing in slaves, his line of proceeding is perfectly clear; he may lay the information before any one of the magistrates, with the list of witnesses, and no magistrate can in such case refuse to summon the accused, to take the depositions, and eventually to commit the party for trial, when an indictment will be prepared for the grand jury at the next sessions, and all will proceed in regular course, without the previous interposition of the court in a case which they themselves must try.

As to the acts of magistrates, they will of course proceed at their own discretion, and on the best opinion they can form on the law of the case. By existing practice servants quitting their masters without notice are returned to them; and the magistrate so doing is not required to take upon himself the responsibility of declaring whether the person so returned, is or is not a slave, and thus prejudging a question on which no legal decision has yet been given. Magistrates are responsible, judicially, to the superior courts for their acts, and cannot, therefore, be expected on all occasions to pay obedience to their executive superior, contrary to their own judgment.

Malacca, 29 October 1829.

(signed) R. Fullerton.

The following further minute by Mr. Garling, in continuation, is recorded:—

MINUTE by Mr. Garling.

I HAVE read the minute of the Honourable President of the 29th instant.

Until this court of judicature, or some competent professional authority, shall declare that the registers, documents, and acts of a defunct government, not noticed by His Majesty's

Majesty's agents or ministers, or by the British Legislature, are authoritative and binding upon the British Government, I must hesitate in recognizing the legal existence of local slavery.

E. I. Company and
Board of Control.
(Documents.)

Laytian was claimed as a slave by Olim, and, for anything I know, the man's name may stand on the Dutch register. The offences provided for by the 10th & 17th sections of the Act 5 Geo. 4, c. 113, are widely different. If the case of Laytian were clearly made out, it does not appear to me that an indictment could be framed until judgment be given on the question of local slavery.

An evil may be known to exist, although it be impracticable to procure sufficient evidence to prosecute the same in a court of justice. Acts of importing and exporting slaves may be occasionally accomplished with impunity. How, indeed, is the requisite evidence to be procured? The slaves are as friendless as they are ignorant. After the gross prevarication on the part of the constable, exhibited in the court on the 29th instant, what can be expected of the police? It is notorious that reliance cannot be placed on the integrity and impartiality of the peons and constable of this department. Whenever the question of local slavery shall be fully determined, I hope and trust that some efficacious measures may be adopted for crushing the nefarious introduction or exportation of slaves.

In regard to servants quitting their masters without notice, little difficulty would be experienced under a previous mutual and voluntary engagement; the case is very different if such engagement could not be proved; and if terror prevented a domestic from giving warning, a servant, under these circumstances, is a just object of protection. In the case of Laytian I must think that the magistrate should have inquired into the circumstances under which he quitted Olim's service; or if he did so, it is my belief that a patient investigation of the case would have induced him to hesitate before he determined to compel Laytian to return to Olim.

It may be sufficient for people who know how to defend their rights, that the magistrates are amenable to the superior court; but I venture to believe, that, if this accountability be the only check upon the magistrates, a large and friendly class of individuals is deprived of a practical barrier against the effects of inadvertence, favour, and prejudice.

Malacca, 31 October 1829.

(signed) *Samuel Garling.*

The two following memorandums by the Honourable President and Mr. Garling, under yesterday's date, are also recorded.

MEMORANDUM by the President on Mr. Garling's Minute of 31st October 1829, on the case of *Laytian*.

If Mr. Garling has no objection, Mr. Lewis may be called on for a distinct report on the case.

Malacca, 2d November 1829.

(signed) *R. Fullerton.*

REPLY to the Memorandum of the Honourable the President on my Minute of 31st October 1829, in the case of *Laytian*.

With the President's permission I request that Mr. Lewis may be called upon as proposed.

Malacca, 2d November 1829.

(signed) *Samuel Garling.*

Resolved, That the secretary do forthwith address a letter to the superintendent of police, directing him to institute an immediate inquiry on this subject, and to report the result for the information of Government.

The Secretary reports that a letter from the Panghooloo of Nanning, respecting a runaway slave having been received since the meeting of last council, the same was forwarded to the superintendent of police for inquiry.

From Superintendent of Police to *J. Pattullo*, Esq., Secretary to Government.

Sir,

I HAVE the honour to report that I found the woman, Rabeah, at Hadjee Moosa's house, where her mother is living, and that she was a debtor, transferred to the Panghooloo of Nanning.

The examination herewith enclosed will explain every particular; and, as far as I can learn, the custom is, that the woman can redeem herself by paying debt \$; and that, without agreement has been previously entered into, none of the debt is considered paid for services, but remains at its original amount.

The woman says that he can procure the forty dollars if her child is given up (which is now at Nanning). The party on the part of the Panghooloo are willing to have it so settled, as they say it is customary, and that the Panghooloo must accede to it.

I have, &c.

Malacca, 27 October 1829.

(signed) *W. T. Lewis.*

Asst Rest.

E. I. Company and
Board of Control.
(Documents).

Police-office, Malacca, 27 October 1829.

REBEAH, of Nanning, states, that deponent and her mother Sennay were formerly indebted 40 Sh dollars to one Dattoo Majib; that on his departure, about 10 years ago, deponent became a debtor to the Panghooloo of Nanning, who paid the 40 dollars to Inche Hindong and Inche Alijee; deponent was informed by the said Inche Hindong and Inche Alijee, that the Panghooloo of Nanning would take her over and pay the debt. Deponent went accordingly to Nanning, accompanied by the said Hindong and Alijee; deponent remained with the said Panghooloo about 10 years, while her mother Sennay was at Malacca; that deponent had repeatedly requested the Panghooloo of Nanning to call her and her son (a child of four years old) to come to Malacca for the purpose of seeing the mother of the deponent; that the Panghooloo told her that she might do just as she likes, but that he would not allow her child to go with her; that deponent left Nanning on a Friday night, about two months ago, and that her child remained with the Panghooloo; that she came to Malacca alone, and no one accompanied her; that she was treated by the Panghooloo in a cruel manner, and was often without clothing, and not being able to withstand such treatment, she ran away.

Hindong, of Campong Johor, states, that he was very intimate with the Panghooloo of Nanning, who asked him at several times to procure a female debtor; that he heard afterwards from Alijee Moosa that he had a female debtor whom he wished some person to pay her debt; that he then took the woman named Rabeah, who consented to be a debtor to the Panghooloo of Nanning, who paid him 40 dollars, for which she was indebted; and that he had paid the money to Alijee Moosa.

Alijee, of Bukit China, corroborates the statement of Hindong.

(signed) *W. T. Lewis,*
Ass^t Rest.

Resolved, That, as it appears the woman is only a debtor, that, agreeably to custom, she can redeem herself for the sum of 40 dollars, and that the agents of the Panghooloo are willing to compromise the claim for this payment, the superintendent of police be desired to inform the Panghooloo that on his delivering up the child at Malacca the money will be paid to him.

From Superintendent of Police to *J. Pattullo, Esq.,* Secretary to Government,
28 October 1829.

Sir,

IN compliance with the orders contained in your letter of the 20th instant, I have the honour to forward such documents as I have been enabled to find in the offices respecting slavery.

2. These papers being most in the Dutch language, and requiring to be translated, has been the cause of delay.

3. It appears that slavery has existed at Malacca from time immemorial, and that the first check to it was the Act of 51 Geo. 3, c. 23, which was promulgated here in January 1813, but at the time nothing effectual was done to stop further importations, as, by the tenor of the proclamation issued by the Netherlands' Government in July 1819, it was evident that no register had been made prior to that period.

4. As this document was closed at a certain date, viz. 31st March 1823, and only the children of those in bondage were allowed to be ever after added to the register, there can be no difficulty in framing a new one on the basis of that now existing, which was handed over by the Dutch authorities. The holders of slaves can be ordered to produce them at the police, and such as are defunct can be left out; of course all such who are not borne upon the Dutch registry have been illegally brought into the settlement, and will not be acknowledged.

5. I have the honour to present the following documents, viz.:

(A.) Proclamation promulgating the abolition of slave trade, 30th January 1813.

(B.) Notice by Major Farquhar regarding certain slaves sent to Malacca as presents from the Rajah of Borneo.

(C.) Local order for an account of all slaves to be given in.

(D.) Rules and regulations for the registry of slaves, &c.

(E.) Local orders regarding the registry of slaves; also a list of certain persons agreeing to liberate all children born after 6th December 1819.

(F.) Local order authorizing the fiscal to exercise summary justice in punishing slaves.

6. I have also the honour to forward the registers kept in three separate books agreeably to the regulations of July 1819, which formed part of the documents given over to the British Government on the cession of Malacca in March 1825.

7. The

7. The existence of a British court of justice and police at this place leaves me but little to say on the subject of these slaves, and of their treatment, as these authorities would not allow of cruelty or bad treatment. There have been cases before the police since I have superintended it, where the parties have exercised the power which a master possesses of correcting the members of his family, when they have been recommended to emancipate the slave (so ill used) or abide the decision of a public trial, which have had the desired effect; but these cases have been very few, and I am confident in asserting that they are generally treated more as children than as slaves. The horrid usage of the negroes in the West Indies, Cape and Mauritius, is unknown here, the slaves being employed generally for domestic purposes.

8. However, as it is desirable that there should be a termination to slavery, I would suggest as a fair means, that the inhabitants be invited to this laudable act by fixing a fair price for the value of the slave; that from henceforth they shall be considered as debtors, and a certain sum struck off the debt annually.

9. As the owners have failed to register the birth of children born of their slaves as provided for in the 13th article of the Netherlands regulations, the debtor system would prevent any addition to the number for the present, and of course would cease to exist at the given period of the debt.

10. In the censuses taken the last three years, an account has been kept of the number of slaves belonging to each individual; but I have my doubts of the correctness, as curious reports were current of the legality of possessing slaves, and am of opinion, that such as are not borne on the register were not included in the census by their owners.

I have, &c.

Malacca, 28 October 1829.

(signed) *W. P. Lewis,*
Assistant Resident.

Enclosure (A.)

PUBLIC notice is hereby given, that in conformity to an Act of Parliament passed in the 51st year of Geo. 3, c. 23, for rendering more effectual an Act made in the 47th year of his Majesty's reign for the abolition of the slave trade, it is declared felony for any subject or subjects of his Majesty, or any person or persons residing within the United Kingdom, or in any of the islands, colonies, dominions, forts, settlements, factories or territories, now or hereafter belonging thereto, or being in his Majesty's occupation or possession, or under the government of the United Company of Merchants trading to the East Indies, to carry away or remove, or aid or assist in carrying away or removing, as a slave or slaves, for the purpose of being sold, used or dealt with as a slave or slaves, any person or persons whatever from any part of Africa, or from any other territory or place whatever, either immediately or by transshipment at sea, or otherwise, directly or indirectly; in every such case, the person or persons so offending, and their counsellors, aiders and abettors shall be declared to be felons, and shall be transported beyond the seas for a term not exceeding 14 years, or shall be confined and kept to hard labour for a term not exceeding five years nor less than three years, at the discretion of the court before whom such offender or offenders shall be tried and convicted.

It is however provided by the authority aforesaid, that nothing contained in the said Act shall extend to subject any person or persons to the pains and penalties hereby imposed for exporting, removing or carrying from any present or future British island, colony or settlement, or from one part of such British island, colony or settlement to any other part of the same, or for importing or transporting into, or landing in any such island, colony or settlement any slave or slaves which have been or shall be born within such island, colonies or settlements, or any slave or slaves which shall have been or may be lawfully imported or brought into the said island, colony and settlement.

As the whole of the Act of Parliament aforesaid cannot be issued in the shape of an advertisement, any person requiring further information on this subject, will be pleased to apply to the fiscal or master attendant, at whose offices copies of the said Act are kept for general inspection.

Given under my hand at Malacca, this 30th day of January 1813,

(signed) *W. Farquhar,*
Major Commandant.

Enclosure (B.)

NOTIFICATION.

It having been reported to the Resident, that sundry slaves, both male and female, have during his late absence at Prince of Wales Island, been landed here as presents from the Rajah of Borneo Proper, public notice is hereby given, that under the existing laws against slavery, it is not permitted for any one residing under the British Government to receive

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Board of Control.
(Documents.)

receive slaves under any circumstances whatever, from the Malay countries or other foreign states, for the purpose of continuing them in slavery. It is therefore ordered, that such slaves as have been recently landed here, shall either be returned by the first opportunity from whence they came by the person to whom they were consigned, or that those persons shall cause them to be emancipated forthwith in the fullest or most public manner, according to the established forms of the settlement.

The fiscal is required to see that this notification is carried into immediate effect.

Malacca, 5 Sept. 1816.

(signed) *W. Farquhar,*
Resident.

Enclosure (C.)

PUBLICATION.—The Governor of Malacca and its Dependencies.

WHEREAS we have deemed it expedient, in order to prevent the clandestine importation of slaves, that Government should be fully made acquainted with the number of slaves at present in the settlements; so it is we have determined, and do hereby command every person or persons, before the 1st November next, to deliver at the office of the fiscal an account, statement of the names, native country, and age of their slaves; whether they are married or unmarried, how employed, and the number of their children, with their age.

Malacca, 10 October 1818.

The Governor aforementioned.

(signed) *J. S. Timmerman Thyssen.*

Enclosure (D.)

(Translation from the Dutch.)

PUBLICATION.

WE, Godert Alexander Gerard Phillip Baron van der Capellen, Secretary of State, Governor-general, &c. &c. &c., in Council; to whom all these presents may come, greeting:

Whereas we have observed that the present rules respecting slaves have become unavoidable under existing circumstances, and much inconvenience is experienced in the absence of a registry of slaves:

And whereas we have maturely considered that in default of such a register, many abuses and misconstructions can take place:

That consequently great trouble will be met with in levying the tax denominated "Head money of Slaves:"

That the enactment of such a register need not be deferred until fuller information be obtained, but that it should immediately be put in force:

So it is that we have deemed expedient, and resolved to publish the following rules:

Article 1.—In all the settlements throughout Netherlands India a registry book shall be kept of all slaves which are now in existence, without any exception of age or tribe, after the following forms:

- A. Names, caste, and birth-places of slaves.
- B. Their age.
- C. The name of the slaveholders.

Article 2.—This register shall be separated into two, the one to include slaves of the age exceeding eight years, which consequently will be subject to the tax levied; and the other, to exhibit slaves not exceeding eight years.

Article 3.—This register will be put in force in the islands of Java and Madura within this year; and, with respect to the other settlements, a certain day will be mentioned from which it is to take place.

Article 4.—The following shall be noted down in the register, viz. :—

- A. Change of owners of slaves which might take place.
- B. The birth of any slave-born children.
- C. The death of any slaves.
- D. The departure of any slaves to another settlement.
- E. The arrival of any slaves from other places.

Article 5.—All persons who are owners of slaves, or have slaves under their management, shall give information of the same in such manner as shall be authorized by the local authority of the place. All such information will be received within one month after the opening of the registry book. In Java and Madura it shall take effect from the 1st December next.

Article 6.—For the registry of every slave a certificate shall be granted to the slaveholders.

Article

Article 7.—The officer in charge of the registry of slaves is authorized, if he deem it requisite, to demand the appearance of the slave which is about to be registered, in order to be fully convinced of the authority of his bondage. E. I. Company and Board of Control. (Documents.)

Article 8.—No other form of title-deeds will be considered legal but the transfer deed, drawn out in conformity to the existing regulation.

Article 9.—Slaves which might have absconded shall be allowed to be registered in the same manner as the others, and their absence shall be noted down in the register.

Article 10.—All slaves which shall not be registered within the given time shall be considered free and emancipated from the bonds of slavery.

Article 11.—By the transfer or sale of slaves from one holder to another the same is not to be certified in the original deed, as has heretofore existed, but a new transfer deed shall from this day forward be passed before a notary public, and in the presence of witnesses.

Article 12.—When a slave is transferred to another individual, due intimation thereof shall be made at the office where the registry book is kept. For this information a certificate will be issued, the contents of which should be inserted verbatim in the transfer deed by the notary public, without which he must on no account pass a deed of transfer, on pain of forfeiting 1,000 guilders.

Article 13.—On the birth of a slave-born child notice shall be made to the registrar within 48 hours after the birth, and in failure thereof the slaveholder shall be fined 50 guilders.

Article 14.—On the death of a slave report shall be made to the registrar within 48 hours after the event, and due delivery made of such credentials as there may be with regard to the deceased slave, and the same shall be noticed in the registry; in failure thereof the same fine as above will be levied.

Article 15.—Reports shall be made of the absconding and apprehension of slaves to the registrar, on pain of the above forfeiture.

Article 16.—On the removal of slaves from one residency to another, report shall be made to both settlements, on pain of the above forfeiture. No registry shall take place at the station to which such slave has been removed without producing a written document that due notice has been given of his removal at the place from whence he was removed.

Article 17.—All laws, rules, and publications regarding slaves, shall remain in force, so far as they do not affect the present regulations.

Batavia, 3 July 1819.

PROCEEDINGS OF GOVERNMENT, Tuesday, 12 October 1819.

RECEIVED an Extract from the Register of Proceedings and Resolution of his Excellency the Governor-general in Council, dated 3d July last, (No. 3), authorizing first, the publication respecting the registry of slaves; and second, respecting the formation of a correct registry of all slaves, that the same may be transmitted to his Excellency the Governor-general.

Is Resolved,

1. That the said publication be to-morrow, on the 13th instant, read in the different languages at the Government House, and subsequently be published.
2. That the said publication be published in the different languages, and the inhabitants directed, as soon as possible before the 15th of next month, to call upon the fiscal at this place, who will make the necessary entry of their slaves; it will moreover be announced, that all slaves which are not registered within the time specified will be considered as having been emancipated and freed from the bonds of slavery.
3. That the fiscal, Mr. J. H. Stecher, be appointed to receive such information respecting slaves, and a copy of the publication transmitted to him, with orders that he will forthwith open a book for the registry of slaves; he is moreover directed to be very particular in attending to the order contained in the above publication; and on the 15th December next the said register must be completed and transmitted to the Governor.

Enclosure (E.)

ADVERTISEMENT.

THE Secretary of Government maketh known, by order of the Governor of Malacca and dependencies, pursuant to his Excellency's resolution, dated 12th October, (No. 114), to all persons possessing slaves, that it is required of them to call upon the fiscal on or before the 15th of the ensuing month, in order to have their slaves registered; and all papers relative to the possession of slaves which they may own are to be produced. All slaves which are not registered within the time abovementioned shall be emancipated and freed from the bonds of slavery.

The Secretary aforementioned.

Malacca, 13 October 1819.

(signed) *Baumhaur.*

(Translation from the Dutch.)

Malacca, 6 December 1819.

E. I. Company and
Board of Control.
(Documents.)

LIST of the inhabitants of Malacca who, after a speech given by the Governor, in which he inspires and recommends them to an act of humanity, have bound themselves this day, as a token of their joy for the memorable birthday of their beloved and honoured hereditary Prince of the Netherlands, to acknowledge that no children of their slaves that may be born from and after this date will be considered as slaves, but as free-born children; but, as the parents of these children are slaves, and consequently have not the means to provide for their education, they shall therefore remain with their parents, and be under the immediate care of the master or mistress of their parents until they shall have attained the age of 16 years.

J. H. Overree,
J. W. Baumgarten,
A. Stecher,
J. G. Dieterich,
P. Overree,
H. Van Bragt,
Thomas Williamson,
J. J. Velge,
Mark of Mr. Walbeehm,
Parve,
Kreiger,
Scheeder,
Haaye,
Troots,
Dirksen,
Purie de Montaigne,
De Wit,
Boutmy,
Mrs. Neubronner,
Sanger,
J. Hendricks,
A. Kraal,
H. Kraal,
William Milne,
J. S. Timmerman Thyssen,
A. Kock,
J. H. Stecher,
A. A. Velge,
J. Rappa,
Joao de Souza,
G. de Souza,
Filicie de Souza,
Sara Adao,
Indrina Douselar,
Francisco de Silva,
Magdalena Bortems,

C. H. Thomson,
N. H. Medhurst,
Joseph Minass,
G. L. Baumgarten,
M. Baumgarten,
J. H. Valberg,
D. Kock,
J^a Mozer,
Joane Gonsalves,
Mrs. Gryss,
C. M. Gryss,
Mrs. Bodestyn,
C. Van Angelbeck,
E. Van Angelbeck,
Andriesse,
H. T. Kraal,
B. Bruyns,
J. Lodeevykson,
A. Minjoot,
J. B. De Wind,
A. De Wind,
N. C. Lassis Marthez,
A. T. Abs,
A. Kuin,
(signed) with Moorsch character, by
Wezagra Chitty Captain King,
C. De Burlet,
Veolantee Gonsalves,
Miquela de Souza,
Sophia Elizabeth Matthews,
(signed) in Chinese characters, by
Than Tjocan H. Captain Chaina,
(signed) in Chinese characters, by
Tjoa Tjong Kiat,
(signed) in Chinese characters, by
Tjoa Tjonglong.

(True List.)

(signed) *W. T. Lewis,*

Assistant Resident, Superintendent of Police.

PUBLICATION.

WE, John Samuel Timmerman Thyssen, Governor of Malacca and its Dependencies, to all to whom these presents may come, send greeting:

Whereas it has been represented to us that a great number of slaves residing in town, and in the interior of Malacca, have not been registered, in conformity to the advertisement of 13th October 1819, which are considered as having been emancipated from the bonds of slavery:

In order to prevent individuals from suffering any losses, an opportunity is again offered for registering their slaves; so it is we have this day resolved and determined that during the period of six months, beginning from the 1st October next to ultimo March 1823, all slaves which have not been registered will be admitted to registry by the fiscal at this place, on producing the proper certificates; after the expiration of this period no registry of slaves will take place, and consequently slaves that are not registered then, will be considered as having been emancipated from the bonds of slavery.

And that no person may plead ignorance of this order, the same shall be promulgated and proclaimed in the Netherlands, Portuguese, Chinese, Kling, and Malay languages.

Given at Malacca, the 19th September 1822.

By order of his Excellency, the Secretary to Government,

(signed) *Van San.*

Enclosure (F.)

EXTRACT from the Proceedings of the Provisional Governor of *Malacca*,
dated 20 January 1823.

READ a letter, dated 11th instant, from the fiscal of the court of justice, requesting to know if it would be necessary to record on the daily statement of petty police cases the complaints preferred against slaves by their masters for obstinacy, disobedience, drunkenness, and such other like misconduct, or whether such offence could be adjusted in a summary manner.

Is Resolved,

With regard to the treatment and punishment of slaves, against whom complaints may be preferred by their masters or mistresses, for misbehaviour, the Provisional Governor considers it advisable, in order to obviate every inconvenience, that the fiscal be directed, after a summary examination of the case, and without any written process-verbaal, at once to adjust at his discretion, and it is not necessary that he should await for authority to act.

(signed) *H. Van San*,
Secretary to Government.

The following letter having been forwarded to Mr. Lewis on the 29th ultimo, the same is recorded:—

To *W. T. Lewis*, Esq., Superintendent of Police, *Malacca*.

No. 67.

Sir,

I AM directed by the Honourable the Governor in Council herewith to return to you the three registers forwarded in your letter of yesterday's date, and to desire that a correct and careful translation of them be made into the English language with all expedition.

Among the other documents forwarded by you, accompanying the letter above alluded to, you have omitted to transmit a list of the persons who signed the agreement, under date the 6th December 1819; this document you are requested to forward, it being a great object to have the most complete information relative to this subject, in all points.

I am also directed to desire that you will submit, for the information of Government, an extract from the police proceedings since the period of the last transfer of *Malacca* to the British Government, of all complaints preferred by masters or slaves, together with the notes recorded by the magistrate in each individual case.

I am, &c.

Malacca, 29 October 1829.

(signed) *J. Pattullo*,
Secretary to Government.

Ordered, That the further consideration of this subject be deferred for the present.

INHABITANTS OF MALACCA!

The Honourable *R. Fullerton*, Esq., Governor in Council of *Prince of Wales Island*,
Singapore, and *Malacca*.

The humble Petition of the undersigned Burghers and Native Inhabitants of *Malacca*.

Sheweth,

THAT previous to 1825, and until lately, your petitioners were protected in their rights by the Government, but for some months past this protection has been withheld, and your petitioners have no other resource but that of laying their case before your Excellency, trusting that it will gain that consideration which the justness of the cause merits.

Before the transfer of this settlement took place, your petitioners, and their fathers before them, were allowed to retain the use of slaves; and, as is the case in all Netherlands India, much of the property of individuals, and more particularly of natives, consisted in the number of slaves in their possession. Your petitioners were living thus happily, when on a sudden, a few months back, by the interference of persons in the employ of the English missionaries, your petitioners' domestic comforts have been disturbed, and the settlement thrown into confusion. From the nature of the occupation which these persons profess, your petitioners had expected the reverse; and that if they were acting wrong, courtesy, if not propriety, would have prompted them to have led your petitioners into the right path, and not have been the abettors of ignorant people, who have not the sense to appreciate the comforts they are forfeiting, for what is termed their liberty.

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Your

F. I. Company and
Board of Control.
(Documents.)

Your petitioners are led to suppose that this mode adopted for depriving them of their property is unexampled in the annals of the English Government, and that were it the intention of your Excellency that the slaves should have been freed, that notice would have been made by proclamation or otherwise.

Your petitioners have applied to the police to recover the slaves that have run away, but it appears that the officers of that department have been withheld from affording assistance, and your petitioners, having the right to secure their property, would lead back the deluded people to their homes, but, preferring an appeal to your Excellency, have refrained from so acting.

Your petitioners respectfully state that their right to their slaves has been sanctioned by law, and that the Government (English as well as that of the Netherlands) have derived their profits by levying the sum of \$7 on each slave imported and sold at this place.

Your petitioners beg further to state, that slavery in the course of time would have by itself ceased, as registers were kept of slaves in Malacca; and your petitioners had, by their own free act, made a resolution to the Netherlands government that all children born of slaves should be free; and many of these children were learning the rudiments of the Christian faith, when, like a blast, these late acts turned the minds of the people, and the children have followed their mothers, and the work of years is thus thrown away.

Your petitioners with due deference state, that the sudden emancipation of the slaves cannot but be attended with bad consequences, both to society and the people, whose benefit it upholds. Those that have left their masters give already a specimen of what may be expected by the idle and riotous life they are leading, without any means of gaining a livelihood, living 10 and 15 in a house, women and men promiscuously mixing together, a sight not before witnessed by the oldest inhabitants of Malacca.

Your petitioners, as far as their limited abilities can extend, have examined Acts of English Parliament on slavery, and cannot see by what right their slaves are declared to be free. The Act passed in 1825, or thereabouts, expressly mentions that the abolition of the slave trade extends to all his Majesty's dominions, whether at that time in possession, or that hereafter may be annexed; and further including the possessions under the government of the East India Company. In the 12th and some succeeding sections of this Act the right of individuals to retain their slaves is acknowledged, but your petitioners are informed that this is applicable only to the West Indies: this rather the more surprises your petitioners, for it is a well-known fact, that barbarities and cruelty exist there, and that at this settlement the police, which has always been opened to receive complaints, does not allow of such usage of slaves; reference will also put your Excellency in possession of the real truth, that these people have been treated more as children than slaves. Your petitioners humbly request that reference may be made to the Act itself, and trust that such a garbled construction of the Act should not be taken, and that as the Act in one part has introduced penalties on the infringements of the Act by the subjects in the territories under the East India Company, that the rights should also be conceded to them.

Your petitioners have also been told, that the laws of England do not allow of slavery, yet your petitioners know that it exists both at the Isle of France and at the Cape, where British law exists, and without provisions are expressly made in the abovementioned Act for these places, your petitioners consider that they have equally a right to be included for the benefit. Your petitioners are, however, willing to abide by the decision of your Excellency, being aware that your Excellency's known justice will protect your petitioners, and humbly trust that if the case should be decided against them, that a representation may be made to his Majesty's Government to redress this grievance, by compensation for the great losses they should then sustain by the transfer of this settlement to the English.

And your petitioners, as in duty bound, shall ever pray.

(signed) *A. A. Velge.*
T. Williamson.
J. B. Westerhout.
G. L. Baumgarten.
J. Gryss.
J. B. De Wind.
P. Overree.

Here follow the signatures of several other European, Chinese, Malay and Chuliah inhabitants.

Resolved, That the above petition lie over for further consideration.

EXTRACT MALACCA CONSULTATIONS, 17 November 1829.

THE following minute of the President, dated 11th instant, proposing translation of the passages of the Act of Parliament, respecting trafficking, &c. in slaves.

MINUTE by the President.

WITH reference to my minute of 21st September last, proposing that the various sections of the late Act for improving the administration of criminal justice in the East Indies, which particularly declare the crimes and punishments to be awarded, should be first drawn out in English

English in plain language, divested of all technicalities, and then translated into the three languages principally in use at these settlements; I have now further to propose that a similar course be adopted with those parts of the Act 5 Geo. 4, c. 113, s. 13, relative to trading and trafficking in slaves by importation and export by sea, which are applicable to this place, and about which so much misconception and misunderstanding have taken place in this settlement in particular.

E. I. Company and
Board of Control.
(Documents.)

Malacca, 11 November.

(signed) *R. Fullerton.*

The Secretary reports that a copy of the President's minute was sent in a circular letter to the authorities noted in the margin, with intimation that a similar course must be pursued in regard to perfecting this translation as was directed in his letter of the 25th September last, when translations of the Act for improving the administration of criminal justice were ordered.

Chairman of the
Quarter Sessions,
Malacca.
Resident Council-
lor, Singapore.
Do. P. W. Island.

EXTRACT MALACCA PUBLIC CONSULTATIONS, 17 November 1829.

WITH reference to the intimation recorded on the proceedings of last council, Mr. Garling lays before the Board the following minute, dated 11th instant, on the case of Laytian:—

MINUTE by Mr. *Garling.*

I HAVE perused Mr. Lewis's letter of the 6th instant, relative to the case of Layteum, mentioned in my minutes of the 28th and 31st ultimo, under the name of Laytian.

I observe that Mr. Lewis closes his letter with these words, "The other one (this Layteum in question) I did not find in the register, and I therefore desired him to go about his business, and told Olim that he had not substantiated his claim to him, according to the orders, &c." By which terms I conclude that Mr. Lewis implies, that Olim was not directed to take back Layteum, and if the man again absconded, to apply to him (Mr. Lewis); and further, that he (Mr. Lewis) was ignorant that Olim did actually take the man back.

I beg to draw the notice of the honourable President to the third paragraph of Mr. Lewis's letter. Admitting that the police magistrate was positively restrained from interfering in slave questions, how does this prohibition affect the fact of Olim sending a man from these shores under the character of a slave? Supposing Layteum to be really a slave, the 17th section of the Act 5 Geo. 4, c. 113, is violated; and if not a slave, the 10th section is infringed. But so friendless an individual cannot procure satisfactory evidence. I am aware that this is not precisely a question for the Board to discuss, and I should not have touched upon it had not Mr. Lewis declared, that he apprehended the act of Olim in carrying away Layteum beyond the seas "cannot be considered as an offence."

I am persuaded that Layteum, but for this inquiry, would have remained a virtual slave in the service of Olim; and I am induced to request, that pending the result of the reference to Bengal I may be permitted to have the Dutch registers in my own keeping, and that all inquiries as to the names of those who may be registered may pass through me.

I propose that Mr. Lewis should be called upon to explain the sum total of the charge couched under the terms "a restraint was put on the police by the resident councillor to all interference in cases of slavery." I propose that Mr. Lewis be informed that he has full liberty to refer not only to official facts and documents, but to all my private notes addressed to him, or to my conversation with him, as he laid considerable stress upon these matters this forenoon. I am induced to urge this point from the round assertions which escaped Mr. Lewis in his conversation with the honourable President this day, at quarter sessions, and from the strict alliance which I have reason to conclude does subsist between that gentleman and the active managers of the secret address on slaves, referred to in my minute of the 2d instant.

While upon the subject of personal charges, I cannot abstain from noticing the use of my name made by Mr. Lewis in his letter of the 7th instant respecting the aulim or warris. It is because, and only because, I would not needlessly occupy the time of the honourable President, that I do not propose that Mr. Lewis should be called upon to speak more pointedly on the subject; for I am persuaded that I could show that Mr. Lewis did, in that case, wholly quit his official subordinate path, and neglected his duty towards myself his superior.

I cannot pass over the opportunity now before me of requesting the President will have the goodness to afford me the perusal of the address referred to in the last paragraph of my minute of the 2d instant, which I understood was to be delivered to him upwards of a week ago, should the same have been received. I am advised that among other matters, there is a petition that Mr. Lewis should be elevated to the residentship. Under a well-founded conviction that feelings personally injurious to me have been kindled and fostered in this place, and that violence has been intended to my good fame, it is only reasonable that I should be suspicious of an address, in the preparing and signing of which so much mystery is involved.

Malacca, 11 November 1829.

(signed) *S. Garling.*

E. I. Company and
Board of Control.
(Documents.)

SUPERINTENDENT OF POLICE.

From *W. T. Lewis, Esq.*, Assistant Resident, to *John Pattullo, Esq.* Secretary to Government, 13 November 1829.

Sir,

WITH reference to your letter of the 29th October, I have the honour to forward the several documents there required, viz. :

Nos. 1, 2, 3. Translations of three registers of slaves.

No. 4. Translations of resolutions made by certain inhabitants to consider the children of slaves free from 1819.

No. 5. Extracts from the police proceedings (since the period of the last transfer) of all complaints preferred by masters or slaves, with the notes recorded by the magistrates on each case.

Paragraph 3. It appears that when the orders of the Batavian government were received at Malacca, a book was opened for the registry of slaves.

No. 1 of the above register is a translation of the document (C) produced by me in court 11th instant, and bears, on the 31st December 1820, the names of

657 men.
580 women.
83 boys under 8 years of age.
82 girls, ditto.

1,402

Deduct from these the following casualties at the date of transfer to the English, 9th April 1825, viz. :

26 dead, viz. 11 men, 13 women and 2 boys.
37 transferred to other places, viz., 15 men, 13 women, 3 boys and 6 girls.
45 emancipated, viz., 18 men, 16 women, 6 boys and 5 girls.
36 absconded, viz., 34 men and 2 women.

144 Total to deduct

1,258 Remains.
12 Add 7 boys and 5 girls born.

1,270 Total present at the date of transfer, April 1825.

After this register had been closed, 31st December 1820, another sheet was introduced 8th November 1822, by which four men and two women were registered, being transferred by J. H. Vankroval, from Savabaya. As these same persons are again borne in register No. 2, I have not added them to the above account of register No. 1.

Register No. 2 was opened by the local authorities of Malacca on the 1st October 1822, and closed 31st March 1823, subject to the confirmation of the Governor-general. The fiscal at the time appears to be extremely particular in noting the claims which the masters possessed over the persons brought for registry, and at the end of the document, throws some doubts on the validity of the register. I do not find that this register was ever sanctioned by the higher authorities, although the transfer did not take place for two years after.

Upon this register are borne 39 men and 29 women, total 68. Of these persons, four men and two women have been transferred to Batavia, and one woman and two girls liberated; total nine; leaving the number present at the above date, 59.

Register No. 3, was merely kept for the insertion of slaves who might be transferred from one place or person to another. There are upon this list six men and six women, total 12. Of these, one female has been emancipated, and another female died, leaving ten of this register.

The three registers, with these deductions, will exhibit a total in April 1825, when the transfer to the English took place, as follows :

Register book, No. 1	-	-	-	-	-	1,270 persons.
— No. 2	-	-	-	-	-	59 ditto.
— No. 3	-	-	-	-	-	10 ditto.
						<hr/> 1,339 <hr/>

In taking up this subject, I would wish to state that I disclaim being an upholder of slavery; that I am of opinion that the system is bad and unnatural, and would be happy to see it abolished. These, however, are the sentiments of an humble individual on a subject which has engrossed the attention of the brightest members of the British Senate for half a century past, and if after all that has been said in support and against the slave question by such able rhetoricians without effecting the abolition of slavery, surely it would be highly presumptuous in an individual to act upon his own opinion.

The

The Act 5 Geo. 4, c. 113, (of which I possess an abstract in the volumes of Russell on Crimes) after declaring the abolition of the slave trade, and reciting the several penalties for the infringement of the regulations laid down, proceeds to enact certain regulations to protect the owners in the property they possessed in the persons who were unfortunately already in bondage: in these sections provisions are introduced for the transfer of slaves from one person to another, &c.; and as the East Indies was introduced in the preamble to the Act, I concluded that the Act was applicable to all his Majesty's dominions, and that the Legislature would not make provisions for the protection of a part of its colonies, governed also by British laws, (as the West Indies, Cape of Good Hope and Mauritius are) and not extend the same to their subjects at Malacca.

E. I. Company and
Board of Control.
(Documents.)

Had there been any particular Act of Parliament which declared that no slavery could be recognized in the East Indies, I presume the Court of Directors would have made it public.

I would beg to proceed a step further, and show a view of the state of slavery in the West Indies, &c., and that which has caused such a ferment in this place, hitherto so peaceable and quiet.

The one consists of cruelties and hardships attendant on cultivations and manufactories, which are placed under the superintendence of agents, who are obliged to produce certain returns, with powers over the slave little short of death; the other is a domestic slavery, where the individual is treated more as a member of the family, with a police open to all classes, jealous of the slightest infringement of the rights of persons, and bearing on its records precedents of the punishment of masters when they have exceeded the powers which every head of a family is allowed by law to exercise.

The inhabitants, consisting, the greater part, of natives of India and China, have been allowed from the remotest period to be possessed of slaves. In so doing they had transgressed no laws, and even the possession was further confirmed by the Government deriving the benefit of a duty of 7 per cent. on the value of every slave imported.

No person conversant with the Malay countries but knows that the chief riches of the people consist of slaves, and that as soon as a sum can be hoarded together, the first object is to purchase slaves. To deprive them of these would be taking almost their all from more than three-fourths of the inhabitants. The Dutch Government, in transferring their rights over the territories of Malacca, could never have contemplated that by so doing they were depriving the inhabitants of their property, and slavery is a property, however we may wish to disguise or torture the word.

In my own justification I consider it my duty to take this opportunity of stating what has passed within my knowledge, and in which, from my situation, I have acted a part in this question of the master and the slave.

Some time in April the honourable the Resident Councillor called at my office and charged me with having put obstacles in the way of slaves obtaining their freedom; that I had sent them back to their masters under charge of police peons; and desiring me to refrain from doing so in future.

As I did not adopt the same opinions as the Resident, I suggested that a proclamation, declaring slaves free, should be made: but to this the Resident objected, and several notes, now in my possession, will show the Resident's wishes on the subject, and that he considered every person free.

Opinions emanating from the high office and situation of Resident Councillor, embracing the functions of a judge, would have justified me in adopting them, and as my conduct might be brought into question for refusing to do as desired, I considered that, although I could not with satisfaction to my conscience act up to those directions, yet it behoved me not to oppose them.

I therefore left the point to be settled by the higher authorities, and refused to hear either the master or the slave, excepting in cases of breaches of the peace, which were regularly brought up by me (as sitting magistrate) to the quarter sessions. I have the honour to forward copies of the same (No. 6).

The gentleman to whom the slave belonged which had caused the Resident to interfere, was persuaded by me to submit for that present time, and until he could apply for redress.

21. This woman being thus at large, caused many others also to leave their masters, and many cases occurred where the Resident's peons accompanied the slaves back to their masters, forbidding them to detain their persons.

22. Two depositions were made before me, of which I beg to forward copies (No. 7). For having taken these depositions the honourable the Resident expressed his displeasure at my conduct, and considered "that out of respect to the character of the missionaries they ought to be exempt from such depository accusations."

23. One of the missionary gentlemen (Mr. Smith) was very active in supporting the slaves against their masters, and a servant belonging to him was continually seen in the town, aiding and abetting the slaves to go to his master for redress.

I have, &c.

Malacca, 13 November 1829.

(signed) *W. T. Lewis*,
Assistant Resident.

The registers of slaves and other enclosures are entered in Appendix (A).

E. I. Company and
Board of Control.
(Documents.)

With reference to the petition of the inhabitants, read on the 3d instant, Mr. Garling submits for record the following minute, containing his observations thereon:—

MINUTE by Mr. *Garling*.

HAVING perused the petition of certain inhabitants of this settlement respecting their slaves, I beg to record my remarks thereon.

On the first paragraph I shall abstain from entering into any discussion at present. It contains a charge of so serious a nature, that I must suppose that it will not be permitted to rest here by the inhabitants or the Government. Whenever the implication is regularly brought forward, and I am called upon to speak to specific facts, I hope I shall be prepared to meet the question.

The second paragraph contains, what I conceive to be a gross unfounded accusation against the missionaries. One of these gentlemen is still at Malacca, and I am persuaded that he will satisfactorily meet any charge openly brought forward against his character or his proceedings. Why did not the subscribers to this petition take some measures previous to the departure of the Rev. Mr. Smith, for affording him an opportunity of making his defence? The fact is, that the document is not, as it would seem to imply, the unanimous resolution of the subscribers, or the result of a general discussion among a body of men who feel themselves aggrieved. There has not been a general meeting for this purpose: the paper has been prepared by certain persons, and the signatures have been mostly obtained individually; its dateless and shattered condition sufficiently indicate its character. I have some time ago received information of this paper carefully travelling about for signatures; I particularly mention this circumstance, because there is yet another paper, I am informed, carrying about in the same mysterious manner, canvassing for signatures; a paper which in due time is to be presented to Government.

On the subject of the "comforts" which the slaves forfeit by seeking their liberty, I can say nothing.

Neither do I here offer any remarks upon what the subscribers term "a mode adopted for depriving them of their property, which is unexampled in the annals of the English Government." This is a well-turned period, which I must conclude will not be allowed to terminate in empty declamation.

The police magistrate will have it in his power to acquaint Government in how far the officers of that department "have been withheld from affording assistance" in necessary cases.

The Government which levied and appropriated the tax "of \$7 on each slave imported and sold at this place," is now locally defunct.

The petition goes on "to state that slavery in the course of time would have by itself ceased, as registers were kept of slaves in Malacca, and your petitioners had by their own free act made a resolution to the Netherlands Government, that all children born of slaves should be free; and many of these children were learning the rudiments of the Christian faith." Here are three topics, which I cannot pass over unnoticed; viz.

1. The expected gradual abolition of slavery under the limitations.
2. The signing of the emancipating document.
3. The training of the children in the Christian profession.

For the first I will appeal to documents. The three registers of the Dutch Government do not exhibit 1,500 slaves, men, women, and children: the Nanning slaves are not registered. The census of 1826 exhibits this number reduced to 1,097, exclusive of Nanning slaves, 24. The census of 1827 raises this number to 1,519. The nefarious importation of slaves has not been put down; it cannot be put down, unless the police department be more vigilant and more interested in the measure.

In regard to the second point, I cannot express the gratification which I experience in learning, under the hands of upwards of 200 inhabitants of this place, that they consider themselves bound by the emancipating subscription list of 6th December 1819. This latter document does not bear 10 native signatures, but the present petition exhibits upwards of 150. For this reason it is a source of regret, that whatever may be the character or object of the petition, it does not contain the individual subscription of every slave proprietor in the place. The names of the subscribers should not on any account be neglected.

In regard to the third subject, let it be remembered, that out of the whole number of subscribers to the petition, there are only 20 professing Christians. Do they speak for themselves only, when they say, "many of these children were learning the rudiments of the Christian faith"? I am persuaded, from facts passing under my daily observation, that if the Christian (or to confine myself to the Protestant) inhabitants of this settlement would cordially come into the measure, it is practicable to effect arrangements for realizing every benefit which their Christian sympathy may desire to confer upon these children. Out of the 20 professing Christians who have subscribed the petition, there may be 15 Protestants; a reference to the baptismal register will show what commencement has been made towards the above intended initiation. The register of the 6th December 1822 certainly bears the names of some of these children; how many have been added during the past seven years?

What the petitioners state at the conclusion of the seventh paragraph deserves the notice of the police. Will each individual subscriber assert that he and she has witnessed such a scene?

I know

I know not of whom the petitioners speak, as telling them that the Act 5 Geo. 3, c. 113 (for I conclude they mean this Act), referred only to the West Indies, which assumption the very letter of the Act refutes. I should be happy if this police could prevent all barbarities; as far as complaints are made by slaves I should hope that this department would extend redress, but unless the purlieus of the bazar and domestic prisons could be inspected, the department cannot, however well disposed and vigilant we desire to esteem it, prevent many barbarities. As to the real truth that these people have "been treated more as children than slaves," I must close my mind against ocular conviction, before I acknowledge the justness of so general an assumption.

In the concluding paragraph, the petitioners again say "that they have been told that the laws of England do not allow of slavery, contrary to their knowledge that it exists both at the Isle of France and at the Cape." So far as my opinions may be referred to, they are these: that the pure, unconditioned introduction of British law, unmodified by treaty, or by charter, or by Act of the Legislature, will not knowingly tolerate the existence of slavery.

The examples produced are not in point: these colonies were captured, they were subsequently regularly ceded, their laws and customs were not altogether neutralized, provisions were made to meet the existing exigency. The hosts of slaves at the Cape, and at the Mauritius, are not to be compared with the few slaves at Malacca; here there is no overwhelming superiority, nor does the welfare of the country demand any specific recognition of slavery; I however admit, that although the question of slavery at Malacca is unimportant as to the numerical or intellectual strength of the slaves, it may be well that its actuality be abolished as gradually as circumstances will warrant.

I cannot conclude without recording my decided disapprobation, as member of the Board, and as Resident of this settlement, of the manner in which the signatures were obtained to this petition. Should the other document to which I have referred have been received by the Honourable President, I trust he will afford me an early opportunity of perusing its contents, in order that I may meet any part of the same which may affect my interests or my character.

Malacca, 2 November 1829.

(signed) *Samuel Garling.*

(A true copy.)

(signed) *J. Pattullo, Secy to Govt.*

The President records the following minute of 9th instant, containing a general review of the slave question, and proposing a reference to the Supreme Government:—

MINUTE by the President.

HAVING attentively perused and considered the petition received from certain inhabitants of Malacca, Mr. Lewis's letter of the 28th October, as well as all the papers now laid before the Board on the subject of slavery, I proceed to record my opinion on the same, with the suggestions I have to offer as to the course which, under present circumstances, ought to be pursued. I must here premise that the opinion now given is for record in the Executive department; and although, as far as a question of law is involved, I cannot have one opinion as a judge and another as governor (the same facts being proved), still many considerations of policy and expediency will enter into the present discussion, that would necessarily be excluded from the decision of a question of law.

It will be recollected that the settlement of Malacca was taken possession of by the British authorities in the year 1795, and no cession having taken place during the short peace after the treaty of Amiens, remained in our possession up to August or September 1818. From the papers now produced the following facts seem to be established: that the slave trade, that is, dealing, exporting, and importing slaves for sale, existed at this settlement from time immemorial up to the 30th January 1813, when a prohibitory proclamation was issued by the then Resident, Colonel Farquhar, consequent on the first notice being taken of Act 51 Geo. 3, c. 23, declaring the slave trade to be felony; but as no registry of slaves was then kept, the Act for that purpose, 59 Geo. 3, c. 120, bearing date only 12th July 1819, a period subsequent to the transfer of the place to the Netherlands government, it is to be feared that no very effectual measures were taken for the prevention of the trade. We find another proclamation of Colonel Farquhar in 1816, forbidding the importation of slaves as presents from chiefs of native states; (slaves imported previous to the proclamation of 1813, with their progeny, continued to be considered as such, and all disputes regarding them were settled in the police department). The proclamation published at Malacca on the 10th October 1818, by the Netherlands resident, is the first instrument providing for the registry of slaves, in order to prevent clandestine importation. The dealing in slaves, that is, in their export and import for sale, it must be presumed ceased throughout Netherlands India by virtue of the treaty with Great Britain, bearing date 4th May 1818. The next document I find on the records of the late Government, is a publication issued by his Excellency the Baron Van der Capellen, exercising the functions of Governor-general of Netherlands India, bearing date 3d July 1819, directing the preparation of a correct registry for slaves, and prescribing rules for the formation of the same. This document seems to have been framed, besides the prevention of abuse and misconstruction, with the view of insuring regularity in the collection of the tax on slaves, called "Head money."

E. I. Company and
Board of Control.
(Documents.)

Enclosure (A), in
Mr. Lewis's letter.

Enclosure (B), in
Mr. Lewis's letter.

Enclosure (C), in
Mr. Lewis's letter.

Enclosure (D), in
Mr. Lewis's letter.

Enclosure (E), in
Mr. Lewis's letter.

See Series (E)
above.

Men and women	-	1,237
Children under eight years	-	165
		<u>1,402</u>

money." Next follow the proceedings of the Government of Malacca, dated 12th October 1819, consequent on the above publication of the Governor-general, whereby it is resolved, and publication is made accordingly, on the 13th, that all persons are required to register their slaves on or before the 15th of the following month (November), and that all slaves not registered before that date shall be emancipated and freed from the bonds of slavery. In consequence of this proclamation the registry, bearing date 31st December 1820, was found, containing numbers as per margin. The next paper I find on record bears date 6th December 1819. In justice to the mover and subscribers, as evincing the humane principles on which they acted, I quote it at length.

" Malacca, 6 December 1819.

" LIST of the inhabitants of Malacca, who, after a speech given by the Governor, in which he inspires and recommends them to an act of humanity, have bound themselves this day, as a token of their joy for the memorable birthday of their beloved and honoured hereditary Prince of the Netherlands, to acknowledge that no children of their slaves that may be born from and after this date, will be considered as slaves, but as free-born children. But as the parents of these children are slaves, and consequently have not the means to provide for their education, they shall therefore remain with their parents, and be under the immediate care of the master or mistress of their parents until they shall have attained the age of 16 years."

See Series (E)
above.

1st Registry :		
Men	-	657
Women	-	580
Boys } under eight	{	83
Girls } years	{	82
		<u>1,402</u>
2d Registry :		
Men	-	39
Women	-	28
		<u>68</u>
3d Registry :		
Men	-	6
Women	-	6
		<u>12</u>
Total	-	<u>1,482</u>

The next on the records is an advertisement published at Malacca, on the 9th September 1822. It proceeds on the representation which seems to have been made, that a great number of slaves in the town and interior had been omitted to be registered in conformity with the advertisement of 13th October 1819; and, to save the parties from suffering loss, it declares that a registry shall be open for six months, beginning on the 1st October 1822, and ending 31st March 1823, and all unregistered slaves admitted, declaring the same to be the final registry, and that all slaves unregistered at the latter date shall be emancipated and free. In consequence of the above. it appears register of 31st March 1823, containing 68 men and women, was framed. A third register was opened 1st January 1824, for the purpose of entering all registered slaves that might arrive with certificates from other Netherlands settlements, and this remained unclosed at the transfer of the settlement. This contains 12 men and women, making in all, up to the date of transfer, 1,482 slaves.

No. 2.
No. 3.

The next official paper produced contains the resolution of the Malacca Government, 20th January 1823, on a reference made to them by the fiscal, wherein that functionary is directed to adjust all complaints made by masters against slaves for disobedience and drunkenness, &c., at his discretion, without waiting for specific authority. From an attentive consideration of all these documents, it seems perfectly clear that the only persons that can in any light be considered as having been in a state of slavery at the time Malacca was ceded to the British Government, are those included in the registers above quoted; no addition could legally be made to their number by importation, for such was prohibited under severe penalties, both by the British and the Netherlands Government; none could be added by birth, for although it may perhaps be said that the agreement to the declaration of the 6th December 1819 could bind only the subscribers, still such seems to have been looked to as a general law. Certain it is the order for registry laid down by the Baron Van der Capellen. Article 13 expressly requires that all children born shall be reported and registered within 48 hours after birth, under a penalty of 1,000 guilders, a sum far exceeding the value of a slave; and it is equally certain and indisputable that no children have ever been registered as slaves since the date of the last register, 1st January 1824. The agreement above quoted, bearing date 6th December 1819, the first registry being dated 31st December 1820, one year after, and containing 165 children under eight years, a few of a year old may possibly be inserted, who by the tenor of the agreement should be free. To the third register no addition has been or can be made. We may safely therefore assume the fact, that these three registers contain the names of all that can on any construction be viewed as slaves now in this settlement, town and country; and that with the demise of these named persons, slavery must entirely cease.

Found to be an
erroneous translation;
the penalty is
only 50 guilders.

N. B. Register
No. 2, might bear
dispute, as it nei-
ther was supported
by the previous or-
der nor the sanction
of the Governor-
General.

We come next to the legal question, how far such come within the provisions of sect. 13, Act 5 Geo. 4, c. 113?

" Provided always, and be it further enacted, That nothing in this Act contained shall prevent or be construed to prevent any persons from dealing or trading in, purchasing, selling, bartering, or transferring, or from the contracting for the dealing or trading in, purchase, sale, barter, or transfer of any slave or slaves lawfully being within any island, colony, dominion, fort, settlement, factory, or territory belonging to or in the possession of His Majesty, in case such dealing or trading, purchase, sale, barter, transfer, or contract shall be made and entered into with the true intent and purpose of employing or working such slaves or slave within such and the same island, colony, dominion, fort, settlement, factory, or territory in which they, he, or she may lawfully be at the time of making or entering into any such dealing or trading, purchase, sale or barter, transfer or contract." That is to say, whether the registered slaves at Malacca at the time of the transfer are to be considered as slaves lawfully being within the settlement, and within the intent and meaning of the Act after Malacca became a British settlement. On this point I scarcely think there can be

a doubt.

a doubt. That Act forbids and declares the punishment for dealing in, trading or trafficking, exporting and importing persons for the purpose of treating them as slaves, or being in any way concerned in such trade. But it is to be observed, that the prohibition of the trade, the exporting and importing, is the object of the Act; not the abolition of local slavery in places where it had previously existed, and continued to exist according to the laws of the country. The Act is not confined to any particular portion, but is general to all his Majesty's possessions; and admitting the general operation of the penalties, it would be a strange construction of the Act to exclude the operation of the exceptions. It is perfectly clear from the document above quoted, that local slavery did exist at Malacca, and was duly recognized by the British Government from 1795 to September 1818; while in their possession, and subsequently by the Netherlands Government, up to the date of the transfer of the settlement in April 1825, the slaves were considered as a part of the property of the inhabitants, and I confess I cannot imagine that that transfer could at once destroy, or render illegal, a pre-existing property. It certainly had not that effect in the case of other cessions of countries similarly situated: we know that property in slaves continued in Ceylon after its cession to the British Government, the case most analogous to this; it was only progressively terminated by a process exactly the same as that already adopted here, the declared freedom of all slave-born children after a certain period. Slavery exists at the Mauritius and at the Cape of Good Hope, and it is not therefore determinable by the mere transfer to British authority: on this question not a doubt, until of late, seems to have occurred. On reference to the books at the police-office, I find the British authorities immediately succeeding the former ones, invariably followed the established rule. I have examined the proceedings at the police-office from 28th June 1825 to 28th November 1828, conducted by Messrs. Cracroft, Presgrave, Major Mackenzie, Messrs. Garling, Pattullo and Lewis; all appear to have acted on one uniform principle, punishing slaves for misconduct or running away; fining masters for ill-treatment of slaves; liberating all not proved to be slaves on the registry, and on some occasions liberating the slave on repeated ill-usage of the master. It has only been since April last, the date of the last visit of the recorder, that any question has arisen; subsequent to that period, it appears that Mr. Garling has taken upon himself to subvert the established practice and declare slaves to be free; a letter to Mr. Lewis to that effect appears on record. On what principle he proceeded, it remains for him to explain. It is clear it could not be on the ground of any judicial decision, for no such has ever taken place; neither could it be on any authority given him by the Executive Government, for to them no distinct reference has been made. If it was formed on a speech of the recorder to the grand jury, it is enough to observe, that the opinion was then only casually given without a hearing of the case, and in ignorance of its real merits, and the same may be said of any opinion given by the Government, without having the papers before them. For myself, I must declare, that until I passed this the other day, and received intimation of the intended address, I never heard of such papers or documents as are now produced, nor did I know that a slave registry was in existence. It is to be lamented, indeed, that the recorder while here in March last, did not take the opportunity of several applications made to him, to decide the legal question one way or other, which would have saved us from all our present embarrassments. I confess I have always deprecated the agitation of the question, and for the following reasons, because I fully believed that if things were left to themselves, slavery would here, as at other Dutch settlements ceded to us in the other parts of India, have gradually merged and become obsolete in a short time; that process has indeed been in silent operation ever since 1825. Secondly, because slavery at Malacca is widely different from that prevailing elsewhere, and carries with it none of those severities we read of as existing in other places. There are no slaves here driven to their labour with the whip, as said to be the case in the West Indies; the whole of the slaves here are domestic, doing, in fact, the work of house servants; if on any occasion they work in the fields, it is only in the few cases when serving with paddy planters, the master, and all his children work also. Masters of slaves here have not generally in practice exercised the right which it seems section 13 of the Act would allow, that of transferring by sale their slaves for labour within the settlement, nor do they require such right; all they wish is, that their slaves shall not at once be set at large, by the sudden withdrawal of those restraints up to a late period in full force, to their great inconvenience, having no other servants, and to the great risk of the peace and order, as well as property of the place, by letting loose a considerable body of people hitherto subject to some restraint, without any means of subsistence, except from robbery and theft: when we consider that of the late calendar containing 21 prisoners (an unusual number for Malacca) no less than 12 are run-away or released slaves, the latter argument must be admitted to have some weight.

The slaves in this settlement are at all times under the protection of the law; they have access to the police against their masters on every occasion, who are liable to the same penalties for the ill-usage of a slave as they would be for abusing or ill-treating any servant or other person. The situation of a slave at Malacca is indeed the same as that of a domestic servant, differing only in this, that of service for life instead of for a given time. Over the person of a slave, male or female, the master can exercise no power or authority not allowed over any other servant. I confess I think it much to be regretted, that overweening zeal and mistaken notions of humanity have been so hurriedly at work in encouraging the desertion of slaves from their masters. It seems not to have been considered that if such a course were once begun, it could only end in the rapid desertion of the great body, and it seems not to have been considered what would have been the consequence of even 500 persons being at once thrown out of employ; and if the masters of slaves were not enabled to retain the able-bodied, those of use to them, how was it to be expected that they would continue to

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Letter from
Mr. Garling to Mr.
Lewis, dated 22d
May 1829.
Mr. Lewis's re-
ply, 23d, and
Mr. Garling's let-
ter, 25th.

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support the aged and the children of the slaves, now indeed free, but without any means of subsistence, except from the masters of their parents still in slavery. The manner in which the slaves released or absconded are now living affords a tolerable example of what might eventually be expected on a greater scale; they are reported to be living together in clubs and associations, similar to the Chinese brotherhoods, which occasionally excite notice and alarm, and it requires all the attention of the police to keep them in check.

I now propose that all the papers connected with the subject be transmitted to the Supreme Government, with a request to be favoured with their opinion and instructions on the whole case, of which the legal question will form a part; in the meantime, I would recommend to the superintendent of police and magistrates to adhere to the course in use up to the late alteration, for which there seems to have been no authority whatever. I would recommend them in all cases when complaints are made to them respecting slaves to satisfy themselves in the first instance, by reference to the registry, that the parties really are slaves; if so, they will of course punish the slave as far as he deserves it. They will in like manner take effectual measures to prevent masters from ill-using their slaves, by fining them when necessary; and if the ill-usage be repeated, by increasing the fine so as to lead to the liberation of the slave. They will of course take care to explain to all parties the reciprocal obligation which they owe to each other. In respect to the slave, that service and obedience to his master is due; that from his master he has a right to expect good treatment, proper food and clothing; and all which, on application, the police will compel the master to afford. Should persons be brought up who prove not to be slaves, the superintendent of police will of course explain to the parties their true situation; but as even servants are not allowed to quit their masters without some notice, a reasonable period should be allowed, and the servant should be recommended to secure another service before he quits the one he holds. By proceeding thus, taking the registry as the document for decision, it may be hoped that good treatment will be ensured to the slaves, and the undue retention of such as are not legally such will soon be at an end, and all parties will understand their relative situations. In respect to the propriety of opening a new registry, it appears to me that doubts may be entertained: did there exist the possibility of any legal addition to the number of slaves, the opening and keeping open of a registry would be indispensable; but to the present list no such addition can be made: the only object of opening a new registry would be in order that the names of deceased slaves might be omitted, but it is to be feared that strong inducements would be held out for substituting others in lieu of those deceased. On the whole, it seems better to retain the present as the final registry, and admit no persons to be considered as slaves unless their names are there inserted, and their persons identified. Mr. Lewis will of course see the propriety of keeping the registry under lock and key to prevent any interpolation, referring to it himself when necessary to decide a case of doubt. But although bound by the circumstances of the case to acknowledge the existence of slavery for a time, it is certainly most desirable on every principle of humanity to put an end to it, in the name and substance, as soon as it can possibly be done, by assent of those interested, and without an actual infringement of private right. The masters of slaves may possibly be induced to change the present state of the slave into that of "debtor," the value of each being determined; by fixing a certain portion of the daily hire of servants, according to the market rate, to go in liquidation of the debt, slavery might in a few years be at an end; nor do I believe any serious obstacle would be found in making such an arrangement; but for this we must wait until the present irritation subsides; but it should be held in view, and Mr. Lewis should be directed to take the first favourable opportunity of proposing such an arrangement. Adverting, indeed, to the number and age of the persons on the registry, and, considering the probable duration of life, had we the power, a certain period of abolition might be fixed by a public legislative provision. But after all it must be remembered, that in so very poor a country as this, service must generally assume the form of domestic slavery: the lowest classes are happy, in order to obtain subsistence, to attach themselves to families on no other consideration beyond food, clothing, and house room, and the masters generally are too poor to employ servants or any other. Children born in the house are maintained there by the masters, with a view, no doubt, to the benefit of future service, without much considering the question of right. If we suppose therefore, while the present poverty continues, that any declaration will advance the domestic to the independent state of a money-paid servant, as in other places, we shall be grievously disappointed, and were we abruptly to interpose the direct authority of Government to interrupt the existing practice arising out of the natural state of things, it is probable that many children, as well as grown-up persons (not slaves in law), but now maintained by masters of families, would be cast on the wide world. So long as the master is satisfied with his servant, and the servant or slave is satisfied with the master, it is certainly not advisable for the Government to interfere. When the servant, supposing him free, can find for himself better employ, he will not be long in discovering that he is not bound by any legal tie, and that wholesome state will be gradually established, the advancement to which premature interposition of authority would rather obstruct than promote.

(signed) *R. Fullerton.*

Malacca, 9 November 1829.

Mr. Garling having presented a further minute, dated 12th instant, the same is now recorded.

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MINUTE by Mr. Garling.

THE minute of the Honourable President, under date the 9th instant, was received by me yesterday afternoon.

The matters therein contained demand a very particular reply; I have consequently to request that the President's minute may not be recorded until I am prepared to place my own immediately after it, that the two minutes may be seen together, and together be transmitted to Bengal, and to England.

To enable me to do this to my own satisfaction, I require Mr. Lewis's specific charges against me, as noticed in my minute of yesterday's date, and I have consequently to suggest that this gentleman be forthwith called upon to make his charge or report without delay.

Malacca, 12 November 1820.

(signed) Samuel Garling.

The Board not being aware of Mr. Lewis's intention to prefer any specific charges against the Resident Councillor, and the President not having received any petition containing the expressions alluded to, declines to call upon Mr. Lewis in the terms suggested by Mr. Garling.

The following letter in reply to the petition of the inhabitants (*vide* Cons., 3d instant,) is recorded :—

(No. 116.)

Messrs. A. A. Velge, Williamson, J. B. Westerhout, G. L. Baumgarten, De Wind, and the other European and Native Inhabitants who petitioned Government respecting Slavery.

Gentlemen,

I AM directed by the Honourable the Governor in Council to inform you that the petition presented by you to the President, on the subject of your slaves, has been laid before the Board, and all papers connected therewith having been carefully examined, it appears that slavery has existed at this settlement from time immemorial; that the slave trade, that is, the importing and exporting of persons to be dealt with as slaves, ceased in the year 1813; that local slavery has continued up to this time; that disputes between masters and slaves have always been settled, while the place was under Netherlands authority, by the fiscal, while under the British, by the Resident, or the police officer. Slaves misbehaving have been punished; absconding slaves have been returned; and masters ill-using slaves have been also punished, by fine or otherwise, as the case required. It moreover appears, that in the year 1819, in consequence of a proclamation of the Governor-general, Baron Van der Capellen, a registry of slaves was opened in 1819, another in October 1822, and a third for the insertion of transferred slaves from other settlements; and these several registers contain as follows :

First.—Men	-	-	-	-	-	-	-	-	657
Women	-	-	-	-	-	-	-	-	580
Children	-	-	-	-	-	-	-	-	165
								—	1,402
Second.—Men	-	-	-	-	-	-	-	-	39
Women	-	-	-	-	-	-	-	-	29
								—	68
Third.—Men	-	-	-	-	-	-	-	-	6
Women	-	-	-	-	-	-	-	-	6
								—	12

2. It further appears that an agreement has been signed by certain of the principal inhabitants, to declare all children born of slaves after 1819 to be free; an agreement framed on the free-will and spirit of humanity, which cannot fail to call forth the highest approbation, and reflecting infinite credit on the mover, as well as the subscribers, to that instrument. It follows, from an attentive consideration of all these papers, that the only persons coming in any way under the description of slaves, are those surviving whose names are inserted in the above registers, to which no addition has, or could be made, since the date of cession; under all these circumstances, the Governor in Council has determined, that the practice heretofore enforced in respect to all those whose names are found on the registry, shall, as far as rests with him, be continued until a full and regular judicial decision can be obtained on the general question, how far the state of slavery can be tolerated at this settlement, under the existing laws of the British Government,—a question which the Governor in Council does not consider himself competent to decide.

3. The Honourable the Governor in Council is too fully impressed with the conviction of your humanity, to think it necessary to enjoin a due attention to the care and comfort, and treatment of the persons as yet considered to be slaves; and while the Honourable the

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Governor assures you that every possible regard to the right and property of the inhabitants of Malacca transferred to the British Government, as well as the general prosperity of the place, will be invariably paid by the local authorities, he cannot but avail himself of this opportunity of impressing on your minds the extreme repugnance of British principles of government towards the state of slavery. He need hardly remind you of the extreme anxiety evinced by the British Legislature for the total suppression of slavery; an anxiety in which it is believed the Netherlands Government, your late superiors, fully participated; and he takes this occasion of expressing his earnest hopes of your readiness to enter into some arrangement for the more speedy termination of the state of slavery in name and substance, than can be expected to result from the gradual demise of the persons now in the list. The Honourable the Governor is persuaded that you cannot be insensible to the superior advantage, both in point of humanity, as well as expediency, of the service of free men, resulting from the free-will of the servant, ensured by the kindly consideration of the good treatment of the master, over the often unwilling and forced labour of the slave: the Honourable the Governor is sensible of the inconveniences that might result from sudden and hasty liberation of so great a number of persons as are now considered as slaves, but relies with confidence on your humanity and benevolence to insure assent to the substitution of service for a fixed period instead of slavery for life, so as to put an end to that state, without at once setting loose from all control a number of persons without the means of subsistence, and accustomed hitherto to a certain degree of restraint. The Honourable the Governor in Council entertains little doubt that such an arrangement might be made, so as to insure the gradual discharge of all those unwilling, after a certain period, to remain with their present masters, without private inconvenience, and without danger to the peace and good order of the place, and can take upon himself to assure you that no act can he consider as more grateful to British authorities than your assent to such a measure.

4. The Honourable the Governor, acting under the belief that Mr. Lewis, the present superintendent of police, possesses your full confidence, has authorized him to receive and submit any proposition that may occur to you, for effecting the object so desirable to Government as the total abolition of slavery within the settlement of Malacca.

Malacca, 13 November 1829.

(signed) J. Pattullo,
Secy to Govt.

(True copy.)

(signed) J. Pattullo,
Secy to Govt.

MINUTE by Mr. Garling.

No. 28. Enclosure.

HAVING perused the minute of the Honourable President of the 9th instant with the utmost attention, and very deliberately considered its object and arguments, I proceed to record my observations thereon.

The sanctions, the exceptions and the penalties of the Act 5 Geo. 4, c. 113, must, by the 9th section, equally extend to the Government of the United Company of Merchants of England trading to the East Indies; we have not to consider in how far Malacca might have been an exception from the 9th April 1825, the date of transfer, to 1st August 1826, when it was incorporated with Penang and Singapore, nor whether it constituted an exception from this latter period to 9th August 1827, when the new Charter of Justice was promulgated, but whether it now falls under the special exceptions, provided for by the 13th section. I am of opinion that it does not.

My reasons for entertaining this opinion are embodied in Enclosure (A). The case of the other ceded colonies does not appear to offer any insurmountable objections; as Enclosure (B) will show. The difficulties with which I conceive the contrary opinion to be involved are detailed in Enclosure (C).

The Honourable President remarks, that masters have been fined, or slaves punished, according to the exigency, at the police-office, from the 28th June 1825 to 28th November 1828.

It might suffice to observe, that the question in point of law is in no way affected by the proceedings of the local functionaries. These had such power only as could be legally delegated by the Indian Governments, yet I do not observe any mention of slaves recorded in Mr. Cracroft's letter to the Supreme Government, dated 15th April 1825, wherein he details his proceedings consequent upon receiving over Malacca. He enters with sufficient detail upon most topics, but he does not seem to have received from the Dutch Commissioner any particular charge or notice about the existence of slavery.

As respects myself, however, I beg to observe, that prior to the incorporation of Malacca with Penang and Singapore, I acted under the orders of the Resident nominated by the Supreme Government. The four cases, settled by me subsequent to that event, occurred previous to the promulgation of the letters patent of 27th November 1826: until the new Charter was in operation I adhered to the existing rules and the system observed by my predecessors, conformably to the Board's orders of 28th August 1826.

I now proceed to consider the three letters, dated 22d, 23d and 25th May, noted in the margin of the President's minute.

Having carefully perused these letters, I am prepared to meet the full measure of personal responsibility involved in them.

The

The 2d paragraph of the letter of the 22d May will explain the circumstances under which I felt it a duty to address Mr. Lewis.

The terms "gradual emancipation" cannot be construed into an opinion that slaves, "lawfully such," should be freed. The 3d paragraph of letter of 25th May, compared with the accompanying Enclosure (A.), will sufficiently testify that I did not consider the expression of "slaves" as properly applicable to the case; I did not interpret the law as saying to the slave, "I emancipate you," but view it as defending his just and natural rights; neither do I suppose the law to denounce to the owner, "I deprive you of your property;" but I am clearly of opinion, that, in its abstract operation, it prohibits him in the exercise of those powers which are incompatible with the just and natural rights of his fellow-man. The constitution of a simple unmixed British court of justice is not adapted to the constitution of slavery; there is no mandatory process warranted, nor any provisions made, nor any power imparted in His Majesty's letters patent, by which this court, if I comprehend its true character, can, in the pure exercise of its chartered powers, meet the requirements of slave proprietors.

Notwithstanding, I am not aware that Mr. Lewis can show that I ever gave him orders to declare local slaves free. By personal communication, and by notes, possibly, I have been careful to impress my own views upon that gentleman's mind until the interruption of all private correspondence between us occurred. He was, however, free to object, to demand an official order, or to act on a contrary principle. The conduct of that gentleman towards me, of late, will not warrant the presumption that he was ever disposed to give implicit attention to my private communications; hence I paid no particular heed to the remark in his letter: "You were pleased to communicate personally to me respecting the re-delivery of slaves to their owners, since which none to my knowledge have been sent back from this office." The widest latitude which the above sentence admits is rendered nugatory by the conclusion of the 5th paragraph of his letter in these words: "I trust that should you deem it my duty to declare persons free who come to the police, that these orders may be expedient." Here was a demand for official warrant. I now cite the following extracts from my letter of the 25th May, to show how little disposed I was to give Mr. Lewis my orders on the occasion:—

Paragraph 6. "In the absence of legal advisers references may be made to the law officers at the Supreme Presidency, but meanwhile you are left to act upon your own responsibility." This referred to the secretary's letter of the 9th January 1829. See Enclosure (D.).

Paragraph 7. "I have been free to give my opinion, yet as an opinion."

Paragraph 8. "While I leave you to the full exercise of your own discretion on the point, I do most seriously invite you to consider," &c. &c.

In my own estimation it is not well practicable more entirely to cancel the mandatory character of any private communications than is done by the above extracts; but even supposing the contrary distinctions between a police magistrate and justice of the peace was clearly enough in Mr. Lewis's mind, and though the above letters were addressed to him in the former capacity, I have sufficient proof that he was aware they did not bind him in the latter.

I wish to draw the President's notice to the eighth paragraph of my letter of 25th May. Notwithstanding my conviction of the illegality of local slavery, I was studious to prevent application to the magistrates or myself until we had learned the result of the reference which Government were to make (see Enclosure (D.)), and I suggested temporizing measures meanwhile.

I am not disposed to conceal my own acts in this affair. Nearly 50 applications during the past six months have been made to me by persons held in slavery. The wretchedness and humiliation of mind and body with which I became thus acquainted will ever be a practical refutation of the assumption, "that they are treated more as children than as slaves." I was compelled to act. My proceedings were grounded upon the unwavering conviction that the people could not be retained in slavery by law, and that while every precaution should be taken not needlessly to rouse the whole body at once to seek their liberty, it was not just that they should be denied their rights. Therefore after inquiry, frequently on both sides, I generally directed the applicants to return for a month, giving due warning of their desire to quit service; and, in presence of witnesses, to ask if they had returned whatever had been placed under their charge. I explained to them that I had nothing to do with the term slave, and that I could not emancipate slaves. In consequence of the late determination in quarter sessions most of them have returned quietly to their former service. Their dress and appearance altogether altered. Some have regularly married. Two or three stand free, as they were never enrolled in the register. I do not remember any instance in which some good was not effected, as I refused any communications with those who could not give a good account of their intention. One poor lad I was obliged to send to the hospital. The circumstance of so few applications during a period of six months will bear out my assertion, that no active measures were taken for disseminating my opinions.

The circumstances under which I embraced the conviction referred to, and which is detailed in Enclosures (A.) (B.) and (C.), were these:—The honourable the Governor, and the resident Councillor of Penang, themselves judges of the court, and in possession of the legislative statutes from the signing of the great charter to the current sessions, and therefore having substantial means for forming an opinion, and being also aware that the local slaves were registered (see Enclosure (E.)), considered the existence of local slavery as illegal; and they suggested that force should not be used for compelling the return of slaves to their

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owners (see Enclosure (D.)) The learned recorder delivered his opinion from the bench "That local slavery was now illegal, whatever might previously have been the case," Enclosure (A.) Consistently with this avowal, when the deputies of the community waited upon him for the especial purpose, he repeated his opinion, and suggested a mode of practical compromise (see Enclosure (F.)) A case occurred extra-judicially, and the applicant is dismissed by an answer dictated immediately by the same principle (see Enclosure (G.)) I made diligent use of such means as were locally within my power, which were certainly very limited; and, at the end of July last, having received a small supply of books from England, I studied the subject of local slavery very closely; after maturely weighing all which the Government and the professional judge had said and done, with the arguments advanced on either side of the question, so far as came to my knowledge, together with the bearings and principles of such facts as the books referred to, before me, together with the analogy of other colonies, so far as my information and ability permitted, my mind became permanently impressed with those sentiments which are embodied in the Enclosures (A.) (B.) and (C.)

I was studiously anxious to keep the question dormant until some case might be judicially brought to the notice of the court of judicature, or until the receipt of the decision from Bengal on the reference which the Board were pledged to make; though such decision could not bind me, or altogether exonerate me, as a judge, it would unquestionably influence me in practice. In several conversations with Mr. Church, and with Mr. Lewis (until all private intercourse between the latter gentleman and myself ceased), I particularly suggested that they should avoid the term "slave," and adjudicate any cases brought before them as between a master and a legal servant. I declare solemnly that I am not aware that I took any active measures for agitating the question among the people, but that, on the contrary, I exerted my utmost to avoid bringing it to a precipitate issue; and further, that I neither know nor believe that any missionary did so;—so help me God!

If my proceedings as regards the applications made to me were grounded in error, I protest against the consequences of that error falling upon me; I did all that lay in my power to procure advice and orders. The Government were informed that the slaves were registered, and that the question occasioned embarrassment. I had their opinion, and their promise that the question should be referred to Bengal. I had observed the proceedings towards the depositions and the individual application of two women, called slaves. I had therefore a full measure of general principles, and more I would not immediately expect. Nothing further lay in my power; yet I neither ordered the magistrates to abide by my own principles, although I was careful to explain them, and to explain how these matters for a time might be compromised; neither did I take any active step to disseminate my opinions among the slaves.

The circumstances under which I first felt myself called upon personally to interfere, are detailed in Enclosure (H.) Of the woman's complaint I say nothing. A case was now forced upon my notice, and compulsion had been used, to oblige the woman's return to her master.

I do not remember that I took any further measures for some time: two or three persons, called slaves, were sent; I acted as already detailed.

About the middle of May the Reverend Mr. Smith complained to me of his name being invidiously dragged into depositions, and that the manner in which his name had been used at the police office tended to encourage the utterance of violent threats, which had escaped some persons in this place. He said that one person had gone so far as to declare, that it would afford him pleasure to blow out his brains, and thus make him a like example with Mr. Smith of Demerara. These threats were not uttered to his face, and he did not feel himself at liberty, or at least disposed, to prosecute the individual; his mind was deeply wounded, his body was debilitated from sickness, and Mrs. Smith became agitated and alarmed. I addressed Mr. Lewis, and he sent me copies of two depositions dated 11th May last, copied in Enclosure (I.) They are not upon oath. Something of Mr. Lewis's feelings towards these missionaries may be elicited by a perusal of Enclosure (K.)

I would not detract anything from the eulogium passed by the Honourable President on the emancipatory document of 6th December 1819. I view it as a voluntary, and, because voluntary, a noble compliment to their Prince. By this tribute, honourable alike to their Prince and to themselves, the subscribers recorded an unequivocal testimony of their general and cordial appreciation of the sentiments of His Netherlands Majesty on the subject of slavery. In regard, however, to the opinion that this document was "looked to as a general law," I beg to submit the Enclosure (L.) to the perusal of the Honourable President.

I cannot altogether concur in the President's view of the general treatment of the slaves, the subject having no immediate connexion with the question at issue. I have thrown a few remarks in the Enclosure (M.)

If it be true that the runaway slaves are residing together in clubs and evil associations, the police ought to take cognizance of the case; but the state of crime does not, I think, warrant implicit credit to be given to the charge. I question if the petitioners could support all they would make the Government suppose on this head. I do not feel disposed to quit this subject without noticing the remark of the Honourable President respecting the number of slaves standing on the criminal calendar; but, not to encumber the present minute, my remarks are recorded in Enclosure (N.)

I have now, I believe, touched upon every particular in the minute of the Honourable President. In conclusion, I must aver that the agitation of the question of slavery did not originate with myself; that, until compelled to the contrary, I studiously avoided all interference; that, when compelled to act, I proceeded upon convictions founded upon dispassionat

sionate inquiry and deliberate examination; that my own opinions were imparted to Mr. Lewis, yet, as opinions, leaving him to act on his own discretion; but that he was furnished with a copy of the Secretary's letter of 9th January last, and was therefore fully apprized of the Board's views and sentiments, and that he acted on individual responsibility.

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In justice to myself I must again repeat, that 10 months ago the question was brought to the serious notice of the Honourable Board, who possessed superior means for forming an opinion. That they were duly apprized that the slaves were registered; that they were aware that the magistrates already experienced some embarrassment.

Finally, as I am conscientiously of opinion that all which lay in my power was accomplished, and that my principles and action in the present matter have not been dictated by overweening zeal or mistaken notions of humanity, I deprecate and protest against the odium and damage with which my character and my property appear to be threatened.

Since writing the above, Mr. Lewis's letter, of the 13th instant, has been brought to my notice. The present minute has touched upon every material point, but Enclosure (O.) will present a more particular reply to some paragraphs, by which Mr. Lewis would seem to infer that he did not act on his own responsibility.

In the 14th paragraph Mr. Lewis writes, that to deprive them "of these (the services of the slaves) would be taking almost their all from more than three-fourths of the inhabitants."

By his own showing (paragraph 7) there were but 1,339 slaves in April 1825, "when the transfer to the English took place;" but of these 59 are on register No. 2, the validity of which is questioned. It is not by any means improbable that several deaths had occurred among the slaves, which were not reported, and therefore not recorded on the register. If to these contingencies we add the casualties which have occurred since April 1825, the number of registered slaves still living will, in all probability, fall short of 1,000. Mr. Lewis is aware that the inhabitants of Malacca are in number full 30,000; instead, therefore, of writing "3/4," three-fourths, he should have put "1/30," one-thirtieth, supposing the average of one slave to constitute the whole property of each person.

I have to request that this minute be placed on the records immediately after the Resident's minute of the 9th instant, and that a copy of the same, and of its enclosures, may be transmitted in company therewith whenever the latter may be forwarded to Bengal and England.

(signed) S. Garling.

Malacca, 17 November 1829.

Enclosure (A.)

Mr. Garling's MINUTE, 17 November 1829.

I AM of opinion that Malacca does not fall under the exceptions provided for by the 13th section of the Act 5 Geo. 4, c. 113, for the following reasons:

Apart from the consideration of Admiralty jurisdiction, which we do not possess, I am not aware that any court in India can exercise more comprehensive powers than are conferred upon the court of judicature established at this settlement, by virtue of His Majesty's Royal letters patent, dated 27th November 1826, nor that English law has been more unexceptionably guaranteed to any of His Majesty's subjects in India. At page 21 of our charter the jurisdiction of this court is thus defined: "And it is Our further will and pleasure that the said court of judicature of Prince of Wales Island, Singapore, and Malacca, and the several judges of the said court, is, and they are all and each and every of them is hereby appointed to be justices and conservators of the peace and coroners within and throughout the said settlements of Prince of Wales Island, Singapore, and Malacca, and the places now or at any time hereafter to be subordinate or annexed thereto, and to have such jurisdiction and authority as our court of King's Bench, and our justices thereof, and also as our High Court of Chancery, and our courts of Common Pleas and Exchequer respectively, and the several judges, justices, and barons thereof, respectively have and may lawfully exercise within that part of our United Kingdom called England, in all civil and criminal actions and suits, and in matters concerning the revenue, and in the control of all inferior courts and jurisdiction, as far as circumstances will admit."

Under a court so constituted I take it for granted that a British subject, of sound mind and body, may not be restrained of his civil liberty, but has it guaranteed to him, "without any control or diminution, save only by the laws of the land." Such at least I conceive to have been Sir C. Chambers's opinion from his judgment on the Habeas Corpus case, Bombay 29th September 1828. I cite the following extract: "For the space of 160 years the natives of Bombay have been, to all intents and purposes, the natural-born subjects of the Crown of England, and have in that quality been entitled to all the benefits of protection for their personal liberty, which the most genuine Englishman could have obtained." I question if the word "slaves" appears upon the records of the Bombay court, unless linked with the term "felony" or "piracy." The privilege of the natives of Bombay does not spring out of any peculiarity in the Company's title to that island, but is the inevitable consequence of the chartered law. The rights and personal liberty of every individual of Malacca, however humble, should, in my estimation, be equally inviolable.

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Sir William Jones, in his charge to the grand jury at Calcutta, 10th June 1785, seems to have been impressed with a similar conviction with that of Sir Charles Chambers. The case of Calcutta corresponded in some measure with that at Malacca, only that famine and distress do not appear to be so immediately the cause of slavery, neither is the sale confined to children; it will be found, on inquiry, that most of those denominated slaves at Malacca, or their immediate progenitors, have been stolen from their parents on Sumatra, or on some of the numerous islands of the adjacent Archipelago; that while some have been sold for money, others have been bartered for cloth, for a bag of rice, and even for a modicum of fish.

The local slave registers and slave certificates are the acts of a defunct government touching matters which affect the fundamental principles of the existing law, which is the law of England. To preserve to these documents their original validity, evidence should be adduced from the treaty of transfer, or from the letters of the plenipotentiaries consequent upon the signing of the treaty, or from some unrescinded act of the controlling legislature, or lastly, from the letters patent. I observe nothing of the kind, and until something is advanced, I must take it for granted that nothing of the kind can be adduced. I have perused the letter of Mr. Commissioner Cracroft, of the 15th April 1835, detailing his proceedings on receiving over charge of Malacca; he is very particular in this communication to the Supreme Government, but I do not observe anything about slaves; had the Netherlands Commissioner made any particular representation, Mr. Cracroft's silence on such a subject is unaccountable.

Sir J. Claridge's
charge to the Grand
Jury, 8th July
1828.

We have the sentiments of the high professional authority in this settlement, delivered in the following words: "I take the opportunity of stating from the bench, that slavery does not exist by law within this settlement, whatever may have been the case when Malacca was subject to the Dutch, and Singapore to the Sultaun; his Majesty's royal letters patent have given to both places the benefit of the laws of England, to which slavery is altogether abhorrent." Such was the opinion of the honourable and learned Recorder in his charge to the grand jury at Penang. I cannot view this as an opinion casually given. What does this place reap from the laws of England respecting slavery, if its sanctions extend only to prohibit the further importation of slaves? His Netherlands Majesty's law of 20th November 1818, already gave this guarantee. It is true there was no case heard, but the terms "from the bench," are worthy of notice. Here was no bare opinion; the learned Recorder seemed to declare his deliberate judgment; he sufficiently indicated the principles which would actuate his determination whenever a case might be submitted.

It is my firm conviction, that the learned Recorder would have viewed every individual, who, under the plea of slavery, should restrain the personal liberty of any fellow-creature in either of the three presidencies of this united settlement, as guilty of a misdemeanor, and as exposing himself to the penalty awardable by the severest construction of the law in cases of false imprisonment.

Malacca, 17 November 1829.

(signed) S. Garling.

Enclosure (B.)

Mr. Garling's MINUTE, 17 November 1829.

It has been argued that slavery remains legal at the ceded colonies of the Mauritius, Ceylon, Cape of Good Hope, Demerara, &c., equally as in the West Indies generally; and to give Malacca an extra claim to consideration, Mr. Lewis, in his letter of the 13th instant, which I have only this day seen, would assume that to declare all people free, three-fourths of the inhabitants of this settlement would suffer.

Had Mr. Lewis assumed that one thirtieth (1/30) part of the inhabitants might suffer, he had been nearer the truth. The whole three registers of the Dutch do not contain 1,500 slaves; one of these registers is possibly invalid; many slaves have died, or renewed with their masters or been emancipated, or absconded: it is likely that throughout Malacca there are not 1,000 registered slaves at this day, while the population is full 30,000.

Sic. MS.

In some of the ceded colonies, as the Mauritius, Demerara, Berbice, Essequibo, and I may add, Trinidad, there is an overwhelming numerical superiority of slaves over the free people, and the subversion of slavery, before proper precaution taken, would desolate these colonies, for the cultivation of land depends upon the slaves, and, apart from the cultivation of the plantations, these colonies generally have little value. The Mauritius, of course, is an exception, as its occupation results from other objects. The inherent character constitution of the slaves in all these colonies, and the cruel rigour by which they are kept in subjection of emancipation, which cannot properly apply to slavery at Malacca.

The honourable President has chosen Ceylon as a case most analogous to Malacca. The continuance of local slavery at Ceylon under British Government arose out of the capitulation of Columbo in 1796. It is, however, remarkable, that while the Dutch burghers and the natives might retain their slaves, these became *ipso facto* free immediately they were purchased by a British European in the service of Government; there is, therefore, something widely different at Ceylon from the state of things at Malacca.

But to take the slave colonies generally, it is probable that seven-eighths (7/8) of the population, at the lowest computation, are slaves. In some of these colonies, there are legislative assemblies, whose consent is necessary for giving validity to enactments touching local slaves. In the colonies immediately governed by the Crown, the local governments and the courts of justice have corresponding powers and jurisdiction to meet the case.

Slavery

Slavery violates fundamental principles. The inviolability of property rests upon original free occupancy of that which rightfully belonged to no other person at the period of such occupancy. No man can, without absolute violence, disturb another in the quiet enjoyment, and much less dispossess him of what nature has conferred upon him equally with his fellows, so long as he enjoys his possession without infringing the rights of others, which are equally sacred. The laws which regulate slavery are exceptions to the general principles of our national code; however expedient or necessary they may be esteemed, they set at naught that which men enjoying the pure sanctions of English law consider as their indefeasible birthright. This law is chartered to the inhabitants of Malacca without exception. The only modifications which are provided for, affect religious scruples or native customs, not involving the fundamental principles of a law, which is intended to respect the just and natural rights of every man.

I cannot discover anything in His Majesty's letters patent, under which authority this court was established at Malacca, that recognizes any distinctions between man and man. If I comprehend the terms of the charter, no individual (unexceptionably) may be barred of his natural rights by the local or contingent privileges of others. The rights and liberty of none may be violated with impunity; none may be restrained or molested, except by the paramount and affirmative exigencies of these laws, which in England are applicable, with undistinguishing rigour, to all ranks and denominations.

Malacca, 17 November 1829.

(signed) S. Garling.

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Enclosure (C).

Mr. Garling's MINUTE, 17 November 1829.

THE recognition of the legality of local slavery at Malacca appears to me to involve considerable difficulties.

By the 14th section of the Act 5 Geo. 4, c. 113, I may, under licence from the chief civil authority, &c., remove my slave by land, or coastwise, to any other part of the territory of Malacca; I may, moreover, carry my slaves to Prince of Wales Island, or to Singapore, and if Malacca shall be dismembered from this incorporated Government, and united with the Supreme Government, then to Calcutta; I may settle at any of these places with all my slaves about me; all this in defiance of His Majesty's navy, of the magistracy of the courts of justice, and of any local law or treaties.

I shall have the right to treat my slaves as slaves are treated in slave colonies; our charter cannot recognize the one and prohibit the other principle.

To meet the requirement of the 14th and 17th sections of the Act, would introduce a very anomalous measure under the control of a court of judicature, in the pure exercise of the chartered powers conferred by the letters patent of 27th November 1826. I am not singular in this opinion. In the secretary's letter of the 9th January last, Enclosure (D), replying to a communication from me, whereby a declaration under the hands of two magistrates, that after the transfer of the place to the Dutch, a register was again taken by that Government in 1819, was brought to the notice of the honourable Board, I am advised that "Government is decidedly of opinion that slavery has not in any shape a legal existence at Malacca; no proviso whatever is made for its continuance by the treaty of transfer; and it is not, as in the West Indies, recognized by Act of Parliament, or by any local law made under sanction of the Legislature," it is a fair conclusion, that had an application been made, the Governor's licence would have been refused, as no recognized registry could be produced, and therefore a certificate was unprocurable, and the port clearance could not be indorsed.

If slavery be legal, it follows that in default of other sufficient assets, on the execution of a writ of *fi. fa.*, the sheriff must seize slaves, if there be any. I cannot imagine that the learned Recorder would silently witness a public sale of slaves by the sheriff.

Again, if local slavery be legal, the 37th section must be applicable; so far as concerns the letter of the law, injustice is done to the slave-owners by not opening a registry for inserting the infants born to the slaves of those individuals who have not signed, or do not acknowledge the general operation of the emancipating document of 6th December 1819, noticed in the President's minute.

Malacca, 17 November 1829.

(signed) S. Garling.

Enclosure (D).

Mr. Garling's MINUTE, 17 November 1829.

ON the 24th December 1828 I addressed the secretary, transmitting "copy of a letter received from the justice of the peace," see Enclosure (E), and the following reply was received by me:—

To the Honourable S. Garling, Esq., Resident Councillor, Malacca.

Sir,

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter, No. 469, dated 24th ultimo, and to acquaint you that the question of slavery

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No. 469.

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is properly a judicial one, and may be eventually discussed by the court. The Government is decidedly of opinion that slavery has not, in any shape, a legal existence at Malacca; no proviso whatever is made for its continuance by the treaty of transfer, and it is not, as in the West Indies, recognized by Act of Parliament, or by any local law made under sanction of the Legislature. Justices of the peace are responsible for their acts to the superior court, and must act under that liability in respect to applications for the punishment and re-delivery of slaves; but, in the opinion of Government, no force or restraint can be legally exerted. The question will be referred to the law officer at Calcutta.

Fort Cornwallis, 9 January 1829.

(signed) *J. W. Salmond,*
Acts Depy Secy to Govt.

The above was written just six months after the recorder had publicly stated his opinion as noted in Enclosure (H).

Malacca, 17 November 1829.

(signed) *S. Garling.*

Enclosure (E).

Mr. *Garling's* MINUTE, 17 November 1829.

THE letter of the justices of the peace, referred to in Enclosure (D), and upon which the secretary framed his letter No. , of 9th January last, was as follows:—

To the Honourable *Samuel Garling*, Esq., Resident Councillor.

Sir,

WE have the honour to return the proposed police regulations; the original document being so full and complete in all points, we have but few remarks to make, and those are more peculiarly applicable to this station.

We have refrained from making any remarks in the proposed regulations on a subject which we beg leave to bring to the notice of the court, and on which we require particular orders.

It appears by late Acts of the Legislature that the traffic in slaves has been abolished, but we are not aware by these Acts that slavery is also abolished, or that such persons that were unfortunately slaves have by these Acts been manumitted; on the contrary, in all the West India islands slavery still exists, and all that the Legislature has been able to accomplish has been to ameliorate their condition. The town and territories of Malacca are different from Prince of Wales Island and Singapore. When these two stations were taken possession of by our Government, rules and regulations were expressly made, amongst which was provided, that slavery should not be recognized by the law. Malacca is an extremely old and ancient colony, and has been possessed by different European powers for above three centuries, during which period slavery has always been allowed. When the English had possession of it, from 1795 to 1818, slaves were recognized, registers were kept, and transfers of them from one person to another were made before the officers of Government.

After the transfer of the place to the Dutch, a register was again taken by that Government in 1819.

Having these facts before us, and being aware that the subject involves the property of a numerous class of the native community, there being at least 2,000 slaves in Malacca, we would wish to have orders to act upon, more especially as it has already become a subject brought for our decision, and is naturally daily increasing to a great extent.

We feel an indecision in judging of cases where the master brings a slave to the police for punishment, proving that he deserved it; by awarding a punishment, we, in fact, would be recognizing the right of the master to the slave, and, on the other hand, to permit such acts to go unpunished would be encouraging the slaves to oppose their masters.

(signed) *T. Church.*
W. T. Lewis.

Malacca, 22 December 1828.

The three last paragraphs deserve particular notice.

1st. The act of registering the slaves is clearly recorded.

2d. The agitation, the daily increasing of the question, some weeks, if not months, previous to the Recorder's last visit to Malacca, and therefore long prior to the date on which it is pretended that either the missionaries or myself exercised any direct or personal interference, is distinctly stated.

3d. The magistrates report to Government the embarrassment under which they labour. I abstain from all comment on these particulars.

Malacca, 17 November 1829.

(signed) *S. Garling.*

Enclosure (F).

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(Documents.)Mr. *Garling's* MINUTE, 17 November 1829.

NEAR the end of the month of March last certain gentlemen were appointed, at a meeting of the inhabitants of this place, to wait upon the Recorder, with a view to ascertain his sentiments on the subject of the Orphan Chamber and local slavery.

The learned Recorder, I was informed, advised the deputation that slavery was repugnant to the existing laws, and that he recommended them to rid themselves of their embarrassment as speedily as practicable, by converting their slaves into debtors.

The agitation of the question received its first local direct impulse from the above correspondence.

(signed) *S. Garling.*

Malacca, 17 November 1829.

Enclosure (G).

Mr. *Garling's* MINUTE, 17 November 1829.

AT the latter end of March last two women applied to the Recorder, stating that they were held in slavery, and begging for freedom.

The question not coming before him in a regular judicial way, the Recorder wished to avoid judicial notice of it; however, he told the women, in a general way, that they might go where they pleased, and that they might not be molested.

Upon this principle I have acted when cases have been forced upon my notice.

When it is intended to burden me with the responsibility of assuming unwarrantable authority, and being the first agitator of the question, it will be well to consider the above incident, and to bear in mind that this application of the two slaves, and the communication between the Recorder and the deputies of the community, Enclosure (F), occurred prior to the date on which it is pretended that I had any personal connexion whatever with the question of local slavery.

(signed) *S. Garling.*

Malacca, 17 November 1829.

Enclosure (H).

Mr. *Garling's* MINUTE, 17 November 1829.

THE circumstances under which I first felt myself called upon personally to interfere were as follows:

In the early part of last April, a few days subsequent to the Recorder's departure from Malacca, my notice was drawn to the circumstance of a woman, called a slave, named Camooning, who complained of ill-treatment, and said that she had applied to the Recorder, and that, contrary to his directions, she had been compelled to return to her master's service. My advice was, so far as I can now remember, that the woman should make her regular complaint before the magistrate; I heard nothing more for a day or two, when I was again referred to; I then took an opportunity of seeing the woman.

She told me that she had applied to the Recorder for her freedom, and that she was told that she might go whither she pleased, without let or hindrance from any one: that she was not quit of the precincts of the court-house, when she was summoned to the police-office, where she was brought before Mr. Lewis and confronted with her master: that Mr. Lewis shortly after ordered her to be detained while he waited upon the Recorder: that soon after he returned, and citing the authority, and using the name of the Recorder, Mr. Lewis remanded her back to her master's house, under escort of a police peon: that as she clearly understood what the Recorder told her, she was persuaded that violence was now done to her; but that as the police magistrate was the individual who had conducted the affair, it was in vain to expect further redress from him, and that she was fearful of the constable and peons.

I immediately stepped over to the police-office and conferred with Mr. Lewis. He admitted the case, so far as his sending her back upon the warrant of the Recorder was concerned. I repeated to him what I had formerly suggested as a principle of decision in such cases. Finding Mr. Lewis resolved to maintain the principle by which the woman was remanded to her master, I quitted the office with the determination to refer the business to Penang, in order to ascertain in how far the Recorder really did sanction such a use of his name, and such principles of connection.

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I utterly deny that I ordered Mr. Lewis to release the woman, or that I contemplated such an order; this I state to meet the charge in Mr. Lewis's letter of the 13th instant, which I have only this day perused.

While I was in the act of drafting my letter, I received a note from Mr. Lewis. I cannot remember the particulars of my reply, but it is probable that Mr. Lewis can produce it. However I might express my opinion or my wishes, he certainly received no order on the subject: even supposing my note an official document, I question very much if it will hold him out in any avowal of my ordering him to release the woman; he replied that he had "spoken to her master, who declared to him that when he took her from the police-office, he told the woman to go about her business, but that she begged to stay (and that she had been permitted to remain at the hazard of her mistress being poisoned)." The master returned home to send the woman away, but found that she had already quitted the premises; how has Mr. Lewis the assurance now to speak of recommending the master to let the woman go, with the hopes of future redress?

The next morning I had an interview with Mr. Lewis; he inquired in what capacity I addressed him on the subject of Camooning? I told him as police magistrate, and that if he were not disposed to act upon the principles I had communicated to him, I would refer the subject to Penang.

I again deny that I gave any order. If Mr. Lewis questioned the propriety of the principles, he should freely have said so, and have advised me that he should act upon them at my responsibility, and have demanded a written order. In this case I should have referred the matter for decision.

Mr. Lewis understands business too well to warrant the supposition that he would view as binding a mere verbal communication of opinion and wishes at variance with his own, on a subject of such peculiar interest.

Malacca, 17 November 1829.

(signed) S. Garling.

Enclosure (I).

MINUTE of Mr. Garling, 17 November 1829.

THE two depositions referred to are as follows:

1. Runga Same appeared before me and declares, that about 12 days ago, Mootoo, a man slave [certificate produced], left his house without any reason.

[Question put to Mootoo.] Had you any cause of complaint?—No; only that he wanted his freedom.

Runga Same states, that Mootoo went to Rev. Mr. Smith, who gave him a note to the Resident, and that the man came back, and said that he had the Resident's orders to consider himself free. This declaration was made before me, William Thomas Lewis, one of His Majesty's Justices of the Peace, as the declarant hopes to recover damages when the court of justice should be open at Malacca.

Given under my hand 11 May 1829.

(signed) W. T. Lewis, J. P.

2. Abdullah, of Trankerah, appeared before me to complain that a slave man, named Salamat, left him eight days ago [certificate of a very produced], and that he went away without any provocation; that the Rev. Mr. Smith gave Salamat a note to the Resident; that the Resident told him he was at liberty to be free; that declarant has requested to make this statement, hoping to be able to recover payment for his property.

Before me, this 11th May 1829.

(signed) W. T. Lewis, J. P.

The above declarations only require the oaths of Runga Same and Abdullah to complete their originality.

A verbal communication, or a note to my address, would have had some practical effect; as matters were, I felt at a loss to account for Mr. Lewis's proceedings.

Malacca, 17 November 1829.

(signed) S. Garling.

Enclosure (K).

Mr. Garling's MINUTE, 17 November 1829.

A VERY unfriendly, and, I conceive, a very groundless feeling against the missionaries has been excited in this place, whereby their usefulness has been retarded, and odium cast upon their name. The following incident will show that such a feeling was not discouraged by Mr Lewis, as police or committing magistrate.

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A young woman, named Rosetta, absconded from the house of one of the clerks in the pay of Government, near the latter end of April last; she was, in fact, the cousin of this clerk, being the issue of intercourse between the deceased uncle (or near relation) of the clerk and his slave woman. Rosetta had been seen in the company of one of the missionaries. The clerk, by whose instigation I know not, charged the servant of this missionary with misdemeanor, for abducting his ward Rosetta. Happening to enter the police-office, I saw the Act 9 Geo. 4, c. 74, lying open on the table before Mr. Lewis, who gravely pointed out to me the 68th section.

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The clerk was put upon his oath, but prevaricated in his statement; an attempt was made to implicate the missionary, but it utterly failed. The charge against his servant could not be supported. The girl's age was a necessary inquiry; a register was appealed to and produced; not the baptismal register,—for I do not remember that he professed to have had her baptized, or in any way educated her in the rudiments of the Christian faith,—but the old Dutch register of slaves. There appeared, however, some discrepancy between the name of Margareta on the slave register and that of Rosetta, her own name; proof of wardship was to be adduced; the will of the clerk's deceased relative was produced, and search was made in that part which speaks of the distribution of slaves, but in vain.

Bad as this case was, Mr. Lewis had so resolved the matter in his own mind, that previous to recording the particulars on oath, he turned to the missionary, who was present throughout the examination, and before the police establishment in attendance he lectured and attempted to browbeat that gentleman. It is true that this did not occur before me, but the gentleman told me of it in office, and if Mr. Lewis thinks the charge unjust, the gentleman is now in Malacca to speak of himself. All this gentleman could do was to challenge Mr. Lewis to the proof of his groundless allegations.

If conduct like this does not excite indignation, and most pointedly evince the feelings which actuated Mr. Lewis towards the missionaries, I know not what can.

The above incidents exhibit so gross a violation of decorum, that I cannot refrain from reminding the Honourable President that Mr. Lewis is the magistrate who entered his protest, which was delivered to the judges in open court, against the demand which I made for the production of certain depositions taken by him. I am rather more induced to make this remark, because, during the present sessions, in the case of *The King versus Permaul*, for embezzling a sum of money belonging to his master, Mr. Lewis admitted that, for a short period after the complaint had been laid, he did not take judicial cognizance of the case, with the hope that the parties would compromise; and immediately, when asked if he took bail after taking down the depositions, he replied that he had not, and that if bail had been offered, he does not think that he should have accepted it in a case so felonious; and it was proved that the amount embezzled was produced before Mr. Lewis by the defendant's friends, and that with his knowledge (I do not say with his magisterial concurrence), the same was paid over to Permaul's employer.

I am aware that this has no immediate concern with the case in hand; but I cite it because it will evince that Mr. Lewis's sensibility on points of official etiquette can rise or fall with the occasion, and because it will show that Mr. Lewis, in the instance of his protest, not to say in his general bearing equally as in his conduct towards the missionary in the case cited, regulates his proceedings more by individual pique than by broad principle.

Malacca, 17 November 1829.

(signed) S. Garling.

Enclosure (L).

Mr. Garling's MINUTE, 17 November 1829.

It is not clear to me upon what evidence it is assumed that the emancipatory document of 6th December 1819 was "looked to as a general law," since, by the very terms of the document, it is a list of subscribers. "The subscribers only are legally bound."

I am aware that the subscribers to the slave petition, noticed in my minute of the 2d instant, write, "And your petitioners had, by their own free act, made a resolution to the Netherlands Government, that all children born of slaves should be free."

Here I must remark,

- 1st. Such an assertion is binding upon those only who sign the petition.
- 2d. The petitioners would prove too much, as they mean to say, "that all children born of slaves, from and after the day of the date of the list, viz., 6th December 1819, should be free."
- 3d. A document, creeping mysteriously about the settlement for signatures, cannot be viewed as conveying the sense of an ignorant community.
- 4th. From a case somewhat analogous, which occurred about three years back, I have a right to infer that many who signed the paper did not know its detailed contents.
- 5th. The agency of the active managers of the petition would find it no difficult task to induce many to sacrifice contingent and precarious claims.

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6th. It is probable that some not observing another register open, had no intention of assuming an avowed claim to the children of their slaves, and therefore in signing the petition did not consider that they made any practical sacrifice.

And, lastly, the petition states what, from the 3d paragraph of Mr. Lewis's letter of the 13th instant, is likely to be at variance with matter of fact, as there mention is made of seven boys and five girls born, who are added to the register closed December 1820.

There is, I am of opinion, sufficient evidence that local slavery was not practically on the decline, and that it would not easily have merged, if things were left to themselves. But supposing, on the contrary, things could not be left to themselves, sooner or later the question would force itself upon the court, as it already caused much embarrassment to the magistrates, and the minds of the people were unsettled.

Malacca, 17 November 1829.

(signed) S. Garling.

Enclosure (M).

Mr. Garling's MINUTE, 17 November 1829.

My opinion of the general treatment of the slaves at Malacca is somewhat different from that of the Honourable President.

Believing that the Dutch community (as a body, but not individually) are not chargeable with enormities at this day, I would cheerfully avoid all exciting remarks; but as I apprehend that the gentle treatment of the slaves, and the humane determination of the 6th December 1819, are adduced to show that all interference in the present system of things was needless pragmatism, I feel myself compelled to meet the case.

That the subscribers to the slave petition should speak of the "comforts" which the slaves forfeit by seeking their liberty, and should declare "the real truth, that these people have been treated more as children than slaves," is not surprising,—they speak of themselves. That Mr. Lewis, in his letter of the 28th ultimo, should support them almost verbatim, by stating "I am confident in asserting that they are in general treated more as children than as slaves," is not surprising; the persons eulogized are the active managers of the secret address in his favour, noted in my minute of the 2d and the 11th instant.

Before I can subscribe to such an opinion, I must cast from my mind the remembrance of the cries which I have heard, and the mental degradation, the rags and the wretchedness, the bruises, the contused eye, and even burns which I have witnessed; I must blot adultery from the calendar of vices, I must disbelieve the numerous proofs which I have had of the obstacles opposed to regular marriages, and the consignment, irregular connexions of the slaves, and the general humiliation of the females, and I must put away every idea of the modes of punishment of which eye-witnesses have given me an account; and the short jacket must no longer be deemed a peculiar badge of female slavery. The only alternative is, that I must suppose these people will treat their children as they do their slaves,—an absurdity too gross to suppose.

When comparisons are made between the general treatment of slaves at Malacca and the general treatment of slaves in slave colonies, I will cheerfully subscribe to the declaration, that the misery of the slave colonies has no parallel in this place as a system. But when the apologists speak of people seeking their freedom, as forgetting the "comforts" of slavery, when they would assume that slaves are treated with patriarchal affection, they are either very simple, or they trifle with the supposed simplicity of others.

Malacca, 17 November 1829

(signed) S. Garling.

Enclosure (N).

Mr. Garling's Minute, 17 November 1829.

THERE are crimes on the calendar which might have been settled by the magistrates in quarter sessions, and I ascribe the length of the calendar more to the thoughtlessness of the committing magistrate than to the increasing enormity of crimes.

Of the 12 slaves the charge against one was ignored by the grand jury, three more were found "not guilty" by the petit jury, leaving eight convictions.

The Honourable President will bear in mind that the charge of larceny against Balli was supported only by a tissue of perjury, and that the police constable stood at the head of the list. It was manifest not only that Balli was not guilty of the larceny charged against her, but that no larceny whatever was committed.

The eight convictions stood thus :

LARCENY.

**E. I. Company and
Board of Control.
(Documents.)**

19. I therefore left the point to be settled by the higher authorities, and refused either the master or the slave, excepting in cases of breaches of the peace, which were regularly brought up by me (as sitting magistrate) to the quarter sessions.

20. The gentleman to whom the slave belonged, which had caused the Resident to interfere, was persuaded by me to submit for that present time, and until he could apply for redress.

But be this as it may, I deny that Mr. Lewis had any order from me that I know to liberate Camooning. I was drafting a letter to Mr. Lewis (the rough copy of which I still possess) preparatory to referring the whole question to Penang, when I received a note from him, expressing a desire that I should see him at all events before I addressed him officially. What were the specific contents of my reply, I do not now remember; but Mr. Lewis has my full permission to produce the note. His answer to my reply was to the following purport: that "he spoke to the gentleman, who went home to send the woman away, but I found she was gone; that this gentleman declared to Mr. Lewis, that when he took the woman from the police-office, he told her to go about her business." Mr. Lewis repeated this to me the next morning at a personal conference. By this it would seem, that several days before I knew anything of Camooning or of her complaint, her master had liberated her. There is certainly a discrepancy between the purport of Mr. Lewis's letter of the 13th November 1829, and that of his note and of his verbal communication to me seven months previously. I have the means of refreshing this gentleman's memory on this eventful incident of Camooning.

Paragraphs 21 and 22. I need not add to what I have already said in my minute.

Paragraph 23. One of the missionary gentlemen (Mr. Smith) was very active in supporting the slaves against their masters, and a servant belonging to him was continually seen in the town aiding and abetting the slaves to go to his master for redress.

This I consider as an aspersion of the sacred character of an absent missionary. The warrant may be similar to that which justified Mr. Lewis's conduct towards another missionary in the police-office, (see Enclosure (K.))

On the whole, I give it as my firm conviction, that had there subsisted a proper understanding between the Police Magistrate and the Resident; had Mr. Lewis conducted himself with that decorum and ingenuousness, which became his relative station, instead of adopting the frigid and doubtful principles which seem to have regulated his bearing towards me for some months past, the present embarrassment as regards the nature of my communications with that gentleman, together with much of that which has been otherwise experienced, might have been avoided.

(signed) *Samuel Garling.*

Malacca, 17 November 1829.

Resolved, That all the letters, minutes and other documents recently recorded, having reference to the question of slavery at this settlement, be transcribed and kept ready for transmission to the Supreme Government.

GOVERNMENT OF MALACCA.

REGISTRY OF SLAVES ABOVE EIGHT YEARS OF AGE.

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	The Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Tangong	f.	Java	33	Juliana Vaas	- - - -	- - - -	- - died on the 22nd Sept. 1823.		
Jala	m.	Bongies	44	J. Tondman.					
Diana, with her son	f.	Bainbas	40	(Widow) Le Febre.					
Tom	m.	ditto	12	- ditto.					
Beicho	m.	ditto	9	- ditto.					
Pamela	f.	Betta	20	Mr. Gordon.					
September	m.	ditto	19	- ditto.					
Overwagt	m.	Nias	23	Mr. G. L. Baumgarten.					
Pontyang	m.	Manasobo	16	- ditto.					
Lubyn	m.	Malabar	40	- ditto.					
Komoning	f.	Malacca	12	- ditto.					
Bintang	f.	ditto	31	- ditto	sold to Sieure Ting Long				- - sailed to Samarang; absconded.
Klara	f.	Bally	19	- ditto.					
Lydia	f.	Sumatra	32	- ditto.					
Manbarak	m.	Atcheen	16	- ditto.					
Saida	f.	ditto	21	- ditto.					
Domina	f.	Banta	37	Walbeem.					
Pakun	f.	Boetong	25	- ditto.					
Bernaldo	m.	Malacca	25	- ditto					absconded.
Slamat	m.	Batoebara	45	- ditto.					
Rozetta	f.	ditto	50	(Widow) Geuks.					
Alexander	m.	Malacca	25	- ditto.					
Johan	m.	ditto	20	- ditto.					
Francisco	f.	ditto	10	- ditto.					
Rozetta	f.	Sambawa	40	{ - (Widow) Schelke, for the undivided estate - - - }	- - sold to themselves, 17 August 1822.				
Flora	f.	Solo	30						
Jonas	m.	Sambawa	32						
January	m.	Batoebara	41	Mr. Valberg			14 Jan. 1820.		
Felida	f.	ditto	32	- ditto.					
Boy	m.	ditto	12	- ditto			6 Jan. 1825.		
Tac	m.	ditto	9	- ditto.					
Lathey	f.	ditto	50	H. Valberg			12 Ap. 1820.		
December	m.	ditto	16	- ditto	emancipated.				
La Fleur	m.	Malay	10	J. B. De Wind.					
Manis	f.	Bongese	60	(Widow) Jonson.					
Lea	f.	Bontan	35	Gregorie de Souza.					
Lucas	m.	Sambawa	16	- ditto.					
Markas	m.	Bontan	16	- ditto.					
August	m.	Battabara	25	- ditto.					
Florissa	f.	Ballee	17	- ditto.					
September	m.	Borneo	23	Jacob Dries.					
Phelies	m.	Sambawa	22	- ditto.					
Philida	f.	Ballee	21	- ditto.					
Jonas	m.	ditto	18	- ditto.					
Fortuin	m.	Sambawa	19	- ditto.					
Pamela	f.	Siam	35	(Widow) Guzeior.					
Hector	m.	Malay	27	(Widow) Greys.					
Batyo	m.	Bongese	48	- ditto.					
Lectyoen	m.	ditto	30	- ditto.					
Appol	m.	Malay	20	- ditto.					
Ontong	m.	ditto	25	- ditto.					
October	m.	Battabura	30	- ditto.					
Joseph	m.	Coffree	40	- ditto.					
Anthony	m.	Malay	30	- ditto					run away.
Felix	m.	ditto	40	- ditto.					
November	m.	Battobura	50	- ditto			10 July 1820.		
Princes	m.	Malay	50	- ditto.					
Tummee	m.	Malacca	8	- ditto.					
Rozina	f.	Malay	19	- ditto.					
Amilia	f.	ditto	20	- ditto.					
Beitya	f.	ditto	21	- ditto.					
Florinda	f.	ditto	45	- ditto.					
Rozetta	f.	Malacca	19	- ditto.					
Floris	m.	Wandar	30	(Widow) Mulder.					
Maart	m.	Siam	50	(Widow) Fester.					
Tonjong	f.	Batobara	40	Daniel Kock.					
Domina	f.	Malacca	9	- ditto.					
Bitang	f.	Begese	30	- ditto.					
Roojsje	f.	Battobara	35	- ditto.					
Koordong	m.	ditto	25	- ditto.					
Lirhim	m.	Bugese	20	- ditto					run away.
November	m.	Battobara	20	- ditto	sold to Lodwy Koo.				
Trissong	m.	ditto	30	- ditto	sold to Bulet				run away.
Mawar	f.	Malacca	16	(Widow) Tessensohn.					
Bainga	f.	ditto	8	- ditto.					
Maart	m.	Battobara	50	- ditto.					
Jasmina	f.	Bugese	41	- ditto.					
Ontong	m.	Sambawa	18	Doctor Sangers.					
Ontong	m.	Battobara	16	- ditto.					
Pamela	f.	Botan	20	- ditto.					
Roojsje	f.	Malacca	18	(Widow) Bodensteya	- - transferred to the Re-				- - sailed to Batavia.
Mey	m.	Acheen	20	J. H. Overree.	sident.				

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	The Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Corridon	m.	Malacca	23	J. H. Overree				run away.	
Lydia	f.	Bugese	43	- ditto.					
Soenting	f.	ditto	23	- ditto.					
Rosmond	f.	Boton	23	- ditto.					
Herodus	m.	Battobara	14	- ditto.					
October	m.	Timor	45	G. Duterich.					
Luisa	f.	Malacca	82	- ditto.					
December	m.	ditto	25	- ditto.					
Saldana	f.	Bugese	24	- ditto.					
Silvia	f.	ditto	85	- ditto.					
Jappa	m.	Balty	20	Gostelow.					
Rozetta	f.	Batobara	35	- ditto.					
Si Seinting	f.	Battobara	40	(Widow) Kisselaar.					
Tarjong	f.	Malay	25	P. Overrie.					
January	m.	ditto	26	- ditto.					
Bapa Mart	m.	ditto	45	- ditto.					
Sophia	f.	Ceylon	50	- ditto.					
Diana	f.	Battobara	30	(Widow) Meyna.					
Jonas	m.	ditto	24	(Widow) Diets geb.					
August	m.	ditto	36	Wonters.					
Daphine	f.	ditto	40	(Widow) A. Gouns.					
January	m.	ditto	45	- ditto.					
Araeman	m.	Malabar	50	- ditto.					
Domina	f.	Battobara	38	(Widow) Schilling.					
Josina	f.	Malacca	9	- ditto.					
Floris	m.	ditto	11	- ditto	-- sold to Widow Bo-				
Mey	m.	Battobara	50	Autje Hansen.	densteyn, 29 April 1822.				
Pamela	f.	Sambawa	38	Lewis.					
Teja	f.	ditto	45	Joan de Souza.					
Spadille	m.	Mangry	22	Felicia Gomis.					
Jarmina	f.	Malay	19	G. Kerwell.					
Marco	m.	ditto	30	- ditto					
Fortuin	m.	Battobara	34	Philisio de Souza			9 Dec. 1820.	run away.	
October	m.	Mangoy	55	- ditto.					
Pamela	f.	Bally	35	- ditto.					
Rosina	f.	Botong	35	- ditto.					
Rabba	f.	Malacca	8	Majolan.					
Mawar	f.	Siam	72	Jacob Rappa	emancipated.				
Outong	m.	ditto	52	- ditto	- ditto.				
Aras	m.	Sambawa	43	- ditto.					
Juny	m.	Malacca	40	- ditto.					
Aliova	f.	Borneo	32	Mrs. Wihur, wife of Pictors.					
Rosmond	f.	Malacca	18	- ditto.					
Mawar	f.	Battobara	25	Mulla, wife of H. Rappa.					
Joesina	f.	Borneo	40	J. W. Baumgarten.					
Sointing	f.	Bageese	35	- ditto.					
Galatia	f.	Marcassar	22	- ditto.					
Cicro	m.	Sambawa	23	- ditto.					
Jonas	m.	Battobara	22	- ditto.					
July	m.	Nias	24	- ditto				run away.	
Tonbeeg	m.	Timor	25	- ditto				ditto.	
Tipoe	m.	Basso	22	- ditto				ditto.	
Flora	f.	Bugese	30	(Widow) Matheas.					
Joimat	m.	Bally	12	- ditto.					
Sanie	f.	Malacca	23	Hajee Abdubrahim.					
Se Nayik	m.	Assaham	35	- ditto.					
Solun	f.	Battara	20	Mr. Brooks.					
Lydia	f.	Battobara	19	- ditto.					
Dick	m.	Malacca	12	- ditto.					
August	m.	Battobara	16	- ditto.					
Batta	f.	ditto	45	Tan Chinty.					
Laytjain	m.	ditto	14	- ditto.					
Laytjan	m.	Botan	22	- ditto.					
Tan Kim	f.	ditto	25	Tan Roo Nio.					
Jupiter	m.	Mandar	9	(Widow) Kerm.					
Bintang	f.	Coffre	26	Hendrick Jacobs			died.		
Moojoo	m.	Fauny	20	Roy Soy Sim.					
Lytjain	m.	ditto	18	- ditto.					
Manis	f.	Balla	42	(Widow) Overree.					
Casar	f.	Malacca	60	(Widow) Wisterhout				run away.	
Manis	f.	Battobara	60	- ditto.					
Ledia	f.	Malacca	44	- ditto.					
Maria	f.	ditto	30	- ditto				run away.	
Rehae	m.	ditto	40	- ditto.					
Kalong	m.	ditto	28	- ditto				run away.	
November	m.	Siac	45	- ditto.					
Camies	m.	Malacca	26	- ditto				run away.	
Klemin	f.	ditto	20	- ditto					
Patna	f.	ditto	15	- ditto.					
Juno	f.	ditto	11	- ditto.					
Minerva	f.	ditto	8	- ditto.					
Daniel	m.	Bugese	23	- ditto				run away.	
Filis	f.	ditto	24	- ditto.					
Flora	f.	Siam	50	(Widow) Rilian					
Anthony	m.	Malacca	22	- ditto.					
Thomie	m.	ditto	18	- ditto					
Candusa	f.	Botan	55	- ditto.				run away.	
Ontong	m.	Battabara	42	John De Souza.					
Tang Lay	m.	ditto	26	Soy Kim.					
Tjin Po	m.	ditto	16	- ditto.					
Tjain Boy	f.	Baley	30	Sie Elian.					
Gantic	f.	Battobara	40	Le Boun.					
Jena	f.	Malay	25	Ro J. Anio.					

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	The Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements
NAMES.	Caste.	Native Country.							
Pamela	f.	Macassa	25	Jan Overree.					
Flora	f.	Banca	35	- ditto.					
Augustus	m.	Sambara	25	- ditto.					
Domina	f.	Borneo	16	S. De Souza		15 Feb. a boy.			
Jasmina	f.	Bagese	30	- ditto.					
Fortune	m.	Ambon	20	- ditto.					
Hassim	m.	Banka	50	- ditto.					
Floris	m.	Assaham	25	- ditto.					
Paulo	m.	Bagese	28	- ditto.					
Lytjae	m.	Battabara	30	Tan Galan.					
Laytjin	m.	Bagese	26	Tan Boenian.					
Layhim	m.	Malay	28	- ditto.					
Sindian	f.	Solo	30	- ditto.					
See Birkat	m.	Bally	16	- ditto.					
Si Bully	m.	ditto	26	- ditto.					
Lytian	m.	Battobara	26	Lie Hein.					
Dopat	m.	Quida	40	(Widow) Ko Tam Nio.					
Tjinkoy	f.	ditto	30	- ditto.					
Buda	f.	ditto	25	- ditto.					
Kamanga	f.	Baley	24	Tyichong.					
Barroo	f.	Mangry	40	Chia Chic Nio.					
Sambana	f.	Malay	60	- ditto.					
Meloor	f.	Batabarra	44	Churowhay.					
Laychon	m.	Malacca	11	- ditto.					
Floris	m.	Batobarra	18	(Widow) Rodrigas.					
Bandar	f.	Mandar	30	- ditto.					
Corinda	f.	Bugese	30	(Widow) Romaldo.					
Joan	m.	Mander	40	De Souza.					
Felix	m.	Borneo	15	G. Wilner.					
Barras	f.	Battebura	50	(Sawn) Seng Nio, (Widow) Tan Holo.					
Dolla	m.	Malacca	20	- ditto.					
Katjan	f.	ditto	18	- ditto.					
Aydin	f.	Botoebarra	37	- ditto.					
Bongha	f.	Malay	40	- ditto.					
Chion Kio	f.	Batoebarra	40	- ditto.					
Haris	m.	Malacca	20	- ditto.					
Ching Koy	f.	Batoebarra	20	- ditto.					
Choonly	f.	Mangory	40	Tan Tilo.					
Lie Sejit	m.	Bally	17	- ditto.					
Batta	f.	Batoebarra	-	Tokeen Nio.					
Chinpo	m.	ditto	15	Leri Sotee.					
Choobang	f.	Borneo	21	- ditto.					
Cananga	f.	Bongies	37	Tin Pee Nio, (Widow) Tyan Ting.					
Lychen	m.	Sambawa	23	Tyatony He.					
Dapoor	f.	Malacca	12	- ditto.					
Owihe	m.	Sambawa	22	Seam Loong.					
Ambat	f.	ditto	22	- ditto.					
Manis	f.	Bongies	16	Tyay Leang.					
Choi Hian	f.	Mangary	18	Tan Ching.					
Jimpang	f.	Batoebarra	19	Tan Kiang.					
Tjoclay	f.	Mandor	22	Tan Hoguan.					
Boyboa	f.	Bally	25	Jow Kingho.					
Dapot	m.	Bongies	22	Poa Fiam.					
Bangha	f.	Solo	18	- ditto.					
Kermoy	f.	Batoebarra	33	Lowguan.					
Lytjin	m.	Malacca	8½	- ditto.					
Francis	m.	Manary	31	Abdul Raehman.					
Bletong	m.	Bally	18	The Tjeem Tean.					
Baxo	m.	ditto	27	- ditto.					
Quegoa	f.	ditto	30	- ditto.					
Ton Kooy	f.	Mangany	28	Tan Bon Tjoin.					
Haillian	f.	ditto	27	- ditto.					
Bawe	m.	Batoebarra	25	- ditto.					
Mingo	m.	ditto	26	- ditto.					
Tuna	m.	ditto	30	- ditto					
Flora	f.	Balambaya	18	Manuel Francis.			17 Oct. 1819.		
September	m.	Batoebarra	40	Co de Souza.					
Jasson	m.	ditto	25	- ditto.					
Chooly	f.	Bally	20	Chan Soen.					
Poobay	f.	Sambawa	21	- ditto.					
Barroo	f.	Mangary	30	Tjan Hiara.					
Lawha	f.	Battoebarra	22	Lum Gonewan.					
Tjoento	f.	Malay	35	Tjoa Koci He.					
Tjoenkim	f.	Malacca	17	- ditto.					
Siac	m.	ditto	9	- ditto.					
Latjoen	m.	Bally	15	- ditto.					
Tangoa	f.	Boogis	30	Te Hie.					
Goat Hiang	f.	Malacca	12	- ditto.					
Chayae	m.	Sambawa	28	A. J. Weiderhold.					
Jack	m.	Bima	16	- ditto.					
Filida	f.	Bally	26	- ditto.					
Tanjong	f.	Sambawa	18	- ditto.					
Tjo Goat	f.	Batoebarra	40	Tja Kio.					
Lay Tiarn	m.	Malacca	21	- ditto.					
Ham	f.	Batoebarra	28	- ditto.					
Leyseen	m.	ditto	35	(Widow) Ko Say.					
Tan Kio	f.	ditto	25	- ditto.					
Tan Kio	f.	Boogies	22	Nio Tjing Liang.					
Laychem	m.	Batebara	26	Tjoo Bee.					
Soelatri	f.	Bally	20	Goe Tiam.					
Tam Kim	f.	Batoebarra	28	Koo Konw.					
Chinsoon	m.	ditto	30	Lewen.					
Soenly	f.	Boogees	20	Tjing Lok.					

(continued)

CORRESPONDENCE ON THE SLAVE TRADE,

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	The Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Maart	m.	Batoebara	22	Wilhim Wesbirgen.					
April	m.	Batta	30	Leander Robbig.					
October	m.	Boegas	40	- ditto.					
Rosjee	f.	ditto	39	- ditto.					
Simey	f.	Batoebara	30	Tanqu & Tan	- - sold to Said Ois-				
Tjim Hoert	m.	Bally	21	Koog	- - Jain Apsie.				
Johanis	m.	Malay	32	Migel de Rozaira.					
Barro	f.	Sambawa	45	Niamtan.					
Kim Kio	f.	Bantony	35	- ditto.					
Poete	f.	Sambas	18	Hehourinio.					
Chinty	f.	Mangary	20	- ditto.					
Layhim	m.	Batta	23	Koe Tingsia.					
Centong	m.	Batoebara	42	Tja Tong Hie.					
Chooynet	f.	Mangary	20	- ditto.					
Manies	f.	Batta	38	- ditto.					
Laytjou	m.	Malacca	14	- ditto.					
Beentjee	f.	ditto	9	- ditto.					
Monies	f.	Bonton	31	(Widow).					
Tjoerno	f.	Batta	30	Ong Song Boog	- - Ong Song Boog sold to Tjoe Tjon Long, who transferred				
Koog	f.	Malacca	9	- ditto.	to Mr. H. S. Van Son.				
Sietie	f.	Boogees	40	- ditto.					
Kim Kio	f.	Mandar	35	Combay Nio.					
Tjoenay	f.	Batoebara	38	Ong The Soey.					
Chintee	f.	Assahan	24	Hing Chong.					
Tjintjay	m.	Bally	25	Tan Boen Pong.					
Lay Hoen	f.	Batta	14	Nio Tjing Liong.					
Tjan Lay	f.	ditto	30	Tjeuw Soernan Nio, (Widow) Liem Pay.					
Ginhua, alias Sam- bour.	f.	Sambawa	30	The Him Hin.					
Tjoenkiok	f.	Batta	45	Tong Hgt. Nio.					
Rokio	f.	ditto	25	Anthony de Rozaira.					
Boyawakuer, alias Tjong Boog.	f.	ditto	18	Cho Sacy.					
Tjoen Lye	f.	ditto	20	The Tjing Nio	- - - - -		14 Oct. 1818.		
Itong	m.	Malacca	10	- ditto	- - - transferred to Mr.			- - sailed to	
Meloor	f.	Bally	30	Any Ingoean.	J. H. Vahberg.			Batavia.	
Cananga	f.	Boogees	25	Joseph Minas	- - - - -		died.		
Catharina	f.	Mangary	25	- ditto.					
Castonie	f.	Botany	30	- ditto	- - - transferred to Mr.		19 Mar. 1823.		- - taken to
					H. S. Van Son.		a child or boy.		Batavia by
Rosia	f.	Macasser	37	- ditto.					Captain De
September	m.	Boogees	16	- ditto.					Hau.
Augustus	m.	ditto	16	- ditto.					
Amelia	f.	ditto	12	- ditto.					
Venus	m.	ditto	18						
Jonas	m.	ditto	16	A. Minjoot.					
Flories	m.	Batta	42	ditto					absconded.
Damon	m.	ditto	36	ditto.					
Apol	m.	Manicolo	30	ditto.					
Loba	m.	Batta	45	ditto.					
Seideck	f.	Ballee	22	Catharina Rock.					
December	m.	Batta	20	ditto.					
April	m.	ditto	40	ditto.					
Ontong	m.	ditto	44	ditto					absconded.
Manar	f.	Mandar	20	ditto.					
Alima	f.	Batta	36	ditto.					
Rosina	f.	Malay	46	ditto.					
Melor	f.	Ballee	25	(Widow) Moser.					
Satira	f.	Malacca	40	(Widow) Roetenbeck	emancipated.				
Camis	m.	ditto	8	ditto.					
Domingo	m.	Batta	19	Albirt Jonatan					absconded.
Lei Siam	m.	ditto	34	Lei Guan.					
Laytoen	m.	ditto	12	ditto.					
Barro	f.	Ballee	32	Lie King Wary.					
Le Hoeat	m.	Malacca	9	ditto.					
Fortuna	m.	Nias	16	Pedro Francisco Silva.					
Rosemond	f.	Assahan	22	Dirk Hoedi.					
November	m.	ditto	30	ditto.					
Dociet	f.	Malacca	18	Annastacia Lodrigus.					
Kim Hoea	f.	Sambawa	25	Go Ing Nio.					
Manies	f.	Mangry	40	ditto.					
Lia Hoea	f.	Sambawa	30	ditto.					
Tjing Tjay	m.	Lingor	18	Coowan.					
Ratena	f.	Boogees	28	Jerlipa Plee.					
Datang	m.	Batta	40	ditto.					
Cavanga	f.	Ballee	25	Tayleme.					
Song Hy	f.	Boogees	36	Lie Tjing	- - sold to Que Suenio.				
Meloor	f.	ditto	32	Tjoa Samnio.					
Tankio	f.	Batta	60	Tjoa Soe Nio.					
Lay Ling	m.	ditto	30	Tan Soen Soey.					
Batta	f.	ditto	27	ditto.					
Casela	f.	Macassar	40	John De Souza.					
Lenua	f.	Batta	24	Tan Gay.					
Kaloot	f.	Malay	40	Tjoe Ingnio.					
Hua	f.	Batta	42	ditto.					
Meloor	f.	ditto	38	ditto.					
Benije	f.	Malacca	20	ditto.					
Bocang	m.	ditto	10	ditto.					
Kimboca	f.	Malay	30	Ko Ing Nio.					
Milate	f.	Batta	45	Tjan Zwaat Nio.					
Tjin Tjay	m.	Malacca	16	ditto.					
Sabooy	f.	Ballee	32	Hoo Tjeown Nio.					
Lay Tong	m.	Malacca	9	ditto.					

AND MEASURES TAKEN FOR ITS ABOLITION.

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	The Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Burket	m.	Batta	30	Adjee Mamat	} transferred to Tjang Modelia		absconded,	2 Aug. 1822.	
Sampvirna	m.	Malacca	8	- ditto -					
Tankion	m.	Boogees	30	Hun te gin.					
Boengo	f.	Bootong	29	- ditto.					
Beesso	f.	Mangry	20	- ditto.					
Moejoor	m.	Batta	31	- ditto.					
Tjoen Hoea	f.	ditto	30	Koe Olam.					
Tjin Tjeiy	m.	Boogees	20	ditto.					
Salmia	m.	Batta	25	Sali Mahamut Lebbe.					
Ismael	m.	ditto	35	- ditto.					
Amber	m.	ditto	12	- ditto.					
Basier	m.	ditto	10	- ditto.					
Mahoboet	m.	ditto	9	- ditto.					
Baine	m.	Sambawa	35	Ong The Soey.					
Koey Hoe	f.	Bootong	32	Krow Rehoet.			14 Sep. 1820.		
Alim	m.	Siac	18	- ditto					
Kim Hoea	f.	Banclar	30	- ditto.					
Tjimpo	m.	Malacca	10	- ditto.					
Tjoe Koey	f.	Boogees	30	Lo Ing Nio.					
Pangot	f.	Mangry	33	Thiong Key.					
Jooley	f.	ditto	40	- ditto.					
Ijoea Hoca	f.	Batta	40	Tjoen Oean.					
Kintjoen	m.	ditto	17	Gow Goean Nio.					
Lyteam	m.	Manicola	16	Lie Fjow Nio.					
Tjiemhaia	f.	Batta	30	- ditto.					
Borkat	m.	ditto	35	Oey Ong Nio.					
Mveyhow	f.	Banka	37	- ditto.					
Tjoe Hoea	f.	Batta	25	Hoe Bouw.					
Ijelay	m.	ditto	22	- ditto.					
Rim Hoea	f.	Mangry	21	Chio Nio.					
Rozetta	f.	Siam	46	(Widow) Lafebre.					
Nayhe	m.	Boogees	30	Tan Siem.					
Laysing	m.	Siac	27	- ditto.					
Labay	m.	Malacca	12	- ditto.					
Tjoe Goent	f.	Batta	32	Tan Sio Nio.					
Meloor	f.	Mangry	40	Koo Hiang Nio.					
Tangley	f.	Batta	40	Tan Bentjee.					
Tpin Tjay	m.	Siac	12	- ditto.					
Le Heen	m.	Batta	30	- ditto.					
Kim Kiok	f.	Boetan	26	Toca Nio.					
Batta	f.	Batta	40	- ditto.					
Kin Hoea	f.	ditto	17	- ditto.					
Chimpaca	f.	Banjar	18	Ohinio.					
Boenga	f.	Batta	35	Tan Bentjee.					
Gani	m.	-	12	- ditto.					
Ontong	m.	Batta	42	- ditto.					
November	m.	ditto	30	Jacob Minjoob.					
Boonga	f.	Bally	30	Tjon Kim Tjoean.					
Tjin Tjay	m.	Batta	35	- ditto.					
Lay Sing	m.	ditto	32	- ditto.					
Tan Lay	f.	ditto	30	- ditto.					
Boenga	f.	ditto	27	Pedonab Patties.					
Mooto	m.	ditto	30	- ditto.					
Tanjong	m.	ditto	35	- ditto.					
Jumahad	m.	Mangary	22	- ditto.					
Mange	f.	Macassa	30	Terewenadu Plee.					
Moete	f.	-	11	- ditto.					
Ietjimana	m.	Batta	35	- ditto.					
Tany Lay	f.	ditto	40	Koehewng Nio.					
Kananga	f.	ditto	38	- ditto.					
Le Hong	f.	-	9	- ditto.					
Lay Tjien	m.	Sambara	22	Que Sacy Nio.					
Tjay Lain	f.	Bally	28	Nonia Chean.					
Tjin Tjoin	m.	-	9	- ditto.					
Meloor	f.	Mangary	25	Joze de Cotta.					
November	m.	Batta	21	Pedro Schelkes.					
Doovma	f.	Panray	22	- ditto.					
Ontong	m.	Batta	30	Pelloo.					
Ko Hoy	f.	ditto	45	Koo Sivey Kim.					
Kim Tong	m.	Mangary	20	Koo King Ing.					
Ipelan	f.	Boogees	35	- ditto.					
Sinlay	f.	ditto	20	Roy King Man.					
Chinchy	m.	Boetong	32	Liem Boon Paua.					
Tamkin	f.	ditto	35	- ditto.					
Castoory	f.	Mangary	25	Kadar Tomby.					
Melaty	f.	ditto	30	- ditto.					
Tanakeel	m.	Boetong	18	Mina Nina.					
Basso	m.	Boogees	35	Abdul Pauny					
Semila	m.	Sambawa	40	- ditto.	} sold to Intje Leha.				
Camis	m.	Boogees	15	Nina Ciu Chekadeer.					
Boenga	f.	Manicola	25	- ditto.					
Ontong	m.	Batta	31	Kaltip Ahmet.					
Burket	m.	ditto	26	Tomby Ilaeni Inche Samat.					
Tamboon	m.	ditto	34	Dal Raho.					
Tumbu	m.	ditto	30	- ditto.					
Toea	f.	Bally	14	- ditto.					
Laba	m.	ditto	12	- ditto.					
Manis	f.	Batta	30	Teo Lang Gay.					
Le Hien	m.	Sambawa	22	Tan Hogican.					
Ontong	m.	Batta	52	Joze de Rozaina.					
Baroe	m.	Panny	18	Siterio Pornis	} sold to Dutereah.				
Mirjan	m.	Malabar	40	Mohamed Arivin.					
Berkat	m.	Batta	32	Mohamed Arivin.					

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NAMES.	Caste.	Native Country.							
Moejoor	m.	Batta	30	Mohamed Arivin.					
Hamat	m.	ditto	34	- ditto.					
Roboo	f.	ditto	33	- ditto.					
Miloor	f.	ditto	12	- ditto.					
Sada	f.	Rawa	40	- ditto.					
Kembang	f.	ditto	35	- ditto.					
Ijimpaka	f.	Malacca	10	- ditto.					
Sadia	f.	ditto	12	- ditto.					
Agim	m.	ditto	8	- ditto.					
Johar	m.	Padang	45	- ditto.					
Alves	m.	Rawa	32	- ditto.					
Poasa	m.	Malacca	9	- ditto.					
Nassip	m.	Manicolo	28	- ditto.					
Ambar	m.	Malabar	14	- ditto.					
Milate	f.	Bawa	35	- ditto.					
Rejap	m.	ditto	13	- ditto.					
Sawal	m.	Malacca	9	- ditto.					
Ontong	m.	Batta	31	Mohamat Mira libe Apil.					
Gantie	f.	ditto	36	Intje Brahim	- - sold to Chua Char- kiat; re-sold to Mr. Van Son.			- - departed with their master to Batavia.	
Manies	f.	ditto	9	- ditto.					
Flories	m.	ditto	40	(Widow) Paumanier.					
October	m.	Boogees	24	Mekilla de Souza.					
Aliema	f.	Boetong	35	(Widow) Weeringen.					
Le Kian	m.	Bally	13	Lauw Pay Liang.					
Bay Hoa	f.	ditto	28	- ditto.					
Lay Tjoen	m.	Sambawa	16	Gan Biauko.					
Pono	f.	Mangary	50	Jamalia.					
Tan Kim	f.	Boogees	30	Kim Kie Nil.					
Tjim Po	m.	Manicola	40	Tjia Boencks.					
Lay Hoen	f.	Sambawa	16	Tan Palembang.					
Lay Tjoen	m.	ditto	15	- ditto.					
Gio Bay	f.	Boogees	25	Gouw Khan Nio.					
Nina	f.	ditto	30	- ditto.					
Tjin Tja	m.	Batta	32	- ditto.					
Tjsoegat	f.	ditto	35	Kow Kiam Nio.					
Lay Heen	m.	ditto	40	Lie ag Nio.					
Lay Jjo	m.	ditto	14	The Soean Nio.					
Lay Tiam	m.	ditto	25	- ditto.					
Tan Lay	f.	ditto	30	Jjan Song Nio.					
Tjew Po	m.	Malay	20	Kew Tjoe Nio.					
Mey	f.	Borneo	40	Oemat bin Abdool Marem.					
Tuggo	m.	Batta	32	Howel.					
Manies	f.	ditto	30	Intje Soelong Compong Java.					
Ontong	m.	ditto	27	- ditto.					
Dapat	m.	ditto	30	- ditto					deserted.
Ontong	m.	Mandur	25	Vissien Oessoe.					
Rehan	m.	Sambawa	31	- ditto.					
Hadjee	m.	ditto	25	- ditto.					
Heirman	m.	Malabar	40	- ditto.					
Poasa	m.	Sambawa	18	- ditto.					
Noor	f.	Bally	18	- ditto.					
Tan Koog	f.	Batta	24	Hing Owan.					
Chinchien	m.	ditto	23	- ditto.					
Jjin Tjoen	m.	ditto	35	- ditto.					
Chim Lay	f.	Boogees	30	Jjoin Soean Nio.					
Gio Boiy	f.	ditto	38	- ditto.					
Meloor	f.	Borneo	26	Seedoe Malim.					
Ambarat	m.	Boogees	15	- ditto.					
Slamat	m.	Bally	20	- ditto.					
Sauwal	m.	Batta	14	Cadeer Tamby.					
Sie Laha	m.	ditto	31	Sempha Chegha.					
Meloor	f.	ditto	33	- ditto.					
Said	m.	Malacca	8	- ditto.					
Kammies	m.	Batta	35	- ditto.					
Thomas	m.	ditto	12	Mr. J. U. Baumgarten.					
Moejoor	m.	ditto	25	Francisco de Silva.					
Lahat	m.	Mandar	20	- ditto.					
Renga	m.	Batta	25	Sambong Plee.					
Moejoor	m.	ditto	27	Oei Kong Soen.					
Que Loa	f.	ditto	40	- ditto.					
Tjoe Goeat	f.	Bally	30	- ditto.					
Barroe	f.	Sambawa	27	Indje Maiden.					
Nilan	m.	Batta	16	Abdulla bin Abdul Adjies.					
Salmin	m.	ditto	8	- ditto.					
Soerie	f.	ditto	11	- ditto.					
Baso	m.	Boogees	25	Intje Boeso bin Abdul Mohid.					
Salmen	m.	Banjaar	20	- ditto.					
Simpong	f.	Batta	50	Mohamat Peiree Tanjong.					
Jobor	m.	ditto	13	- ditto.					
Ambao	m.	ditto	11	- ditto.					
Moejoor	m.	ditto	9	- ditto.					
Ganti	f.	Magary	40	Hoan Him.					
Cassie	f.	Maasser	26	Janies Partridge.					
Dopat	m.	Magary	25	Shiper Mall.					
Rejab	m.	Sambawa	25	Mamat Japhar bin Ibrahim					
Dal Raman	m.	ditto	21	- ditto.					
Sidin	m.	Mampawa	22	- ditto.					
Aloes	f.	Mangary	19	- ditto.					
Mallo	m.	Boogees	30	Kio Tjan Hin.					
Sogai	m.	Batta	24	- ditto.					
Slamat	m.	ditto	20	- ditto.					
Lay Hiang	f.	Bally	22	Low Jieuw Nio.					
Boy Koa	f.	Batta	24	- ditto.					

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NAMES.	Caste.	Native Country.							
Meloor	f.	Boogees	35	Low Jiew Nio.					
Tjin Tjoin	m.	ditto	12	- ditto.					
Gie Tjoa	m.	ditto	8	Koaw Ing Nio.					
Tjoen Koei	f.	Bally	35	Ko Koeg Nio.					
Toea	m.	ditto	52	Ko Ing Ko.					
Itam	f.	ditto	18	- ditto.					
Bally	f.	ditto	22	- ditto.					
Itam	f.	ditto	14	- ditto.					
Tjior Tjuy	m.	ditto	15	- ditto.					
Tang Lay	f.	ditto	45	Ko Ing Siang.					
Lay Tjoen	m.	ditto	13	- ditto.					
Kang Gio	f.	Batta	-	Jaun In Nio.					
Malatie	f.	ditto	-	Tan Payko.					
Ontong	m.	ditto	-	- ditto.					
Barroo	f.	Mangary	-	- ditto.					
Lay Hoe	m.	Batta	30	Tan Boen Goean.					
Lin Kay	f.	Boogees	36	Tan Hy.					
Lyoe	m.	ditto	14	- ditto.					
Ontong	m.	ditto	16	- ditto.					
Tjieuw Hoe	f.	ditto	24	- ditto.					
Patani	m.	Bally	20	Vengdasen Chitty.					
Lechemano	m.	Boogees	15	- ditto.					
Chipan	f.	Mangary	35	Chaa Hy Choo.					
Berkat	m.	Batta	15	Mira Abe bin Marikan.					
Jasmina	f.	Boogees	45	Mr. J. Hendricks.					
Satira	f.	Batta	32	- ditto.					
July	m.	Borneo	14	- ditto.					
Floris	m.	Batta	15	- ditto.					
Rozetta	f.	Malacca	36	Dorothea Minjoot					
Batta	f.	Batta	37	Tong San.					
Lay Hien	m.	ditto	18	- ditto.					
Kananga	f.	ditto	32	Kouu Tiam Nio.					
Mingo	f.	ditto	12	Tan Kimko.					
Tong Hoea	f.	ditto	36	Tjan Bintjei.					
Choenly	f.	ditto	40	Ko Kong Lieng.					
Ballie	f.	Bally	20	- ditto.					
Moejoor	m.	Batta	32	Intja Assan bin Soeran.					
Ontong	m.	Bally	33	- ditto.					
Nehemat	m.	Batta	32	Intje Typan.					
Tanjong	f.	ditto	25	- ditto.					
Moerga	m.	ditto	62	Itam Naykeer.					
Ontong	m.	Bally	45	- ditto.					
Renga	m.	Batta	26	- ditto.					
Tjoen Kim	f.	Boogees	42	Tjoa Tio Huin.					
Dopat	m.	Batta	35	Roe Tjue Lian.					
Ta	m.	Malacca	11	Tan Toranlue.					
Slamat	m.	ditto	30	Intje Abdul Adpiis.					
Tang Boy	f.	Batta	25	The Gonio.					
Layik	m.	ditto	30	Lim Kay Nio.					
Bonot	m.	ditto	21	- Intje Sam bin Intje Lake.	- - transferred to A. Minjoot.				
Ambar	m.	Nagoor	21	Mohamat Togeer.					
Barroo	m.	Batta	30	Team.					
Lima	f.	Banjaar	32	Tan Bintjan.					
Mebarrah	m.	Batta	23	Chey Oemar.					
The Seer	m.	ditto	28	- ditto.					
Maboebok	f.	ditto	33	- ditto.					
Toekal	m.	Malacca	10	- ditto.					
Flora	f.	Botan	41	Arkanjode Graca.					
Cantan	m.	Manicolo	50	Che Bibie					run away.
Tun Lag	f.	Malay	30	Law Lignio.					
Bazeer	m.	Malacca	10	-					
Sabar	m.	Batta	19	Abdul Brahim bin Jamal.					
Auroman	m.	Nagoor	15	- ditto.					
Mirjan	m.	Manicolo	16	Aboe Coker bin Slamar.					
Shema	f.	Macassar	30	Mariam Bibee Meerache.					
Pannie	f.	Batta	25	- ditto.					
Datang	m.	ditto	25	Hadjee bin Brahim.					
Lay Hoen	m.	ditto	30	Tjie Ijoen Leo.					
Kiem Hoa	f.	ditto	35	- ditto.					
Nassip	m.	Manicolo	30	Mohamat Nina Ben Mohamet Tayer.					
Batta	f.	Batta	32	Chineve Ghee.					
Tjin Tjay	m.	ditto	12	Chan Tannish	- - transferred to Lo-				
Cheekim	f.	Mangary	32	Sow-Kinho.	dewyk-on, 29 November				
Tjun D°	m.	Malacca	10	- ditto.	1822.				
Tan Hoen	f.	Bally	30	Soan Joey Nio.					
Tjue Lay	f.	ditto	35	Tan Soey Kim.					
Katjong	m.	Malacca	10	- ditto.					
Goeat Koey	f.	Malay	30	Koen Ing Nio.					
Koeroca	m.	ditto	10	- ditto.					
Tjuegoeat	f.	Batta	25	Tan Soey Ing.					
Moetie	f.	Mandar	28	Ana Mootie.					
Renga	m.	Batta	27	Tiele	- emancipated.				
Mangi	f.	Mandar	32	- ditto.					
Ijoen Koey	f.	Boogees	50	Ong Tay Lo.					
Boenga	f.	ditto	15	- ditto.					
Pe Boog	f.	ditto	30	- ditto.					
Melatie	f.	Batta	30	Assam bin Piersap.					
Slamat	m.	Sambawa	15	- ditto.					
Poru	f.	Batta	27	Dalla bin Manda.					
Pienda	f.	Partiana	40	- ditto.					
Ketjoet	m.	Malacca	20	- ditto.					
Selaman	f.	Borneo	30	- ditto.					

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NAMES.	Caste.	Native Country.							
Kananga	f.	Malay	30	Amar Pringet.					
Aliema	f.	Mangary	29	Mohamet Alie.					
Tjin Tjay	m.	Batta	18	Tjoa Soen Ho.					
Batta	f.	ditto	18	- ditto.					
Balie	m.	Mangary	30	Ko Ing Siong.					
Layhoe	m.	Malay	25	- ditto.					
Birna	f.	Boogees	35	- ditto.					
Tan Piok	f.	Bally	33	- ditto.					
Lyn Hoer	f.	Sambawa	20	- ditto.					
Baengha	f.	Malay	40	- ditto.					
Lay Liam	m.	Bally	15	- ditto.					
Pocassa	f.	Malay	13	- ditto.					
Ontong	m.	Batta	28	Tjan Oey Liem.					
Tan Kio	f.	ditto	29	- ditto.					
Slamat	m.	ditto	34	- ditto.					
Kim Hoea	f.	ditto	32	- ditto.					
Jn Tjoey	m.	Malacca	10	- ditto.					
Mange	f.	Minto	27	Nina bin Chandoo.					
Slamat	m.	Batta	20	Dulrasib bin Sam.					
Baive	f.	Bally	27	Petang Plie.					
Sayma	f.	ditto	25	- ditto.					
Datang	m.	ditto	26	- ditto.					
Ontong	m.	ditto	35	- ditto.					
Panjong	m.	ditto	29	- ditto.					
Meloor	f.	Boton	35	Ketjee Pariana.					
Datang	m.	Bally	12	Hadjee Abdul.					
Simpang	f.	Batta	32	Tan Liem Nio.					
Ontong	m.	ditto	28	Tjoa Tjong Beeng.					
Dopat	m.	Bally	12	- ditto.					
Goeat Koev	f.	ditto	25	- ditto.					
Mirjan	m.	Batta	24	Mahomet Ibrahim.					
Tan Kim	f.	ditto	34	Tan Toean Lin.					
Lay Pjin	m.	ditto	18	- ditto.					
Kin Hoea	f.	Rhooa	32	- ditto - - -	-- sold to Mr. C. Neubronner.				
Moser	m.	Batta	35	Abdul bin Mohamat.					
Poondo	m.	Bally	12	- ditto.					
Seida	f.	Sambawa	38	Oemaes bin Mohamat Libe.					
Meloor	f.	ditto	20	- ditto.					
Ambar	m.	ditto	12	- ditto.					
Manies	f.	Malay	35	Abas bin Abdul Carem	transferred to Alie bin Caremo.				
Mamoet	m.	ditto	12	- ditto - - -	transferred to Samsoedin bin Astor				
Leija	f.	ditto	12	- ditto - - -	- transferred to Oessein bin Mamat Jolu.				
Semin	f.	Batta	32	Tja Long Nio.					
Lotong	f.	Malay	35	Wasseher Badepa.					
Moerga	m.	Batoebara	24	Hoemarapa.					
Selamat	m.	ditto	17	Povadie.					
Lay Pieam	m.	Batta	20	Houw Jjoen Hiam.					
Toekal	m.	Manicola	30	Mohamat bin Assam.					
Jonas	m.	Mampawa	18	Euzebio Lobo.					
Tjungko	m.	Boogees	35	Tio Tjong Beeng.					
Barro	m.	Batta	20	Tan Tioev Hei.					
Lay Hoo	m.	ditto	30	Liem Hoeay Jjien.					
Lay Kian	m.	ditto	15	- ditto.					
Bogee	m.	Boogees	25	Allopa Play.					
Renga	m.	Batta	26	Ranapa Naikcer.					
Lay Hoo	m.	ditto	23	Tan Tionko.					
Ontong	m.	ditto	25	Marie Mootrie.					
Manies	f.	ditto	18	Koe Koe.					
Siepan	f.	Babian	32	- ditto - - -	-- sold to W. Van Veenharzen.				
Rosie	f.	Batta	50	Huberta Van Bragt	-- sold to Mr. Schonermark.				-- with her master to Batavia.
Tonking	f.	Malacca	18	- ditto - - -	- ditto - - -				ditto.
Pedro	m.	ditto	17	- ditto - - -	- ditto - - -				ditto.
Tripong	m.	Batta	40	- ditto - - -	liberated.				-- transferred to Schonermark.
Fortuin	m.	Siam	50	- ditto - - -	- ditto.				
Theunis	m.	Batta	60	- ditto - - -	- ditto.				
Domina	f.	Bally	28	- ditto - - -	- ditto.				
Solinda	f.	Malabar	50	- ditto - - -	- ditto - - -				- N.B.—With her four children, Wat, Nieuws, Jona Introedo, Hatira; this last will be free in 16 years.
Aliedo	f.	Batta	26	- ditto - - -	-- sold to Miss L. Van Bragt.				
Solatre	f.	Boogees	30	- ditto - - -	-- sold to Van Kervel,				
Cananga	f.	Mandar	40	- ditto.	31 August 1822.				-- one and a half-year, 24 July 1823;
Souday	m.	ditto	13	- ditto - - -	-- sold to Master H. Van Bragt.				Solatre got a boy July, 9 May 1824 born a daughter, Tidja.
Mangal	m.	Malacca	8	- ditto - - -	- ditto.				
Tanjong	f.	Batta	33	- ditto - - -	sold to Mr. Westerhout.				
Jonas	m.	Mangary	31	- ditto.					
Termeen	m.	Botan	28	- ditto - - -	- - - - -				1 Jan. 1820.
Joze	m.	Bally	25	- ditto - - -	Mr. Van Son - - -				-- sailed to Batavia.
Delvia	f.	ditto	24	- ditto.					ditto.
Melaty	f.	Boogees	40	- ditto - - -	liberated - - -				ditto.
Poongoot	f.	Malacca	20	- ditto - - -	-- sold to Mr. Schonermark.				born - - -
October	m.	Malay	28	- ditto - - -	sold to Mr. Westerhout.				
Maunday	m.	Singa	30	- ditto - - -	sold to Mr. Van Kervel,				31 Aug. 1822
Peiroe	m.	ditto	24	- ditto - - -	- - - - -				ditto.
Servina	f.	Malabar	45	Anthony Hecker.					absconded.
Alieda	f.	Malay	47	- ditto.					
Roesina	f.	Batta	26	- ditto.					
Apo	m.	Mangary	26	- ditto.					

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	The Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Onverwacht	m	Batta	25	Anthony Hecher.					
Pamela	f.	ditto	51	- ditto.					
September	m.	ditto	13	- ditto - - -				absconded.	
Amelia	f.	Malay	27	- ditto.					
Daphne	f.	ditto	13	- ditto - - -	sold to Resident, 7 Jan. 1825.			- - sailed to Batavia.	
Onlong	m.	Batta	15	- ditto.					
Tjin Po	m.	ditto	11	Ang Tja I-ang.					
Bally	m.	Bally	20	Tjin Kongtjaen.					
Poengot	f.	ditto	15	- ditto.					
Kananga	f.	Batta	30	Tan Koveing.					
Jjaen Shoea	f.	Sambawa	25	- ditto.					
Sambawa	f.	ditto	31	- ditto.					
Batta	f.	Batta	16	- ditto.					
Leuwat	m.	ditto	14	- ditto.					
Jjoekiem	f.	ditto	40	- ditto - - -			11Feb.1821.		
Agillis	m.	Malay	37	A. A. Velge.					
Sait	m.	Popoe	23	- ditto.					
Johor	m.	Coffer	31	- ditto.					
Plato	m.	Sambawa	17	- ditto.					
Pluto	m.	Boogees	14	- ditto.					
Jasson	m.	Batta	12	- ditto.					
Vryday	m.	Boogees	10	- ditto.					
Brahim	m.	Reoun	32	- ditto.					
Jasmina	f.	Malacca	26	- ditto.					
Felida	f.	Batta	41	- ditto.					
Florinda	f.	Malacca	8	- ditto.					
Solienda	f.	ditto	39	- ditto.					
Cicero	m.	ditto	12	- ditto.					
Mina	f.	Mangary	30	- ditto.					
Soenting	f.	Bally	16	- ditto.					
Solatri	f.	Batta	17	- ditto.					
Melatrie	f.	Borneo	16	- ditto - - -			died.		
Matra	f.	Malacca	8	- ditto.					
Basso	m.	Boogees	35	- ditto.					
Layong	m.	Botan	30	Tan Tin Hok.					
Layang	f.	ditto	30	- ditto.					
Leetjoen	m.	Batta	35	- ditto.					
Layhoea	f.	ditto	25	- ditto.					
Tjin Tjoen	m.	Malacca	9	- ditto.					
Tormingo	m.	Macao	40	Hendrick Kraal.					
Thom	m.	Malacca	9	- ditto.					
Paulo	m.	Malabar	15	- ditto.					
Joseph	m.	ditto	50	- ditto.					
Johan	m.	Timoor	50	- ditto.					
Demingos	m.	Assahan	13	- ditto.					
April	m.	Batta	45	- ditto.					
July	m.	ditto	36	- ditto.					
Furtuin	m.	ditto	35	- ditto.					
Maun	m.	Sambawa	36	- ditto.					
Dapat	m.	Batta	26	- ditto.					
Thomas	m.	Sambawa	20	- ditto.					
Jacinto	m.	Coffee	50	- ditto.					
Louisa	f.	ditto	36	- ditto.					
Thomazie	f.	ditto	8	- ditto.					
Rockia	f.	Bally	35	- ditto.					
Phillidia	f.	ditto	38	- ditto.					
Rosemon	f.	Batta	38	- ditto.					
Fanny	f.	Malay	30	- ditto.					
Middah	f.	Macassar	25	- ditto.					
Snippentjo	f.	ditto	30	- ditto - - -					
Rosee	f.	Boogees	30	- ditto.					
Manies	f.	Siac	50	- ditto.					
Sleman	m.	Malacca	14	- ditto.					
Tallep	m.	ditto	10	- ditto.					
Manar	f.	Malabar	50	- ditto.					
Delfina	f.	Malacca	10	- ditto.					
Poetatja	f.	ditto	20	- ditto.					
Doca Docit	m.	ditto	12	- ditto.					
Joze	m.	Timoor	30	- ditto.					
Barkat	m.	Batta	17	Ahjee Cebe bin Mira Plee					
Ontong	m.	ditto	28	Intje Japha.					
Balsamina	f.	Malabar	40	Johannes Lodewykson	sold to Westval	- - sold to Lodewykson.		- - sailed to Rhio with Sebastian Therit.	
Norersa	f.	Malacca	20	- ditto.					
Pluto	m.	ditto	10	- ditto - - -	transferred to Wesval	- - sold to Lodewykson.			
Seba	f.	ditto	8	- ditto.					
Jonas	m.	Siac	18	- ditto.					
October	m.	Malay	20	- ditto.					
Meloor	f.	Coffee	20	- ditto - - -	transferred to Van Son			- - sailed to Batavia.	
Rozetta	f.	Sambawa	28	- ditto.					
January	m.	Batta	25	- ditto.					
Johanna	f.	Malacca	33	- ditto.					
Rasila	f.	ditto	30	- ditto.					
Soenking	f.	ditto	10	- ditto.					
Dapat	m.	Batta	20	Petang Plee.					
Seneen	m.	Boogees	18	Che Maydom			5 Oct.1819.		
Bougies	m.	ditto	20	- ditto.					
Tjinke	f.	ditto	21	- ditto.					
Rosina	f.	Malabar	45	Jan Henrick Stecher.					
Floris	m.	Malacca	20	- ditto - - -				absconded.	
Cidra	m.	ditto	18	- ditto.					
Anne	f.	ditto	16	- ditto.					
Cezar	m.	Boogees	32	- ditto.					
Apol	m.	Batta	22	- ditto.					

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NAMES.	Caste.	Native Country.							
Mina - - -	f.	Malacca -	28	Jan Henrick Stecher -	- - - -	- - - -	- - - -	free.	
Mingo - - -	m.	ditto -	24	- ditto - - - -	- - - -	- - - -	- - - -	ditto.	
Conena - - -	f.	ditto -	19	- ditto - - - -	- - - -	- - - -	- - - -	ditto.	
Doelsina - - -	f.	ditto -	17	- ditto - - - -	- - - -	- - - -	- - - -	ditto.	
Entria - - -	f.	ditto -	11	- ditto - - - -	- - - -	- - - -	- - - -	ditto.	
Roekia - - -	f.	ditto -	9	- ditto - - - -	- - - -	- - - -	- - - -	ditto.	
Paula - - -	f.	Malabar -	51	- ditto.	- - - -	- - - -	- - - -		
Domina - - -	f.	Malacca -	35	- ditto.	- - - -	- - - -	- - - -		
Sophia - - -	f.	ditto -	9	- ditto.	- - - -	- - - -	- - - -		
Alida - - -	f.	ditto -	20	- ditto.	- - - -	- - - -	- - - -		
Bitjue - - -	m.	ditto -	27	- ditto.	- - - -	- - - -	- - - -		
July - - -	m.	Botan -	30	- ditto - - - -	- - - -	- - - -	- - - -	absconded.	
Capido - - -	m.	Sembawa -	15	- ditto - - - -	- - - -	- - - -	- - - -	free.	
Floris - - -	m.	Batta -	50	(Widow) Pavonarius	- - - -	- - - -	13 July 1820.		
Reeto - - -	f.	Malabar -	40	- ditto.	- - - -	- - - -	- - - -		
Clarissa - - -	f.	Malacca -	20	- ditto.	- - - -	- - - -	- - - -		
Aurelia - - -	f.	ditto -	18	- ditto.	- - - -	- - - -	- - - -		
Setie - - -	f.	ditto -	17	- ditto.	- - - -	- - - -	- - - -		
Plieto - - -	m.	ditto -	12	- ditto.	- - - -	- - - -	- - - -		
Jung - - -	m.	ditto -	10	- ditto.	- - - -	- - - -	- - - -		
Sampan - - -	f.	Batta -	27	Oey Kang Long.	- - - -	- - - -	- - - -		
Joeakal - - -	m.	Laupong -	15	Sarboe Achmatsab.	- - - -	- - - -	- - - -		
Almas - - -	m.	Pavia -	18	- ditto.	- - - -	- - - -	- - - -		
Casal - - -	m.	Boogeess -	24	- ditto - - - -	sold to Mohamat Arsat.	- - - -	- - - -		
Moharam - - -	m.	ditto -	15	- ditto.	- - - -	- - - -	- - - -		
Mina - - -	f.	ditto -	28	- ditto.	- - - -	- - - -	- - - -		
Alima - - -	f.	ditto -	10	- ditto.	- - - -	- - - -	- - - -		
Delvia - - -	f.	Borneo -	35	Abraham Keun -	- - - -	-- 14 April	- - - -		
Melatie - - -	f.	Bally -	40	- ditto.	- - - -	1824, a boy	- - - -		
Alex - - -	m.	Boogeess -	30	Isabella Johanna.	- - - -	born 6 April.	- - - -		
Jonas - - -	m.	Borneo -	25	Velge.	- - - -	- - - -	- - - -		
Soelunda - - -	f.	Sambawa -	35	- ditto.	- - - -	- - - -	- - - -		
Had - - -	m.	ditto -	30	Mogeet.	- - - -	- - - -	- - - -		
Ramma - - -	m.	Solo -	30	Angrassa Patur.	- - - -	- - - -	- - - -		
Mange - - -	f.	Batta -	23	- ditto.	- - - -	- - - -	- - - -		
Meloor - - -	f.	ditto -	30	- ditto.	- - - -	- - - -	- - - -		
Linga - - -	m.	ditto -	28	Tjan Kiouw.	- - - -	- - - -	- - - -		
Senoun - - -	f.	Malacca -	17	Lebe Oelvé.	- - - -	- - - -	- - - -		
Sadia - - -	f.	Sambawa -	32	- ditto.	- - - -	- - - -	- - - -		
Nema - - -	f.	ditto -	12	- ditto.	- - - -	- - - -	- - - -		
Sanul - - -	m.	ditto -	10	- ditto.	- - - -	- - - -	- - - -		
Japhar - - -	m.	Malacca -	8	- ditto.	- - - -	- - - -	- - - -		
Usoop - - -	m.	Batta -	18	- ditto.	- - - -	- - - -	- - - -		
Boinga - - -	m.	Boogeess -	20	- ditto - - - -	- - - -	- - - -	- - - -	died.	
Balecaat - - -	m.	Macassar -	24	Tan Sang.	- - - -	- - - -	- - - -		
Ijoepat - - -	m.	Boogeess -	22	- ditto.	- - - -	- - - -	- - - -		
Ganting - - -	m.	ditto -	25	- ditto.	- - - -	- - - -	- - - -		
Bejjicun - - -	m.	Pedang -	15	- ditto.	- - - -	- - - -	- - - -		
Ontong - - -	m.	Batta -	30	- ditto.	- - - -	- - - -	- - - -		
Jambie - - -	m.	Malay -	28	- ditto.	- - - -	- - - -	- - - -		
Lay Tjoin - - -	m.	Padang -	17	- ditto.	- - - -	- - - -	- - - -		
Ijim Tjay - - -	m.	Malay -	35	- ditto.	- - - -	- - - -	- - - -		
Miniea - - -	m.	ditto -	26	- ditto.	- - - -	- - - -	- - - -		
Tjampaka - - -	m.	Boogeess -	24	- ditto.	- - - -	- - - -	- - - -		
October - - -	m.	Batta -	35	Thomas Williamson -	- - - -	- - - -	- - - -	absconded.	
Pedro - - -	m.	Batoabara -	25	- ditto.	- - - -	- - - -	- - - -		
September - - -	m.	Boogeess -	30	- ditto.	- - - -	- - - -	- - - -		
September - - -	m.	ditto -	-	- ditto.	- - - -	- - - -	- - - -		
Jaatem - - -	m.	Batta -	14	- ditto - - - -	- - - -	- - - -	- - - -		
Saidha - - -	f.	ditto -	25	- ditto.	- - - -	- - - -	- - - -		
Diana - - -	f.	Malay -	32	- ditto.	- - - -	- - - -	- - - -		
Rosemond - - -	f.	Batta -	15	- ditto.	- - - -	- - - -	- - - -		
Matra - - -	f.	Boogeess -	20	- ditto.	- - - -	- - - -	- - - -		
Buffaloe - - -	m.	ditto -	15	- ditto.	- - - -	- - - -	- - - -		
Solinda - - -	f.	Malay -	25	- ditto.	- - - -	- - - -	- - - -		
Ontong Kitye - - -	m.	Batta -	16	- ditto.	- - - -	- - - -	- - - -		
Saloman - - -	m.	Malay -	25	- ditto.	- - - -	- - - -	- - - -		
Senoen - - -	m.	Boogeess -	20	Cadie Bamva.	- - - -	- - - -	- - - -		
Zecer - - -	m.	Briman -	20	Oessain Ahonet Sally. ¹	- - - -	- - - -	- - - -		
Soree - - -	f.	Pera -	12	Abdul Mauanbin Ihar.	- - - -	- - - -	- - - -		
Laba - - -	m.	Batta -	13	- ditto.	- - - -	- - - -	- - - -		
Hamis - - -	m.	Malacca -	8	Amminabin Heyman.	- - - -	- - - -	- - - -		
Parakat - - -	m.	ditto -	10	- ditto.	- - - -	- - - -	- - - -		
Tjin Tjay - - -	m.	Batta -	32	Nio Ting Sing.	- - - -	- - - -	- - - -		
Krim Laan - - -	f.	ditto -	36	- ditto.	- - - -	- - - -	- - - -		
Camies - - -	m.	Boogeess -	16	Oessain Irsally.	- - - -	- - - -	- - - -		
Kambang - - -	f.	ditto -	16	- ditto.	- - - -	- - - -	- - - -		
Kavang - - -	m.	Sambawa -	26	Tomby Daot.	- - - -	- - - -	- - - -		
Julia - - -	f.	Malay -	15	P. Overree - - -	- - - -	-- n daughter	- - - -		
Kamies - - -	m.	Batta -	25	Oemar Abdul Hadjee.	- - - -	born 26 Sept.	- - - -		
Miloor - - -	f.	Romoa -	22	- ditto.	- - - -	1824.	- - - -		
Seree - - -	f.	ditto -	16	- ditto.	- - - -	- - - -	- - - -		
Saida - - -	f.	Batta -	20	- ditto.	- - - -	- - - -	- - - -		
Baroo - - -	m.	Boogeess -	18	Che Achmat Bara Loean.	- - - -	- - - -	- - - -		
Said - - -	m.	Kampar -	28	- ditto.	- - - -	- - - -	- - - -		
Seda - - -	f.	ditto -	30	- ditto.	- - - -	- - - -	- - - -		
Sleman - - -	m.	ditto -	19	- ditto.	- - - -	- - - -	- - - -		
Sual - - -	m.	ditto -	8	- ditto.	- - - -	- - - -	- - - -		
Alima - - -	f.	ditto -	17	- ditto - - - -	liberated, 1 Sept. 1828.	- - - -	- - - -		
Moena - - -	f.	ditto -	14	- ditto.	- - - -	- - - -	- - - -		
Mina - - -	f.	ditto -	10	- ditto.	- - - -	- - - -	- - - -		
Tangly - - -	f.	Batta -	24	Lie Oen.	- - - -	- - - -	- - - -		
Tjien Hoea - - -	f.	ditto -	30	Tan Koenko.	- - - -	- - - -	- - - -		

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NAMES.	Caste.	Native Country.							
Slamat	m.	Borneo	35	Abdul Carim Tjina Tambie.					
Batta	m.	Batta	20	- ditto.					
Toca	m.	ditto	20	- ditto - - -	sold to Sali. Sold to Alie			absconded.	
Birkat	m.	Boogees	30	Abdul Karrim China Tambie.					
Trolloh	m.	Batta	30	- ditto.					
Mahatie	f.	ditto	32	- ditto.					
Tupa	f.	Timor	38	- ditto.					
Monies	f.	Bankee	32	- ditto.	-- transferred to Sultan bin Mohamut Tair, 18 Nov. 1890.				
Renda	m.	Borneo	10	- ditto - - -	Transferred to Mahomed bin Hoonodin.				
Andia	f.	Kooboe	50	- ditto.					
Pianda	f.	-	19	- ditto.					
Serie	f.	-	16	- ditto - - -	-- transferred to bin Abdul Karain.				
Salea	f.	-	14	- ditto.					
Bentjool	m.	-	22	- ditto.					
Tankim	f.	Batta	30	Lim Likey.					
Slamat	m.	ditto	35	Annadom Plee.					
Rama	m.	Bally	30	- ditto.					
Mire Plee	m.	Malabar	16	Abdul Cadeer bin Achmatsab.					
Pocassa	m.	Batta	22	- - Abdul Veatnap bin Magden.	-- transferred to Osman.				
Aurman	m.	Pavia	19	ditto - - -	-- transferred to Tahib and Adam.				
Dindar	m.	ditto	18	- ditto.					
Merjan	m.	Lampong	20	- ditto.					
Beeden	m.	Batta	24	- ditto.					
Sahada	f.	ditto	22	- ditto.					
Maschoot	m.	Malay	12	Arrabiu Cheg.					
Merjan	m.	Bally	16	Vernar bin Mohamed Baroloaun.					
Marsuhut	m.	ditto	15	- ditto.					
Siens	f.	ditto	16	- ditto.					
Slama	f.	Sambawa	17	- ditto - - -	-- transferred to Cheg Abdul Rochman Benjoeber, to Chegemar bin Mahomet Baraloan.				
Tiepa	f.	Assahan	40	- ditto.					
Ambar	m.	ditto	18	- ditto.					
Nahira	m.	ditto	14	- ditto.					
Serie	f.	Bally	16	- ditto.					
Gantee	m.	Batta	30	Oey Kay Long.					
Sirpan	f.	ditto	25	- ditto - - -			died.		
Behoa	f.	Boetong	35	- Koe Lien.					
Lay Tjinen	m.	-	12	- ditto.					
Salim	m.	Batta	25	Shaik Abdul Rachman bin Alowie.					
Montjong	m.	Mangary	30	- ditto.					
Boenga	f.	Botang	30	- ditto.					
Meloor	f.	ditto	20	- ditto.					
Slama	f.	Borneo	35	- ditto.					
Achot	m.	Malacca	17	Achmatsab.					
Jewak	m.	Sambawa	40	- ditto - - -	-- sold to Timmerman			-- removed to Rhio with his master. - returned from Rhio.	
Pocasa	m.	Malacca	36	- ditto - - -	-- sold to T. Williamson Borgen.				
Keduk	m.	Boogees	21	- ditto; transferred to D. Kock.	Sold to A. Kwaltor Wapper Miles, Batavia				
Jeireck	m.	Malabar	21	- ditto - - -	-- sold by auction to De Wind.				
Assan	m.	Grisse	22	- ditto.					
Teipa	f.	Borneo	42	- ditto.					
Rosie	f.	Atchen	36	- ditto.					
Naeip	f.	Batta	16	Saiboo.					
Slamat	f.	Boogees	20	- ditto.					
Joemabat	f.	Lampong	26	- ditto.					
Tankim	f.	Batta	35	Tan Oolong.					
Datang	m.	ditto	32	Kauw Kian Ing.					
Poelot	f.	Malacca	12	- ditto.					
Ijoe Goeat	f.	Batta	30	- ditto.					
Tan Kio	f.	ditto	35	Ong Ke Tjeany.					
Sander	m.	Boogees	18	Andiko Gonsalvo.					
Sabiena	f.	Java	35	- ditto.					
Meissen	m.	Siac	30	Chey Madeiar.					
Oima	m.	Malabar	19	- ditto - - -	-- sold to Kraal for Waper Miles, Batavia.				
Tjambo	f.	ditto	30	- ditto.					
Senin	f.	Boogees	32	- ditto - - -	sold to Diephaisen.				
Seida	f.	-	10	- ditto.					
Eerjo	m.	Sambawa	-	Hadje Peria Tambie.					
Marias	f.	ditto	-	- ditto.					
Tenkoey	f.	Batta	-	Tan Giong.					
Milan	m.	Bally	18	Bauwa Adam.					
Mana	m.	ditto	40	- ditto.					
Rajap	m.	Farra	20	- ditto.					
Nanang	f.	Boogees	50	Hamina Ibene.					
Beze	f.	Malacca	20	Slayman.					
Soelee	f.	ditto	18	- ditto.					
Bedoeica	f.	ditto	15	- ditto.					
Berkat	m.	Bally	25	Seidoe Nina, alias Tambie Bezar.					
Merohoot	m.	Batta	20	- ditto.					
Boeyong	m.	Rana	35	- ditto.					
Dalla	m.	Boogees	20	- ditto.					
Sahada	f.	Botong	30	- ditto.					
Maries	f.	Batta	20	- ditto.					
Tjoenang	f.	ditto	50	Gery Tian.					
Boeyong	m.	Jamby	20	Asan bin Abdul.					
Slamat	m.	Boogees	18	Careem - - -				absconded.	
Goaba	m.	Beema	16	- ditto - - -				ditto.	
Poraes	m.	Coffee	14	- ditto - - -	sold to A. Minjost.				
Saida	f.	Batta	45	Mohamet bin Semilian.					
Rajap	m.	-	15	- ditto.					
Tam	m.	Tampanola	18	Thomas Brooks.					
Bob	m.	-	19	- ditto.					
November	m.	Malay	18	- ditto.					
Klarinda	f.	Boogees	20	- ditto.					

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	The Removal of Slaves to other Settlements.	Arrival of Slaves. from other Settlements.
NAMES.	Caste.	Native Country.							
Log Jjang - -	m.	Boogees -	19	Tjan Tjoean Jat.					
Keljee - -	m.	Malacca -	30	- ditto.					
Layhoe - -	m.	Batta -	25	- ditto.					
Bolu - -	m.	Bally -	40	- ditto.					
Lay Hoesat -	m.	Batta -	30	- ditto.					
Kananga - -	f.	Bally -	25	- ditto.					
Kim Roa - -	f.	Batta -	30	- ditto.					
Tan Lay - -	f.	Bally -	28	- ditto.					
Tjanpaka - -	f.	Timoor -	30	- ditto.					
Mienno - -	f.	Batta -	40	- ditto.					
Lomhoa - -	f.	Bally -	25	- ditto.					
Boenga - -	f.	ditto -	40	- ditto.					
Barve - -	m.	ditto -	14	- ditto.					
Portee - -	f.	Batta -	20	Leens Gour Nio, daughter of Linsoe Kong.					
Layhok - -	m.	Bally -	20	Choa Chong Kial.					
Lay Hoesa -	m.	Malay -	27	- ditto.					
Lay Hien - -	m.	Sambawa -	21	- ditto.					
Jjien Lay - -	m.	ditto -	16	- ditto.					
Jjien Hoesa -	f.	Bally -	30	- ditto.					
Tan Kio - -	f.	Sambawa -	35	- ditto.					
Tjoen Bein -	f.	Bally -	25	- ditto.					
Batta - -	f.	Batta -	28	- ditto. - - - - -	-- liberated by consent				
Tjoe Tan - -	f.	Sambawa -	40	- ditto.	of her master, as per				
Helein - -	f.	ditto -	40	- ditto.	agreement, the 5th				
Joemabat - -	m.	Minto -	31	SirwaSidanbrong Chitty.	March 1827.				
Ontong - -	m.	Batta -	26	- ditto.					
Paei - -	m.	Timmian -	36	- ditto.					
Slamat - -	m.	Mangary -	14	- ditto.					
Cananga - -	f.	Solo -	26	- ditto.					
Camis - -	f.	Lamong -	61	- ditto.					
Sinin - -	f.	ditto -	17	- ditto.					
Moetang - -	f.	Mangary -	21	Moetoe Bale.					
Teimo - -	f.	Boogees -	45	(Widow) Laychimina Chitty.					
Dalla - -	m.	ditto -	16	- ditto. - - - - -				absconded.	
Birbat - -	m.	Batta -	30	Mohamet bin Skien.					
Ontong - -	m.	ditto -	25	- ditto.					
Toea - -	m.	ditto -	35	Abdul Mohet bin Abdul Kadur.					
Gresse - -	m.	Boogees -	14	Abdul Raman bin Sale Sub.					
Aan - -	m.	Bally -	14	The Matjain.					
Dapat - -	m.	Batta -	30	Kateb Vessop bin Ismael.					
Laba - -	m.	ditto -	20	- ditto.					
Toea - -	m.	ditto -	20	Mohamat bin Abdul Manan					
Saban - -	m.	Sambawa -	17	Achmat bin Mohamet Mira Kavir.					
Tunjeer - -	m.	ditto -	15	- ditto.					
Que Hoesa -	f.	Batta -	20	Oei Kong Ing.					
Boenga - -	f.	Malay -	32	Raima.					
Amelia - -	f.	ditto -	30	Mr. A. Kraal.					
Klavesa - -	f.	Batta -	20	- ditto.					
Plaizer - -	m.	ditto -	10	- ditto.					
Lafoeur - -	m.	ditto -	12	- ditto.					
Alladien - -	m.	ditto -	18	- ditto.					
Saloman - -	m.	Boogees -	14	- ditto.					
Manies - -	f.	Batta -	28	Sang Ho Nio.					
Datang - -	m.	Sampong -	20	Patima bin Aller.					
Mirjan - -	m.	Boogee -	21	(Widow) Abdul Rachman.					
Oentong - -	m.	Batta -	50	Ankena Patier.					
Slamat - -	m.	Bally -	25	- ditto.					
Mange - -	f.	Batta -	20	- ditto.					
Rama - -	m.	Banaea -	25	Wizagro Chitty.					
Langoenar -	m.	Boogees -	26	- ditto.					
Ramies - -	m.	Ende -	30	- ditto.					
Rama - -	m.	Bally -	20	- ditto.					
Bassur - -	m.	Beima -	25	- ditto.					
Latjimina -	m.	Bally -	11	- ditto.					
Moetang - -	m.	Sambawa -	25	- ditto.					
Ross - -	m.	Bally -	12	- ditto.					
Tcepa - -	f.	Gorontalo -	21	- ditto.					
Alieja - -	f.	Boogees -	20	- ditto.					
Sophia - -	f.	Borneo -	35	- ditto.					
Biber - -	f.	Bally -	37	- ditto.					
Serie - -	f.	Koela -	17	- ditto. - - - - -				7 Oct. 1820.	
Roboe - -	f.	Batta -	20	- ditto.					
Laytism - -	m.	ditto -	30	Tan Payho.					
Tjientjay - -	m.	Bally -	50	- ditto.					
Bayar - -	m.	Malacca -	10	- ditto.					
Bote - -	f.	ditto -	8	- ditto.					
Rama - -	m.	Batta -	25	Ballayache Plee.					
Mange - -	f.	Boogees -	40	- ditto.					
Jumabat - -	m.	Siac -	25	Tamby Ketje Jjino Mohnat.					
Felix - -	m.	Botong -	35	Johannas Rodrigues.					
Slamo - -	m.	ditto -	30	- ditto.					
Boenga - -	f.	Borneo -	20	Nagoty.					
Almos - -	m.	Maleur -	34	Anawee Kaden Banwo.					
Niboong - -	m.	Botoebara -	30	Tjei Tiauw.					
Nascep - -	m.	Sohay -	12	Adjee Moesa.					
Parcet - -	m.	ditto -	10	- ditto.					
Camies - -	m.	Kimering -	25	Moesa Lebe.					
Saban - -	m.	Sambawa -	30	- ditto.					
Almas - -	m.	ditto -	18	- ditto.					
Boesong - -	f.	Bally -	50	Achmat bin Usoop.					
Johar - -	m.	ditto -	20	- ditto.					
Basur - -	m.	ditto -	20	- ditto.					
Sena - -	f.	ditto -	18	- ditto.					

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NAMES.	Caste.	Native Country.							
Dapot	m.	Pany	24	Osman bin Sam.					
Kamies	m.	Batta	14	Chey Mohamat bin Abdal Rachman Barassa.					
Pevanjeran	m.	ditto	12	- ditto.					
Ham	f.	Malacca	25	Adja Mamat.					
Tjunpho	m.	Bally	20	Vee Soean.					
Tankio	f.	Panny	25	Oer Soon (Widow) Pello.					
Joemal	m.	Batta	30	Embey bin Ladeer Samabok.					
Semila	m.	Sambawa	40	- ditto.					
April or Bodany	m.	Bally	25	Mr. Baumhour				- - with his master sailed	
Bahe	m.	Batta	15	Kisna Nagopo.				to Batavia.	
Ipacia	f.	Sambawa	30	Mr. Heyn Paine.					
Kamies	m.	Macassar	12	- ditto.					
Achat	m.	Malacca	14	- ditto.					
Sining	f.	Bally	18	- ditto.					
Laba	m.	Batta	40	Nahim bin Abdulla.					
Pocassa	f.	Malay	36	- ditto.					
Saptoo	m.	Malacca	8	- ditto.					
Netta	f.	Batavia	25	Mr. J. S. Timmerman Thyssen.					
Pamela	f.	Bally	23	- ditto.					
Julia	f.	Boogees	33	- ditto - - -	- - transferred to Mr.			- - sailed to	to Batavia.
Semira	f.	Mandar	20	- ditto.	Wapper Millis.			Batavia in	
Rosina	f.	Bally	23	- ditto.				Malackkas	
Donino	f.	Macassar	30	- ditto.				Gedald.	
Bintang	f.	Bally	32	- ditto.					
Selya	f.	Macassar	25	- ditto.					
Syra	f.	ditto	36	- ditto.					
China	f.	Malown	12	- ditto.					
Hatje	f.	ditto	10	- ditto.					
Bitjoe	m.	ditto	9	- ditto.					
Rooje	f.	Incas	24	- ditto.					
Klarinda	f.	Macassar	28	- ditto.					
Putjar	f.	Boogees	26	- ditto.					
Pintoe	m.	Malacca	10	- ditto.					
Domina	f.	ditto	20	- ditto - - -	transferred to Mr. Williamson; transferred to Mr.			Borgen.	
Ledia	f.	Borneo	20	- ditto - - -	sold to Mr. De Wind			- - to Rio	- returned
Doepa	m.	Boogees	33	- ditto - - -	- ditto.			with her mas- ter.	from Rio.
Lindoor	m.	Madagascar	24	- ditto - - -	transferred, 6 June 1823, to Mr. Gordon.			- - sailed to	
Marcuur	m.	Bally	24	- ditto - - -	- transferred, 15 March 1823, to Mr. Van Son.			Batavia.	
Anthony	m.	Mosambique	26	- ditto - - -				absconded.	
Nero	m.	Boogees	34	- ditto.					
Saptoe	m.	ditto	30	- ditto.					
Cocin	m.	Mosambique	24	- ditto - - -	- - transferred to Mr.		died	- - sailed to	
Bitjoe	m.	Batavia	22	- ditto.	Van Kervel.			Batavia with his master.	
Saptoe	m.	Malacca	12	- ditto.					
Kananga	f.	Reoun	8	- ditto.					
Jany	m.	Batavia	22	- ditto - - -				- - to Batavia, certificate 26 August 1822.	
Orpheus	m.	Boogees	51	- ditto - - -				ditto.	
Casar	m.	Macassar	34	Mr. J. S. Timmerman Thyssen.					
Poejee	m.	Geruntaly	-	- ditto - - -				absconded.	
Ploedra	m.	Boogees	-	- ditto - - -				ditto.	
Jonis	m.	Macassar	-	- ditto - - -	- - transferred to Mr.			- - sailed to	
Azar	m.	ditto	-	- ditto.	Wapper Millson, 27			Batavia in the	
Jenal	m.	Sambawa	-	- ditto.	October 1823.			Malakkas	
Poeaza	m.	Malacca	-	- ditto.				Gedald.	
Dogum	m.	ditto	-	J. B. Westerhout				absconded.	
Tapa	m.	ditto	-	- ditto - - -				ditto.	
Biroe	f.	ditto	-	Jacob Hendricks					
Telida	f.	Perah	-	- ditto.					
Mahnun	f.	Malacca	-	Ariepa.					
Mesarie	f.	ditto	-	- ditto.					
Junsahat	f.	Male	-	- ditto - - -	- - transferred to Mr.				
January	f.	Boogees	-	Willem Veenhuzen.	C. Newbronner.				
Batta	f.	Assahan	-	Fjiew Poelong.					
Adoena	f.	Batta	-	Abdul Alim bin Tayer.					
Para	f.	ditto	-	- ditto.					
Morjoor	m.	ditto	-	- ditto.					
Rena	f.	ditto	-	- ditto.					
Tamba	m.	ditto	-	- ditto.					
Kotjong	m.	Pontian	-	- ditto.					
Ontong	m.	Batta	-	Oppasser Bono	- transferred to Mr. H. Kroal; sold at auction to Van Kervel.				
Jamahat	m.	ditto	-	Abdul Adjee bin Aje Lebe.					
Moetac	m.	Boogees	-	Armong Chitty.					
Senin	m.	ditto	-	- ditto.					
Poele	m.	Batta	-	Adjee Dalrahim.					
Baroe	m.	ditto	-	- ditto.					
Bally	m.	Bally	-	Willem Veenhuizen.					
Tam	m.	Malay	12	Andres de St. Maria.					
January	m.	ditto	28	-					
Preeva	m.	Bally	10	Walbeehm.					
Segar	m.	Malacca	50	Mr. A. Kock	- emancipated, 19 January 1825.				
Maria	f.	Siam	66	- ditto - - -	- ditto.				
Ledia	f.	Malacca	45	- ditto.					
October	m.	ditto	18	- ditto.					
Tonking	f.	ditto	13	- ditto.					
Janira	f.	ditto	11	- ditto.					
Bitjoe	m.	ditto	40	- ditto - - -	emancipated.				
Constantia	f.	ditto	41	- ditto.					
Bitja	f.	ditto	20	- ditto.					
Goastinla	f.	ditto	18	- ditto.					
January	m.	ditto	16	- ditto.					
Junie	m.	ditto	14	- ditto.					

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NAMES.	Caste.	Native Country.							
Jonas	m.	Malacca	35	Mr. A. Kock.					
Moart	m.	ditto	19	- ditto.					
Pocasa	m.	ditto	17	- ditto.					
Jampka, alias Sophie.	f.	ditto	18	- ditto.					
Cornelias	m.	ditto	36	- ditto	emancipated.				
Rosie	f.	ditto	34	- ditto	- ditto.				
Allard	m.	ditto	12	- ditto.					
Klaartje	f.	ditto	9	- ditto.					
Goodlip	m.	Bangolly	35	- ditto	emancipated.				
Meloor	f.	Borneo	40	- ditto	- ditto.				
Seman	m.	Queda	46	- ditto				sailed.	
Damit	f.	Rambour	45	- ditto.					
August	m.	Malabar	16	- ditto.					
Norisa	f.	ditto	14	- ditto.					
Salinda	f.	ditto	12	- ditto.					
Itam	f.	ditto	25	- ditto.					
Sosana	f.	ditto	20	- ditto.					
Bougha, alias Sella.	f.	ditto	17	- ditto.					
Galathea	f.	Boogees	25	- ditto.					
Aima	f.	ditto	23	- ditto.					
Soenting	f.	Borneo	30	- ditto.					
Amelia	f.	Boogees	17	- ditto.					
Louisa	f.	Borneo	16	- ditto					
Annet	f.	ditto	18	- ditto.				- 29 Aug. 1820.	
Amman	m.	ditto	14	- ditto.					
Assor	m.	ditto	13	- ditto.					
Minerva	f.	Malay	19	- ditto	transferred to De Wit.				
Mink	m.	ditto	21	- ditto.					
Batjo	m.	ditto	12	- ditto	- ditto.				
Koeroes	m.	ditto	10	- ditto.					
Pamela	f.	ditto	19	- ditto.					
Topa	m.	Batta	35	- ditto.					
Karim	m.	ditto	16	- ditto.					
Samat	m.	ditto	15	- ditto.					
Adeel	m.	ditto	14	- ditto.					
Dammon	m.	ditto	30	- ditto.					
Symon	f.	Boogees	17	- ditto.					
Sam	m.	Borneo	12	- ditto.					
Tek	m.	Boogees	12	- ditto.					
Silvia	f.	ditto	25	- ditto.					
Amaroe	m.	Mosambique	25	- ditto			died.		
Tom	m.	ditto	45	- ditto.					
Amboora	m.	ditto	30	- ditto				sailed.	
Leandra	m.	ditto	45	- ditto.					
Bastian	m.	ditto	50	- ditto.					
Joze	m.	ditto	40	- ditto.					
Koesier	m.	Java	35	- ditto.					
Hongkie	m.	Malabar	50	- ditto.					
Abas	m.	Malacca	12	- ditto.					
Melaan	m.	Malay	30	- ditto				sailed.	
Cazer, alias Thomas	m.	Mosambique	25	- ditto.					
Sie Ajar	f.	Rhio	9	Mr. Braunhauer.					
Batjo	m.	Macassar	12	G. L. Baumgarten.					

Malacca, December 1820.

(signed) The Fiscal,
J. H. Secher.

N. B. These slaves (means the six slaves of Mr. Van Kervel), being newly brought from another settlement, and entered here, as this registry was closed on the 31st December 1820. That although a column for slaves introduced here from other settlements is provided, but a column is wanting for the name of the proprietors who brought them over. These slaves, (Mr. Van Kervel's,) according to a certificate from the assistant-resident of Sourabaya, dated 6 November 1820, whereby it is certified that, pursuant to an order of his Excellency the Governor-general in Council, dated 3 July 1819, by the application of Mr. Van Kervel, the same was duly registered at Sourabaya on the 17th September 1819, and written off as being removed to Amboyna and to Malacca. This last certificate was dated 6th April 1821, and entered here on the 8th November 1822.

(signed) S. Van der Tunk,
Fiscal, and charged with the Register of Slaves.

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	The Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Plieto	m.		16	J. H. Van Kervel				absconded.	
Adonis	m.		40	- ditto					- from Sourabaya, in the year 1821.
Medio	m.		30	- ditto.					
Achilles	m.		46	- ditto.					
Rosiana	f.		25	- ditto					- these afore-said slaves removed
Novassa	f.		44	- ditto.					with their master to Batavia.

GOVERNMENT OF MALACCA.

REGISTRY OF SLAVES NOT EXCEEDING EIGHT YEARS OF AGE.

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Clement - -	m.	Malacca	16 m.						
Anthony - -	m.	ditto	7 yr.						
Mina - - -	f.	ditto	5 -						
Midagi - -	m.	ditto	1 -						
Bidal - - -	m.	ditto	2 -						
Dafphine - -	f.	ditto	4 -	(Widow) Gregs.					
Francisco - -	m.	ditto	5 -	- ditto.					
Bitjoe - - -	m.	ditto	15 dy.	Daniel Koock.					
Soenting - -	f.	ditto	2 yr.	- ditto.					
Alexander - -	m.	ditto	6 -	Dieterich.					
Jacoba - - -	f.	ditto	1 -	- ditto.					
Alima - - -	f.	ditto	3 m.	- ditto.					
children of Louisa									
Juliana - - -	f.	ditto	2 yr.	- ditto.					
Piro - - -	m.	ditto	1 -	- ditto.					
Kolong - - -	m.	ditto	7 -	Majolars.					
Antony - - -	m.	ditto	3 -	- - Wilner, wife of Peter.					
Klarinda - -	f.	ditto	7 m.	- ditto.					
Syda - - -	f. of Josea.	ditto	3 yr.	J. W. Baumgarten.					
Job - - -	m. of Sonting	ditto	4 m.	- ditto.					
Juliana - - -	f. of Josiora	ditto	1 -	- ditto.					
Kutjoot - - -	f.	ditto	3 -	Hajee Abdulrahim.					
Rosie - - -	f.	ditto	3 -	Mr. Brooks.					
Roodie - - -	f.	ditto	2 -	- ditto.					
Harry - - -	f.	ditto	8 -	- ditto.					
the three children of the slave Ledia.									
Kananga - -	f.	Batobara	7 yr.	Tan Chitty.					
Alida - - -	f.	Malacca	4 -	(Widow) Westerhout.					
child of Felis.									
Poelo - - -	m.	ditto	2 m.	Loey Kim.					
child of Tanglay.									
Chiowa - - -	f.	ditto	4 yr.	Chewohay.					
Chio - - -	m.	ditto	7 -	Sauw Sing Nio.					
son of Baroe.									
Billee - - -	f.	ditto	2 -	Lim Sotie.					
Goelam - - -	m.	ditto	2 m.	- ditto.					
child of Choolang.									
Rambee - - -	f.	ditto	6 yr.	Tya Tong Hee.					
Tingal - - -	f.	ditto	1½ -	(Widow) Tjoa Koei Ho.					
Koerves - - -	m.	ditto	1 -	Tja Ki-o.					
Anan - - -	f.	ditto	2 -	Tjing Lok.					
Lay Koey - -	f.	ditto	1 m.	- ditto.					
daughter of Soeny.									
Velan - - -	m.	ditto	6 yr.	Hehomeinio.					
Labboo - - -	m.	ditto	4 -	Roo Choonio.					
son of Choognet.									
Pagee - - -	f.	ditto	6 -	Tja Tong Hio.					
T'rengall - -	f.	ditto	2 -	- ditto.					
children of Manus.									
Koey Hay - -	m.	ditto	1 -	Ong Song Boy.					
Kim Hoea - -	f.	ditto	1 -	Ong Chang.					
Margareth - -	f.	ditto	3 -	Joseph Minass.					
Cananga - -	f.	ditto	1½ -	- ditto.					
Piet - - -	m.	ditto	4 -	- ditto.					
child of Catharina.									
Flora - - -	f.	ditto	6 -	- ditto.					
Domingos - -	m.	ditto	5 -	- ditto.					
Domina - - -	f.	ditto	2 -	- ditto.					
Nargies - - -	f.	ditto	1 m.	- ditto - - -	H. S. Van Son - - -				
Castorie - -	f.	ditto	-	- ditto.	- - -				
									- - 30 Sept. 1824, sailed to Batavia with the ship Johanna Fredrika, Captain D° Haan; Domingos is left behind.
July - - -	m.	ditto	1 -	(Widow) Neubronner					died.
Helena - - -	f.	ditto	4 yr.	- ditto.					
daughter of Alima.									
Jan - - -	m.	ditto	1 m.	(Widow) Roetenbeck; emancipated.					
child of Hatina.									
Layor - - -	m.	ditto	3 yr.	Lie Tiug Wang.					

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Apaga - - -	m.	Malacca	5 yr.	Inleppa Plea.					
Oeteri - - -	f.	ditto	3 -	- ditto.					
Itan - - -	m.	ditto	2 -	- ditto.					
Jompol - - -	m.	ditto	1 m.	Tan Sio Nio.					
Mingo - - -	m.	ditto	5 -	Padnah Patleir.					
Boenga's child.									
Leyda - - -	f.	ditto	1 -	Cadeer Tombay.					
child of Kasto- erie.									
Slama - - -	m.	ditto	20 dy.	Nina bin Tjikadie.					
child of Boenga.									
Saptoe - - -	m.	ditto	1½ yr.	Mohamet Auveon.					
Luja - - -	f.	ditto	7 m.	- ditto.					
children of Kim- bany.									
Mahat - - -	m.	ditto	5 yr.	- ditto.					
child of Johor.									
Dapoor - - -	f.	ditto	1 -	Kow Kiam Nio.					
child of Tjoegat.									
Bazeer - - -	m.	ditto	4 -	Seidoe Mallin.					
child of Melvar.									
Mamuets - - -	m.	ditto	1 -	Scripha Clegby.					
Boental - - -	m.	ditto	7 -	Ko Ing Ko.					
Bele - - -	f.	ditto	1 -	- ditto.					
daughter of Bally.									
Pamela - - -	f.	ditto	1 m.	Dorothea Minjoot.					
Julia - - -	f.	ditto	5 yr.	- ditto.					
daughter of Ro- zetta.									
Sahoet - - -	m.	ditto	4 -	Chey Ovemar.					
Sallim - - -	m.	ditto	2 -	- ditto.					
children of Ma- breba.									
Poassa - - -	m.	ditto	2 -	Kitje Tambie Pariari.					
Binjtje - - -	f.	ditto	7 -	Kootoe Kong.					
child of Manies.									
Delvina - - -	f.	ditto	15 m.	Hubertus van Bragt -	Mr. Schonemark				- - with his master, to Ba- tavia.
child of Tong King.									
Watneeuws - -	m.	ditto	4 -	- ditto.					
Java - - -	f.	ditto	2 -	- ditto - - -	liberated.				
Introedo - - -	m.	ditto	1 -	- ditto.					
child of Saetatri.									
Konkong - - -	m.	ditto	4 -	- ditto - - -	- - transferred to Mr. Westerhout.				
child of Tonjong.									
Job - - -	m.	ditto	1 -	- ditto.					
child of Delvia.									
Tjen Lay - - -	m.	ditto	5 -	Tan Koseong.					
child of Kanan- go.									
Frederick - - -	m.	ditto	3 -	A. A. Velge.					
child of Jannina.									
Minerva - - -	f.	ditto	3 -	- ditto.					
Almas - - -	m.	ditto	3 m.	- ditto.					
children of Mina.									
Saniah - - -	f.	ditto	3 yr.	Hendrick Kraal.					
child of Rose- mond.									
George - - -	m.	ditto	9 m.	- ditto.					
child of Jaung.									
Jupiter - - -	m.	Malabar	3 yr.	- ditto.					
Hero - - -	m.	Malacca	1½ -	- ditto.					
Apul - - -	m.	ditto	4 m.	- ditto.					
child of Rose- mond.									
Damon - - -	m.	ditto	1 -	- ditto.					
child of Rosie.									
Tieso - - -	f.	ditto	7 yr.	Johannus Lodewykson.					
Japar - - -	m.	ditto	4 -	- ditto - - -					- - born 20 July 1822; Johan Jansen.
children of Jo- haana.									
Diana - - -	f.	ditto	7 -	J. H. Stecher.					
Seba - - -	f.	ditto	4 -	- ditto.					
children of Nina.									
Jasson - - -	m.	ditto	6 -	- ditto.					
Noressa - - -	f.	ditto	4 -	- ditto.					
Tansia - - -	f.	ditto	2 -	- ditto.					
children of Do- miens.									
Bida - - -	f.	ditto	4 -	- ditto.					
Sido - - -	f.	ditto	2 m.	- ditto.					
children of Alida.									
Minerva - - -	f.	ditto	1 -	- ditto.					
child of Doemi- ena.									
Servia - - -	f.	ditto	1 -	A. Keun.					
of Delvia.									
Kitjee - - -	f.	ditto	7 yr.	Angressu Pattoer.					
Moeti - - -	f.	ditto	3 -	- ditto.					
Itam - - -	f.	ditto	1 -	- ditto.					
Merjam - - -	m.	ditto	7 -	Tjan Kiouw.					
Jumahat - - -	m.	ditto	6 -	- ditto.					
Saria - - -	f.	ditto	3 -	Lebe Oeloc.					

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Mamilla - - child of Marian.	m.	Malacca	13 m.	Thomas Williamson.					
Spadelje - -	m.	ditto	2 yr.	- ditto.					
Minerva - -	m.	ditto	1½	- ditto.					
Sally - - -	f.	ditto	4 -	- ditto.					
Noressa - - child of Diana.	f.	ditto	2½	- ditto.					
Kling - - -	m.	ditto	3 -	Xomina bin Sleman.					
Said - - -	f.	ditto	1 -	- ditto.					
Ariepa - - -	f.	ditto	6 m.	- ditto.					
Meloor - - -	f.	ditto	7 yr.	Nio Ting Sing.					
Seria - - - daughter of Saida.	f.	ditto	5 -	Oemar Abdul Hadjees.					
Joemahat - - son of Seda.	m.	ditto	4 -	- - Cheg Achmet Bara Loean.					
Mornin - - - son of Ando.	m.	ditto	4 -	- - Aboul Carim Jjiva Tambie.					
Senin - - -	f.	ditto	6 -	- ditto.					
Gevia - - -	f.	ditto	4 -	- ditto.					
children of Pienda.									
Dulla - - - son of Tiepa.	m.	ditto	7 -	Achmat Sop - -	- - sold to Mr. Timmerman; transferred to Mr. Williamson. - - transferred to Borgen.				
Saptoe - - -	m.	ditto	3 -	- ditto - - -					
Tjocakin - - daughter of Toras Kin.	f.	ditto	3 -	Tan Oalang.					
Koervis - - -	f.	ditto	3 -	Koneor Kiam Ing.					
Seira - - -	f.	ditto	4 -	Chig Modar.					
Alie - - -	m.	ditto	4 -	- ditto.					
Batta - - - son of Mina.	m.	ditto	7 -	Jpan Jpean Jet.					
Bansal - - - son of Sinheea.	m.	ditto	10 m.	- ditto.					
Tangawang - -	m.	ditto	4 yr.	Jjoa Tjong Kiat.					
Sarie - - -	f.	ditto	2½	- ditto.					
children of Tan Kie.									
Serie - - - daughter of Batta.	f.	ditto	3 -	- ditto - - -	- - liberated by consent of her mistress, as per agreement.				
Mingo - - -	m.	ditto	3 -	- ditto.					
Borena - - -	m.	ditto	1½ m.	Ankena Patier.					
Diema - - -	m.	ditto	2 yr.	Wizagen Chitty.					
enin - - -	f.	ditto	7 m.	- ditto.					
children of Allija.									
Ally - - - son of Sophia.	m.	ditto	7 -	- ditto.					
Deve - - -	f.	ditto	6 yr.	Nahim bin Abdulla.					
Senin - - -	m.	ditto	5 -	- ditto.					
children of Poe- cassa.									
Ismael - - -	m.	ditto	7 -	- - Mr. J. S. Timmer- man Thyssen.					
Ade - - - children of Julia.	m.	ditto	3 -	- ditto - - -	- - transferred to Mr. Waper Milles.			- - sailed to Batavia in Malakkas Geduld.	
Jerrard - - -	m.	ditto	5 -	- ditto.					
Ledia - - -	f.	ditto	4 -	- ditto.					
Noria - - - children of Ben- tong.	f.	ditto	1½	- ditto.					
Swerves - - -	m.	ditto	6 -	- ditto.					
Sawal - - - children of Syra.	m.	ditto	1 -	- ditto.					
Jjeme - - -	m.	ditto	5 -	- ditto.					
August - - -	m.	ditto	3 -	- ditto.					
Hoessa - - - children of Roosje.	f.	ditto	2 -	- ditto.					
Mena - - -	f.	ditto	4 -	- ditto.					
Clementina - - children of Kla- rinda.	f.	ditto	-	-					
Sapto - - - daughter of Do- mina.	f.	ditto	6 -	- - transferred 15 March 1823 to Mr. Williamson.	- - transferred to Mr. Borgen.				
Dulla - - - daughter of Ledia.	f.	ditto	5 -	- - -	sold to De Wit			- - sailed to Rio with his master.	- - returned with his master from Rio.
Kananga - - -	f.	Reuwa	5 -	-					
Allenzo - - -	m.	ditto	7 -	-					
Tian - - -	m.	Malacca	-	-					
Toepin - - - son of Biroo.	m.	ditto	-	-	Mr. J. B. Westerhout. Jacob Hendricks.				
Serventina - -	f.	ditto	7 -	Mr. A. Kock.					
Flora - - - children of Jonas.	f.	ditto	4 -	- ditto.					
Anna - - -	f.	ditto	6 -	- ditto - - -	emancipated.				
Marcus - - - children of Rosie.	m.	ditto	3 -	- ditto.					

CORRESPONDENCE ON THE SLAVE TRADE,

NAMES, CASTE, and Native Country of Slaves.			AGE when first Registered.	Names of the Slave Holders.	Change of Slave Holders.	Birth of all Slave-born Children.	Death of Slaves.	Removal of Slaves to other Settlements.	Arrival of Slaves from other Settlements.
NAMES.	Caste.	Native Country.							
Jacoba - -	f.	Malacca -	4 yr.	Mr. A. Kock.					
Auloab - - children of Itam.	m.	ditto -	1 -	- ditto - - -	- - - -	- - - -	died.		
Loesie - -	f.	Borneo -	7 -	- ditto - - -	transferred to De Wit.				
Patra - - daughter of Pa- mela.	f.	Malacca -	3 -	- ditto - - -	- ditto.				

GOVERNMENT OF MALACCA.

REGISTRY OF SLAVES, which had recently arrived from other Places, opened in the beginning of the month January 1824, in consequence of there not being sufficient room for insertion in the column of the former Register of 1819, closed in ultimo 1820.

NAMES, SEX, and Native Country.			AGE.	Names of the Owners.	Change of Owners.	Birth of all Slave-born Children.	Death of all Slaves.	Removal of Slaves.	Arrival of Slaves from other Places.
NAMES.	Sex.	Native Country.							
Tjandara (a) -	w.	Manado -	16	Mrs. C. E. Akkersloot.					
Pamla (a) -	w.	Gorontalo -	30	Mr. J. Akkersloot -	- - - -	- - died 23 March 1825.	- - - -	- - - -	-- from Am- boyna, in 1824.
Antiengie (a) -	m.	ditto -	24	Mrs. C. E. Akkersloot.					
Medon (a) -	m.	Boogees -	40	- ditto.					
Clementina (a) -	w.	Amboyna -	4	- ditto.					
Mellore -	w.	Boogees -	30	Clemene - - -	- - transferred to Mr. Westerhout, and sub- sequently to Mr. J. H. Van Kervel.	- - - -	- - - -	- - departed with her mas- ter to Bata- via.	-- from Sin- gapore.
Aurora (b) - with her son	w.	Balta -	38	} - William Van Veen- hauzen.	- - Casar sold to the Resident, Mr. Van Son, as per deed of 4th January 1824.				
Casar -	m.	ditto -	22						
Detany (c) - and his wife	m.	ditto -	-	} Intje Abdul Assim -	- - sold to Mr. Wes- terhout on the 21st June 1824.				
Munis (c) -	w.	ditto -	-						
Dale (d) -	m.	Sambawa -	14	} Mr. P. J. De Wit.					
Slamat (d) -	m.	Boogees -	13						

(a) These slaves sailed with their master to Batavia, the 8th April 1825. (signed) S. Van der Tunk.

(b) The said slave woman and her son had belonged to one Amboyna Chinaman, named Sauw Jankwalies Laurens Jansen; and, pursuant to a decision or order of the Court of Justice, dated 8th May 1821, she was sold by public auction on the 16th of that month, to William Van Veenhauzen. On 15th June of that year he obtained a notarial act of transfer; having been brought from Amboyna, the slave was not registered at an earlier date here.

(c) Registered pursuant to an order from the Resident of Malacca, dated 9th June 1824, (No. 2); the same is here inserted as not having been registered at Malacca afore.

(d) The slaves herein mentioned left Rhio, with their master, on the 1st instant; and on that date the secretary to the Resident of Rhio, Mr. Koog, struck off their names in the registry there, on the 11th instant.

EXTRACT MALACCA CONSULTATIONS, 26 November 1829.

E. I. Company and
Board of Control.
(Documents.)

Police-office, Malacca, Tuesday, 28 June 1825.

Present, *W. S. Cracroft*, Esq., Acting Resident.

Chimpu, a slave, appeared before the magistrate, and complained of his master, Lim Sutee, having beaten him with very great severity without cause. It appeared that idleness in performing work ordered him, and negligence in keeping his clothes clean, was the cause of his having received a few stripes with a rattan; thereupon the magistrate directed his return to his master's service, and directed the master to be careful in his future conduct towards him; not to punish him with severity for occasional negligence, but in case of serious misconduct to send him to the police for punishment.

Lay Choon, also a slave and brother of the former, complained of his master, Tan Chim Tee, for beating him with a fish's tail, and showed several wounds or marks on his person of such cruel treatment. It appeared to the magistrate that this last case differed from the former, not only in the degree of punishment; but the cause, which evidently appeared to be on account of the slave having advised his brother to apply to the magistrate for redress. It was therefore ordered and directed, that Lay Choon be emancipated from the service of his master, Tan Chim Tee, and at liberty to provide for himself as a free man.

(signed) *W. S. Cracroft*,
Acting Resident.

Malacca, 28 June 1825.

Saturday, 2 July 1825.

Lim Sutee complained of his slave boy Chimpu, for absconding from his house on the night of the 30th ultimo, and for procuring his hands to be tied, and proceeding to the resident's house with a false accusation against him (Lim Sutee); and for attempting, by other artifices, to deceive the resident, and procure his discharge from his master's service.

The following depositions were taken before the magistrate in the case :

Tee Assam swears, that he lives next door to Lim Sutee, and deposes, that on the night of the 30th instant he heard a noise in the house as if some persons had broke in; that it was dark and he saw no one, but on getting up found both the back and front doors open, as if a person had got in behind and passed through; that the next day a man named Ching Sinko, who was staying with him, came and told him that a bundle of clothes was lying in the back part of the house, which he told to the superintendent of police, who sent for the clothes in question, which are now produced: he swears he never saw the slave boy Chimpu in the last three or four days, nor did he speak to him; he swears that the lowest part of the front roof of the back part of his house is eight or nine feet high, which a person descending would have to jump down.

Chang Sinko swears that he has not seen the boy Chimpu for the last three or four days; he slept in the house of Tee Assam on the night of the 30th ultimo; he saw the bundle of clothes produced; yesterday, at five o'clock, he called Tee Assam, and showed it him; it was lying in a back yard of the house.

Kang He, son of Lim Sutee, swears that Chimpu is the slave boy who works in his father's house; he heard of the former complaint and inquiry before the magistrate; when he returned from the police, he was put to the usual employment of cooking and cleaning the house; he worked at such work. On the 30th, deponent slept in the upper story, and at nine at night retired to that chamber; he saw the boy Chimpu the last thing, and ordered him to put out the fire. His father slept in the house; he positively swears, before God Almighty, that from the time that Chimpu returned from the police he never was tied or punished; he behaved himself well, and committed no fault. He and his father were alarmed, about ten o'clock, by a cry of "thieves" in the next house; they got up and looked about; the back-door was open, and Chimpu was not to be found. He recognises the clothes in a bundle produced as the clothes of Chimpu.

Philip Desker, the head man of the burghers, swears that Daniel, the resident's jemadar, brought the slave boy Chimpu to him on the night of the 30th, with orders to deliver him the next morning to the charge of the police department. The boy declared that he came to the resident's house with his hands tied by his master, and was there released and sent to the guard-house. The boy said he went to complain, and showed some marks of blows to the deponent, and requested him to give him some stripes over the back with a rattan, in order that he might show them to the magistrate and get released from his master's service; and promised, if he would do so, that he would stay in his house and serve him.

Chimpu states that his case was decided before the magistrate, and he was ordered to return back to his master, which he did; that on the same day his master worshiped the datoo, and that after everything was over his master told him not to work, as he had orders from the resident to tie him and give him less food; that he did tie his hands together. He was kept in this state for two days; until the night before last, about eleven o'clock, he got up stairs, and got out through a window on the roof of the adjoining house; he got down by a ladder, and found the back-door open; he got in and opened the front-door, and went up to the resident's house with his hands tied; and that he left sundry wearing apparel in the hands of Assan on the same day, about three o'clock. He further

E. I. Company and
Board of Control.
(Documents.)

states that he met no one on the road to the resident's house, nor is there any person in his master's house he can call as a witness. He states that his master kept him in the back part of the house, where no one could see him.

On being questioned as to the possibility of his giving his clothes to Tea Assam, he admitted that he was released for an hour or two the day he ran away, which enabled him to do this.

On a consideration of the whole of the proceedings in the above case, the magistrate saw reason clearly to be of opinion that the complaint of Lim Sutee against the slave Chimpu was well founded. The several circumstances of improbability attendant on the prisoner's leaping from the house, with his hands secured as they were; the want of any evidence to prove the treatment he asserts himself to have sustained; and, above all, the infamous conspiracy which he attempted to engage the head man of burghers of Bandalier to join him in; all concur to prove the statement of Chimpu to be false and malicious. The last circumstance, moreover, being most fully and amply proved by a perfectly independent witness, the magistrate sentenced Chimpu to receive 12 lashes with a rattan, and to work on the roads in irons for a period of six weeks, thereafter to be placed at his master's disposal.

Malacca, 2 July 1825.

(signed) *W. S. Cracroft,*
Acting Resident.

Saturday, 30 July 1825.

September, alias Salamat, a slave boy, about the age of 13 years, complained of his master, Mr. J. P. De Wit, for beating him cruelly. From the appearance of the boy, it was evident that he had been struck on the head and cut in two or three places, besides other marks of blows and stripes on his body; and it was asserted that the instruments of punishment were a red rattan and the pestle of a mortar.

Mr. De Wit appeared, and admitted that the boy had been punished; he stated him to be of a bad disposition, and had, some time ago when at Rhio (viz. in 1824), committed a theft; that his obdurate disposition and obstinacy, and an absolute resistance when about to be punished, vitiated him, and occasioned his being struck in a severer manner than otherwise would have been necessary.

Two witnesses were summoned in the case, and one, named Dedia, a slave or servant in the same house, was examined on oath at the request of Mr. De Wit; she deposed, that the boy was beaten for staying out a long while when he was sent on an errand; that on his return his master corrected him with a red rattan; that he resisted, and pushed his master, which led to further blows, and to his being pushed down against some stones, by which she believed he received the wounds in his head, and not with the rattan.

The magistrate remarked, that no fault in a boy of that age could warrant such severe punishment; that whether the wounds were received from the stones he fell on, or from blows with the rattan, was immaterial; that the corporal punishment of slaves, when rendered absolutely necessary by their misconduct, should at the least be done with temper and coolness, which had certainly not been the case in the present instance; that under these circumstances it was necessary to order, that the boy September do not return to his servitude; that he be taken into the charge of the police department, to be apprenticed out, or otherwise provided for, as a free person.

Malacca, 30 July 1825.

(signed) *W. S. Cracroft,*
Acting Resident.

Tuesday, 13 September 1825.

Mrs. A. Kraal made a complaint, through her brother, Mr. T. Neubronner, of a slave boy, named Alladin, having been guilty of insolent language, and refused to do his work when ordered.

Rusina, a slave woman in the same family, bore testimony to the misconduct of the slave alluded to, and in particular, that he refused to work, in the most disrespectful manner to his mistress, and threatened to run away from her service.

Whereupon the magistrate sentenced the slave in question to receive 12 lashes with a rattan, for his misbehaviour.

Malacca, 13 September 1825.

(signed) *W. S. Cracroft,*
Acting Resident.

Thursday, 27 September 1825.

Rusina, a slave of Mr. Grey's, was brought before the magistrate, accused of violence and insolence in the house of her mistress.

* *Orig.*

Thomas, a servant of Mrs. Grey's, swore that the slave complained of was guilty of giving impertinent answers to her mistress when reprimanded by her on account*, and beat a little slave girl, after having been forbidden to do so by her mistress.

The magistrate directed the slave in question to be placed in the stocks for two hours, for her misbehaviour.

Malacca, 27 September 1825.

(signed) *W. S. Cracroft,*
Acting Resident.

Friday, 4 November 1825.

Yap Fee Loo complained against his wife's slave, Batta, for running away nearly three months ago; he produced the slave paper, dated in the year 1802.

The slave complained of ill usage, but admitted having run away; on which the magistrate remarked, that if ill-treated, all slaves or servants could have redress by proper application at the police, and punished her by placing her in the stocks till 6 P. M.

Malacca, 4 November 1825.

(signed) *W. S. Cracroft,*
Acting Resident.

E. I. Company and
Board of Control.
(Documents.)

Saturday, 12 November 1825.

Outong, a reputed slave of Mahomed Abdul Hajies, complained of his master for beating and ill-treating him, and for keeping him in confinement, without sufficient food and other necessaries.

Assan and Alle were called by the complainant, but could give no evidence as to the facts complained of.

The master of Outong appeared, and stated, that the man was formerly a slave of one Mahomed Isralie, and was given to him; that he employed him in planting Paddy, but that he was disordered in his intellects, and that he got the marks of rattan stripes on his body and the blow on his face from some other persons; that he was used to run away and live in a miserable state in the jungles, as stated by the neighbours.

The punghula of Allee corroborated that part of the defendant's statement which related to the occasional or partial insanity of the complainant.

The magistrate remarked, that the complainant had certainly suffered at the hands of some one, very ill treatment; that such treatment was not the way to cure him of partial insanity, even if such was proved; that it appeared the complainant was under no bond of slavery to the defendant, and might therefore be considered at liberty to provide for himself.

The magistrate further admonished the defendant to be kind to his slaves, and not to retain persons over whom he had no legal authority.

Malacca, 12 November 1825.

(signed) *W. S. Cracroft,*
Acting Resident.

Tuesday, 28 March 1826.

J. W. Baumgarten appears at the police-office, and complains against a male slave of his, named Si Sura, for impertinence and incorrigible habits of idleness, and threatening his son.

Si Sura is ordered to receive one dozen stripes of a rattan, and to be worked in irons on the public road for one month.

Malacca, 28 March 1826.

(signed) *Ed. Presgrave,*
Acting Resident.

Tuesday, 11 April 1826.

Mr. Overree appears at this office, and lodges a complaint against a slave boy of his, named September, for absconding with three rupees, which he understands he gambled away; that he was apprehended by a Malay man at Marlmoon, and brought back.

Delinquent states, that he went to cut grass at Bukit Duyang, and was seized and carried away by three armed Malays, who took the rupees from him, and would have sold him, had he not afterwards succeeded in making his escape from them, but of this he can produce no proof.

The excuse alleged by the slave being an improbable one, he is ordered to receive a corporal chastisement of 12 lashes of a rattan, and to be restored to his master.

Kootooe, a Chinese, appears and states, that he has been robbed by his slave girl, named Champaka, of money and six gold rings, amounting altogether to about 100 dollars; that he cannot say when the things were stolen, as being locked up in a box, the key of which was with his wife, they had not been examined for two or three months previous to Sunday last, when they were discovered to be stolen.

The accused acknowledges having taken 30 dollars out of her mistress's box, but denies taking anything further; that her fellow-slave, Melati, also took money out of the same box, and how much she does not know; that the 30 dollars taken by herself she gave to a China man, named Jan Asam, whom she calls her husband.

Jan Asam acknowledged having received the 30 dollars from Champaka, having borrowed the amount.

Champaka and Jan Asam are committed for trial before the court, and a warrant issued from the office to search the house of Jan Asam for the rings.

Melati having appeared denies the charge, and there being no evidence against her, she is ordered to return to her master, with whom she bears a good character.

Malacca, 11 April 1826.

(signed) *E. Presgrave,*
Acting Resident.

E. I. Company and
Board of Control.
(Documents.)

Malacca, Thursday, 8 June 1826.

Si Baley, a slave woman, appears with a complaint against Keam, her mistress, for beating her severely.

The plaintiff's back being shown, exhibits marks of a violent infliction of the rattan.

Hougsin appears on the part of Keam, his mother, and charges plaintiff with extreme general inattention.

Hougsin is fined 10 dollars, and warned to avoid for the future exercising such severe chastisement, as the police-office is always open for complaint, if the negligence of servants is such as to require any serious notice.

(signed) *S. Garling,*
First Assistant.

Malacca, Tuesday, 20 June 1826.

Mr. Henry Kraal states, that the prisoner, a slave, named Tom, absconded from his house about 12 months ago. He remained absent for eight months; since his return he has evinced a determined resolution to behave ill; on the 16th instant, he attempted to break open a chest containing a gold watch and jewels, the property of his master; two days afterwards he stole a fiddle, also the property of his master.

Witnesses January, Jab, Sempang and Charles, corroborated the evidence given by Mr. H. Kraal.

The prisoner, Tom, has nothing to say in his defence; sentenced to receive three dozen lashes, and to work on the public roads in irons for six months from this date.

(signed) *W. G. Mackenzie,*
Resident.

Malacca, Wednesday, 12 July 1826.

Korangala Chitty appears on behalf of Sewa Gami, and complains against Bebar, a registered slave woman, for absenting herself, apparently with the intention to abscond, for eight days; that she was discovered from the report of a man to whom she had made application for money to purchase her freedom; that she also took away a quantity of her clothes.

Bebar denies having taken away the clothes, but states that she ran off in consequence of general ill-treatment on the part of her mistress.

Bebar is sentenced to seven days' solitary confinement, and desired on any future occasion to make her complaint at the police-office in the event of ill-treatment, and not to pursue measures involving her in greater difficulties.

Kim-Reh appears and complains against Tan Kim, a registered slave woman, for general inattention, indolence and impertinence.

Tan Kim not having anything of consequence to urge in her defence, is sentenced to five days' solitary confinement.

(signed) *S. Garling,*
First Assistant

Malacca, Monday, 24 July 1826.

Adrian Minjoot brings up two of his registered slaves, named Tom and Cordon, for running away, this being the third offence of a similar nature committed by Tom. Tom acknowledges having run away three times, and complains that he has not a sufficiency of money allowed him; he acknowledges that he is properly fed, and in all other respects treated well.

Cordon states to the same purpose.

It not appearing that the prisoners have anything of importance to allege in their defence, they are sentenced to corporal punishment and hard labour; Tom in three dozen and six months' hard labour in irons, and Cordon one dozen rattan, and 14 days' hard labour in irons.

(signed) *W. G. Mackenzie,*
Resident.

Malacca, Tuesday, 1 August 1826.

Alli appears and complains against his registered slave, See Tuah, for absconding and absenting himself several days.

See Tuah states that he is not treated well, but as there is redress open at the police against any oppression, he is sentenced to one dozen rattans.

(signed) *S. Garling,*
First Assistant.

Malacca,

Malacca, Wednesday, 2 August 1826.

E. I. Company and
Board of Control.
(Documents.)

Daniel Hock appears on the part of Sewah Gami, complaining of the conduct of Mime Sixee and Si Bougha, daughters of Meme Si Riboo, Si Bida and Mootoo, slaves of Sewa Gami, on the following charges :

1st. Meme for instigating Mootoo to make picklock, by which the paggar was opened to give Meme egress early one morning.

2d. Mootoo for making picklock and forcing the lock, by which Meme got out.

3d. Sixee for stealing at various times from her mistress to the amount of 15 rupees.

4th. Si Reboo for receiving the said money, knowing it to be stolen.

5th. Si Bougha for stealing some fanams from her mistress's box.

Si Bida, for abstaining to acquaint her mistress with the circumstance of Sambu Kitchel (the present Captain Kling) having endeavoured to seduce her to open the door at night, in order to grant ingress to him, on the plea of watching the movements of Sewa Gami, the widow of his late father.

The parties being called up, excepting Meme, who was not brought to the office, they uniformly acknowledge the points charged against them, only that Si Reboo professes her ignorance of the money deposited with her being stolen.

Siree produces 14 rupees, stating that the fifteenth has been expended.

As Siree is but young, and a slave, and Si Reboo cannot show cause how Siree became possessed of so much money, it is evident she knew the cash to be fraudulently acquired, Siree and Si Reboo are therefore sentenced to 10 days' close confinement, in separate apartments.

Mootoo being but a child, and Si Bida not having acted upon the instigation of Sambu Kitchel, and appearing to be ignorant of the propriety of immediately acquainting her mistress with the circumstance ; and Si Boonga, with the same opportunities of robbing her mistress as her sister Siree, having restricted her depredations to a trifle, and it being considered that her mistress should not have afforded her domestics such easy access to her money ;

Mootoo, Si Bida, and Si Boonga are, for the above reasons, reprimanded, warned and liberated.

(signed) S. Garling, First Assistant.

Malacca, Tuesday, 15 August 1826.

Abdul Rachman brings up Ambara, a registered slave, for general bad conduct and for absenting himself for many months.

Ambara states generally his purpose of proceeding to Singapore, but gives no sufficient cause for his conduct ; he is sentenced to receive a dozen rattans.

(signed) S. Garling, Provl. Resident Councillor.

Malacca, Tuesday, 29 August 1826.

Pekham, a slave woman, appears and complains against her master, Abdul Batta, for ill treatment, and particularly of a blow on the right eye, the surrounding parts of which exhibit marks of violence.

Abdul Batta acknowledges having been angry with the woman ; but denies striking her.

Usope, witness, states that he saw Abdul Batta driving the plaintiff before him in anger.

Judgment against Abdul Batta, who is fined five Spanish dollars.

(signed) S. Garling, Provl. Resident Councillor.

Malacca, Monday, 9 October 1826.

Mr. William Kraal appears at the police-office and complains against a slave girl called Patacha, for having in her possession various articles which had been stolen.

Plaintiff being sworn, identifies the things (which are produced), as the property of his sister.

See Rocia, witness for the plaintiff, deposes that she took the articles from under defendant's bed mattress.

Defendant is sentenced to be confined in the jail of Misericordia for the space of one fortnight, and an order to receive the said Patacha is issued to the jailor accordingly.

(signed) J. Pattullo, Acting Deputy Resident.

Malacca, Wednesday, 18 October 1826.

Mahomed Nina, for his mother Assilmah, appears in court, requesting authority to oblige Etam, a registered slave woman, to return to her mistress.

Authority is accordingly granted.

(signed) S. Garling, Provl. Resident Councillor.

E. I. Company and
Board of Control.
(Documents.)

Malacca, Monday, 23 October 1826.

Patacha, a slave woman of Mr. Kraal, who was sentenced to a fortnight solitary confinement for theft, is brought to the police-office, and after being warned as to her future conduct, is released and sent back to her master.

(signed) *J. Pattullo*, Acting Deputy Resident.

Malacca, Monday, 27 November 1826.

Mrs. H. Kraal complains against a slave boy of hers, named October, for entering a godown and stealing oil, and states that she has known the same to be the case for some time past, but never could prove it against him.

See Latip, a servant of Mrs. Kraal's, deposes, that about 12 o'clock on Friday night, he found October carrying something away, and on asking him what it was, he answered "that it was water;" that he seized him, having suspicion of him from many things having been lost, and found that it was oil he had. That after having seized him he went to examine the godown, and found the door open.

The defendant acknowledges having taken the oil.

Ordered to receive one dozen rattans.

(signed) *J. Pattullo*, Acting Deputy Resident.

Malacca, Saturday, 30 December 1826.

Se Tanglie, a slave woman, complains against her master, Auting, for striking her, and shows the mark of a blow from which some blood had flown.

Defendant is fined five Spanish dollars, and warned as to his future conduct in punishing his servants or slaves, as the police is always open to hear complaints.

(signed) *J. Pattullo*, Acting Deputy Resident.

Malacca, Tuesday, 2 January 1827.

Jacinto, a slave of Mrs. Kraal, is punished with six stripes for absenting himself from his quarters for some days, without permission, and for being drunk and inattentive to his duties.

(signed) *J. Pattullo*, Acting Deputy Resident.

Malacca, Monday, 15 January 1827.

Mr. Kraal, for Mrs. Kraal, complains against a slave boy named Solaman, for having clandestinely entered the house on the night of the 13th, where he was found.

Defendant acknowledges, but says that he did not enter the house with any bad intent, and pleads in extenuation some assignation.

Sentenced to one month's work in irons on the public roads.

(signed) *J. Pattullo*, Acting Deputy Resident.

Malacca, Friday, 26 January 1827.

Mrs. Kraal complains against Rokea and Patacha, slave women, and Salip, slave boy, for attempting to run away, which the parties confess; but are unable to give any satisfactory reason for such conduct.

The two women are sentenced each to be put in solitary confinement in the Misericordia jail for the space of one month. The boy to receive 18 lashes of a rattan.

(signed) *J. Pattullo*, Acting Deputy Resident.

Monday, 5 February 1827.

Jacinto, a slave of Mrs. Kraal, is punished with a dozen stripes of a rattan for absenting himself from his quarters, and for being drunk and inattentive to his duties.

(signed) *J. Pattullo*, Acting Deputy Resident.

Wednesday,

Wednesday, 21 February 1827.

January and Job, slaves of Mrs. Kraal, and Fortuna, slave of Mr. Kraal, having been guilty of gambling in their master's house, and enticing others into the house for that purpose, are sentenced to receive a dozen lashes each.

(signed) *J. Pattullo*, Acting Deputy Resident.

Malacca, Saturday, 10 March 1827.

Mr. Neubronner complains against a slave boy of Mrs. Kraal, for having been found in his house late at night, which is acknowledged by defendant, who pleads having an assignation. Sentenced to receive one dozen lashes.

(signed) *J. Pattullo*, Acting Deputy Resident.

Malacca, Friday, 16 March 1827.

Jabar, a slave boy of Katya, complains against Abdool Latip, son of Katya, for ill treatment, and shows likewise a mark on his head inflicted by the said Abdool Latip with a piece of wood.

Defendant is fined Spanish dollars.

(signed) *J. Pattullo*, Acting Deputy Resident.

Malacca, Thursday, 14 June 1827.

Dattoo Menbangan, one of the Ampat Socoo of Nanning, complains that a Chinaman, named Se Hay, had inveigled away a slave woman belonging to complainant.

The slave woman, Paddi, states that the Chinaman quitted Nanning about a year ago, and that a month afterwards she followed him; that the Dattoo's house being at a long distance, she had not an opportunity of requesting his permission; that she cohabits with the Chinaman, and could not brook the disgrace of possessing a progeny whom none would acknowledge.

The woman desired to return.

(signed) *S. Garling*, Prov^l. Resident Councillor.

Malacca, Friday, 15 June 1827.

See Talip, Mr. Kraal's servant, sent to the police by his master for robbing his brother, a fellow servant, and selling a badjoo to Segin.

Segin acknowledges having bought the badjoo of Talip.

It being the first time that Segin has been brought to the police, and bearing a general good character, he is admonished not to purchase goods without ascertaining first whether the same be stolen or not, and is for this time pardoned. See Talip being a notorious bad character, and not having yet the wounds healed of the punishment inflicted on him on Monday last, is sentenced to be flogged on the posteriors with 18 lashes of a rattan.

(signed) *W. T. Lewis*, Second Assistant.

N.B. Talip was punished on Monday for abusing and lying wait to be* at Panjee.

* Orig.

Malacca, Mouday, 9 July 1827.

Toby, a servant of Mr. J. W. Baumgarton, brought up by his master for insolence, which being proved by two witnesses, he is directed to be punished with one and half dozen lashes.

(signed) *W. T. Lewis*, Assistant Resident.

Malacca, Saturday, 21 July 1827.

John Gordon complains of Ballee, a female pedlar, for receiving stolen property of a servant.

Ballee acknowledges having bought a chuclu kondye of September for two dollars, but did not know who he was at the time.

The boy declares that the woman knew him, and that he has known her for a long time.

The case being one of those so much to be regretted, where pedlars are noted for enticing and intriguing with servants, September is accordingly punished with two dozen lashes from the cat; the woman to be kept in solitary confinement for one month, and to pay back the seven rupees she sold the jewel for to Saydah.

(signed) *W. T. Lewis*, Assistant Resident.

E. I. Company and
Board of Control.
(Documents.)

Malacca, Saturday, 11 August 1827.

Mr. J. B. De Wind complains against Kong Sing, nachoda of a prow, for carrying away his slaves named Cordon and Daphene, and against Alias for enticing the said slaves away. Kong Sing, owner of a small boat, declares that he went on board about two in the morning, for the purpose of sailing to Singapore; that at day-light he saw the woman, a man and three children on board, and that he came back on that account; that he inquired of Alias, one of the Anak prows, who the woman and children were, who said that the woman was his wife, and being asked if he knew Cordon, the man standing near the woman, replies in the affirmative; but did not know that he belonged to Mr. De Wind.

Sahat, a passenger, deposes that he was going to Singapore in the boat, and saw the woman and children there before they reached Pulo Jamah, and that in the morning they put into Pulo Bessar for water, and that seeing a woman on board whom he suspected of running away, he left the boat and returned to Malacca in another boat the same day, about mid-day.

Cordon, on being asked how he got away, states that about two o'clock in the morning he went to the boat, which was near the Paybean, and asked the baba (Konsing) to take him, and that he did so.

Batta, a China lad, deposes that he was going as passenger in Konsing's boat, that he saw these people on board when day-light appeared, and that the nacoda returned in consequence of having found them on board; that it was low water when they came to an anchor off Trankerah, and that the man, woman, and children walked on shore through the mud.

The nacoda being deeply concerned in taking away the slaves, having to all appearance come back on account of one of the passenger's returning, is to find security in 300 dollars, or to be confined until the court is held.

Alias, one of the crew, to find security in 200 Spanish dollars, or be confined.

The man Cordon and the woman, to be confined for trial.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Wednesday, 5 September 1827.

Jumat, a little boy, was found near Kolliam Gantee, having run away from his mistress, Hendrina; the boy appears to have been ill-treated by his mistress, who is an old defenceless woman; one-third of his debt of 15 dollars is struck off, and the boy allowed to seek the rest (10 dollars.)

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Saturday, 17 November 1827.

China Captain brings to the police-office See Ontong, a slave, for impudent conduct, and absenting himself for two days without permission; that after searching for him the captain found him at the cuboo.

The man not having any other excuse, is sentenced to receive one dozen of the cat.

Remitted at the solicitation of his master, with a warning that if he repeats such conduct he will be severely punished.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Saturday, 8 December 1827.

Tom, a slave, brought to the police for insulting language to his master, Mr. Minjoot, on reprimanding him for absenting himself at night, and doing nothing in the day.

Acknowledges his offence, and is punished with one and a half dozen of the cat.

Slamat, a slave of Mrs. Grey's, brought up to the police for being absent eight days, and obtaining money for bread sold in the name of his mistress.

Acknowledges his fault, that he had been drawn into absenting himself by getting intoxicated, and then was afraid to return. Pleads his long services, and promises in future to behave better. Sentenced to receive one dozen lashes of the cat, but is remitted on trial of his promises to behave better.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Monday, 16 March 1828.

Hadjee Mahomed brings up his servant Sampornah, who refuses to work, and whom he found gambling. Punished with one and a half dozen.

Kling Captain brought up his servant, Daltang, for using his horse when he was absent from his house; and further, that the horse had been ill for upwards of two months.

Is severely reprimanded, and punishment remitted, with promises of better conduct in future.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca,

Malacca, Monday, 28 April 1828.

Shaik Ohman Batavia brought up his servant, Nyan, for repeated bad conduct. It appears that his master cannot keep him from the gambling-house, and this being the second time that Nyan has been brought up for the like offence, he is sentenced to be flogged two dozen with the cat.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Wednesday, 7 May 1828.

Mr. Minjoot brought up Si Damman, his servant, for repeated bad conduct and refusing to attend to his work, which he acknowledges. Is slightly punished with one and a half dozen of the cat, and directed to be more obedient in future.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Monday, 16 May 1828.

Shak Ahmat brought up his servant for refusing to work, and continually leading an idle life at Malacca, instead of being out at his house at Bertain.

The boy acknowledged that he was in town, but that he had bad feet, which on being examined, and not found any ways bad, he is punished with one and a half dozen of the cat.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Thursday, 22 May 1828.

Thomas, a servant of Mrs. Collee, was brought to the police for continued disobedience, and taking advantage of her unprotected state, and for stealing one and a half rupee.

The fact being proved, he is punished with one and a half dozen of the cat, with warning to be more severely punished on a repetition of his bad conduct.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Tuesday, 3 June 1828.

Mr. Williamson brought to the police his male servant Mangah, for repeated disobedience of orders, and behaving to him in a contemptuous manner. The fact being proved, Mangah is sentenced to be punished with 24 lashes of the cat.

(signed) *W. T. Lewis,*
Assistant Resident.

Malacca, Friday, 28 November 1828.

Selamat, a boy of about 12 years of age, appeared this day at the police, complaining of having been ill-treated by his mistress, Nonea Chen; that he has not enough to eat, and for the least fault is severely punished. Hounng Bang Lout, the husband of Nonea Chen, states that he has no certificate of the boy being a slave, and that a friend from Siac had sent him as a present about four years ago. The boy is accordingly liberated.

(signed) *W. T. Lewis,*
Assistant Resident.

(True copies.)

(signed) *J. Pattullo,*
Secretary to Government.

E. I. Company and
Board of Control.
(Documents.)

COMPLAINANT.	DEFENDANT.	NATURE OF OFFENCE.	SENTENCE.
Malacca, Wednesday, 9th July 1828 :			
James Matthe; witness, Bastiaian Gonting examined.	Jamahat -	- - For assaulting his mistress, complainant's mother. The fact proved by Bastiaian Gonting.	- - Sentenced to receive one dozen lashes of the cat.
Manar, examined; witness, Fortuna, examined.	Carolina Rappa	- - For ill-treatment by her mistress, the defendant. Fortuna, who tied the complainant, states, that her hands were merely fastened.	- - Dismissed, with caution to the mistress to treat her servant better, and to pay her her wages regularly.
		(signed) <i>W. T. Lewis,</i> <i>Henry Nairne,</i> }	Justices of the Peace.
Malacca, Thursday, 18th September 1828.			
Adja Piria Tambay; witnesses, Ray-an, examined, Abdul Lajeas, Law Kian.	Slamat -	- - For stealing a lanthorn, and climbing up the house of Achmed, and stealing clothes of a Chinaman named Teong. Case proved: the offender declares having received the cloth to sell for Teong, which is not proved.	- - To be worked on the roads for six months in irons.
		(signed) <i>W. T. Lewis,</i> <i>H. Nairne,</i> }	Justices of the Peace.
Malacca, Monday, 8th December 1828.			
Layhin -	Koo Yoo -	- - For ill-treatment. Layhin appears in court with a chain on his leg, which he declares was fastened on to prevent his leaving the house. Defendant states that the boy was continually running away; and that his wife, in his absence, not knowing how to secure him, had put the chain on, as many had done in Malacca formerly.	- - The boy liberated, and Koo Yoo punished with a fine of 20 dollars, and cautioned that a repetition of the kind will subject him or any one else to very severe penalties.
		(signed) <i>W. T. Lewis,</i> <i>H. Nairne,</i> }	Justices of the Peace.
Malacca, Monday, 6th April 1829 :			
* Orig. Rosina -	Nicholas Van Der Beck.	- - For an assault and battery. Complainant states that she is a slave of defendant; that on Monday last she worked by order of her mistress (the wife of the defendant) a pair of trousers, with which her mistress was not satisfied, and consequently struck her severely with a piece of wood, and occasioned the marks on her face, hands and body. Defendant admits that complainant was punished, but for stealing his property and running away.	*
		(signed) <i>T. Church,</i> <i>W. T. Lewis,</i> }	Justices of the Peace.
Malacca, Monday, 27th April 1829 :			
Ledang -	Balime -	- - For an assault. Complainant states that defendant had put a chain to his leg and fastened to a log. Defendant admits the charge, and states further, that the boy had run away and stolen property from another servant; that a Malay man found him, and brought him to her at 12 o'clock at night; that fearing he would make his escape, she secured him in chains until she could get him sent to the police.	- - Defendant is deemed guilty; ordered to pay a fine of 50 rupees.
		(signed) <i>T. Church,</i> <i>A. M. Bond,</i> }	Justices of the Peace.
Malacca, Saturday, 23d May 1829 :			
Memah -	Jozeph Hock -	- - For beating and ill-treating complainant.	- - Case dismissed for non-appearance of complainant.
		(signed) <i>T. Church,</i> <i>W. T. Lewis,</i> <i>A. M. Bond,</i> }	Justices of the Peace.

COMPLAINANT.	DEFENDANT.	NATURE OF OFFENCE.	SENTENCE.
Malacca, Saturday, 6th June 1829 :			
Gerret Lundert Baumgartin.	Selmon	- - For leaving his work as horse-keeper, without giving due notice. Defendant states, that not wishing to continue longer in complainant's service, he acquainted Mrs. Baumgartin with his intention to leave, and went away accordingly. (signed) <i>T. Church,</i> <i>W. T. Lewis,</i> <i>A. M. Bond,</i>	- - Sentenced to pay a fine of eight rupees ; in default of payment, to be worked in the roads for 15 days. Justices of the Peace.
Malacca, Saturday, 27th June 1829 :			
Anseng ; witnesses, Lay-hin examined, Sayda.	Lay hoo, See Barroo.	- - For stealing two bags of salt, the property of Ausing, about 20 days ago. Defendant Lay-hoo admits having taken the salt in question, and sold by See Barroo for want of money. See Barroo acknowledges that he received one sookoo from Lay-hoo for carrying the salt to a Malay prahu. Lay-hin being sworn, proved the fact. (signed) <i>T. Church,</i> <i>W. T. Lewis,</i> <i>A. M. Bond,</i>	- - Lay-hoo is ordered to receive one dozen lashes with a cat, and three months to be worked in irons ; and See Barroo is sentenced to four months' hard labour on the roads in irons. Justices of the Peace.
Malacca, Monday, 10th August 1829 :			
Layhin - - -	Koo Kong Lim	- - For beating and ill-treating complainant. Defendant denies the charge. (signed) <i>T. Church,</i> <i>W. T. Lewis,</i>	- - Dismissed for want of evidence. Justices of the Peace.

E. I Company and Board of Control. (Documents.)

COPY of two Depositions made before the Magistrate.

Renga Sammee appears before me, and declares that about twelve days ago, Mootoo, a man slave (certificate produced) left his house without any cause.

Question put to Mootoo. Had you any cause of complaint?—No, only that I wanted my freedom.

Renga Sammee states that Mootoo went to the Rev. Mr. Smith, who gave him a note to the resident, and that the man came back (to Renga Sammee), and said that he had the resident's order to consider himself free. This declaration was made before W. T. Lewis, one of His Majesty's justices of the peace, as the declarant hopes to recover damages when the court of justice shall be opened at Malacca.

Under my hand, 11 May 1829.

(signed) *W. T. Lewis,*
Justice of Peace.

Abdullah, of Trunkerrah, appeared before me to complain that a slave man, named Selamat, left him eight days ago (certificate of slavery produced), and he went away without any provocation.

That the Rev. Mr. Smith gave Selamat a note to the resident, and that the resident told him he was at liberty to go where he liked. The declarant has requested to make this statement, hoping to be able to recover payment for his property.

Before me, 11 May 1829.

(signed) *W. T. Lewis,*
Justice of Peace

(True copy.)

(signed) *W. T. Lewis,*
Assistant Resident.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT MALACCA PUBLIC CONSULTATIONS, 26 November 1829.

At a Council: Present, the Honourable Robert Fullerton, Governor, President, and Samuel Garling, Esq.

Read and approved the proceedings of the 17th instant.

The following Minute of the Honourable the President, in continuation of the Slave Question, is laid before the Board, and recorded.

MINUTE of the President.

I HAVE perused Mr. Garling's Minute of the 17th instant, with its voluminous enclosures. As to the legal question, I enter into it no further; had not some doubt been involved, a reference would not have been required, and until the reply is received it is quite unnecessary to agitate that question. In allusion to the letter received from Government, bearing date 9th January 1829, I have only to express my regret that, presuming on the opinion of Sir J. Claridge previously given, I ever sanctioned the declaration of any opinion whatever on the case, without reference either to the Acts of Parliament, or to any one of the papers since produced; but I must here refer to the expression which commences and closes that letter. The resident was distinctly told that the question was properly a judicial one, and to be eventually discussed in court; and that justices of the peace would be answerable to the court for their acts in the case. Could I ever have imagined that Mr. Garling would take an opinion of the executive department so communicated as the ground of any judicial act, most undoubtedly such would never have been given. As to the transaction in which the recorder is stated to have taken any part, I can only observe, in respect to the communication said to have been made by him, that it seems rather an extraordinary one, "to convert slaves into debtors," if he really thought them legally free, and at liberty to quit their masters. The transaction alluded to in the enclosure (G.), is alike extraordinary. If such application was made to the recorder, it is surprising, and much to be regretted, that he did not direct the registrar to put the parties in the way of bringing the case to a regular hearing, and thus decide judicially, and in open court, a question producing so much dispute and irritation. One of the parties must, I presume, have been that noticed in enclosure (H.), in which it appears that Mr. Lewis gives quite another account of the recorder's opinion, in having, as stated by that authority, remanded the woman to custody of her master. But, in all this, one thing is perfectly clear, that the case was never judicially heard, nor evidence produced in the presence of both parties, nor of course judicially decided; and that there was no ground whatever for any judicial opinion, nor any line judicially laid down for the conduct of inferior judicial officers.

The recorder indeed appears to have quitted Malacca the very day preceding that fixed for the meeting of the court of quarter sessions, the tribunal at which it is almost certain the question would have arisen. I regret the absence of judicial decision the more, as I freely admit that, presuming the question would force its way before the judicial tribunal of the professional judge, I have never till now considered it with that degree of attention which I should have done, had I supposed the decision would have rested so entirely on me. As to the matters connected with the disputes and differences between Mr. Garling and Mr. Lewis, I must observe, that collision was absolutely and utterly unavoidable from the course pursued by Mr. Garling; guided by the papers and opinions before him, he seems completely to have made up his mind as to the non-existence of slavery; with all this no fault can be found, for every man has a right to form his own opinion; it was not the opinion, but the mode of giving to it practical, and I think premature, effect, that was found objectionable. It seems perfectly clear, and is indeed admitted by Mr. Garling himself, that within the last six months 50 applications were made to him by persons held in slavery; that persons coming to him were told to return for a month as servants, giving due warning of their desire to quit the service of their master, and in presence of witnesses to ask if they had returned whatever had been placed under their charge; that it was explained to them that "he, Mr. Garling, had nothing to do with the term slave, and could not emancipate slaves." It is certainly singular that Mr. Garling did not perceive that, in saying all this, he was in reality emancipating the slave, and thus completely prejudging the very question at issue, by declaring to one of the parties in the case that they were free. All this, be it remembered, happens at his own dwelling-house, and on the application of one of the parties only; in fact, while the slave was running to Mr. Garling, and hearing the declaration of her freedom from what she considered the highest authority in the place, the master was at the police-office lodging a complaint against the slave for absconding. Different opinions are entertained on the merits of the case. Mr. Lewis, as magistrate, does not consider himself warranted in deciding the case involving property; his course seems to have been to endeavour, by all conciliatory means, to induce runaway slaves to return to their masters, and if he did not succeed, to bring them up before the quarter sessions. Mr. Garling then addresses that gentleman in the official department, as his executive superior, telling him he was interfering with the gradual emancipation of the slaves; discussion and contention naturally arise. Mr. Lewis, in his capacity of superintendent of police, is no doubt subject to the orders of the resident in all police affairs, such as the disposition and arrangement of the police establishment, taking the census of the population, reporting on all matters connected with the welfare of the community other than judicial; but police and magistracy are perfectly distinct; and in the case before us,
Mr.

Mr. Lewis was acting as a committing magistrate, and not as police master. Failing to accommodate differences between parties, the question he had to consider was simply this, before what court fell the case to be tried? The answer was self-evident, "Before the court of quarter sessions." No order of his executive superior could with propriety be given in such case, and none should have been allowed to interrupt the regular course, the bringing all parties before that court. If Mr. Garling thought it proper to interfere in the discussion, how plain and simple was his line of proceeding, to take his place as the judge of the quarter sessions, and as such, acting on his oath, and under all the responsibilities of the office, giving his judicial decision after hearing all that could be urged by both parties interested in the issue. It was there as a judge he should have listened to complaints brought by slaves against the master, by the master against the slave, and by decision founded on a full, open, and public hearing of the case, proved and enforced the reciprocal obligation due by one party to the other. It was in his place as a judge, and at the head of the court, that he should have corrected and repressed the enormities mentioned in his enclosure (M.), if proven to have any existence, in which, however, I trust he goes more by the exceptions than the general rule; but if such things do exist, he must himself bear the blame, by neglecting the functions through which alone they can be checked or done away; but instead of this regular course, he appears to have considered the whole affair as one to be settled in his executive capacity of resident, and in his own house; hence arose an official correspondence, and verbal communication, unexampled at any other of the three settlements, on a question purely judicial in its nature, and on which no discussion should even have appeared on the records of Government. As to the enclosures annexed to Mr. Garling's minute on these points of discussion between him and Mr. Lewis, they contain so complete a confounding of private and official matter (written and verbal) on a judicial question on which no executive communication should have arisen at all, that I find it vain to attempt to unravel, and useless to argue on, such a mass of matter. The situation of Mr. Lewis was no doubt a most difficult one. Entertaining an opinion different from that of the Resident on a question purely judicial, in which he was bound to act according to his own discretion, and embarrassed by communications from his executive superior, of a tendency opposite to his own opinion, it is not surprising that some degree of doubt and uncertainty should appear in his proceedings, but he certainly cannot be charged with any wilful disrespect to his superior. Deeply as the inhabitants of Malacca may be interested in the retention of what they have all along considered as their property, I am perfectly satisfied that a decision, made after a full hearing in open court, would not have excited a murmur of discontent; it was the irregular, extra-judicial hearing by the executive authority in private, and the declared emancipation of slaves on *ex parte* statements, which destroyed all confidence and respect, having an evident tendency to excite desertion amongst the whole body of slaves, and by encouraging insolence and disrespect, in fact, subvert the whole domestic arrangements of the place, much increased, I must say, by the violent and inflammatory declarations of a newspaper, calculated alike to irritate the master and encourage the slave. In what degree the improper interference of individuals amongst the slaves has given rise to late transactions, every one will of course form their own opinions; enough has appeared to convince me that unless some undue excitation had been used, the peace and order subsisting before April last would not have been disturbed. Trusting, however, that strict adherence to the resolution formed at the last meeting of the quarter sessions, and the avoidance by Mr. Garling of all out of court proceedings in such cases will ensure the return of order, I think it unnecessary to prolong this already voluminous discussion.

Malacca, 23 Nov. 1829.

(signed) *R. Fullerton.*

Upon which Mr. Garling records the following Minute:

MINUTE by Mr. *Garling.*

I HAVE carefully considered the Honourable President's Minute of the 23d instant. There are opinions advanced in which I cannot concur; but resting upon what I have submitted in my Minute of the 17th instant, I do not wish to protract the discussion.

Malacca, 26 November 1829.

(signed) *Samuel Garling.*

The following letter to the Governor-General in Council is signed and recorded, as is also the list of Enclosure which is to accompany it.

(No. 156.)

From *R. Fullerton, Esq., and S. Garling, Esq.,* to the Right Honourable Lord *William Cavendish Bentinck, G. C. B.,* Governor-General in Council:—Fort William 26 Nov 1829.

My Lord,

A QUESTION of considerable importance, and one which excites much interest amongst the community of Malacca, having recently come under discussion; namely, whether slaves registered under the preceding Netherlands government are to be legally considered in a state of slavery since the transfer of this place to the British authority, and the establish-

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ment of an English court of justice; we have the honour to submit all the minutes and documents which have passed on the occasion, for the consideration and opinion of your Lordship in Council.

Malacca, 26 November 1829.

We have, &c.
(signed)

R. Fullerton.
S. Garling.

LIST of Papers respecting Slavery, copied for transmission to Bengal.

1. Petition of the inhabitants; no date.
2. Minute by Mr. Garling on the above.
3. Letter from the Superintendent of Police, dated 28 October 1829, with Enclosures, marked (A. to F.)
4. Letter from the Superintendent of Police, dated 13 November 1829, with seven Enclosures (Note No. 4, agreement of inhabitants in 1819, was received with his letter of 28 October, and is copied in E.)
5. Minute by the President, dated 9 November 1829, on the question of slavery.
6. Copy correspondence between the Resident Councillor and Mr. Lewis, in May 1829, referred to in the above minute.
7. Reply to the petition of the inhabitants.
8. Minute by Mr. Garling, with Enclosures (A. to O.), dated 17 November 1829.
9. Minute by the President, dated 23 November 1829.
10. Minute by Mr. Garling, dated 26 November 1829.

EXTRACT MALACCA CONSULTATIONS, 4 February 1830.

From Mr. Secretary *Patullo* to the Honourable *E. Presgrave*, Esq., Acting Resident Councillor, Malacca, 11 December 1829.

Sir,

I AM directed by the Honourable the Governor in Council to transmit to you the accompanying Queries on the subject of slave debtors, and to desire you will communicate your sentiments on that subject.

(signed) *J. Patullo*,
Secretary to Government.

Fort Cornwallis, 11 December 1829.

Addressed the following letter in reply to the above letter from the Secretary to Government.

(No. 51.)

From the Hon. *E. Presgrave*, Acting Resident Councillor, to Mr. Secretary *Patullo*,
4 February 1830.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, dated 11 December last, forwarding a list of queries on the subject of slave debtors, and, in reply, beg leave to submit the enclosed answers thereto, which I beg you will lay before the Honourable the Governor in Council. But before entering upon the answers to the questions, I trust I may be allowed to make the following remarks, chiefly with a view of ascertaining the precise idea conveyed by the terms slave debtors.

2. And first, with reference to the practice and custom in use in most of these countries, more particularly in Sumatra, where I have had an opportunity of becoming myself personally acquainted with the subject, and where, as far as I am informed, the practice does not materially differ from that in other Malay countries, I beg to remark, that there are two descriptions or classes of persons whom circumstances and the state of society have placed in servitude. These are the hamba and orang utang or merghering (as they are termed in Sumatra), the former term signifying a slave, the latter, a debtor standing in a certain relation to his creditor.

3. With regard to the first of these classes, on the slave, no remarks are necessary, their relative condition in society being universally understood. With reference to the orang merghering, or debtor, I would beg to observe, that he is an insolvent debtor who is bound by law or custom to serve his creditor until the debt be satisfied. He differs little from a slave while in actual servitude, except that he does not part with his rights and privileges as a free man; that is, the laws of the country are open to him, and he may acquire property. According to the native usage, the debtor, upon becoming insolvent, is bound to give his personal services to his creditor until the amount of the original debt is paid off. No matter if the debt is great or small, if he have served five or fifty years, no deduction is made in the amount required from the debtor, his labour being considered only an equivalent for his food, clothing, and the interest of the debt. The debtor can, however, at any time redeem himself from servitude by returning the amount of the creditor's original claim. Or if he is dissatisfied with his master, it is optional with him to change him, if he can find another willing to pay his debt, with whom he contracts precisely the same obligations as in the former case.

4. Subsequently, when laws were enacted by the European government to put a stop to the traffic in slaves, the subjects of these powers in the East were restrained in their former dealings, and slaves were not allowed to be bought or sold as formerly; but as the demand for domestic slaves still existed, to avoid the operation of the prohibitory law, slaves were still

still sold, but under the name of debtors, and considered in the same light as the merghering or orang utang. By this an apparent advantage was gained to the slave, inasmuch as by becoming nominally a debtor, he was released from the law of perpetual servitude to which his condition subjected him, that is, he might become free if he acquired money enough to pay off his debt or purchase-money, which was all the master could claim where the owner was an European. The advantage unfortunately was only apparent, for the man was actually purchased as a slave, and the supposed, or pretended debt, was neither more nor less than the usual amount of the purchase-money of a slave; the term debtor being only understood between the purchaser and seller, to avoid, as I before said, the penalties for dealing in slaves. I would further observe, that as there was frequently no express agreement drawn up between the slave and persons paying the money, so long as his right or title was not questioned, the debtor might languish in slavery for life, and his progeny after him, if he had any. Among Europeans themselves more strictness and regularity was observed; the slave or debtor was purchased as before, and the same price given; but being better informed as to the penal consequences of dealing in slaves, a written agreement was entered into at the time of purchase in the form of a voluntary contract, by which the debtor bound himself to give his service for a certain fixed time to his master; his wages were also generally fixed; a certain proportion of which was set off against his debt, and, at the expiration of the term agreed upon, the individual becoming free was accordingly released from all further claims from his master.

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5. In the original state of the native practice with regard to slaves and debtors, as above explained, the former always bore a much higher price, as might naturally be expected, from the term of servitude of the former having no limitation but that of his natural life, while the debtor rendered his services for an ascertained and limited period. For this reason, a debtor was seldom or ever brought from a distance, as a removal to a foreign country would infallibly reduce him to the condition of a slave by taking him from his relations and friends, who might absolve him from servitude by assisting him to pay his debt. Thus debtors were almost wholly obtained from our own districts, and places immediately adjacent thereto, while slaves were imported from foreign and distant parts.

6. This I believe to be the origin and condition of what are now termed slave debtors. Slaves, as regards their origin and actual state when first sold; and debtors, as regards the new engagements under which they are recognized. As the term slave debtor is perhaps exceptional, (at least it is not grateful to the ear in these times of freedom,) that of contract debtor, or any other, might be substituted, as the man changes his condition as a slave by a voluntary acknowledgment of himself as debtor, under a regular and definite covenant, which becomes as it were the charter of his future freedom.

7. From this statement it will appear that slave debtors when first introduced into our settlements are *bonâ fide* slaves; and as their price has not fallen in consequence of their new name, and the demand continues pretty much the same as before, it is obvious that the same inducement is held out to the native uacodah or trader to import slaves, so that all the peculiar hardship and cruelty of the slave trade may be said to be perpetuated by sanctioning the free introduction of slave debtors (actual slaves). On the other hand, it must be admitted, that as soon as they enter upon their new relation, that of a debtor to his creditor, their condition becomes considerably ameliorated, by having a certain limit set to their servitude. The extent of this advantage, however, will in a great measure depend on the efficiency of the check held over the importer, on the accuracy and strictness of the registers kept for that purpose, and on the debtor being made fully acquainted with the nature of his agreement, and the exact time of its termination. How far it would be advisable, in the present state of things, to sanction the importation from a distance of persons under the denomination of debtors, I must beg to leave to the decision of more competent judgment. But, in conclusion, permit me to add, that, could I feel assured that the relief which the introduction of this modified species of slavery would afford to the free native population of these settlements, who, considering the state of society among them, certainly feel the entire suppression of domestic slavery as a hardship, I should not hesitate to recommend the adoption of the measure. But when it is considered that this advantage must be purchased, on the part of a very large class of our fellow-men, at so dear a rate as that of tearing asunder the most sacred and endearing ties which bind man to man, and even to existence itself, the sacrifice I should fear would be almost too great.

8. Finally, I beg the honourable the Governor in Council will pardon me for having occupied so much of his time on this subject, and for the delay which has taken place in furnishing the replies herein transmitted, which delay has entirely arisen from my late serious indisposition. I beg likewise to forward the enclosed proclamation of the late Dutch governor, Zimmerman Thyssen, dated 3d November 1819, adverted to in the answers before mentioned.

(signed) E. Presgrave,
Acting Resident Councillor.

Malacca, 4 February 1830.

ANSWERS to Questions proposed by the Honourable the Governor in Council on the subject of Slave Debtors.

1. Does the practice generally prevail at the settlement?
Not openly, but clandestinely it does to a limited extent.

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2. Are slave debtors imported? Are the services of the natives of the place sold?

Slaves, under the denomination of slave debtors, are still clandestinely imported. The term slave debtors, as applied to designate a class of persons, was not known until after the penal enactments against dealing in slaves were enforced. Slave debtors are now principally imported by the Chinese from Singapore, where they are obtained from the Malay and Buger traders; chiefly the latter. Formerly, natives of the place were freely disposed of as debtors; but since the proclamation published by the late Dutch Government, dated the 3d November 1819, I believe the practice has ceased, or is of rare occurrence; a copy of this proclamation is herewith forwarded to the honourable the Governor in Council.

3. If so sold, by what description of people generally?

If this requisition refer to the former part of the last, my answer is, that the people so imported, under the name of slave debtors, are *bona fide* slaves; if the latter part of the question only is referred to, that is, natives of the place, then I beg to state, that, as to their rank and condition in society, they are the poor class of people, who have been impoverished by misfortune, or who having incurred debt in any manner, make a voluntary surrender of their services till they have paid back their debt, in order to extricate themselves from difficulties; or sometimes a man consents to go into servitude to assist a relation of higher rank; but in this case the latter is not over scrupulous to obtain the consent of this poor relation.

4. Of what race or nation are the slave debtors generally so imported?

The countries which chiefly supply the slaves or slave debtors (for they are in fact all one), are the Batta, the Balli, the interior of Borneo called Daya Ro, and a few from the island of Nias.

5. In what manner is it supposed the importers obtain the slave debtors?

One of the most fertile sources of supply of slaves undoubtedly is piracy; to this end chiefly are these piratical expeditions directed, and the profits arising from the sale of the captives is at once the inducement and main support of these barbarous and destructive undertakings. But besides this productive source, many are imported directly from the above places in the course of traffic by native traders. Many of these unfortunate creatures are hereditary slaves; persons condemned to slavery by the native laws, or taken in war between tribe and tribe, or persons kidnapped by the traders themselves, as opportunity presents itself in the course of their honest dealings.

6. Are agreements generally made between the debtors and the employer, or are the agreements made between the proprietor and intended employer?

Among natives, I believe, there are seldom any engagements made at all; but where respectable Europeans have been obliged to have recourse to this mode of supplying the demand for agricultural labourers, the engagement is made between the slave debtor and his intended employer.

7. If money is paid, who receives it, the importer or the slave debtor?

The money is always paid to the importer, and not to the slave debtor, who can never be considered in the light of a mere debtor, until after he has assumed that character by virtue of his new engagement.

8. Does the slave debtor always know or understand the engagement entered into?

9. Does he know the terms and conditions, that is, the exact relation in which he stands to the employer bargaining for his service?

If the employer is an European, I have every reason to believe that the nature of the conditions is sufficiently known, and clearly understood by the debtor; but in the case of natives, as I before observed, it is ten to one if any engagements are entered into at all.

10. Is it, in your opinion, advisable to require the registry of all such engagements, and these being made at the police-office before a magistrate, as done at Penang, in order to secure to all parties full understanding of the bargain they are entering into, examining the nature of the case so as to prevent abuses, that is, the practice of importing and selling slaves under the name of slave debtors?

I am of opinion that it is of the first importance that the engagements between the slave debtors and their employers should be made at the police-office in the presence of the magistrate, and the utmost strictness and regularity maintained in the registering of the contracts, so that the debtor may at any time apply and ascertain the termination of the time for which he contracted. I hope it will not be deemed irrelevant to add, that a fee might be levied for every contract registered; but great care ought to be taken that this expense does not fall upon the debtor by protracting the period of his servitude. The maximum of the amount to be paid for a debtor, under any circumstance, might perhaps be fixed with advantage, so as to limit the utmost term of service to a certain fixed time, beyond which he ought not to be allowed to contract.

(signed) *E. Presgrave*,
Acting Resident Councillor.

(True extracts.)

East India House, }
3 July 1838. }

(signed) *T. L. Peacock*,
Examiner of India Correspondence.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 25 March 1824.

From the Magistrates of *Calcutta* to Mr. Chief Secretary *Bayley*.—(16 November 1823.)

Sir,

WE beg leave to submit to the notice of the Right honourable the Governor-general in Council the annexed copy of an article which appeared in the "*Calcutta Journal*" on Saturday the 1st instant, under the head of "Slave Trade in British India."

2. It professes "to announce to the public the disgraceful fact that *Calcutta* is the mart in which the manacled African is sold, like the beast of the field, to the highest bidder; that 150 eunuchs have been landed from the Arab ships this season to be sold in *Calcutta*, and that those ships are in the habit of carrying away the natives of this country, principally females, and disposing of them in Arabia in barter for slaves for the *Calcutta* market."

3. It is unnecessary that we should remark on the injurious tendency of these statements, calculated as they are to impress the public mind with the opinion, that the purchase and sale of slaves is openly carried on in this settlement.

4. With a view to ascertain what foundation the editor might have for the statement published by him, he was requested in the first instance, by Mr. Shakespear, to disclose such information as he possessed on the subject, and his attendance was subsequently required at the police-office for the same purpose.

5. In the answer to Mr. Shakespear's letter, the editor objected to furnish any specific information on the points noticed by him, nor has he chosen to come forward when called upon more formally by the magistrates.

6. As we have every reason to believe that the circumstances as stated by the editor are grossly exaggerated, we have not deemed it necessary to compel his attendance at the police-office, but, as the assertions contained in the article referred to may possibly have attracted the notice of government, we have thought proper to report the above particulars.

7. From cases that have occasionally come to our notice, there are grounds to apprehend that the commanders of Arab ships do manage to introduce slaves into the town clandestinely, notwithstanding the penalties and restrictions in force for the prevention of such practices.

8. Under the provisions of Regulation X., 1811, a bond is taken from the commanders of a certain class of ships previously to their being allowed to land their cargoes, and they are also required to give in a list of their crews and passengers. We must confess, however, that these are very inadequate restrictions to prevent the introduction of slaves into the town. The penalty could only be enforced by the detection of the offence, which is attended with much difficulty; and, in fact, such part of the regulation as regards the importation of slaves by sea must be considered to have been superseded by the statute 51 of Geo. 3, c. 23, which declares the offence to be a felony.

9. The delivery of a list of the crew and passengers affords a still less check against the evil; such lists are not given in upon oath, nor any means taken to ascertain their correctness; it would, we conceive, be attended with benefit, both in preventing the introduction, into the town, of slaves, as well as of persons not licensed to come to India, were commanders required to give in such lists on oath, and were all ships visited immediately on their arrival at Saugor either by custom-house officers or officers from the Bankshall, for the purpose of taking down a correct list of every person on board of them.

10. We are further of opinion that the taking of a bond under the provisions of sec. 5, Regulation X., 1811, from the captains or supercargoes therein mentioned, should be discontinued, and that in lieu of being required to execute a bond, a printed notice should be delivered to them on their arrival, informing them of the real penalties attached to the crime of selling or disposing of persons as slaves within the British territories. The purport of the notice should also be publicly promulgated on board the vessel.

Calcutta Police-office,
November 1823.

We have, &c.
(signed) *H. Shakespear*, Chief Magistrate,
W. C. Blaquiere,
J. W. Hogg,
Chas Paton, } Magistrates.

"SLAVE TRADE IN BRITISH INDIA.

"OUR readers are of course aware that the nefarious traffic in human beings is equally forbidden by the letter and the spirit of British law in every portion of the British dominions, be their geographical position what it may, whether in the frozen regions of the north or the scorching climate of the torrid zone; wherever the British flag waves, the disgraceful commerce is made criminal by British law. What, then, will the humane and enlightened community of this magnificent capital of our eastern possessions say, when they are told that, with all its glittering spires of the temples of a pure religion, all its splendid palaces bespeaking the taste and refinement and the riches of their inhabitants,—with all its colleges and schools, and societies to promote the propagation of knowledge, civil and religious; what will they say when they learn that, amidst all these signs of veneration for Christianity, the philanthropy, the greatness and the refinement of Britons and British subjects in a British capital, it is disgraced by witnessing the lowest degradation of the human

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human species! that this great capital is, in short, at once the depôt of the commerce and riches of the east, and the mart in which the manacled African is sold, like the beast of the field, to the highest bidder! What may be said to this, by the enlightened community we address, we need not anticipate; it is our duty to announce to them the disgraceful fact. We are informed that 150 eunuchs have been landed from the Arab ships this season to be sold as slaves in the capital of British India! It is known, too, that these ships are in the habit of carrying away the natives of this country, principally females, and disposing of them in Arabia, in barter for African slaves for the Calcutta market!! Can it be possible that such degrading, such wicked scenes are passing around us, and that the actors are suffered to pass unnoticed and unpunished? We fear the fact is too true; but we hope that the publicity thus given to it will lead to the prevention of such gross violations of law and humanity in future. We can conceive the difficulty of detection in these cases; but let all those who are aware of the illicit practices of these followers of Mahomed remember that they are imperiously called on as Christians, and British subjects in particular, to bring to punishment these violators of law and humanity. Nature shudders at the thought of the barbarities practised by these abusers of God's noblest creature, who are led by an accursed thirst of gold to brutalize the human species. Only one fact shall suffice to show the savage and murderous barbarity resorted to by the wretches engaged in a traffic so revolting to humanity. A gentleman has informed us that of 200 African boys emasculated at Judda, only 10 survived the cruel operation; after such a statement, it would be to suppose our fellow-subjects totally destitute of all the best feelings of our nature to doubt that every exertion will be made by such of them as can in any way aid in putting down a traffic so inhuman and abominable, and in preventing the capital of British India from being disgraced by it."

(True copy.)

(signed) *H. Shakespear*, Chief Magistrate.

THE following Resolutions were passed on the 27th November last :—

RESOLUTIONS.

No. 29.

THE Governor-general in Council, having taken into his consideration the foregoing report from the magistrates of Calcutta, records his entire approbation of the proceedings adopted by them with a view to ascertain whether there existed any and what foundation for the statement contained in the "Calcutta Journal" of the 1st instant, under the head of "Slave Trade in British India."

It is stated by the magistrates, that, from cases which have occasionally come to their notice, there are grounds to apprehend that the commanders of Arab ships do manage to introduce slaves into the town clandestinely, notwithstanding the penalties and restrictions in force for the prevention of such practices; and it seems therefore highly desirable to adopt such further measures as may be best calculated to guard against any future occurrences of the same nature.

His Lordship in Council conceives that the commanders, officers and owners of the ships by which the traffic alluded to in the letter of the magistrates is carried on, are not, ordinarily, subjects of his Majesty, that they do not reside in any of the islands, colonies, settlements, &c. belonging to the United Kingdom, or in his Majesty's occupation and possession, or under the government of the United Company, and that they therefore are not liable to the penalties of the 51st Geo. 3, c. 23. But all persons resident in Calcutta, who are directly or indirectly concerned, or aiding and assisting in the trans-shipment by sea of any person or persons to be sold or dealt with as a slave, or who may import or bring to Calcutta any such persons for that purpose, or who may wilfully use or employ any ship for that purpose, or take to freight or hire any ship to be used or employed in removing or importing slaves, or who, knowing the employment of such ship, may navigate, or enter or embark on a ship so employed, such persons are declared felons, and subject to the penalties prescribed by the Act in question.

It is very possible that the Arabs who are settled or established as merchants at Calcutta, and the commanders and navigators of Arab vessels accustomed to trade with this port, may not be fully acquainted with the provisions of the statute referred to, or with the penalties attached to the removal and importation of slaves. The circulation of the substance of the Act translated into the Persian and Arabic languages, so far at least as it is applicable to persons residing in any of the Company's settlements or territories, may be productive of future restraint, especially if accompanied by a proclamation in the same languages from government, declaring that the Act will be strictly enforced, and that means will be adopted for examining and searching vessels for the discovery of slaves either exported from or imported into Calcutta.

The proclamation and translation of the substance of the Act should be communicated to all the principal Arab merchants in Calcutta, especially to those who are concerned in the ships which either belong to, or are navigated to or from, this port, to all the commanders of Arab vessels now in the port, or which may hereafter arrive, and to the several political agents and other public officers at or near to the ports whence the Arab vessels usually sail.

The practice which has prevailed, even to the extent stated by the magistrates, cannot, the Governor-general in Council observes, have been unknown to the Arab merchants who

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are resident in Calcutta, and the traffic must have been carried on through their instrumentality. It is therefore possible that the magistrates may be enabled, by offering rewards, and by extending the hope of liberation to those who have been recently imported as slaves, to fix the offence on some of the parties concerned in the trade, and the government may then be enabled to bring the parties to punishment.

The best mode of visiting and searching Arab ships at the time when they arrive, or are about to quit the river, if such a measure should be eventually deemed advisable, will be suggested by the marine board.

In the meantime the Governor-general in Council resolves that a copy of the foregoing resolutions be communicated to the magistrates at Calcutta, with an intimation of the wish of government that they will prepare and submit in the English language a draft of the proposed proclamation, including such portion of the provisions of the 51st Geo. 3, cap. 23, as it may be necessary to promulgate for the purposes above indicated.

(signed) *W. B. Bayley*,
Chief Secretary to Government.

On the 27th November last, the chief secretary was directed to write the following letter:—

From Mr. Chief Secretary *Bayley* to the Magistrates of *Calcutta*.—(27 November 1823.)

Gentlemen,

I AM directed by the Right honourable the Governor-general in Council to acknowledge the receipt of a letter from you, dated the 16th instant, with its enclosure, and in reply to transmit to you the accompanying copy of resolutions this day passed by government in the judicial department, on the subject of the traffic in slaves.

2. You are desired to prepare and submit to government the drafts indicated in the above resolutions.

I have, &c.
(signed) *W. B. Bayley*,
Chief Secretary to Government.

Council Chamber, 27 November 1823.

No. 30.

From the Magistrates of *Calcutta* to Mr. Chief Secretary *Bayley*.—(22 March 1824.)

Sir,

WE have the honour to acknowledge the receipt of a letter from you, under date the 27th of November last, forwarding to us copy of an extract from the resolutions of the Right honourable the Governor-general in Council, of the same date, on the subject of the traffic in slaves.

2. With the permission of government, we propose to forward to all the Arab merchants, and other persons connected with Arab shipping, resident in Calcutta, an extract from the statute 51 Geo. 3, c. 23, with a translation in the Persian and Arabic languages, and we trust that this measure will be approved.

3. We beg to annex copy of that part of the statute which we think it will be expedient to circulate to the merchants, together with copy of the letter which will accompany it.

(signed) *H. Shakespear*, Chief Magistrate.
W. C. Blaquiere,
T. Alsop,
W. H. Hogg,
P. Andrew,
Charles Paton. } Magistrates.

Calcutta Police-office,
22 March 1824.

To

I AM directed by the magistrates of Calcutta to send, for your information and guidance, the annexed extract from the 51st Geo. 3, c. 23, together with translations in the Persian and Arabic languages, and to inform you that government have directed the magistrates to use the utmost vigilance in order to detect and bring to public justice any person or persons offending against the provisions of the statute.

The magistrates have received information that persons are occasionally brought to Calcutta, or removed therefrom in Arab ships, and sold as slaves, and they deem it right to apprise you and all persons connected with Arab shipping, of the heavy penalties and punishment which will be incurred by a violation of the law.

Calcutta Police-office.

I am, &c.

(signed) Clerk.

“ BE it therefore enacted by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that if any subject or subjects of his Majesty, or if any person or persons residing or being within the United Kingdom, or in any of the islands,

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islands, colonies, dominions, forts, settlements, factories or territories, now or hereafter belonging thereto, or being in his Majesty's occupation or possession, or under the government of the United Company of Merchants trading to the East Indies, shall, from and after the first day of June next, by him or themselves, or by his or their factors or agents, or otherwise howsoever, carry away or remove, or aid or assist in the carrying away or removing, as a slave or slaves, or for the purpose of being sold, transferred, used or dealt with as a slave or slaves, any person or persons whatsoever, from any port of Africa, or from any other country, territory or place whatsoever, either immediately or by trans-shipment, at sea or otherwise, directly or indirectly; or shall import or bring, or aid or assist in the importing or bringing into any island, colony, country, territory or place whatsoever, any such person or persons as aforesaid, for the purpose aforesaid; or shall knowingly or wilfully ship, embark, receive, detain or confine on board any ship, vessel or boat, any such person or persons as aforesaid, for the purpose of his, her or their being so carried away or removed, imported or brought as aforesaid, or of being sold, transferred, used or dealt with as a slave or slaves; or shall knowingly and wilfully use or employ, or permit to be used or employed, or left, or take to freight, or on hire, any ship or vessel to be used or employed in carrying away or removing, importing or bringing, or for the purpose of carrying away or removing, importing or bringing as aforesaid, any such person or persons as a slave or slaves; or for the purpose of his, her or their being sold, transferred, used or dealt with as a slave or slaves; or shall fit out, or cause to be fitted out, or shall take the charge or command of, or navigate, or enter, and embark on board any such ship or vessel as master or captain, mate, super cargo or surgeon, knowing that such ship or vessel is actually employed, or is in the same voyage for which he or they shall so enter and embark on board, intended to be employed in carrying or removing, importing or bringing as aforesaid any such person or persons, as or for the purpose of his, her or their being sold, transferred, used or dealt with as a slave or slaves, then and in every such case the person or persons so offending, and their counsellors, aiders and abettors, shall be, and are hereby declared to be felons, and shall be transported beyond seas for a term not exceeding fourteen years, or shall be confined and kept to hard labour for a term not exceeding five years, nor less than three years, at the discretion of the court before whom such offender or offenders shall be tried and convicted."

(True extract.)

(signed) Clerk.

Ordered, That the chief secretary write the following letter to the magistrates of Calcutta :—

From Mr. Chief Secretary *Bayley* to the Magistrates of *Calcutta*.—(25 March 1824.)

Gentlemen,

No. 32.

I AM directed to acknowledge the receipt of a letter from you, dated the 22d instant, with its enclosures, and in reply to acquaint you that the Right honourable the Governor-general in Council approves the communication proposed to be made by you to the Arab merchants, and other persons connected with Arab shipping, residing in Calcutta, in order to prevent the importation into, or exportation from, this country, of any person or persons, for the purpose of their being sold as slaves.

2. It may be expedient to add to the letter to be addressed to the above individuals a paragraph desiring them to take every opportunity of making known to their correspondents in the Red Sea, Persian Gulf, &c. the purport of this communication.

I have, &c.
(signed) *W. B. Bayley*,
Chief Secretary to Government.

Council Chamber, 25 March 1824.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 29 December 1826.

MINUTE by Mr. *Colebrooke*.

Criminal L. P.

No. 13.
Slave Trade.

A LATE Act of Parliament, enforcing the prohibition of the African slave trade under the most severe penalties, being framed in terms very comprehensive to forbid the removal of slaves, or the treating of them as such by subjects of Great Britain, from every region, and to or in whatever country, and being specifically extended to the territories of the Honourable Company in India, it becomes necessary to review the state of the laws respecting slavery, as now in force in this country, and the manners and feelings of the people relative to that point, as it may be apprehended that the legislative Act already passed may affect the inhabitants of this country in a matter so blended with their domestic habits, and so dear to their feelings as to require to be touched with tenderness and delicacy, and as the topic may possibly engage further notice at home, which may lead to other enactments similarly extended to India, without full knowledge of local circumstances and national manners, and of the probable effect of those laws, if put in force, in this country.

It may be right, first, to take a view of the laws of the country applicable to this subject; next, to examine the present condition of society, manners and habits, as relative to the same

same point; and lastly, to consider the laws enacted by British authority, and the modifications and additions which they need.

The Hindoo law fully recognizes slavery. It specifies, in much detail, the various modes by which a person becomes the slave of another, and which are reducible to the following heads; viz. capture in war; voluntary submission to slavery, for divers causes (as a pecuniary consideration, maintenance during a famine, &c.); involuntary, for the discharge of debt, or by way of punishment of specific offences; birth, as offspring of a female slave; gift, sale or other transfer by a former owner; and sale, or gift of their offspring by parents. It treats the slave as the absolute property of his master, familiarly speaking of this species of property, in association with cattle, under the contemptuous designation of "bipeds and quadrupeds." It makes no provision for the protection of the slave from the cruelty and ill-treatment of an unfeeling master, nor defines the master's powers over the person of his slave; neither prescribing distinct limits to that power, nor declaring it to extend to life or limb. It allows to the slave no right of property, even of his own acquisition, unless by the indulgence of his master. It affords no opening for his redemption and emancipation (especially if he be a slave by birth or purchase), unless by the voluntary manumission of him by his master, or in the special case of saving his master's life, when he may demand his freedom, and the portion of a son; or in that of a female slave bearing issue to her master, when both she and her offspring are entitled to freedom if he have not legitimate issue; or in the particular instances of persons enslaved for temporary causes (as debt, amercement, cohabitation with a slave, and maintenance in consideration of servitude), or the cessation of the grounds of slavery by the discharge of the debt, or mute* discontinuance of the cohabitation, or relinquishment of the maintenance.

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* Sic orig.

The Mahomedan law equally acknowledges slavery, originating, however, in fewer sources; viz. capture of infidels in war; birth, as issue of a female slave; to which some authorities (who are chiefly followed) have added, sale of their offspring by parents, in a dearth or famine. The property is so absolute and complete, that it is assigned as a reason for subjecting an owner to no worldly punishment or penalty for the murder of his slave; he has, of course, entire power over his person, being restrained by no provisions of the law adapted to protect the slave from ill-treatment. Manumission cannot be exacted from the owner, unless in the case where, for some cause, the slave is already emancipated in part, in which case he is entitled to redeem himself by emancipatory labour, equivalent to the remaining portion of his value. In all other instances, emancipation depends wholly on the will of the owner. But manumission of slaves is strongly recommended as a pious act; and the law leans much against the slavery of Mahomedans. A female slave bearing issue to her master does not acquire freedom, but gains other privileges, of which the chief is, that of not being liable to be sold to another person. Her issue is free, and ranks with other illegitimate but acknowledged offspring of her master.

Turning from law to practice, we find domestic slavery very general among both Hindoos and Mussulmans. More trusty than hired servants, slaves almost exclusively are employed in the interior of the house, for attendance on the members of the family, and in all the most confidential services. Every opulent person, every one raised above the condition of the simplest mediocrity, is provided with household slaves; and from this class chiefly are taken the concubines of Mussulmans and Hindoos; in regard to whom it is to be remembered, that concubinage is not, among people of those religions, an immoral state, but a relation which both law and custom recognize without reprehension; and its prevalence is liable only to the same objection as polygamy, with which it has a near and almost necessary connexion.

In the lower provinces under this presidency, the employment of slaves in the labours of husbandry is nearly if not entirely unknown. In the upper provinces, beginning from Western Behar and Benares, the petty landholders, who are themselves cultivators, are aided in their husbandry by their slaves, whom they very commonly employ as herdsmen and ploughmen; and landholders of a higher order have, in a few instances, the pretensions of masters over a part of their tenants long settled on their estates, and reputed to be descended from persons who were acknowledged slaves of their ancestors. Their claims to the services of those hereditary serfs are nearly obsolete and scarcely attended with any practical consequences. The serfs pay rent and other dues for the lands which they till and the pastures on which they graze their herds, and are not distinguished from the rest of the peasantry, unless by a questionable restriction of the right of removing at choice. But those employed in husbandry by the inferior class of landholders are strictly slaves, and their condition differs from that of household slaves only as the one is occupied in out-door work, and the other in business of the interior of the house. The employment of slaves in handicraft is more rare, but not entirely unknown.

It would be difficult to form a computation of the number of slaves throughout the country, or of the proportion borne to the free population. Any steps towards the preparation of an estimate which should approach to accuracy, would involve inquiries which must excite alarm, and could not but be attended with circumstances offensive to the people. But, taking a more general view, it may be stated, that slaves are neither so few as to be of no consideration, nor so numerous as to constitute a notable proportion of the mass of population.

The number, which certainly is not relatively great, has been kept up, or, to apply language of commerce to this subject, the demand for slaves has been supplied;—1st, By their marriages among themselves, or with free persons; 2d, By the sale of free children into slavery within the country; 3d, By importation from abroad, whether by sea or land, previous to the late prohibition of that traffic.

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Neither the disposition of the people nor their accustomed mode of treating their slaves tends to impede the rearing of children, by any discouragement to marriages. I, of course, except the instances of concubines and prostitutes. In other cases, a sense of propriety leads very usually to provide a match for the household slave; and the offspring following the condition of the mother, and the child of a female domestic slave being considered to be attached to the family by a stronger tie than the simple relation of slave to a master, no requisite indulgence is wanting to enable the mother to devote due care to the rearing of her progeny.

It is not necessary to suppose the number of children born and reared to be deficient, for the sake of accounting for the call for a supply from the other sources of foreign importation and home sale of free children. Opulent persons, in whose families more slaves may be born than they are desirous of retaining in their employ, do not sell but emancipate those whose services they do not require; and persons of reduced circumstances, no longer needing nor able to employ so many domestic slaves as before, are not less unwilling to dispose of slaves by sale, which is a highly discreditable act, but give them their freedom without a price, however acceptable the value might be to them in their actual state of indigence. The manumission of slaves being deemed an act of piety and an expiation of divers offences, frequently takes place from religious motives, without either of the inducements before described; and slaves are often redeemed by purchase, either expressly for that purpose, or from a less laudable impulse, as attachment to a courtesan, or some other cause.

The number of slaves continually diminishing, a demand constantly exists for the purchase of them, which is supplied chiefly by the sale of children by their parents in seasons of scarcity and famine, or in circumstances of individual or peculiar distress. The low price at which these sales are effected is an argument that no very urgent demand commonly exists; neither is there any brisk traffic of slaves, which would be proof of an extensive demand and ample supply. During a famine or a dearth, parents have been known to sell their children for prices so very inconsiderable, and so little more than nominal, that they may in frequent instances of such transactions have credit for a better motive than that of momentarily relieving their own necessities, namely, the saving of their children's lives by interesting in their preservation persons able to provide nourishment for them. The same feeling is often the motive for selling children when particular circumstances of distress, instead of a general dearth, disable the parents from supporting them; there is no reason to believe that they are ever sold from sheer avarice and want of natural affection in the parent; the known character of the people, and proved disposition in all the domestic relations, must exempt them from the suspicion of such conduct. But the pressure of want alone compels the sale, whether the immediate impulse be consideration for the child or desire of personal relief. So long, therefore, as no established fund or regulated system for the relief of the indigent exists, it does not seem practicable to prevent or restrain the disposal of children by their parents, which is lawful by their own laws.

There are two classes of purchasers, however, by whom larger prices are given than intimated in the general view here taken; the one comprises various religious orders, the members of which purchase children to bring them up and instruct them in the religious order to which they themselves belong. Being restricted in their selection of subjects to the higher castes of the Hindoos, they do not readily find persons of the requisite caste willing to part with their children; and being in general opulent, from the union of the commercial with the religious profession, they are able to tempt the cupidity of parents by a larger pecuniary consideration, and often by a provision for life. The greatness of the reward has been supposed to lead to kidnapping in some instances of this nature, though not frequently, since the purchaser requires to be ascertained of the parentage of the child.

The other description of purchasers alluded to consists of the owners of sets of dancing women, who buy female children and instruct them for public exhibition. As they generally become courtesans when they grow up, it might seem to be incumbent on government, attentive to the morals of the people over whom it rules, to prevent this practice by prohibitory laws. I apprehend, however, that it would not be easy to frame rules which would not be open to easy evasion; instead of sale, as of a slave, it is already common to make an engagement for a long term of years; it would be an obvious expedient to shorten the term of years, and it might be going too far to presume the intention of prostitution, and to prohibit all instruction for purposes of exhibition of dances, which the people are very partial to, and which are a regular part of their religious festivals and celebrations.

The remaining source of the supply of slaves was, as before mentioned (until lately prohibited by law), importation both by sea and land. The importation by sea consisted of a very few African slaves brought by Arab ships to the port of Calcutta. Having been led to make some inquiries into this traffic previous to its abolition, I had reason to be satisfied that the whole number of slaves imported was very inconsiderable, not exceeding annually 100 of both sexes; I found cause at the same time to be convinced that the means by which slaves are procured on the eastern coast of Africa for the Arab dealers, who supply Arabia and Persia, and who used to bring the small number mentioned to this port, are not less abominable and nefarious than those practised on the west coast of Africa, consisting for the most part of the forcible seizure of the slaves, either in predatory war undertaken for the purpose, or by open robbery, often attended with the murder of the parents.

The importation by land was principally from the territories of Nepaul, whence a regular traffic in slaves appears to have been carried on, and occasionally from the western and middle parts of India, whenever a local scarcity of provisions gave a temporary impulse to a trade which was otherwise in general languid. Although the subject was brought under
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the notice of this government, by representations from the local authorities in the Nepal provinces, it is understood that the traffic owed its existence to the oppressive administration of those very authorities which drove the wretched inhabitants of those provinces to the sad resource of selling their children or themselves into slavery, when all other means of meeting the insatiable exactions of their Nepaulese rulers were exhausted. It was however stated, that, under cover of a trade which originated in this cause, kidnapping was practised, and at all events it was highly expedient to prohibit importation altogether, whether it gave occasion to the commission of this offence, or only served to crown the last act of extortion of Nepaulese governors from their unhappy subjects.

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I have not spoken of the exportation of slaves from the British territories, as there is not any cause to believe that such a trade at present exists. Many years ago a clandestine export by sea to the French islands was detected, and being immediately prohibited by proclamation, and the first subsequent instance which was discovered being prosecuted to punishment, it was entirely suppressed, and no surmise of its revival has since been entertained. Slaves may have been carried out of the country by land in attendance on their masters, or under other peculiar circumstances, and possibly for sale, when a scarcity has existed within the territories; but the instances must have been few and rare, and little apprehension can be entertained of the recurrence of it as a traffic; at all events, should such apprehensions be felt, or should the import of slaves by land not be entirely stopped by the regulation and penalties already enacted, it will be easy to enforce the prohibition by severer penalties, which need not however be carried to the length of those which the late Act of Parliament has provided to enforce the abolition of the traffic by sea.

Adverting to the known object and design of that enactment, we have considered its provisions to be limited to the trade by sea; and I trust such will be the construction which will be put on it by magistrates and courts of justice, should any question on it be raised, and the case be brought before them; I cannot, however, but think that the terms of the Act are very general, and, rigidly construed, may bear a different interpretation. It declares the removal of any person (and dealing with him as a slave) from one country to another, to be felony, punishable by transportation, and does not apply to the East Indies the exception which it allows in the West, for the removal of a person already a slave from one part of the West Indies to another. Now this exception is not less needed in these seas than in those of the western hemisphere; for, not to speak at present of the removal of slaves from one province to another on the continent, the case must continually recur of a British subject or inhabitant of the British territories, a native probably of the countries embarking at one port for another on the Indian continent, or proceeding from one island to another in the Eastern Archipelago, attended by a domestic slave; as the law now stands, there can be no doubt that in every such instance the individual unwittingly subjects himself to the enormous penalty of felony, under an Act passed in a distant country, without any preliminary discussion as it respects this, without any previous intimation that slavery or the traffic of slaves was to be here abolished, and without even an intimation on the part of the Legislature to impose any penalty or punishment, much less so severe a one for the act now specified.

It can scarcely be necessary to weigh any further on this point to show the necessity of bringing the subject under the notice of the authorities at home, with a view to an application to the Legislature for an extension to this country of the exception already provided in regard to the West Indies.

Although the penalties of the Act are more severe than probably was necessary to effect the abolition of the traffic in slaves by sea between islands of the Eastern Archipelago and the British possessions in that quarter, it may not be thought requisite to propose any modification of the law in that respect; though it is much to be regretted that the first notice of the abolition of that trade should have been given by an Act so severe, and of which information will be so tardily received, that many persons will have unknowingly made themselves liable to its penalties long before they could be apprized of its existence. It will be only necessary on this account to pass an indemnity for those who may unadvisedly have broken the law before it was proclaimed in these countries, or to enlarge the term which was to precede the operation of the law; and it is to be hoped that, on a proper representation, the Legislature would not hesitate to grant such enlargement or indemnity. That the traffic itself is very fit to be abolished cannot be denied, for it is known to be productive of acts of violence and atrocity similar to those which attend the African slave trade, the most common mode of procuring slaves, as practised by Malays, being that of piratical attacks and predatory descents upon the coasts to carry off the inhabitants into captivity. No penalty perhaps may be thought too severe, though not indispensably requisite, which may prevent the subjects and inhabitants of British territories from purchasing slaves so procured, and thereby affording incitement to the atrocious crimes committed by the providers of them.

No such reasons exist for prohibiting under so rigorous punishment the traffic of slaves by land upon the continent of India; and if the Act may be construed to comprehend this traffic, it would be desirable that it should be amended in that respect, and the matter left to the local authorities, which are competent to provide adequate rules and effectually enforce them, and whose enactments will be better carried into effect by the provincial judicatures, unaccustomed as these are to have occasion for reference to British Acts of Parliament in framing their *futwas* and sentences.

I conceive also that there is no occasion for abolishing slavery or for preventing enslavement, or for prohibiting the sale of actual slaves within the limits of British territories in India. Neither the means by which free persons (for the most part children of a tender age) are rendered slaves, nor the frequency of the occurrence in an objectionable form, nor the

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common treatment of those who are already slaves, by their masters, is such as to call for the interposition of legislative authority in a strong form. I trust not to be considered an advocate for slavery, nor indifferent to the miseries incident to the most degraded condition in human society, when I observe, that, in this country, slaves are in general treated with gentleness and indulgence. The slave is a favoured and confidential servant, rather than an abject drudge, and is as often held superior to the hireling in his master's estimation and his own, as placed beneath him in the scale of employment and of comforts. The mildness and equanimity of the Indian's temper (or his apathy and slowness, if this better describes the general disposition of the people) contribute to ensure good treatment to the slave. I should, however, only demonstrate unacquaintance with the human character, if I affirmed this to prevail universally, without any exception. I cannot doubt that bad temper and disposition sometimes constitute a harsh, severe, and even cruel master; nor have I been without occasions of being convinced that such characters are to be found among the owners of slaves. But although the Hindoo and Mahomedan law have not provided for the protection of the slave from the barbarity of an inhuman master, the regulations passed by British authority for their government have done so, by expressly annulling the exemption from kisas, or retaliation for murder in the case of a slave slain by his master. Since the period (nearly 14 years ago) when that regulation was enacted, slaves have not been considered as out of the protection of the law, either in case of murder or of barbarous usage; and instances have occurred of recourse to the officers of police for redress against the cruelty of a master, in cases falling short of that extremity. And it might perhaps be expedient, upon a future occasion of enacting rules bearing relation to the subject of slavery, to provide specifically for the interposition of the magistrate, in an ascertained case of barbarous treatment of a slave, and adjudged his emancipation with further penalties against his owner, if the case be heinous.

With this suggestion I shall close these observations, repeating a former remark, that (whether this suggestion be adopted, or it be determined to interfere in any other manner) great circumspection will be requisite to avoid exciting alarm, by empowering the courts of justice or any official authorities to meddle with so delicate a matter as the relation of master and slave in an Asiatic country, in any but extreme cases, where humanity indispensably requires the rescue of a fellow-creature from barbarity; and the interposition of the British legislature is to be deprecated in an affair needing a cautious hand, which should be guided by local knowledge and mature deliberation, upon a near view of the probable effect of the proposed measure in a country and among a people so peculiar as this, and so different from ourselves.

From *W. H. Macnaghten*, Esq., Register of the Sudder Dewanny and Nizamut Adawlut,
to Mr. Chief Secretary *Bayley*.—(6 June 1823.)

Sir,

No. 14.

I AM desired by the courts of Sudder Dewanny Adawlut and Nizamut Adawlut to request that you will submit for the consideration and orders of the Honourable the Governor-general in Council, the accompanying draft of a regulation, together with the copy of a minute prepared by Mr. Harington, formerly chief judge of the courts, on the subject of slavery as it prevails in this country.

2. I am further directed to state, that the draft in question having been approved by two former judges of the Sudder Dewanny Adawlut and Nizamut Adawlut, the courts have deemed it their duty to forward it to government; but not having before them sufficient information relative to the points therein discussed, they beg leave to decline for the present offering any opinion as to the probable advantages of the proposed enactment.

3. The courts at the same time beg leave to suggest the expediency of calling for the opinions of the several judicial officers as to the prevalence and state of slavery in their respective districts, and the probable effects of partial interference, previously to a final decision on a question involving considerations and consequences of serious importance to some of the most valuable rights and interests of a large part of the community.

4. By desire of the chief judge, a copy of his minute on the present occasion is herewith submitted.

Fort William, 6 June 1823.

I have, &c.
(signed) *W. H. Macnaghten*, Register.

MINUTE of the Chief Judge, Mr. *Leycester*.—(28 May 1823.)

THE question of slavery, where the pernicious practice has existed, may be considered under two heads; first, and the worst, importation of slaves from foreign countries; secondly, slavery as existing in your own country.

On the first point, I apprehend, all deliberation is foreclosed by the Act of Parliament of the 51st of Geo. 3, c. 23, which declares all carrying away or removing from any place whatever, either immediately or by transportation at sea, or otherwise, directly or indirectly, any person as a slave into the Company's possessions, an act of felony.

Nothing, I apprehend, can be done short of embodying this enactment into our regulations, with the penalties attached to the infraction of its rules.

It seems, however, that the above enactment has occasionally been held to have reference to the bringing of slaves by sea only, and that the rules of the 10th regulation of 1811 are still

still in force with regard to persons brought as slaves by land into the Company's possessions. E. I. Company and Board of Control. (Documents.)

Mr. Fergusson, however, when advocate-general, declared the provisions of that regulation to be wholly inoperative. The words, too, are "either immediately or by transportation by sea." Can it be argued that "immediately," as contrasted with "or by transportation by sea," means any thing short of the immediate bringing in of persons as slaves, without transportation by sea, that is, by land, and that the terms, "or otherwise, directly or indirectly," mean nothing?

It cannot, however, escape observation, that the extension of our territory has greatly added to the increase of this detestable traffic, and its far more detestable impunity. That British protection has had the peculiar property of branding nations with slavery, who, as far as we were concerned, were protected from it before; that under the glow of British liberality and justice lurked the envenomed taint; that successively as the ceded provinces were transferred to us; as the conquered provinces came under our sway; as Nepaul was conquered, and the Mahratta combination annihilated, each act of sovereignty carried with it a secret clause,—“You may now, your wives and children, be removed into Bengal as slaves; and, at the caprice of a slave-master, a man's wife, being what is termed a slave, may, with his children by her, be carried off from him to any remote corner of the province boasting the enjoyment of British protection.” This has occurred; and, as to what might happen, they might be lotted and sold at outcry in Calcutta, or put up to the hammer as assets in liquidation of a balance of revenue, or in satisfaction of the decree of a court of justice.

The second head is so immediately dependent on the first, that it would be difficult to arrange our ideas regarding it, without the date which would be furnished by a decision thereon. It may, however, be observed generally, that there can hardly be a legal Mahomedan slave, unless the free spirit of an English Legislature legalize it; for the Mahomedan law, to its honour, does not; and with regard to Hindoos, they may claim all toleration for their real religious ordinances, but none for the vices of their civil policy, when, out of two equal men, it would constitute the one the slave to the other, and degrades both; making the slave-master little better than a brute, and reducing the slave to the level of an instinctive animal.

The antiquity of the iniquity has nothing to do with the question. We may all know that it first visited the world as a curse, and, as long as it continues, we may feel assured it will ever continue as a curse.

It is not my object to enter into particulars, as in the light I view the question they would be misplaced at present; but on this head two preliminaries are requisite, that we repel all new acquisitions to our domestic slavery, by sale and purchase, or under the false and impious idea of an accession to slavelhood from the offspring of slaves.

The first proposition would present little to deter any one from its acquiescence, and the second is only opposable by an argument far better and more exclusively adapted to the brute creation,—“I bought this woman and this cow; and the infant born to the one, and the calf born to the other, belong equally to me and my heirs for ever, until resold, gifted away, or otherwise disposed of at my sole will and pleasure.”

I do not know who may oppose these principles; but, before he pledge his opinion upon paper, he may as well reflect, if he were a slave at Algiers, how he would like that his sons and daughters should continue so for ever, and what degree of satisfaction he would derive from the knowledge that he had contributed his little mite to strengthen and confirm a rule pregnant with so much misery to himself.

Under the above observations it is obvious that I do not consider the regulation proposed to be grounded on a sufficiently broad basis; and though it may be right to submit the regulation to government, that it appears to me impossible to enter into any minute of management for our existing domestic slaves until they die off, prior to the establishment of the principles above noticed, by a distinct legislative enactment.

28 May 1823.

(signed)

W. Leicester.

MINUTE of the Chief Judge of the Sudder Dewanny and Nizamut Adawlut,
Mr. J. H. Harington.—(21 November 1818.)

THE court have long had before them the draft of a regulation proposed by Mr. Richardson, judge and magistrate of the district of Bundelcund, and intituled, “A regulation for checking and reforming the abuses that have crept into practice and at present exist with respect to slavery within the British dominions subordinate to the presidency and government of Fort William.”

2. Copies of this regulation and of Mr. Richardson's letters, dated 23d March 1808 and 24th June 1809, were submitted to government, with some other papers on the subject, in January 1816; and the courts at the same time intimated their intention of preparing and transmitting the draft of a regulation concerning slavery at a future period.

3. Other exigent duties have hitherto prevented this intention from being carried into effect. But I have availed myself of the leisure afforded by the late vacation to prepare the draft of a regulation “for the guidance of the courts of judicature in cases of slavery,” which I now lay before the court; and propose that a copy of it be submitted for the consideration of his Excellency the Governor-general in Council, with a copy of this minute, and the

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sentiments of the other judges who may have time to consider the subject, without interrupting the sittings of the civil court.

4. Mr. Richardson, in his original letter of the 23d March 1808, after forcibly stating the evils of slavery, and contrasting this condition with that of voluntary servitude, offered the following suggestion :—

“ Aware of the great importance, and convinced of the caution with which innovations should be attempted, or the ancient laws, customs or prejudices of a people infringed, I presume not even to sketch out the mode, or to fix the period of general emancipation ; and perhaps the sudden manumission of those now actually in a state of bondage, though abstractedly just, might be politically unwise. But there can exist no good reason, either political or humane, against the British Government’s prohibiting the purchase or sale of all slaves, legitimate or illegitimate, after a specified time, and likewise ordaining and declaring that all children, male and female, born of parents in a state of slavery, shall from a like date be free.”

5. On the 29th March 1809, he was furnished with copies of the questions put to the Mussulman and Hindoo law-officers of this court on the 23d March 1808, and of the answers received from them, with instructions, if, under the information contained in these papers, any further provisions or modifications of the existing laws of slavery should appear to him requisite, to prepare the draft of a regulation, in conformity with the rules contained in Regulation I., 1803.

6. Mr. Richardson’s letter in reply, dated 24th June 1809, after stating his sentiments on the expositions of the Mahomedan and Hindoo laws, which had been communicated to him, and giving his reasons for setting aside the Hindoo law of slavery, as supposed to have been long dormant under the Mussulman government, and allowing operation only to the strict provisions of the Mahomedan law, as the established system enforced by our criminal courts, not only in cases affecting personal freedom, but even in such as extend to life and death, concludes as follows : “ I am still of opinion that great alterations are indispensable in the application of the laws, and in the practice, with regard to slaves throughout the dominions dependent on the Bengal government, whether we consider the question either a measure of justice and policy, or as spreading wider the blessings of personal freedom, and increasing the stock of human happiness. On the above considerations I solicit and rely upon the aid of the court of Nizamut Adawlut to supply my deficiencies, to promote so great a purpose, as that of liberating a great portion of our fellow-creatures from bondage, and prevent slavery throughout the British dominions in future.”

7. The regulation submitted with the above-mentioned letter does not, however, propose the formal abolition of slavery. It assumes, in the preamble, that “ no reason exists why the state of slavery throughout the British possessions should not be determined by the Mahomedan law, the British Government having acquired the right of legislation from a Mussulman power, in previous possession of these territories for centuries, and having adopted the Mahomedan laws, particularly in all criminal cases, and indeed in all judicial cases, except those of heirship, marriage, caste or matters connected with religion,” and on this basis proposes the enactment of rules, the principal of which are in substance as follows :—

First. That all claims and disputes respecting slavery be made cognizable by the magistrates.

Secondly. That the Mahomedan law, as expounded by the Mussulman law-officers of the Sudder Dewanny and Nizamut Adawlut, be made the standard for regulating the magistrate’s decision in all claims and disputes respecting slavery, whether the claimant be a Mussulman or Hindoo.

Thirdly. That when the claimant and also the person claimed as a slave are not Mahomedans, the claim be dismissed and the alleged slave declared free.

Fourthly. That a similar judgment be given when the claimant may be a Mahomedan and the person claimed as a slave is not a Mahomedan, unless the former’s right of property over the latter be proved according to the letter and spirit of the Mahomedan law.

Fifthly. That the sale of children as slaves, whether by their parents or others, be prevented, and that measures be adopted through the police officers for rendering this prohibition effectual. Also, that the theft and fraudulent sale of children by persons not their parents, as well as the purchase of such children knowing them to have been stolen, be declared punishable by the courts of circuit. Parents selling their children, and the purchasers of such children, to be likewise subject to a fine equal to the price given for the child in each instance.

Sixthly. Proclamation to be issued by the magistrates, half-yearly for five years, and afterwards annually, notifying the rules enacted respecting slavery, and inviting all persons detained wrongfully in bondage, contrary to the letter and spirit of the Mahomedan law, to apply to the local magistrate for emancipation. Any forcible means or severities practised by claimants to slaves for the prevention of such applications to be punishable by fine or imprisonment.

Seventhly. The decision of the magistrates, under the proposed regulation, to be open to revision in all cases of a written application for that purpose, by the judge of circuit holding the zillah or city gaol delivery, or by the court of circuit at the Sudder station of the division.

8. On considering the regulation proposed by Mr. Richardson, I entirely concur in his first proposition, that all claims and disputes respecting slavery should be made cognizable by

by the magistrates in the first instance, subject to the established control of the courts of circuit. The process of the civil court is too slow for investigating and determining cases of this nature, which, moreover, as involving the right of personal freedom, may be considered in that respect within the proper jurisdiction of the criminal courts. The following extract of a letter from the acting magistrate of Zillah Furruckabad, under date the 17th February 1817 (which induced the Nizamut Adawlut to sanction a summary inquiry by the magistrate subsidiary to a regular suit in the civil court), may be cited as forcibly applicable to this point:—" Seeing that years may elapse before the cause can be tried and decided; that the owner is deprived of his slave's services in the meanwhile; that he continues to feed and clothe him; that the refractoriness of his slave may have subjected him to the costs and expenses of a civil suit, which the slave can never reimburse him; that slaves are possessed of and can acquire no property to enable them to institute or defend a suit; that such slave, it may be, is kept in actual confinement, or continues subject to such degree of restraint as his bail may think necessary to impose upon him; ought not all suits of this nature to be preferred and tried as summary ones?"

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9. I cannot acquiesce in Mr. Richardson's second proposition, or in the principle upon which it is founded. It is true the law and usage of slavery have no immediate connexion with religion; and so far we are not under the embarrassment which restricted us in proposing rules concerning the sacrifice of Hindoo widows on the funeral piles of their husbands.* The regulation which has been in force since the year 1772, viz. "in suits regarding succession, inheritance, marriage and caste, and all religious usages and institutions, the Mahomedan laws with respect to Mahomedans, and the Hindoo laws with regard to Hindoos, are to be considered the general rules by which the judges are to form their decisions," is, moreover, not directly and strictly applicable to questions of personal freedom and bondage. But in the year 1798, the court of Sudder Dewanny Adawlut, with reference to the long-established and sanctioned usage of slavery in these provinces, stated their opinion, "that the spirit of the rule for observing the Mahomedan and Hindoo laws was applicable to cases of slavery, though not included in the letter of it," and this construction was confirmed by the Governor-general in Council on the 21st April 1793.

* I cannot omit taking the present occasion to add, on this subject, that as there is only one, and that a local authority, for allowing widows having infant children to deprive them of maternal care by suicide, and other authorities of at least equal weight, give it no sanction, the lamentable and injurious practice in such instances might, I think, be safely prohibited. This, indeed, is proved by Mr. Bayley's experience in the district of Burdwan.

10. Admitting Mr. Richardson's proposition, that the British Government acquired their right of legislation from a Mussulman power, it must still be remembered, in all regulations of local enactment, that the British Legislature, whilst (in a recent Act of Parliament, 35 Geo. 3, cap. 155) it has declared the duty of the United Kingdom "to promote the interest and happiness of the native inhabitants of the British dominions in India," and that "such measures ought to be adopted, as may tend to the introduction among them of useful knowledge, and of religious and moral improvement," adds an express provision, that "the principles of the British Government, on which the natives of India have hitherto relied for the free exercise of their religion, be invariably maintained."

11. Admitting further, that this legislative provision does not prohibit any local regulation for the amelioration of morals, and extension of happiness among the natives of British India, not inconsistent with a free exercise of their religion, it must still be granted that if the spirit of the rule for observing the Mahomedan and Hindoo laws, which has guided the East India Company's courts of judicature since their first establishment in these provinces, be applicable to cases of slavery, the fair and impartial application of it will require, as heretofore, the same regard to the Hindoo law as to the Mahomedan when the claimants may be of either persuasion. The actual existence of numerous slaves in the possession of Hindoo landholders (as noticed in the 19th paragraph of Mr. Richardson's letter, under date the 23d March 1808), contradicts his supposition that the Hindoo law of slavery had remained dormant under the Mussulman government, and I am not aware of any preference given by the judicial regulations now in force to the Mahomedan law, where the parties are Hindoos, except in the administration of criminal justice, which would not admit of two systems essentially differing from each other in the definition of crimes and punishments, and in which the Mahomedan criminal law was adopted as the basis of a future uniform system, not so much from any consideration of its specific provisions, as from its having been long in force under the Mussulman government, and being therefore generally known to the inhabitants of the country.

12. For the above reasons I think it incumbent upon me to object to the standard of decision proposed by Mr. Richardson in cases of slavery, wherein the claimant may be a Hindoo, though a rejection of it must in a great degree defeat his humane intention of enacting a virtual though not avowed discontinuance of slavery, by rendering all claims and disputes respecting it determinable according to the Mahomedan law, when at the same time (as declared in the 6th section of the regulation proposed by him) he "supposed that, at the present time, it is hardly possible to establish the right of property of one man over another, according to the principle, the spirit and the letter of the Mahomedan law."

13. My own idea is, that, whilst regard is shown to the laws of the country relative to slaves, with such modifications as justice and humanity may indispensably require, the same authority should be allowed to the Hindoo as to the Mahomedan law, for persons of each persuasion. But that in all cases wherein a person may claim the property, possession or service of another as his slave, and the latter may deny that he is the lawful slave of the former, it should be required of the claimant, whether a Mussulman or Hindoo, to prove

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that the person claimed by him is legally his slave, according to the provisions of the law acknowledged by the claimant, and that in default of such proof the alleged slave should be declared free and emancipated.

14. Slavery not being sanctioned by any system of law which is recognized and administered by the British Government at this presidency, except the Mahomedan and Hindoo laws, I am of opinion that no claim to the property, possession or service of a slave should be admitted and enforced by the magistrates, except in behalf of a Mussulman or Hindoo claimant.

15. At the same time it would, I think, be expedient to declare that the above restriction shall not be considered applicable to voluntary contracts of hire and service, which have been or may be hereafter entered into by persons of full age and in every respect competent to form the same, whether the contract be for a limited period or for life, and whether the stipulated hire for service be wages or maintenance, such contracts are not deemed incompatible with the principles of justice and policy which have dictated the laws of England (see Blackstone, vol. 4, page 425), and by sanctioning them, it may be expected that the Hindoo practice of voluntary subjection to slavery, in times of famine or scarcity, will be converted into a condition more favourable to the servant and his family. At all events, no person subjecting himself to voluntary slavery should thereby entail bondage upon his children, though, if unable to maintain them, he may be allowed to engage their services for a period sufficient to provide an ample remuneration for their support.

16. As no parent can have a legitimate right to impose the yoke of slavery upon his children and their descendants, in perpetuity, I see no objection to the adoption of Mr. Richardson's proposition for prohibiting the sale of children as slaves, whether by their parents or others. In that case, however, parents and guardians having the care of children under the age of 15 years (being the age of maturity fixed by the Mahomedan and Hindoo laws), should be expressly empowered to contract for the support and service of such children, when indispensably necessary for their maintenance; provided that the contract shall not extend in any instance beyond the expiration of the 25th year of the age of the child so contracted for. Without some provision to this effect, there would be considerable risk that a prohibition of the sale of children as slaves in times of scarcity, or of occasional distress of the parents, would prove injurious, by their being left to perish.

17. Persons contracting for their personal services, or for those of their minor children or wards, under the provisions above stated, should not be designated slaves, but should be considered hired servants; and their offspring who may be born during the term of their servitude should not be deemed slaves or in any respect the property of their masters.

18. The children of female slaves, recognized by the Mahomedan and Hindoo laws as the absolute property of their owners, are considered by those laws to inherit the condition of their mothers, and consequently to be slaves for life, unless the acknowledged offspring of their owner, in which case both the mother and child are entitled to freedom. But it is obviously repugnant to every principle of natural justice, and inconsistent with the common rights of mankind, that any person should be deprived of his personal freedom during the whole of his life, without his consent, and without having committed any offence subject to so heavy a punishment. It appears to me, therefore, that the British Government is urgently impelled, by motives which cannot be mistaken or reasonably disapproved, to modify the laws in force, so far as to provide for the future emancipation of slaves hereafter born under its protection, at the expiration of a period when their services may be presumed to have fully compensated for all expense incurred in their support during infancy, viz. at the age of 25 years.

19. I do some violence to my own feelings in suggesting that the above modification of the existing laws should be restricted to children hereafter born under the protection of the British Government. I should willingly extend it to children already born under that protection, if I were not apprehensive that a sudden alteration of established proprietary rights, by immediately affecting the interests and convenience of a considerable number of persons, would produce a degree of dissatisfaction, which may be obviated by rendering the operation of the proposed amendment more remote and contingent.

20. In a letter from the secretary to government in the judicial department, dated the 24th May 1816, the court were desired, in preparing a draft of the proposed regulation regarding slavery, to "take into their consideration the expediency of requiring that the future purchase or transfer of slaves should be regularly registered, and that any breach of the rules that may be framed for that purpose shall entitle the slave to demand and obtain his freedom." To this measure I see no objection; and am further of opinion that two distinct registers should be kept by the zillah and city magistrates, according to forms prescribed by the court of Nizamut Adawlut, viz. one of ascertained slaves, the other of hirelings whose services may have been engaged, on a stipulation of wages or maintenance, either for life or for a limited period exceeding three years. The detailed rules for each of these registers are included in the accompanying proposed regulation, and therefore need not be specified in this place.

21. The Mahomedan and Hindoo laws not containing any specific and adequate rules for preventing the mal-treatment by emancipating the slave in cases that appear to call for this measure, on grounds of justice and humanity, it is indispensably necessary to prescribe rules for the guidance of magistrates and criminal courts in such cases. I have accordingly included those which occur to me as equitable and proper in section 16 of the proposed regulation, and in section 17 the same rules are extended to the protection of persons not in a state of slavery, who may be held in service for life or for a limited period as hirelings,

hirelings, sanctioned by the Mahomedan and Hindoo laws, or by the preceding sections of the regulation. E. I. Company and Board of Control. (Documents.)

22. The kidnapping of children and selling them as slaves (to which one of Mr. Richardson's propositions refers) is an offence now cognizable by the criminal courts. So atrocious a crime, however, requiring the most exemplary punishment, I have proposed (in section 18) to direct the magistrates to commit the offenders for trial before the court of circuit, whenever there may appear to be sufficient grounds for his conviction, and there may be no circumstances of extenuation such as to render the degree of punishment, which the magistrates are empowered to adjudge, fully adequate to the guilt of the prisoner under all the circumstances of the case.

23. A proclamation, forbidding, under penalties, the exportation of natives of India to be sold as slaves, was issued by the Governor-general in Council, under date the 22d July 1789; but the existing regulations do not contain any specific provision on this point. I have therefore proposed, in section 19, to declare the exportation from the British territories of any person born in those territories, to be disposed of or dealt with as a slave, a criminal offence, punishable on conviction in any of the criminal courts established under the British Government, unless the person so exported shall have been produced before a magistrate and registered as a slave.

24. The concluding section relates to the importation of slaves from foreign countries, which has been prohibited and declared punishable by Regulation X., 1811. The importation of slaves by sea into any part of the British territories of India has also been declared felony by the statute 51 Geo. 3, cap. 23; and under the construction given to that statute by the resolutions of government, under date the 9th September 1817, it must be considered to have superseded such parts of Regulation X., 1811, as relate to the importation of slaves by sea. The provisions contained in sections 2, 3 and 4 of this regulation are, however, still in force with regard to the importation of slaves by land; and with reference to the intention of those sections, communicated in a letter from the secretary to government in the judicial department, dated the 14th February 1817, I have suggested that they be declared to extend to the importation of any person whatever to be sold, or otherwise disposed of or dealt with as a slave, excepting only persons who may have been actually possessed by the importers as their domestic slaves for a period of at least one year previous to the importation of them into the British territory, and may be produced and registered as such within six months after their importation, in the mode prescribed by section 12 of the proposed regulation.

25. It does not occur to me that any part of that regulation calls for further explanation, and I therefore submit it with this minute to the judgment of the court and of his Excellency the Governor-general in Council, with an earnest hope that the provisions contained in it, with such amendments as shall arise from a deliberate consideration of the subject, may, under Providence, be effectual to the attainment of the important object proposed,—an increase of security, ease and happiness to a considerable portion of the human species, present and future, who, though exempt from many of the evils to which slaves in other parts of the world have been exposed, are still in a state of partial degradation, which the well-known commentator on the laws of England has pronounced “repugnant to reason and the principles of natural laws,” with an argument showing that the assigned origin of the right of slavery in the civil laws, which correspond partly with the principles of the Mahomedan and Hindoo laws, “are all of them built on false foundation.”

21 November 1818.

(signed)

J. H. Harington.

A REGULATION for the guidance of the COURTS of JUDICATURE in cases of SLAVERY.

THE Mahomedan and Hindoo laws recognize, and under certain restrictions sanction, a state of bondage; at the same time declaring the reciprocal rights and privileges of both owner and slave. With a view to obtain accurate information of the extent of such rights and privileges, as well as to ascertain what persons are deemed legal slaves by the provisions of the Mahomedan and Hindoo laws, the following questions were referred to the law-officers of the court of Sudder Dewanny and Nizamut Adawlut, in consequence of information before that court, that frequent irregularities had been practised in the acquisition of slaves, and also that, in some instances, the treatment of them, especially of female slaves, was cruel or otherwise immoral:—1st. What description of slaves are authorized by the Mahomedan and Hindoo laws respectively? 2d. What legal powers are the owners of slaves allowed to exercise upon the persons of their slaves, and particularly of their female slaves? 3d. What offences upon the persons of slaves, and particularly of female slaves, committed by their owners, or by others, are legally punishable, and in what manner? 4th. Are slaves entitled to emancipation upon any and what mal-treatment? and may the courts of justice adjudge their emancipation upon proof of such mal-treatment? In particular, may such judgment be passed upon proof that a female slave has, during her minority, been prostituted by her master or mistress? or that any attempt of violence has been made upon her person by her owner? The Mahomedan law-officers, viz. the Cauzee-ool-Coozat, Saroj-ood-deen Ullee, and Moulovee Mohummud Rashed, mooftee of the court of Sudder Dewanny and Nizamut Adawlut, delivered the following answers to the above questions:—1st. All men are by nature free and independent, and no man can be a subject of property, except an infidel; inhabiting a country not under the power and control of the faithful. This right of possession

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which the Mooslims have over heurbees (*i. e.* infidels fighting against the faith), is acquired by isteela, which means the entire subduement of any subject of property by force of arms. The original right of property, therefore, which one man may possess over another, is to be acquired solely by isteela (as defined above), and cannot be obtained in the first instance by purchase, donation or heritage. When, therefore, an imaum subdues by force of arms any one of the cities inhabited by infidels, such of them as may be taken prisoners become his rightful property, and he has the power of putting them to death, or making them slaves, and distributing them as such among the ghazees (*i. e.* victorious soldiers, particularly when fighting against infidels), or he may set them at liberty in a Mussulman country, and levy the capitation tax. Should he make them slaves, they become legal subjects of property, and are transferable by gift, sale or inheritance; but if, after captivity, they should become converted to the faith (islam), the power of death over them is thereby barred, though they would continue slaves; for slavery being the necessary consequence of original infidelity, the subsequent conversion to islam does not affect the prior state of bondage to which the infidel has been regularly rendered liable by isteela, provided this be clearly established. From this it is evident that the same rules are applicable to slaves of both sexes. If slaves are afterwards sold or given away by the imaum or by the ghazees, who shared at the distribution, or if they should become the property of another by inheritance, they then become slaves under the three different classes of purchase, donation and inheritance. If a female slave should bear offspring by any other than by her legal lord and master, whether the father be a freeman or a slave, and whether the slave of the said master or of any other person, in any of these cases such offspring is subject to slavery, and these are called khanazad, *i. e.* born in the family; but if the children be the avowed and acknowledged offspring of the rightful owner, they are then free, and the mother of them (being the parent of a child by her master), becomes at his desire free also; and this rule is applicable to all their descendants to the latest posterity. The practice among free men and women of selling their own offspring during the time of famine is extremely improper and unjustifiable, being in direct opposition to the principles above stated, viz. that no man can be the subject of property, except an infidel taken in the act of hostility against the faith. In no case then can a person, legally free, become a subject of property; and children, not being the property of their parents, all sales or purchases of them, as of any other article of illegal property, are consequently invalid. It is also illegal for any freeman to sell his own person, either in time of famine or though he be oppressed by a debt which he is unable to discharge. For, in the first of these cases, a famished man may feed upon a dead body, or may even steal what is necessary for his support, and a distressed debtor is not liable to any fine or punishment. We are not acquainted with the principal or detailed circumstances which led to the custom prevailing in most Mussulman countries of purchasing and selling the inhabitants of Zanzibar, Ethiopia, Nubia and other negroes; but the ostensible causes are, either that the negroes sell their own offspring, or that Mussulman or other tribes of people take them prisoners by fraud and deceit, or seize them by stealth from the sea shores. In such cases, however, they are not legally slaves, and the sale and purchase of them are consequently invalid. But if a Mussulman army, by orders of an imaum, should invade their country, and make them prisoners of war by force of arms, they are then legal slaves; provided that such negroes are inhabitants of a country under the control and government of infidels, and in which a Mussulman is not entitled to receive the full benefit and protection of his own laws. With regard to the custom prevailing in this country of hiring children from their parents for a very considerable period, such as for 70 or 80 years, and under this pretext making them slaves, as well as their progeny also, under the denomination of khanazad (domestic slaves), the following laws are applicable, viz: It is lawful and proper for parents to hire out their children on service, but this contract of hire becomes null and void when the child arrives at the years of discretion, as the right of parentage then ceases. A freeman who has reached the years of discretion may, however, enter into a contract to serve another, but not for any great length of time, such as for 70 years, as this also is a mere pretext and has the same object of slavery in view; whereas, the said freeman has the option of dissolving any contract of hire under either of the following circumstances:—

1st. It is the custom in contracts of this nature for a person hired on service to receive a compensation in money, clothes and food, as the wages of hire; any day therefore that a servant receives such compensation, he is in duty bound to serve for that day, but not otherwise.

2d. The condition of a contract of hire requires that the return of profit be agreeable to the wages of hire, and this cannot be ascertained but by degrees and in course of time; the contract of hire, therefore, becomes complete or fulfilled, according to services or benefit actually rendered in return for the wages of hire received, and the person hired has consequently the option of dissolving the contract at any moment of the period originally agreed for. It is however unavoidable, and actually necessary, in contracts of a different nature, such as in rents of land, &c. that the lessee should not have this power; but, reverting to contracts of hire for service for a long period, and the nefarious practice of subjecting freemen to a state of bondage and slavery under this pretence, it appears expedient to provide against such abuses, and with this view to restrict the period of service on all contracts of hire of freemen to a month, one year, or at most to three years, as in the case of *ijaria wurgf*, a form of endowment. It is customary also among the *zumeni tewaif* (women who keep sets of dancing girls), to purchase female children from their parents, or by engagements directly with children themselves. Exclusively of the illegality of such purchases, there is a further evil resulting from this practice, which is that the children are taught dancing and singing

singing for others, and are also made prostitutes, both of which are extremely improper, and expressly forbidden by the law.

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3d. The rightful proprietor of male and female slaves has a claim to the services of such slaves, to the extent of their power and ability; *i. e.* he may employ them in baking and cooking; in making, dyeing and washing clothes; as agents in mercantile transactions; in attending cattle, in tillage or cultivation; as carpenters, ironmongers and goldsmiths; in transcribing; as weavers, and in manufacturing woollen cloths; as shoemakers, boatmen, twisters of silk or water drawers; in shaving; in performing surgical operations, such as cupping; and as farriers, bricklayers and the like; and he may hire them out on service in any of the above capacities. He may also employ them himself, or for the use of his family, in other duties of a domestic nature, such as in fetching water for washing or wuzoo (religious purification), in anointing his body with oil, rubbing his feet, in attending his person while dressing, and in guarding the door of his house, &c.; he may also have connexion with his legal female slave, provided she has arrived at the years of maturity, and the master or proprietor has not previously given her in marriage to another.

4th. If a master oppress his slave by employing him in any duty beyond his power and ability, such as insisting on his carrying a load which he is incapable of bearing, or climbing a tree which he cannot, the hakim, or ruling power, may chastise him; it is also improper for a master to order his slave to do that which is forbidden by the law, such as putting an innocent person to death, setting fire to a house or tearing the clothes of another, or to prostitute himself by adultery and fornication, to steal or drink spirits, or to slander and abuse the chaste and virtuous; and if a master be guilty of such like oppressions, the hakim may inflict exemplary punishment by fazeer, and ucoobut, hug-ool Illah (literally by the right of God, and meaning on principles of public justice). It is further unlawful for a master to punish his male or female slaves for disrespectful conduct, and such like offences, further than by tadeeb (correction or chastisement), as the power of passing sentences of fazeer and qisas is solely vested in the hakim; if therefore the master should exceed the limits of his power of chastisement above stated, he is liable to fazeer; if a master should have connexion with his female slave before she has arrived at the years of maturity, and if the female slave should in consequence be seriously injured (so that *uterque naturæ meatam in unamveat*), or should die, the ruling power may punish him by fazeer, ugoobut, hug-ool Illah (as before described.)

4th. If the master of male or female slaves should oppress or tyrannize over them, by beating them unjustly, stinting them in food, or imposing upon them duties of a difficult and oppressive nature, so as to cause them affliction and distress, or if a master should have connexion with his slave girl before she has arrived at the years of maturity, or should give her in marriage to another with permission to cohabit with her in this state, such master sins against the divine laws, and the ruling power may punish him by tadeet and fazeer hug-ool Illah; but the commission of such crimes by the master does not authorize the manumission of the slaves, nor has the hakim any right or authority to grant them emancipation. Adverting, however, to the principle upon which the legality of slavery is originally established (*viz.* that the subject of property must be an infidel, and taken in the act of hostility against the faith), and also to the several branches of legal slavery arising from these principles, as by purchase, donation, inheritance and khana zadie, whenever a case of possession of an unlawful male or female slave shall be referred to the hakim for investigation, it is the duty of the hakim to pass an order recording the original right of freedom of such individual, to deprive the unjust proprietor of possession, and to grant immediate emancipation to the slave.

The answer of the Hindoo law-officers, *viz.* Chootroo Bhooj Pundit and Chitr Puti Pundit, was as follows:—1st. There are 15 different sorts of male and female slaves, as follows:—1st. Garihgat, that is, one born of a female slave: 2d. Kireet, that is, one bought for a price, either from the parents or from the former owner: 3d. Lubdhi, that is, one received in donation: 4th. Dayado pagut, that is, one acquired by inheritance; 5th. Unakut bhirt, that is, one maintained or protected in time of famine: 6th. Aheet, that is, a slave pledged by his master: 7th. Bundus, that is, a distressed debtor, voluntarily engaged to serve his creditor for a stipulated period: 8th. Joodh puraput, that is, one taken captive in war: 9th. Punjeet, that is, won in a stake or gambling wager: 10th. Oofigut, that is, one offering himself in servitude, without any compensation or return: 11th. Purbburjeea busit, that is, a Brahmin relinquishing a state of religious mendicancy which he had voluntarily assumed; an apostate mendicant, however, is the slave of the rajah or government only: 12th. Hrit kal, that is, stipulated, or one offering himself in servitude for a stipulated time: 13th. Bhuegul-das, that is, one offering himself in servitude for the sake of food: 14th. Birbar chirt, that is, one becoming a slave on condition of marriage with a slave girl: 15th. Atmu bikrita, that is, self-sold, or one who has sold himself for a price. These 15 sorts of slaves are declared by Nareda Muni, according to the undermentioned authorities, *viz.* Mituchra-uprusk, Rutnakur, Ribad Chinta Nunie Kul puttro, Summrit Lar Bubad Tundub, Summrittee, Summacheia, Madhubhee, and others: 2d. The owner of a male or female slave may require of such slave the performance of impure work, such as plaistering and sweeping the house, cleaning the door, gateway and necessary, rubbing his master's naked body with oil, and clothing him, removing fragments of victuals left at his master's table and eating them, removing urine and human ordure, rubbing his master's feet and other limbs, &c. In cases of disobedience or fault committed by the slave, the master has power to beat his slave with a thick stick, or to bind him with a rope; and if he should consider the slave deserving of severe punishment, he may pull his hair, or expose him upon an ass; but if the master should

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exceed the extent of his authority, and inflict punishment on his slave of a more severe nature than above stated, he is liable to pay a fine to the hakim, or ruling power, of a thousand puns (eight thousand kouries); this is declared by Munoo, according to Rutnakur, Behad, Chinta, Murri, and other authorities: 3d. A master has no right to command his male or female slave to perform any other duties besides those specified in the answer to the second question, or authority to punish his slave further than in the manner before stated; and if he should exceed this discretionary power in either case, he is liable to the same penalty, viz. one thousand puns of kouries; this is declared by Munnos and Bishen: 4th. The commission, however, of offences of the above nature by the master does not affect the state of bondage of the slave, and the ruling power has not the right of granting his manumission; but if it should be established in evidence before the hakim that any person having stolen or inveigled away by force and treachery a child or slave, had afterwards sold him to another, or that any person had compelled another into a state of slavery by force and violence, the ruling power may then order the emancipation of such child or slave; and if a master, or any other by permission of the master, should cohabit with a slave girl before she has arrived at the years of maturity, and this fact be proved, the ruling power may sentence such offender to pay a fine of fifty puns of kouries, but cannot emancipate the slave girl. Whenever a slave girl has borne a child by her master, such slave, together with the child, becomes free, and the ruling power should sanction the emancipation; this is the law declared by Jak Bulk menoo menoo and Kutabun, according to Mituchehera, and other authorities. On consideration of the foregoing authoritative exposition of the Mahomedan and Hindoo laws, in cases of slavery, the Governor-general in Council, in pursuance of the maxims of policy and just regard to local institutions and usages which have uniformly influenced the British Government in all matters connected with the established customs and habits of the inhabitants of these provinces, whether Mussulmans or Hindoos, is desirous of maintaining a strict observance of the laws under which they have respectively acquired or may hereafter acquire a legal title to the possession and services of slaves, so far as is consistent with general principles of justice and humanity, which are equally obligatory upon all governments; it is at the same time indispensably necessary to prescribe and publish the rules to be observed by courts of judicature in determining upon cases of slavery which may be brought before them, to render such cases, as involving the rights of personal freedom, cognizable by the zillah and city magistrates in the first instance, and to provide for the emancipation of slaves in particular instances, when cruel or other gross maltreatment may appear to require the adoption of this measure as the only means of protection from future injury. The following rules and provisions have accordingly been enacted for the purpose above stated, and shall be considered in force, from the time of their promulgation, throughout the provinces immediately subject to the presidency of Fort William.

II. All claims to the property, possession or service of slaves, and generally all disputes between claimants of slaves, and the persons claimed by them as such, involving the question whether the persons so claimed are lawful slaves or not, as well as all complaints of the maltreatment of slaves, shall be cognizable by the zillah and city magistrates, subject to the established control of the courts of circuit and Nizamut Adawlut. Joint magistrates, and other public officers empowered to act as magistrates, shall also have cognizance of the claims, disputes and complaints above specified, subject to the stated control of the superior criminal courts; but no courts of civil judicature shall hereafter receive and try any suit of the nature described in this section, without an express order from the court of Sudder Dewanny Adawlut, in any particular case wherein that court may, on special grounds, judge it proper to refer the trial and determination of any such suit, either to a zillah or city court of Dewanny Adawlut, or to a provincial court; provided, however, that this restriction shall not affect the trial and decision under the rules now in force of any suit of the nature above-mentioned, which may have been instituted in a civil court before the promulgation of this regulation.

III. Petitions and complaints which may be preferred to the magistrates, or to any public officers authorized to act as such in pursuance of the foregoing section, shall be written on stamped paper of the value of eight annas, as required by section 18, Regulation I., 1814, unless the petitioner or complainant be a slave, or claimed as a slave, in which case the petition or complaint shall be receivable on unstamped paper.

IV. In all cases wherein a person may claim the property, possession or service of another as his slave, and the latter may deny that he is the lawful slave of the former, it shall be incumbent upon the claimant, whether a Mussulman or Hindoo, to prove that the person claimed by him is legally his slave, according to the provisions of the law acknowledged by the claimant (viz. of the Mahomedan law, if the claimant be a Mussulman, or of the Hindoo law, if he be of that persuasion); and in default of such proof, the alleged slave shall be declared emancipated and free. The magistrate, or officer officiating as such, who may declare the freedom of the person so emancipated, shall also furnish him with an authenticated copy of the proceedings containing this declaration. But if the claimant shall deliver a petition, professing his intention of appealing from the decision so given, to the judge of circuit, who may hold the next ensuing session of gaol delivery, and desiring the attendance of the alleged slave until such appeal shall have been heard by the judge of circuit, it shall be competent to the magistrate or other officer, who may have passed the original decision, to require security from the emancipated person for his attendance on the judge of circuit; and, if this be not given, to adopt such measures as may be indispensably necessary to secure his attendance at the ensuing session.

V. In

V. In all cases wherein a judge of circuit, revising the proceedings of a magistrate or officiating magistrate, held under the preceding section, may confirm the order of emancipation, his judgment shall be final and conclusive. If the judge of circuit see cause to reverse the decision of the magistrate or officiating magistrate, he shall record his opinion to that effect, and transmit the proceedings for the sentiments and determination of one or more judges of the court of circuit, at the Sudder station of the division, under the 5th clause of section 12, Regulation XXV., 1814.

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VI. The provisions of the preceding section shall, in substance, be equally applicable to cases in which the magistrate or officiating magistrate may decide in favour of the claimant to a slave; and the latter may appeal in consequence to the judge of circuit holding the next ensuing session of gaol delivery, as authorized by section 5, Regulation IX., 1801, and the 5th clause of section 2, Regulation III., 1804, in other cases of orders passed by the magistrates, respecting which petitions of appeal may be presented to the judges of circuit at the ensuing session.

VII. Slavery not being sanctioned by any system of law which is recognized and administered by the British Government, except the Mahomedan and Hindoo laws, stated in the preamble to this regulation, no claim to the property, possession or service of a slave shall be admitted and enforced by the zillah and city magistrates, or by any officiating magistrate, except in behalf of a Mussulman or Hindoo claimant, under the provisions of this regulation; provided, however, that this restriction shall not be considered applicable to voluntary contracts of hire and service, which may have been or may hereafter be entered into by persons of full age, and in every respect competent to form the same, whether the contract be for a limited period or for life, and whether the stipulated hire for service be wages or maintenance. On the contrary, the magistrates are hereby authorized and required, on application made to them, to enforce all voluntary engagements of the nature above mentioned (except in cases of gross maltreatment, such as are provided for in a subsequent part of this regulation), and to refer the parties to a regular suit in the proper civil court, if there appear to be sufficient ground of equity for setting aside the same, whatever may be the religious persuasion of the parties to such engagements, and notwithstanding any legal provisions relative to contracts of hire and service in the Mahomedan, Hindoo and other systems of law.

VIII. Under the sanction to voluntary contracts declared in the preceding section, it will be at the discretion of all persons arrived at the full age of maturity, and not restricted by any legal disqualification, to hire themselves as servants, whether for a limited period or for life, during a time of famine or scarcity, or under any other circumstances, on such terms and conditions as they may judge advantageous. Parents and guardians having the care of children under the age of fifteen years (viz. who may not have entered upon their sixteenth year, the age of maturity fixed by the Mahomedan and Hindoo laws), are further hereby empowered to contract for the support and service of such children, when indispensably necessary for their maintenance; provided that the contract shall not extend in any instance beyond the expiration of the twenty-fifth year of the age of the child so contracted for. At the end of that period, or of any shorter term which may be specified in the contract, the stipulations of it shall be deemed extinct, and the party affected thereby shall be at liberty to form any new engagement in his own behalf, which he may consider beneficial, or to act for himself in any other legal manner, as he may judge best for his own interest.

IX. Persons contracting for their personal services, or for those of their minor children or wards, under the provisions of the two foregoing sections, shall not be designated slaves, but shall be considered hired servants; and their offspring who may be born during the term of their servitude shall not be deemed slaves, or in any respect the property of their masters. With a view, however, to promote the care and support of children born under such circumstances, it is hereby declared that if their parents be unable to maintain them, and shall be prevented by death or otherwise from executing an engagement in their behalf, as authorized by the preceding section, and the master of the parent or any other person shall in consequence duly maintain them during their minority, the person so maintaining them shall be entitled to their services till the expiration of the twenty-fifth year of their respective ages, in like manner as if any engagement to that effect had been executed in conformity with section 8 of this regulation.

X. Under the sanction given by the foregoing sections to contracts for hire and service, it may be expected that no person will be hereafter willing to dispose of himself or his child as a slave. At all events, no parent, guardian or other person can possess any legitimate right and authority to impose the yoke of bondage upon a child and his or her descendants in perpetuity. The future sale or other transfer of children as slaves is therefore hereby strictly prohibited; and any sale or other transfer of a child that may hereafter take place, in opposition to this prohibition, is declared illegal, null and void. Moreover, the voluntary subjection to slavery of a free woman of a full age, and competent to act for herself, whether for a limited period or for life, shall not entail bondage upon her children born during the period of such voluntary slavery. On the contrary, all such children born after the promulgation of this regulation shall be deemed free, and within the provisions of sections 8 and 9.

XI. The children of regular female slaves, who are fully recognized by the Mahomedan and Hindoo laws as the absolute property of their owners, have been considered by those laws to inherit the condition of their mothers, and consequently to be slaves for life, unless

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the acknowledged offspring of the owner; in which case both the mother and the child are entitled to freedom. But it is obviously repugnant to every principle of natural justice, and inconsistent with the common rights of mankind, that any person should be deprived of his personal freedom during the whole of his life, without his consent, and without having committed any offence subject to so heavy a penalty. The British Government is therefore impelled, by motives which cannot be mistaken or reasonably disapproved, to modify the laws in force, so far as to provide for the future emancipation of slaves hereafter born under its protection, at the expiration of a period when their services may be presumed to have fully compensated for all expense incurred in their support during infancy. It is accordingly hereby declared, that no person who may be born of a female slave after the promulgation of this regulation shall, by reason of his or her birth, be deemed a slave for life. All persons so born shall be entitled to emancipation on the expiration of the twenty-fifth year of their respective ages; and all children born to them after such period of emancipation shall likewise be deemed free; any children which may be born by such female slaves previous to their attaining the age of twenty-five years, and which may not be the acknowledged offspring of their owner, will, as heretofore, be deemed the slaves of the owner, till they attain the age of twenty-five years; but on arriving at that age will be entitled to the same privileges of emancipation as is above provided for their mothers in similar circumstances. It will at the same time, of course, be competent to the whole of the persons entitled to emancipation under this section, at the age of twenty-five years to enter into voluntary engagements for hire and service at the expiration of that period, if they should be desirous of so doing, in pursuance of sections 7 and 8 of this regulation.

XII. To enable the owners of legal slaves held under the provisions of this regulation to obtain a ready means of showing that the parties claimed by them as lawful slaves are really such, and at the same time to enable all other persons to whom slaves may be offered for sale to ascertain with facility whether such slaves are lawfully holden or otherwise, the several zillah and city magistrates shall keep a register of slaves, according to a prescribed form, to be prepared and transmitted for their guidance, with any requisite instructions by the court of Nizamut Adawlut. The registry of slaves in such register shall include the following particulars, with any others which may be sanctioned and directed by the court of Nizamut Adawlut.

First. The name, age, parentage and description of all persons who, on investigation by the magistrates and courts of circuit, may have been proved and declared to be lawful slaves, with the names and designations of their respective owners, and the title under which the slave is held in each instance.

Secondly. The name, age, parentage and description of slaves of full age who may be produced before a magistrate or officiating magistrate, and may personally acknowledge themselves to be the lawful slaves of the parties claiming them as such, with the particulars above mentioned respecting the owners and their respective titles.

Thirdly. The name, age, parentage and description of the children of female slaves who may be produced before a magistrate or officiating magistrate, and may be acknowledged as born in a state of hereditary slavery, by one or both of the parents of such children, together with the names and designations of the owners in such cases.

Fourthly. The sale, gifts or other transfer of any slaves recognized and sanctioned by the provisions of this regulation, with the particulars of all such transfers, the parties to them, and the title under which the transferred slave was before held.

XIII. First. Applications for the registry directed in the preceding section shall be made on the stamped paper prescribed for miscellaneous petitions to magistrates, viz. bearing a stamp of eight annas, and no further charge shall be made for the registry, except a fee of one rupee, to be received by the magistrate's assistant, if present, and superintending the registry of slaves; or, if not, by any other fit person whom the magistrate may from time to time appoint for keeping the registry under his own superintendence and control.

Second. All persons desirous of obtaining an authenticated extract from the register prescribed by the foregoing section shall be entitled to receive the same under the official seal and signature of the magistrate or his assistant, on stamped paper of the value of one rupee for each slave, respecting whom the extract may be applied for, to be furnished by the person making the application.

XIV. It is not intended that every slave shall be considered unlawful excepting such as may be registered under section 12 of this registration, if a legal title to an unregistered slave be clearly established on judicial inquiry before a magistrate or officiating magistrate competent to receive and try a claim preferred in pursuance of section 2. But if the owner of the slave shall neglect to produce him before the magistrate of the district in which he may reside, after the promulgation of this regulation, and shall not be able to assign a satisfactory reason for the neglect, it will be a strong ground of presumption that the person claimed as a slave is not lawfully holden as such under the provisions of this regulation. It is further hereby required, that all future transfers of slaves, whether by sale, gift, inheritance or otherwise, shall be registered in the office of the zillah or city magistrate, in whose jurisdiction the transfer may take place, within six months after the date of such transfer; and any wilful neglect to comply with this requisition shall render the sale or other transfer of an unregistered slave null and void, and shall entitle the slave, on application to the magistrate, after the expiration of the period above limited, to an order for his liberation, subject to the provisions of sections 4 and 5 of this regulation.

XV. First.

XV. First. The zillah and city magistrates shall likewise keep, according to such form and instructions as may be prescribed by the Nizamut Adawlut, a register of hirelings or persons hired as servants for life, or for a limited period exceeding three years, under the contracts and engagements sanctioned by this regulation. The register so designated shall include the name, age, parentage and description of all the parties concerned in the transaction, the date and substance of the deed of contract, and the nature of the inquiry made to ascertain that the engagement has been voluntarily executed, with the purport of the evidence taken at the time of the registry; copies of the engagements exhibited shall also be kept in the magistrate's office, and the magistrate or his assistant, by whom the registry may be made, shall certify on the original engagements, under his official signature, the date on which it was registered, after which it shall be returned to the party by whom it was presented; provided, however, that neither the magistrate nor his assistant shall register any deed of contract under this section, without being fully satisfied by the acknowledgment of the person whose service is contracted for, if adult, and if not prevented from personal attendance, or, in other cases, by the evidence of at least two credible witnesses, that the engagement is perfectly voluntary, as well as in every respect legal and consistent with the provisions of this regulation. If this be not established, the magistrate shall declare the engagement null and void, and shall detain it in the records of his office, subject to any subsequent orders from the court of circuit, in the event of an appeal to that court, or to the decision of the proper court of civil judicature, in the event of a regular suit to try the merits of the case and the validity of the engagement being instituted in that court.

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Second. Applications for the registry of hirelings directed in the above clause shall be made on the stamped paper required by section 13, for applications to register slaves, and the whole of the provisions in that section shall be considered applicable to the charge attending a registry of hirelings as well as the delivery of authenticated extracts from such registers; provided, however, that when official copies may be required by any person of documents or papers of any description, in addition to an extract from the register directed to be furnished on stamped paper of one rupee, the requisite stamped paper shall be furnished for such copies at the rate of eight annas per sheet, prescribed for authenticated copies of other public documents by section 19, Regulation I., 1814.

Third. After the promulgation of this regulation, no contract or engagement may have been executed within six months after the date of it, in pursuance of the present section, or unless the omission be fully and satisfactorily explained, as not having been owing to any wilful neglect.

XVI. First. The Mahomedan and Hindoo laws not containing any specific and adequate rules for preventing the maltreatment of slaves by their owners, especially for guarding against future maltreatment by emancipating the slave in cases that appear to call for this measure on grounds of justice and humanity, the following rules are prescribed for the guidance of the magistrates and criminal courts in such cases.

Second. It is already provided by section 2, Regulation VIII., 1799, and section 15, Regulation VIII., 1803, that "in every case of wilful murder, wherein the crime may appear to the court of Nizamut Adawlut to have been fully established against the prisoner, but the futwa of the law-officers of that court shall declare the prisoner not liable under the Mahomedan law to suffer death by kisas, solely on the ground of the slain having been the slave of the prisoner or of any other person, or a slave appropriated for the service of the police, the court of Nizamut Adawlut, provided they see no circumstances in the case which may render the prisoner a proper object of mercy, shall sentence him to suffer death." It is further hereby declared, that in every other case wherein a criminal offence of a heinous nature may be committed on the body of a private slave, or of a slave appropriated to the public service, the person duly convicted of such offence, whether the owner of the slave or not, shall be liable to the same punishment under the laws and regulations in force, as would be incurred for the like offence if committed on the body of one not being a slave; provided, however, that nothing in this clause shall be understood to restrict the owners of slaves from the exercise of a just authority over their slaves, in requiring them to perform their proper duties and services as sanctioned by the Mahomedan and Hindoo laws respectively.

Third. In cases of illegal, cruel and other grossly immoral treatment of slaves by their owners, or with the knowledge and permission of their owners, and especially in repeated instances of such maltreatment, wherein the magistrate, court of circuit, or court of Nizamut Adawlut passing sentence in the case, may be of opinion that the emancipation of the injured slave is necessary to secure him or her from future maltreatment of the like nature, it shall be competent to the magistrate or criminal court passing the sentence to include in it an order for the slave's emancipation, and to furnish him or her with an authenticated copy of it, which shall be deemed a sufficient voucher of the emancipation so ordered; provided, in the case of a sentence and order to the effect above mentioned being passed by a magistrate or officiating magistrate, if the owner of the slave, or any person in his behalf, shall deliver a petition professing an intention of appealing to the judge of circuit who may hold the next ensuing session of gaol delivery, the magistrate or officiating magistrate shall suspend the delivery of a copy of his proceedings until the court of circuit shall have revised and affirmed the same, and shall proceed in other respects as directed in section 4 of this regulation, for causing the attendance of the emancipated slave before the judge of circuit at the ensuing session.

XVII. The preceding section shall in substance be considered applicable to all persons who, though not in a state of slavery, may be held in service for a limited period, or eventually

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tually for life, under a contract sanctioned by the Mahomedan and Hindoo laws, or by any of the preceding sections of this regulation.

XVIII. The kidnapping of children and selling them as slaves is an offence now cognizable, and punishable on conviction by the criminal courts. So atrocious a crime deserving and requiring the most exemplary punishment, the magistrates are hereby directed to commit the offender for trial before the court of circuit, whenever there may appear to be sufficient grounds for his conviction, and no circumstances of extenuation such as to render the degree of punishment which the magistrates are empowered to adjudge fully adequate to the guilt of the prisoner, under all the circumstances of the case.

XIX. The exportation from the British territories of any person born or resident within those territories, to be disposed of or dealt with as a slave, is hereby declared a criminal offence, punishable on conviction in any of the criminal courts established under the British Government, unless the person so exported shall have been produced before a zillah or city magistrate, and registered as a slave in pursuance of section 12 of this regulation.

XX. The importation of slaves from foreign countries into the British territories is also strictly prohibited, and declared punishable as a criminal offence, by Regulation X., 1811, intituled, "a regulation for preventing the importation of slaves from foreign countries, and the sale of such slaves in the territories immediately dependent on the presidency of Fort William." The importation of slaves by sea into any part of the British territories in India, having been since declared felony by a statute of the British Legislature, (the 51st Geo. 3, c. 23,) and punishable by transportation or confinement and hard labour, such parts of the regulation above mentioned, as relate to the importation of slaves by sea, are thereby superseded. The provisions contained in sections 2, 3 and 4 of that regulation are, however, still in force with respect to the importation of slaves by land, and are hereby declared to extend to the importation of any person whatever, to be sold or otherwise disposed of or dealt with as a slave, excepting only persons who may have been actually possessed by the importers as their domestic slaves for a period of at least one year previous to the importation of them into the British territory, and may be produced and registered as such within six months after their importation, in the mode prescribed by section 12 of this regulation.

(signed) *W. H. Macnaghten*, Register.

OBSERVATIONS in pencil by *Mr. Adam*, upon the proposed Regulation respecting Slaves, in 1823.

No. 15.

THIS proposition involves a most difficult and embarrassing question: I doubt very much whether any legislative interference will tend to improve the condition of persons in a state of slavery in this country, or to hasten the period of the extinction of the practice. A summary abolition I take to be quite out of the question. The practice of domestic slavery is too much interwoven with the habits and feelings of natives to admit of a sudden suppression, without creating extensive and well-founded discontent. Neither is that condition, as it prevails in this country, attended with any circumstances that would justify the smallest hazard of any other inconvenience, for the purpose of affecting its abolition, which, indeed, I believe would be attended with much misery to those for whose benefit it would be intended. Slaves employed in agricultural and other labour, as is the case in some parts of the country, are, it is probable, in a worse condition than the ordinary population, and the gradual abolition of this practice would certainly be desirable; any rash or hasty attempt to do so, would, however, I fear, defeat its own object, besides creating other evils; and, as I have said above, I doubt the expediency of any legislative interference for its regulation. I apprehend we must look for the correction of this and other evils, to the slow but certain influence of the diffusion of enlightened and liberal sentiments among the people. Our information (on record) regarding the state of slaves employed in labour is very defective; but there is a valuable paper of *Mr. Henry Colebrook's*, on the subject of Indian slavery in general, which it would be desirable to recover. Upon the whole, as the question has been revived, I think we ought to call for information and opinions, as suggested by the *Sudder Dewanny Adawlut*, and suspend any further deliberation till the replies of the public officers are collected and embodied in a general report. The public officers should be enjoined to conduct these inquiries with due caution, so as not to create any belief that government contemplates a change in the relations of master and slave, or any other innovation on established rules and usages connected with that subject.

Mr. Harrington's MINUTE.—(11 January 1826.)

No. 16.

A REGULATION prepared by me in November 1818, when chief judge of the courts of *Sudder Dewanny* and *Nizamut Adawlut* "for the guidance of the courts of judicature in cases of slavery," is still unrecorded, and before government for consideration.

2. In the letter from the register of the *Sudder Dewanny* and *Nizamut Adawlut*, dated 6th June 1823, the judges of those courts suggested "the expediency of calling for the opinions of the several judicial officers, as to the prevalence and state of slavery in their respective districts, and the probable effects of partial interference, previously to a final decision

decision on a question involving considerations and consequences of a serious importance to some of the most valuable rights and interests of a large portion of the community.”

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3. The late Mr. Adam has also concluded some remarks (in pencil) subjoined by him to the proposed regulation, in the following terms: “ Upon the whole, as the question has been revived, I think we ought to call for information and opinions, as suggested by the Sudder Dewanny Adawlut, and suspend any further deliberation till the replies of the public officers are collected and embodied in a general report. The public officers should be enjoined to conduct their inquiries with due caution, so as not to create any belief that government contemplates a change in the relations of master and slave, or any other innovation on established rules and usages connected with the subject.”

4. With deference to these opinions, and with a view to determine whether any and what new enactments should be passed on the subject of slavery in the provinces subject to this presidency, I beg leave to propose that the several courts of circuit be instructed, through the Nizamut Adawlut, to obtain from the magistrates and joint magistrates, in their respective divisions, information upon the following points:—

1st. To what extent is domestic slavery, by the employment of male or female slaves for domestic purposes, now known or supposed to exist in the families of Hindoos or Mussulmans, within their several jurisdictions? what services are usually performed by the slaves so employed? and what is their general treatment and condition?

2dly. To what extent are slaves employed in the labours of husbandry, or in any other species of labour distinct from that of a domestic nature? and what is the general treatment and condition of the slaves so employed?

3rdly. Is slavery of either of the descriptions above noticed in a state of local increase or decrease? and, if so, from what known or supposed cause or causes?

5. I further beg leave to suggest, that the courts of circuit be respectively furnished by the Nizamut Adawlut with a copy of the proposed regulation, and desired, after obtaining the above-mentioned information from the several magistrates and joint magistrates within their divisions, to state their sentiments upon the expediency of the proposed enactment; particularly whether any and which of the provisions contained therein would be likely to occasion serious dissatisfaction to the present owners of slaves, whether Hindoo or Mussulman.

6. The court of Nizamut Adawlut, after obtaining the reports of the courts of circuit, may also be desired to make a further communication of their opinion upon the subject to government.

7. The collectors of the land revenue having, in some instances, especially in the western provinces, better means than those possessed by the magistrates, of informing themselves upon the actual state of slavery in the interior of the country, the three boards of revenue should likewise, I think, be instructed, from the territorial department, to call upon the collectors in their respective divisions for the same local information as that proposed to be required from the magistrates, after receiving which the boards should state their sentiments for the consideration of government, as called for from the courts of circuit.

8. I will only add that, the whole of the public officers should be directed to conduct their inquiries with caution, as suggested by Mr. Adam, and that, to obviate indefinite delay, a period not exceeding three or four months should be limited for the transmission of their reports.

11 January 1826.

(signed) J. H. Harington.

On the 19th January 1826, the secretary was directed to write the following letter:—

From Mr. Secretary *Shakespear* to *W. H. Macnaghten*, Esq., Register of the Sudder Dewanny and Nizamut Adawlut.—(19 January 1826.)

Sir,

I AM directed by the Right honourable the Governor-general in Council to acknowledge the receipt of a letter from you, under date the 6th of June 1823, submitting the draft of a regulation proposed by Mr. Harington, when chief judge of the Sudder Dewanny and Nizamut Adawlut, “ for the guidance of the courts of judicature, in cases of slavery,” together with the copy of a minute recorded by Mr. Harington, on the 21st November 1818, and copy of a minute recorded by the chief judge, Mr. Leycester, on the 28th of May 1823.

No. 17.

2. The Governor-general in Council, having resumed the consideration of the question discussed in those papers, concurs with the court of Sudder Dewanny and Nizamut Adawlut, that, previously to passing a final decision on the expediency of the proposed enactment, it is desirable to obtain the opinions of the several judicial officers, as to the prevalence and state of slavery in their respective districts, and the probable effects of a partial interference in the existing rules and usages in regard to slavery.

3. With a view, therefore, to determine whether any and what enactments should be passed on the subject of slavery in the provinces subject to this presidency, the Governor-general in Council is pleased to resolve that the several courts of circuit be instructed, through the

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Nizamut Adawlut, to obtain from the magistrates and joint magistrates, in their respective divisions, information upon the following points:—

1st. To what extent is domestic slavery, by the employment of male or female slaves for domestic purposes, now known or supposed to exist in the families of Hindoos and Mussulmans within their several jurisdictions? what services are usually performed by the slaves so employed? and what is their general treatment and condition?

2dly. To what extent are slaves employed in the labours of husbandry, or other species of labour distinct from that of a domestic nature? and what is the general treatment and condition of the slaves so employed?

3dly. Is slavery of either of the descriptions above noticed in a state of local increase or decrease; and, if so, from what known or supposed cause or causes?

4. The Governor-general in Council is further pleased to direct that the courts of circuit may be respectively furnished by the Nizamut Adawlut with a copy of the proposed regulation, and desired, after obtaining the above-mentioned information from the several magistrates and joint magistrates in their divisions, to state their sentiments upon the expediency of the proposed enactment, particularly whether any and which of the provisions contained therein would be likely to occasion serious dissatisfaction to the present owners of slaves, whether Hindoo or Mussulman. The court of Nizamut Adawlut, after obtaining the reports from the courts of circuit, is requested to make a further communication of their opinions upon the subject to government.

5. As the collectors of the land revenue have, in some instances, especially in the western provinces, better means than those possessed by the magistrates of informing themselves upon the actual state of slavery in the interior of the country, the board of revenue will likewise be instructed from the territorial department to call upon the collectors, in their respective divisions, for the same local information as that required from the magistrates; after receiving which, the boards will be directed to state their sentiments for the consideration of government, as called for from the courts of circuit.

6. In conclusion, the Governor-general in Council deems it almost superfluous to remark, that the local officers should be enjoined to conduct their inquiries with due caution, and with every proper regard to the feelings and prejudices of those who are most interested in any innovations on the established usages which at present regulate the relations of master and slave in those provinces.

7. In order to obviate indefinite delay, the Governor-general in Council desires that the local officers may be instructed to submit the reports required from them to the several courts of circuit and boards of revenue, within the period of three months from the date of their being furnished with the foregoing orders.

I have, &c.
(signed) *H. Shakespear*,
Sec. to Gov.

Council Chamber, 19 January 1826.

MINUTE by the Governor-general.—(25 January 1826.)

No. 18.

MY attention has this morning been called by the draft of a letter from the secretary in the judicial department to the register of the Sudder Dewanny and Nizamut Adawlut, to certain papers relating to the state of slavery in this country, which I recollect to have perused some weeks ago, but on which I was not aware that it was intended to ground any public proceeding. A few words, it is true, were said last week in council on the subject of referring certain questions to judicial officers in their respective divisions, but I had not then seen, nor have I read till this morning, a minute of Mr. Harington, dated the 11th instant, with a short expression of Mr. Bayley's concurrence subjoined, on which minute the draft of the letter to the Sudder Dewanny and Nizamut Adawlut, now in circulation, is grounded; I have not, therefore, as yet had an opportunity of seeking, by communication with my colleagues, to remove some objections which present themselves to my mind against the proposed reference and regulation.

The question of an inquiry into the state of slavery in this country seems to have been first agitated about the year 1808, by Mr. Richardson, then judge and magistrate of Bundelcund; no public proceeding appears to have followed this gentleman's representation. In the year 1818, my colleague, Mr. Harington, entered a minute, accompanied by the draft of a regulation. The attention of government does not appear to have been called to this regulation until 1823, when I remark some observations made by the late Mr. Adam, strongly indicative, I think, of the reluctance with which he entered upon the question. His concurrence, even in a reference to the judicial officers for informations and opinions, seems only to have been given because "the question had been revived." The Sudder court declines offering any opinion on the advantages of the proposed enactment, and suggests only a reference to judicial officers; while the paper which enters most at large into this question, I mean the paper written by Mr. Henry Colebrooke, appears to me strongly to deprecate its agitation.

I find no statement of existing evils which render it incumbent on the government to enter into the consideration of the state of slavery in India; under the absence, therefore, of all complaint, and the apparent want of any pressing necessity for inquiry, I think it would be inexpedient to hazard the inconvenience which both Mr. Colebrooke and Mr. Adam anticipate from the agitation of this question.

(signed) *Amherst*.

MINUTE

MINUTE by the Governor-general.—(3 May 1826.)

No. 19.

HAVING this morning re-perused the papers connected with a proposed reference to judicial officers, respecting the state of slavery in their several districts, and with a regulation consequent thereon, and having perused certain documents not before put in circulation, I feel myself compelled to declare that I continue to view this question in the same light in which it presented itself to me on the 25th January, the date of my former minute.

I beg to quote a few lines from a letter from the secretary in the judicial department to Mr. Adam, secretary to the Governor-general, dated 9th September 1817.

“ With reference to the extent to which domestic slavery exists in India, under the established laws and usages of Hindoos and Mahomedans, and to the known habits and feelings of the people relative to that point, the Vice-president in Council is of opinion that the greatest care should be observed against the prevalence of an impression amongst the natives that any general or direct interference in the existing relation of master and slave is contemplated by government.

“ Any improper impression of that nature might be expected to excite feelings of alarm and dissatisfaction, and on this ground it appears to be of importance that the government of Bombay should avoid, as far as may be practicable, the official revival and discussion of this question, after the deliberate consideration which it has undergone in communication with the legal authorities at this presidency.”

Now, it really does appear to me, that a reference to the Mofussil officers would be such a revival and discussion of this question as we deprecate in the Bombay government.

It is with diffidence and regret that I oppose my opinion to that of Mr. Harington and Mr. Bayley on this occasion; but I think I do not misapprehend Mr. Adam's sentiments when I say, that he would have preferred that the question had not been agitated; and it appears to me impossible to doubt that Mr. Colebrooke would have been adverse to any further proceeding on this subject.

3 May 1826.

(signed) *Amherst.*

RESOLUTIONS.—(29 December 1826.)

READ the following papers, which do not appear to have been yet recorded on the subject of slavery in India :—

No. 20.

1st. A Minute, written by Mr. H. Colebrooke in 1812, but not put on record.

2d. A Letter from the Register of the Court of Sudder Dewanny and Nizamut Adawlut, dated 6th June 1823, with the Papers accompanying it, relative to a proposed “ Regulation for the Guidance of the Courts of Judicature in cases of Slavery.”

3d. Observations (written in pencil) by the late Mr. Adam, upon the proposed Regulation.

4th. Minute of Mr. Harington, dated 11th January 1826, with a subjoined Note from Mr. Bayley, expressing his concurrence in Mr. Harington's proposition.

5th. Draft of a Letter to the Register of the Sudder Dewanny and Nizamut Adawlut, prepared in correspondence with the above Minute, 19th January 1826.

6th. Minute of the Governor-general, dated 25th January 1826.

7th. Further Minute of the Governor-general, dated 3d May 1826.

On consideration of the above papers, and with reference to the absence of the Governor-general in the western provinces,—Resolved, That the proposed letter to the register of the Sudder Dewanny and Nizamut Adawlut be suspended, and that no instructions to the judicial and revenue officers be issued at present on the points noticed in Mr. Harington's minute of 11th January 1826, but that copies of the whole of the papers recorded on this date be transmitted for the information of the honourable court of directors.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 25 September 1828.

Criminal W. P.

Extract of a Letter from *W. H. Macnaghten*, Esq., Register of the Nizamut Adawlut, to Mr. Officiating Chief Secretary *Shakespear*.—(25 April 1828.)

Ext. No. 1.

3. THE court entirely concur in the observations of the officiating judge, contained in the 10th paragraph of his letter, relative to the offence of child-stealing, which is described as being very prevalent within this jurisdiction; and they conclude that he will have instructed the magistrate to exert himself to the utmost of his power, with a view to its suppression.

Zillah Mirzapore.

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Extract Letter from *W. Lambert, Esq.*, Officiating Judge of *Benares*, to *W. H. Macnaghten, Esq.*, Register of the Nizamut Adawlut.—(25 February 1828.)

Mirzapore.

10. FOUR of the trials out of 21 were on charges of child-stealing, and I understood there were some other cases of the same nature under investigation before the magistrate. This description of crime appears to be of frequent occurrence in the town and district of Mirzapore; and when it is considered that the children stolen are, if girls, sold to prostitutes, or, if boys, become slaves in a distant part of the country, it is evidently desirable that every endeavour should be used to check it.

Ext. No. 2.

Extract Letter from Mr. Officiating Chief Secretary *Shakespear* to *W. H. Macnaghten, Esq.*, Register of the Nizamut Adawlut.—(25 September 1828.)

Mirzapore.

2. THE Governor-general in Council concurs in the remarks of the court, on the report regarding this district; it seems desirable that the magistrate should be instructed by the Nizamut Adawlut to exert himself in suppressing the crime of child-stealing, which is represented to be so prevalent in the town and zillah of Mirzapore; and also in the apprehension of offenders, of whom a small proportion only appears to have been brought to justice.

Criminal W. P.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 1 September 1829.

Extract from the Resolutions of Government on a Report from the late Superintendent of Police in the Western Provinces, for the year 1828.—(11th August 1829.)

BAREILLY DIVISION.

Agra.

9. HIS Lordship in Council desires that the commissioner of the division may be called upon to report the cause of the frequency of child-stealing in this district, for which 15 cases were reported out of 29 offences of that description committed in the whole of the Bareilly division.

Criminal L. P.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 13 April 1830.

No. 193.

From *H. Chamier, Esq.*, Secretary to the Government of *Fort St. George*, to *H. Shakespear, Esq.*, Secretary to the Government of *India*.—(12 March 1830.)

Sir,

No. 24.

I AM directed to transmit to you the enclosed copy of a letter from the register to the court of Foujdaree Adawlut, with copies of its accompaniments, and to convey the request of the Right honourable the Governor in Council that this government may be furnished with information as to the construction put upon the Act of the 51st Geo. 3, cap. 23, respecting the slave trade in Bengal.

(signed) *H. Chamier,*
Secretary to Government.

No. 8.

From *A. D. Campbell, Esq.*, Register, Foujdaree Adawlut, to the Secretary to Government, Judicial Department.—(27 February 1830.)

Sir,

No. 25.

WITH reference to the letters of the chief secretary to government, under date the 29th May 1812, and of your predecessor, under date the 2d September 1825 and 10th of March 1826, enclosing the opinions of the advocates-general, Mr. Anstruther and Mr. Compton, on the subject of the construction to be put on the Act of Parliament passed in the 51st year of the reign of the late King, cap. 23, respecting the slave trade, I am directed by the judges of the Foujdaree Adawlut to request that you will lay before the Right honourable the Governor in Council the enclosed copy of a letter, dated the 16th November last, from the first judge of circuit in the western division.

2. The Act of Parliament in question was passed on the 14th May 1811, but section 5 rendered it operative in the East Indies only from the 1st January 1812.

3. Mr. Anstruther, in his letter to government of the 14th May 1812, gave it as his opinion, that it would be a proper measure for government "to publish throughout the provinces, under its authority, the substance of a statute which applies with all its consequences

quences and penalties to all persons residing within the King's or Company's territories, including therefore the native subjects of this government;" and, if it be true that it does apply to the natives in the interior, the judges submit that this ought to be done without delay.

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4. On a subsequent reference to government by this court, as to how far the local criminal courts were competent to punish exportation by sea of children for the purpose of selling them as slaves, Mr. Compton, in his letter to government of the 15th August 1825, gave it as his opinion, that "the offence, although committed on *land*, and even by persons not inhabitants of Madras, may be tried by the supreme court of judicature;" or, if at any of the out-ports, by the court of admiralty, and that it was not competent for the government to invest the local criminal courts with power to punish that offence.

5. The judges, by order of government of the 2d September 1825, directing that "the course recommended by Mr. Compton may be followed," circulated his letter for the guidance of the courts under them in the provinces.

6. On the 11th April 1826, soon after this correspondence took place, Regulation II., 1826, was passed by government, declaring generally the Act of Parliament in question to contain "provisions for the punishment of the offence of carrying away or removing, from any country or place whatsoever, any person or persons as a slave or slaves, or for the purpose of being sold or dealt with as a slave or slaves."

7. In Bengal the provisions of this Act of Parliament do not appear to have been construed as they have been here. Regulation X., 1811, in the code of that presidency, prohibits the importation of slaves into its territories, under pain of fine and imprisonment only, and as far as the judges are aware it remains as yet unrescinded. Mr. Harington, in his revised analysis of the regulations of that presidency, gives a minute recorded by him, on the 21st November 1818, as chief judge of the Nizamut Adawlut, in which he states that, "under the constructions given to that statute by the resolutions of government, under date the 9th September 1817, it must be considered to have superseded such parts of Regulation X., 1811, as relate to the importation of slaves by *sea*," but he treats the provisions of that regulation as still in force so far as regards the importation of slaves by *land*, and he refers to a letter from the Bengal government of the 14th February 1817, explaining the object of those provisions. The Nizamut Adawlut in their letter of the 23d April 1812 to the acting magistrate of Agra, which was transmitted to all the courts of circuit under date the 5th October 1814, had decided that the regulation in question referred exclusively to the importation of slaves for the purpose of being sold, given away, or otherwise disposed of; and as late as January 1824, the court of Nizamut Adawlut passed sentence on a prisoner who had been tried and convicted of stealing and selling a child of five years of age, an offence which, if the Act before mentioned had received the same construction in Bengal as that given to it by Mr. Anstruther and Mr. Compton, would, the judges apprehend, be punishable only by the supreme court.

8. The judges have felt considerable embarrassment in the disposal of the reference made by Mr. Newnham. Under the opinions given by Mr. Anstruther and Mr. Compton which have been adopted in the preamble to Regulation II. of 1826, the prisoners in the case out of which the reference has arisen ought to be sent to Madras for trial before the supreme court; but, looking to the different construction which appears to have been given to the Act in Bengal, the judges have hesitated to direct this mode of proceeding, which, if wrong, would subject the parties concerned to the unnecessary inconvenience of a long and hazardous journey, and might perhaps in its consequences defeat the ends of justice.

9. Under these circumstances the judges have thought it best to submit the case for the consideration of government, and they beg leave to recommend that measures may be taken to ascertain the precise construction put upon the Act in Bengal, and that in the meantime the deliberate opinion of the present advocate-general may be taken upon it.

10. It is right to add, that Mr. Newnham has directed the release of the prisoners in the case on bail, until he shall receive instructions as to the disposal of them.

Foujdaree Adawlut Register's Office,
27 February 1830.

(signed) A. D. Campbell, Register.

From T. Newnham, Esq., First Judge, *Tillicherry*, to A. D. Campbell, Esq., Register,
Foujdaree Adawlut.—(16 November 1829.)

Sir,

I HAVE the honour to submit for the consideration of the judges of the Foujdaree Adawlut, an extract of the calendar for the fourth sessions of 1829 at *Tillicherry*, showing in the terms of the joint criminal judge the nature of the case, No. 2, and at the same time to transmit copies of a correspondence which has taken place on this subject.

No. 26.

2. As the present state of the law relative to the removing, from any country or place whatsoever, a person for the purpose of being sold or dealt with as a slave, and the opinion of Mr. Compton, render the jurisdiction of the court of circuit in such cases liable to doubt, I have considered it prudent to solicit the instruction of the higher court, previously to my involving this one by commencing the trial of the case as one which a court of circuit is fully competent to determine.

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3. In my own opinion it would be hard to subject all the parties to a journey to Madras for a trial before the supreme court, and, though the advocate-general has not, in the papers which were circulated by order of the government, drawn any line by which the utmost reach of the jurisdiction of his Majesty's court over offences committed on land is to be plainly discerned, it is my opinion that some may possibly be found, and that the jurisdiction of his Majesty's supreme court does not, even in this peculiar offence, extend to it, in every "place whatsoever" in this distant province, and probably only to cases wherein, though the offenders be arrested in their criminal design before they escape out of the territories immediately subject to the presidency of Fort St. George, the ulterior object of the offence on land was to export beyond the bounds of this presidency the person or persons intended to be sold, or to be treated as a slave or slaves.

4. In this instance it would appear that the removal of the female was originated by the maternal uncle, and that his motive for this treatment of his niece arose from her having disgraced the family by a love intrigue with a stone-mason, whereas she appears to deny this, and to have affirmed that she has admitted no man to her embraces except such as belong to her father's own caste. Her removal is alleged to be effected partly by threats of even proceeding to the last extremity, and partly by treacherous promises to take her to her father, who, according to the custom of Nairs, lives not in the house where the mother and the mother's brother reside with the children of the family in the country anciently under the Cartanaad rajah, but at a distance.

5. The young woman is alleged to be removed from Cartanaad, first to the precincts of Tillicherry, and thence by the great Madras road to a place beyond the Periah pass in the Wynaad country. These her conductors are said to have left her and taken to flight, on learning that police officers were in pursuit. From Tillicherry thither may be accounted between 30 and 40 miles; how far it was their design to go on and to stop at Pychee, or even to continue until they reached the domains of either the rajah of Mysore or the rajah of Coorg, does not seem to be clearly explained; my information as yet will not enable me to avow an opinion whether the offer for sale, or the "purpose" either of selling or dealing with as a slave, could probably be proved before the supreme court; but there will be some difficulty in proving either by the Mahomedan rules of evidence, for two witnesses to the overt act, or to the acknowledgment of the design, appear not to be obtained; only one swears that the offer of sale was made to him, but some presumptive evidence may be found in the depositions of others in corroboration of his testimony; otherwise it will after trial be found that the accused can only be convicted of carrying the girl into exile, and there leave her in an exposed state in the wilderness; my information, however, at present, is limited to the preliminary proceedings.

6. I have directed the joint criminal judge to permit the witnesses to return to their homes on their recognizances, until called for, and have recommended the release of the accused on bail during this reference. Matters relating to slavery are of inferior moment in other parts of the presidency than in these western provinces, where slaves are so numerous, and where the immemorial tenet of Hindoo law, that in all India persons of the lower classes were slaves to the Brahmins, has, in contrast to its fate in other portions of that spacious domain, held its ground as far as respects the thralldom of the poor, and instead of suffering, in former ages, a diminution in force, had continually acquired new strength in practical effect, until the corruptions became so great, that now these lower classes are deemed involved in the inextricable miseries of slavery to several other castes besides the Brahmins, to whom they were conferred as a cut-throating race of villains, together with the lands on which they were to work.

7. Few of the West Indian islands probably have a slave population more numerous than that of Malabar. The generous cases and wise legislative acts of the British Government are, however, now exerted to make masters in those colonies agree to the institution of officers for the protection of slaves, and to the adoption of several measures to alleviate their great calamity. In other colonies, on the way from England to Eastern India, active measures are also pursuing, by both public and private means, to put an end to the practice, and encourage the races of free labourers. Thus it cannot be long before the eyes of the world be directed to the slave population of Malabar, and the inquiry be, whether the melioration of its states has kept pace with the improvements that the 51st Geo. 3, c. 23, and other British laws of the present century, were found calculated to introduce into other places.

It is trusted that I shall be pardoned for this review of what the generosity of Great Britain is effecting in respect to slaves in other portions of its empire, though I again venture to suggest, that the present instance may not be an offence of the nature contemplated in the said Act of the 51st Geo. 3, c. 23, or in the interpretation which the advocate-general has put on that statute of the British Legislature. But since he has so questioned the competency of the government to invest its criminal courts with a jurisdiction over the offence, and no exception is made by him, or by the directions sent from government, or subsequently by Regulation II. of 1826, I have deemed it prudent to make this reference, and to solicit the opinion of higher authority.

Tillicherry, 16 November 1829.

(signed) T. Newnham, First Judge.

Extract

Extract of the Proceedings of the Court of Circuit, Fourth Quarterly Sessions, of *Tillicherry*, under date the 5th November 1829. E. I. Company and Board of Control. (Documents.)

READ No. 2 of the calendar of persons committed or held to bail to take their trial at the sessions. In the calendar the case is described as follows: "Government by Vakeel Coonjany Kaat Ramah Nyr, *versus*, 1st, Vennapolan Ooney Chara Koopoo; 2d. Chellattan Koran; 3d. Nellyoodan Ookpen;" for "abduction of" and attempt to sell a female "as a slave," and so forth.

1. The preamble of Regulation II., A. D. 1820, declares that "the Act of 51 Geo. 3, c. 23, contains provisions for the punishment of the offence of carrying away or removing, from any country or place whatsoever, any person or persons as a slave or slaves, or for the purpose of being dealt with as a slave or slaves;" and according to the second paragraph of the letter of the advocate-general to the chief secretary to government, dated the 20th August 1825, in his "opinion the offence, though committed on land, and even by persons who are not inhabitants of Madras, may be tried in the supreme court of judicature."

2. On the 23d September 1825, circular orders were issued to the provincial courts of circuit to "put the criminal judges and magistrates within their respective jurisdictions in possession of those papers, instructing them to give effect to the orders of the Honourable the Governor in Council," therein communicated; and the letter of the secretary to government, after stating that the reference had been made to the advocate-general, concludes by a "request to the Foujdaree Adawlut to issue the necessary instructions, in order that the course recommended by Mr. Compton may be followed."

3. The original reference to the Foujdaree Adawlut regarded the practice of selling and kidnapping children in the zillah of Tanjore. The object sought by the Foujdaree Adawlut was "a stop to the practice of transporting children by sea to the eastward, or elsewhere, to sell them as slaves;" and the first paragraph of the letter of the advocate-general considers the 51st Geo. 3, c. 23, to have so prescribed the jurisdictions by which the offence of carrying away persons from the Honourable Company's territories, to be sold as slaves, shall be punished, as that the government is no longer competent to invest the local criminal courts with power to punish that offence.

4. The recommendation of the advocate-general is, that if any person shall be detected in transporting persons for the purpose of being sold as slaves, he shall be sent for trial before the supreme court. He evidently means either transport by land or sea, but probably intends an act, the ultimate object of which, if committed on land, and not detected, was a transportation beyond the boundaries, into the dominions of some other power, such as, on this side of India, into the territory of the Portuguese, or of their highnesses the rajas of Mysore, Travancore, Coorg and Cochin; but the regulation which was promulgated eight months after, apparently in pursuance of that opinion, which considers the superior court empowered to punish such an offence, if committed on land, and detected in any part of the British territories immediately subject to the presidency of Fort St. George, declares the act aforesaid to contain provisions for the punishment of the offence of carrying away or removing from any country or place whatsoever, "no reservation being made of any person or persons" as already a slave or slaves, or for the purpose of being sold as a slave or slaves, or dealt with as such.

5. In the present case, the young woman is alleged to be removed with the consent of her family, as a punishment for an act of incontinence, which brought dishonour on it. Her removal from Malabar to Wynaad appears to have been already effected, and there is reason to believe that the intent was to sell, or at least to treat or deal with her as a slave; she was actually carried no farther than to a solitary part of the jungle, beyond the Periah pass; but this was an act of exilement, as intended, from her native country, in the district which formerly constituted the territory subject to the Cartenaad rajah.

6. The circuit judge, under these circumstances, and the construction given to the 51st Geo. 3, by the advocate-general, and the full sanction given to that opinion, even to its declaring the competency of his Majesty's courts to try like offences, even if committed on land, and its tendency, so long as the limits to the authority of the supreme court be not defined, to render the power of the local criminal courts to punish the offence questionable, is desirous of ascertaining whether any communication has been held with the Foujdaree Adawlut or the government to ascertain if jurisdiction is to be still exercised by the local criminal courts over this instance of removing a young woman, a native of Cartenaad, in Malabar, into Wynaad, in order to sell and treat her as a slave, and if so to have copies of the correspondence, since, if no definition of what is to be considered a carrying or removing insufficient to bring a case within the prohibitions, which Regulation II. aforesaid so sets to the jurisdiction of a court of circuit in regard to this detestable offence of forcibly mancipating and selling of free subjects into slavery, be hitherto established in this portion of Western India, wherein slavery already prevails in an extent and character unknown in other portions of the territories subject to the presidency of Fort St. George, it may be expedient, before the court of circuit undertake the trial of persons so accused of having committed the offence on land, to obtain some authentic instructions on a subject so important, in many respects, at the present time.

7. *Ordered*, That extract of these proceedings be sent to the joint criminal judge, by precept, requiring conformity to the exigence herein contained; return to be made within six days from and after its receipt.

(A true extract.)

(signed) *Thomas Newnham*, First Judge presiding.

E. I. Company and
Board of Control.
(Documents.)

The joint criminal judge has the honour to state, in return to the matters contained in the extract from the proceedings of the court of circuit, fourth quarterly sessions, under date the 5th instant, accompanying the annexed precept, that the joint criminal judge submitted the question at issue on the precept above alluded to in his communication of the 1st July last to the provincial court.

2. The legal provision with regard to the case in contemplation, as quoted by the first judge, seems to make no allowance for the offence of removal of a person to be sold or dealt with as a slave, even if done by a parent or relation, since it is the ill-will that constitutes the offence; and inasmuch as it has been the labour of many a wearisome year of discussion and irksome contention in Parliament, that the abominable traffic of human creatures has been put a stop to, the joint criminal judge considers the case, in all its features, as one committable for the judgment of superior authority.

3. In conclusion, the joint criminal judge begs to state, in reference to paragraph 6, that the selling of free-born subjects into slavery, in this portion of the western part of India, is confined to the coasts of Poolears and Vittoowars, and that no communication has been hitherto held by this court with the Foujdaree Adawlut or the Government on a subject of the nature under consideration.

Given under my hand, and the seal of the court, this 11th day of November, A. D. 1829.

(signed) *C. M. Whish*, Joint Criminal Judge.

(L. S.)

Extract of the Proceedings of the Court of Quarterly Sessions, under date
14 November 1829.

As the present state of the law regarding the abduction of a person from one part of the country to another, to sell or to deal with him as a slave, requires the court to make a reference to ascertain the jurisdiction before commencement of the trial, in No. II. of the calendar, wherein the crime charged is "abduction of and attempt to sell a female as a slave," the court resolves to direct the joint criminal judge to allow the witnesses to return on their recognizance to their homes, until such a time as they be again required to attend. Likewise, as the court does not discern any circumstances on record to render the offence one which should not be accounted bailable, the propriety of such of the accused as can furnish bail of a satisfactory nature being admitted to bail during the interim, is recommended to the joint criminal judge.

Ordered, That extract of these proceedings be sent to the joint criminal judge of Malabar, by precept, requiring conformity to its exigency; return to be made in three days.

(A true extract.)

(signed) *Thomas Newnham*, First Judge presiding.

(True copies.)

(signed) *Thomas Newnham*, First Judge presiding.

From *C. M. Whish*, Esq., Joint Criminal Judge, (W. D.) *Tillicherry*, to the Register to the Provincial Court of Circuit.

Sir,

HAVING occasion to make a reference to Act 51 Geo. 3, c. 23, I have the honour to request that you will have the goodness to obtain the permission of the court, and furnish me with a loan of a copy.

(signed) *C. M. Whish*,

Tillicherry, 1 July 1829.

Joint Criminal Judge, Western Division.

From the Register to the Provincial Court, *Tillicherry*, to the Joint Criminal Judge, *Malabar*.

Sir,

I AM directed by the judges to acknowledge the receipt of your letter of this day's date, and to inform you, that copy of the Act required by you has never been received in this office.

Tillicherry, Register's Office,
1 July 1829.

(signed) *C. M. Bushby*, Register.

(True copies.)

(signed) *Thomas Newnham*, First Judge presiding.

EXTRACT

No. 27.

EXTRACT from the CALENDAR of PRISONERS committed or held to Bail by the JOINT CRIMINAL JUDGE in the Zillah of Malabar, to take their Trial before the Court of Quarterly Sessions in the Western Division, on the 4th Sessions, 1829.

No.	Names of the Parties.	Abstract of the Charges, and the Dates on which they were preferred.	Date of the apprehension of Offenders.	Names of the Prosecutor's Witnesses.	Abstract of Examination; Grounds and Date of Commitment for Trial.	Names of the Prisoners held to Bail.	Names of the Witnesses on the part of the Prisoners.
II.	Government, by Vakeel Coonjany Kaat Ramah Nyr, <i>versus</i> 1. Vannapolan Oony Chara Koopoo. 2. Chellatan Koran. 3. Nellyoodan Ookpen	Abduction of, and attempt to sell, a female as a slave. With having, on the 25th Meedom 1004, corresponding with the 6th May 1829, inveigled and taken away by force from the house, a female, by the name of Eddacherry Koonjamma, of the age of 19 years, and parading her about different places, with the intention to sell her; and upon knowing that the case was known in the Sircar, and that inquiry was being made on that subject, taken the said female to and left her in a jungle near Periah, in Wynaad, and thus exposing her to the greatest misery. 5 June 1829.	13 May 1829.	Witness for the prosecution: 1. Ponnary Havildar Turbichy Kooroop Kookdy. Delayet. 2. Kolkar Kimdale Amboo. 3. Tandarpoly Pythal. 4. Hallatoorn Koolate Adezode Kelan. 5. Connachan Kandy Koonjamboo. 6. Eddacherry Koonjamma (female). Witnesses to the Ky-pient, in the Criminal Court: 7. Poothoo Roody Chatoo Panikar. 8. Kayikel Kelloo.	The aforesaid female, Koonjamma, is the 6th witness. The prisoners have nowhere admitted the forcible abduction and attempt to sell the female aforesaid. The 1st and 2d prisoners stated before the magistrate and the criminal court, that Eddacherry Kelkoo Nambyar, the uncle of the female Koonjamma having told them, prisoners, that there was a charge against the said female of incontinence with a mason of the name of Kyapan, and desired them to take her away and leave her at any place, they (the 1st and 2d prisoners) and the 3d prisoner (who also stated the same thing) conducted away the said female on the 26th Meedom, before day-break; and that, while on their route, the prisoners told her that they were taking her away in order to keep her somewhere or other in consequence of a charge against her of incontinence with a stone-mason; that on reaching Kootparamba Kootparamba, the 1st prisoner returned, as he was unable to travel. The 2d and 3d prisoners further stated before the joint magistrate and criminal court, that	None.	1st Prisoner's witnesses: 1. Chellatan Kello. 2. Kandacherry Koran. 2d Prisoner's witnesses: 1. Kandacherry Killapeer. 2. Keeralan Kooryey Crother.

they took the female Koonjamma away thence, and ascended the Periah pass; that on reaching the house of a nair whose name they knew not, the female Koonjamma having said that she was unable to walk, and would put up there, she was left there, and there they (the prisoners) returned.

The 1st witness is the person who searched for, conducted and brought back the 6th witness, the female Koonjamma. He deposed that two or three men having brought a female of Cartenaad for sale, deponent was ordered by the joint magistrate to search for, and bring them over, and furnished a warrant to the deponent himself, and Delayet Ryroo; that they went accordingly in search of those persons, and heard several persons say that two or three persons of Cartenaad were talking about a female for sale; that on the 29th Meedom, at 10 o'clock A. M., when deponent reached a jungle, about half a nargi walk distant from the post of Periah, in Kynaad, he heard a female voice crying "Ay! Ay! Oh!" and on repairing to the spot, he met the female Koonjamma standing by herself; that on her being questioned she said, that the three prisoners had conducted her away, saying, that they would take her to her father's house, and had left her in the jungle and gone away.

The 2d witness deposed that he was, with the three prisoners, conducting away the 6th witness, the female Koonjamma; that the said prisoners told deponent, that they were conducting the said female to be lodged somewhere, by the desire of her uncle, who said that he had a charge against her, but that the prisoners did not tell witness what it was; that when deponent asked her if she wanted to stay at his house at Pyshee, she answered in the affirmative; that deponent thereupon wrote a letter to his younger brother, and delivered it to the prisoner.

The 3d witness deposed, that when he saw the 6th witness and the prisoners, at the 4th witness's house, the 1st prisoner told him that the 6th witness was being taken away in consequence of a charge of incontinence with a stone-mason, and that the 1st prisoner told witness that he would sell her to any one if he got rupees; that, after that, witness crossed the Kooyatty ferry, and on his way met the prisoners and the 6th witness on the road, by which time the 2d witness also came up; that the 3d witness thereupon drew out a writing in his own hand, at the 2d witness's desire, to the address of his (2d witness's) younger brother Konnan, desiring him to keep the girl at his house at Pyshee.

The 4th witness deposed that the three prisoners and a female came and put up at his house one day, and went away the next morning; that the 3d prisoner told deponent that they were coming from Cartenaad and going to Chenkul.

The 5th witness deposed that he saw the prisoner and a female at the 4th witness's house.

The 6th witness deposed before the criminal court, that her uncle sent her along with the 2d prisoner from her taddalit house; that on that day she put up at the 2d prisoner's house, and on the following morning before day-break, as the 2d, together with the 1st and 3d prisoners and the witness were coming away together, and had reached the road leading to the female's father's house at Chumba Paramba, the prisoner told her (witness) that they wished to go to the Zeroovengat Kishatummatt, Tillicherry, for the purpose of adoring there; but that on reaching Tillicherry they did not go to the said Ksheteum, but set off again; that on witness asking them, they conducted her also to adore at the Velloor Karoo, a place not known to witness; that the 1st prisoner returned back from Khootparamba; that the 2d and 3d witnesses conducted the deponent away from them, and on reaching a road in the Wynaad jungle, they made her to sit there, and went away, saying that they were going to fetch rice, but did not return; that she thought the prisoner would sell her. Before the aumeen, witness deposed further, that her uncle, Kelkoo, had told her, that the Cartenaad rajah had ordered that she should be banished from the country, and that she should be taken and left anywhere.

The 7th and 8th witnesses are persons who know what the prisoners declared before the criminal court. Committed the prisoners to take their trial before the court of quarterly sessions, on the grounds of their own statements and the depositions of witnesses, 4th July 1829.

(A true copy.)

(True extract.)
 (signed) Thos. Newham, First Judge Presiding.

(signed) A. D. Campbell, Register.
 H. Chamier, Sec. to Government.

E. I. Company and Board of Control. *Ordered,* That the secretary write the following letter to the secretary to the government at Fort St. George:—
(Documents.)

From Mr. Secretary *Shakespear* to the Secretary to the Government of *Fort St. George*.—
(13 April 1830.)

No. 28.

Sir,
I AM directed by the Right honourable the Governor-general in Council to acknowledge the receipt of your letter dated 16th ultimo, forwarding a copy of a letter from the register to the court of Foujdaree Adawlut, with copies of its accompaniments, and conveying the request of the Honourable the Governor in Council, that the government may be furnished with information as to the construction put upon the Act of the 51st Geo. 3, c. 23, respecting the slave trade in Bengal.

2. In reply, I am directed to request that you will lay before the Honourable the Governor in Council the accompanying copy of the resolutions of this government, dated the 9th of September 1817, from which it will appear, that, in the judgment of the supreme government at that time, the statute law applies only to the importation or removal of slaves by sea.

Note.—A copy of the resolution was transmitted to the government of Fort St. George, on the 14th of October 1817.

3. Nothing has since occurred to induce the government to alter that opinion.

4. I am further directed to observe with reference to para. 7 of the letter from the register of the Foujdaree Adawlut, that Regulation X. of 1811 of the code of this presidency is still in force in respect to the importation of slaves by land, although the provisions of the regulation, so far as they regard the importation of slaves by sea, have been rendered nugatory by the statute since enacted by the British Government.

(signed) *H. Shakespear*, Secretary to Government.

Council Chamber, 13 April 1830.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 19 October 1830.

Criminal L. P. From Commissioner of Circuit of the 17th or N. E. *Rungpore* Division, to *H. Shakespear*, Esq. Secretary to Government in the Judicial Department.

No. 35.

Sir,
I HAVE the honour to forward a copy of a letter from the register of the Nizamut Adawlut, to my address, relative to the importation of slaves from Assam, and I have, as directed, to solicit orders of the Right honourable the Governor-general in Council on the subject, since it is absolutely necessary that the Bengal courts of justice should know whether the Act in question does or does not constitute a criminal offence.

2. I am myself of opinion that it cannot now be considered to do so, and I was induced to apply for the orders of the Nizamut Adawlut on the subject, in consequence of its appearing from the proceedings of the magistrate of _____ that a native of Palva had been sentenced to imprisonment for taking with him an Assamese slave, under which circumstances it seems but proper that, if the act be really a criminal one, the public should be warned of the same.

3. With reference to the tenor of the 3d paragraph of the court's letter, I consider it proper to add, that the former reference alluded to by the court was made during the Burmese war, when the country belonged, *de jure*, to the king of Ava, and that Assam having since been ceded by that monarch, it appeared to me unnecessary to advert to the refusal of the government to pass orders under circumstances entirely different, in relation to what had now become a point of Bengal law, which it might have been supposed would have been already settled, Assam being by no means the only ceded territory that is held by the British Government without being formally annexed by regulation to its other possessions.

Commissioner's Office, 17th Division, 25 September 1830. I have, &c.
(signed) *D. Scott*, Commissioner.

From *J. F. M. Reid*, Esq., Officiating Register, Nizamut Adawlut, to *D. Scott*, Esq., Commissioner of Circuit for the 17th Division, *Sylhet*.

Present:
W. Leicester,
C. J. Sealy,
R. H. Hatray, and
M. H. Turnbull,
Esquires, Judges.

Sir,
I AM directed by the court of Nizamut Adawlut to acknowledge the receipt of your letter of the 8th May last, requesting to be informed whether in the opinion of the Nizamut Adawlut, the existing instructions on the importation of slaves in the British territory can be considered applicable to the case of persons carried from Assam into Bengal, the former country being practicably annexed to the latter, though not formally declared to be so by any printed regulation.

2. The court observe from the correspondence touching slavery in India, printed by order of the House of Commons, page 381, that you put nearly the same question to government in

in a letter dated 3d July 1825, of which the first paragraph is, "I request to be informed whether the provisions of Regulation X. of 1811 are still to be considered applicable to the importation of slaves from Assam into Bengal," and that you were informed by a letter from the chief secretary, under date 15th July 1815, that the government considered the construction by this court of the provisions of Regulation X. of 1811, communicated to the several courts of justice in a circular letter, dated 5th October 1814 (copy of which was forwarded to you), sufficient to the difficulties adverted to in your letter, and to render it unnecessary that government should at that time determine whether Assam was or was not to be considered as a foreign territory.

E. I. Company and
Board of Control.
(Documents.)

3. The court are of opinion, that it was highly improper for you to put the question now proposed to them without, at the same time, informing them that you had made a similar reference to government, and stating what answer you received.

4. Under these circumstances, the court decline answering your question, and desire that, if you wish for further information on the subject, you will apply direct to government.

I am, &c.

Fort William, 3 September 1830. (signed) *J. F. M. Reid*, Officiating Register.

(True copy.)
(signed) *D. Scott*, Commissioner.

Ordered, That the secretary write the following letter to the acting register of the Nizamut Adawlut:—

No. 2,237.

From Mr. Secretary *Shakespear* to the Acting Register of the Nizamut Adawlut.

Sir,

I AM directed to desire you will lay before the court of Nizamut Adawlut the accompanying copy of a letter from the commissioner of circuit for the 17th division, dated the 25th ultimo.

No. 36.

2. That Assam having been ceded to the British Government by the treaty of Yondaboo, dated the 24th of February 1826, cannot now be held to be a foreign territory, at the same time it may be observed, that Regulation X. of 1811 was enacted with the special view of guarding against the importation of slaves from that and other territories bordering on our own, where slavery was known to be carried on to a great extent, and that the object of that enactment would be materially defeated were the change in our relation with that country considered sufficient to abrogate the law, and to authorize the introduction of slaves from it into the British territory.

3. The court are requested to take the subject of Mr. Scott's reference into their consideration, and to report the result to government, submitting at the same time the draft of a regulation to provide against the importation into our territories of slaves from Assam and other countries similarly circumstanced, should the court be of opinion that the law as it now stands is sufficient to warrant the magistrates from preventing their introduction.

I am, &c.

Council Chamber, 19 October 1830.

(signed) *H. Shakespear*,
Secretary to Government.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 13 March 1832.

No. 1,917.

From Mr. Chief Secretary *Macnaghten* to *James Thomason*, Esq.; Deputy Secretary to Government, Judicial Department.—(30 December 1831.)

Criminal L. P.

Sir,

I AM directed by the Right honourable the Governor-general to acknowledge the receipt of a letter from you, dated the 8th ultimo with its enclosure, on the subject of the draft of a regulation for preventing the sale of slaves.

No. 21.

2. In reply I am desired to observe, that the objections entertained by his Lordship to the proposed enactment, and which were conveyed to you for the consideration of his honour in council, in my letter dated the 26th of October last, have not been removed by the arguments contained in your communication now acknowledged.

3. In reply to the objections urged in the 3d paragraph of my letter, it is stated, by Regulation X., 1811, the importation of slaves from territories not then "British, into territories which were then British, was prohibited. By the proposed regulation the prohibition is continued. The privation of property is the same in the latter case that it was in the former. Under Regulation X., 1811, no restraint was placed on the removal of slaves from one part of the then British territories to another, nor is any such restriction proposed now. No further privation of property is therefore occasioned in the latter case than there was in the former." But the difference appears to his Lordship to consist in this, that under the former regulation the removal of slaves for the purpose of traffic was prohibited. By the proposed enactment their removal at all is prohibited, and it was against the inconsistency which this involves that his Lordship contended. It is true that the privation of property resulted from removing slaves under the old rule, but then the removal must have been for purposes of traffic.

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E. I. Company and
Board of Control.
(Documents.)

4. The inconsistency noticed in the 4th paragraph of my letter is met by the observation, that, under section 3, Regulation X., 1811, the penalty for importation was not made dependent on the circumstance of such importation having been made for the purpose of traffic. To this it may be replied, that the tenor of the preamble to the regulation above cited sufficiently indicates that the prohibition was intended against traffic alone.

5. It is stated, in the 9th paragraph of your letter, that "the period of servitude of a self-sold adult is necessarily arbitrary, as it would be difficult to lay down any precise rule by which the term should be proportioned to the consideration. Five years appears a reasonable and not an excessive term." But it does not clearly appear to his Lordship what there is to prevent an adult from selling himself for life, or upon what principle the term of five years can be fixed without reference to the amount of the consideration which may have been given for the services of the slave.

6. It is observed, in the 10th paragraph of your letter, that the "act of a minor is invalid and null, and therefore it would not appear to be requisite to frame a law to meet a case in which he may have bound himself to servitude." But his Lordship directs me to remark, that it has been held by the *Sudder Dewanny Adawlut*, that the spirit of the rule which declares that in certain cases the Hindoo and Mahomedan law shall govern the decision, is applicable to questions of slavery, and that according to those codes a person at the age of 18 is not a minor.

7. His Lordship does not concur with the Vice-president in Council in thinking that it would be impossible to ascertain the purpose for which slaves are imported. Their numbers and the condition in life of the person in whose possession they might be found would be sufficient evidence of his intention, provided he were not able otherwise to account satisfactorily for his purpose in removing them from one place to another.

8. Under these circumstances his Lordship is still of opinion, that the modification of Regulation X., 1811, should be confined to the objects specified in the 7th paragraph of my letter dated the 26th of October last.

I have, &c.
(signed) *W. H. Macnaghten*,
Secretary to the Governor-general.

Camp at Kotpootlie, 30 Dec. 1831.

Note.—On the 31st January last, the deputy secretary was directed to write the following letter to the secretary to the Governor-general in the judicial department:—

No. 466.

From *J. Thomason, Esq.*, Deputy Secretary to Government, to *W. H. Macnaghten, Esq.*, Secretary to the Governor-general, Judicial Department.

Sir,

No. 22.

I AM directed by the Honourable the Vice-president in Council to acknowledge the receipt of your letter dated the 30th ultimo, and in reply to forward to you the accompanying revised draft of a regulation for preventing traffic in slaves, drawn out in conformity with paragraph 7 of your letter of October 1826 last, and to request that you will lay the same before the Right honourable the Governor-general.

I have, &c.
(signed) *J. Thomason*,
Deputy Secretary to Government.

Council Chamber, 13 March 1832.

No. 2,289.

From Mr. Secretary *Macnaghten* to *James Thomason, Esq.*, Deputy Secretary to Government, Judicial Department.

Sir,

No. 23.

I AM directed by the Right honourable the Governor-general to acknowledge the receipt of your letter dated the 31st ultimo, and to return to you the revised draft of regulation for preventing traffic in slaves.

2. In reply, I am directed to observe, that the provisions of the proposed enactment now appear to his Lordship to be unobjectionable, but the title of it appears susceptible of improvement, and in lieu of that which now stands, he considers it better that the title should run simply as follows: "A regulation for extending the provisions of Regulation X., 1811."

I have, &c.
(signed) *W. H. Macnaghten*,
Secretary to the Governor-general.

Camp at Mohempore, 23 Feb. 1832.

Resolution.

THE Vice-president in Council is pleased to pass the following regulations, which he directs to be printed and published in the manner prescribed by Regulation XLI., 1793, to stand as Regulation III. of 1832:—

A. D. 1832, Regulation III.

No. 25.

A REGULATION for extending the provisions of Regulation X., 1811, passed by the Vice-president in Council on the 13th of March 1832, corresponding with the 2d Chyte 1238, Bengal

Bengal era; the 26th Phangun 1239, Fusly; the 3d Chyte 1239, Wallaity, the 12th Phangun 1888, Sumbut, and the 9th Shawul 1247, Higeree.

E. I. Company and
Board of Control.
(Documents.)

PREAMBLE.

Whereas, in consequence of the extension of the possessions held under the presidency of Fort William, subsequent to the enactment of Regulation X. of 1811, prohibiting the importation of slaves from foreign countries, a doubt has arisen whether the provisions of that regulation can be held to apply to cases of slaves removed from any part of the British possessions, acquired subsequently to the passing of that regulation, into any part of those then held under the said presidency; with a view to the removal of any such doubt, and also with a view to the entire prohibition of the removal of slaves for purposes of traffic, from one part of the British territories to another, the following rules are enacted to be in force from the date of their promulgation:—

II. First, All slaves who, subsequently to the enactment of Regulation X. of 1811, have been or may hereafter be removed by sea or land for purposes of traffic from any country, territory or province, British or foreign, into any province now dependent, or that may become hereafter dependent, on the presidency of Fort William, subsequently to the date on which it has or may become so dependent, or who have been or may be so removed from one province that now is or may hereafter become dependent on the presidency of Fort William, into any other province that now is or may hereafter become dependent subsequently to the dates on which they respectively have or may become dependent, are hereby declared free.

Second, After the promulgation of this regulation, all persons concerned in the sale or purchase, as a slave, of any man, woman or child so removed, knowing him or her to have been so removed, on conviction thereof before a magistrate, shall be liable to be sentenced to imprisonment for the period of six months, and to pay a fine to government according to their circumstances in life, not exceeding the sum of rupees two hundred, commutable, if not duly discharged, to imprisonment for the further period of six months, on the expiration of the former part of the sentence.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 25 September 1832.

No. 542.

From *T. V. Stonehouse, Esq.*, Acting Secretary to Government at *Fort St. George*, to
Mr. Chief Secretary *Swinton*.—(7 September 1832.)

Criminal L. P.

Sir,

WITH reference to Mr. Secretary Shakespear's letter, under date the 13th April 1830, transmitting copy of the resolutions of the supreme government, as to the construction of the 51st Geo. 3, c. 23, on the subject of the slave trade, and to the Bengal enactment, Regulation III. of 1832, on the same subject, I am directed by the Right honourable the Governor in Council to transmit to you the annexed copy of a letter from the court of Sudder and Foujdaree Adawlut of this presidency, and to request, with reference to clause 1, section 2, of that regulation, which appears to provide for cases of removal "by sea or land," to be informed if the Bengal government have been led to put a different construction upon the provision of the Act above cited, to what was given to it in the resolutions of the supreme government bearing date the 9th September 1817, wherein the statute in question was considered to provide for cases of importation and removal by sea, and to render nugatory the enactments of the local government, so far as they related to such cases.

No. 8.

4th May 1832.

I have, &c.

Fort St. George, 7 September 1832. (signed) *T. V. Stonehouse*,
Acting Secretary to Government.

No. 70.

From *D. Elliott, Esq.*, Acting Register of the Sudder Adawlut at *Fort St. George*, to
Mr. Chief Secretary.—(4 May 1832.)

Sir,

I AM directed by the judges of the Sudder and Foujdaree Adawlut to acknowledge the receipt of your letter, No. 264, dated the 24th ultimo, transmitting three copies of each of Bengal Regulations III. and IV. of 1832, desiring that, if it shall appear to them expedient to introduce into the code of this presidency provisions similar to those contained in Regulation III. of 1832, the draft of a regulation for that purpose may be submitted.

2. This regulation, as intimated in the preamble, has been framed in extension of the provisions of Bengal Regulation X. of 1811, and the judges observe, that in the resolutions of the supreme government under date the 9th September 1817; of which a copy accompanied your letter, No. 286, dated the 11th May 1830, it is assumed that provisions similar to those of the last-mentioned regulation "were, at the suggestion of the Governor-general in Council, subsequently enacted for the purpose, within the territories immediately subordinate to the government of Fort St. George."

3. No such regulation has, however, been enacted by this government, and the records of the Sudder court do not show the grounds of the omission.

4. It appears to the judges that it will be necessary, in framing a regulation containing provisions similar to those of Bengal Regulation III. of 1832, to enact those of sections 2

E. I. Company and
Board of Control.
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and 3, Bengal Regulation X. of 1811, omitting, with reference to the observation in paragraph 4 of Mr. Secretary Shakespear's letter dated the 13th April 1830, of which a copy was transmitted with your letter of the 11th May 1830, above mentioned, such part thereof as regards the importation of slaves by sea, which is described as having been "rendered nugatory by the statute since enacted by the British Government."

5. Referring, however, to the above observation, and the minute of Mr. Harington, quoted in the 7th paragraph of a letter dated the 27th February 1830, from the register to the Foujdaree Adawlut, in which it is remarked that the statute in question, the 51st Geo. 3, c. 23, "must be considered to have superseded such parts of Regulation X. of 1811 as related to the importation of slaves by sea," under the construction "given to that statute by the resolutions of government, dated the 9th September 1817," the judges are disposed to be of opinion that clause 1, section 2, Bengal Regulation III. of 1832, may have been framed upon a different view of the construction of the above statute from that contained in those resolutions of the supreme government, the removal of slaves "by sea" for the purpose of traffic from "any country" into any province dependent on "the presidency of Fort William" being made punishable by that clause.

6. In order to prevent misconception as to the objects and correct application of the provisions of the regulation proposed to be introduced into the code of this presidency, as also to determine how far the provisions of Bengal Regulation X. of 1811 should be incorporated therein, the judges are desirous of being informed whether or not they are correct in the above inference, that a different construction of the statute in question, from that communicated in your letter of the 11th May 1830, has been adopted.

7. When the provisions to be included in the draft shall have been determined, the judges propose a reference to the subordinate courts, for the purpose of ascertaining their sentiments, and in particular those of the authorities in the western division, upon the expediency of the proposed law.

Sudder Adawlut Register's Office,
4 May 1832.

I have, &c.
(signed) *D. Elliott*, Acting Register.

Ordered, That the following letter be written :—

No. 2,529.

From *J. Thomason*, Esq., Officiating Secretary to the Supreme Government, to *T. V. Stonehouse*, Esq., Acting Secretary to the Government at *Fort St. George*.—(25 September 1832.)

Sir,

No. 9.

I AM directed to acknowledge the receipt of your letter, dated the 7th instant, and in reply to request you will inform the Right honourable the Governor in Council, that nothing has occurred to alter the sentiments of this government as to the construction of the 51st Geo. 3, c. 23, communicated in Mr. Shakespear's letter, dated 13th April 1830.

2. His honour in council does not perceive that any of the provisions of Regulation III., 1832, of the Bengal code, are opposed to the opinion expressed formerly by this government. The 1st clause of section 2 does not declare the removal of slaves by sea to be punishable, but that slaves removed, whether by sea or land, on any date subsequent to the enactment of Regulation X., 1811, are free. The penalties prescribed in the 2d clause of the same section are attached not to the removal but to the subsequent sale or purchase of slaves so removed.

Council Chamber, 25 Sept. 1832.

I have, &c.
(signed) *J. Thomason*,
Officiating Secretary to Government.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 8 November 1831.

Criminal L. P. From the Register of the Nizamut Adawlut to the Deputy Secretary to Government.—
(19 August 1831.)

Sir,

No. 47.

I AM directed by the court of Nizamut Adawlut to acknowledge the receipt of your letter of 19th October last, and its enclosures, relating to the importation of slaves from Assam into the British provinces, acquired prior to the cession of Assam, and, in conformity with the desire therein contained, to request you will lay before the Honourable the Vice-president in Council the accompanying draft of a regulation proposed by the court to remove the doubts which have arisen on the subject.

The Honourable the Vice-president in Council will observe that the court have taken advantage of the occasion to introduce in the draft submitted a provision calculated to effect a gradual extinction of slavery in this country.

Fort William, 19 August 1831.

(signed) *J. F. M. Reid*, Register.

A REGULATION

A REGULATION for removing certain doubts as to the intent and meaning of Regulation X., 1811, and for preventing grown-up Persons or Children being sold as Slaves within the British Possessions subject to the Presidency of *Fort William*. E. I. Company and Board of Control. (Documents.)

Preamble.—WHEREAS, in consequence of the extension of the possessions held under the Presidency of Fort William, subsequent to the enactment of Regulation X. of 1811, prohibiting the importation of slaves from foreign countries, a doubt has arisen whether the provisions of that regulation can be held to apply to cases of slaves removed from any part of the British possessions acquired subsequently to the passing of that regulation into any part of those then held under the said presidency; with a view to the removal of any such doubts, and also with a view to the gradual extinction of slavery within the British territories, the following rules are enacted to be in force, &c.

II. First, After the promulgation of this regulation, all slaves removed by sea or by land, without the permission of the Governor-general in Council, from the provinces which were not dependent on the presidency of Fort William at the date of the enactment of Regulation X., 1811, into the provinces which were then or may have since become dependent on the said presidency, shall be considered free, and all persons concerned in the sale or purchase, as a slave, of any man, woman or child so removed, on conviction thereof before a magistrate, shall be liable to be sentenced to imprisonment for a period of six months, and to pay a fine to government according to their circumstances in life, not exceeding the sum of rupees 200, commutable, if not duly discharged, to imprisonment for a further period of six months, on the expiration of the former part of the sentence.

Second, The foregoing clause is hereby declared to be applicable to slaves removed into the provinces dependent on the presidency of Fort William from those immediately dependent on the presidencies of Madras and Bombay, and from all other provinces subject to the authority of the Honourable East India Company.

III. It is further hereby enacted, that all sales of children by their parents or others, within the provinces subject to the presidency of Fort William, shall be null and void after the children shall have reached the age of eighteen years; and further, that all engagements executed by a man or woman whose age shall exceed that of eighteen years, binding himself or herself to serve another, shall have no force or effect after the expiration of five years from the date of the engagement.

(signed) *J. F. M. Reid*, Register,

Note.—On the 27th September last the deputy secretary was directed to write the following letter to the secretary to the Governor-general:—

From *J. Thomason*, Esq., Deputy Secretary to Government, to the Secretary to the Governor-general.

Sir,

I AM directed by the Honourable the Vice-president in Council to forward to you the accompanying original letter from the register of the Nizamut Adawlut, dated 19th August 1831, with its enclosures and references, as per margin, also the revised draft of a regulation proposed by the Vice-president in Council, and request that you will lay them before the Right honourable the Governor-general.

No. 48.

Criminal Cons. 19th Oct. 1830.
Nos. 35 and 36, L. P.

2. The chief alteration proposed by his honour in council to the regulation submitted by the Nizamut Adawlut is in the declaratory provisions of section 2, clause 1. There seems to be no reason why these should not have retrospective as well as prospective effect, although it would obviously be objectionable to make the penal clause not retrospectively.

3. The concluding section has the entire approbation of his honour in council.

(signed) *J. Thomason*,
Deputy Secretary to Government.

Council Chamber, 27 September 1831.

DRAFT of a REGULATION, A. D. 1831.

A REGULATION for removing certain doubts as to the intent and meaning of Regulation X., 1811, and for preventing grown-up Persons or Children being sold as Slaves within the British Possessions subject to the Presidency of *Fort William*, passed by the Vice-president in Council on the _____ corresponding with the _____.

Preamble.—WHEREAS, in consequence of the extension of the possessions held under the presidency of Fort William subsequent to the enactment of Regulation X. of 1811, prohibiting the importation of slaves from foreign countries, a doubt has arisen whether the provisions of that regulation can be held to apply to cases of slaves removed from any part of the British possessions acquired subsequently to the passing of that regulation into any part of those then held under the said presidency; with a view to the removal of any such doubt, and also with a view to the gradual extinction of slavery within the British territories, the following rules are enacted to be in force, &c.

No. 49.

II. First, All slaves who have been or may hereafter be removed without the permission of the Governor-general in Council, by sea or land, from the provinces which were not dependent on the presidency of Fort William at the date of the enactment of Regulation X.,

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1811, into the provinces which were then dependent, or who have been or may hereafter be removed without the permission of the Governor-general in Council, by sea or land, from one province which has since the above enactment or may hereafter become dependent, into another province which also has since the above enactment or may hereafter become dependent, into another province, which also has since or may become dependent on the aforesaid presidency, subsequently to the date on which those provinces respectively have or may become dependent, are hereby declared free.

Second, After the promulgation of this regulation, all persons concerned in the sale or purchase, as a slave, of any man or woman or child so removed, knowing him or her to have been so removed, on conviction thereof before a magistrate, shall be liable to be sentenced to imprisonment for the period of six months, and to pay a fine to government according to their circumstances in life, not exceeding the sum of rupees 200, commutable, if not duly discharged, to imprisonment for the further period of six months on the expiration of the former part of the sentence.

Third, The foregoing clauses are hereby declared to be applicable to slaves removed into the provinces dependent on the presidency of Fort William, from those immediately dependent on the presidencies of Madras and Bombay, and from all other provinces subject to the authority of the Honourable East India Company.

III. It is further hereby enacted, that after the date of the promulgation of this regulation, all sales of children by their parents or others within the provinces, subject to the presidency of Fort William, shall be null and void after the children shall have reached the age of 18 years, and further, that all engagements executed by a man or woman, whose age shall exceed that of 18 years, binding himself or herself to serve another, shall have no force or effect after the expiration of five years from the date of the engagements.

From the Secretary to the Governor-general to Mr. Deputy Secretary *Thomason*.—

Sir, (26 October 1831.)

No. 50.

I AM directed by the Right honourable the Governor-general to acknowledge the receipt of your letter dated the 27th ultimo, together with the correspondence and revised draft of regulation for removing certain doubts as to the intent and meaning of Regulation X., 1811, and for preventing grown-up persons and children being sold as slaves within the British possessions.

2. In reply I am desired to submit for the consideration of his honour in council certain objections to which, in the opinion of his Lordship, the proposed enactment is liable.

3. The first clause of the second section seems objectionable, because it provides that a man shall be deprived of his property simply by reason of his removing it, whereas, if the possessor of slaves happen to remain stationary, his property in his slaves continues undisturbed,—a distinction which does not appear to be founded on any solid ground, unless the removal take place for the purpose of traffic. Again, the privation of property takes place consequent on the removal of slaves from the provinces which were not dependent on the British Government in 1811 into the provinces which were then dependent, or from one province into another which have both since become dependent, but this consequence does not follow by the removal of slaves from one province to another, both of which were dependent on the British Government at that date, for which distinction there is not apparently any sufficient reason.

4. The second clause of the same section seems objectionable, because the sale or purchase of a slave in the old provinces, though not removed from the more recently-acquired territories, would appear to be equally criminal, unless the removal took place with a view to traffic, which is nowhere proscribed as one of the conditions necessary to the penalty.

5. The third section provides, that all sales of children shall be null and void after the children shall have attained the age of 18 years; this provision seems to be insufficient for the purpose in contemplation. In the case of female children, particularly, the interposition of authority is more especially necessary for their protection previously to their attaining that age. Their subsequent emancipation would have little effect in ameliorating their condition. The term of five years seems an arbitrary limit, for the fixing of which there does not appear to his Lordship to be any adequate reason; it would appear more consistent with equity to provide that the term of servitude shall not exceed what may be fairly due with reference to the consideration received by the obliger. Independently of this circumstance, no provision seems to have been made for the case of an individual who may bind himself to servitude, and whose age at the time may be under 18 years.

6. The above are particular objections; but his Lordship directs me to state that he entertains considerable doubts as to the propriety and expediency of the general object of the enactment. Regulation X., 1811, expressly had in view the prevention of traffic in slaves, and, under existing circumstances, his Lordship is of opinion that the attention of the Legislature might be safely restricted to this object. In times of scarcity, the disposal of their children may be frequently the only resource left to their parents against starvation. This fact indeed does not seem to have been lost sight of by his honour in council, as the sale of children into slavery is not declared void, but only voidable after they have attained the age of 18 years; but this provision, as already observed, leaves them in the most helpless stage of life, especially in the case of females, to such treatment as would render their subsequent emancipation almost a matter of indifference.

7. On the whole, his Lordship is of opinion, that it would be preferable to enact a brief regulation, declaring that the importation of slaves for the purpose of traffic from one province

province into another, both of which may now be subject to the British authority, and the purchase of slaves so imported shall make the persons so offending liable to the penalty laid down in section 3, Regulation X., 1811. E. I. Company and Board of Control. (Documents.)

8. The original documents received with your letter are herewith returned.

Camp, Roopur, 26 October 1831.

(signed) *W. H. Macnaghten,*
Secretary to the Governor-general.

Ordered, That the deputy secretary write the following letter to *W. H. Macnaghten, Esq.:*—

From *J. Thomason, Esq.,* Deputy Secretary to Government, to *W. H. Macnaghten, Esq.,* Secretary to the Governor-general.—(8 November 1831.)

Sir,

I AM directed by the Honourable the Vice-president in Council to acknowledge the receipt of your letter, dated the 26th ultimo, on the subject of the draft of a regulation for the explanation and amendment of the existing rules regarding slavery, and in reply to request that you will lay before the Right honourable the Governor-general the following observations on his Lordship's remarks contained in your letter. No. 51.

2. The object of Regulation X., 1811, was to prohibit the importation of slaves into what then constituted the British territories, but not to prohibit the transfer of slaves from one part of those territories to another.

3. Events subsequent to the promulgation of the enactment have enlarged the boundaries of the British territories, and it was brought to the notice of government by Mr. D. Scott, the late commissioner of Assam, that numerous instances occurred of the transfer of slaves into Bengal from Assam, which is a country where slavery exists to a very great extent. The spirit of the above regulation was thus frustrated, though its letter was observed.

4. It therefore became an object to put a stop to this practice, at the same time that the existing state of the law was altered as little as possible; for this purpose the Nizamut Adawlut recommended the enactment of the proposed regulation, section 2 of which was calculated to meet the evil.

5. By Regulation X., 1811, the importation of slaves from territories, not then British, into territories which were then British, was prohibited; by the proposed regulation, the prohibition is continued. The privation of property is the same in the latter case that it was in the former. Under Regulation X., 1811, no restraint was placed on the removal of slaves from one part of the then British territories to another, nor is any such restriction proposed, since no further privation of property is therefore occasioned in the latter case than there was in the former.

6. The second or penal clause of this section in question was framed on the same consideration. It has not hitherto been considered criminal to sell or purchase a non-imported slave in the old provinces. It has, however, till lately, been criminal to sell or purchase slaves imported from Assam and other lately acquired territories into the old provinces, and the frequency of slavery in those territories appeared a strong reason to justify the continuance of the prohibition; under section 3, Regulation X., 1811, the penalty for importation was not made dependent on the circumstance of such importation having been effected for the purposes of traffic, and therefore no clause to that effect was introduced into the new regulation.

7. His Lordship will thus perceive that section 2 was simply explanatory and confirmatory of the intent of Regulation X. of 1811.

8. The third section has been proposed by the Nizamut Adawlut, with the view of preventing the increase of slaves by the sale of free persons. His honour in council concurs with his Lordship, that it would be wise to reduce the age at which female children should be emancipated lower than 18.

9. The period of servitude of a self-sold adult is necessarily arbitrary, as it would be difficult to lay down any precise rule by which the term should be proportioned to the consideration. Five years appears a reasonable and not an exclusive term.

10. The act of a minor is invalid and null, and therefore it would not appear to be requisite to frame a law to meet a case in which he may have bound himself to servitude.

11. His honour in council is not satisfied that it would be expedient to prohibit the slavery of children sold by their parents; but, even if it be so, he sees no objection to empowering persons so sold to claim their liberty at some future period, when they themselves do not stand in need of further support, and when their services may be supposed to have repaid the cost of their maintenance.

12. His honour in council is quite ready to concur in a regulation to the effect recommended in paragraph 7 of your letter. His reasons for not proposing such a one were, that it would introduce a new principle which has not hitherto been recognized, and that it might be nugatory in its effects from the impossibility of ascertaining the purpose for which slaves are imported. There is little doubt that Regulation X., 1811, has been so from a similar cause. The most effectual regulation in which the Vice-president in Council would gladly concur would be to prohibit the sale and purchase, as well as the importation of slaves; but the regulation remarked in your letter was originally proposed more to give full effect

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effect to the existing enactments than as what the Vice-president in Council considered to be the most desirable.

Council Chamber, 8 November 1831.

(signed) *J. Thomason,*
Deputy Secretary to Government.

P. S.—A copy of the proposed regulation is herewith enclosed.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 7 April 1835.

ON the 11th February last, the following letter was written to the register of the Nizamut Adawlut at the presidency:—

No. 373.

Criminal. From *W. H. Macnaghten*, Esq., Secretary to the Government of Bengal, to *T. J. M. Reid*, Esq., Register of the Court of Nizamut Adawlut at the Presidency.—(11 Feb. 1835.)

Sir,

No. 5. I AM directed by the Right honourable the Governor of Bengal to forward to you in original, for the purpose of being submitted to the court of Nizamut Adawlut at the pre-

* 1. Abstract petition of Keoree, brother of Ongyajain, a prisoner in the gaol at Akyab, dated 15th May 1834.

2. Letter to officiating commissioner of Arrakan, dated 16th June 1834.

3. Letter to ditto, dated 10th November 1834.

4 and 5. Letter from commissioner of Chittagong, with enclosure, dated 29th January 1835.

6. Persian papers connected with the case.

sidency, the correspondence specified in the margin,* originating in a petition presented to government on behalf of Ongyajain, a prisoner in the Akyab gaol, sentenced to imprisonment for seven years with labour in irons, for purchasing two slave girls.

2. The court are requested to enter into an examination of the proceedings forwarded by the officiating commissioner of the 16th division, with his letter of the 29th ultimo, and to furnish a report of their opinion as to how far there may be grounds sufficient for the exercise of clemency towards the prisoner.

Fort William, 11 February 1835.

(signed) *W. H. Macnaghten,*
Secretary to Government of Bengal.

No. 599.

From the Register of the Nizamut Adawlut at the Presidency, to the Secretary to the Government of Bengal.

Sir,

No. 6. I AM directed by the court to acknowledge the receipt of your letter of the 11th instant, No. 373, enclosing correspondence originating in a petition presented to government in behalf of Ongyajain, a prisoner in the Akyab gaol, and in reply to request that you will lay before the Right honourable the Governor of Bengal the accompanying copy of a minute recorded by Mr. Robertson, by whom the proceedings have been revised.

Fort William, 27 February 1835.

(signed) *J. F. M. Reid*, Register.

MINUTE recorded by Mr. *Robertson* in revising the proceedings in the case of *Ongyajain*.

I HAVE revised the proceedings in this case, and find that the woman, whom the petitioner purchased as a slave, was taken by a gang of dacoits who attacked the village in which she resided in the province of Arrakan in the daytime, murdered four men and nine women, and carried off twenty females as slaves.

There is no clear proof that the petitioner, who resided in the Chittagong district, was made acquainted at the time of the purchase with the fact of the woman's having been captured in a dacoity, and although his plea of ignorance of the hill language spoken by the said female is not so established as to repel the presumption arising from her having passed several months in his family, that he must have been told by her the real circumstances of her situation, still it is remarkable that she does not represent herself as having ever remonstrated with the petitioner on being detained in his house.

The proceedings on the trial seem to have been very irregularly conducted. The purchase having taken place within the limits of the Chittagong district, the superintendent of Arrakan, who seems otherwise dubious as to their guilt, considering the alleged offence not to come under his cognizance, directed the petitioner and another man named Manguthine, accused of purchasing another female of the party captured in the same dacoity, to be released, and then took their examination as witnesses. The commissioner of the 16th division, disapproving of this procedure, passed sentence of seven years' imprisonment on those individuals, without putting them on their defence. On the whole, I am of opinion, that both the petitioner, Ongyajain, and his associate, Manguthine (Nos. 4 and 3 of the proceedings), may be consistently pardoned and released, the imprisonment which they have undergone appearing a sufficient punishment for the mere offence of purchasing slaves in conformity with the customs of their country, when unaggravated by any proof of their knowledge of the circumstances attending their capture.

(signed) *T. C. Robertson*, Judge.

From

From the Register of the Nizamut Adawlut at the Presidency to Mr. Secretary *Mangles*.

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(Documents.)

Sir,

IN continuation of my letter of the 27th ultimo, I am directed by the court to return the original papers which accompanied yours of the 11th of that month, connected with the case of Ongyajain, a prisoner in the gaol at Akyab.

No. 7.

(signed) *J. F. M. Reid*, Register.

Fort William, 4 April 1835.

Ordered, That the following letter be written to the register of the Nizamut Adawlut at the presidency:—

No. 827.

From Mr. Secretary *Mangles* to the Register to the Nizamut Adawlut at the Presidency.—
(7th April 1835.)

Sir,

I AM directed to acknowledge the receipt of your letter, No. 599, of the 27th February last, and No. 752, of the 4th instant, with their enclosures, and to inform you in reply, that the Honourable the Governor of Bengal has been pleased, in consideration of the probable ignorance of the parties, by name Ongyajain and Manguthine, that the women whom they bought had been kidnapped by dacoits, and of the punishment which they have already undergone under a sentence resulting from a very irregular and incomplete trial, to authorize the pardon and release of both of the prisoners above named, as recommended by Mr. Robertson.

No. 8.

2. The court are requested to communicate the above orders to the commissioner of Arrakan, and to return to him the original documents herewith sent.

(signed) *R. D. Mangles*,
Secretary to Government of Bengal.

Fort William, 7 April 1835.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 26 April 1836.

No. 45.

From *F. Jenkins*, Esq., Commissioner of Assam, to Mr. Secretary *Mangles*.—(6 April 1836.)

Criminal.

Sir,

I HAVE the honour to annex extract from letters of Ensign Brodie and Mr. Hugon, of the 8th ultimo and 25th February respectively, on the subject of which I beg to be favoured with the orders of government.

No. 28.

2. As the slaves and bondsmen who had fled into the Jynteeah country before our occupying it, had, by taking refuge in an independent country, become free, I am of opinion that the subsequent transfer of the country to us cannot be held to reduce them again to slavery and bondage, and as I conceive it to be consonant with the practice of government not to demand the surrender of refugees into a foreign country, that had only been guilty of minor offences, such offenders who had escaped into Jynteeah previous to our conquest, ought not, I think, after that event, to be made amenable to our courts. The crimes committed were in general trivial; cow-stealing was the most aggravated.

I have, &c.

Assam, Commissioner's Office,
6 April 1836.

(signed) *F. Jenkins*, Commissioner.

Extract of a Letter of Mr. Assistant *T. Hugon* to Ensign *T. Brodie*, Collector of Nowgong.—
(25 February 1836.)

Para. 7. THE Assamese have settled in Jynteeah only since the Burmese invasion; they form almost the whole population of the island formed by the Dimla and Kolung; most of them were originally slaves and bondsmen; many have become industrious ryots; great uneasiness prevails amongst them from their not knowing whether they can be claimed by their former masters. The number of real slaves and bondsmen given in the returns I got of the population, is 214; as they belong to the chiefs principally, I think the amount pretty correct; of these, the larger portion being mere bondsmen, slavery could hardly be said to exist.

(True extract.)

(signed) *F. Jenkins*, Commissioner of Revenue.

Extract of a Letter from Ensign *Brodie*, Collector of Nowgong.—(8 March 1836.)

No. 185.

Para. 3. WITH reference to the 7th paragraph of Mr. Hugon's letter, I beg to state that no inhabitant of Jynteeah has been called to account for any thing done prior to its being taken possession of by us. But to set the minds of the people at rest on the subject, I think

697.

x x

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it would be advisable that the sanction of government should be obtained for the issue of a proclamation declaring that no slave or bondsman living in Jynteeah in freedom at the time we took possession of it, should be liable to be claimed by any person whatever.

(True extract.)
(signed)

F. Jenkins, Commissioner of Revenue.

Ordered, That the following letter be written:—

No. 520.

From Mr. Secretary *Mangles* to *F. Jenkins*, Esq., Commissioner of *Assam*.—(26 April 1836.)

No. 29.

Sir,
I AM directed to acknowledge the receipt of your letter dated the 6th instant, with its enclosures, and to inform you in reply, that the Right honourable the Governor of Bengal entirely concurs with you in opinion, that the slaves and bondsmen who had taken refuge in Jynteeah, during the independence of that principality, ought not to be reduced again to their former condition, and that no notice ought now to be taken of crimes not more heinous than those referred to by you, committed by parties who fled for protection to Jynteeah before it fell into our possession.

Fort William, 26 April 1836.

I have, &c.
(signed) *R. D. Mangles*,
Secretary to Government of Bengal.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 25 October 1836.

Civil.

Extract Letter from *A. Bogle*, Esq., Assistant Commissioner, *Zillah Kamroop*, to Captain *F. Jenkins*, Commissioner of Circuit, *Gowhatty*.—(5 April 1836.)

No. 31.

Para. 24. UPON the subject of slavery, which is one of great difficulty, I beg leave to offer the following observations. The rule contained in the latter part of clause 2, section 10, will, I fear, be found very embarrassing; and I would suggest that it should only have effect from the date of proclamation to be hereafter issued.

25. It being understood that the late Mr. Scott guaranteed the slavery, during a period of famine, of certain starving children, to any persons who would support them, and that sales of slaves, in execution of decrees, &c. took place under sanction of government, an exception to clause 3 should, perhaps, be made in favour of all claims founded on these circumstances, and which may have been duly registered at the time, the number is, probably, not great.

26. I would further suggest, with reference to clause 4, that female slaves become free at the age of 14 years, and until they attain that age they be under the guardianship of their parents, who might be allowed to marry them, without consent of the owner. Any person marrying a slave-girl before she attains the above age, to be at liberty to take her away, on becoming a slave in her stead for the remainder of the 14 years, or on paying such sum for her redemption as may be fixed by a punchayet.

27. The sale of children by the owner, against the will of the parents, or their separation in any way, being a cruelty which no heart but that of a parent can appreciate, to be a strictly forbidden breach of the law, to be punishable, as a misdemeanor, with imprisonment, not exceeding one year, and such sale null and void. Nothing in clause 9, or any other clause, should be held to warrant the separation of man and wife, or of children from their parents.

28. Slaves and bondsmen to be allowed to sue for their freedom as paupers, and it be competent for the assistant in charge to make over all such suits to the junior or sub-assistant, or *Sudder Ameen*, at discretion.

Extract Remarks, by Captain *F. Jenkins*, Commissioner, on the Rules for the Administration of Criminal Justice in *Assam*.

Section X.—SLAVERY.

No. 32.

Clause 1st. Appears unobjectionable.

Clause 2d. The first part of this rule would, I fear, create very great difficulties, and give rise to much discontent. If, from any period, slaves are to be freed, I consider that ought to be a prospective period. It is to be recollected that an inquiry throughout the province has already been made, the object of which was to free persons illegally detained in slavery, and under the operation of this inquiry, 6,136 slaves were freed. Many others have been freed in due course of law, and hundreds have and are yearly escaping into other provinces, or by taking refuge, and becoming cultivators, in the retired wastes of this province; and there appears to me little occasion for any precipitate measures, from any circumstances that have come under my observation, connected with slavery in *Assam*.

Clause 3d. Requires no remark.

Clause 4th. I see no objection to this clause, but no provision is made for the children of the emancipated slaves. As they have been maintained by the masters, without their receiving any return for the expense of subsistence, I think it would be proper to emancipate such children by the payment from the state of so much for each child, on their parents

parents being released. This would be a small encouragement to the owners to maintain the children properly.

Clause 5th. Appears unobjectionable.

Clause 6th. Appears to me objectionable; it might lead to much unpleasant litigation. The female slaves are usually married; and I believe there is very little open or regular prostitution for hire in the province.

Clause 7th. Seems unobjectionable.

Clause 8th. The first part of the clause seems also such, but there should be a proviso, that the marriage was permitted by the owner. The second part of the clause seems unnecessary, and may be liable to misconstruction, as encouraging elopement.

Clause 9th. I would make the prohibition of the sale of slaves, as at present, absolute. They will be thus esteemed a part of the family, and being of great value to the owner, will be taken care of. This being already a rule of the province, to which the people have submitted, I think it would be unadvisable to disturb it.

Clause 10th. The government have already objected to the sale of slaves on their own account, and I think it were better to abstain from taking them as bondsmen. If slaves are not sold to satisfy decrees of court, they ought not to be taken by the government.

Clause 11th. Appears unobjectionable.

Clause 12th. The slave or bondsman should be allowed to sue as a pauper.

Clause 13th. Appears unobjectionable.

Clause 14th. } Ditto - ditto.

Clause 15th. }

I think there should be added clauses for the return or recovery of runaway slaves, for the punishment of any wilfully harbouring runaway slaves or bondsmen.

E. I. Company and
Board of Control.
(Documents.)

Extract Mr. Robertson's Minute on the proposed Rules for the Administration of Civil and Criminal Justice in *Assam*.—(24 June 1836.)

It is not without reluctance that I have struck out clauses 9 and 10, from the operation of which I was inclined to hope for much being effected towards the gradual extinction of slavery. There is, however, I must admit, much force in Captain Jenkins's argument on this point, though I hope that, if the other provisions of this section are found to work beneficially, these two clauses may at some future period be added to the rule.

No. 33.

Extract Rules for the Administration of Civil Justice in *Assam*.

Section X.—SLAVERY.

First. A PROCLAMATION shall be issued, calling upon all persons having claims upon others, as being their slaves or bondsmen, to register the names of such alleged slaves or bondsmen in the office of the assistant in charge of the division in which they live, within the period of six months, under the penalty of forfeiture of all claim on those whose names they shall omit to register, as required.

Second. All slaves whose own servitude, or that of their progenitors, has commenced subsequently to the 1st day of January 1817, which is understood to be about the date of the first Burmese invasion of Assam, shall be accounted redeemable bondsmen, entitled to obtain their enfranchisement, under the conditions and in the manner hereafter indicated.

Third. The offspring of slaves or bondsmen of every class, born after the date of the proclamation enjoined in clause 1, are to become free on attaining the age of 14 years, if females, or of 18 years, if males.

Fourth. Any slave-owner who shall be proved, before a competent authority, to have maimed, wounded, or otherwise grossly ill-treated, his or her slaves or bondsmen, or to have sent, or attempted to send, such slaves or bondsmen, who shall be thereon liberated.

Fifth. Any slave-owner convicted of having derived profit by letting out a female slave, for the purpose of prostitution, shall, in like manner, forfeit all claim over such slave, who is thereon to be declared free.

Sixth. The sale of female children by their parents is not prohibited, but it is to be understood that children thus sold are, on attaining the age of 14 years, to become free. The sale of male children is, in conformity with a long-established practice in Assam, declared illegal.

Seventh. The legitimate offspring of a freeman are to be held free from their birth, whatever may have been the condition of the mother, "provided the marriage may have been concluded with the consent of the person whose slave she may be," and that no written stipulation to the contrary was entered into by such free man at the time of the said marriage. In the latter case the offspring will become free on their attaining the age of 14 years, if females, as provided for by clause 3, with respect to children born of slave parents.

Eighth. All engagements executed by a man or woman whose age shall exceed 18 years, binding himself or herself to serve another for a term not exceeding 7 years, shall have full force and effect, and be maintained by the local authorities; but any contract to serve for a longer term of years is hereby declared to be null and void.

Ninth. Any bondsman or slave entitled, under clause 3, to be regarded as a redeemable bondsman, wishing to obtain his or her liberty, may institute a suit for the same against his or her master, in the court of the assistant in charge of the division in which the said master shall reside, and the court before which such suit may be tried shall, after determining the price of the plaintiff's labour, and deducting therefrom what may be esteemed a fair equivalent

No. 34.

E. I. Company and
Board of Control.
(Documents.)

lent for maintenance, carry the balance to the credit of the plaintiff. Whenever, in the case of a slave of the class described in clause 3, the sum thus credited shall appear to constitute a fair return for expense incurred in the acquisition of such slave, or whenever a plaintiff in such a suit shall pay up whatever, in the judgment of the court, may be wanting to make up an adequate compensation to the master, then such slave shall be decreed by the court to be free. In like manner, if a bondsman be the plaintiff, and the estimated value of his labour, after a proper deduction for maintenance, shall be found to equal the amount of the debt due to the defendant, or if he shall pay up whatever may be wanting to effect the extinction of the debt, then such plaintiff shall be decreed by the court to be free. Suits instituted under the provisions of this clause may be referred to the junior or sub-assistant, or Sudder Ameen, for trial, subject to an appeal to the assistant in charge of the district, and to the commissioner, under the general rules regarding appeals.

Tenth. To prevent protracted investigations, as well as to protect masters from vindictive prosecutions, it is enacted, that no master shall be required to account for any sum that may be carried to the credit of a plaintiff, under the provisions of the preceding clause, in excess of the amount to which the said master shall, in the judgment of the court, be held to be entitled, and that no suit shall be entertained that may be instituted by a liberated slave or bondsman, for an amount alleged to be due to him on account of labour performed during the time of his servitude or bondage.

Eleventh. It shall be essential to the validity of every transaction by which a slave or bondsman may be acquired or transferred, that the same be effected by a written instrument; and no such written instrument shall be received in evidence in any court of justice, unless it has, within one month from the date of its execution, been duly registered in the office of the assistant in charge of the registry book of the district in which the party to whom the transfer or sale or engagement is made may reside.

Twelfth. Any sale, transfer or engagement of a slave or bondsman not so registered is to be, in future, held to be null and void.

Thirteenth. Any person convicted of knowingly harbouring or concealing runaway slaves, or of aiding and abetting slaves in deserting from the service of their lawful master or mistress, shall be held to be guilty of misdemeanor, and liable, on conviction before the senior, junior, or sub-assistant, to be sentenced to pay a fine not exceeding 200 rupees, commutable into imprisonment without labour for the period of six months.

Extract Letter from *R. D. Mangles, Esq.*, Secretary to Government, to *J. F. M. Reid, Esq.*, Register of the Sudder Dewanny and Nizamut Adawlut.—(25 Oct. 1836.)

Section X.—SLAVERY.

No. 35.

Para. 11. His Lordship is not prepared to pass this section. The subject is one of great and general importance, and must be taken up as a whole by the supreme government. But he considers it to be within his competence to declare, that all sales of persons as slaves

Section 10. "From the date on which these rules of practice shall come into operation in Assam, all courts of justice shall hold all sales of persons as slaves to be illegal and void; and no suit to reclaim the services, as a bondsman or woman, of the persons so sold, shall be received in any court, on the plaint of any party."

shall be illegal and void, from the date on which the rules of practice shall come into operation in Assam. The section, therefore, will stand as on the margin.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 22 November 1836.

No. 2,648.

Civil.

From *J. F. M. Reid, Esq.*, Register of the Sudder Dewanny Adawlut, to *R. D. Mangles, Esq.*, Secretary to Government in the Judicial Department.—(11 November 1836.)

Sir,

No. 12.

I AM directed by the court to acknowledge the receipt of your letter of the 25th ultimo, No. 1,855, communicating the sentiments of the Right honourable the Governor of Bengal on the proposed rules for administration of civil and criminal justice in the province of Assam, submitted with my letter of the 29th July last, No. 1,648.

2. Before issuing the rules in the amended form, the court beg to solicit the attention of his Lordship to the accompanying copy of a minute recorded by Mr. Robertson, on the subject of section 10 of the draft, as altered by the 11th paragraph of your letter above acknowledged, strongly urging that the amended section be referred to the local authorities for their opinion on its fitness, before it shall be sent forth as a law.

3. Mr. Robertson's suggestion appears to the court to be so reasonable, and his local knowledge of the provinces is entitled to so much respect, that they have no hesitation in recommending to government the adoption of the course he has pointed out, particularly as there seems reason to apprehend, from the circumstances set forth in his minute, that the enactment of the law as it stands may be followed by much distress and embarrassment. Should the Honourable the Governor, however, not be prepared to acquiesce in this recommendation, the court would then beg leave to recommend that the section should stand as follows, as they do not understand it to be his Lordship's intention that the law should have any retrospective operation.

From

From and after the date on which these rules of practice shall be promulgated in Assam, all sales of persons as slaves shall be deemed illegal and void; and no suit to reclaim the services of a slave, or bondsman, or bondswoman, so sold after the date above specified, shall be received or entertained in any court on the plaint of any person; provided, however, that this prohibition shall not be construed to extend to any sale or bond that may, having been regularly executed according to the law of the province or established usage previously to the promulgation of these rules; and the several courts of justice are empowered and directed to entertain such suits; the courts are to be governed by the law and usage under which the said sales and bonds were prepared and executed.

4. The court beg to request that they may be authorized to order fifty copies of the rules to be printed for the use of local officers and of the court, and also for that of government, and for transmission to the honourable the court of directors.

Fort William, 11 Nov. 1836.

(signed) *J. F. M. Reid*, Register.

Mr. Robertson's Minute.

THOUGH most reluctant to appear to place my own individual opinion in opposition to that of the Governor-general, I still feel it incumbent on me to leave on record my most earnest request that the court will endeavour to obtain a suspension of the rule regarding slavery in Assam, which it is proposed to substitute for what was contained on that subject in the draft submitted with our letter of the 29th July.

I will not presume to assert that the contemplated enactment must be followed by great distress and embarrassment, yet I see a chance of such consequence ensuing, sufficient to justify my recommending that the same course as his Lordship has commended us for pursuing with regard to the whole draft, may be followed in respect to this particular provision, and that it may be referred to the local authorities for their opinion on its fitness, before it shall be sent forth as a law.

It is to be remembered that the practice of borrowing money by pledging personal service is very common in Assam, and that such a practice must be virtually abrogated by a rule declaring that no suit for reclaiming the services of a bondsman shall in future be entertained.

Now it is really no light matter to abolish the existing custom of a nation as to lending and borrowing, be that custom ever so rude and inconsistent with our ideas of humanity.

It is at least desirable surely to ascertain beforehand to what extent the common dealings betwixt man and man are likely to be affected by such a measure; and therefore, as no provision to the effect of that now before us has been even alluded to throughout our long correspondence with the officers in Assam, I do think that the latter ought to be consulted before a rule of importance fully equal to that of any of those on which they have been consulted shall be allowed a place in the code by which they are in future to be guided.

An ordinance abruptly rescinding the apprentice law of England would excite both discontent and distress, and really in the Assam bondsman system, as proposed to be modified in our draft, there is nothing more shocking to humanity than might be found in the apprentice-binding practice of our own country.

I do not, however, mean to enter into any discussion of the merits of the custom, or the propriety of its immediate or eventual abolition; all that I contend for is, that no rule for its virtual abolition ought to be passed without a previous communication with the local officers, who alone can judge in how far the operation of such a rule is likely to prove beneficial, or the reverse.

I have in conclusion to record my hope that while the slavery section may be struck out of the draft and reserved for further deliberation, the remaining rules may be forwarded with as little delay as possible to Assam, where I have reason to know that they are much wanted.

(signed) *T. C. Robertson*.

29 October 1836.

(True copy.)

(signed) *J. F. M. Reid*, Register.

Ordered, That the following letter be written to the register of the Sudder Dewanny Adawlut:—

No. 2,080.

From *R. D. Mangles*, Esq., Secretary to Government, to *J. F. M. Reid*, Esq., Register of the Sudder Dewanny Adawlut.—(22 November 1836.)

Sir,

I AM directed by the Right honourable the Governor of Bengal to acknowledge the receipt of your letter of the 11th instant relative to the rules of practice for the administration of justice in Assam, passed by his Lordship on the 25th ultimo, together with Mr. Robertson's minute of the 29th idem, to which it gave cover, and to communicate as follows in reply.

2. It appears to the Governor that the scope of section 10 of the new rules, as given in the margin of paragraph 11, of my letter of the 25th ultimo, has been misunderstood by Mr. Robertson and the court, though perhaps, with reference to the prevalence of "the practice of borrowing money by pledging personal service" in Assam, the rule in question might advantageously have been drawn up in a form not open to misconception, for it was not intended to effect that practice in any manner, but simply to discontinue the system of slavery in general, and to deprive that already existing of one of its worst features, by disallowing the transfer by sale of property in persons. In fact, voluntary bond-service is not

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slavery

IX.*
* The omission of the 5th section of the draft will make this the 9th section.

No. 13.

E. I. Company and Board of Control. (Documents.) slavery at all, but merely a return in labour, according to stipulation, for wages paid in advance; and there are, doubtless, many classes both in India and elsewhere, universally regarded as freemen who are, in point of fact, as much bound down to their employers as the parties who in Assam come under a personal engagement to liquidate a loan by personal service rendered to their creditor.

3. His Lordship does not think it desirable, however, that the right to transfer such personal service by sale to a third party should be recognized by the law, and he is therefore of opinion

IX. "From and after the date on which these rules of practice shall be promulgated in Assam, all sales of persons as slaves, not being transactions, whereby an individual of mature age voluntarily binds himself or herself in return for value received, to render personal service to another, shall be deemed illegal and void; and suit to reclaim the services of a slave, or bondsman or bondswoman so sold after the date above specified, shall be received in any court, on the plaint of any person; provided, however, that nothing in this section contained shall be held to relate to voluntary obligations of personal service of the nature above indicated, otherwise than to render the transfer of such service to a third party, after the date of the promulgation aforesaid, illegal and void; provided also, that this prohibition shall not be construed to extend to any sale that may have been regularly executed according to the law of the province or established usage previously to the promulgation aforesaid; and the several courts of justice are empowered and directed to entertain such suits as heretofore; and in deciding the same, the courts are to be governed by the law and usage under which the said sales were made."

that the section worded as in the margin will sufficiently provide for the objects which he contemplated, whilst it will obviate the objections raised by Mr. Robertson, and meet the wishes of the court by making the operation of the rule strictly prospective. This was intended in the first instance, but the court appear to apprehend, that that intention might have been misunderstood.

4. If the court shall be of opinion that Mr. Robertson's objections to the section, as it originally stood, are sufficiently removed by the modifications which it has now received, they are authorized to take immediate measures for printing fifty copies of the rules, as proposed in the concluding paragraph of your letter. There has already been considerable delay in passing these rules; their promulgation must be important to the good administration of the province, and unless the court shall be still of opinion that it is material that

the local authorities should be consulted upon the slavery section in its present revised form, his Lordship is disposed to think that the rules in the section 9, as above, should be immediately printed and despatched to Assam.

Fort William, 22 Nov. 1836.

(signed) *R. D. Mangles,*
Secretary to the Government of Bengal.

EXTRACT BENGAL JUDICIAL CONSULTATIONS, 6 December 1836.

No. 2,781.

Civil. From *J. F. M. Reid*, Esq., Register of the Sudder Dewanny Adawlut, to *R. D. Mangles*, Esq., Secretary to the Government of Bengal in the Judicial Department.—(2 December 1836.)

No. 4.

Sir,

I AM directed by the court to acknowledge the receipt of your letter of the 22d ultimo, No. 2,080, and to state that the court are of opinion that the local authorities should be consulted upon the slavery section in its revised form.

2. The court, indeed, have directed me to add that they have some doubts whether, advertising to c. 85, Act 3 & 4 Will. 4, section 88, a preliminary reference to the home authorities may not be legally necessary, previous to the promulgation of any rules of practice on this important subject.

Fort William, 2 December 1836.

I have, &c.
(signed) *J. F. M. Reid*, Register.

Ordered, That the following letter be written to the register of the Sudder Dewanny Adawlut:—

No. 2,142.

From *R. D. Mangles*, Esq., Secretary to the Government of Bengal, to *J. F. M. Reid*, Esq., Register of the Sudder Dewanny Adawlut.—(6 December 1836.)

No. 5.

Sir,

IN reply to your letter, No. 2,781, of the 2d instant, I am directed by the Right honourable the Governor of Bengal to request that the court will, in conformity with their opinion, call upon the local authorities in Assam to report their sentiments upon the slavery section, as given in my letter of the 22d ultimo. But his Lordship authorizes them, in the meanwhile, to print fifty copies of the rules of practice, omitting section 9, for the uses specified in the 4th paragraph of your letter, No. 2,648, dated the 11th ultimo.

Fort William, 6 Dec. 1836.

(signed) *R. D. Mangles,*
Secretary to the Government of Bengal.

(True extracts.)

East India House, 13 August 1838.

(signed) *T. L. Peacock,*
Examiner of India Correspondence.

EXTRACT

EXTRACT INDIA LEGISLATIVE CONSULTATIONS, 28 September 1835.

From the Officiating Secretary to the Government of *Bengal*, to the Secretary to the Government of *India*.

Sir,

I AM directed by the Honourable the Governor of Bengal to request that you will submit, for the consideration and orders of the Governor-general of India in Council, the accompanying copy of a letter addressed to the Commissioner of Assam on the 4th June last, together with his reply, in original, No. 121, under date the 22d ultimo, and its enclosures, on the subject of slavery and bondage.

No. 9.

Fort William, 10 September 1835.

(signed) *W. H. Macnaghten*,
Officiating Secretary to Government, Bengal.

From the Commissioner of Circuit, *Assam*, to the Secretary to the Government of *Bengal*.—
(22 August 1835.)

Sir,

WITH reference to the instructions contained in the 4th paragraph of your letter, No. 601, of the 4th June last, I have to inform you that I called upon all the assistants under me to favour me with their opinions on the important subject therein noticed, and I have now the honour to submit copies of their replies as noticed in the margin.

2. All the officers are of opinion that it is expedient to adopt some measure for the gradual mitigation and abolition of slavery, but they differ greatly on the subject of the regulation that should be enacted.

3. Having these opinions before me, and having given the subject the most mature consideration, I have drawn up the rules appended to this letter, and I submit them with great deference to the consideration of government. They are such, to the best of my judgment, as might be immediately introduced into this province.

4. I would, however, beg to observe, that, should it be in contemplation by the supreme government to enact any general regulation on the subject of slavery, I should consider it preferable to delay the publication of any local rules, on the presumption, that whatever measures were ordered would be the more willingly submitted to if adapted to all India, than if promulgated in a single province.

5. I have taken, as the basis on which I have framed these rules, the now generally received admission, that slaves are property, and as such must be respected by the government, and that therefore the immediate emancipation of slaves can only be effected by the government paying an equitable indemnification to the owners for the loss of their slaves' services.

(signed) *F. Jenkins*, Commissioner of Circuit.
Commissioner's Office, Assam, 22 August 1835.

P.S.—I have appended to this letter an extract* from a statistical Report by Lieutenant Matthie, just received, on the state of slavery in Assam, and a translation of a Report† made to himself on the same subject by a well-informed native gentleman; these will tend to show the customs of this province in regard to slavery and bondage.

(signed) *F. Jenkins*, Commissioner of Circuit.

Major White's
Letter, 30th June.
Capt. Davidson's
ditto, 7th July.
Lieut. Matthie's
ditto, 31st July.
Capt. Bogle's ditto,
11th July.
Ensign Brodie's,
2d July.

* Document, No. 1.
† Document, No. 2.

RULES proposed to be enacted in the Province of *Assam*, for the gradual mitigation of Slavery and Bondage.

1. All children born after the date of the proclamation to be declared exempt from servitude for life.

2. That all such children born after that date shall be bound to serve their parents or owners until they have attained the age of 18 years, on the condition of being fed, clothed, and well treated.

3. The children born to the above bond servants, during their servitude, shall be emancipated at its expiration by the state, for the sum of ten rupees, receivable by the master from the magistrate, in compensation for the support of the child during infancy.

4. All slaves and their children to be registered within six months before the putwarries of villages and chowdries of purgunnahs, the registers so made to be returned to the magistrate of the division; no person not so registered within six months after the date of the proclamation shall be holden to be a slave, and the non-entry of the name of any person in such register shall be thereafter received in any court of justice as a sufficient proof of freedom.

5. The importation of any slaves from countries not under British rule shall be prohibited. The slaves so imported shall be released by the magistrate, and returned to their country by the magistrate if they wish it, and if not capable of maintaining themselves shall be bound out by the magistrate for a term of years not exceeding seven.

6. The above prohibition shall extend to the importation of slaves from the other provinces of British India, including the subjected Kassia states, Cachar and Bengal (N.E. Rungpore inclusive).

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E. I. Company and
Board of Control.
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7. Any person importing such slaves for sale shall be liable to a fine for each slave, not exceeding 200 rupees, or six months' imprisonment, at the discretion of the magistrate.

8. The exportation of slaves from this province for sale to foreign countries, or the other provinces of British jurisdiction as above pointed out, shall likewise be prohibited.

9. The slaves so attempted to be exported for sale shall be declared free, and be allowed to settle or remove to where they choose, or be bound out as above directed, if children and their parents be not known or not capable of providing for them.

10. Any person so attempting to export slaves in breach of these rules shall also be liable to a fine for each slave, not exceeding 200 rupees, or six months' imprisonment.

11. Nothing in the above regulation shall be construed to prohibit male or female slaves born in slavery or domesticated for the period of five years, or if females, who are pregnant or have borne children to their owners, from going out or coming into the province, together with their children, provided the slaves are brought before a magistrate, and declare that they are willing to accompany their owner, who shall then receive a passport for them, stating to the above effect.

12. The sale of children to servitude for life shall, after the proclamation of these rules, be declared illegal, but it shall be lawful to parents to sell their children in times of distress for a term of servitude not exceeding the period in which they will attain their 21st year; after which they shall be declared free, and such sale shall be duly witnessed by three or more respectable witnesses in the presence of the village officer, who shall also authenticate the deed, and it shall be by him copied and transmitted through the chowdry of the purgunnah to the magistrate for registry; on failure of executing such a deed the sale shall be declared invalid.

13. Every person owning slaves shall register all children born of such slaves in the manner described in rule 3 within six months of their birth, under the penalty of losing all right and title to every such child.

14. The children of female slaves to be considered as coming under the provision of rule 2; the children of free women by slaves to be considered free.

15. In like manner the children of bondsmen and bondswomen under rule 12, to be emancipated as in rule 3.

16. The transfer of all slaves and bond servants within the province, by sale or gift, to be registered as aforesaid, but it shall not be legal to transfer the services of the children of slaves so as to separate them from their parents under the age of six years, nor shall it be lawful to separate the husband from the wife, and any breach of this regulation shall be punishable by the forfeiting of any right to the service of the husband, wife or child which shall be emancipated, and by the infliction of a fine not exceeding 50 rupees, or three months' imprisonment.

17. It shall not be lawful for any adult person that is above 18, to bind him or herself for a longer period than seven years for any sum of money, and after that term he shall be unconditionally released. But a minor above the age of 12 years shall be allowed to bind himself or herself for so many years in addition to seven years as he or she may be under the age of 18 years, viz., if 17 years of age for eight years; 16 years of age for nine years, and so forth; all the bond servants shall be entitled to the same allowance of food and clothing as is now customary in the province.

18. The bond by which any person pledges his or her services shall be executed before, and authenticated by, the village officer, and attested by at least three witnesses, and the village officer shall transmit a copy of the bond through his chowdry to the magistrate for registry.

19. It shall not be lawful to transfer any such bond servant to another against his consent, and the transfer shall be authenticated as before directed with regard to the bond.

20. All bond servants, after the proclamation of these rules, whose engagements have not been made for any definite period, shall obtain their release after proving they have served seven years on employment of his or her debt, in the liquidation of which his or her services shall be calculated at four annas a month over and above the cost of his food and clothing, but if the four annas so calculated shall exceed the amount of his debt, the bondsman shall have no claim against his master for the excess, but only be entitled to his liberty.

21. Bond servants shall at any time obtain release by the payment of the sums for which they are bound.

22. The death of bond servants shall cancel the engagements entered into by them; his wife shall not be bound to serve for her husband, nor the husband for the wife, nor children for their parents.

23. The provincial customs relative to the marriage of slaves and to their right to hold property shall continue as heretofore.

24. All slaves or bond servants shall have a right to emancipate themselves, their wives or children, at a sum to be settled by a punchayet directed by the magistrate.

25. The ill-treatment of slaves or bond servants shall be cognizable by the magistrate as at present.

26. Slaves or bond servants for misconduct shall be liable to moderate correction by their owners, masters or mistresses, and be punishable by the magistrates by flogging, not exceeding 35 stripes for absenting themselves from their owners, continued contumacious behaviour or other gross misconduct.

27. Any person harbouring runaway slaves or bond servants shall be liable to a fine not exceeding 200 rupees, or imprisonment for six months, on conviction before a magistrate; and such runaway slaves or bond servants shall be returned to their owners, or masters and mistresses, by

by the magistrate, who shall inflict such punishment, as laid down in rule 26, as he thinks the case may deserve. E. I. Company and
Board of Control.
(Documents.)

28. Any complaints from slaves of being detained improperly contrary to these regulations, or of the owners, &c. against their slaves, &c. for absenting themselves, shall be heard and decided on summarily by the magistrate, leaving either party to enter a suit in a civil court if the party considers itself aggrieved by the decision of the magistrate.

(signed) *F. Jenkins*, Commissioner of Circuit.

From *A. White*, Esq., Political Agent, Bishnath, to Captain *F. Jenkins*, Agent to the Governor-general.—(30 June 1835.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of 23d June, calling upon me to report as to what measures were expedient for the gradual abolition of slavery, and the emancipation of slaves and bondsmen. In reply I beg leave to state that, when officiating as magistrate and collector, in Lower Assam, some five years ago, I was called upon to report upon this subject, and addressed Mr. Scott a letter in August 1830, a copy of which will be found in the magistrate's office, wherein I expressed my sentiments fully upon this subject, and my opinions remaining unchanged, I beg leave to refer you to it.

2. If I mistake not, I recommended that endeavours should be used to commute a permanent system of slavery into a mitigated term of bondage, for seven years, or such other terms as might be expedient, and that henceforth the purchase of slaves for life should be declared illegal.

At the same time I suggested that the children of slaves might be declared free from the period of their birth; but it appears to me this would be inexpedient, as thereby there would be no provision for bringing up the children. I therefore inclined to propose that their births should be registered, and that, after attaining mature age, they might be declared free, a due compensation in money being paid to the proprietors for the loss of their services.

But with reference to the very backward state of society in Assam, I am inclined to think that a mitigated state of bondage would prevail whether prohibited by law or not, as daily, weekly, monthly free labourers can scarcely be found at the principal stations, and until population increases, or some extraordinary stimulus is given to the productive powers of the country, I see no chance of these anomalous state of things being remedied. Under these circumstances, I think that we should legislate for the existing state of society, and not with reference to a community further advanced. In Bengal or Hindoostan it may be expedient to abolish a system of slavery or mitigated bondage altogether, due compensation being paid to their owners, because, population being comparatively redundant, the proprietors could always come into the market with the redemption price of their slaves, and purchase an equivalent in labour, consequently little detriment to them would arise from the measure; but in Assam they could not do so, labourers not being procurable. Hence, I contend, that a mitigated system of bondage is still expedient for the province, and that its abolition would be attended with ruinous consequences to the higher classes.

That no great evil results from the present system, I think is pretty generally acknowledged.

(signed) *A. White*, Political Agent.

Political Agent's Office, Bishnath,
30 June 1835.

No. 2.

RULES regarding Slaves and Bondsmen, Male and Female, in Assam.

THE price of a slave girl who shall marry the son of a slave, living in the same house with his master, shall be paid by the master of the slave to the owner of the girl.

If a ryot wishes to marry a slave girl, the owner of the girl shall give such ryot five rupees as a bond that all the offspring of the connexion shall belong to the master of the girl; and, in the event of their separating (from whatever cause), the man is entitled to the five rupees, with all the profits he may, through industry, have accumulated with that sum.

All the earnings of slaves to belong to their respective owners, from whom they can expect only clothing and food.

No slave pays rent for his land.

Masters have the power of either selling or giving away their slaves.

Slaves living on farms, and cultivating lands, may marry their daughters to ryots, and may take in marriage the daughters of ryots; and if no agreement is entered into with the owner, the offspring of the connexion shall be divided into four lots, two and a half (putting a value upon the half share) of which belong to the owner, and the remainder to the husband of the girl. Such slaves are now subject to a tax of 12 annas per annum per house by the Company.

RULES regarding Bondsmen.

No bondsman can leave his master but in the months Mag and Phalgun (February and March), consequently cannot be engaged but in those months.

697.

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E. I. Company and
Board of Control.
(Documents.)

A man bound down with 20 rupees is entitled to the produce of one doon or one quarter of a poorah of land of rice from his master. A man bound down with more than 20 rupees shall get from his owner three poorahs of dhan a month, and three pieces of cloth yearly.

If any loss shall accrue to a master from a bondsmen, unless owing to ill health, he shall pay an interest of one anna for every rupee; and, in the event of his death, his heir is bound to serve in his stead, unless he pays the money, when he shall get his release.

No tax was levied on bondsmen by the rajah, but 12 annas per house is now paid to the Company.

(True extract.)

(signed) *F. Jenkins*, Commissioner on Circuit.

No. 1.

APPENDIX.

By the laws of the Assam Government there are three descriptions of slaves, as follows:—

1st. Such as are born of parents who are slaves.

2d. Such as are born of a female slave.

3d. Such females (and consequently their offspring) who may have been purchased, or voluntarily married to male slaves.

Prisoners of war, criminals who have been sentenced to death, and even a portion of the free population used to be granted by the king to individuals as slaves.

The free population mortgage themselves for a loan of money until they are able to repay it. All bondsmen receive their food and clothes from the mortgagee, and, when they have a family, also get a portion of grain for their support. They can at any period, on discharging the debt, obtain their release; and on their demise, the bond becomes void.

The Assamese are uncommonly kind to their slaves, who are generally treated as one of the family, being employed about the persons of one of the household. I have never had above two or three complaints of slaves against their owners for ill-treatment since my long residence in Assam.

The price of a slave depends on his caste and capabilities, but varies in every district. The following is the average price of good * caste slaves in my district:—

	Male adults each 20 rupees, from 28 to 30 years old.			
Boys	-	10 to 15	-	8 to 18
Women	-	15 to 16	-	16 to 25
Girls	-	8 to 12	-	8 to 16

The slaves of an inferior † caste sell for a third less.

There are a less number of slaves and bondsmen in my district, probably, than in any other part of the province.

There is very little traffic now carried on in slaves, none are allowed to be exported, and, I conceive, the whole might be emancipated, and the system gradually abolished, on very easy terms.

(signed) *F. Jenkins*, Commissioner on Circuit.

No. 40.

From *A. Davidson*, Esq., Officiating Magistrate, Gowalparah, to Captain *F. Jenkins*, Commissioner of Circuit.—(7 July 1835.)

Sir,

In reply to your letter of the 23d June, on the subject of the emancipation of bondsmen and slaves, I beg to submit my opinion on the proposed enactments.

2. All slaves born after the occupation of Assam by the British Government to be considered as free, without remuneration to the owners.

3. All slaves purchased since the occupation are to receive a credit from their masters, from the date of purchase, of eight annas per month, exclusive of food and clothing; and when that sum amounts to the purchase-money (on which no interest is to be allowed), they are to be released.

4. All slaves who may have come to possession of their masters by descent are to be valued according to their ages (but in no case to exceed the sum of 40 rupees), and are to receive a credit (exclusive of food and clothing) of eight annas per month from the date of enactment; and when the sum amounts to what they are valued at, they are to be released. Disputes respecting their value to be decided by the magistrate.

5. Bondsmen and women are to receive a credit of one rupee for the man, and eight annas for the woman, exclusive of food and clothing; and when that sum amounts to the sums for which they were bound, they are to be released.

6. The wives and children of deceased bondsmen are to be immediately released (these form a very numerous body).

7. No claims for bondsmen or women are for the future to receive any attention from the magistrate, unless at the period of executing the bonds the parties appear before the magistrate and have the bonds duly registered, and the cash paid in the presence of the magistrate, the bond to state what monthly remission is to be credited to the bondsman, which (exclusive of food and clothing) is never to be less than eight annas per month. No claim,

* Koleetah.
Royah.
Roch.

† Jagee.
Doorn.
Cacharree.
Boreah.
Borrihee.

claim, in case of the death of the bondsman, to be made upon his children, wife or other relations.

J. Company and
Board of Control,
(Documents.)

8. No allowance to be made to owners of slaves or bondsmen in consequence of marriage expenses, or on any other consideration whatever; and no debts contracted during bondage or slavery to be considered legal, as far as the owner of the slaves or bondsmen, or their relations or servants, are concerned.

9. Any and every attempt to evade these rules to be tried by the magistrate, and punished as a misdemeanor, and liable to a fine of 200 rupees and six months' imprisonment without hard labour or chains.

(signed) *A. Davidson*, Officiating Magistrate.

Magistrate's Office, Z^h Gowalparah,
7 July 1835.

No. 10.

From the Principal Assistant and Officiating Magistrate, Durrung, to *F. Jenkins, Esq.*,
Commissioner, Assam.—(31 July 1835.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter, under date 23d ultimo, requesting me to submit my sentiments on what regulations it would be advisable to enforce for the gradual abolition of slavery, and the emancipation of slaves and bondsmen, and in compliance, beg to state—

2. That, by the ancient Assam laws, there are three descriptions of slaves, as follows:—

First. Whoever is born of parents who are slaves.

Secondly. Whoever is born of a female slave.

Thirdly. Whoever (females as well as their offspring) who may have been purchased, or who may voluntarily be married to male slaves.

3. The king used to grant to his nobles and spiritual advisers portions of the free population as slaves, which the owner was at liberty to sell at pleasure; they were designated "bohutteahs."

4. Prisoners of war were often granted to individuals as slaves.

5. Criminals who had had a sentence of death passed upon them, had it commuted to slavery, and were granted to individuals. The above description of slaves cannot obtain their liberty except by the consent of their masters.

6. The pykes, or free people, mortgage or bond themselves to their creditors, either for a former debt, which they are unable to liquidate, or for an advance to meet some emergency; but they can at any period, on discharging the debt, obtain their liberty. Land and other property is also pledged on the same terms.

7. The price of slaves varies in every district of the province, as will be seen by the following table:—

DISTRICT.	Value of Men.	Value of Boys.	Value of Women.	Value of Girls.
	Rs.	Rs.	Rs.	Rs.
Durrung - - - -	20	10 to 15	15	8 to 12
Kamroop - - - -	40	15 to 20	20	12 to 20
Nowgong - - - -	20	10 to 15	15	8 to 12

8. The above table shows the estimated price of a slave of a good * caste; inferior † caste sell for one-third less.

* Koleetah.
Kayut.
Kooch.
† Joggee.
Doorno.
Cacharree.
Boreeyah.
Bumyhee.

9. The first step to be taken is to direct that, within a certain period (say six months) from its promulgation, every person possessing slaves and bondsmen shall lodge a list of them, to be registered by the assistants in charge of each division, and to state under what circumstances the persons they claim became slaves or bondsmen, and how they came into their possession. All persons detained as slaves, whose names, &c. the claimants fail to register within the prescribed period, to be considered as emancipated.

Secondly. To prohibit the public or private sale of slaves on any account after a specific period, and to proclaim that all the offspring of slaves from that period are to be free.

Thirdly. That the slaves of defaulters of revenue, and to satisfy decrees, be liable to distraint as other property; but that, instead of disposing of them, that a fair valuation be put upon each, by a respectable Assamese committee, which amount is to be liquidated by government, and the slaves emancipated.

Fourthly. That from the period which may be fixed on for prohibiting the sale of slaves, that all registered slaves shall be allowed to wipe off their value, and gradually obtain their emancipation by their services, which I propose be regulated as follows:—

A man and boy to wipe off four annas per mensem, and his master to feed and clothe him.

A woman and girl to wipe off three annas per mensem.

Fifthly. Should any slaves be confiscated for arrears of revenue, or to meet a decree, that, in estimating their value, the committee will make a deduction at the above rates for the period they have served since the promulgation of the enactment.

E. I. Company and
Board of Control.
(Documents.)

Sixthly. That if the slaves can at any period pay the balance of their value, that they may lodge it in the magistrate's court, to be paid to their owners, who will then be required to emancipate them.

10. For the emancipation of bondsmen, I have already, under those excellent rules furnished to my office by Mr. Commissioner Robertson, dated 4th February 1834, regarding mortgages, and two Bengallee roobkaries of the same date, introduced fixed rates and rules for the guidance of my civil courts, which have operated with great advantage; and to prevent any dissatisfaction or injustice, I framed them on the opinion of the natives residing in my district, which are now thoroughly understood, and taken advantage of by the unfortunate subjects for whose benefit they were made.

First. That all persons who may have mortgaged or bonded themselves or another to a creditor for any specific sum, shall be entitled to their release at any time the mortgagers may pay down the amount they originally borrowed with the legal interest of 12 per cent. per annum.

Secondly. That the mortgagers shall be entitled to a remission on the original debt of one rupee per mensem, for the services they, or the person they have mortgaged, have rendered to the mortgagee, from the date of entering his service, provided the bondsman has been fed and clothed either by the mortgagee or himself. Should the mortgagee have fed and clothed the bondsman, then, instead of getting remission of one rupee for his services, he will only be entitled to four annas per mensem.

11. Of course it will be necessary to make it imperative on the magistrates of the districts to note down, with great care, what slaves and bondsmen they may have registered, who are emancipated under the enactment government may deem it advisable to promulgate; and, in forming any such enactments, it will be desirable the estimated price be put upon the slaves, so as to operate with equal benefit to all.

12. On the emancipation of any slaves under the provisions of the third article I have suggested, it will be necessary to present a formal bill for the value of the slaves, through you, for the sanction of government, to which bill an extract from the magistrate's register, and a full explanation should be attached, and an annual report submitted to you for the number of persons, and by what means emancipated within the year.

Z^h Durrung, Magistrate's Office,
31 July 1835.

(signed) *J. Matthie,*

Principal Assistant and Officiating Magistrate.

No. 9.

From the Principal Assistant Agent to the Governor-general, *Assam*, to Commissioner of Circuit.—(11 July 1835.)

Sir,

In reply to your circular of the 23d ultimo, requiring my opinion on the best mode of emancipating slaves and bondsmen, I have the honour to state, with reference to the former, that it appears to me the measure would be most safely and easily attained by proclaiming that all children born after a certain date shall be free. The period fixed may either be the date of the proclamation or that of the treaty of Yandaloo, when Assam was permanently united to the British territories. It must be admitted, that this method is open to several important objections; but I know of no feasible plan that is not so to a greater extent, and any measure of the sort is undoubtedly an entire abrogation of all the Hindoo and Mahomedan laws.

2. On the subject of bondsmen, I do not consider that the government have a right to prohibit persons who can judge for themselves from entering into bondage; it merely is a kind of apprenticeship; but I think no child should be bound by the acts of its parents in this respect, and that a law might be passed declaring it illegal for a parent to give a child into bondage, and stating that hereafter all children so disposed of shall be free.

3. With regard to those persons now in bondage, I am of opinion that Mr. Robertson's enactment, which provides that any bondsmen claiming his release is entitled to it, either on his paying into court the sum for which the contract was made, or on its appearing that crediting the individual with the current rate of substance and legal interest on the original sum borrowed, a balance remains in his favour, is in every way sufficient for the purpose intended, and should be strictly enforced.

4. The greater number of bondsmen in Assam have become so for very small sums, under 30 rupees; but, from poverty, the obligation has descended from parent to child for several generations; and were an adjustment of the account entered upon, a very cursory inquiry would suffice to entitle a very large majority indeed to their immediate discharge.

Magistrate's Office, Kamroop, Assam,
11 July 1835.

(signed) *A. Bogle,*

Principal Assistant Agent to Governor-general.

From *T. Brodie*, Esq., Junior Assistant, to Captain *F. Jenkins*, Commissioner of Circuit, Assam.—(2 July 1835.)

Sir,

With reference to your circular, No. 188, of the date 23d ultimo, regarding the abolition of slavery, I beg to state that I have always looked upon the mere tolerance of slavery as unjust in itself, and consequently I can have no hesitation in giving my opinion that its abolition

abolition may take place without violating justice. Considering, however, the length of time during which it has been allowed to exist in India, and that the grievance of slavery, as it exists in this country, is not so great as to require a measure that would disturb the domestic relations of a whole people in a moment, it would seem to be expedient that its extinction should not be immediate.

2. To effect the object in view, all that seems necessary is an enactment, declaring that after a certain period, say 10 or 12 years, slavery shall cease. I should then consider that the slaveholder had no claim to any compensation for the services of the slave, for such a period is fully equivalent in value to the original purchase-money (which, upon an average, is not, in Assam, I believe, more than 25 or 30 rupees), with interest.

3. Bondsmen might be released in a somewhat similar manner. Where the period of bondage has not been specified, I would give the bondsman credit for his labour at the rate of eight annas per month, exclusive of his food and clothing, and so make him work out his freedom. Where it has been specified, he should continue in bondage the specified time, provided in both cases that the period should not exceed that allowed for the entire extinction of slavery.

4. Adverting to the occurrence of years of scarcity, it would seem to be inexpedient to prohibit parents from disposing of their children to save them from starvation. In such cases, all that seems necessary is, to declare that the parties on coming to years of maturity, or at a certain limited period afterwards, are to have their labour at their own disposal.

5. If the term of bondage were limited to a certain period, I would allow it to continue for the reason given in the last paragraph; but a limit is necessary to prevent avaricious men from taking advantage of the necessities of the poor.

6. By some such arrangements as the above, I think the extinction of slavery may take place with justice and safety; and though the slavery of India is mild compared to what it is elsewhere, I have seen myself cases of intolerable hardship, and I conceive that it ought to be put an end to as speedily as circumstances will admit.

(signed) *T. Brodie*, Junior Assistant.

S^a Central Assam Division, Nowgong,
2 July 1835.

Extract Letter from Mr. Officiating Secretary *Mangles* to the Commissioner of Assam.—
(4 June 1835.)

4. WITH reference to the subject of your 23d paragraph, I am directed by the Governor to request that you will prepare and submit drafts of such "enactments for the gradual emancipation of slaves and bondsmen," as in your judgment might be introduced with comparative facility and safety into the province under your jurisdiction.

No. 11.

Ordered, That the following letter be addressed to the secretary to the Indian law-commissioners:—

No. 201.

From the Secretary to the Government of India to the Secretary to the India Law Commissioners.—(28 September 1835.)

No. 12.

Sir,

I AM directed by the Right honourable the Governor-general of India in Council to transmit to you, for the purpose of being laid before the members of the Indian law-commissioners, the accompanying copies of correspondence specified in the margin on the subject of slavery and bondage in Assam, and to request that the commissioners will give their attention to the suggestions of Captain Jenkins, when the general subject with which it is connected shall come under their consideration.

Letter from Off^r Sec^y to Gov^r of Bengal, in the Gen^l Dep^t, dated 10th Sept. 1835, with Enclosures.

Fort William, 28 September 1835.

(signed) *W. H. Macnaghten*,
Secretary to Government of India.

Letter from Com^r of Assam, dated 22 Aug. 1835, with Enclosures.

EXTRACT PROCEEDINGS OF THE LIEUTENANT-GOVERNOR OF THE NORTH-WESTERN PROVINCES IN THE JUDICIAL DEPARTMENT, BENGAL, FOR MAY 1836.

No. 1.

EXTRACT POLITICAL DEPARTMENT.

EXTRACT FROM THE PROCEEDINGS OF THE GOVERNMENT OF AGRA, IN THE POLITICAL DEPARTMENT, under date the 2d January 1836.

No. 134.

From *J. T. Metcalfe*, Esq., Agent to Governor, to *G. Bushby*, Esq., Secretary to the Government of Agra, Political Department, Allahabad.—(18 December 1835.)

Sir,

I HAVE the honour to submit, for the orders of the Honourable the Governor, the annexed copies of a letter and enclosure received from the political agent Dehra Doon, relative to the sale of slaves within the territory of the rajah of Gurhwal.

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E. I. Company and
Board of Control.
(Documents.)

E. I. Company and
Board of Control.
(Documents.)

2. No orders have ever been issued in these districts prohibiting the 'illegal practice'; and with reference to Mr. Commissioner Trail's communication, dated 21st July 1835, by which the practice appears to have been sanctioned within the province of Kumaon, Colonel Young is anxious to receive specific instructions for his future guidance.

Delhi Agency, Camp Ramrurd,
18 December 1835.

I have, &c.
(signed) *J. T. Metcalfe*,
Agent to the Governor.

From Lieutenant-colonel *Young*, Political Agent, to *J. T. Metcalfe*, Esq., Agent to the Governor of Agra, Delhi.—(10 December 1835.)

Sir,

DOUBTS existing in my mind as to the legality of the practice of the sale of slaves, which exists in the territory of the rajah of Gurhwal, notwithstanding a similar custom seems to prevail under the sanction of the local authorities in Kumaon, I beg leave to transmit, for your information, an abstract translation of a case which has come before me, and to solicit your orders on the subject for my future guidance.

2. The custom of permitting Brahmins to purchase domes for the cultivation of their lands, if it be permitted by government, is liable to gross abuse, as the proceedings which I have now the honour to transmit proves that prostitutes also are upheld in the purchase of females for the vilest purposes; and, in the case immediately referred to, neither Uttul, the purchaser, or Bussaloo, the seller, are Brahmins, but Rajpoots, the natural cultivators of the soil in the hills.

Dehra Doon, Political Agent's Office,
10 December 1835.

I have, &c.
(signed) *F. Young*,
Lieutenant-colonel, Political Agent.

Abstract Translation of Proceedings in the Political Agent's Court, *Dehra Doon*, in the case of *Uttul*, a subject of the Rajah of *Gurhwal*, claiming five Slaves, who had absconded from him and taken refuge in the village of *Pookree*, *Dehra Doon*.

No. 1.

Letter from Rajah *Soodursunsah*, dated 16 August 1835, addressed to Colonel *Young*, Political Agent.

STATES, that a person named Uttul, resident in his territory, had presented a petition, stating that he had purchased five slaves of the dome caste, from Bussaloo, also resident in his elaga, for the sum of 180 rupees; and that, after living with him (the petitioner) for one month, they absconded to the village of Pookree, in the Dehra Doon; that he sends the petitioner to the court at Dehra, and hopes the slaves will be given up to him.

No. 2.

Urzee from *Uttul*, enclosed in the above Letter.

STATES, that he purchased the five slaves for 180 rupees for the purpose of cultivating his lands; that they ran away from him to the village of Pookree, in the Dehra Doon; and that the choukedar of the village refuses to give them up to him.

No. 3.

Deposition on Oath of *Uttul*, dated the 14th May 1835.

STATES as above, and adds that it is customary in the hills to purchase slaves for the purpose of cultivating the land, and that cultivation is principally carried on by slaves of the dome caste, purchased for such avowed purpose; that he was not aware that there existed any orders or regulations prohibiting the purchase of slaves, as in the rajah's country; such traffic has always been customary, and is still permitted; that he will bring forward three witnesses to the transaction, and has in his possession a written document to prove to the purchaser, that 80 rupees of the purchase-money is still due by him to Bussaloo, the person from whom he bought the slaves, who had been the property of Bussaloo also for many years, and that, under circumstances, according to the laws and usages of his country, he was at liberty to sell them to whomsoever he pleased.

No. 4.

ORDERS issued to the nazir to produce the five slaves in court, as well as Bussaloo, the person from whom they were purchased by Uttul, and the three witnesses named by the latter.

No. 5.

Letter from Colonel *Young*, Political Agent, to Rajah *Soodursunsah*.

STATES that, according to his letter to the political agent, under date 16th April 1835, and the subsequent deposition of Uttul, it appeared that five slaves of the dome caste had been purchased in his territory by the latter; that directions had been given to him to prevent such practice by every means in his power; that the continuance in the traffic of slaves

slaves in his country would bring on him the severe displeasure of the British Government ; **E. I. Company and Board of Control.** and that the parties implicated in such traffic would subject themselves to exemplary punishment. (Documents.)

No. 6.

Examination of the five Domes in the Court of *Dehra*, on the 5th June 1835.

Two of the slaves, viz. Koojoo, and his wife Kalee, state that they are domes ; that the father of Koojoo, during the Goor Kha dominion, sold them both to Bussaloo for 17 rupees, Kutchra, and that for 33 years they had continued to cultivate the land of their master ; that five months since, Bussaloo sold them both together, with their children, to Uttul, for 180 rupees ; that they told Uttul they would not stay with him, and that, in consequence of his ill-usage, they absconded to Doon, after remaining with him one month.

The ages of the three children are four years, eighteen months and eight months.

No. 7.

Ordered, That the five slaves are at liberty to reside where they choose, and that no person be permitted to seize them without orders from this court.

No. 8.

Reply of Rajah *Soodursunshah* to the Letter of the Political Agent.

STATES, that the purchase of slaves was formerly truly permitted in his territory ; but that, since the period when the British Government conquered the country, he has not permitted slaves to be sold in his territory for the purpose of being taken out of it and carried away to other districts ; that, within his territory, individuals of the dome caste are allowed to be purchased and transferred by sale from one master to another, for the purpose of cultivation, which was carried on solely by domes, there being no labourers of any other description attainable, as in the plains ; so that, were this practice abolished, cultivation would cease.

That the custom is not peculiar to his territory alone, but is general in many parts of the hills, both to the eastward and westward, as well as at Uttuck ; and that both Mr. Shore and Mr. Trail permitted the custom to be continued for the above reasons.

No. 9.

Copy of a Letter from Mr. *Trail*, Commissioner of Kumaon, addressed to Rajah *Soodursunshah*, under date 30th October 1831, forwarded by the latter to the Political Agent, with the above.

AFTER acknowledging the receipt of the rajah's letter, dated 3d Kartick, regarding two prostitutes, named Luchniee and Goolabee, having purchased a young girl out of his territory, and requesting that she should be sent back :

States that, in the district of Kumaon, it is against orders to sell a slave to any person residing in another district, but that the sale of slaves in Kumaon is not prohibited, provided they are not taken out of the district ; that it is well known that, in accordance with this rule, thousands of children of both sexes are annually sold ; and that, without paying money, a wife could not be obtained. Further, that these customs are not prohibited by the British Government, if slaves are not taken to the plains.

No. 10.

ROOBAKAREE sent to Mr. Trail, commissioner of Kumaon, by the political agent, Dehra Doon, detailing the circumstances of the case, states that, as the copy of the letter from Mr. Trail, forwarded by the rajah, has no seal or signature attached, and as the traffic in slaves is prohibited by the British Government, it is requisite to forward an abstract of these proceedings to the commissioner of Kumaon, and to ascertain from him under what authority he has authorized slavery to be continued in his district.

No. 11.

Reply to the above from Mr. *Trail*, dated 21st July 1835.

STATES, that the copy of his letter to the rajah, forwarded by the latter to the political agent, Dehra Doon, is perfectly correct ; and that the custom, as stated in that letter, was permitted throughout Kumaon ; that no person can obtain a wife without purchasing her, and that the Brahmins of Kumaon will not cultivate the land, and are obliged to purchase domes for the purpose ; that such custom has been permitted from time immemorial ; and, further, that this kind of slavery has not been prohibited by the British Government, except in the instances of a husband disposing of his own wife to another person, or the sale of a widow.

No. 12.

Roobakaree of the Political Agent, *Dehra Doon*, dated 1st December 1835.

AFTER preamble recapitulating the above, states that, agreeable to the orders of government, both the seller and purchaser of slaves is liable to punishment ; and as it does not appear, from Mr. Trail's letter, that he has received any instructions on this subject from superior authority, that it is requisite to forward an abstract translation of these proceedings to the Governor-general's agent at Dehly for his consideration and orders.

(True translation).

(signed)

J. Fisher,

Captain, Assistant Political Agent.

Dehra Doon, Political Agent's Office,
6 December 1835.

E. I. Company and
Board of Control.
(Documents.)

No. 4.

From *G. A. Bushby*, Esq., Secretary to the Government of Agra, to *J. T. Metcalfe*, Esq.,
Agent to the Governor, Delhi.—(2 January 1836.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 18th ultimo, forwarding copy of a letter from the political agent at Dehra Doon, regarding slave cultivators in the Gurhwal territory, and to acquaint you in reply, that the government cannot countenance slavery, and that Colonel Young acted properly in refusing to restore the persons who had fled from the territory of the rajah of Gurhwal.

I have, &c.

Allahabad, 2 Jan. 1836.

(signed) *G. A. Bushby*,
Secy to the Govt of Agra.

Ordered, That a copy of the foregoing despatch and of its reply be transmitted to the judicial and revenue department, whence the commissioners in Kumaon will be called on to report regarding the custom of trafficking in slaves in that province, and the practice of cultivating the soil by the labour of domes purchased for that use, which is said to exist there and generally in the hill districts.

(True extract.)

(signed) *G. A. Bushby*,
Secy to the Govt of Agra.

ON the 12th January last, the following letter was addressed to the officiating commissioner of Kumaon.

No. 110.

From *C. Macsween*, Esq., Secretary to the Government of Agra, to *M. Smith*, Esq.,
Officiating Commissioner of Kumaon.—(12 January 1836.)

Sir,

No. 135.

I AM directed by the Honourable the Governor to transmit to you the annexed copies of a letter and its enclosures from the agent to government at Delhi, dated the 18th ultimo, and of the orders of government in reply, and to request that you will furnish for the information of government a report regarding the custom of trafficking in slaves in the province of Kumaon, and the practice of cultivating the soil by the labour of domes purchased for that use, which is said to exist there and generally in the hill districts.

I have, &c.

Allahabad, 12 January 1836.

(signed) *C. Macsween*,
Secy to the Govt of Agra.

From *Mosely Smith*, Esq., Officiating Commissioner of Kumaon, to *C. Macsween*, Esq.,
Secretary to the Government of Agra, Allahabad.—(5 February 1836.)

Sir,

No. 136.

1. I HAVE the honour to acknowledge the receipt of your letter dated the 12th ultimo, with enclosures, calling for a report regarding the custom of trafficking in slaves, and cultivating the soil by the labour of domes purchased for that use, in the province of Kumaon.

2. Slavery seems to have been sanctioned by immemorial usage in the hill districts of Kumaon and Gurhwal. The rude and uncivilized condition of the people under the native Hindoo governments caused no degradation to be attached to a state of bondage, and human beings were consequently bought and sold, like cattle, whenever avarice prompted or necessity compelled a recourse to the practice. These slaves, at first enthralled probably by right of conquest or purchase, continued for generations in the same family, or were transferred by sale or other mode of conveyance from one owner to another, in a state of hereditary and permanent servitude. They are divisible into two classes, viz. domestic slaves, called "kumara" or "chokra," who fetch water, clean the utensils and perform other menial offices of the household, and are of the rajpoot caste, and secondly, serfs or adscriptible, under the denomination of "halee," by means of whom Brahmins and other principal landed proprietors, who are restricted by the custom of the country from personal labour in the fields, cultivate as much of their land as practicable, and who are invariably domes or outcasts, belonging with their children and effects to the lord of the soil, like the beasts or other stock on it. The "halee," again, was distinct from the "kynee" or vassal, a sort of under-tenant who paid a share of the produce, and performed certain personal services to the proprietor of the land. This state of bondage would appear to have existed from a remote period. "With its origin," as observed by Mr. Trail in his Statistical Sketch of Kumaon, "even the proprietors are unacquainted; from its extent, it can scarcely be ascribed wholly to the mere process of purchase, but may be explained by supposing a part of

of the aboriginal inhabitants to have been seized by the first Hindoo colonists and reduced to slavery, in which state their descendants have since remained." The extreme debasement and helplessness of the domes must naturally have marked them as the principal objects of this degrading thralldom, in which state, on the introduction of the British Government, a large number of that body was found, the remainder, who are free, carrying on the trades of carpenters, masons, potters, lahars, miners and others peculiar to that caste. The two classes of household and field slaves above noticed are boarded and lodged by their owners, and receive, moreover, a *than* of cloth for a dress every six months, and a blanket every third year. On the occasion also of their marriage, the master defrays the wedding expenses. The purchase of slaves for agricultural and other purposes is still very common in this province, and has never been prohibited by the government. People, who cannot afford to buy, procure the services of cultivators by a loan of money, the latter binding themselves under a deed of mortgage to serve until the debt be discharged; young females are also bought from their parents by a class of prostitutes residing in the town for the purposes of their profession. All such negotiations are accompanied by a "khut," or regular deed of sale, conveying to the purchaser entire property in the person of the party sold.

E. I. Company and
Board of Control.
(Documents.)

3. The practice of the court on this subject, and the extent of its recognition of such transactions, may be now noticed. Slaves running away from their owners are not apprehended by the court, but claims for service, or, on the other hand, for freedom, are entertained and investigated like other suits. No sale except by the parents is allowed to be sufficient to create a right of property in any individual, male or female. Children seized in liquidation of arrears of revenue during the last government, and sold by the goorkha, military officers, are always manumitted by the court. This practice was strictly forbidden by the Nepaulese government, and a commission expressly deputed for the purpose of restoring all such children to their parents, and of declaring the sales invalid. Transfers of slaves from one master to another, as in the case referred to by Colonel Young, though they take place, are not of course recognized; nor could they be effected contrary to the inclination of the party so transferred, who would immediately apply for relief to the court; petitions, however, praying for liberty, or complaining of ill-treatment, are not frequent, and whatever degree of hardship and suffering such a state of things may have involved formerly when the rulers set the example of tyranny to the ruled, I think it is obvious, that, under our government, the owners of slaves find easy treatment and mild usage the best policy, and most conducive to their own interests. Their knowledge of the aversion of the English law to a state of slavery, and its predilection in favour of liberty, so opposite in spirit to the harshness of the Hindoo code, would of itself impel them to pursue this as the safest and most advantageous course. The conclusion is, at least, inferrible from the unfrequency of demands for redress. "If but few grievances are complained of, it is fair to infer that few exist."*

* Macnaghten,
Hindoo Law.

4. The only specific prohibitions or penal provisions on the subject under notice in this district have relation to—

1. The sale of wives by their husbands.
2. The sale of widows by the heirs or relations of the deceased husband.
3. The sale of children for the purpose of being taken out of the hills into some other district.

Wives proved to have been so sold are decreed their liberty, and the purchase-money is confiscated to government. At the same time marriages here are all mere bargains of sale and purchase, the bridegroom paying for his bride according to his situation in life, "a practice," Mr. Trail remarks, "reprobated in the plains." † So interwoven are ideas of servitude with the habits of the people, that when the means of the suitor are insufficient to satisfy the parents' demands, "an equivalent," says the same author, "is sometimes accepted in the personal services of the former for a given period of years."

† Statistical Sketch.

The sale of children for removal out of the hills, though at first, from the destitution and misery to which the people were reduced, dreadfully common, has decreased in proportion to the improvement of their condition, and the prosperity of the country, and now rarely occurs.

5. In conclusion, I beg to be furnished with instructions for the future, with reference to the line to be pursued in determining cases which involve the question of personal freedom or servitude. As it is now laid down that government cannot "countenance slavery," a conformity to which rule would place the court here in a position of some embarrassment, since I discern no medium likely to be satisfactory to parties whose rights are concerned between the open recognition of their claims on the one hand, and their absolute negation on the other. Slaves might perhaps be set at liberty by degrees; their immediate and unqualified enfranchisement does not seem to be demanded by the degree of civilization which society has here attained; to themselves it might be a questionable benefit, while such a measure would undoubtedly affect, in a very serious manner, the interest of a large class of the landholders of this province.

I have, &c.

(signed) *Mosely Smith,*

Kumaoon, Commissioner's Office, 5 Feb. 1836.

Offis Commissioner.

E. I. Company and Board of Control. (Documents.) On the 24th February last, the following letter was addressed to the officiating commissioner of Kumaon:—

No. 604.

From *C. Macsween*, Esq., Secretary to the Government of Agra, to *M. Smith*, Esq.,
Officiating Commissioner of Kumaon.—(24 February 1836.)

Sir,

No. 137.

1. I AM directed by the Honourable the Governor to acknowledge the receipt of a letter from you, dated the 5th instant, regarding the custom of trafficking in slaves and cultivating the soil by the labour of domes, purchased for that use in the province of Kumaon.

2. To enable the Governor more clearly to understand the nature of the claims for service or for freedom, referred to in the 3d paragraph of your letter, as also the mode in which decisions in such cases have hitherto been enforced, you are requested to submit, with abstract English translations, the records of the trial and execution of two or three of the cases of each, viz.

1. Those of the claims for service.
2. Those of the claims for freedom.

I have, &c.

(signed) *C. Macsween*,

Secy to the Govt of Agra.

Allahabad, 24 February 1836.

From *Mosely Smith*, Esq., Officiating Commissioner of Kumaon, to *C. Macsween*, Esq.,
Secretary in Judicial Department, to the Lieutenant-governor, Western Provinces,
Allahabad.—(5 April 1836.)

Sir,

No. 138.

I HAVE the honour to acknowledge the receipt on the 25th of March of your letter dated 24th February last, desiring me to submit for the information of the Honourable the Lieutenant-governor, the records of the trial and execution of several cases having reference to claims made in court for service and freedom respectively, together with abstract English translations of the same.

2. Agreeably to your desire, I beg to forward, with literal translations in English, copies of the final orders passed in three cases of each kind, viz., three claims for service and three for freedom. As in these orders, each case is fully summed up, and an abstract of the pleadings on both sides recorded, I have considered the submission of the proceedings in a more bulky form to be unnecessary.

3. To exemplify the mode in which decrees for slaves are here enforced, the form of execution in one of the cases sent herewith is also annexed. With regard to cases in which freedom is decreed by the court, no enforcement of the order is usual, or even called for, a copy of the decree being quite sufficient to ensure the manumitted party from further claim on the part of the individual cast in the suit.

I have, &c.

(signed) *Mosely Smith*,

Offis Commissioner.

Kumaon, Commissioner's Office, 5 April 1836.

No. 1,054.

From *C. Macsween*, Esq., Secretary to the Lieutenant-governor, N. W. P., to Lieutenant-colonel *G. E. Gowan*, Commissioner of Kumaon.—(6 May 1836.)

Sir,

No. 139.

I AM directed to acknowledge the receipt of a letter from Mr. M. Smith, late officiating commissioner, dated the 5th ultimo, submitting records of the trial and execution of several cases relative to claims made in court for service and freedom of slaves in the province of Kumaon, together with abstract English translations of the same.

2. In reply, I am directed to state, that the Lieutenant-governor considers that it would be proper to prohibit the courts from receiving any suits for the restoration of slaves, or for the enforcement of slavery, but, before issuing such orders, his honour requests to be furnished with your opinion on the subject.

I am &c.

(signed) *C. Macsween*,

Secy to the Lieut Govt, N. W. P.

Allahabad, 6 May 1836.

No. 5.

No. 5.

E. I. Company and
Board of Control.
(Documents.)

From *G. E. Gowan*, Esq., Commissioner of Kumaon, to *C. Macsween*, Esq., Secretary to the Lieutenant-governor, N. W. P.--(18 May 1836.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter, No. 1,054, under date the 6th instant.

With reference to the 2d paragraph of your letter, I beg to state, that I am decidedly of opinion that an order prohibiting the courts in Kumaon and Gurwahl from receiving any suits for the restoration of slaves, or for the enforcement of slavery, would be highly proper.

Kumaon, Commissioner's Office,
18 May 1836.

I have, &c.
(signed) *G. E. Gowan*, Commr.

No. 140.

No. 1,257.

From *C. Macsween*, Esq., Secretary to the Lieutenant-governor, N. W. P., to Lieutenant-colonel *G. E. Gowan*, Commissioner of Kumaon.--(31 May 1836.)

Sir,

I AM directed to acknowledge the receipt of a letter from you, dated the 18th instant, No. 5, and to inform you that the Honourable the Lieutenant-governor desires that in future no suits either for the restoration of slaves or for the enforcement of slavery shall be received in the courts under the commissioner in Kumaon.

Allahabad, 31 May 1836.

I have, &c.
(signed) *C. Macsween*,
Secy to the Lieut' Govr, N. W. P.

No. 141.

EXTRACT JUDICIAL PROCEEDINGS OF THE LIEUTENANT-GOVERNOR, NORTH-WESTERN PROVINCES, BENGAL, 23 August 1836.

From *F. J. Shore*, Esq., Officiating Commissioner, Jubulpoor, to Mr. Secretary *Macsween*.--(29 July 1836.)

Sir,

I HAVE the honour to lay before government copy of a letter, dated 11th June, addressed by me to the Sudder Nizamut; also, copy of a reply by me to a circular from the court regarding slaves.

2. In reply to my letter of the 11th June, the court decline giving an opinion, observing that the matter belongs to the civil courts, and not the criminal. Before, therefore, giving an order on Lieutenant Smith's reference, I would urgently request some expression of the opinion of government as to the general principle to be adopted in such cases.

Jubulpoor, Office of the Commissioner,
Sangor and Nerbudda Territory,
29 July 1836.

(signed) *F. J. Shore*,
Off^r Commissioner.

Civil.

No. 43.

No. 204.

From *F. J. Shore*, Esq., Officiating Commissioner, Jubulpoor, to *H. B. Harington*, Esq., Officiating Register, Nizamut Adawlut, Allahabad.--(11 June 1836.)

Sir,

I HAVE the honour to bring to the notice of the court the question of slavery, which is every now and then arising in consequence of a special reference made by Lieutenant M. Smith, officiating principal assistant at Sangor.

2. The case is as follows: A man, caste coolie, in consequence of distress, sold his daughter, aged 12 or 13 years, in 1833, for 16 rupees, to Mirza Roheem Beg Resaldar; plaintiff now wishes to recover his daughter, to which defendant objects, on the plea that his family have taken great pains in teaching her duties as a household servant, and specially as the girl prefers remaining where she is, which she herself stated to Lieutenant Smith. The girl has become a Moosulmunee; and although the plaintiff declares he will hold a punchayet, and restore her to caste, I doubt whether he can do so.

3. In cases in which no specific rule shall exist, we are told, by 1803, regulation 2, section 17, to act according to justice, equity and good conscience. Now, there does not exist any rule or law by which a decision can be given in cases like the above. In an isolated point not often likely to occur, a functionary may at once give the best decision he can; but in one like that under reference, which is by no means of unfrequent occurrence, another question arises. In these territories very opposite decisions have been given by different

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officers,

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officers, causing great vexation and injustice to the people, which, however, is unavoidable as long as no defined rule shall be laid down. A person who is first called upon to decide the case thinks it better to ascertain the views of the superior officer, in order to prevent the chance of delay and vexation to the parties consequent on an appeal and reversion of the primary order, in which view Lieutenant Smith has referred it to me, and for the same reason I beg to refer the question to the chief court of the country. It is of little utility to direct the subordinate officer to decide according to the best of his judgment, leaving either party, if dissatisfied, to appeal; for, as the case, however decided, will almost certainly come before superior authority, it will obviate much delay and vexation if that authority will declare its views in the first instance.

4. I beg to refer the court to my letter of the 8th March last, No. 47, on the subject of slavery, in which a set of rules are suggested; such being the opinion I entertain, if left to my judgment, I should, of course, decide according to these rules; but it would be much more satisfactory if the court would inform me whether they approved of those rules, or, if not, state their views on the subject, by which I should then, of course, be guided in giving a decision.

5. In addition to what is therein stated against restoring children to their parents, the present case appears to furnish additional reasons (*i. e.* if slavery is to be permitted at all); the girl having become a Moossulmunee, has so completely lost caste, that I do not conceive it possible that she can ever again become a member of a Hindoo family; and I must say, that I have strong suspicions that the father's object in obtaining her restoration is to dispose of her again, or possibly to employ her in prostitution.

6. It is to be hoped that ere long a law on the subject will be promulgated, in consequence of the inquiries of the law commission; but in the meantime it is urgently necessary that some defined rule should be laid down to prevent the various and contrary decisions now given by different officers.

(signed) *F. J. Shore*, Offs Commissioner.

Jubulpoor, Office of the Commissioner,
11 June 1836.

No. 47.

From *F. J. Shore*, Esq., Officiating Commissioner, Jubulpoor, to *H. B. Harington*, Esq.,
Officiating Register, Nizamut Adawlut, Allahabad.—(8 March 1836.)

Sir,

I HAVE the honour to send the following observations, in reply to your circular letter concerning slaves, dated the 13th November 1835, with its inclosure. I wished to have sent the reply sooner, but, being on a tour of these territories, it appeared better to wait till I had completed the circuit, to enable me to make inquiries in the several districts; the replies, too, from the different districts have only just now been received, which were necessary to enable me to answer to that part of the communication which relates to the protection extended by courts to slaves.

2. First, In these territories, the practice of slavery seems to have had scarcely any reference to either Hindoo or Mahomedan law on the subject; moreover, the customs seem to have been very uncertain and arbitrary in different places and at different times.

Secondly, Slaves were procured almost entirely by purchase of children from parents or relations in times of scarcity. The numbers do not appear ever to have been great, and are now very small indeed.

Thirdly, The power of the masters over the slaves is by some, particularly the petty rajahs, asserted to have been unlimited, even extending to death; by others, this is denied. I imagine that, in reality, it very much depended on the good understanding between the individual and the local governor.

Fourth, The masters were considered bound to afford protection to their slaves; to pay the expenses of their marriages. The progeny of slaves is by some asserted to have been free, by others, not.

Fifth, The services on which slaves were employed appear to have been precisely the same as those of servants, either in domestic attendance, agriculture, or as military retainers.

3. In reply to the second query of Mr. Millett's letter, it does not appear that any cases have ever been preferred before the courts in these territories, excepting of the following natures:—

First, Demands of parents or other guardians to reclaim children sold by themselves during a period of scarcity or distress. In this case the practice has generally been to restore the children on repayment of the charges incurred for their subsistence. Lieutenant Smith, officiating principal assistant of Sangor, states, "that in cases which are the most frequent of the utter inability of the claimants to meet this charge, I have directed service to be levied from them by the purchaser for a fixed term, according to an equitable computation; or, if the child is old enough to be of service in his household, I have allowed the employer, in default of reimbursement for his expenses, and on condition of continuing to feed and clothe the child, to retain him or her for the same period, in the relation of an apprentice, rather than incur the additional expense, of which, without any ulterior object, the purchaser has generally

generally foregone all claim, and given up the child to its natural guardian, taking credit for having supported it meanwhile in charity.”

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Second, Female slaves complaining of ill-treatment by or claiming their freedom from bawds, and bawds wishing to reclaim their female slave prostitutes who have absconded.

4. By some officers the claims of the bawds seem to have been allowed, in others disallowed.

5. The practice of the different magistrates and courts seems to have varied much, to the great vexation and annoyance of the people. It would be highly desirable that a definitive law should be passed, either totally abolishing slavery or allowing it; and, if the latter, declaring under what rules and regulations it should be tolerated. There may possibly be some districts in which it would be inpolitic to interfere with the ownership of masters over their slaves; but, within the limits of the Agra presidency, some such rules as the following might, I think, be safely and expediently enacted:—

First, None but a parent or legal guardian to sell a child; the sale to be registered in the office of the judge, or one of the local moonsiffs, or other authority.

Second, The rights over the child sold to be those only which the parent or guardian himself possesses.

Third, The purchaser to have the power to make the slave work, and to inflict chastisement in moderation, just as the parent or guardian would have done, if he or she were in the labouring class.

Fourth, Ill-treatment of the slave by the master or mistress punishable by fine before a magistrate; gross ill-treatment to entitle the slave to freedom.

Fifth, Every male slave to be entitled to his freedom, on claiming it, on coming of age, or at any subsequent period.

Sixth, Every female slave to be entitled to demand her freedom on coming of age, or at any subsequent time, and to a small sum of money (the amount to be specified), as a dowry.

Seventh, A proclamation to be issued to all now possessing slaves, whether procured by purchase or born in slavery, to register them, after which the slaves to be subjected to the above rule.

Eighth, In the event of proclamation being neglected, at the expiration of (say) one year from its date, all unregistered slaves, if discovered, to be at once declared free.

6. It is urged by some that the parents or legal guardians should be allowed to redeem the child at any time, by payment of the sum originally received by its sale. I have some doubts of the expediency of any such rule; such to be fair should be reciprocal; and if the above be allowed on the one hand, on the other the purchaser should be at liberty to return the child to the parents, reclaiming the sum he had paid. The practice of Lieutenant Smith shows the difficulty which would be entailed by such a rule, when the parents would not pay.

7. There is an analogy in the case of apprenticeships in England. No parent can take away his child (except the indentures be cancelled, in consequence of ill-treatment on the part of the master) until the period of apprenticeship has expired; if such were allowed, all the diligent lads, who had learnt their trade speedily, would be taken away by their parents, that they might earn money as journeymen, the idle and troublesome only being left with their masters. If the parents were allowed the power on the one hand, the masters, on the other, must, in fairness, have the option of returning such apprentices as were idle and useless. This would be the abolition of apprenticeships, since it would be useless drawing up contracts which might be infringed by either party at his pleasure.

8. In this country, the chief object of tolerating a modified slavery (and slavery under the rules above suggested would be no more than an apprenticeship) is, that a family, by selling, or in fact binding apprentice, one of the children, should be saved from distress or even starvation. The object of the buyers would be to procure servants and attendants, whom it was worth while to take considerable trouble in instructing, because they were sure of their services for several years, and very probably for their lives, since it is but natural that men would remain in the same family in which they had so long lived, if well treated.

9. Only the poorest of the labouring classes, and that only in a time of distress, would sell their children; the idle children who would not work would not be reclaimed by their parents; and it would be any thing but equal justice that the parents should be able to reclaim those who were worth taking, many, perhaps most of whom, would prefer remaining with their masters, while the good-for-nothing should be left on their masters' hands.

10. Place the matter in the following light: A family consists of a man, his wife and two or three children. After struggling against distress, caused by a bad season, he in the month of December sells his youngest boy, aged four years old, for 10 rupees, which sum enables his family to exist until the next wheat harvest in April, whereas they would otherwise have certainly died of starvation. After this, the harvest being good, and work obtainable, the family continue to live in tolerable comfort; but finding that the child sold is very comfortable with its master, the father does not reclaim it. The master supports the child, and, as he grows up, has him taught to read and to perform various services. When he is about 10 or 12 years of age, and able to make himself useful, the father claims him, while he would probably prefer remaining with his master, being too young to remember

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his parents, on repayment of 10 rupees; this can hardly be called justice, even if he were obliged to pay the sum he had received; with simple interest, at even 24 per cent., it would amount to but a small portion of the expense of the master, to say nothing of the latter's trouble. To attempt to settle the proper remuneration to the master would be very difficult. It would probably be better that the parent should not have the right alluded to; for, although few would enforce it, the fear of its being done would prevent most people from buying children in a scarcity.

11. All slavery for the purpose of prostitution should be prohibited.

(signed) *F. J. Shore*, Officiating Commissioner.

Jubulpoor, Office of the Commissioner,
8 March 1836.

Ordered, That the following letter be addressed to the officiating commissioner of the Sangor and Nerbudda territories:—

No. 2,068.

From Mr. Secretary *Macswen* to the Honourable *F. J. Shore*, Officiating Commissioner, Sangor and Nerbudda Territories.—(23 August 1836.)

Sir,

No. 44.

I AM directed by the Honourable the Lieutenant-governor to acknowledge the receipt of your letter, No. 82, of the 29th ultimo, with copies of the correspondence alluded to therein, regarding the case of a girl sold by her father, and subsequently claimed by him, and to communicate to you the following observations:—

2. If the girl be old enough to choose for herself, it is optional with her either to return to her father or remain where she is. The father has lost all right to her, by disposing of her for money; and the purchaser has acquired no right, the purchase of any one, as a slave, being illegal.

(signed) *C. Macswen*,
Secretary to Lieutenant-governor, N. W. P.

Agra, 23 August 1836.

EXTRACT PROCEEDINGS OF THE LIEUTENANT-GOVERNOR OF THE NORTH-WESTERN PROVINCES IN THE JUDICIAL DEPARTMENT, FOR JULY 1837.

No. 636.

Criminal.

From *H. B. Harington*, Esq., Register, to *J. Thomason*, Esq., Officiating Secretary to the Honourable the Lieutenant-governor in the Judicial Department, Agra.—(14 June 1837.)

Sir,

1. I AM directed by the court to request that you will submit, for the consideration and orders of the Honourable the Lieutenant-governor, the accompanying copies of a letter, and its enclosure, from the session judge of Moradabad, under date of the 20th ultimo.

2. The court understand that the whole question connected with slavery in the country, including that of the sale and purchase of children with a view to make them slaves, or for other purposes, is at present under the consideration of the Indian law commissioners, and will no doubt be provided for in the new criminal code; they observe, however, that the existing regulations contain no specific rule for the guidance of the criminal authorities in cases of the nature of those now brought to their notice by the session judge of Moradabad, and which there is reason to believe are of very common occurrence, and they would therefore suggest for his honour's consideration the expediency of some provision being speedily made, with a view to meet such cases.

I have, &c.

Allahabad, 14 June 1837.

(signed) *H. B. Harington*. Register.

No. 44.

From *B. Taylor*, Esq., Session Judge, to *H. B. Harington*, Esq., Register to the Sudder Nizamut Adawlut, N. W. P. Allahabad.—(20 June 1837.)

Sir,

I HAVE the honour to submit copy of a letter received from the officiating joint magistrate at Kasheepore, and request that you will obtain for me the opinion of the court on the propriety of disposing of the children in the mode adopted by that officer. An appeal has been preferred to my court from the order passed by the officiating joint magistrate, and as no defence was allowed the women who had purchased the children, the case has been returned with orders to make a more full inquiry; should the fact be established, there can be no doubt that the children should be taken from the women; and I am not aware if there be any

No. 207.
N. A., N. W. P.
Present:
M. H. Turnbull,
A. J. Colvin,
W. Lambert, and
W. F. Dick, Esqrs.,
Judges.

any better mode of providing for the children than permitting the magistrate to make them over to respectable families under engagement to support them.

E. I. Company and Board of Control. (Documents.)

In Macnaghten's book of Mahomedan Law, the sale of children is declared illegal. I would further request the opinion of the court regarding the criminality of this offence, and whether the purchasers may not be considered guilty of a misdemeanor.

Mr. Fagan has punished two women under Regulation III. of 1832. This regulation is totally inapplicable to the sale of children not imported, and his sentence must be reversed. I consider, however, that they may be punished for a misdemeanor.

I have, &c.
(signed) *B. Tayler*, Session Judge.

Zillah Moradabad, Session Judge's Office,
20 June 1837.

From *C. Fagan*, Esq., Officiating Joint Magistrate, to *B. Tayler*, Esq., Session Judge,
Moradabad.—(24 May 1837.)

Sir,

I HAVE the honour to forward, by this day's dawk, the proceedings called for in your roobukarree of the 19th instant.

In the course of last month two degraded women of this town, whose profession and means of livelihood decency forbids me to mention, were convicted of buying a young girl as a slave, and sentenced to punishment according to the provisions of Regulation III. of 1832.

The particulars of that case convinced me that this abominable practice of selling and buying slaves prevailed to a great extent in this town, and the information which I subsequently collected confirmed my suspicions.

To bring this matter to the proof, I issued a search-warrant and executed it myself. The result was, that I discovered, secreted in the houses of these abandoned women, 17 female children; of these, in one closet, at one, I found four shut up under lock and key.

The ages of the generality of these children consisted of from eight to ten years. There were two or three of a still more tender age.

Their depositions were taken in due form, and, after they had recovered from their momentary alarm, they delivered them with the greatest clearness and freedom; in fact, so perfectly free were they from all restraint, that it became necessary to check their extraordinary cheerfulness.

They state in the frankest manner their original names, their place of residence in the hills of Kumaon, the various names and castes of their parents, that the latter had sold them to the vile set of women, above alluded to, into slavery, and slavery of the worst kind, that of prostitution; many of them mentioned the exact sums for which they had been bought and sold, and bore testimony to the existence of papers authenticating the transactions between the parties.

As therefore these children had been so cruelly abandoned by their parents, and were thrown so helplessly on the world, it became my bounden duty as a magistrate to make the best arrangement for their future welfare, personal and moral, that circumstances would admit of.

I have accordingly consigned them, under the most strict obligations, to respectable Hindoos with families, and, strongly impressed as I am that this effort of mine to rescue those unfortunate children from future degradation and misery is in accordance with every principle of justice and every feeling of humanity, I sincerely trust that it will not be considered misplaced . . . * nor can I anticipate any other result, for however anxious the pothas may be to recover their trading capital, they did not appear to me to be possessed of any legal, natural or moral right, and I should have considered myself a party to their abominable traffic, if I had issued an order reconsigning these unprotected and helpless children to their tender mercies.

* Unintelligible in original.

I have, &c.
(signed) *C. Fagan*,
Officiating Joint Magistrate.

Kasheepore, Joint Magistrate's Office,
24 May 1837.

Ordered, That the following letter be addressed to the Register of the Nizamut Adawlut:—

No. 189.

From *J. Thomason*, Esq., Officiating Secretary to the Lieutenant-governor, N. W. P., to
H. B. Harington, Esq., Register, Nizamut Adawlut.—(31 July 1837.)

Sir,

1. I AM directed by the Honourable the Lieutenant-governor to acknowledge the receipt of your letter, No. 636, of the 14th June (q7 July*), submitting correspondence from the Session Judge of Moradabad, regarding the sale of children who were discovered in the jurisdiction of the joint magistrate at Kasheepore.

No. 208.
* Sic orig.

2. With reference to the cases mentioned in paragraph 3, of the joint magistrate's letter 697.
Z Z 4 dated

E. I. Company and Board of Control. (Documents.) dated 24th May, and possibly with reference to the very case in which an appeal was preferred to the session judge, I am directed to observe, that, as the circumstances are stated by the officiating joint magistrate, the provisions of Regulation III., 1832, would seem entirely to meet the case. Almorah has certainly been constituted a British province since the enactments of Regulation X., 1811, and therefore the importation of slaves from it is illegal and criminal. The court are requested to point this out to the session judge of Moradabad, who does not appear to have sufficiently adverted to this fact.

Agra, 31 July 1837.

I am, &c.
(signed) *J. Thomason,*
Offis Secy to the Lieut Governor.

EXTRACT PROCEEDINGS OF THE LIEUTENANT-GOVERNOR OF THE NORTH-WESTERN PROVINCES IN THE JUDICIAL DEPARTMENT, FOR AUGUST 1837.

No. 776.

Criminal.

From *H. B. Harington*, Esq., Register of the Nizamut Adawlut, to *J. Thomason*, Esq., Officiating Secretary to the Lieutenant-governor, N. W. P., Agra.—(11 August 1837.)

Sir,

No. 220.
N. A., N. W. P.
Present:
M. H. Turnbull,
A. J. Colvin,
W. Lambert,
W. F. Dick, Esqrs.,
Judges.

1. I AM directed by the court to acknowledge the receipt of your letter, No. 189, under date the 31st ultimo, on the subject of the correspondence with the sessions judge of Moradabad, which accompanied my letter to your address of the 14th idem.

2. In reply I am directed to request that you will submit, for the information of the Honourable the Lieutenant-governor, the annexed copy of the orders issued by the court, to the sessions judge at Moradabad on the date above mentioned, which was omitted to be forwarded with my letter to you of that date. From the copy of the court's letter to the commissioner of the then 7th division, which was communicated to Mr. Tayler for his information and guidance, it will be observed that, a similar reference having been made by that officer, it was pointed out to him that it must depend upon the particular circumstances of each case whether it came within the provisions of Regulation III. of 1832; but that in disposing of such cases it should be taken into consideration whether the persons concerned had been guilty of a misdemeanor, so as to bring them within the provisions of any other enactment than that above mentioned; and Mr. Tayler was desired, therefore, in deciding the cases which gave rise to his reference, to pass such orders in each as, with advertence to the instructions laid down in the court's letter to the commissioner of the 7th division and the regulations bearing on the point, he might consider just and proper and conformable to law, leaving any party dissatisfied with his decision to appeal from it in the usual course.

I have, &c.

Allahabad, 11 August 1837.

(signed) *H. B. Harington*, Register.

No. 635.

From *H. B. Harington*, Esq., Register, to *B. Tayler*, Esq., Session Judge of Moradabad.—(14 July 1837.)

Sir,

N. A., N. W. P.
Present:
M. H. Turnbull,
A. J. Colvin,
W. Lambert, and
W. F. Dick, Esqrs.,
Judges.

I AM directed to acknowledge the receipt of your letter, No. 64, under date the 20th ult. with its enclosure from the officiating joint magistrate of Kasheepore, requesting the opinion of the court as to the proper course of proceeding to be observed by you in the cases therein referred to.

2. In reply I am directed to transmit, for your information and guidance, the accompanying copy of a letter addressed by order of the court, under date the 16th May 1834, to the commissioner of the then 7th division, on a similar reference from that officer, and to request that, with advertence to the instructions therein contained, you will exercise your own judgment in disposing of the cases which form the subject of your letter, and proceed to pass such orders thereon as you may consider just and proper and conformable to the regulations, bearing on the points in question, leaving any party who may be dissatisfied with your decision to appeal from it in the usual course.

I have, &c.

(signed) *H. B. Harington*, Register.

Allahabad, 14 July 1837.

No. 82.

No. 82.

E. I. Company and
Board of Control,
(Documents.)From *Welby Jackson*, Esq., Register, to *R. Tilghman*, Esq., Commissioner of the Seventh
Division.—(16 May 1834.)

Sir,

1. I AM directed to acknowledge the receipt of your letter under date the 8th instant, enclosing copy of a letter from the magistrate of Banda, and the proceedings in certain cases referred to by him.

2. The court observe, that the decision of the point referred, viz., whether the cases in question came within the provisions of Regulation III., 1832, or not, depends entirely on the circumstances elucidated in each trial, and they are therefore of opinion, that it will be better for the magistrate to pass such order as may appear to him just and proper, leaving any person, who may think himself aggrieved thereby, to prefer his appeal in the usual course.

3. In disposing of the cases, the magistrate will of course take into consideration whether the persons accused have been guilty of a misdemeanor so as to bring them within the provisions of any other criminal regulation, as well as of Regulation III., 1832.

4. With regard to the disposal of the children, in the event of their being taken from the persons in whose possession they were found, I am directed to refer you to the provisions of section 4, Regulation X., 1811.

5. The court cannot sanction the rule which you have preferred, in concurrence with the magistrate, for requiring the voluntary transfer of children by their parents, to be registered at the nearest thannah; should the magistrate consider such a rule necessary, you will request him to submit a regulation to this effect in the usual form, in which he can, if he thinks proper, include provisions for remedying the defects in the present state of the law on the subject.

6. The proceedings which accompanied your letter are herewith returned.

I have, &c.

Allahabad, 16 May 1834.

(signed) *Welby Jackson*, Register.

The foregoing letter requires no order.

REGULATION XIV., A.D. 1827.

(Extract.)

CHAPTER V.

Section 30. Clause 1. ANY person who shall import, into any zilla subordinate to Bombay, a slave for sale (and sale within one year after importation shall be deemed conclusive proof that such was the object of the importation), shall be punishable, if the slave be of 10 years of age or upwards, with fine or ordinary imprisonment, not exceeding one year, or both; and, if the slave be under 10 years of age, with fine or ordinary imprisonment, or both; and, further, the simple importation of a child under 10 years of age, in a state of slavery, except in time of famine, or immediately after, and on written permission granted by the magistrate, is hereby declared illegal, and will be visited with the retributive measures described in section 32.

Clause 2. Any person who shall export a slave from a zilla subordinate to Bombay into a foreign territory, without first obtaining a written permission from the magistrate, whose duty it shall be to grant the same only when satisfied that the object is not sale, will be punishable with fine or ordinary imprisonment not exceeding one year, or both, and the slave on returning to the Bombay territories shall be held to be free.

Section 31. In addition to the preceding rules, the following sales of slaves, within the zillas subordinate to Bombay, are declared to be illegal, and all persons concerned therein, either as buyers or sellers, will be punishable with fine or ordinary imprisonment, or both.

First. All sales whatever, not registered by the magistrate, whose duty it shall be, after due investigation, to grant or withhold such registration, and a certificate thereof, according as the rights of the parties and the provisions of the regulations may seem to require.

Second. Any sale of a female slave, having a child under 10 years of age, by which such child is separated from her.

Third. Any sale of a child under 10 years of age, though already in a state of slavery, except in time of famine.

Fourth. Any sale of a child into slavery, except in time of famine, and by one of the parents, in which case a right of redemption at the price of sale shall be reserved to either parent and the child for the period of 10 years.

Fifth. Any sale of a female for common prostitution.

E. I. Company and
Board of Control.
(Documents.)

Section 32. Whenever an importation or sale of a slave has been pronounced to have been illegally made, the slave becomes thereby emancipated; and if government shall so determine, on a report to be made by the zilla magistrate, if the case shall have been decided by him, and by the criminal judge in all other instances, a fine, commutable into imprisonment, according to their jurisdictions, shall be imposed on the offender by those authorities respectively, and shall be expended, when realized, in re-exporting the emancipated slave to his own country.

A. D. 1832. REGULATION III.

A REGULATION for extending the Provisions of Regulation X., 1811, passed by the Vice-president in Council on the 13th March 1832, corresponding with the 2d Cheyte 1238, Bengal era; the 26th Phangun 1239, Fusly; the 3d Cheyte 1239, Willaity; the 12th Phangun 1868, Sumbut; and the 9th Shawaul 1247, Higeree.

WHEREAS, in consequence of the extension of the possessions held under the presidency of Fort William, subsequent to the enactment of Regulation X. of 1811, prohibiting the importation of slaves from foreign countries, a doubt has arisen whether the provisions of that regulation can be held to apply to cases of slaves removed from any part of the British possessions acquired subsequently to the passing of that regulation, into any part of those then held under the said presidency; with a view to the removal of any such doubt, and also with a view to the entire prohibition of the removal of slaves for purposes of traffic from one part of the British territories to another, the following rules are enacted to be in force from the date of their promulgation.

II. First. All slaves who, subsequently to the enactment of Regulation X., 1811, have been or may hereafter be removed by sea or land, for purposes of traffic, from any country, territory or province, British or foreign, into any province now dependent or that may become hereafter dependent on the presidency of Fort William, subsequently to the date on which it has or may become so dependent, or who have been or may be so removed from one province that now is or may hereafter become dependent on the presidency of Fort William, into any other province that now is or may hereafter become dependent subsequently to the dates on which they respectively have or may become dependent, are hereby declared free.

Second. After the promulgation of this regulation, all persons concerned in the sale or purchase, as a slave, of any man, woman or child so removed, knowing him or her to have been so removed, on conviction thereof before a magistrate, shall be liable to be sentenced to imprisonment for the period of six months, and to pay a fine to government, according to their circumstances in life, not exceeding the sum of rupees 200, commutable, if not duly discharged, to imprisonment for the further period of six months, on the expiration of the former part of the sentence.

(True extracts.)

(signed) *T. L. Peacock,*

East India House, 13 August 1838.

Examiner of India Correspondence.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 10 March 1826.

From *Herbert Compton, Esq.*, Advocate-general, to the Chief Secretary to Government.—
(4 March 1826.)

No. 12.

Sir,

I HAVE the honour to acknowledge the receipt of a letter from Mr. Secretary Macleod, requiring me to state whether, in my opinion, the 51st Geo. 3, cap. 23, nullifies the provisions of clause 14, section 18, Regulation II. of 1812, of which a copy is subjoined.

2. The statute which passed in May 1811 having made the exportation of slaves by any person residing under the government of the Honourable Company, felony, from and after the 1st January 1812, I am of opinion that this enactment rendered it unnecessary for the local government to make the regulation in question; and that to enforce a fine for an offence, the specific punishment of which is declared by the Act, would almost come within the mischief of compounding a felony.

3. The punishment ordained by the regulation cannot be pleaded to a prosecution under the statute, and it is contrary to a maxim of law that a party shall be doubly punished for the same offence.

(signed) *Herbert Compton, Advocate-general.*

Madras, 4 March 1826.

Ordered, in consequence, That the following letter be despatched:—

No. 111.

No. 111.

From Mr. Secretary *Macleod* to the Register to the Court of Foujdaree Adawlut.—
(10 March 1826.)

Sir,

WITH reference to the 4th paragraph of my letter dated 24th ultimo, No. 87, I am directed by the Honourable the Governor in Council to transmit to you the accompanying copy of a letter from the advocate-general, and to desire that the Foujdaree Adawlut will prepare and submit a draft of the requisite enactment for rescinding clause 14, section 18, Regulation II. of 1812.

(signed) *J. M. Macleod*, Secretary to Government.

Fort St. George, 10 March 1826.

No. 13.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 11 April 1826.

No. 15.

From *G. J. Casamajor*, Esq., Register M r. Secretary *Macleod*.—(29 March 1826.)

Sir,

I AM directed by the judges of the court of Foujdaree Adawlut to acknowledge the receipt of your letter dated the 10th instant, and to transmit to you, to be laid before the Governor in Council, the accompanying draft of a regulation, rescinding clause 14, section 18, Regulation II. of 1802.

I have, &c.

Foujdaree Adawlut, Register's Office,
29 March 1826.

(signed) *G. J. Casamajor*, Register.

No. 5.

Draft of a REGULATION for rescinding Clause 14, Section 18, Regulation II. of 1812, passed by the Governor in Council of *Fort St. George*.

WHEREAS, by the Act of the 51st Geo. 3, cap. 23, the carrying away or removing of any person or persons as slaves, or in order to be sold or dealt with as slaves, by any person in the territories of the Honourable East India Company, was declared to be felony, and punishable, from and after the 1st day of January 1812, with transportation or imprisonment and hard labour; and whereas clause 14, section 18, Regulation II. of 1812, by which the exportation of slaves from Malabar is prohibited, under a penalty only of a fine of 250 rupees, is unnecessary and inconsistent with the Act aforesaid; wherefore the Governor in Council is pleased to pass the following regulation:

2. Clause 14, section 18, Regulation II. of 1812, is hereby rescinded.

(signed) *G. J. Casamajor*, Register.

THE draft which accompanied the foregoing letter having been revised by the government, the following regulation was passed, and ordered to be promulgated:—

A REGULATION for rescinding Clause 14, Section 18, Regulation II. of 1812, passed by the Governor in Council of *Fort St. George*, 11 April 1826.

PREAMBLE. Whereas the Act of the 51st Geo. 3, cap. 23, contains provisions for the punishment of the offence of carrying away or removing from any country or place whatsoever, any person or persons as a slave or slaves, or for the purpose of being sold or dealt with as a slave or slaves; and whereas clause 14, section 18, Regulation II. of 1812, by which the exportation of slaves from Malabar is prohibited, under the penalty of a fine of 250 rupees, is unnecessary and inconsistent with the Act aforesaid, the Governor in Council has therefore been pleased to enact this regulation.

Rescission 2. Clause 14, section 18, Regulation II. of 1812, is hereby rescinded.

(signed) *J. M. Macleod*, Secretary to Government.

No. 6.

No. 7.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 12 March 1830.

From *A. D. Campbell*, Esq., Register, Foujdaree Adawlut, to Mr. Secretary *Chamier*.—
(27 February 1830.)

Sir,

WITH reference to the letters of the chief secretary to government, under date the 29th May 1812, and of your predecessor, under date the 2d September 1825 and 10th March 1826, inclosing the opinions of the advocates-general, Mr. Anstruther and Mr. Compton, on the subject of the construction to be put on the Act of Parliament passed in the 51st year of the reign of the late King, cap. 23, respecting the slave trade, I am directed by the judges of the Foujdaree Adawlut to request that you will lay before the Right honourable

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the

No. 9.

E. I. Company and
Board of Control.
(Documents.)

the Governor in Council the enclosed copy of a letter, dated the 16th November last, from the first judge of circuit in the western division.

2. The Act of Parliament in question was passed on the 14th May 1811, but section 5 rendered it operative in the East Indies only from the 1st January 1812.

3. Mr. Anstruther, in his letter to government of the 14th May 1812, gave it as his opinion that it would be a proper measure for government to "publish throughout the provinces under its authority the substance of the statute, which applies, with all its consequences and penalties, to all persons residing within the King's or Company's territories, including therefore the native subjects of this government;" and if it be true that it does apply to the natives in the interior, the judges submit that this ought to be done without delay.

4. On a subsequent reference to government by this court, as to how far the local criminal courts were competent to punish the exportation, by sea, of children for the purpose of selling them as slaves, Mr. Compton, in his letter to government of the 15th August 1825, gave it as his opinion that "the offence, although committed on land, and even by persons not inhabitants of Madras, may be tried by the supreme court of judicature;" or, if at any of the outports, by the court of admiralty; and that it was not competent for the government to invest the local criminal courts with power to punish that offence.

5. The judges, by order of government of the 2d September 1825, directing that "the course recommended by Mr. Compton may be followed," circulated his letter for the guidance of the courts under them in the provinces.

6. On the 11th April 1826, soon after this correspondence took place, Regulation II., 1826, was passed by government, declaring generally the Act of Parliament in question to contain "provisions for the punishment of the offence of carrying away or removing, from any country or place whatsoever, any person or persons, as a slave or slaves, or for the purpose of being sold or dealt with as a slave or slaves."

7. In Bengal, the provisions of this Act of Parliament do not appear to have been construed as they have been here. Regulation X., 1811, in the code of that presidency, prohibits the importation of slaves into its territories, under pain of fine or imprisonment only; and, so far as the judges are aware, it remains as yet unrescinded. Mr. Harington, in his revised analysis of the regulations of that presidency, gives a minute recorded by him on the 21st November 1818, as chief judge of the Nizamut Adawlut, in which he states that, "under the construction given to that statute by the resolutions of government, under date the 9th September 1817, it must be considered to have superseded such parts of Regulation X., 1811, as relate to the importation of slaves by sea;" but he treats the provisions of that regulation as still in force, so far as regards the importation of slaves by land; and he refers to a letter from the Bengal government of the 14th February 1817, explaining the object of those provisions. The Nizamut Adawlut, in their letter of the 23d April 1812, to the acting magistrate of Agra, which was transmitted to all the courts of circuit, under date the 5th October 1814, had decided that the regulation in question referred exclusively to the importation of slaves for the purpose of being sold, given away or otherwise disposed of; and, so late as January 1824, the court of Nizamut Adawlut passed sentence on a prisoner, who had been tried and convicted of stealing and selling a child of five years of age,—an offence which, if the Act before mentioned had received the same construction in Bengal as that given to it by Mr. Anstruther and Mr. Compton, would, the judges apprehend, be punishable only by the supreme court.

8. The judges have felt considerable embarrassment in the disposal of the reference made by Mr. Newnham. Under the opinions given by Mr. Anstruther and Mr. Compton, which have been adopted in the preamble to Regulation II. of 1826, the prisoners in the case out of which the reference has arisen ought to be sent to Madras for trial, before the supreme court; but, looking to the different construction which appears to have been given to the Act in Bengal, the judges have hesitated to direct this mode of proceeding, which, if wrong, would subject the parties concerned to the unnecessary inconvenience of a long and hazardous journey, and might perhaps in its consequences defeat the ends of justice.

9. Under these circumstances, the judges have thought it best to submit the case for the consideration of government, and they beg leave to recommend that measures may be taken to ascertain the precise construction put upon the Act in Bengal, and that in the meantime the deliberate opinion of the present advocate-general may be taken upon it.

10. It is right to add, that Mr. Newnham has directed the release of the prisoners in this case on bail until he shall receive instructions as to the disposal of them.

(signed) *A. D. Campbell*, Register.

Foujdaree Adawlut, Register's Office,
27 February 1830.

From *Thomas Newnham*, Esq., First Judge at Tillicherry, to *A. Campbell*, Esq., Register to the Foujdaree Adawlut.—(16 November 1829.)

Sir,

I HAVE the honour to submit, for the consideration of the judges of the Foujdaree Adawlut, an extract of the calendar for the fourth sessions of 1829, at Tillicherry, showing, in the terms of the joint criminal judge, the nature of case No. 2, and at the same time to transmit copies of a correspondence which has taken place on this subject.

2. As the present state of the law relative to the removing, from any country or place whatsoever,

soever, a person for the purpose of being sold or dealt with as a slave, and the opinion of Mr. Compton, render the jurisdiction of the court of circuit in such cases liable to doubt, I have considered it prudent to solicit the instruction of the higher court previously to my involving this one by commencing the trial of the case as one which a court of circuit is fully competent to determine.

E. I. Company and
Board of Control.
(Documents.)

3. In my own opinion, it would be hard to subject all the parties to a journey to Madras, for a trial before the supreme court; and though the advocate-general has not, in the papers which were circulated by order of the government, drawn any line by which the utmost reach of the jurisdiction of his Majesty's court over offences committed on land is to be plainly discerned, it is my opinion that some may possibly be found, and that the jurisdiction of his Majesty's supreme court does not even in this peculiar offence extend to it, in every "place whatsoever," in this distant province, and probably only to cases wherein, though the offenders be arrested in their criminal design before they escape out of the territories immediately subject to the presidency of Fort St. George, the ulterior object of the offence on land was to export beyond the bounds of this presidency the person or persons intended to be sold, or to be treated as a slave or slaves.

4. In this instance, it would appear that the removal of the female was originated by the maternal uncle, and that his motive for this treatment of his niece arose from her having disgraced the family by a love intrigue with a stone-mason; whereas she appears to deny this, and to have affirmed, that she has admitted no man to her embraces except such as belong to her father's own caste. Her removal is alleged to be effected partly by threats of even proceeding to the last extremity, and partly by treacherous promises to take her to her father, who, according to the custom of Nairs, lives not in the house where the mother and the mother's brother reside with the children of the family in the country anciently under the Carentaad rajah, but at a distance.

5. The young woman is alleged to be removed from Cartenaad, first to the precincts of Tillicherry, and thence by the great Madras road to a place beyond the Periah pass in the Wynaad country. There her conductors are said to have left her and taken to flight, on learning that police officers were in pursuit. From Tillicherry thither may be accounted between thirty and forty miles. How far it was their design to go on, and to stop at Pychee, or even to continue until they reached the domains of either the rajah of Mysore, or the rajah of Coorg, does not seem to be clearly explained. My information as yet will not enable me to avow an opinion, whether the offer for sale, or "the purpose" either of selling or dealing with as a slave, could probably be proved before the supreme court, but there will be some difficulty in proving either by the Mahomedan rules of evidence; for two witnesses to the overt act, or to the acknowledgment of the design, appear not to be obtained. Only one swears that the offer of sale was made to him, but some presumptive evidence may be found in the depositions of others in corroboration of his testimony, otherwise it will after trial be found that the accused can only be convicted of carrying the girl into exile, to there leave her in an exposed state in the wilderness. My information, however, at present is limited to the preliminary proceedings.

6. I have directed the joint criminal judge to permit the witnesses to return to their homes on their recognizances until called for, and have recommended the release of the accused on bail during this reference. Matters relating to slavery are of inferior moment in other parts of the presidency than in this western province, where slaves are so numerous, and where the immemorial tenet of Hindoo law, that in all India persons of the lower classes were slaves to the Brahmins, has, in contrast to its fate in other portions of that spacious domain, held its ground as far as respects the thralldom of the poor, and, instead of suffering in former ages a diminution in force, had continually acquired new strength in practical effect, until the corruptions became so great, that now these lower classes are deemed involved in the inextricable miseries of slavery to several other castes besides the Brahmins, to whom they were conferred, as a cultivating race of villains, together with the lands on which they were to work.

7. Few of the West Indian islands probably have a slave population more numerous than that of Malabar. The generous cases and wise legislative acts of the British Government are, however, now exerted to make masters in those colonies agree to the institution of officers for the protection of slaves, and to the adoption of several measures to alleviate their great calamity. In other colonies on the way from England to Eastern India, active measures are also pursuing by both public and private means to put an end to the practice, and encourage the races of free labourers. Thus it cannot be long before the eyes of the world be directed to the slave population of Malabar, and the inquiry be whether the melioration of its states has kept pace with the improvements that the 51st Geo. 3, cap. 23, and other British laws of the present century, were found calculated to introduce into other places.

8. It is trusted that I shall be pardoned for this review of what the generosity of Great Britain is effecting in respect to slaves in other portions of its empire, though I again venture to suggest that the present instance may not be an offence of the nature contemplated in the said Act of the 51st Geo. 3, cap. 23, or in the interpretation which the advocate-general has put on that statute of the British Legislature. But since he has so questioned the competency of the government to invest its criminal courts with a jurisdiction over the offence, and no exception is made by him, or by the directions sent from government, or subsequently by Regulation II. of 1826, I have deemed it prudent to make this reference, and to solicit the opinion of higher authority.

(signed) *Thos. Newnham,*
First Judge, Presidency.

Tillicherry, 16 November 1820.

E. I. Company and Board of Control. Extract of the Proceedings of the Court of Circuit, Fourth Quarterly Sessions, of *Tillicherry*, under date the 5th November 1829.
(Documents.)

READ No. 2 of the calendar of persons committed or held to bail to take their trial at the sessions. In the calendar the case is described as follows: "Government by Vakeel Coonjany Kaat Ramah Nyr, *versus*, 1st, Vennapolan Ooney Chara Koopoo; 2d. Chellantan Koran; 3d. Nellyoodan Ookpen;" for "abduction of" and attempt to sell a female "as a slave," and so forth.

1. The preamble of Regulation II., A. D. 1826, declares that "the Act of 51 Geo. 3, c. 23, contains provisions for the punishment of the offence of carrying away or removing, from any country or place whatsoever, any person or persons as a slave or slaves, or for the purpose of being dealt with as a slave or slaves;" and according to the second paragraph of the letter of the advocate-general to the chief secretary to government, dated the 26th August 1825, in his "opinion the offence, though committed on land, and even by persons who are not inhabitants of Madras, may be tried in the supreme court of judicature."

2. On the 23d September 1825, circular orders were issued to the provincial courts of circuit to "put the criminal judges and magistrates within their respective jurisdictions in possession of those papers, instructing them to give effect to the orders of the Honourable the Governor in Council," therein communicated; and the letter of the secretary to government, after stating that the reference had been made to the advocate-general, concludes by a "request to the Foudaree Adawlut to issue the necessary instructions, in order that the course recommended by Mr. Compton may be followed."

3. The original reference to the Foudaree Adawlut regarded the practice of selling and kidnapping children in the zillah of Tanjore. The object sought by the Foudaree Adawlut was "a stop to the practice of transporting children by sea to the eastward, or elsewhere, to sell them as slaves;" and the first paragraph of the letter of the advocate-general considers the 51st Geo. 3, c. 23, to have so prescribed the jurisdictions by which the offence of carrying away persons from the Honourable Company's territories, to be sold as slaves, shall be punished, as that the government is no longer competent to invest the local criminal courts with power to punish that offence.

4. The recommendation of the advocate-general is, that if any person shall be detected in transporting persons for the purpose of being sold as slaves, he shall be sent for trial before the supreme court. He evidently means either transport by land or sea, but probably intends an act, the ultimate object of which, if committed on land, and not detected, was a transportation beyond the boundaries, into the dominions of some other power, such as, on this side of India, into the territory of the Portuguese, or of their highnesses the rajahs of Mysore, Travancore, Coorg and Cochin; but the regulation which was promulgated eight months after, apparently in pursuance of that opinion, which considers the superior court empowered to punish such an offence, if committed on land, and detected in any part of the British territories immediately subject to the presidency of Fort St. George, declares the act aforesaid to contain provisions for the punishment of the offence of carrying away or removing from any country or place whatsoever, "no reservation being made of any person or persons" as already a slave or slaves, or for the purpose of being sold as a slave or slaves, or dealt with as such.

5. In the present case, the young woman is alleged to be removed with the consent of her family, as a punishment for an act of incontinence, which brought dishonour on it. Her removal from Malabar to Wynaad appears to have been already effected, and there is reason to believe that the intent was to sell, or at least to treat or deal with her as a slave; she was actually carried no further than to a solitary part of the jungle beyond the Periah pass; but this was an act of exilement, as intended, from her native country, in the districts which formerly constituted the territory subject to the Cartenaad rajah.

6. The circuit judge, under these circumstances, and the construction given to the 51st Geo. 3, by the advocate-general, and the full sanction given to that opinion, even to its declaring the competency of his Majesty's courts to try like offences, even if committed on land, and its tendency, so long as the limits to the authority of the supreme court be not defined, to render the power of the local criminal courts to punish the offence questionable, is desirous of ascertaining whether any communication has been held with the Foudaree Adawlut or the government to ascertain if jurisdiction is to be still exercised by the local criminal courts over this instance of removing a young woman, a native of Cartenaad in Malabar, into Wynaad, in order to sell and treat her as a slave, and, if so, to have copies of the correspondence, since, if no definition of what is to be considered a carrying or removing, insufficient to bring a case within the prohibitions, which Regulation II. aforesaid so sets to the jurisdiction of a court of circuit in regard to this detestable offence of forcibly mancipating and selling of free subjects into slavery, be hitherto established in this portion of Western India, wherein slavery already prevails in an extent and character unknown in other portions of the territories subject to the presidency of Fort St. George, it may be expedient, before the court of circuit undertake the trial of persons so accused of having committed the offence on land, to obtain some authentic instructions on a subject so important in many respects at the present time.

7. *Ordered*, That extract of these proceedings be sent to the joint criminal judge, by precept, requiring conformity to the exigence herein contained; return to be made within six days from and after its receipt.

(A true extract.)

(signed) *Tho^s Newnham*,
First Judge, Presidency

The joint criminal judge has the honour to state, in return to the matters contained in the extract of the proceedings of the court of circuit, fourth quarterly sessions, under date 5th instant, accompanying the annexed precept, that the joint criminal judge submitted the question at issue on the precept above alluded to in his communication of the 1st July last, to the provincial court.

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2. The legal provision, with regard to the case in contemplation as quoted by the first judge, seems to make no allowance for the offence of removal of a person to be sold or dealt with as a slave, even if done by a parent or relation. Since it is the ill-will that constitutes the offence, and inasmuch as it has been the labour of many a wearisome year of discussion and irksome contention in Parliament, that the abominable traffic of human creatures has been put a stop to, the joint criminal judge considers the case, in all its features, as one committable for the judgment of superior authority.

3. In conclusion, the joint criminal judge begs to state, in reference to paragraph 6, that the selling of free-born subjects into slavery in this portion of the western part of India is confined to the castes of poolears and vittowars, and that no communication has been hitherto held by this court with the Foujdaree Adawlut or the government on a subject of the nature under consideration.

Given under my hand and the seal of the court, this 11th day of November, A.D. 1829.

(signed) *C. M. Whish,*
Joint Criminal Judge.

Extract of the Proceedings of the Court of Quarterly Sessions, under date the
14th November 1829.

As the present state of the law, regarding the abduction of a person from one part of the country to another to sell, or deal with him as a slave, requires the court to make a reference to ascertain the jurisdiction before commencement of the trial in No. II. of the calendar, wherein the crime charged is "abduction of an attempt to sell a female as a slave," the court resolves to direct the joint criminal judge to allow the witnesses to return on their own recognizances to their homes until such a time as they be again required to attend. Likewise, as the court does not discern any circumstances on record to render the offence one which should not be accountedailable, the propriety of such of the accused as can furnish bail of a satisfactory nature, being admitted to bail during the interim, is recommended to the joint criminal judge.

Ordered, That extracts of these proceedings be sent to the joint criminal judge of Malabar, by precept, requiring conformity to its exigency; return to be made in three days.

(True extract.)
(signed) *Tho' Newnham.*

From *C. M. Whish*, Esq., Joint Criminal Judge, Tillicherry, to the Register of the
Provincial Court of Circuit, Western Division.—(1 July 1829.)

Sir,

HAVING occasion to make a reference to Act 51 Geo. 3, cap. 23, I have the honour to request that you will have the goodness to obtain the permission of the court, and furnish me with a loan of a copy.

(signed) *C. M. Whish,*
Joint Criminal Judge.

Tillicherry, 1 July 1829.

From *C. M. Bushby*, Esq., Register, Tillicherry, to the Joint Criminal Judge, Malabar.—
(1 July 1829.)

Sir,

I AM directed by the judges to acknowledge the receipt of your letter of this day's date, and to inform you, that copy of the Act required by you has never been received in this office.

(signed) *C. M. Bushby*, Register.

Tillicherry, Register's Office, 1 July 1829.

EXTRACT from the CALENDAR of PRISONERS committed or held to Bail by the JOINT CRIMINAL JUDGE in the Zillah of Malabar, to take their Trial before the Court of Quarterly Sessions in the Western Division, on the 4th Sessions, 1829.

No.	Names of the Parties.	Abstract of the Charges, and the Dates on which they were preferred.	Date of the apprehension of Offenders.	Names of the Prosecutor's Witnesses.	Abstract of Examination; Grounds and Date of Commitment for Trial.	Names of the Prisoners held to Bail.	Names of the Witnesses on the part of the Prisoners.
II.	Government, by Vakeel Coonjany Kaat Ramah Nyr, <i>versus</i> 1. Vannapolan Oony Chara Koopoo. 2. Chellatan Koran. 3. Nellyoodan Ookpen	Abduction of, and attempt to sell, a female as a slave. With having, on the 25th Meedom 1004, corresponding with the 6th May 1829, inveigled and taken away by force from the house, a female, by the name of Eddacherry Koonjamma, of the age of 19 years, and parading her about different places, with the intention to sell her; and upon knowing that the case was known in the Sircar, and that an inquiry was being made on that subject, taken the said female to and left her in a jungle near Periah, in Wynaad, and thus exposing her to the greatest misery. 5 June 1829.	18 May 1829.	Witnesses for the prosecution : 1. Ponnary Havildar Turbichy Kooroop, Kookly Delayet. 2. Kolkar Kimdale Amboo. 3. Tandarpoly Pythal. 4. Hallatoorn Koolate Adezode Kelan. 5. Connachan Kandy Koonjamboo. 6. Eddacherry Koonjamma (female). Witnesses to the Ky-pient, in the Criminal Court : 7. Poothoo Roody Chatoo Panikar. 8. Kayikel Kelloo.	The aforesaid female, Koonjamma, is the 6th witness. The prisoners have nowhere admitted the forcible abduction and attempt to sell the female aforesaid. The 1st and 2d prisoners stated before the magistrate and the criminal court, that Eddacherry Kelkoo Nambyar, the uncle of the female Koonjamma having told them, prisoners, that there was a charge against the said female of incontinence with a mason of the name of Kyapan, and desired them to take her away and leave her at any place, they (the 1st and 2d prisoners) and the 3d prisoner (who also stated the same thing) conducted away the said female on the 26th Meedom, before day-break; and that, while on their route, the prisoners told her they were taking her away in order to keep her somewhere or other in consequence of a charge against her of incontinence with a stone-mason; that on reaching Kootparamba, the 1st prisoner returned, as he was unable to travel. The 2d and 3d prisoners further stated before the joint magistrate and criminal court, that	None.	1st Prisoner's witnesses: 1. Chellatan Kello. 2. Kandacherry Koran. 2d Prisoner's witnesses: 1. Kandacherry Killapeer. 2. Keeralan Kooryey Crother.

they took the female Koonjamma away thence, and ascended the Periah pass; that on reaching the house of a nair, whose name they knew not, the female Koonjamma having said that she was unable to walk, and would put up there, she was left there, and then they (the prisoners) returned.

The 1st witness is the person who searched for, conducted and brought back the 6th witness, the female Koonjamma. He deposed that two or three men having brought a female of Cartenaad for sale, deponent was ordered by the joint magistrate to search for, and bring them over, and furnished a warrant to the deponent himself, and Delayet Ryroo; that they went accordingly in search of those persons, and heard several persons say that two or three persons of Cartenaad were talking about a female for sale; that on the 29th Meedom, at 10 o'clock a. m., when deponent reached a jungle, about half a nariya walk distant from the post of Periah, in Wynaad, he heard a female voice crying "Ay! Ay! Oh!" and on repairing to the spot, he met the female Koonjamma standing by herself; that on her being questioned she said, that the three prisoners had conducted her away, saying, that they would take her to her father's house, and had left her in the jungle and gone away.

The 2d witness deposed, that he saw the three prisoners conducting away the 6th witness, the female Koonjamma; that the said prisoners told deponent that they were conducting the said female to be lodged somewhere, by the desire of her uncle, who said that he had a charge against her, but that the prisoners did not tell witness what it was; that when deponent asked her if she wanted to stay at his house at Pyshee, she answered in the affirmative; that deponent thereupon wrote a letter to his younger brother, and delivered it to the prisoner.

The 3d witness deposed, that when he saw the 6th witness and the prisoners, at the 4th witness's house, the 1st prisoner told him that the 6th witness was being taken away in consequence of a charge of incontinence with a stone-mason, and that the 1st prisoner told witness that he would sell her to any one if he got rupees; that, after that, witness crossed the Kooyatty ferry, and on his way met the prisoners and the 6th witness on the road, by which time the 2d witness also came up; that the 3d witness thereupon drew out a writing in his own hand, at the 2d witness's desire, to the address of his (2d witness's) younger brother Konnan, desiring him to keep the girl at his house at Pyshee.

The 4th witness deposed that the three prisoners and a female came and put up at his house one day, and went away the next morning; that the 3d prisoner told deponent that they were coming from Cartenaad and going to Chenkul.

The 5th witness deposed that he saw the prisoners and a female at the 4th witness's house.

The 6th witness deposed before the criminal court, that her uncle sent her along with the 2d prisoner from her taddalit house; that on that day she put up at the 2d prisoner's house, and on the following morning before day-break, as the 2d, together with the 1st and 3d prisoners and the witness were coming away together, and had reached the road leading to the female's father's house at Chumba Paramba, the prisoner told her (witness) that they wished to go to the Zeroovengat Kishatummat, at Tillicherry, for the purpose of adoring there; but that on reaching Tillicherry they did not go to the said Kshetum, but set off again; that on witness asking them, they conducted her also to adore at the Velloor Karoo, a place not known to witness; that the 1st prisoner returned back from Khooparamba; that the 2d and 3d witnesses conducted the deponent away from them, and on reaching a road in the Wynaad jungle, they made her sit there, and went away, saying that they were going to fetch rice, but did not return; that she thought the prisoner would sell her. Before the aumeen, witness deposed further, that her uncle, Kelkoo, had told her, that the Cartenaad rajah had ordered that she should be banished from the country, and that she should be taken and left anywhere.

The 7th and 8th witnesses are persons who know what the prisoners declared before the criminal court. Committed the prisoners to take their trial before the court of quarterly sessions, on the grounds of their own statements and the depositions of witnesses.

(True extract.)

(signed) Thomas Newnam, First Judge Presiding.

Ordered, in consequence, That the following letters be despatched :—

E. I. Company and
Board of Control.
(Documents.)

No. 194.

From Mr. Chief Secretary *Chamier* to *George Norton*, Esq., Advocate-general.—
(12 March 1830.)

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the enclosed copy of a letter from the register to the court of Foujdaree Adawlut, with copies of its accompaniments, and to request your opinion as to the construction of the Act of Parliament to which these papers refer.

No. 10.

(signed) *H. Chamier*, Secretary to Government.

Fort St. George, 12 March 1830.

No. 195.

From Mr. Secretary *Chamier* to Mr. Secretary *Shakespear*.—(12 March 1830.)

Sir,

I AM directed to transmit to you the enclosed copy of a letter from the register to the court of Foujdaree Adawlut, with copies of its accompaniments, and to convey the request of the Right honourable the Governor in Council, that this government may be furnished with information as to the construction put upon the Act of the 51st of Geo. 3, c. 23, respecting the slave trade in Bengal.

No. 11.

(signed) *H. Chamier*, Secretary to Government.

Fort St. George, 12 March 1830.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 6 April 1830.

From *George Norton*, Esq., Advocate-general, to Mr. Secretary *Chamier*.—(30 March 1830.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 12th instant, transmitting copies of a letter from the register of the court of Foujdaree Adawlut, and of its accompaniments, and requesting my opinion as to the construction of the Slave Trade Act of 51st Geo. 3, c. 23, in reference to the case detailed in those papers.

No. 7.

2. I have given mature consideration to the subject, and am clearly of opinion that neither this nor any other of the Slave Acts apply to the case in question.

3. The 51st Geo. 3, c. 23, and all other Slave Acts previous to that of the 5th Geo. 4, c. 113, are repealed by that Act, which passed for the purpose of consolidating all the statutable provisions in regard to slave trafficking. It may be expedient, however, to refer to the statute 51st Geo. 3, c. 23, as well as that of 5th Geo. 4, c. 113, not only with a view to the better understanding the purport and object of this latter Act, but for the sake of better appreciating the measures which I learn from these papers have been adopted by government under the construction given to the former Act.

4. The language of the 51st Geo. 3, c. 23, by its plain purport, would appear to prohibit all removals whatever from any place, either in India or in any other country, of persons for the purpose of their being dealt with as slaves. There seems, however, from the preamble of this Act, as well as the previous statutes, some indication that the object was to put down the traffic which commonly passed by the appellation of the "African Slave Trade;" and that by the "dealing with persons as slaves" was meant a traffic by sea. When the clauses of the Act are further examined, many of the provisions can, as it appears to me, have no just construction on any other principles.

5. One of these clauses provides that the removal of slaves from one part of an island or settlement in the West Indies to another part of the same island, or from island to island in the West Indies, shall not be construed a removal within the penal provisions of the Act.

6. This pretty plainly shows what quality of slaves the Act referred to, and that it did not contemplate either the emancipation of slaves who had become so under pre-existing laws, or the prevention of their being dealt with as such by being removed from place to place, provided they were not carried altogether away by sea, and also to a foreign or distant country.

7. It is very remarkable, however, that this Act does not contain any exception, as regards removal of slaves or other persons from one part of India, or any other continental country, to another part of the same country; and yet, I believe, it must always have been notorious that slavery existed in one form or other (whether rightfully or wrongfully), almost throughout India, and that the customary rights of "masters of families" in India are, by statute, expressly confined and protected. Nor have I ever understood that this Act was intended, by a side wind, to emancipate all slaves in India, or to interfere with those rights of masters. But if the construction of this Act should be strictly extended to all "removals from any place whatever of any person for the purpose of using him as a slave," a Mahomedan in

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India, who had a slave in his house, would find himself made a felon by taking him into any other house.

8. A stronger inference may be drawn from the clause in this Act providing for the trial of the offence of so removing persons. It is provided that the trial shall be in one of these three ways: either, first, according to the course of common law, and the provisions of 28th Hen. 8, c. 15; or, secondly, according to the mode provided by the 23d Hen. 8, c. 23; or, thirdly, according to the provisions of the 11th and 12th Will. 3, c. 7.

9. Now, the first of these courses supplies the admiralty jurisdiction, and nothing but the admiralty jurisdiction; and if this, or any offence, should be committed on land, that jurisdiction cannot hold cognizance of it. The second course of trial is by special commission, to be issued by the King, for the trial in any part of England, and which course of trial was provided when any treason or murder should be vehemently suspected, upon examination of the offender before the Privy Council, to have been committed at any place whatever, either within or without the King's dominions. This course, without doubt, is as applicable to offences committed on land as those committed by sea; but it certainly seems most inapplicable to offences committed by persons domiciled in India, or any continental country, in removing persons from place to place in that same country. The third course is that which is provided for the trial of persons who are accessaries to offences committed at sea, and who are to be tried in the same manner as the principals under the admiralty jurisdiction.

10. If the Act of 51st Geo. 3, c. 23, did, therefore, contemplate removals from place to place in India, it would seem very extraordinary that no other means of trying the offence should be provided besides the admiralty jurisdiction, which could not, under any circumstances, by law try it, or, besides the special commission in England, which it would be almost physically impossible to put in force; and I am quite sure that some mode of trial would have been allowed, if not expressly provided, to meet the case. But, if we are to gather that such removals were contemplated by the Legislature, we must conceive that it first intended to abolish all slavery in India, though existing slavery is specially protected in the West Indies; and we must suppose that the Legislature, in so abolishing slavery, took care to make it impossible to prevent its continuance.

11. My predecessor intimates that the offence of slave-dealing contemplated by the 51st Geo. 3, c. 23, might be committed on land, and might be tried by the supreme court, although committed by a native inhabitant of the provinces. Now, it is quite certain that the supreme court could only try it by its admiralty jurisdiction, and that no offence not committed at sea could be tried by this or any other admiralty jurisdiction. I conclude, therefore, that the offence meant by him must have been the offence of being accessory or contributory to the offence of slave-traffic by sea, through a removal from one place to another, or through some other act committed by him personally on land; and that may very well be. But that will not, in any manner, prove that the offence, the completion of which is contemplated by the statute, and which is sought to be put down, is not a trafficking by sea.

12. Such is my construction of the Slave Trade Acts previous to 5th Geo. 4, c. 113. That Act has the same particular language, prohibiting all removals whatever from any place whatever to any place whatever; and there is a further clause (section 49), by which it is provided that any offence committed against that Act, "in any place where the admiral has not jurisdiction," shall be tried according to the provisions of 46th Geo. 3, c. 54, which Act provides a power for issuing a commission to persons in colonies and settlements to try as an admiralty jurisdiction. This statute does therefore certainly imply that the offence may be committed on land, and does not merely apply to substantive offences done at sea, or acts accessorial to such offences.

18. But, in coming to this conclusion, it is to be observed that there is a remarkable difference in the other clauses of this Act, and those of the 51st Geo. 3, c. 23, for in this Act (ss. 13, 14), all removals from one part of any settlement or colony, dominion or territory to another part of the same settlement, &c., or from one island to another, under the same government, are excepted; and no distinction is made in favour of the West Indies, or between the West and East Indies. So that, from this Act, if we are to conclude that inland removals are contemplated, we must expressly note also that they are removals at least into foreign countries, and that such offences are only to be tried by the King's special commission, issued for such purpose. Moreover, even this mode of trial for any such offence is only to be resorted to, according to section 49, when it is committed in a place "not being within the local jurisdiction of any ordinary court of a British colony, settlement or territory."

14. Under these circumstances and impressions, I very decidedly come to the conclusion that neither in the present instance or any other, of a removal of a person from one part of the Company's territories in India to another, in order that such person should be there dealt with as a slave, is an offence within the Slave Trade Acts, but that it becomes so, and is liable only by the local law or regulations of this country.

(signed) *George Norton*, Advocate-general.

Fort St. George, 30 March 1830.

Ordered, in consequence, That the following letter be despatched:—

No. 235.

No. 235.

E. I. Company and
Board of Control.
(Documents.)From Mr. Secretary *Chamier* to the Judges of the Foujdaree Adawlut.—(6 April 1830.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your register's letter of the 27th February last, No. 8, and to transmit to you the accompanying copy of the reply of the advocate-general to a reference which was in consequence made to him.

2. The supreme government have been requested to furnish this government with information as to the construction put upon the Slave Trade Acts in Bengal, and a copy of the communication which they may make in reply will be transmitted to you when received.

(signed) *H. Chamier*, Secretary to Government.

Fort St. George, 6 April 1830.

No. 8.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 11 May 1830.

From Mr. Secretary *Shakespear* to Mr. Chief Secretary *Chamier*.—(13 April 1830.)

Sir,

I AM directed by the Right honourable the Governor-general in Council to acknowledge the receipt of your letter dated the 16th ultimo, forwarding copy of a letter from the register to the court of Foujdaree Adawlut, with copies of its accompaniments, and conveying the request of the Honourable the Governor in Council that the government may be furnished with information as to the construction put upon the Act of the 5th Geo. 3, c. 23, respecting the slave trade in Bengal.

2. In reply, I am directed to request that you will lay before the Honourable the Governor in Council the accompanying copy of the resolutions of this government, dated the 9th of September 1817, from which it will appear that, in the judgment of the supreme government at that time, the statute law applies only to the importation or removal of slaves by sea.

3. Nothing has since occurred to induce the government to alter that opinion.

4. I am further directed to observe, with reference to para. 7 of the letter from the register of the Foujdaree Adawlut, that Regulation X., 1811, of the code of this presidency is still in force in respect to the importation of slaves by land, although the provisions of the regulation, so far as they regard the importation of slaves by sea, have been rendered nugatory by the statute since enacted by the British Government.

(signed) *H. Shakespear*, Secy to Govt.

Fort William, 13 April 1830.

No. 1.

Copy of the resolution was transmitted to the government of Fort St. George on the 14th Oct. 1817.

THE Vice-president in Council, having taken into his deliberate consideration the foregoing documents, records the following remarks and resolutions :—

The measures adopted by the supreme government, with a view to give effect to the statute of the 53d Geo. 3, c. 23, are detailed in the proceedings of government of the 26th September and 19th December 1812; it appears to be convenient, however, to advert generally to those measures in this place.

With reference to the important objects and highly penal provisions of the statute in question, government judged it proper to direct that a copy of it should be published for general information in the "Calcutta Gazette," and that copies of it should be officially forwarded to the different independent and subordinate governments in this country. On the same principle copies of the statute were forwarded to the magistrates stationed at the sea-ports immediately dependent on this presidency, in order that in their capacity of justices of peace they might aid in enforcing the provisions of the statute. It was not deemed necessary to forward copies of the Acts to the other magistrates, as the Governor-general in Council did not consider its provisions to be applicable to the importation or removal of slaves by land.

The governments at Fort St. George and Bombay, of Java, of Prince of Wales' Island, of the Mauritius and of Ceylon, as well as the residents at Malacca and Fort Marlborough, were informed of the measures above adverted to, and of the construction which the supreme government had annexed to the provisions of the statute, viz. that they could only be considered applicable to the importation of slaves by sea.

A regulation has been already passed by the Governor-general in Council for preventing the importation of slaves from foreign countries to have effect within the territories immediately subordinate to the presidency of Fort William; and the rules contained in the regulation having proved fully effectual in preventing the importation of slaves by land, similar provisions were, at the suggestion of the Governor-general in Council, subsequently enacted for the same purpose within the territories immediately subordinate to the governments of Fort St. George and Bombay.

The foregoing general recapitulation sufficiently explains the measures hitherto adopted by the supreme government with reference to the provisions of the Act of the 51st Geo. 3, c. 23.

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The

Resolutions, 9 Sept. 1817.

Reg. X., 1811.

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The first question adverted to in the documents now under consideration, as stated in the 1st para. of the letter from the chief secretary to government at Bombay, relates to the application of the Acts of Parliament for the abolition of the "slave trade to domestic slaves, and the property of individuals in them, such slavery being known and legalized under the laws of both the Hindoos and Mussulmans, according to whose codes the courts are bound to administer justice."

On this point the Vice-president in Council observes, that none of the provisions of the Acts of Parliament passed for the abolition of the slave trade in any manner affected or professed to affect the relation between master and slave, wherever that relation may exist by law. Whatever therefore was the law according to the Mahomedan and Hindoo codes for those over whom they extend on the Acts of the 51st Geo. 3, c. 23, continued to be the law still, more especially as those codes have been distinctly recognized and ordered to be observed by Parliament; at the same time it is not credible that any intention existed to abrogate those codes without reference to the established laws and usages of this country, and without repealing the Acts of Parliament by which the observance of them is guaranteed to the natives.

The native subjects of the British Government residing in the territories subordinate to the several presidencies have, in fact, the same authority over their slaves, and the same property in them, that they would have had if the Act in question had never been passed, and the several zillah and provincial courts are bound to receive and determine all questions of that nature which are respectively cognizable by them under the established regulations.

The other points adverted to in the documents now under consideration relate to the conduct which should be observed on the occasion of applications being made by the subjects or governments of neighbouring states with whom we are in amity, for the restoration of slaves who have taken refuge within the Company's territories. On this point it may be remarked, that the construction which has been uniformly given by the supreme government to the Act of the 51st Geo. 3, c. 23, viz., that it was only intended to apply to the importation or removal of slaves by sea, would not involve any alteration in the course of proceedings hitherto adopted in similar cases.

A slave by entering the Company's territories does not become free, nor can he who was lawfully a slave emancipate himself by running away from one country where slavery is lawful to another where it is equally lawful.

The property in the slave still continues in the master, and the master has the same right to have it restored to him that any native subject of our territories could have, supposing that right to be established in the mode prescribed by the local laws and regulations.

The Vice-president in Council observes, that some of the terms used in the preamble of the 51st Geo. 3, c. 93, are of a very comprehensive nature, such indeed as in the first view might lead to the inference that the bringing of slaves by land into the territories of the honourable Company, or the removal of them by land from those territories, were acts included within the penalties of the statute in question; and it may be convenient, therefore, in this place to state generally the grounds on which government were led to consider the provisions of the Act (so far as they apply to the territories subject to the government of the Honourable the East India Company) to extend merely to the importation or removal of slaves by sea.

The evil which specifically called for the interposition of the Legislature on the occasion of passing the Act of the 47th Geo. 3, c. 36, was the African slave trade, and the chief object of the subsequent Act of the 53d Geo. 3, c. 23, was avowedly the adoption of measures to prevent the daring violations of the former law, or, in other words, to render more effectual the provisions of that law.

This, however, is evidently not the exclusive object of the latter Act; the Legislature was probably aware that a traffic was carried on in slaves by importing them by sea from the eastern coast of Africa, from Madagascar, and from the eastern islands into the islands and territories in the East Indies subject to his Majesty, or to the Honourable the East India Company; and it may reasonably be supposed, that, in using the comprehensive terms employed in the latter Act, the Legislature meant to provide for the effectual abolition of that traffic, which was in fact of a nature and tendency scarcely less objectionable than the trade which had been carried on between the western coast of Africa and the West India islands.

Had the provisions of the Act been intended to apply to the importation or removal of slaves by land in the Honourable Company's territories on the continent of India, it cannot be supposed that the Legislature would have confined the operation of the 4th section of that Act exclusively to the West Indies; that it would have subjected to the punishment of transportation whole nations, amongst whom domestic slavery had immemorially existed under the sanction of laws recognized by Parliament, and this without any reference to those established laws and usages, and without repealing the Acts of Parliament by which the observance of them is guaranteed to the natives; that it would, in short, have subjected the Hindoo and Mahomedan inhabitants of the British territories in the East Indies to the several punishments of transportation for acts which the 4th section of the statute renders legal in the West Indies.

But if there could exist any reasonable doubt with regard to the construction of the Act which this government entertains, upon a general consideration of its provisions taken in connexion with each other, and with all the former Acts and resolutions referred to in it, it would be difficult to reconcile any other construction of the Act with the letter of the 6th clause of the Act.

That

That clause prescribed the course to be pursued in bringing to trial offenders against the Act.

The admiralty jurisdiction, vested in his Majesty's courts of justice in the several presidencies in India, would enable those courts to take cognizance of all offences relating to the importation or removal of slaves by sea, contrary to the Act; but offences against the Act, which may not be cognizable by the court of admiralty, can only be tried in England in the mode pointed out by the 6th clause of the 51st Geo. 3, c. 23.

If, therefore, this Act be construed to extend to the removal or importation of slaves by land in the territories subject to the East India Company, every native carrying or removing a slave from one part of those territories to another is liable to be sent to England to be tried for felony, in the mode prescribed by certain Acts of Hen. 8, and Will. 3., for the suppression of piracy.

It is unnecessary to enlarge further on the difficulties which must arise from any such construction of the Act. The powers vested by law in the governments of the several presidencies in India will enable them to frame such legislative enactments as may from time to time be found necessary with a view to the correction of any abuses which may be found to prevail in the existing system of domestic slavery, or to the augmentation of the penalties already prescribed by the regulation for preventing the importation of slaves by land from foreign countries, and the state of such slaves in the territories immediately dependent on the several presidencies.

(signed) *W. B. Bailey*, Secretary to Government.

9 September 1817.

Ordered, in consequence, That the following letter be despatched:—

No. 286.

From the Chief Secretary *Chamier* to the Judges of the Foujdaree Adawlut.—
(11 May 1830.)

Gentlemen,

WITH reference to my letter of the 6th ultimo, No. 235, I am directed by the Right honourable the Governor in Council to transmit to you the accompanying copy of a letter from the secretary in the judicial department to the government at Fort William, relative to the construction of the slave laws adopted by that government, with a copy of its enclosure.

(signed) *H. Chamier*, Secretary to Government.

Fort St. George, 11 May 1830.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 7 September 1832.

From *D. Elliott*, Esq., Acting Register to the Sudder Adawlut, to Mr. Acting Secretary *Stonehouse*.—(4 May 1832.)

Sir,

I AM directed by the judges of the Sudder and Foujdaree Adawlut to acknowledge the receipt of your letter, No. 264, dated the 24th ultimo, transmitting three copies of each of Bengal Regulations III. and IV. of 1832, and desiring that, if it shall appear to them expedient to introduce into the code of this presidency provisions similar to those contained in Regulation III. of 1832, the draft of a regulation for that purpose may be submitted.

2. This regulation, as intimated in the preamble, has been framed in extension of the provisions of Bengal Regulation X. of 1811, and the judges observe, that, in the resolutions of the supreme government, under date the 9th of September 1817, of which a copy accompanied your letter, No. 286, dated the 11th May 1830, it is assumed that provisions similar to those of the last-mentioned regulations "were, at the suggestion of the Governor-general in Council, subsequently enacted for the same purpose, within the territories immediately subordinate to the government of Fort St. George."

3. No such regulation has, however, been enacted by the government, and the records of the Sudder court do not show the grounds of the omission.

4. It appears to the judges that it will be necessary, in framing a regulation containing provisions similar to those of Bengal Regulation III. of 1832, to enact those of sections 2 and 3, Bengal Regulation X. of 1811, omitting, with reference to the observation in para. 4 of Mr. Secretary *Shakespeare's* letter, dated the 13th April 1830, of which a copy was transmitted with your letter of the 11th May 1830, above-mentioned, such part thereof as regards the importation of slaves by sea, which is described as having been "rendered nugatory by the statute since enacted by the British Government."

5. Referring, however, to the above observation, and to the minute of Mr. *Harrington*, quoted in the 7th para. of a letter dated the 27th February 1830, from the register to the Foujdaree Adawlut, in which it is remarked that the statute in question, the 51st Geo. 3, c. 23, "must be considered to have superseded such parts of Regulation X. of 1811 as relate to the importation of slaves by sea, under the construction given to that statute by the resolutions of government, dated the 9th September 1817;" the judges are disposed to be of opinion, that clause 1, section 2, Bengal Regulation III. of 1832, may have been framed upon a different view of the construction of the above statute from that contained in those resolutions of the supreme government the removal of slaves "by sea," for purposes of traffic

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E. I. Company and
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No. 2.

No. 1

E. I. Company and Board of Control. (Documents.) traffic "from any country into any province dependent on the presidency of Fort William" being made punishable by that clause.

6. In order to prevent misconception as to the objects, and correct applications of the provisions of the regulation proposed to be introduced into the code of this presidency, as also to determine how far the provisions of Bengal Regulation X. of 1811 should be incorporated therein, the judges are desirous of being informed whether or not they are correct in the above inference, that a different construction of the statute in question, from that communicated in your letter of the 11th May 1830 has been adopted.

7. When the provisions to be included in the drafts shall have been determined, the judges propose a reference to the subordinate courts, for the purpose of ascertaining their sentiments, and in particular those of the authorities in the western division, upon the expediency of the proposed law.

(signed) *D. Elliott*, Acting Register.

Sudder Adawlut, Register's Office, 4 May 1832.

Ordered, in consequence, That the following letter be despatched :—

No. 542.

From Mr. Acting Secretary *Stonehouse* to Mr. Secretary *Swinton*, Fort William.

Sir,

No. 2.

WITH reference to Mr. Secretary Shakespear's letter, under date the 13th April 1830, transmitting copy of the resolutions of the supreme government as to the construction of the 53d Geo. 3. c. 23, on the subject of the slave trade, and to the Bengal enactment, Regulation III. of 1832, on the same subject, I am directed by the Right honourable the Governor in Council to transmit to you the annexed copy of a letter from the courts of Sudder and Foujdaree Adawlut of this presidency, and to request, with reference to clause 1, section 2, of that regulation, which appears to provide for cases of removal "by sea or land," to be informed if the Bengal government have been led to put a different construction upon the provision of the Act above cited, to what was given to it in the resolution of the supreme government, bearing date the 9th September 1817, wherein the statute in question was considered to provide for cases of importation and removal by sea, and to render nugatory the enactments of the local government, so far as they related to such cases.

(signed) *T. V. Stonehouse*, Acting Secretary to Government.

Fort St. George, 7 September 1832.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 19 October 1832.

From Mr. Officiating Secretary *Thomason*, Fort William, to Mr. Acting Secretary *Stonehouse*, Fort St. George.—(25 September 1832.)

Sir,

No. 7.

I AM directed to acknowledge the receipt of your letter, dated the 7th instant, and in reply to request you will inform the Right honourable the Governor in Council that nothing has occurred to alter the sentiments of this government as to the construction of the 51st Geo. 3, c. 23, communicated in Mr. Shakespear's letter dated 13th April 1830.

2. His honour in council does not perceive that any of the provisions of Regulation III. 1832, of the Bengal code, are opposed to the opinion expressed formerly by this government. The first clause of section 2 does not declare the removal of slaves by sea to be punishable, but that slaves removed, whether by sea or land, on any date subsequent to the enactment of Regulation X., 1811, are free. The penalties prescribed in the second clause of the same section are attached, not to the removal, but to the subsequent sale or purchase of slaves so removed.

(signed) *J. Thomason*, Officiating Secretary to Government.

Fort William, 25 September 1832.

Ordered, in consequence, That the following letter be despatched :—

No. 668.

From Mr. Acting Secretary *Stonehouse* to the Judges of the Sudder Adawlut.

Gentlemen,

No. 8.

WITH reference to your acting register's letter of the 4th May last, No. 70, I am directed by the Right honourable the Governor in Council to transmit to you the accompanying copy of a letter from the officiating secretary to government at Fort William, under date the 25th ultimo.

(signed) *T. V. Stonehouse*, Acting Secretary to Government.

Fort St. George, 19 October 1832.

EXTRACT

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 21 August 1835.

E. I. Company and
Board of Control.
(Documents.)

No. 58.

From *J. C. Morris*, Esq., Acting Register of the Foujdaree Adawlut, to the Secretary to Government in the Judicial Department.—(10 May 1833.)

Sir,

IN the chief secretary's letter of the 24th April 1832, transmitting Bengal Regulation III. of 1832, the judges of the Foujdaree Adawlut were instructed to submit the draft of a regulation containing similar provisions, if it should appear to them expedient to introduce them into the code of this presidency; and in the concluding paragraph of the answer addressed to the government on the 4th May 1832, it was stated, that, when the provisions to be included in the draft should have been determined, the judges proposed a reference to the subordinate courts for the purpose of ascertaining their sentiments, and in particular those of the authorities in the western division, upon the expediency of the proposed law.

No. 16.

2. The letter from the officiating secretary to government at Fort William, transmitted with Mr. Stonehouse's letter of the 19th October last, having satisfactorily explained certain difficulties which had occurred to the judges, a circular letter was addressed to the four provincial courts, containing a recital of the provisions in question, taken from Bengal Regulations X. of 1811, and III. of 1832, of which a copy is herewith transmitted, together with the replies from the several divisions, which the judges will now proceed to take into consideration.

3. The judges of this court state, that they concur unanimously in the expediency of the proposed enactments. They did not consider it necessary to consult the criminal judges or the magistrates on the subject.

Provincial Court,
Western Division.

4. The judges of this court have, under the instructions contained in the circular letter, availed themselves of the opinions of the criminal judges and magistrates in the division.

Provincial Court,
Southern Division.

5. The magistrate of Tanjore is of opinion that the provisions of the proposed enactment are quite unexceptionable.

Combaconum.

6. The criminal judge states, that, from the best information which he has been able to obtain, it would not appear that either the importation of slaves, or the removal for the purpose of traffic, prevails within the limits of this zillah, and he therefore considers that any legislative provision on this subject is not at present called for.

7. Mr. Thomas adds his opinion, that, in the event of an enactment being framed, the provision in the Bengal regulation, which makes the criminality of the act to depend upon the artificial boundary of a zillah, is open to strong objections, especially in this presidency, where alterations in the limits of zillahs are not matter of formal regulation; and he suggests a better defined rule, and one more equitable towards the inhabitants residing in the borders of zillahs, that removal for traffic beyond a given distance should alone make the act penal.

8. Mr. Thomas further observes, that, inasmuch as the provisions of the Bengal code make no distinction between the different classes of slaves, they appear to be inapplicable to the state of society in this presidency; that the removal and sale of the personal slave would be viewed by the people as no offence, whilst that of the bondsman attached to the soil would be considered an unjust infringement of presumptive right; and with reference to the sales of slaves in the Trichinopoly division of the zillah under the orders of court, Mr. Thomas concludes with suggesting the enactment of a clause either prohibitory of this practice, or limiting the right of purchase in such sales to the residents within the zillah.

9. The magistrate does not anticipate any inconvenience from the operation of the provisions in question. He observes that there are no instances, as he believes, of slaves being imported from other countries into this district for sale; that there exists in the district two descriptions of slaves: first, the cultivators, commonly called pullers, who belong chiefly to the proprietors of the wet or paddy lands, and are generally sold or mortgaged by their owners with or without the land, but are never removed from their usual place of residence; secondly, dancing girls, employed in the Hindoo pagodas.

Trichinopoly.

10. The magistrate states, that the practice of buying and selling slaves, or of slavery of any kind, does not exist in this zillah, and adds, that the enactment of the proposed provisions cannot fail to operate as a check to any traffic of slaves wherever it might be carried on, and be conducive of public benefit.

Coimbatoor.

11. The magistrate observes, that the enactment of the provisions in question would be a good precautionary measure against the future introduction of slave traffic, which, as far as he can learn, does not, nor ever did, exist in this province; that the only slavery known here is domestic servitude, in which, he believes, the owners have no right to sell or alienate the slaves from the soil.

Salem.

12. The acting joint criminal judge at Coimbatoor states, that there is no traffic in slaves carried on within the limits of the zillah, though in the talooks of Caroor and Pollanchy there exists a class of people who are serfs of the soil, and are considered attached to the estates on which their families have resided from time immemorial, and in mortgaging lands they are always included with the estate: their condition, observes Mr. Popham, appears to be vastly superior to that of the generality of free labourers.

13. Mr. Popham objects to any enactment to render these slaves free, and recommends the insertion in the first enacting clause of the proposed regulation of the words, "imported for trade," as otherwise the periodical changes of the boundaries of our zillahs might at times render it penal to transfer slaves from one estate to another, and a Mussulman travelling through our

territories

- E. I. Company and Board of Control. (Documents.) territories would be liable to a criminal prosecution for "importing slaves," who were merely the attachés of his household, and that it would then become a question whether a man, having purchased a certain number of slaves in any foreign states, might bring them into our territories, to settle on his own estate.
14. The late acting criminal judge states, that he cannot discover any objection to the provisions contained in paragraphs 3, 4 and 5 of the circular letter; but, as regards this zillah, he thinks them likely to be nearly a dead letter.
- Madura. 15. The magistrate states that the proposed enactment appears to him to be proper.
16. The late criminal judge considers the proposed enactment open to one objection, which is, that, by declaring penal all traffic of slaves removed from one zillah to another, it by implication declares legal all inland traffic of slaves who have not been so removed.
17. Mr. Bannerman proceeds to state his opinion that, if it were declared by regulation that none of the class now standing in the relation of serfs might quit their employers without a year's notice, unless a case of cruelty was made out, the landlords and the above class would be placed on a fair footing with each other; and all slave traffic, even when a removal from one zillah to another had not taken place, might be made penal.
18. Mr. Bannerman concludes with suggesting a verbal alteration in paras. 3 and 5, in order to confer on the courts the power of mitigating the punishment prescribed.
- Tinnevelly. 19. The magistrate divides the slaves in this province into three classes: 1st, the puller and parriah allodial slaves, whose condition he describes as comfortable, amounting, in 1821, 1822 and 1823, to 324,000; 2d, dancing girls; 3d, domestic slaves, to whom, as well as the pullers, Mr. Blackburn considers that freedom, if accompanied by dismissal from the protection they enjoy, would be more a curse than a blessing.
20. The provisions in question would, in this officer's opinion, affect only the dancing girls; and he appears to approve of this enactment for the eventual benefit of this class.
21. The joint criminal judge considers the proposed enactment desirable, with reference to the importation of young girls into this district from Travancore by dancing women.
22. The provincial court, after noticing the foregoing suggestions, concludes with expressing a doubt as to whether the enactment, at this particular period, is called for.
23. A minute is added by the acting third judge, denouncing particularly the purchase and sale of female children for the use of pagodas.
- Provincial Court, Northern Division, Nellore. 24. The judges of this court have also taken the opinions of the criminal judges and magistrates on this subject.
25. The late criminal judge states that traffic in slaves from other countries is not known in this zillah, that the sale of children in seasons of scarcity is common, and that he is therefore of opinion that the enactment of the proposed provisions is expedient.
26. It is observable that the provincial court in the southern division considers the sale of children by their parents, in times of scarcity, to be the reverse of objectionable.
27. The magistrate states that in this zillah the traffic of slaves and even slavery itself, are, as far as he can learn, scarcely known; but that as the conveyance of any man, woman or child, as a slave, or for the purpose of being sold, or dealt with as a slave, ought to be strictly prohibited, this officer considers that the proposed provisions are not inapplicable to the province under his charge.
- Guntoor. 28. The joint criminal judge is not aware of any peculiarity in this zillah, which can render an extension to it of the proposed enactment in any degree objectionable.
29. The magistrate states that, from his inquiries, it does not appear that the practice of importing slaves by land is of very frequent occurrence in this district, but that the purchase and exporting of children as slaves, both male and female, to the nizam's and other foreign territories contiguous to the Company's country, is by no means rare, especially in seasons of scarcity.
30. This officer considers that the punishment provided in the proposed enactment "is by no means adequate to the offence of trafficking in slaves," and suggests the addition of a clause, making it criminal "attempting" to purchase, sell or export man, woman or child as slaves; such cases being much more likely to occur in this district than their importation.
31. Mr. Mason concludes by noticing a species of domestic slavery existing in the district; the individuals being never bought or sold, but, having been taken by the higher classes, out of charity, to prevent their dying of want, are provided with food and clothing in return for their services.
- Masulipatam. 32. The joint criminal judge states his belief that no such slavery as is spoken of in the proposed enactment is known in the northern circars. He observes, that it is difficult to put any check on domestic slavery, by which, in times of scarcity like the present, many lives have been saved; that this is a sort of adoption, and that he never heard of a child so bought being sold again.
33. The acting magistrate states, there are three descriptions of persons in the district who are commonly called slaves, although that term does not strictly apply to them, in the sense in which it is understood in other parts of the world: 1st, persons attached to zemindars and certain other classes; 2d, cultivators of the parriah caste; 3d, persons in the service of Mus-sulmans; that though the 1st and 2d classes live in a state of perpetual servitude to their masters, they are not saleable, and that the 3d are not sold in this district.
34. The magistrate proceeds to describe the condition of these several descriptions of persons, who appear to be well treated; he states that no traffic whatever in slaves is carried on, either by sea or land, and concludes with expressing his opinion that "the expediency of the

the proposed enactments with reference to the local circumstances of this province," is questionable.

35. The criminal judge states his decided opinion "that there exists no necessity for the introduction into this part of the country of the particular penal enactment contemplated," the crime at which it points being unknown in this district; but he observes that the introduction of the regulation in question may be proper as a precautionary measure.

36. The magistrate's opinion is to the same effect.

37. The acting criminal judge states that there does not appear to him to be any objection to the enacting of the proposed regulation.

38. The magistrate of Ganjam states, that, as far as he has been able to learn, the system of selling slaves does not exist to any great extent; that some of the lowest caste of natives give up children, whom they cannot maintain, to a rich neighbour, receiving money or clothes in return, but that they are not bound to remain with their master, and that a few children occasionally are purchased in the district of Cuttack, and brought to the pagoda at Ganjam or Berhampoor by the dancing girls of those pagodas.

39. This officer gives no opinion as to the expediency of the proposed enactment.

40. The magistrate of Vizagapatam states, that the introduction of the provisions in question appears to him to be quite unobjectionable and proper, although, with reference to this district, he is not aware of there having been, in the course of his six years' experience, any importation or sale of slaves rendering a special enactment upon the subject necessary. This officer describes as existing a species of domestic servitude, improperly called slavery, the persons so denominated slaves being born in the family, and receiving food and clothing only in return for their services.

41. The native criminal judge of Vizagapatam states, that he has never heard of the existence in the country of the practice of importing slaves by sea or removing them by land, but approves of the proposed enactment for the punishment of such acts, should they occur hereafter.

42. Upon these communications, the provincial court observes, that their result is, that the proposed enactment is not necessary in this division, and would not answer any good purpose. They further state their opinion, that unless it be very accurately and cautiously defined, with reference to the usages of the country, and the various descriptions of persons, who are, more or less, in a state of servitude or slavery, what exactly the terms slave and slavery are to be understood to mean; for the purposes of the regulation, such an enactment in this division would be liable to produce a number of vexatious prosecutions, and a good deal of domestic disturbance and annoyance.

43. They add, that the only practice mentioned in these reports which appears to them to require legislative interference is that described by the magistrate of Guntoor; and observe, that government seems to owe so much protection to its subjects as to prevent their being carried away without their own consent, as must be the case with the children, into foreign states, where they can no longer have the protection of its laws.

44. The judges of this court also have consulted the criminal judges and magistrates on this subject.

45. The criminal judge refers to the opinion given by him, as acting third judge of the provincial court in the southern division.

46. The magistrate reports, that slavery can scarcely be said to exist within the extent of his jurisdiction; describes the state of persons purchased during periods of famine, and offers no opinion as to the expediency of the proposed enactment.

47. The acting criminal judge states, that, from all the information he has been able to obtain on the subject, it does not appear that slavery exists in this district in the way that it is found to obtain in Malabar and Canara, and other provinces and districts under the presidency of Madras, and that domestic slavery exists, more or less, as is usually observed, where there is an extensive Mahomedan population. He adds, that, as the importation of slaves of this description, or of free persons, to be sold or treated as slaves by land, may be occasionally attempted, and as this zillah is bounded on two sides by foreign territories, the provisions proposed may be considered expedient.

48. The magistrate states, that the proposed enactment seems unobjectionable as regards this district, provided that the meaning of the term "importation" is restricted to purposes of traffic, and is of opinion that it would be unnecessarily severe to visit Mussulmans and others, who may have purchased slaves for domestic services at Hyderabad and other parts where the traffic is not prohibited, with the penalty described in the 3d provision.

49. The criminal judge states, that he considers the introduction "of a penalty" very desirable, but suggests additional provisions, declaring the relation between master and slave, recognized by the Hindoo and Mahomedan laws, not affected by the proposed enactment, and providing for the punishment of cruelty to slaves on the part of their masters.

50. The magistrate states, that he is not aware of any objection to the proposed enactment, but presumes, that a slave, running away from one province into another, does not thereby emancipate himself, and that the master will continue to possess the right to have such slave restored to him.

51. The criminal judge states, that he is not aware that slaves are either brought into this district for sale, or taken thence for that purpose; he has, however, no objections to make against the proposed enactment.

52. The magistrate states, that he deems the proposed provisions most expedient and advisable.

E. I. Company and
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(Documents.)

Rajahmundry.

Chicacole.

Provincial Court,
Centre Division.
Chittoor.

Cuddapah.

Bellary.

Chingleput.

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(Documents.)

53. The magistrate in the southern division of Arcot states, that slavery, in the sense referred to, is believed not to exist in South Arcot, but is of opinion, that the introduction of the proposed enactments into the judicial code of this presidency could not fail to be attended with advantage in preventing the possibility of this inhuman traffic. This officer notices a prevalent custom for parties to bind themselves for a consideration to cultivate the soil for an indefinite period.

54. The provincial courts do not appear to have formed any distinct opinion in regard to the expediency of the enactments proposed; they consider the state to be interested in the question, rather than the individuals the immediate objects of the law, and regard the power to traffic in slaves as affording "the probability of an evil and dangerous result."

55. From the foregoing abstract, it appears that the magistrates of Tanjore, Trichinopoly, Coimbatore, Salem, Madura, Nellore, Vizagapatam, Cuddapah, Bellary, Chingleput and the southern division of Arcot, the acting criminal judges of Salem, Chicacole and Cuddapah, the criminal judges of Nellore and Chingleput, and the joint criminal judges of Tinnevely and Guntoor, are in favour of the enactment of the proposed provisions; that the criminal judges of Combaconum, Madura and Rajahmundry, the joint criminal judges of Coimbatore and Masulipatam, and the magistrates of Tinnevely, Guntoor, Masulipatam and Rajahmundry, do not recommend their adoption; and that, of the provincial courts of circuit, that for the western division approves, and those for the southern and northern divisions disapprove, their introduction.

56. The other authorities referred to have not given any distinct opinion one way or the other.

57. The objection of the criminal judge of Combaconum to declaring the criminality of purchasing slaves, removed for purposes of traffic from one "zillah" to another, applies to an alteration made by the judges of the Foujdaree Adawlut in the wording of the provision contained in clause 1, section 2, Bengal Regulation III. of 1832.

58. The judges had reason to know that a doubt had arisen in Bengal respecting the definition of the term "province" used in that clause, and that of "zillah" was in consequence substituted for it.

59. The judges, having now given the subject their most attentive consideration, are of opinion that it is highly advisable and expedient that the provisions of the Bengal Regulations X. of 1811, and III. of 1832, contained in their circular order of the 27th October 1832, respecting the importation of slaves, and their removal from one zillah to another, should be introduced into the code of this presidency without delay. They beg further to suggest, that they may be permitted to add to the provisions of the regulation the rule contained in clause 2, section 30, of the Bombay Regulation XIV. of 1827, respecting the exportation of slaves, or any persons to be sold into slavery.

(signed)

J. C. Morris, Acting Registrar.

Foujdaree Adawlut, Register's Office,
10 May 1833.

From *J. C. Morris*, Esq., Acting Register of the Foujdaree Adawlut, to the Judges of the four Provincial Courts of Circuit.—(27 October 1832.)

Gentlemen,

1. It being in contemplation to introduce into the code of this presidency the following provisions, taken from Bengal Regulations X. of 1811, and III. of 1832, the judges of the court of Foujdaree Adawlut are desirous of obtaining your opinion as to the expediency of the proposed enactments, with reference to the local circumstances of the provinces within the limits of your jurisdiction, it being borne in mind that by the provisions of the 51st Geo. 3, cap. 23, the importation of slaves by sea into the British territories is already made penal.

2. The importation of slaves by land into the places immediately dependent upon the presidency of Fort St. George is hereby strictly prohibited.

3. Any person who may be convicted before a criminal, joint criminal, or native criminal judge, of the offence of importing by land a slave or slaves into the territories subject to the presidency of Fort St. George, subsequently to the promulgation of this regulation, shall be sentenced to imprisonment for six months, and to pay a fine to government not exceeding 200 rupees, commutable, if not paid, to further imprisonment not exceeding six months.

4. All slaves who, subsequently to the promulgation of this regulation, may be removed by sea or land for purposes of traffic, from any country, territory or province, British or foreign, into any district dependent or that may become hereafter dependent on the presidency of Fort St. George, or who may be so removed from one zillah subject to that presidency into another subject thereto, are hereby declared free.

5. After the promulgation of this regulation all persons concerned in the sale or purchase, as a slave, of any man, woman or child so removed, knowing him or her to have been so removed, shall on conviction before a criminal, joint criminal, or native criminal judge, be sentenced to imprisonment for six months, and to pay a fine to government not exceeding 200 rupees, commutable, if not paid, to further imprisonment not exceeding six months. The judges of the Foujdaree Adawlut wish that your opinion upon the expediency of enacting the foregoing provisions should be furnished without delay; but should you deem it advisable to consult the criminal judges, or the magistrates within your jurisdiction on the subject, you will do so.

(signed)

J. C. Morris, Acting Register.

Foujdaree Adawlut, Register's Office,
27 October 1832.

From

From the Judges of the Provincial Court of Circuit, Western Division, to *J. C. Morris*, Esq., Acting Register of the Foujdaree Adawlut.—(14 November 1832.)

E. I. Company and Board of Control. (Documents.)

Sir,

WE have the honour to acknowledge the receipt of your letter, dated the 27th ultimo, desiring our opinion with reference to the local circumstances of the provinces within the limits of our jurisdiction as to the expediency of introducing into the code of this presidency the provisions contained in paragraphs 2 to 5, prohibiting, under penalties of fine and imprisonment, all traffic in slaves.

2. We beg to state, that we concur in the expediency of the proposed enactments (as also does the first judge, now on circuit), and to add that we have not considered it necessary to consult the criminal judges or the magistrates on the subject.

(signed) *J. Vaughan*, Second Judge.
W. B. Anderson, Acting Judge.

Provincial Court of Circuit, Western Division,
14 November 1832.

(True copies.)
(signed) *J. C. Morris*, Acting Register.

From the Judges of the Provincial Court of Circuit, Southern Division, to *J. C. Morris*, Esq., Acting Register of the Foujdaree Adawlut.—(18 December 1832.)

Sir,

WE have the honour to acknowledge the receipt of your letter of the 27th October last, calling upon this court for an opinion as to the expediency of certain proposed enactments respecting the traffic in slaves, with reference to the local circumstances of the provinces within the limits of our jurisdiction. In the latter paragraph, the court are instructed, if they deem it advisable to consult the criminal judges and magistrates on the subject, to do so.

2. This the court have done, and have now the honour to submit the several communications already received; the criminal judge of Combaconum and the magistrates of Salem and Coimbatore have not yet sent in their replies, although called upon a second time; and as the court of Foujdaree Adawlut desire our opinion without delay, we do not think it proper to wait any longer; when they are received they will be transmitted.

3. The criminal judge of Madura observes, that the proposed enactment seems to him open to one objection, which is, by declaring penal all traffic of slaves removed from one zillah to another, it by implication declares legal all inland traffic of slaves who have not been so removed; whereas he believes that something approximating to serfage is the very most which it is intended to countenance.

4. He further suggests, that in this zillah, Madura, at least, if it was declared by regulation, that none of the class now standing in the relation of serfs might quit their employers without a year's notice, unless a case of cruelty was made out.

5. The zillah judge also suggests, that in paragraphs 3 and 5, the word "liable" shall be substituted for that of "sentenced," that a power of mitigation may be left to the judge.

6. The court have not the Bengal regulation before them, nor the preamble to that proposed, therefore cannot say whether the zillah judge's first observation is correct; they do not think that, in a regulation upon a general subject, there should be any reservation with regard to districts or zillahs. With regard to the alteration suggested for giving the judge the power to mitigate his sentence, the provincial court have to observe, that such discretion may not have been intended, and, indeed, the penalties denounced are as lenient as they well can be for the offence contemplated and prohibited.

7. The magistrate of Madura is of opinion, that the enactment appears to him to be proper.

8. The assistant-judge of Madura states, that the enactment appears desirable, observing, at the same time, that young girls have for a long time back and are still frequently purchased in Travancore, chiefly by dancing women, and smuggled into the district (Tinnevely); that they are for the most part treated as if they were their own daughters.

9. The magistrate of Tinnevely has gone further into the subject; he has divided the slaves into three classes:

I. The puller and parriah, by whom alone the cultivation of a great part of the province is carried on; that they are represented as contented with their lot, and attached to their masters; that their numbers amount to about 324,000.

II. Dancing girls, who buy children for the service of pagoda; that these are never purchased after their earliest youth, and are brought up with much care. He refers to a letter from government, dated 13th January 1826, in reply to a communication from the collector on this subject, wherein the government took a different view of the case from the collector, deeming it slavery only in name.

III. Domestic slaves. The magistrate observes that, as in the case of the pullers, if freedom were accompanied by dismissal from the protection they enjoy, the boon would be more a curse than a blessing.

10. As the purchase of slaves, the magistrate continues, of the first and third classes from neighbouring provinces is so very rarely resorted to as to be almost an obsolete practice, though they are frequently transferred from one estate to another, as well as on the

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same estate from one master to another, the provisions proposed can only be considered to affect the second class, whose numbers are generally recruited from other places, particularly from Travancore; the magistrate, as far as this latter class are likely to be affected by the enactment, appears to be in favour of it.

11. With regard to what Mr. Blackburn observes, that the boon would be more a curse than a blessing, the provincial court would reply, that it by no means follows that dismissal of the first and third classes from the protection of their masters is to be the necessary consequence of declaring their freedom; contented, as he states them to be, with their lot and their masters, they would not desire to change their condition for a precarious livelihood or settlement elsewhere.

12. That the slavery of the dancing girls is only in name, as quoted by the magistrate from the government's letter, may be applied to the other classes; the first and third classes may be called at the same time the children of the soil and household; but the turpitude is in the abduction of children from their country, from family and home, for the purpose of devoting them to sensual as well as to idolatrous purposes; the whole, from its origin to its consummation, is iniquitous; no subsequent kind treatment and protection can redeem or atone for the first act of abduction and all that follows it; being reconciled to a vicious course of life in no way justifies the traffic or the practice.

13. The magistrate of Tanjore informs the provincial court, that the proposed enactment appears to him quite unexceptionable.

14. The magistrate of Trichinopoly does not anticipate any inconvenience from the operation of the provisions of the Bengal regulations proposed to be introduced into the code of this presidency.

15. Mr. Blair observes, that there exists in this district (Trichinopoly) two descriptions of slaves; first the cultivators, who belong to the proprietors of the wet lands, who are generally sold or mortgaged by their owner with or without the land, but are never removed from their place of residence; the other are among the dancing girls, purchased in infancy from indigent persons, but that their number is not great.

16. The first of these are only nominally slaves; more properly they might be called children of the soil; but the proposed enactment makes no reference to their condition, and they would not be affected by it.

17. The provincial court have already stated their opinion respecting the second class.

18. The acting judge of Salem is inclined to think that their adoption as a general principle likely to be beneficial, but that, from all he can learn, they are likely to be, as regards that district, a dead letter.

19. The joint criminal judge of Salem (viz. Coimbatore) states, that the condition of the class of people who are considered serfs, and attached to the soil, is greatly superior to the generality of free labourers, and are always humanely and well treated.

20. Viewing the regulation as one intended merely to prevent a trade in human beings, he recommends the insertion of the words "imported for trade" in para. 2, as, otherwise, the periodical changes of boundaries of the zillah might render it penal to transfer slaves from one estate to another; and he further observes, that a Mussulman traveller through the British territory would be liable to a criminal prosecution for importing slaves, who were merely attachés of his household, and that it would then become a question whether a man, having purchased a certain number of slaves in any foreign state, might bring them into our territory, to settle on his own estate.

21. The observation of the criminal judge of Madura, and the acting auxiliary criminal judge of Salem (Coimbatore), may be considered worthy of consideration; these difficulties adjusted, if they are difficulties, the provincial courts see no objection to the enactment generally.

22. There is, however, another practice which has not been noticed by these authorities, of parents selling their children in times of scarcity; it is a question for consideration, whether this is a moral evil, arising, as it does, out of a providential dispensation: a mother sells her child to preserve its life, and to prolong her own, preferring to give up her offspring than to see it perish; the provincial court is of opinion that the case should be provided for in some way, particularly at this period, where almost a general scarcity threatens the peninsula. Is not the evil of parents selling their children, under such circumstances, less than their being left to perish for want of food? It may further be considered, whether, under these circumstances, and the state of slavery as it is known to prevail, the enactment at this particular period is called for.

(signed) *George Garrow*, First Judge.

Court-house, Trichinopoly, 18 Dec. 1832.

F. Lascelles, Acting Third Judge.

From *N. W. Kindersley*, Esq., Magistrate of Tanjore, to the Register to the Provincial Court of Circuit, Southern Division.—(9 November 1832.)

Sir,

I HAVE the honour to acknowledge your letter of the 2d instant, forwarding copy of a letter from the register of the Foujdaree Adawlut, on the subject of a proposed enactment for preventing the importation and exportation of slaves into and from the British territory, and restricting the traffic in slaves within those territories, and to inform you that the provisions of the proposed enactment appear to me to be quite unexceptionable.

(signed) *N. W. Kindersley*, Magistrate.

Tanjore, Negapatam, 9 November 1832.

From

From *H. M. Blair*, Esq., Magistrate of Trichinopoly, to the Register to the Court of Circuit, Southern Division.—(13 November 1832.)

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Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of the 2d instant, forwarding copy of a letter addressed to the court by the register of the Foujdaree Adawlut, on the subject of the importation of slaves by land for sale.

2. From my short residence in this province, I cannot pretend to possess a very intimate knowledge of its local circumstances, but, from what I have been able to collect, I do not anticipate any inconvenience from the operation of the provisions of the Bengal regulations on the subject of slavery proposed to be introduced into the code of this presidency.

3. There are no instances, I believe, of slaves being imported from other countries into the district for sale.

4. There exists in the district two descriptions of slaves; first, the cultivators, commonly denominated pullers, who belong chiefly to the proprietors of the wet or paddy lands, and are generally sold or mortgaged by their owners, with or without the land, but are never removed from their usual place of residence. This practice has existed in the district from time immemorial, and I am of opinion that any restriction, or the transfer of their pullers by private sale, would prove detrimental to the interest of the landholders.

5. The other class of slaves are among the dancing girls employed in the Hindoo pagodas, some of whom are purchased in infancy from indigent parents, who have no other means of providing for them. The number of this description, however, I believe is not great.

(signed) *H. M. Blair*, Magistrate.

Magistrate's Office, Trichinopoly, 13 Nov. 1832.

From *H. Popham*, Esq., Acting Joint Criminal Judge of Coimbatore, to the Register to the Provincial Court of Circuit, Southern Division.—(19 November 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 2d instant, giving cover to copy of one from the register to the court of Foujdaree Adawlut, under date the 27th ult., and to state there is no traffic in slaves carried on within the limits of this zillah, though in the talooks of Caroor and Pollanchy there exists a class of people who are serfs of the soil, and are considered attached to the estates on which their families have resided from time immemorial, and in mortgaging lands these people are always included with the estate. They differ from the slaves of the West Indies, inasmuch as their evidence is admissible before a court of justice; they have and do avail themselves of the protection of the law in common with the other subjects of the Company, and their condition appears to be vastly superior to that of the generality of free labourers, and they are always humanely and well treated by their masters.

The chief value of an estate consists in the number of serfs attached thereto, and any enactment to render them free would afford a very powerful means to any landlord wishing to ruin his neighbour by enticing them away; and, as the master is bound to maintain them alike in times of scarcity or plenty, it would be the interest of one zemindar to induce these serfs to leave their masters when labour was dear.

Viewing the proposed regulation as one intended merely to prevent a trade being carried on in human beings, I would humbly recommend the insertion of the words "imported for trade," in paragraph 2, as otherwise the periodical changes of the boundaries of our zillahs might at times render it penal to transfer slaves from one estate to another, which would before have been an authorized proceeding; and a Mussulman travelling through our territories would be liable to a criminal prosecution for "importing slaves," who were merely the attachés of his household. It would then become a question whether a man, having purchased a certain number of slaves in any foreign states, might bring them into our territories to settle on his own estate.

(signed) *H. Popham*, Acting Joint Criminal Judge.

Coimbatore, Auxiliary Court, 19 Nov. 1832.

From *W. Harington*, Esq., Acting Criminal Judge of Salem, to the Register of the Provincial Court of Circuit, Southern Division.—(19 November 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 2d instant, accompanying copy of a circular letter from the court of Foujdaree Adawlut, on the subject of certain penalties proposed to be imposed on the offence of importing slaves by land into the territories subject to the presidency of Fort St. George. After all the consideration I have been able to give the subject, I am unable to discover any objection to the provisions contained in paragraphs 3, 4 and 5 of the said circular; on the contrary, I am inclined to think their adoption as a general principle likely to be beneficial.

As regards this zillah, in particular, I am not capable of giving a decided opinion as to their adoption being likely to be attended with beneficial effects or otherwise, as I have so recently joined it; but from all I can learn, and from the situation of the district, I should think them likely to be, as regards it, merely a dead letter.

(signed) *W. Harington*, Acting Criminal Judge.

Salem Zillah Court, 19 November 1832.

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(Documents.)

From *H. Viveash*, Esq., Magistrate of Madura, to the Register of the Provincial Court of Circuit, Southern Division.—(16 November 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 2d instant, together with copy of a letter from the register of the Foujdaree Adawlut, dated 27th October 1832, proposing the enactment of regulations prohibiting the importation of slaves by land for traffic, and to state that the proposed enactment appears to me to be proper.

Madura, Magistrate's Office,
16 November 1832.

(signed) *H. Viveash*, Magistrate.

From *E. Bannerman*, Esq., Criminal Judge of Madura, to the Register of the Court of Circuit, Southern Division.—(9 November 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter, dated 2d instant, and to state, that the proposed enactment seems to me to be open to one objection, which is, that, by declaring penal all traffic of slaves removed from one zillah to another, it, by implication, declares legal all inland traffic of slaves who have not been so removed; whereas, I believe that something approximating to serfage is the very utmost which it is intended to countenance.

It seems to me that, in this zillah at least, if it were declared by regulation that none of the class now standing in the relation of serfs might quit their employers without a year's notice, unless a case of cruelty was made out, the landlords and the above class would be placed on a fair footing with each other; and all slave traffic, even when a removal from one zillah to another had not taken place, might be made penal.

I would suggest that, in paragraphs 3 and 5, the words "liable" be substituted instead of "sentenced," as the latter word deprives the tribunal of the power of mitigating the punishment.

Madura Criminal Court,
9 November 1832.

(signed) *E. Bannerman*, Criminal Judge.

From *J. Blackburne*, Esq., Collector of Tinnevely, to the Register to the Provincial Court of Circuit, Southern Division.—(23 November 1832.)

Sir,

1. IN acknowledging receipt of your letter of the 2d instant, with its enclosed copy of a circular from the court of Foujdaree Adawlut, under date 27th October last, I have to regret the haste with which you seem to require my answer, as the short period I have been in the province has prevented my hitherto giving the subject of slavery my consideration, and being now under a necessity of remaining distant from the principal catcherry, I have not time for a very careful examination of the records.

2. The information of my principal servants, on which I have perfect reliance, leads me to divide the slaves of this province into three classes.

I. The puller and parriah allodial slaves, by whom (and by whom alone in a great part of the province) the cultivation is carried on; they are represented as contented with their lot, and attached to their masters, in many instances eminently so. If their daily allowance is only half that of the free labourer, they have, however, the vast advantage of being employed during the whole year, and receive clothes at stated periods and other occasional bounties, according to their good behaviour or the caprice of their masters. The regulations in force sufficiently protect them from maltreatment. The census taken for 1821, 1822 and 1823, shows their number then amounted to 324,000.

II. Dancing girls buying female children for devotion to the service of the pagoda deities. These are never purchased after their earliest youth, and are brought up with much care, as to their accomplishments, to prepare them for the duties afterwards expected from them; one of the late collectors, in 1826, brought this practice, which he represented as considerably more prevalent in this than other parts of the Madras territory, to the notice of government, animadverting on its great immorality, and recommending its suppression by law. The government, at the head of which was the late Sir Thomas Munro, took an entirely different view of the case, and deemed it, under the known circumstances of the custom, slavery only in name.

III. Domestic slaves are brought up by all ranks, and are employed in the daily services of the house; and, as in the case of the pullers, if freedom were accompanied by dismissal from the protection they enjoy, the boon would be more a curse than a blessing.

3. As the purchase of slaves for the 1st and 3d classes from neighbouring provinces is so very rarely resorted to as to be almost an obsolete practice, though they are frequently transferred from one estate to another, as well as on the same estate from one master to another; the provisions proposed by the court of Foujdaree Adawlut can only be considered to affect the 2d class, or dancing girls, whose numbers are generally recruited from other places, and more particularly in Travancore.

4. The

Letter from go-
vernment, dated
13 January 1826.

4. The restriction on this point will probably be felt strongly, but at the same time the benevolent object of the Legislature will be duly appreciated; and though it does not seem, when standing alone, to call for the interference of the proposed enactment, yet, as forming part of a more extended measure of amelioration, the view of its present temporary inconvenience should be lost in thankfulness for the general benefit.

(signed) *J. Blackburne*, Collector.

Tinnevelly, Trichindoor, Collector's Office,
23 November 1832.

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(Documents.)

From *J. O. Scott*, Esq., Joint Criminal Judge of Tinnevelly, to the Register to the Court of Circuit, Southern Division.—(20 November 1832.)

Sir,

IN reply to your letter of the 2d instant, which accompanied a copy of a letter addressed by the register of the court of Foujdaree Adawlut on the 27th ultimo, regarding the expediency of the proposed enactment therein contained, and requesting my opinion thereon, I have the honour to state that the enactment appears desirable. Young girls have been, for a long time back, and are still, frequently purchased in Travancore, chiefly by dancing women, who have no daughters of their own, and smuggled into this district. They are, for the most part, I believe, treated as if they were their own daughters. The above, as far as I have been able to learn, is almost the only kind of importation of slaves by land into this district. I have the honour to state, that I should have answered the requisition in your letter at an earlier period, but was delayed by making such inquiries as I considered necessary.

Tinnevelly, Auxiliary Court,
20 November 1832.

(signed) *J. O. Scott*, Joint Criminal Judge.

MINUTES of the Acting Third Judge regarding the proposed Enactment about SLAVERY.

NEITHER the importation or exportation of slaves by sea for the purpose of traffic exist in this division. There are, nevertheless, numerous slaves, and they may be divided into four classes.

- 1st. Pullers or parriahs, cultivators of lands under the Meerassidars.
- 2d. Those under the wealthy inhabitants in the districts, Mahrattas or Mussulmen.
- 3d. Female slaves attached to pagodas, commonly denominated dancing women.
- 4th. Slaves, both men and women, who voluntarily sell themselves for a given time.

The first class is by much the most numerous; they are sold by one landholder to another, and have often been sold along with the master's property; but no instance has of late years occurred of a slave having been put up to auction by order of a court, although repeated instances have occurred of courts being moved to do so. The descendants of this class are also slaves, and liable likewise to be sold, but seldom against their wish; for, if so, their services would be of little value, the master not feeling himself secure if he is obliged to resort to force to obtain the labour of the slave. The slave is paid in the Tanjore district for his labour at a regulated rate in grain and clothing, which was arranged by Mr. C. Harris, the collector of that district, by proclamation, in 1802; and when the master has no work for his slave, he allows him to work for another meerassidar, who pays the slave for his labour, by which means the slave acquires personal property; and instances have been known, although rare, of slaves purchasing their liberty, by paying the amount which the master demands for his freedom, or by procuring a substitute.

With respect to the second class, these are generally purchased when children, during famines, from such persons as washermen and barbers, &c.; they are of the soodra caste, and are attached to the house, and move with their masters; their children are free. Those under Mussulmen are always made followers of Mahomed; they are seldom disposed of, except when a marriage takes place, when some of them are added to the marriage portion.

The third class, dancing girls, is by far the most objectionable, combining, as it does, every attendant on the very worst description of slavery. Initiated in early youth into the mysteries of their profession, and immured within the walls of the pagoda, they are taught as their first and chief lesson to consider an implicit and blind obedience to the will of the Brahmin as their highest duty, and their obedience forms their sole and only code of moral obligation. The wily guardians appear to make it their chief endeavour to destroy all that would ennoble the female character, and foster the basest passions of the human heart, as the means of pandering to the vices of the multitude, and continuing to themselves their ill-gotten revenue.

Separated from kindred and kind, the purest affections of the heart are suffered to languish and decay. Their servile compliance with the disgusting desires of their superiors robs them of all self-respect, and teaches them to believe the end of existence answered in luxurious idleness, and the grossest sensual indulgence. It will readily be perceived how degrading this system is to the miserable subjects of it; it will readily be felt how blasting an influence it must have over the physical and moral energies of a people naturally too devoted to indolence, and the unlimited indulgence of their passions. But the evil of this description

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does not stop here; there is, unhappily, too great cause to apprehend a latent mischief of more fearful magnitude. To say these miserable beings are subject to the caprice of their masters, the Brahmins, is but to say, in other words, that they suffer under the worst of slavery known either in ancient or modern times; their excesses, it is true, are rarely exposed, for they are veiled in all the intricacies of their religious observances, and witnessed only by the actors of them in the security of their polluted walls. But this much is open to observation. The aged are seldom found among this wretched class, nor is it possible in many cases to trace their steps. It would be superfluous to draw an inference which is so very obvious, especially when we consider that the disappearance of one of these poor creatures involves in it none of those sympathies which ordinarily take place in society; no parent mourns his lost child; no brother, in fraternal love, seeks a lost sister; and no child, with the instinctive longings of filial affection, bewails the loss of an indulgent mother; those ties are blasted in the bud, or sicken and wither in the pollution of the immoral atmosphere; and where no such ties exist, no security can exist from one alienated from her kin, except so far as she can conduce to the guilty pleasures of that kind; and when infirmity succeeds to youthful strength, and she is no longer food for guilty indulgence (so far as her masters are concerned, and for their interest), she uselessly cumbers the ground.

I believe it to be a well-known fact that there is a large class of men who obtain a livelihood by traffic in female children, for the use of pagodas, and although it does not appear that any violence is used in carrying on this nefarious practice, yet perhaps there never existed any system more truly injurious to the morals of the people, or one which so loudly calls for correction.

(signed) *F. Lascelles*, Acting Third Judge.

From *H. Dickinson*, Esq., Second Judge acting for the Register of the Provincial Court of Circuit, Southern Division, to *J. C. Morris*, Esq., Register to the Foudaree Adawlut.—(21 January 1833.)

Sir,

WITH reference to the letter from this court, under date the 18th ultimo, I have the honour to transmit letters received from the criminal judge of Combaconum and the magistrates of Salem and Coimbatore, containing their opinions as to the expediency of the proposed enactment regarding the importation and removal of slaves within the British territories.

(signed) *H. Dickinson*, Second Judge, for the Register.

Register's Office, Trichinopoly,
21 January 1833.

From *J. F. Thomas*, Esq., Criminal Judge of Combaconum, to the Register of the Provincial Court, Southern Division.—(3 December 1832.)

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of the 2d ultimo, forwarding copy of a letter from the acting register of the Foudaree Adawlut, under date the 27th October last, and requiring me to submit, "with the least delay," an opinion as to the expediency of introducing into the code of this presidency certain provisions taken from Bengal Regulation X. of 1811, and III. of 1832, relating to the importation of slaves, and their removal for the purpose of traffic within the British territories.

2. I have the honour to state that, from the best information which it has been in my power to obtain, it would not appear that either practice prevails within the limits of this zillah; I am of opinion, therefore, that any legislative provision on the subject is not at present called for.

3. I take the liberty to remark, at the same time, in the event of an enactment being framed, that I consider the provision in the Bengal regulation which makes the criminality of the act to depend upon the artificial boundary of a zillah open to strong objections, especially in this presidency, where alterations in the limits of zillahs are not matter of formal regulation, duly translated and circulated. I should be disposed to suggest, as a better defined rule, and one more equitable towards the inhabitants residing in the borders of zillahs, that removal for traffic beyond a given distance should alone constitute the act penal. I also take the liberty to observe, that in the Bengal code no distinction is drawn between the different classes of slaves, and its provisions therefore would appear to be inapplicable to the state of society in this presidency. The removal and sale of the personal slave would be viewed by the people as no offence, whilst that of the bondsman attached to the soil would be considered an unjust infringement of presumptive right; some distinction therefore ought, I conceive, to be made in the two cases, and a different measure of penalty prescribed.

4. I take this opportunity to remark, that the records of this court show that sales of slaves under the orders of court have taken place in the Trichinopoly division of this zillah; a clause therefore would probably be required in the event of the enactment of the provisions of the Bengal code, either prohibition of this practice, or limiting the right of purchase in such sales to the residents within the zillah.

(signed) *J. F. Thomas*, Criminal Judge.

Combaconum, 3 December 1832.

From

From *John Orr*, Esq., Magistrate of Salem, to the Register to the Court of Circuit,
Southern Division.—(27 December 1832.)

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Board of Control.
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Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 2d ultimo, transmitting copy of one from the register of the Foujdaree Adawlut, to your address, relative to the proposed introduction of certain provisions against slave-traffic from the Bengal code of regulations into those of this presidency.

2. The enactment of the provisions in question would, I conceive, be a good precautionary measure against the future introduction of slave traffic; at present, however, as far as I can learn, none does, or ever did exist in this province. The only slavery known here, and it is to a very limited extent, is domestic servitude, in which, I believe, the owners have no right to sell or alienate the slaves from the soil.

(signed) *John Orr*, Magistrate.

Salem Zillah, Darumpoory, Magistrate's Office,
27 December 1832.

From *G. D. Drury*, Esq., Magistrate of Coimbatore, to the Register to the Provincial
Court of Circuit, Southern Division, Trichinopoly.—(12 December 1832.)

Sir,

IN reply to the circular from the Foujdaree Adawlut, dated 27th October last, which accompanied your letter of the 2d ultimo, I have the honour to state, that the practice of buying and selling slaves, or of slavery of any kind, does not exist in this district; at the same time, the enactment of the provisions contained in the circular cannot fail to operate as a check to any traffic of slaves wherever it might be carried on, and be conducive of public benefit.

Coimbatore, Magistrate's Office, (signed) *G. D. Drury*, Magistrate.
12 December 1832.

(True copies.)
(signed) *J. C. Morris*, Acting Register.

From *G. J. Casamajor*, Esq., Judge of the Northern Provincial Court for the Register, to
J. C. Morris, Esq., Register of the Court of Foujdaree Adawlut.—(4 March 1833.)

Sir,

1. I AM directed by the provincial court to acknowledge the receipt of your letter of the 27th October last, and to submit copies of the replies of the several authorities in this division to the reference made for their opinion.

2. The result, the provincial court think, is, that the proposed enactment is not necessary in this division, and would not answer any good purpose. The provincial court further think, that, unless it be very accurately and cautiously defined, with reference to the usages of the country, and the various descriptions of persons who are more or less in a state of servitude or slavery, what exactly the terms slave and slavery are to be understood to mean for the purposes of the regulation, such an enactment, in this division, would be liable to produce a number of vexatious prosecutions, and a good deal of domestic disturbance and annoyance.

3. The only practice mentioned in any of the accompanying reports, which appears to the provincial court to require legislative interference, is that described by the magistrate of Guntoor; how the children so sold and exported are treated in the foreign states to which they are carried, there are no means of ascertaining; and government seems to owe so much protection to its subjects as to prevent their being carried away without their own consent (as must be the case with children) into foreign states, where they can no longer have the protection of its laws; but no clause in the proposed enactment meets this case.

(signed) *G. J. Casamajor*, Judge for the Register.
Masulipatam, Northern Provincial Court,
4 March 1833.

From *H. Montgomerie*, Esq., Criminal Judge of Nellore, to the Register to the Provincial
Court of Circuit, Northern Division, Masulipatam.—(29 November 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 6th instant, together with the copy of the letter of the court of Foujdaree Adawlut, dated the 27th of October last, and to state, for the information of the judges of the provincial court, that traffic in slaves from other countries is not known in this zillah. Sale of children, in seasons of scarcity, is common here, and a case of the kind occurred a few days ago. I therefore am of opinion, that the enactment of the provisions contained in the aforesaid letter of the court of Foujdaree Adawlut is expedient.

(signed) *H. Montgomerie*, Criminal Judge.
Zillah Court, Nellore, 29 November 1832.

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Board of Control.
(Documents.)

From *J. C. Whish*, Esq., Magistrate of Nellore, to the Register of the Provincial Court of Circuit, Northern Division.—(24 November 1832.)

Sir,

IN reply to your letter of the 6th instant, requiring my sentiments, for the information of the court, in regard to the introduction into the code of this presidency of certain Bengal regulations, I have the honour of stating, before answering the point in question, that the traffic of slaves, and even slavery itself, are, as far as I can learn, scarcely known in this district. However, the conveyance of any man, woman or child, as a slave, or for the purpose of being sold or dealt with as a slave, ought to be strictly prohibited, and, generally speaking, I beg to convey it as my opinion, that the provisions contained in paragraphs 2 to 5 inclusive of the letter from the court of Foujdaree Adawlut, dated the 27th ultimo, are not inapplicable to the province under my charge.

Nellore District, Cauvaly,
24 November 1832.

(signed) *J. C. Whish*, Magistrate.

From *A. E. Angelo*, Esq., Joint Criminal Judge of Guntoor, to the Register to the Provincial Court of Circuit, Northern Division.—(22 November 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 6th instant, accompanied by copy of a letter from the Foujdaree Adawlut, and have the further honour to submit that I am totally unaware of any peculiarity in this zillah which can render an extension to it of the enlightened enactment in question in any degree objectionable, but consider it a point on which the magistrate must possess far better opportunities of observation.

Guntoor Zillah, Joint Criminal Judge's Court,
22 November 1832.

(signed) *A. E. Angelo*, Joint Criminal Judge.

From *W. Mason*, Esq., Magistrate of Guntoor, to the Register to the Provincial Court of Circuit, Northern Division.—(20 November 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of the letter from the court, under date the 6th instant, with its accompaniment, being copy of one from the court of Foujdaree Adawlut, dated the 27th ultimo. It does not appear, from the inquiries made by me, that the practice of importing slaves by land is of very frequent occurrence in this district, but the purchase and exporting of children as slaves, both male and female, to the nizam's and other foreign territories contiguous to the Company's country, is by no means rare, especially in seasons of scarcity, when the inferior classes of the inhabitants experience difficulty in subsisting their numerous offspring. It strikes me that the punishment to be awarded in the proposed enactment is by no means adequate to the offence of trafficking in slaves, and I would suggest the necessity of adding a clause, making it criminal attempting to purchase, sell or export man, woman or child as slaves, such cases being much more likely to occur in this district than their importation.

2. There is a species of domestic slavery existing in the district with which, I presume, it is not the intention of government to interfere, as the individuals are employed more as private servants than slaves, and are never bought or sold, but have been taken by the higher classes, out of charity, to prevent their dying of want, and who provide them with food and clothing in return for their services, which are exclusively domestic, and in numerous instances they have been promoted to high situations under the zemindars and others for good conduct, and have become cultivators, subadars, peopars, &c.

Guntoor, Magistrate's Office,
20 November 1832.

(signed) *W. Mason*, Magistrate.

From *C. P. Brown*, Esq., Joint Criminal Judge at Masulipatam, to the Register to the Provincial Court of Circuit, Northern Division.—(9 November 1832.)

Sir,

I HAVE the honour to acknowledge your letter of the 6th instant, enclosing copy of a letter from the court of Foujdaree Adawlut, regarding a contemplated regulation for the prevention of importing slaves for traffic by land into this presidency.

2. As far as my own experience extends, with the information I have now obtained, I do not believe that any such slavery as is here spoken of is known in the northern circars. There are certainly slaves among Mahomedans, and some of these have travelled with their masters from the Honourable Company's territories into those of his highness the nizam, but I have not been able to learn that any slaves have ever been imported or exported for the purpose of traffic either by sea or land.

3. It is difficult to put any check on domestic slavery by which, in times of scarcity (such as prevails at this moment) many lives have been saved; but this appears to be only a mode of adoption, the support of the child being the object in view. I never heard a case of an infant so bought being sold again, and the price demanded appears to be from 10 to 20 rupees.

Masulipatam Zillah, Joint Criminal Judge's Court,
9 November 1832.

(signed) *C. P. Brown*, Joint Criminal Judge.

From

From *G. S. Hooper*, Esq., Acting Magistrate of Masulipatam, to the Register to the Provincial Court of Circuit, Northern Division.—(16 January 1833.)

E. I. Company and
Board of Control.
(Documents.)

Sir,

1. IN reply to your letter, under date 6th November last, and its enclosure, I have now the honour to submit the following observations, with my opinion on the question therein proposed :—

2. With the view of ascertaining how far the proposed regulation would affect this district in particular, I have made inquiries regarding the extent to which slavery exists in this part of the country, who the slaves are, and in what manner they are treated by their masters, and the following is the information I have obtained on these points :—

3. There are three descriptions of persons in this district who are commonly called slaves, although that term does not strictly apply to them in the sense in which it is understood in other parts of the world.

The first class are attached to zemindars, velmavars, rachavars, cummavars, and some Brahmins. These slaves are called (the males) "khasaloo," and (the females) "dauseeloo."

The second class are cultivators, of the pariah caste, who are under the ryots, or cultivators; these are called "paulaloo."

The third class are in the service of Mussulmen, and the males are called "gholams," and the females "boundees."

4. Although the persons of the first and second classes above mentioned live in a state of perpetual servitude to their masters, they are, strictly speaking, not slaves, inasmuch as they are not saleable. As for those belonging to the third class, although their masters, probably, would not scruple to sell them, if they dared, yet they do not sell them in this district, partly from awe of the government, and partly because they know that such sale would not be held valid by the courts. All of them can leave their masters at any time if they please, and no force can be used to recover them.

5. The zemindars and mocussadars of the velma, rachavar and cumma castes, and Brahmins, have both male and female slaves. These slaves, men, women and children, are fed and clothed by their masters, who also defray the expenses of marriages and births among them; should a khasee, or man slave, marry, he of course continues to be a slave, but his wife does not become a dausee, or woman slave, on account of such marriage. The male issue of such marriage are, however, khasaloo, although the female issue are not dauseeloo. The dausee, or woman slave, never marries, but the children she may bear are all slaves. In short, all dauseeloo and their children, and all khasaloo, whether married or unmarried, and the male offspring of married khasaloo, are slaves, and live under the protection of those in whose service they were born, who must feed and clothe them. But although these masters never sell their slaves, yet, in time of distress, they give them leave to go away, and seek their livelihood elsewhere; in which case, other persons of the same caste, who are able to afford it, take a pride in protecting these cast-off slaves, and so receive and feed them. But should the fortunes of their former masters change again for the better, their new masters do not hesitate to send them back on being demanded by their old masters; nor do the slaves refuse to return when so summoned. It appears certain, from all I can learn, that the condition of these slaves with their masters is by no means bad. Their masters generally treat them with kindness, and feed and clothe them from infancy to manhood. If they were to leave their masters and seek a livelihood elsewhere, they could not better themselves by serving other people on monthly wages, which, for this description of servants, cannot exceed four or five rupees a month, upon which the whole family of a khasa could not be maintained; so that they never desert their old masters, who will always continue to maintain them, unless they are reduced to the greatest distress themselves.

6. With regard to the second class of slaves above mentioned, viz., paulaloo of the pariah caste, they may be said to be hereditary servants of the ryots, their masters, who give them a daily subsistence for five, six or seven months in the year, and allow them the enjoyment of different kinds of emoluments, deducted from the gross produce under the head of kareezooloo. For the rest of the year these paulaloo maintain themselves by other employments. The masters of these paulaloo are not bound to feed their wives daily, but they have authority to make these women work for them, whenever they require them for sweeping or weeding their fields, or reaping the crops. The paulaloo and their male children (at whose birth the masters pay certain expenses) are not to desert their masters. If they do and go to a new master, the old one will claim them and receive them back, on payment to the new master of the expenses he may have been at for their maintenance while with him. There is one very singular circumstance to be mentioned, as showing the authority the master of these paulaloo possesses over the cattle of the latter, which is, that if a bull calf or a male buffalo calf be produced by a cow or the buffalo belonging to a paulaloo, his master takes it, paying him at the rate of four rupees for the former and two rupees for the latter, whatever its real value may be. When a ryot mortgages his land to another person, his paulaloo goes with the land, and the person who takes the land on mortgage will gladly take them, because he thereby gets persons to cultivate the land without the trouble of seeking for them elsewhere. When the owner redeems his land, his paulaloo returns to him along with it, but the paulaloo is not saleable.

7. From all that has been stated above, therefore, it appears that there are no slaves, properly so called, in this district, and that no traffic whatever in slaves is carried on here either by sea or land, and that the persons who are denominated slaves, but who would be

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more appropriately termed "hereditary servants," appear to be bound to their masters rather by a community of interest than by any other tie or obligation. It is true that in times of scarcity children are frequently purchased, by those who can afford it, from parents who are in distress and unable to maintain them, and they are brought up and used as servants, but they are at liberty to leave the service of their purchasers whenever they please, and this practice may therefore be considered beneficial to the community, as such children would otherwise starve; they certainly cannot be considered as slaves, but as servants on board wages. Hence the expediency of the proposed enactments, with reference to the local circumstances of this province, appears to me to be questionable.

(signed) *G. S. Hooper*, Acting Magistrate.

Masulipatam, Magistrate's Court,
16 January 1833.

From *H. Vibart*, Esq., Criminal Judge of Rajahmundry, to the Register of the Provincial Court of Circuit, Northern Division.—(14 November 1832.)

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter, dated 6th instant.
2. After giving the subject to which it refers the best consideration the time limited will allow of, I have little hesitation in giving it as my decided opinion that there exists no necessity for the introduction, into this part of the country, of the particular penal enactment contemplated, as the crime to which it points may be pronounced altogether unknown in this district. At all events, no instance of the importation of slaves either by land or sea, into this district, has been brought to the notice or observation of the local courts of justice for the last quarter of a century,—a pretty just criterion for concluding the non-existence of the illegal traffic in question.
3. The introduction of the regulation in question may, however, be proper as a precautionary measure, but nothing further.

(signed) *H. Vibart*, Criminal Judge.

Criminal Judge's Court, at Rajahmundry,
14 November 1832.

From *A. Crawley*, Esq., Magistrate of Rajahmundry, to the Judges of the Provincial Court of Circuit, Northern Division.—(14 November 1832.)

Gentlemen,

I HAVE the honour to acknowledge your letter of the 6th instant, requesting my opinion on the subject of a regulation proposed to be promulgated on the subject of slavery, the particulars of which are contained in a letter from the court of Foujdaree Adawlut, under date 27th October last, copy of which accompanied your communication.

2. I am not aware of any traffic in slaves carried on in this district, but, as a prohibitive enactment, the proposed regulation appears to be judicious.

(signed) *A. Crawley*, Magistrate.

Zillah Rajahmundry, Magistrate's Circuit, Cutcherry
Neelapilly, 14 November 1832.

From *J. Paternoster*, Esq., Acting Criminal Judge of Chicacole, to the Register to the Provincial Court of Circuit, Northern Division.—(8 December 1832.)

Sir,

IN reply to your letter of the 6th ultimo, calling for my opinion on the subject of the letter from the Foujdaree Adawlut of the 27th October last, I beg leave to state that there does not appear to me to be any objection to the enacting of the proposed regulation regarding the importation by land, or the sale or purchase of slaves.

(signed) *J. Paternoster*, Acting Criminal Judge.

Chicacole Zillah, Criminal Court,
8 December 1832.

From *G. M. Ogilvie*, Esq., Magistrate of Ganjam, to the First Judge of the Provincial Court of Circuit, Northern Division.—(6 December 1832.)

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of the 6th ultimo, transmitting copy of a letter from the Foujdaree Adawlut, on the subject of introducing into the code of this presidency the provisions taken from Bengal Regulation X. of 1811 and III. of 1832.

2. In the Ganjam district, as far as I have been able to learn, the system of selling slaves does not exist to any great extent; some of the lowest caste of natives, who have many children

children and no means of maintaining them, give up one or two perhaps to a rich neighbour, and receive in return money or clothes. The children are always well treated, and are not bound to remain with their master if they are not desirous of doing so. There are a few children occasionally, I learn, purchased in the neighbouring district of Cuttack, and brought to the small pagoda at Ganjam or Berhampoor, by the dancing girls of those pagodas, but they are treated with kindness, and are at liberty to return at any time they think proper.

(signed) *G. M. Ogilvie*, Magistrate.

Ganjam District, Magistrate's Office, Chitterapoor,
6 December 1832.

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Board of Control.
(Documents.)

From *H. Gardner*, Esq., Magistrate of Vizagapatam, to the Register of the Provincial Court of Circuit, Northern Division.—(3 December 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter under date the 6th ultimo, accompanied by copy of a letter from the register to the court of Foujdaree Adawlut, dated 27th October 1832, and to state that the introduction of the provisions quoted in the latter, taken from Bengal Regulation X. of 1811, and III. of 1832, appears to me to be quite unobjectionable and proper, although, with reference to the particular district in which I have held office for the last six years, I am not aware of there having been any importation or sale of slaves rendering a special enactment upon the subject necessary. There exists a species of domestic servitude, improperly called "slavery." The persons so denominated "slaves" are born in the family, in which they are clothed and fed, but receive no other remuneration for their services. They are fully aware of the protection to which the laws entitle them, but being kindly treated, they have no desire to quit the roof under which they have been born and bred; were any ill-usage shown them, they would not hesitate to avail themselves of such protection.

(signed) *H. Gardner*, Magistrate.

Vizagapatam, Magistrate's Office,
3 December 1832.

(True copies.)

(signed) *G. J. Casamajor*, Second Judge for the Register.

From *J. Swaramasastry*, Native Criminal Judge of Vizagapatam, to the Register to the Provincial Court of Circuit, Northern Division.—(16 November 1832.)

THE humble address of *J. Swaramasastry*, native criminal judge in the zillah of Vizagapatam.

I have been favoured with your precept of the 6th instant, and the Teloogoo translation of the Foujdaree Adawlut court's letter of the 27th October last which accompanied it, the contents of which I have understood, and in relation thereto beg to state as follows.

I never received any complaints regarding the importation of slaves by sea into the British territories, or the removal of them by land to places near the presidency of Fort St. George, as specified in Regulation III. of 1832, and Regulation X. of 1811, of the code of regulations for the province of Bengal, nor have I heard of such a practice existing in this country. But, in the event of such complaints being preferred in future, it appears to me to be expedient that the offenders should be punished as proposed in the 3d, 4th and 5th paragraphs of the Foujdaree court's letter. I therefore consider it necessary that the Regulation III. of 1832, and Regulation X. of 1811, of the regulations for the province of Bengal should be introduced in the regulations for this country. I submit this my opinion for the consideration of the court.

(signed) *J. Swaramasastry*, Native Criminal Judge.

16 November 1832.

G. J. Casamajor, Second Judge for the Register.

(True copies.)

(signed) *J. C. Morris*, Acting Register.

From *Tho' Boileau*, Esq., Acting Third Judge of the Centre Court of Circuit for the Register, to *J. C. Morris*, Esq., Acting Register of the Foujdaree Adawlut.—(28 March 1833.)

Sir,

I AM directed by the provincial court of circuit for the centre division to acknowledge the receipt of your circular letter under date the 27th October 1832, calling for this court's opinion "upon the expediency of introducing into the code of this presidency certain provisions taken from Bengal Regulations X. of 1811, and III. of 1832, on the subject of importation of slaves by sea into the British territories," and desiring that this court will, if necessary, consult the criminal judges or magistrates within this division upon the subject, which has been done.

2. The criminal judges of Cuddapah, Bellaree and Chingleput coincide in the suggestions of the Foujdaree Adawlut relative to the introduction of the proposed enactment upon the subject under consideration. The criminal judge of Cuddapah, however, remarks that domestic slavery partially exists in his district, as is usually recognized where there is an extensive Mahomedan population.

3. The criminal judge of Bellaree, as a suggestion, adds, that the relation hitherto existing between master and slave, and legalized by the Hindoo and Mahomedan law or the local

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usage of the country, and the property of individuals in them, should not be affected by the law proposed; that magistrates and police officers shall apprehend all persons charged with cruelty towards their own slaves, above fazeer, or correction, and forward them to the criminal court, who, in all cases wherein the acts may be established by evidence, shall punish the accused as the nature of the ill-treatment demands, but that in cases of aggravation, requiring a greater punishment than a criminal judge is competent to inflict, the offender should be committed for his trial before the court of circuit.

4. The criminal judge of Chingleput submits that he is not aware that slaves have been either brought into his district for sale or taken thence into other districts for the same purpose.

5. The criminal judge of Chittoor intimates that he has already submitted his sentiments to the Foujdaree Adawlut, as acting third judge in the southern provincial court.

6. The magistrates within the jurisdiction of this centre provincial court have generally submitted their concurrence in the adoption of the proposed measure; but the magistrates in the northern and southern divisions of Arcot have added, that no slavery, in the sense referred to in the proceedings, appears to be in existence in their districts. The former magistrate reports that, in some few instances, slaves have been purchased during periods of famine, rather from motives of humanity than with the object of exacting that description of servitude which the term "slavery" generally conveys, and that the persons so procured are almost invariably employed as menials to the family, but not as labourers; and that the magistrate has not deemed the authority of master or proprietor to extend beyond the voluntary service of the individual so mancipated, who has been considered authorized to exempt himself from bondage whenever the duties exacted of him by his master are oppressive.

7. The magistrate of South Arcot observes, that there exists in his district a description of agricultural slavery, where parties for a consideration engage to cultivate the soil for an indefinite period; but that this cannot be called slavery, since, upon the repayment of the consideration, the parties are allowed to leave one master and enter into the service of any other.

8. The magistrate of Cuddapah is of opinion that it would be unnecessarily severe to visit Mussulmen and others who may have purchased slaves for domestic services at Hyderabad and other parts, where the traffic is not prohibited, with the penalty described in the third provision, and hence that the introduction of slaves into his zillah was not unlikely to occur.

9. The magistrate of Bellaree remarks, that a slave running away from one province into another does not thereby emancipate himself, and presumes that the master will, under the proposed regulation, continue to possess the same right to have the slave restored to him.

10. This entire subject calls for a regulation chiefly on account of the state. Slavery in any shape is but partial, and no precise remedy or prohibition could tend beneficially to the amelioration of those classes, who now more or less undergo it, but their condition and treatment might be improved. To allow, however, any portion of inhabitants, who for any cause are likely to be mischievous, to ferment discontent and commotions, is the special province most obvious to a well-regulated and peaceable government.

11. Under the British authority in India no sect should have any very easy means of preparing the least commotion; and it is a question whether the power or license to any portion of the inhabitants to purchase slaves, for the purpose of locating them, by sale or residence elsewhere, does not at once afford the probability of an evil and dangerous result.

12. This subject indicates the necessity of caution and reserve; but certainly the provincial court deem it their duty to submit that it is a topic well entitled to the most anxious solicitude of the ruling power.

(signed) *Thos. Boileau,*
Acting Third Judge for the Register.

Chittoor, Centre Provincial Court of Circuit,
Register's Office, 28 March 1833.

To the Register to the Court of Circuit, Centre Division, Chittoor.

In return to the annexed precept which accompanied an extract from the proceedings of the court of circuit for the centre division, under date the 1st November last, transmitting copy of a letter, under date the 27th October, from the acting register to the court of Foujdaree Adawlut, calling for the opinion of the criminal judges on the subject of proposed enactments regarding the importation of slaves into the British territories, the criminal judge has the honour to state that he has already given his opinion on this subject when acting third judge in the southern provincial court.

Given under my hand and the seal of the court, this 20th March 1833.

(signed) *F. Lascelles,* Criminal Judge.

In return to the exigency of the precept of the provincial court of circuit for the centre division under date the 1st November, forwarding an extract from its proceedings of the same date, accompanied by a circular letter from the Sudder Foujdaree Adawlut, dated 27th ultimo,

ultimo, requiring the acting criminal judge to submit his opinion on the subject of the importation of slaves into the British territories, the acting criminal judge has the honour to state, that, from all the information he has been able to obtain on the subject, it does not appear that slavery exists in the district of Cuddapah, in the way that it is found to obtain in Malabar and Canara, and other provinces and districts under the presidency of Madras, and that domestic slavery exists more or less as is usually observed where there is an extensive Mahomedan population. The acting criminal judge begs leave further to state his opinion, that as the importation of slaves of the last-mentioned description, or of free persons to be sold or treated as slaves by land, may be occasionally attempted, and as the zillah of Cuddapah is bounded on two sides by the territories of foreign states, the provisions contained in the enactments proposed may be considered expedient under these local circumstances; but the acting criminal judge has not been able to find on the files of the court any instance of a charge of importation of persons as slaves within the last 10 or 12 years having been entertained.

Given under my hand, and the seal of the court of Cuddapah, this 23d day of November, A. D. 1832.

(signed) *C. M. Whish*, Acting Criminal Judge.

THE criminal judge of Bellaree acknowledges copy of the circular letter from the court of Foujdaree Adawlut, dated 27th ultimo, with precept and proceedings of the provincial court of circuit of the 1st instant, respecting the expediency of adding to the code of law a regulation against importing slaves by land, or their removal by sea or land, and declaring the freedom of those so carried away into any province immediately dependent upon this presidency, or from one zillah to another subject thereto, and considers the introduction of a penalty very desirable, but would suggest the following as further sections to the proposed regulation:—

VI. The relation hitherto existing between the master and slave, and legalized by the Hindoo and Mahomedan law or usage of the country or district, and the property of individuals in them, is hereby declared not to be affected by the foregoing provisions.

VII. Magistrates and police officers shall apprehend all persons charged with cruelty towards their own slaves, above fazeer, or correction, and forward them to the criminal court.

VIII. In all cases where the acts may be established by evidence, the criminal judge shall punish the accused as the nature of the ill-treatment demands; but should any aggravated circumstances appear to require a greater degree of punishment than he is competent to inflict, he is to commit the offender to take his trial before the court of circuit.

Given under my hand, and the seal of the court at Bellaree, this 15th day of November, A. D. 1832.

(signed) *Thos. Boileau*, Criminal Judge.

ACCORDING to the exigency of this precept, which accompanied an extract from the proceedings of the provincial court of circuit for the centre division, under date the 1st November 1832, together with copy of a circular letter from the Foujdaree Adawlut, dated 27th October 1832, requiring the criminal judge to submit his opinion upon the expediency of introducing into the code of this presidency certain provisions taken from Bengal Regulations X. of 1811, and III. of 1832, on the subject of importation of slaves into the British territories, the criminal judge has the honour to report that he is not aware that slaves are either brought into this district for sale or taken from hence for sale in other districts; he however has no objections to make against the proposed enactment.

Given under my hand, and the seal of the court, this 12th day of November 1832.

Northern Division of Arcot,
Magistrate's Office.

(signed) *J. Horsley*, Criminal Judge.

IN reply to the precept referring to a communication from the Sudder Foujdaree court, relative to the expediency of enacting certain provisions prohibiting the importation and purchase of slaves, the magistrate in the northern division of Arcot has the honour to report that slavery can scarcely be said to exist within the extent of his jurisdiction; that in the few instances of the practice existing, the slaves have been purchased during periods of famine rather from motives of humanity than with the object of exacting that description of servitude which the term "slavery" generally conveys, and that consequently persons so procured are almost invariably employed as menials to the family, not as labourers; nor has the magistrate, in the few instances that have occurred, ever deemed the authority of the master or proprietor to extend beyond the voluntary services of the individual so mancipated, who have been considered at liberty to free himself from bondage whenever the authority of the master renders the duties exacted from him oppressive.

Given, at Chittoor, under my hand and the seal of the court, this 4th day of January, in the year of our Lord 1833.

(signed) *C. Roberts*, Magistrate.

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(Documents.)

IN return to this precept, the magistrate begs leave to state, that the proposed enactment on the subject of the importation of slaves seems unobjectionable as regards this district, provided that the meaning of the term "importation" is restricted to purposes of traffic. It would, in the opinion of the magistrate, be unnecessarily severe to visit the Mussulmen and others, who may have purchased slaves for domestic services at Hyderabad, and other parts where the traffic is not prohibited, with the penalty described in the third provision. Instances of the introduction of slaves into this zillah are not unlikely to occur in respect to certain members of the family of the Jageerdar of Banganpilly, who may resort to the district from Hyderabad. Abyssinian slaves are generally their favourite menials, and their kind treatment of them is such as to render their lot comparatively happy.

Given under my hand, and the seal of the magistrate of Cuddapah, this 14th day of November, A. D. 1832.

(signed) *H. Lacon*, Magistrate.

ACCORDING to the exigence of this precept, the magistrate of Bellary has the honour to state, that he is not aware of any objection to the proposed enactments there alluded to on the subject of the importation of slaves or the removal of them from one province into another for the purposes of traffic.

It is however presumed that a slave running away from one province into another does not thereby emancipate himself, and that the master will, under the proposed regulation, still continue to possess the same right to have the slave restored to him as before its enactment.

Given under my hand, and the seal of office, at Anantapoor, this 29th day of January 1832.

(signed) *F. W. Robertson*, Magistrate.

THE magistrate in the zillah of Chingleput has the honour to acknowledge the receipt of the extract from the proceedings of the court of circuit for the centre division, under date the 1st instant.

In reply, the magistrate begs to state, that he deems the provisions proposed to be introduced into the code of this presidency, taken from the Bengal Regulations X. of 1811, and III. of 1832, on the subject of the importation of slaves into British territories by land, to be most expedient and advisable.

Given under my hand, and the seal of the office, at Poodooputnam, this 19th day of November, A. D. 1832.

(signed) *W. D. Davis*, Magistrate.

THE magistrate in the southern division of Arcot has the honour to acknowledge the receipt of this precept requiring his opinion as to the expediency of introducing into the code of this presidency certain provisions taken from the Bengal regulations, regarding the importation of and traffic in slaves; in reply, the magistrate has the honour to state, for the information of the provincial court and the Foujdaree Adawlut, that slavery, in the sense referred to in the proceedings under acknowledgment, is believed not to exist in South Arcot. The introduction, however, of the proposed enactments into the judicial code of this presidency could not fail to be attended with advantage in preventing the possibility of this inhuman traffic.

A description of agricultural slavery (if such it can be called) no doubt exists in this district, where parties for a consideration engage to cultivate the soil for an indefinite period; but this cannot be considered slavery, since, upon the repayment of the consideration, the parties are allowed to leave one master, and enter into the service of any other.

Given under my hand, and seal of the court at Cuddalore, this 30th day of December, in the year of our Lord 1832.

(signed) *J. Dent*, Magistrate.

(True copies.)

(signed) *Tho^s Boileau*,
Acting Third Judge for the Register.

(True copies.)

(signed) *J. C. Morris*, Acting Register.

Ordered, That the following reply be despatched :—

No. 641.

From Mr. Chief Secretary *Chamier* to the Judges of the Sudder Adawlut.—(21 August 1835.)

Gentlemen,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your acting register's letter of the 10th May 1833, and to request that you will lay before government the draft of an Act containing the several provisions referred to in its concluding paragraph, for transmission to the supreme government, with a view to enactment.

(signed) *H. Chamier*, Chief Secretary.

Fort St. George, 21 August 1835.

No. 17.

EXTRACT

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 25 September 1835.

No. 137 (A.)

Extract Letter from *J. F. Thomas*, Esq., Register Sudder Adawlut, to Chief Secretary to Government.—(11 September 1835.)E. I. Company and
Board of Control.
(Documents.)

Para. 1. AGREEABLY to the instructions conveyed in your letter of the 21st ultimo, No. 641, I am directed by the judges of the court of Sudder Adawlut to submit for transmission to the supreme government, with a view to enactment, the accompanying draft (A.) of an Act containing the provisions referred to in the concluding paragraph of the letter from the acting register to this court, of the 10th May 1833, prohibiting the importation of slaves by land into the places immediately dependent upon the presidency of Fort St. George.

No. 10.

2. The draft does not appear to require any remark here, the subject having been already distinctly laid before the government.

(A.)

ACT, No. of India in Council passed by the Honourable the Governor-general of India in Council on the

I. BE it enacted, That from the day of 18 the importation of slaves by land into the places immediately dependent upon the presidency of Fort St. George shall be strictly prohibited.

II. And be it enacted, That any person who may hereafter be convicted before a criminal, joint criminal or native criminal court, of the offence of importing by land a slave or slaves into the territories subject to the presidency of Fort St. George, shall be sentenced to imprisonment for six months, and to pay a fine to government not exceeding 200 rupees, commutable, if not paid, to further imprisonment not exceeding six months.

III. All slaves who may hereafter be removed by sea or land for purposes of traffic from any country, territory or province, British or foreign, into any district dependent or that may hereafter become dependent on the presidency of Fort St. George, or who may be so removed from one zillah subject to that presidency into another subject thereto, are hereby declared free.

IV. All persons hereafter concerned in the sale or purchase, as a slave, of any man, woman or child so removed, knowing him or her to have been so removed, shall, on conviction before a criminal, joint criminal or native criminal judge, be sentenced to imprisonment for six months, and to pay a fine to government not exceeding 200 rupees, commutable, if not paid, to further imprisonment not exceeding six months.

V. Any person who shall hereafter export slaves from a place immediately dependent upon the presidency of Fort St. George into foreign territory, without first obtaining a written permission from the magistrate, whose duty it shall be to grant the same only when satisfied that the object is not sale, shall be punishable, on conviction before a criminal, joint criminal or native criminal court, with fine not exceeding 200 rupees, commutable by imprisonment not exceeding six months, or one year's imprisonment, or both; and the slave, on returning to the territory subject to the presidency of Fort St. George, shall be held to be free.

Ordered, That the following reply be despatched :—

No. 756.

From Mr. Chief Secretary *Chamier* to the Judges of the Sudder Adawlut.—
(25 September 1835.)

Gentlemen,

I AM directed to acknowledge the receipt of your register's letter, dated the 11th instant, No. 137, and to request that you will submit, for the information of the supreme government, a concise statement of the reasons which suggested the drafts of Acts transmitted therewith.

No. 11.

(signed) *H. Chamier*, Chief Secretary.

Fort St. George, 25 September 1835.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 20 October 1835.

No. 157.

Extract Letter from *W. Douglas*, Esq., Register, Sudder Adawlut, to Chief Secretary to Government.—(7 October 1835.)

Para. 1. I AM directed by the court of Sudder Adawlut to acknowledge the receipt of your letter, No. 756, dated the 25th ultimo, requesting the court of Sudder Adawlut to submit, for the information of the supreme government, a concise statement of the reasons which suggested the drafts (A.) and (B.), transmitted with the register's letter of the 11th ultimo.

No. 8.

2. Upon the promulgation of the Bengal Regulation III. of 1832, framed in extension of the provisions of Bengal Regulation X. of 1811, the court of Foujdaree Adawlut were directed, in a letter from the chief secretary to government, dated 24th April 1832, to submit the draft of a regulation for enactment, should it appear to them expedient to introduce into the code of this presidency provisions similar to those contained in Bengal Regulation III. of 1832.

E. I. Company and
Board of Control.
(Documents.)

3. In order to prevent misconception as to the objects and correct application of the provisions of the regulation proposed to be introduced into the code of this presidency, as also to determine how far the provisions of Bengal Regulation X. of 1811 should be incorporated therein, a reference was made to government, under date the 4th May 1832, and the difficulties which occurred to the judges having been explained in a letter from the officiating secretary to government at Fort William, transmitted to the Sudder Adawlut by the acting secretary to government in the judicial department, under date 19th of October of the same year, the court of Foujdaree Adawlut submitted their sentiments, founded upon the general opinion expressed by the subordinate judicial authorities, that it was highly advisable and expedient that the provisions of Regulation X. of 1811 and Regulation III. of 1832 should be introduced into the code of this presidency, and suggested that they might be permitted to add to the provisions of the regulation the rule contained in clause 2, section 30, of the Bombay Regulation XIV. of 1827.

4. The receipt of the register's letter of the 10th of May 1833 was acknowledged on the 21st August 1835, and the court of Sudder Adawlut directed to lay before government the draft of an Act containing the several provisions referred to, "for transmission to the supreme government with a view to enactment."

5. The draft marked (A.) was accordingly submitted to Government, under date the 11th of September 1835.

No. 808.

From Mr. Chief Secretary *Chamier* to the Judges of the Sudder Adawlut.—
(20 October 1835.)

Gentlemen,

No. 9.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your register's letter of the 7th instant, No. 157, and with reference to the letter from the supreme government, dated the 7th September last, No. 19, communicated to you on the 9th instant, to request that you will state your opinion on this as well as on all future occasions, whether you consider the draft Acts referred to in your register's letter to require immediate promulgation, it being the intention of government, in all cases which do not require immediate promulgation, merely to bring the subjects to the notice of the supreme government, for the purpose of being referred to the law commission for consideration, and not to submit draft Acts for sanction, in order that legislation for particular occasions may be avoided, agreeably to the wishes of the supreme government, expressed in their letter referred to above.

(signed) *H. Chamier*, Chief Secretary.

Fort St. George, 20 October 1835.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 17 November 1835.

READ the following letter :—

No. 173.

From *W. Douglas*, Esq., Register, to Chief Secretary to Government.—(31 October 1835.)

Sir,

No. 6.

IN reply to your letter, No. 808, dated the 20th instant, I am directed to state that, in the opinion of the judges, no necessity exists for the immediate promulgation of the draft Acts marked respectively (A.) and (B.) referred to in their register's letter of the 7th instant; but that it will be sufficient that the subjects be brought to the notice of the supreme government for the purpose of being referred to the law commission for consideration.

Draft (A.) containing provisions prohibiting the importation of slaves by land into the places immediately dependent upon the presidency of Fort St. George. Draft (B.) containing provisions limiting the period of imprisonment in default of payment of a fine imposed by a court exercising civil jurisdiction.

Sudder Adawlut Register's Office,
31 October 1835.

(signed) *W. Douglas*, Register.

Ordered, in consequence, That the following letter be despatched :—

No. 886.

From Mr. Chief Secretary *Chamier* to Mr. Secretary *Macnaghten*, Government of India.—
(17 November 1835.)

Sir,

No. 7.

I AM directed to transmit to you, for the purpose of being referred to the law commission for consideration, the accompanying drafts of Acts for prohibiting the importation of slaves by land into the places immediately dependent upon the presidency of Fort St. George, and for limiting the period of imprisonment for contempt of court, under section 22, Regulation III. of 1802; together with a copy of a letter* from the register to the Sudder Adawlut, containing concise statements of the reasons which suggested the draft Acts herewith transmitted.

*Dated 7th, in Cons.
20 Oct. 1835,
No. 157.

(signed) *H. Chamier*, Chief Secretary.

Fort St. George, 17 November 1835.

EXTRACT

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 9 February 1836.

E. J. Company and
Board of Control.
(Documents.)EXTRACT LETTER from Mr. Secretary *Macnaghten* to Mr. Chief Secretary *Chamier*.—
(11 January 1836.)

Para. 3. THE provisions of the draft for prohibiting the importation of slaves by land into places dependent upon the Madras presidency will be considered by the law commissioners in connexion with that part of the criminal code to which the subject belongs.

No. 11.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 23 May 1828.

Extract from the Proceedings of the Foujdaree Adawlut, dated 3 April 1828.

Para. 22. IN para. 42, Mr. Vaughan suggests the application of the provisions in Regulation V. of 1822, respecting forcible taking possession of lands or crops, to forcible abduction of chermers (prædial slaves), a practice which he states to be very common, involving complicated litigation, serious affrays and injury to the disputed chermer himself.

No. 4.

23. The judges think that there is great difficulty in legislating upon this subject at all, arising from the impolicy of doing any act which might seem to sanction or recognize the state of slavery. To the particular measure proposed by Mr. Vaughan there is one obvious objection, that the forcible taking possession of lands or crops is, *quo ad* the lands or crops, a civil offence (a trespass); the forcible abduction of a chermer is a criminal offence, viz. an assault upon the chermer himself, on proof of which, before a competent authority, his restoration to his former master would follow of course, without any act on his master's part, and the abducer would be punished besides; so that all the desired effect is already attainable without the proposed measure. It may be objected to this view that the chermer is generally too poor or too timid to complain of the assault; but the proper remedy for his backwardness, arising from these causes, is, to encourage and facilitate his complaining with effect; not to take the righting of himself out of his own hands, which would only confirm and increase his present helplessness. Neither would the proposed measure have any tendency to save the complicated litigation complained of in these cases, or the personal injury to the disputed chermer himself. Upon the whole, therefore, the judges think that Mr. Vaughan's suggestion ought not to be adopted.

Extract Letter from *J. Vaughan*, Esq., Second Judge, late on Circuit, Tillicherry, to
G. J. Casamajor, Esq., Register to the Foujdaree Adawlut.—(1 February 1827.)

42. CONSTANT and numerous are the instances which occur of abduction of chermers, sometimes with their consent, frequently without it. These cases are generally of the most complicated description, involving rights of *teum*, *canum* and *rent*, and give rise to the most troublesome species of litigation, causing serious affrays, when not unfrequently the unfortunate chermers, the flesh of contention, are sufferers for the crimes of others: might not the provisions of Regulation VI. of 1822, for forcibly possessing land, be extended to the forcible seizure of chermers?

Extract Letter from Mr. Chief Secretary *Chamier* to the Judges of the Foujdaree
Adawlut.—(23 May 1828.)

5. MR. VAUGHAN'S suggestion relative to the extension of certain of the provisions of Regulation V., 1822, to cases of forcible abduction of chermers, appears to the Right honourable the Governor in Council to be deserving of further consideration. The extent of Mr. Vaughan's proposition is understood to be, that the collector should have power, on complaint and proof of forcible abduction of chermers, and on proof of actual previous possession by the dispossessed party, to cause the chermers to be restored, in the same manner as he has now (by sec. 6, Regulation V., 1822) the power to order lands or crops forcibly seized to be restored to the party previously in possession, and that the provisions of sect. 12 and 13 should be made applicable to similar acts done in the forcible abduction of chermers. In your proceedings, the forcible abduction of a chermer is stated to be an assault on the chermer, "on proof of which, his restoration to his former master would follow of course, without any act on his master's part." Now, it is obvious that where the abduction of chermers is effected (as stated by the judge on circuit to be sometimes the case) "with their consent," the dispossessed master can have no chance of redress by means of a complaint on the part of the chermers, and it is doubtful whether the assault, as a criminal offence, could be established without previous proof of the assaulting party not being the lawful owner of the chermer, which is, in fact, the main point at issue, and one which it is evidently not the province of a criminal court to determine.

No. 5.

6. Property in slaves being fully recognized by the parent Legislature, there can be no objection to the framing of rules in India for the protection of this in common with every other description of property. The Right honourable the Governor in Council will therefore reserve this subject for further consideration.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 27 October 1829.

Extract Proceedings of the Foujdaree Adawlut, dated 20 July 1829.

No. 5.

24. IN reference to former discussions respecting slavery in Malabar, Mr. Vaughan suggests "a census and village registry of slaves." It seems desirable that every attempt should be made to ameliorate the condition of this unfortunate race of people on the western coast, provided private rights are not infringed, and property as it now exists remains undisturbed. The judges respectfully suggest, for the consideration of the government, whether, with this view, the future progeny of the slaves in Malabar might not be emancipated from the villainage in which their less fortunate parents are involved. By conferring on them the blessing of a free market for their labour, the government would give a new incitement to their exertions, and promote industry, whilst it would gradually raise to the situation of their fellow men a numerous and degraded class of their subjects.

25. Local circumstances, such as the demand for servants among Europeans at the presidency, dependence on a community, rather than on an individual, no forcible separation from the land they till, and liberal revenue arrangements, which have increased the receipts of the pariahs and pullers of the Yamel country, so as gradually to raise them into independence, have greatly improved the condition of this class of people on the Coromandel coast, where the exposed person of the female labourer in the Tanjore and Tinnevely districts is now nearly the only remaining distinction between the slave and the free. But in Malabar, where the slave is often sold separately from the land, civilization is checked by the infraction of those feelings, the cultivation of which principally tends to raise human nature. He is dragged from the field which he is accustomed to till, from all the connexions of blood and affection, and his diminutive size, stunted growth, and squalid appearance, present the picture of the degraded being which he feels he is. Mr. Vaughan mentions an instance of a dispute respecting one of these slaves, in which the claimant who seized him confined him "in a room without light or air, with an elephant's chain fixed to his legs."

26. Though the law, as has been fully explained to the local officers, already sufficiently protects the slave from such oppression, the judges are of opinion that the wretched condition of this class in Malabar renders it desirable to adopt the suggestion now submitted, in which case a census and registry, as proposed by Mr. Vaughan, would distinguish the slave from the free, and it might also be made the duty of the local officers to discourage, as far as possible, the removal of the slave from the land he usually tills, or from his relations by blood and connexions by marriage.

Extract Letter from *J. Vaughan, Esq.*, Second Judge at Tillicherry, to *D. Campbell, Esq.*, Register to the Foujdaree Adawlut.—(20 July 1828.)

46. I HOPE I shall stand excused if I again advert to the subject of the 42^d para. in my late report, and with all deference to point out that the arguments used by the Foujdaree Adawlut do not, in my opinion, apply. The chermmer must first be taught his real rights; he must be made to feel them by bringing him forward in the most conspicuous way, by dragging him into the light for his own benefit, which will never be the case when they are sought for by their proprietors, who, as long as they recover possession of them, care no more for the injustice and cruelties they undergo, than if so many head of cattle had been drawn off and recovered by force of arms or mutual compromise between the masters. I know one out of many other instances of cruelty to slaves, wherein the forgotten or abducted slave was confined (by one of the parties who first got possession of him), in a room without light or air, with an elephant's chain fixed to his legs. I was, perhaps, wrong, but I meted out the same punishment to his master or pretended master, by fixing it on his leg and confining him for the same period, though with less severity than the master did, as he was only confined in the same place as other prisoners, with the addition of being exposed for some days, *in terrorem*, to others. I trust it will be considered something of the latest to censure my past conduct, however well merited it might have been at the time.

47. Much has been written on the subject of the abolition and condition of slavery in Malabar, but I do not advocate the immediate adoption of a measure* as the latter amongst so large a body of slaves. As Malabar contains upwards of one hundred thousand, it must be the work of time; and he who could point out a salutary mode of carrying this into effect with benefit to the slave and without injury to the proprietor, would merit the well-earned applauses of the friends of humanity; though I abhor pedantry, I know no adage so applicable to the point as *festina lente*; experience and knowledge of facts may sometimes be brought in aid of the theory of those who are in other respects better informed. The first step to be taken should be a census and village registry of all slaves, their masters, whether jenmakars, canumkars or pantakars.

* Sic orig.

Extract Order of Government.

No. 6.

6. ON the subject of slavery, which is noticed in paragraphs 24, 25 and 26 of the proceedings of the Foujdaree Adawlut, the Right honourable the Governor in Council observes that, as the honourable the court of directors have, in the 35th paragraph of their despatch in the revenue department, dated 21st November 1827, signified their intention to furnish this government with a full communication of their sentiments on this difficult and important subject, it would be premature to adopt any measures for altering the existing state of things in Malabar before the receipt of the honourable court's orders.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 7 September 1830.

E. I. Company and
Board of Control.
(Documents.)

No. 1.

EXTRACT from the Proceedings of Foujdarry Adawlut, under date the 12th July 1830.

Para. 14. FROM paragraphs 186 to 190 of his report, Mr. Newnham dwells on the condition of the slaves in Malabar, to which the judges alluded in their proceedings of the 20th July last, wherein they submitted, for the consideration of the Right honourable the Governor in Council, whether the future progeny of the slave might not be declared free.

15. The number of enslaved peasants, "after excluding domestic slaves," is, according to Mr. Newnham, 160,000 or 170,000 in the Western division; and in Malabar alone about 100,000, or a tenth of the whole population. He expresses a natural repugnance "at a demand made in a civil suit of 20 Moolumunishers, value 50 pagodas, without individual specification, immediately followed by a like summary demand for brute animals," and at the "practice of thus suing, without name or individual description, for so many sentient creatures of God." He objects to this degraded race being confounded by name with the "Dhers" or Pariars, many of whom are free, or at least only "ostensible" and "reputed," not actual slaves. He remarks that the slaves are not like cattle, exempted from distraint in certain cases; and states the magistracy in Canara to have informed him that "the courts in Canara daily put up slaves for sale as they would any other moveable property;" and that even men that are free occasionally dispose of their liberty, by crying out to the purchaser, "I am thy slave for ever." He questions the legality of such a proceeding, urges that it never could be the intention of the Regulations, especially those for the protection of the under-cultivators and ryots, that there should be "one of every nine inhabitants of the land whose lot was not ameliorated, nor intended to be ameliorated, nor could be ameliorated by the philanthropy of that mode of legislation." And he finally adds, "If the assertion of the magistrate about the sale of slaves, like other personal property, by the officers of justice, in execution of decrees of court, be altogether true, it would be time to drop the style of language by which slavery is still in this, the thirtieth year of the British rule over Canara, and thirty-eighth year of the rule over Malabar, stated to be only tolerated; for every sale thus publicly made under the warrants of the courts of law, or any distress made of the same article for arrears of revenue, or transfer of slaves by process of the magistracy, or constructive grant of them by revenue authorities when they grant to old servants or others the grounds on which the regardant villains live, or exercise of power over slaves during an amanee management of attached estates, may be accounted an overt act in public confirmation of the practice." Mr. Newnham, in this part of his report, branches out into a devious line of reasoning, which it is not easy to follow, and to comment on which would extend these proceedings beyond all moderate limits.

16. The judges concur in opinion with Mr. Newnham, that when slaves became the subject of public proceedings, they ought never in name to be confounded, by the judicial tribunals, with the Dhers, or other free classes of the people, but should invariably be distinguished by the native term equivalent to "slave;" and that when sued for, each should be distinguished by his particular name, and the specific sum at which the owner values him, under penalty of non-suit. But under the orders conveyed in the 6th paragraph of the Minutes of Council of the 27th of October 1829, the court abstain from any remark on the general subject of slavery in Malabar, as the Government have stated their intention to wait for orders from England before they disturb the existing state of things "in Malabar."

EXTRACT Letter from *Thomas Newnham, Esq.*, First Judge of Circuit Western Division, to the Register to the Foujdaree Adawlut, Fort St. George; dated 29 August 1829.

186. AN active and busy show of jealousy about the legal rights of men under those laws, and the one by which they are to be made sufficient in the hands of collectors and magistrates, who periodically visit every part of the country, and constantly have guards in it, might also effect much good without additional legislation; also a determined strictness in respect to the correctness of the terms used to designate slaves, might not only raise the character of the numerous class of Dhers, which the present mode depresses, but serve to exclude from the total account of the day, many who are only "ostensible or reputed" slaves. Any diminution thus obtained in the supposed aggregate would be of public advantage. If the authorities also, on principles that are English and also Mahomedan, and even consonant to the reason of Hindoo law, held that no man owing as a free-born subject a natural allegiance to the state, could divest himself of that character, and become the slave of a private man, and as a slave invest the master with powers he never before could have exercised without being subject to fine to the sovereign, because he infringed his right of being the sole distributor of justice, the increase in the number of slaves by such means, to increase the number of victims of an early † death, because of privation an dill-treatment, would receive a check, and in the "vildest" department of slavery, according to Nareda. "The principal aim of society," according to Blackstone, "is to protect individuals in the enjoyment of those absolute rights which were vested in them by the immutable laws of nature." Moreover, if the act which the British Legislature is admitted to have passed about 18 years ago to prevent the removing of persons to be treated as slaves, be capacitated ‡ to secure to those pauper peasants some legal settlement in their husbandry of lands, whence

† If humanity could have successfully interfered it ought to have interfered long before, and prevented any premature mortality, &c. &c. — *Malthus*, p. 246.

‡ Orig.

*Orig.

those villains regardant* on the lords of soil, and now it may be said looking wishfully for some commiseration from superior powers, who have so often made laws to ameliorate the condition of countrymen of the next ascending rank, might be so certain that the will of the strongest could not remove them bodily, and they could expect to enjoy at least the wilds which have served for their common or orchards without apprehension, the scene in Malabar and Canara might possibly be ere long greatly, if not, to again employ a term which their masters used in their own petition for renewal of privileges, entirely changed.

*The bond-tenants of, p. 147, vol. 2, Blackstone, were, probably, leaseholders or puttahdars.

187. It must however be admitted, that inasmuch as a slave gains a constant home, if his lord be tyrannically inclined or revengeful, because of some dislike to the individual, his sufferings by over labour and abuse may become equally constant; whereas the power of the lord to remove and sell the man to another owner, to deal with the wretched subject under the other system, may often put an end to much of the calamity of the man's slavery, by placing him beyond the oppressor's reach. But according to the spirit of the existing law, the landlord is not justified in distressing even * bondmen who may not hold the lord's bond for the lease of an acre or two; a man who only engaged to do villain service was nevertheless a free man even in respect to the lord, and could relinquish the service by the older laws, from which the law of distraint and interchange of mutual engagements were copied for introduction into the country, which had not such laws before. Excessive distress, even of a bonded peasant, to whom these new laws (which have so greatly conduced to the entire change about which the honourable rulers of the country have so great a right to be proud) may not yet reach with perfect authority and efficacy, is certainly unjustifiable, either by the principles on which the modern conquerors permit those alleged to have power over a great part of the indigenious peasantry of the land, because of their forefathers being deprived, many generations ago, by conquest, of the natural rights of freedom, to exercise it, and so tolerate the system, instead of likewise introducing further declaration of rights on behalf of these producers of rent, or by those on which any original compact between a rich and poor man, to give one more mastery and reduce the other to a slave, could ever be brought to a close. Even if the slave were a foreigner captured in war, the mercy on one side and gratitude on the other, which together form the basis of the rights of a master, are dissipated, if the captor only preserved the captive's life to inflict a greater wrong. In this country there are few, if any, slaves who have been imported from the opposite shores of Africa, or distant places, like the slaves in the West Indies. In such instances the power of the owner has precedence to the power of the sovereign of the state into which this import of new subjects, who are already enslaved, is made. In India, even to the earliest time, the sovereign power has held precedence of the right of the owner, and the power so to be exercised over agricultural labour to the increase of the rent and revenue, if it ever can act otherwise than to decrease the natural resources of the country, may be called a Padshahee or royal grant, more properly than it is now commonly called a divine one. It probably is neither one nor the other, and some of the reasoning in Regulation XXXI. of 1802, might not prove inapplicable to the manner in which unauthorized encroachments "have, to the violation of the right of the ruling power," thus alienated a great portion of the labour that is to make land productive.

*Sect. 1, 2, 3, c. 4, P. E.

188. In most countries where the purest slavery is encouraged, there are even among their heartless laws and stationary resources some means whereby a labouring bondsman may get removed or protected from the power of an oppressive master. Mr. Malthus*, on treating on the supply of labour, holds it to depend on the comfort of the lower classes of society. By the Act of Elizabeth, and other statutes for the settlement of the poor in England, and compelling all to do service in works of husbandry, a peasant can get removed from the farmer, whom he has been bound to serve, if he applies to the justices, who by the benevolence of the legislature are required to periodically assemble to inquire of the effect of the said system in respect to the numerous classes of subjects to which those laws apply. So likewise, if the collector and magistrate, through his own watchfulness and the constant attention of his police and revenue officers, discovered a master to be unjustifiably oppressive or negligent of those indigenious husbandmen of the country that live on his farm, and are in consequence of the pottah by which he holds the land and enjoys its rent and profits subject to his power, there might be some means of declaring the power over them to be forfeited. Possibly some clause in the pottahs which are designed to protect, among other rights, those of the superior lord of the land, and of the resources to supply labour, might covenant due attention to the welfare of the husbandmen bound to villain service.

*Orig.

189. I have thus taken a transitory survey of some few of the points relating to slavery, which is a subject very deserving of notice, and nearly inexhaustible. If this pauper class of subjects, converted originally, it is religiously* held, from a wild freedom to slavery, only for the advantage of agriculture, and by reason of law admitted to "savour of the reality," be treated of in respect to the claims it has in the public protection of a government deriving so large a portion of its resources from the agricultural habits of its subjects; and in respect to its laws for raising the character and fostering the increase of its peasantry, for restricting the distresses which landlords can legally exercise, for conferring a right to sue *formā pauperis*, and so forth, and the analogy of the laws about villains in Europe, the early encouragement of emancipation, and the means which led to success in that object; about the settlement of the poor; the obligations to labour also imposed on them; also the propriety of turning all such popular scruples as those exemplified in the trial before the Dewanee Adawlut in Bengal as much as possible to the triumph of morality, by allowing their title to serve as proofs of the illegality of reducing, for purposes of private lust or private lucre, free children to slavery and other matters. But having ventured to so long dwell on the great evil of the land, through which my circuit passed, as that my report, though

though directed to the suggestions of reforms of much benevolence, and the prevention of wrongful sufferings which may be looked on in some degree with like abhorrence as those openly denounced as crimes to be prevented, may be found to trench on the valuable time and patience of the higher court, the further discussion of the condition of those slavish and heathenish races of Malabar and Canara will be laid aside for the present, and some notice taken of the state, under the present system, of the labouring classes, which are constituted of native Christians.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 12 August 1834.

From *F. C. Brown, Esq.*, to the Chief Secretary to Government.—(21 November 1833.)

No. 17

Sir,

I HAVE the honour to request you will lay the accompanying letter before the Right honourable the Governor in Council. It was addressed, in my anxiety for any the most immediate inquiry into the subject of it, to the principal collector and magistrate of Malabar; but that officer declines the primary cognizance of it, for reasons of which I must admit the force, and has suggested to me the propriety at once of submitting it myself.

He does not consider himself authorized, without the express orders of Government, to institute, upon an individual's reclamation, an inquiry into that individual's concerns. Secondly, a public inquiry of the nature solicited made by him into the treatment and condition of my slaves, might give countenance to the belief, which has gained ground extensively among the landholders of the province, that it is the intention of Government to order the liberation of all their slaves. Of this objection I cannot but feel all the grave importance.

At the same time Mr. Clementson has informed, and is good enough to permit, me to use his own words: "From private inquiry made by me, without anticipation of the present subject, into the general state and condition of the slaves on your estate, I am assured of the kind and humane manner in which they are treated; and from all I have heard, am satisfied that nothing would induce them to quit your service. I feel satisfied also, that suddenly to emancipate them, or, in other words, to turn them off your estate, would be to drive them from a happy home and kind master to starvation and beggary."

It is under these circumstances that I address myself to Government, resting with confidence upon the wisdom and justice of whatsoever it may be pleased to decide. If I feel as a son, it is as an Englishman that I speak, desirous above all things to remove from the minds of the rulers of this country the most painful weight that can oppress them, should they see reason to dread that in the very measure which is dictated by an anxious solicitude for the security and advancement of the natives, the widest door may be thrown open to their oppression and degradation.

Tellicherry, 21 November 1833.

(signed) *F. C. Brown.*

Extract Letter from *F. C. Brown, Esq.* to the Principal Collector and Magistrate of Malabar; dated 20 November 1833.

THE state of slavery in the province of Malabar has been formally brought to the notice of Parliament by the President of the Board of Control, in his speech of the 13th June, introducing the resolutions upon the removal of the Company's charter, as a subject demanding the earnest attention of the Legislature.

The contemporaneous mention of slavery in the East Indies, with the pending discussion upon the all-absorbing question of the abolition of slavery in the West Indies, is naturally calculated to rouse the interest of the people of England, already so deeply excited. The evidence taken before the India Committee of the House of Lords was partly directed to the investigation of the subject. A folio volume of papers has since been laid before Parliament; and lastly, in August 1832, the Board of Control prepared and circulated a set of questions, "with a view to obtain from persons considered to be the best informed, particular information as to the extent of slavery in the East Indies," in order, doubtless, to found upon the answers some remedial measures.

Among the persons to whom the questions were sent was Mr. T. H. Baber, of the Bombay civil service, a conspicuous witness before the Lords' Committee, who had returned to England upon his dismissal in 1823 from office as First Judge of the Provincial Court of Appeal for the Western division. His answers to them Mr. Baber has seen fit to make the vehicle of repeating a series of accusations, which he had recently revived in his evidence before the Lords, and which he originally brought forward against my father the late Mr. Brown, as a slave proprietor, so far back as the years * 1811 and 1812, 21 years ago. Not content with this publicity, he has thought it necessary to give his answers to the world in the form of a pamphlet, under the title of "An account of the Slave Population in the Western Peninsula of India."

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* For the correspondence here referred to, respecting the slaves on Mr. Brown's plantations in Malabar, see pages 560-790 of Report on Slavery, presented 1 June 1827.

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It happens that Mr. Brown was the very first British subject who was permitted to hold land in India. He is described by Mr. Baber himself (p. 37), "as a person who has been upheld as a sort of oracle in questions of native customs," and he must hence be concluded to have possessed some influence. In 1802 he became the purchaser from the Company of this property, begun under his superintendence in the year 1798, and of the slaves upon it. It was against him as a landowner and slave proprietor (to which characters I have succeeded) that were levelled Mr. Baber's imputations in 1812, of his having possessed himself by improper means of numerous persons, slave-born and free, and that these imputations are now ostensibly directed.

I shall take the several heads of charge advanced by Mr. Baber from his published answers to the India Board, as being the last enlarged version intended for the public, although to the substance he had already sworn. They profess to be supported by such an array of references to facts, figures, dates and documents of all kinds, printed and manuscript, as must seem to any reader to defy either cavil or question.

For the sake of clearness, and to render comment as superfluous as possible, I shall take the liberty of placing the charge and the disproof in juxta position.

In part of the answer to Question D of the Board, Mr. Baber states, "Mr. Brown had continued up to 1811, or for a period of 12 years, under this alleged authority granted by the Bombay Government, to import slaves and free-born children."

COPY of the alleged Authority furnished to Mr. Baber in 1812.

To Mr. George William Gillis, Assistant at Chowgaut.

Sir,

GOVERNMENT having been pleased to authorize the purchase of Pooliar, Betwar, and other castes of the natives, who by their own laws are in a state of bondage, for the labours of the Honourable Company's plantations in Randatana; and the overseer of it having informed us that the Darogha of Chowghaut has now offered him 30 persons of the above description, and promised to complete 100, provided he be duly authorized so to do; we desire you will inform him that he has our permission to transfer to the overseer of the Honourable Company's plantation any number of the persons above described, provided it be done agreeably to the known customs and laws of Malabar relative to them; and as it appears that the Honourable Company may derive considerable benefit from the labours of those people, provided a sufficient number can be procured, we further direct that you will grant the said Darogha such legal aid as he may require, in order to enable him to fulfil his promise, and that you will make it known in the districts under your charge, that those persons who are willing to dispose of these species of property to the overseer of the Honourable Company's plantation have permission to do so.

Calicut, 20 October 1798.

(signed)

J. Spencer
Jas. Hartley } Commissioners.
J. Smee }

Mr. Baber, therefore, was thoroughly informed that it was the Government he served, not Mr. Brown, that imported the slaves, and for its own use; that, in order to give every publicity to the purchase, the Government took the precaution of proclaiming its wants in South Malabar, where slaves most abound, through the medium of the European officer in charge of the district, a fellow assistant of Mr. Baber's; and to guard against the possibility of any illicit traffic, or the clandestine abduction of slaves unknown to their masters, also to make known, through the same local authority, that the head native officer of police was the person empowered to purchase the slaves from such owners as were willing to dispose of them, for the express purpose of being sent to the honourable Company's plantation. The purchase, the sale, and the destination of the slaves, therefore, were all made as public as the transaction was designed to be open; there existed no motive for concealment, then or afterwards; and it appears that, for a period of 12 years, not a complaint, nor a suspicion of a complaint, had been heard.

To form a judgment of the facility both of hiring and procuring slaves, of the probability of any other than the slave castes being sold, and of the inducement to purchase them, Mr. Baber himself adduces evidence which will be deemed conclusive. Quoting from the census of 1806-7, Mr. Baber states the whole population to have been 700,000, of which 96,386, or $\frac{1}{7}$ th, were slaves. Again (p. 16), he says, "the average selling price of all castes (of which Mr. Vaughan enumerates 20), is 132 old gold fanams, 3 l. 6 s. (33 rupees), and average annual rent 5 fanams, 2 s. 6 d. ($1\frac{1}{2}$ rupee); while the prices of the lowly Poliar Cherimar, who compose more than half the aggregate slave population, are still less than the lowest of the other castes, and are (*vide* No. 1 statement), for a man 48 fanams, equal to 1 l. 4 s. (12 rupees); a woman, 36 fanams, 18 s. (9 rupees); a boy, average 20 fanams, 10 s. (5 rupees); and a girl, average 15 fanams, 7 s. 6 d. ($3\frac{1}{2}$ rupees); while the annual rent of the two first are but 2 and $2\frac{1}{2}$ fanams (sum, 1 s. 3 d.), $\frac{1}{2}$ and $\frac{3}{8}$ ths of a rupee" (the two latter yielding no rent).

As a corollary, doubtless drawn from this abject price, he prominently repeats, no less than three times, that the slave population is diminishing, referring to his private papers (p. 10), and to Mr. Sheffield's authority, to prove that in 1827 the number of slaves was only

only 95,996, the whole population being 1,003,466; while, in point of fact, by the census of 1830, Mr. Sheffield ascertained the number of slaves to be 140,224, or one-half more. A witness, solicitous only to tell the truth, and not to mislead, would have stated that it is perfectly obvious that diminishing numbers and a decreasing price cannot co-exist.

It would be easy for me to proceed with the refutation of every other of Mr. Baber's assertions and references, by the evidence of the facts and authorities furnished, or referred to by himself, did it become me, on so grave a subject, to come before the Government armed with no better defence; but I cannot forget that the gist and gravamen of his accusation against the late Mr. Brown, an accusation which he signed as a magistrate, attested with his seal of office as a judge, and reported officially to the Government, which he has since sworn to before the House of Lords, deliberately repeated, in writing, to the Indian Board, and finally published to the world, is, that "76 persons, found" by him "in the possession of Mr. Brown, made affidavit before him that they had been stolen, banished from their country, and transported, against their will, to Anjarakandy," and that he had "liberated," he had restored to "liberty and to their country," these aforesaid persons. Words of more dreadful import, against the character of any human being, were never uttered, and never, I believe, more deliberately, more reiterated, more perseveringly, or with more solemn invocations to their truth. Read, then, Sir, I beseech you, the following testimony of one of those very persons, now delivered without dread of violence, delivered to a native writer, himself wholly ignorant of the transaction, whom I directed to question the witness apart relative to what she now remembers of it, on my seeing Mr. Baber pointing out himself to the public of India as the protector of slaves (Bombay Gazette, 17th August 1833). This pamphlet I have seen only within these few days.

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NARRATIVE of *Kail Neelee*, a Female of the Vetwatee Caste, taken at Anjarakandy,
25 Chingoom 1008 (8 September 1833).

Question. At the time that all the slaves were taken away from here by Mr. Baber's orders, were you also taken away?—*Answer.* I was.

Q. To what place were you taken; what questions were then asked you, and what did you answer; relate all that you now remember?—*A.* After we had all been counted and noted, we were taken to the cutchery at Irrivery (four or five miles off); all those of the Vetoowa caste were taken apart, called up one by one, and questioned. Chatoor Menon (Mr. Baber's deputy), asked me, "Did Mr. Brown purchase you?" I answered, "He did." Chatoor then said, "All the other slaves say they were not purchased; you are the only one who say you were; what is the reason?" On my replying, "I was bought of Chumakel Veram Kootty, a moopella, and brought here by Bappen Cooty" (one of Mr. Brown's servants), Chatoor exclaimed, "Cut off this woman's ears and hair, and turn her out; not one of these people was bought, and she alone saying that she was is a great lie." After keeping us three days, on the fourth day we were taken to the fort at Tellicherry; after a book, a little dry rice, and the Chekee flower had been brought and put down, I was made to swear without touching them; Mr. Baber, questioning me, commanded me to answer. "Did Mr. Brown purchase you?" I answered, "He did." Mr. Baber said, "All the other people say they were stolen; you alone say you were bought; this is not true; tell the truth, therefore." I replied, "Chinnakel Veran Cooty sold and sent me." The other people were questioned in this way, one by one, but what they said I do not know; we were kept three months at Tellicherry.

Q. How did you know it was Chatoor Menon who came here?—*A.* I heard all the people who came with him call him so.

Q. How did you know Mr. Baber?—*A.* Some time before this Saheb came to the other side of the river, and called for a boat; the mapilla Bawa took a boat to him, which upset, and he beat the mapilla; it was then I saw and knew him.

Q. Who gave you rice while you were detained at Tellicherry?—*A.* The Mussalchee, by Sahib's order. When all the others were taken away to their country, I was asked, "Where do you wish to go?" On my replying, "I wish to return to Anjarakandy," they said, "All these others are going south to their country; you alone say you wish to return to Anjarakandy; you are a great liar, and shall not be sent; go away south to your country;" on which I was made to go south with the rest of the people.

Q. On sending you south, were any persons sent with you?—*A.* Yes, two menons (native writers), and two armed peons, were sent with us.

Q. Where did these writers and peons take you?—*A.* They took and delivered over the slaves to their former masters; they delivered me, my husband and daughter, over to my husband's former master. I said, "I will not stay here;" whereupon they told me, "Go where you like;" and I went the next day to my former masters.

Q. When you were delivered over by the peons, was any order given at the same time, or any order taken back?—*A.* The writers who took us away had an order or a letter. When we arrived, they gave it to my husband's master. I said, "These are the Company's slaves; if they die, a detailed report in writing is to be kept." I heard it read at Tellicherry, and in our country. I did not see whether anything (writing) was taken in return.

Q. After this, how did you come back here, and why did you come; tell the reasons?—*A.* For our labour there no one would give us even enough to eat; for this reason we returned.

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Q. On your way here how did you subsist, and get across the ferries?—**A.** On the way we worked for anybody we could, and eat a little of what we earned (the labour of the servile castes is always paid in grain). We staid in each place four or five days; and what remained, after we had eaten, we gave for ferries. Some ferrymen, seeing our poverty, asked no toll. In this manner, begging and working our way, we got to Calicut (60 miles from Chowghant), in about two months. Saheb and Madam (Mr. and Mrs. Brown) were then there; we there received food, clothes, and oil (to bathe). After a few days we were sent with a note to Mahé, and from thence to Anjarakandy.

Q. How many slaves in all were sent from hence south?—**A.** There were about 25 of us, big and little, of the Wettoowa caste; of the Poolia caste I do not know how many there were.

Q. How many of the slaves are there to return?—**A.** Of the Wettoowas there are nine.

Q. On returning here, did you ask your master's leave?—**A.** Why should I ask my master? Had he not sold me? I knew that perfectly well, and, therefore, did not ask him.

Q. When Mr. Baber's writers and armed men came here, where were all the slaves found, and where taken?—**A.** We, the Vittoowatees (the females), the Adiards (females of the Pooliards), and some Teetees (free women), were employed in washing and husking white pepper; the Pooliards and Vittoowars (the men), were at work in the grounds. One day, about two or half past two, a writer, with 15 or more armed men, arrived, and in haste ran up stairs to the second floor of this house. Our deceased saheb (Mr. Brown), turned them down stairs, and ordered them out. The armed men then went, and collected together the whole of the slaves, men, women, and children, and brought them in that way to the karimbala (a walled enclosure), and, placing them in one part of it, shut the large gates inside. They then asked us, "How came you here, and who brought you? did you come of your own accord, or did any person steal you?" On my being asked, I answered just as I have now done. That night the writers, the armed men, and the whole of the slaves, remained in the karimbala without food; the next day, after allowing us all and the armed men to take canjee, they took us to the cutchery at Irrivery.

Q. You were kept three days at the Irrivery cutchery; where were you kept? was it in any garden, paddy, or field, or hut?—**A.** It was about 3 o'clock when we got to Irrivery that evening; all those of the Vetoowas caste were put into a shop at the west end of the field, and furnished with rice and pots. There each cooked his rice and eat it; after which we were taken to the four sides of the Irrivery paddy field to sleep. The Pooliards cooked their rice in the paddy field itself, and there slept.

Q. When you were taken away, did any of Sahib's (Mr. Brown's) people go with you?—**A.** No one went. While we were even here, the armed men would not suffer any of the writers belonging to this to come near us.

Q. Did any of the slaves die at Irrivery or at Tellicherry?—**A.** At Irrivery a Pooliar female child died; at Tellicherry, a Vittoowan man.

Q. Were the slaves who died ill when they were taken away?—**A.** I do not know whether the Pooliar female child was sick; the Vittoowan was not at all so.

Q. How many children had you then, and how old were they?—**A.** I had my present daughter, Koromba; she was then five or six years old.

Q. How many years before this house was burnt by the rebels did you come here? (It was burnt to the ground on the night of the 10th April 1803).—**A.** I came here after the house was burnt; it was then built of cadjans.

Q. You were kept three months at Tellicherry; did you live by yourself, or were you under charge of armed men?—**A.** The armed men never left us out of their custody, day or night. During the day there was one, during the night three or four.

Q. Where were you kept during the three months at Tellicherry?—**A.** For four Sundays, we were kept near the tank; we were afterwards taken to another place. On examination days, we were taken to the court.

Q. On examining you, did the persons who examined you put questions to you in order to make you say what they wished, or did they ask you to tell the truth?—**A.** At Irrivery, was it not to make me say as they wished, that they said I should have my ears and hair cut off, and be turned out.

Such, Sir, is the simple affecting narrative given at this distance of time, by this poor woman, of the real manner in which she, her husband, her child, and all the other slaves were barbarously driven from their homes. No man acquainted with the condition of the caste can read it, I believe, and doubt its truth.

Mark, I beseech you, the ultimate design stamped upon the cruel deed from its commencement to its close. The native officers, deputed by Mr. Baber to Anjarakandy, immediately they appear, rush up stairs, followed by the armed peons, to where Mr. Brown was sitting, in order that the slaves may see, from the insulting treatment received before their eyes by their master, a European gentleman, well known, advanced in years, and never approached by the highest natives without respect, the treatment which was reserved for them. The circumstances make an indelible impression, as terror does upon an uninformed mind. All the slaves, male and female, are next collected from where they are at work, by strange armed men, driven, with their children of all ages, into a walled enclosure, like cattle into a pen; their master's people are forcibly ejected, the gates shut, and the whole, upon their answering truly and simply to the questions put to them, are kept, the women with their infants at their breasts, without food for that night. The day following they are taken under custody, to a public cutcherry, four or five miles off, turned into a paddy field, and there kept three days and three nights, so that one child dies on the spot. They are here again called up, one by one, and authoritatively questioned by Mr. Baber's deputy. Those who still tell

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the truth are grossly abused by him, called liars, and threatened with instant mutilation; a violence admitted by Mr. Baber to be practised upon persons of their caste (p. 25). Being now thoroughly intimidated, separated from all succour, and dreading what is to befall them, they are next taken under continued custody to Tellicherry, where a man dies; they are brought up before Mr. Baber, and separately examined, having gone through a form of being sworn. This poor woman has the courage to repeat to him what she had said twice before to his deputy, that she had been regularly sold by her former master, mentioning his name. The magistrate exclaims "that she is telling a falsehood," bids her "tell the truth; that she has been stolen;" which declaration, the very reverse of what she has all along said, and then desired to say, is written down as her voluntary deposition upon oath before Mr. Baber, and is by him quoted and appealed to, from that hour to this, in proof of the truth of his charge against Mr. Brown. She and all the other slaves are detained in custody day and night for many weeks; at the expiration of this imprisonment, disregarding her entreaties to be suffered with her child to return to her home, she is made to accompany the others; rejoiced to escape anywhere and on any terms. Part of them are taken to Chowghaut, a distance of 110 miles; part double the distance, to Cochin and Travancore. Instead of being "liberated" she and her child are delivered with her husband to the latter's former master, with written injunctions from Mr. Baber to report their deaths in writing, that is, in other words, to detain them while alive. In a state of actual starvation, she, her husband, and child, set out on their return, begging and working their way by such field work as they can get (the only work slaves are employed in), and in about two months succeed in reaching Calicut, 60 miles distant, where they find Mr. Brown.

This is the declaration of one of those slaves. Shall I be credited when I state, that not one, but 21 of them returned, and that 13 of the number still survive (one died in August) to bear witness, in terms almost similar, against the inhuman outrage perpetrated upon them. I am ready to produce them at any time, at any place, before any persons who will descend to the level of their capacities, and permit them to tell their artless tale without fear. Gratefully and lowly do I bow down before that all-seeing Providence, which, in its infinite justice, has permitted this black iniquity, renewed and revelled against the memory of a revered parent, to be exposed to the eye of day, in all its turpitude, by the mouths of the victims appealed to to attest it. Not to swell this letter to an inconvenient size, I annex only two more of the depositions (No. 4 & 5). Let them, I entreat, be compared with the letter of Mr. Brown* (No. 7), penned after the slaves had all been removed, and with the testimony of an eye-witness of the scene (No. 6.) Even some of the Pooliars returned; of the Pooliars, interdicted the high way, who cannot approach within 40 paces of their fellow slave, the Vettoowan, without polluting him. Let the sufferings they endured in tracking back their way be pictured! But the majority of the Pooliars (they amounted to 23, the Vettoowas to 28) were transported by Mr. Baber to the Cochin and Travancore countries, and delivered back with the same written injunctions to their former masters. He therefore transported them, from the British territories, and from under the safeguard of British laws, which, he admits, make no exception as to slaves, and have repeatedly visited their murder with death (p. 2607), to countries, where he also admits (p. 19) adopting General Walker's words, that "a proprietor is accountable to no person for the life of his own chaumar, but is the legal judge of his offences, and may punish them with death; and where it is feared that the only check upon the unrestricted exercise of this power is the presence of the Resident." Gracious God! and this wholesale, forcible reduction of these poor creatures to native slavery and to death, Mr. Baber has dared to call, in the sight of God and man, "liberating them, restoring them to liberty and their country." Sir, Mr. Brown possessed, I inherit from him, 155 slaves; I have also upon my estate 105 other slaves, voluntary settlers, of 10 and 20 years' habitancy. I further employ 250 free labourers. I implore you in the strongest words, the most earnest, I will even add, the most abject, that language supplies, to examine and satisfy yourself, by any mode of inquiry you may think proper to adopt, of the treatment and condition of these slaves; as to whether the whip or the lash has ever been known among them; as to the restraints imposed upon their personal liberty; as to their well-being compared with slaves elsewhere; and lastly, as contrasted, whether as regards their persons, their food, their houses, their comforts, and the kinds of labour they are employed in, with those of the free persons employed with them. After this examination, I will leave you to say whether those transported to Cochin and Travancore would not try to escape; and then to think, without shuddering, of the fate which awaited their hopeless attempt at the hands of irresponsible masters, burthened in the name of the British Government with the compulsory guardianship and maintenance of refractory slaves worth each the sum of 12 rupees.

The judges of the Provincial Court residing on the spot, who had all served for many years in the province, and were thoroughly acquainted with Mr. Baber's character and motives, (for these exemplary men, like every other gentleman, civil or military, in Malabar, had long before spurned the unhappy man from society,) sought to avert the consequences which they foresaw were designed, from the wanton and forcible removal, without cause or complaint, of these helpless victims, by ordering their restitution to Mr. Brown until a claimant to them appeared. It is this humane interposition which the judges considered themselves bound to exert in favour of the most defenceless party, which Mr. Baber studiously and repeatedly calls the singular protection extended by the court to Mr. Brown! To mention only the names of the judges even now would be to confound the defamer, did such men need a defence. The judges of the Sudder Adawlut were of opinion, upon a review of the proceedings, that the interposition of the Court of Appeal could not be upheld, Mr. Baber having acted towards Mr. Brown in his capacity of justice of the peace, not of zillah

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judge, and hence that his conduct was cognizable only by the Supreme Court at Madras. Far be it from me to inflict unnecessary pain upon those who pronounced a decision now so remote, though I believe no just humane man can read, even now, what followed without a pang. By this decision Mr. Brown and his slaves, his title to whom was actually derived from the Government, were withdrawn from the protection of the laws as completely as if an English landholder were directed to sue in the courts at Moscow for any act of violence done to his property. The English law, guided by humanity, expressly forbade that a subpoena issuing from the Supreme Court should lie against natives in the provinces, perhaps 400 or 500 miles distant; and in order that no witnesses should appear voluntarily, Mr. Baber took the most effectual steps to disperse them to where there was no possibility of tracing them, and if traced, with his written orders, as judge of the zillah, that they were not to be delivered up.

As to really liberating these slaves, as to conferring upon them the blessings of freedom, where, except one, is the human being who, if they had been illicitly acquired, would not have hailed and assisted in the pious act? or when offered there so irreproachable an opportunity, without shocking the deep-rooted prejudices of the free castes, of making a beginning in the glad work of "unqualified abolition," of which Mr. Baber asserts, "the whole tenor and tendency of his exertions must prove him to be in favour," (p. 44)? By their former masters the services even of the adults had ceased to be felt as a loss, for with few exceptions they had been 12 and 13 years on the estate. Even their restitution was no longer an expiation demanded by justice; the services of the children the masters had never known; and upon no principle of right, or of common feeling, were the masters entitled to them. Two obvious unexceptionable modes of manumission offered themselves; either to liberate the slaves on the spot, under the seal and sanction of public formalities, and permit them to seek an independent livelihood, by supplying the numerous wants of a populous and wealthy town like Tellicherry, long subject to British rule, where the law and the courts were ready to protect their persons; or, if it was considered preferable, to locate them under the eye of European authority, to see that the other castes did not pervert their designed into nominal freedom; the abundance of land, the agricultural habits of the individuals, and the extinction of early local attachments, always fainter in that class with whom their daily food must be the first object of solicitude, all furnished facilities for the success of the measure which hope itself could desire. Were either of these modes adopted by Mr. Baber, this persevering advocate for "unqualified abolition?" Neither. He "liberated them, he restored them to liberty," by consigning them, under the custody of his armed peons, back to their former masters, where all their kindred and connexions continued slaves, where they were actually incapable of becoming free, where they were not to be suffered even to escape while alive, and where many of the least valued among them were liable to be put to death without account like dogs.

Let this deed be viewed in any light whatsoever, let it be admitted that the poor creatures were surreptitiously obtained in the first instance for Mr. Brown, and not openly for the Government, let it be admitted that they were stolen 12 years before, and detained all that time against their wills, let it be admitted that their depositions upon oath were all delivered voluntarily, and not extorted by fear and threats, let it be admitted that it became a solemn duty consequent upon these disclosures, to decide upon the best and most humane mode of disposing of so many innocent beings, who came before society clothed with the strongest appeals to its compassion; let all this, the very reverse of the truth, be admitted, yet in all the range of human impulses, charity itself will find it impossible to assign any motive but one for the manner in which Mr. Baber actually dealt with them. He knew, no man better, that if they were really liberated and left to themselves, freed from the custody of his guards, they would all instantly return to their homes under Mr. Brown, as one half of them afterwards did, from the distant banishment into which he forced them. It was this return which he was determined to prevent, and it is this which at last lays bare the real secret plot of this melancholy drama, that he might satiate his hatred to Mr. Brown; by stripping him of a large portion of his earliest and best trained labourers, and a valuable portion of his property, Mr. Baber scrupled not to wreak his vengeance even upon these poor, defenceless, innocent victims, by devoting them to certain want and to probable death.

With regard to emancipation, I only fulfil the oft-repeated wish of Mr. Brown, in declaring, that I am ready this hour to manumit every slave I possess if the Government will pass such measures as shall raise and secure to him a state of real freedom in his relations and intercourse with the higher castes of his Hindoo countrymen. Of his personal liberty he is now so far the master, that he has only to absent himself without leave, not to be suffered to return.

From *F. C. Brown, Esq.*, to the Principal Collector and Magistrate of Malabar.—
(16 August 1832.)

Sir,

It has long been my intention to bring to your notice the state of abject degradation in which the caste of Pooliars is kept by the other castes of Hindoos. A circumstance which occurred two days ago has rendered the communication imperative. An infant of two years of age, labouring under a defect of sight, which seemed to require a surgical operation, I sent him with his father, one of my Pooliars, to Tellicherry, where Dr. Richmond had kindly offered to perform the operation if necessary.

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He and the child went down by water, though it was with some difficulty that I got the teerboatmen, my own people, to admit them into my own boat. On returning from Telli-cherry they had not the benefit of this conveyance, but were obliged to come by land; and here have this poor Pooliar and his infant been one whole day in finding their way back, a distance of 12 miles, compelled, whenever they came in sight of a habitation, to fly from the public high road, and make a long circuit to avoid the remotest approach; forced to utter a cry at every step they took, to give warning to others that a human being, and not a dog, was coming, and driven, whenever their cry was answered, to hide themselves in the jungle until their superior, probably a fisherman or a saltmaker, had passed. Thus it is that the right of public way, which is freely conceded to every beast of the field, is denied to a whole class of human beings. Even the mere interruption of this right is justly considered as a high misdemeanour; what then ought its prohibition to be? This horrible tyranny is a remnant of that which the higher castes formerly exercised upon the lower; but as the British Government has never tolerated it in the instance of the other castes, so I most earnestly beg its authority may be vigorously interposed to withdraw the unhappy Pooliar from a condition which ranks him beneath the lowest brute, and is, I believe, without a parallel in the annals of human abjectness and degradation.

Anjarakandy, 16 August 1832.

(signed) *F. C. Brown.*

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(Documents.)

No. 4.

NARRATIVE of *Valia Aya*, a female of the Vetwattee Caste, Anjarakandy.—
27 Chingom 1008.
10 September 1833.

Question. WHEN Mr. Baber's people carried away from here all the slaves, did they carry you away?—*Answer.* Yes, I was taken away.

Q. Where were you taken to? what were you asked? what did you say? tell all you remember.—*A.* At first I was taken from here to Irrivery Cutcherry; there I was asked whether Mr. Brown had bought me. I said "Yes." "Who sold you?" "Karwakar Moopen sold me." After two weeks I was sent into the Fort of Tellicherry; there I was asked who was my master. I said my master was Chenanga, late Paravoo, (a Brahmin). "How did you come here?" "I was sent by Karwakar Moopen in a boat." After keeping us two weeks, myself and the rest were taken by kolkars to our country, and I was made over to Erate Jeynee Mapilla.

Q. How did you come here after that?—*A.* After the expiration of one onom and one vishoo (the equinoctial feasts), the sepoy, Mr. Brown's, since dead at Tellicherry, Kanden, and Ramen, the elder brother of Chakapen (Betwas), came and brought me away.

Q. Did they bring you away with your consent, or against it?—*A.* With my own accord.

Q. How many people did Mr. Baber send to the south?—*A.* I do not know how to count; there are a few of the people that I know.

Q. Who questioned you at Irrivery Cutcherry, and at Tellicherry?—*A.* At Irrivery Cutcherry, Chatoo Menon; at Tellicherry, Chattoo Menon and Kanara Menon. Those who said they wished to return to Anjarakandy were threatened with flogging. "What," they said, "go to eat the excrement of the white man. You shall not be sent to Anjarakandy. Half wish to go to their country, half to Anjarakandy; not one shall be sent to Anjarakandy, all must go to their country." This is what they said.

Q. Did they speak thus when you said you would go to Anjarakandy?—*A.* Yes. It was when I said I would go to Anjarakandy that they said all that they did.

Q. How did you know Kanara Menon and Chatoo Menon?—*A.* On hearing them called so.

Q. Of the slaves sent to the south, how many more are there to come back?—*A.* There are a few of the Betwa caste, but I do not know the number.

Q. When did you first come here?—*A.* I do not recollect; I was here before the warehouse was burnt (1803).

Q. Who did you come with?—*A.* With my betwan and another betwan; both their names were Ayapen.

Q. Are those two persons alive?—*A.* No, they both died here.

Q. When you came had you any children?—*A.* None; but I had two children here; they are both dead.

Q. When you were taken by Mr. Baber's order, were your betwan and children alive?—*A.* No, they died before.

Q. Before you and your betwan came here, how long were you with Karwakar Moopen?—*A.* In the month of Medom we were bought; and in the month of Chingam we were sent off.

Q. You have said that Valia Saib (Mr. Brown) bought you from Karwakar Moopen; how do you know that?—*A.* At that period I had good sense; the Moopa's kolkar brought us to Valia Sahib (Mr. Brown). I saw him receive and go away with the money.

Q. Were you asked at Irrivery Cutcherry, or Tellicherry, whether Valia Saib (Mr. Brown) bought you from the Karwakar Moopa?—*A.* I do not recollect.

Q. How long before the warehouse was burnt by the rebels did you come here?—*A.* I came five or eight years before the burning of the warehouse.

E. I. Company and
Board of Control.
(Documents.)

Q. At Tellicherry where were you kept; you have said you were there more than three weeks?—A. In the stable of the house, near to the mango tree in the Fort.

Q. Were there guards with you?—A. Three or four kolkars were constantly on guard.

Q. When you were all taken by kolkars and menons to your countries, did those kolkars bring away any writing from any persons there?—A. I did not see that.

No. 5.

NARRATIVE of *Teepadee Ayapen*, a Betwan, taken at Anjarakandy.—
30 Chingom 1008.
13 September 1833.

Question. WHEN Mr. Baber's people carried away from here all the slaves, were you carried away?—Answer. Yes, I was.

Q. Where were you taken? what were you asked? and what did you say?—A. From here we were taken to Irrivery Cutcherry; after remaining two days I was asked, "Who is your master?" I said, "My present master is Mr. Brown." "Who brought you here? who sent you from your country? who sold you to Mr. Brown?" I said, "It was the Karwakar Moopen." We were then all sent to Tellicherry, and kept one, or one and a half months. The same questions that were asked at Irrivery were asked at Tellicherry, and we were made to take an oath. After that two menons, with armed peons, took us all to our own country. At Kootangel Cutcherry (Chaughaut), from whence orders were issued to the owners to come and take away their respective slaves, some of the slaves were sent with the peons to Kakat Fort. From thence they were again brought to Kootangel. The Vellatichees and the Cochin Pooliars were embarked in a boat and sent south. After that I alone remained I said, "My owner is not come, what am I to do; my country is Tokye." When I said this to the menons, they desired me to go where my family was. I went to my country and staid with my family.

Q. Do you know the menons and kolkars who came here to take away the slaves?—A. After we were taken to Tellicherry I knew them by sight; I did not know them before; I know the name of one of the peons, it is Cheknoo; his country is Ellatoor, so I heard him say.

Q. Who questioned you at Irrivery Cutcherry and at Tellicherry?—A. At Irrivery Cutcherry the menon who took us away from here; his name is Chatoo Menon; and at Tellicherry Mr. Baber himself.

Q. Do you know Mr. Baber?—A. At that time I saw him at Tellicherry.

Q. When did you lose your sight?—A. It is now, I think, about five or eight years.

Q. Do you know the menons and kolkars who took you away from Tellicherry?—A. I do not know them.

Q. After Mr. Baber's people took you to your country, how did you come here? and why did you come?—A. Bappen Cooty Mapilla (in Mr. Brown's employ) came in a boat to load paddy from Jegnee Mapilla; he (Bappen Cooty) told me that Valia Saib (Mr. Brown) desired me, if I wished, to come back; I then came by land.

Q. When you were coming by land, how did you pay the ferries and subsist?—A. I took it from my own hand (what I had).

Q. When in your country, what employment had you?—A. I worked for any one who would hire me, when they would give me something; I remained in this way for one year.

Q. When you returned here, did any of your relatives come?—A. No one; I came alone.

Q. Who is your owner in your country?—A. I have no owner, but my mother had, Karakat Moideen Mapilla; they are all dead and gone; none of his family now remain.

Q. Altogether how many slaves from here were sent to the south?—A. Of the Betwan caste alone there were 28, big and little.

Q. Of that number how many are there to return?—A. Five Betwan females and three children remain to come.

Q. When you were at Irrivery Cutcherry and Tellicherry, did the persons who examined you put questions to make you say what they liked, or only to learn truth?—A. We were told not to be afraid. "Tell the truth, it is for your good." Then they said loud for us to hear, "These slaves have all been got for nothing."

Q. At what time did Mr. Baber's people come here? when did they find you? and where were you kept?—A. Mr. Baber's people took us away twice; I do not recollect the time they first came; the second time they came in the morning at six o'clock, when we were all sent into the karembala (a walled enclosure). When the southern slaves were being separated, the menon here, Kanarachen, came and said something; in consequence of which words passed between him and Mr. Baber's menon; and Kanarachen went away about 10 o'clock without allowing us to take food or our clothes. We were marched to Irrivery Cutcherry and kept there. At six o'clock in the evening all the northern Dooliars were returned, and the southern Pooliars and Betwans were kept there. To us of the Betwan caste was allotted a shop on the border of a paddy field west of the Cutcherry; rice was given us, which we cooked and ate, and slept outside. To the Pooliars rice was given, which they cooked and ate, and slept round the Cutcherry in the paddy field. In this manner we were kept there for three days.

Q. At that time was there only Kanaren here as menon, or were there any others?—A. Whether the Tambooran (Brahmin), who died in Cotiate, was here at that time I do not perfectly recollect; I think he was.

Q. How

Q. How many years before the rebels burnt this house did you come here?—A. I was here before the burning, but how many years before I do not recollect; I was then a child. E. I. Company and Board of Control. (Documents.)

Q. You have said there are eight individuals of the Betwa caste who have not come back; is your country and theirs far or near? what is the reason that they have not come back?—A. Their country and mine may be as far as from here to Mamakoon; that country is the Cochin country; it is under the orders of another gentleman. They have not come, because their masters will not let them.

Q. You have said that in your country you hired yourself to any one who called you, and so lived; was there constant employment?—A. There are many people that have constant work, but there is not the same comfort as here.

Q. You were detained at Tellicherry one or two months; were you kept under restraint or free?—A. We were kept on the west side of the tank, where, during the day, one kolkar, and during the night, two kolkars, stood guard always.

Q. At Tellicherry, where were you all lodged?—A. At the tank, in a hut about the size of the kitchen here.

No. 6.

STATEMENT of Ooroome Kanaren, Warehouse-keeper to Mr. Brown.

WHEN Mr. Brown first went to Anjarakandy, in $\frac{972}{1798}$ I went with him, and remained there, in his employ, until $\frac{1816-17}{991}$ While there, about the month of $\frac{\text{December}}{\text{Vichigam or Danvo}}$ 1811, Mr. Baber's man, Chatoo Menon, with 10 or 20 peons, armed with guns, came and asked to see Mr. Brown. I went up stairs to tell Mr. Brown, and the menons and peons followed me immediately up stairs to Mr. Brown's room in the other wing. Saeb, being very angry, asked them what business they had to come there, contrary to all custom, and sent them down stairs. It was about noon. After this, the peons went into the grounds, collected together all the slaves, men and women, with all their children, and brought them to the karimbala, and began writing their names, &c. I made this known to Saeb, who desired me and the Brahmin Keshaven, since dead, to go and take down what they, the menons, asked and wrote down. They asked the slaves, "Who is your master; how came you here?" The slaves answered, "Saeb is our master; the Karwakar Moopen, and others, sold us to him." "That is a lie, you were stolen, and sent here," the menons exclaimed, and began frightening the slaves. The Brahmin Keshaven, and I, then said, "Instead of writing down what these people say, why do you begin frightening them?" The menons and peons replied, "You have no business to speak here." They then pushed us out, and shut the gates of the karimbala. On seeing us treated in this way, the slaves were all greatly frightened, and began crying. On our reporting this to Mr. Brown, he said, "Let them do as they please." The terror of the slaves was just as if a tiger had got into a cow-pen. The next day all the slaves were taken, and kept in the Irrivery cutcherry, and from thence to Tellicherry. Some time after they all came back. When we asked them what had happened to them there, they said, "the menons (writers) examined us at Irrivery and Tellicherry. When we said 'Our master is Mr. Brown the elder, and he bought us,' they threatened to beat us. 'You are to say that you were stolen and sold,' they said, and wrote down what they pleased." We reported what the slaves said to Mr. Brown, and heard them repeat the same thing to him. Five or six months after Mr. Baber's menons and peons came again, and took away to Tellicherry all the southern slaves, big and little. Of this number, there returned at intervals, 21 men and women, of whom 13 are now alive. While I lived at Anjarakandy, I never heard one of them say that they had been stolen, or that they had a complaint; besides which, they were in the habit of asking leave and going to their country. All that then happened was written in Saeb's diary.

Anjarakandy, $\frac{25 \text{ Chingam } 1008.}{8 \text{ September } 1833.}$

EXTRACT Letter from F. Clementson, Esq., to the Chief Secretary to Government; dated 29 November 1833.

No. 18.

MR. BROWN, of Anjarakandy, having submitted to me a letter he wished to address to the magistrate of this district, in order that I should act upon the same, by immediately instituting a public inquiry into the real state of the slaves on his estate, in consequence of a representation which has been made to the President of the Board of Control, and which he conceives may have an injurious effect, not only as regards himself, but the welfare and interest of the inhabitants of the district; and having since intimated his intention of addressing you himself, I deem it proper, in bringing the same to the notice of the Right honourable the Governor in Council, to explain, that I declined taking primary cognizance, and instituting the solicited inquiry, without the express orders of Government, in Mr. Brown's individual case, because I did not see the necessity for it, nor that such inquiry would be attended with benefit either to himself or others; but, on the contrary (as I trust I have satisfied Mr. Brown), such a public proceeding could not fail to produce, at the present crisis,

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(Documents.)

* *Orig.*

See p. 914 of print-
ed volume.

crisis, a most injurious effect in speaking* the confidence of the people, and creating, in the minds of the slave-owners, unnecessary alarm.

2. It is but justice to Mr. Brown to state, that in the month of July last, in deputing confidential people to North Malabar, to inspect and report upon the state of the cultivation and the general condition of the talooks in that division, that I directed the head sheristadar to select one person from the establishment, in whom he could repose confidence, to visit at the same time the five tarrachs under Mr. Brown's charge, and from this person, as well as from others of my establishment, I have invariably received the most favourable report of the kind and humane manner in which the slaves on his estate are treated, and am quite satisfied, from all I have since heard and seen, that nothing would induce them to quit his service; in fact (as I informed Mr. Brown at a personal interview), suddenly to emancipate them, or, in other words, to turn them off his estate, would be to drive them from a happy home and kind master to starvation and beggary.

3. Mr. Græme has given so full and faithful an account of the slavery of this district, that, in referring the Government to the 1st vol. of his Report, from para. 30 to para. 58; there is little left for one to add, further than that, in North Malabar, many free men of the Teer caste, living on the estates of the more wealthy ryots, are by no means in more easy circumstances than the majority of the slaves. I have not had occasion hitherto to interfere as regards the slave against his master; and as regards the master against the slave, in all cases of complaint of their having run away, I have pointed out the only sure and safe remedy against a repetition, viz. mild and considerate treatment. I have made it my special duty also, in my tours through the district, to visit these poor people, and to impress upon the minds of their masters the great importance I attach to the way in which they discharge their duty towards them; and certainly, from all I have heard and read of the treatment they are said to have received formerly, I am satisfied that a general improvement has taken place in this respect.

No. 19. From *F. C. Brown, Esq.*, to the Chief Secretary to Government.—(25 February 1834.)

Sir,

I HAVE the honour to request you will lay before his Excellency the Right honourable the Governor in Council the accompanying answers, which I have drawn up, to the questions on East India slavery, circulated by the Board of Control. I shall be happy if these answers throw any light on the subject.

I should feel grateful if his Excellency in Council would be pleased to furnish me with a copy of the letter which the principal collector addressed to Government, in reference to the one I did myself the honour of addressing to you on the 21st of November.

Tellicherry, 25 February 1834.

(signed) *F. C. Brown.*

1.

EAST INDIA SLAVERY.

ANSWERS to the Questions circulated by the Board of Control in August 1832.

Question (A.) HAVE you had any opportunities of acquiring a personal knowledge of the state of slavery, either domestic or agrestic, that is, in the house or for field labour, in the East Indies, and, if you have, be pleased to state particularly what your opportunities are?—

Answer. I have had opportunities of acquiring a personal knowledge of the state of agrestic slavery in the province of Malabar, being there possessed by inheritance of 155 slaves, male and female, and having also upon my property 105 other slaves, voluntary settlers, of 10 and 20 years' habitancy. Of my own slaves, some have been 36 years upon the property.

Question (B.) In what way, or in what several ways, and in which of such several ways, most commonly, do individuals become slaves in the East Indies? Be pleased to distinguish the particular countries to which the answer applies.—*A.* In Malabar, to which country only, and to the neighbouring one of Canara, my answers apply, individuals become slaves only by the circumstance of being born in the castes which, according to the Hindoo religion, are servile. Neither now nor at any former time can or could a free Hindoo become a slave, unless, a thing incredible, he voluntarily degraded himself by associating with the servile castes. In the time of the Rajahs, a Brahmin woman, for certain transgressions against the laws of caste, was liable to be sold by the Rajah to a man of the Chetty caste (Vysyuns, the caste of bankers and traders), but this was considered as an honour conferred upon the purchaser. She became not his slave, but his wife, and was incorporated with all the rights and privileges of a wife into his family and caste.

Question (C.) Can you furnish any idea of the number of slaves in India, or in any particular regions or districts of it, with which you are acquainted; and here distinguish between house and field slaves?—*A.* By the census of 1833, the total number of the servile castes in Malabar amounted to 146,202. The number of house slaves are not to be distinguished, because they are included in the enumeration of the free castes. The periodical census being taken according to the different castes, in the above number of persons, who are all alike denominated "slaves," are comprehended all those of the servile castes who are possessed of independent property in land, and paying revenue to Government; all those who, like the
voluntary

voluntary settlers upon my property, are dispersed, in yearly increasing numbers, throughout the country, working for themselves, and free to go wheresoever they please, to better their condition; and all those, a still larger number, who are settled in the neighbourhood of the towns on the sea coast, and there deriving an independent livelihood; all these persons, the number of whom, from causes that will hereafter be mentioned, are yearly increasing, although belonging to the servile castes, have, it is evident, passed from the state of self-bondsmen to that of proprietors and free labourers; they are in the complete enjoyment of personal liberty, consistent with Hindoo institutions, and it is an abuse of words, calculated to maintain an erroneous and painful impression, to call these persons "slaves."

E. I. Company and Board of Control. (Documents).

Question (D.) Do the laws, as administered, sanction or recognize the state of slavery, either domestic or agrestic, and to what extent?—*A.* There can be no domestic slaves.* Among the Hindoos, domestic slavery, to the trifling extent that it exists, was introduced with the Mahomedan law, by the British rule. The Hindoo local law, as administered, which is the ancient customary code, recognizes the state of agrestic slavery, to the extent that all those who are born in the servile castes are slaves as regards the free; but if the slave choose to shake off the shackles imposed upon him by the religion of his birth, and to become a Christian or a Mahomedan, he no sooner quits the pale of Hindooism than the tolerant Hindoo disclaims exerting over him the further empire of caste.

*One individual (Mr. T. H. Baber) gives the following unhesitating answer to this important question,— "They do; domestic slavery being fully recognized by both the Hindoo and Mahomedan code, as well as by the usage of the people." Domestic slaves among the Hindoos! A Pariah the domestic slave of a Brahmin! The ignorance involved in this absurdity it would be difficult to render.

Question (E.) What, in point of comfort, employment, food, clothing, treatment, provision for age or sickness, or in any other respect, is the general condition of the slaves, domestic or agrestic? Be particular. Is there much difference in these respects between the two classes?—*A.* The few domestic slaves there are, are the wives or concubines of Mahomedans, whose offsprings, male and female, are free. No comparison can, therefore, be instituted between the two classes. An impartial inquiry will, I believe, show that the general condition of the great body of agrestic slaves, in point of comfort, employment, food, clothing, treatment, provision for age and sickness, is, at the present day, not widely different from that of the bulk of the lower castes of free labourers. In districts where there are few or no slaves, the low free castes seem to take their place, both in treatment and condition, though, of course, the latter do not become servile.

Question (F.) In the case of agrestic or field slaves, state particularly in what they are employed, and how they are worked; what species of produce are they employed in raising? Do they work in gangs, under a driver; for how many hours in the day; for how many days in the week; more or less severely in different seasons? Is task-work, as you know or believe, ever used? Is the lash employed, and to both sexes?—*A.* Field slaves are employed and worked in the same way as free labourers. In North Malabar they may be seen working a part in the same field with their nyr (master) and his family. Like them, they are employed in raising the staple productions of the country, rice, pulse, pepper, coconuts, beetle-nuts, cardamums. They do not work in gangs, nor under a driver, but as farm servants do in England, under a bailiff. They work from nine to ten hours a day, all the days of the week, except the customary holidays and festivals,* if their master has work for them; if not, they seek for work elsewhere. In crop-time they probably work harder, because they are then paid one-tenth of what they daily reap or gather. Task-work is known and used. The lash is not employed to either sex to make them work. If they are well, and if they do not come to work, they are not paid.

* Our slaves have always had Sundays to themselves besides.

Question (G.) What is the precise condition of the slaves in point of law? Are they to any, and what extent, under the protection of the civil magistrate?—*A.* The precise condition of the servile castes, under British law, as to life, limb, competency as witnesses, freedom in the acquisition and protection in the possession of property, is the same as that of free men; they are recognized to be to the same extent under the protection of the civil magistrate.

Question (H.) In the latter periods of villainage in England, villains were, for many purposes, free as between them and strangers, though slaves as between them and their lords; is there anything analogous to this in India?—*A.* There is nothing analogous to this villainage in the social condition of the servile castes in Malabar. Here their slavery is that of caste, and hence they continue outwardly servile, both as between them and their lords, and as between them and free strangers (Hindoos).

Question (I.) Are any of the agrestic slaves in India serfs, attached to the soil; and if so, does this species of slavery increase?—*A.* All those of the servile castes, who are not in progress of acquiring their freedom in the manner described in answer (C.), and who belong to Hindoo masters, although sold separately from the soil, are in reality serfs attached to it, inasmuch as they can be employed in no other labours than those of the soil. The several censuses show that they increase at the same, or rather at a greater rate, than the free castes.*

Question

* The same individual, Mr. T. H. Baber, has studiously and deliberately repeated in print that the slave population is diminishing, while the free is increasing. His authority are his "private papers" (p. 10, his printed answers).

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(Documents.)

Question (J). What are the slaves in point of religion; and what are their habits or morals? Can they, and do they marry? May they marry free people? Can they in any degree acquire property for themselves, and hold it against their masters?—*A.* The servile castes, as it has been stated, are Hindoos, and consequently of the Hindoo religion; imitating, as far as they can, the ceremonies and observances of their superiors of the same religion. At the festivals of Pagodas they approach within a certain distance and deposit their fanams and offerings, and receive in return the customary acknowledgment of the god. Humiliating as this distinction of distance seems to us, it is so much the reverse to them, that they would meet instant death rather than approach nearer. Their habits and morals are those of men kept in a state of ignorance and great seclusion. Theft and drunkenness are the vices commonly imputed to them. Of my own slaves, I can aver, with truth, that those born on the estate are an industrious, honest, simple-minded race; observers of truth, without fraud or guile, whose standard of morals I believe to be at least on a par with that of the low free castes. Slaves can, and do, universally marry. They cannot marry free people, because free people by marrying them would be degraded, and descend to their caste. They may, and do, acquire property for themselves, and hold it against their masters.

Question (K). Can slaves be sold at pleasure; and are they, in fact, often sold? May they be seized and sold for the debts of their master? Does law or custom impose any restriction on so selling slaves, as to separate them from their families?—*A.* Slaves are sold, but rarely, in the present day, at pleasure; for this reason, that if they abscond, the purchaser is left to his own means to recover them. He therefore takes care previously to ascertain whether they are willing to become his slaves, and often gives them a trial. They may be sold in legal execution for the debts of their masters; but custom imposes a strong restriction to selling them separate from their families, even if their low value did not make the inhumanity gratuitous.

Question (L). Is there any law to hinder or promote the manumission of slaves? Can they purchase, or in any way acquire their own freedom? Is a slave's child necessarily a slave? Are slaves, in fact, manumitted or liberated, and in what way?—*A.* Hindoos of the servile castes are born such according to the shasters, just as a Brahmin is born a Brahmin, or a Shoodra. The caste, in the belief of the Hindoo, is indelible. No human law can unmake, or, in other words, uncaste him, any more than it can uncaste a Brahmin; any more than a law can in England unmake a peer, or secularize a priest. In this sense, a slave's child, though really free, necessarily belongs to the servile castes, and in this sense, therefore, there can be no law either to hinder or promote his manumission; for to a Hindoo such a law is an absurdity and an impiety in terms. But it is the scope of British law, in all matters unconnected with caste, to regard the servile man and the free alike, and thus to recognize according to natural right, rather than by express enactment, the claim of the former to acquire and enjoy his personal freedom.

Question (M). Have any and what material changes taken place in the state or condition of Indian slaves as referred to in the foregoing questions, within the period of your observation or attention to the subject? If so, be pleased to describe such changes, and to state in what countries they have taken place?—*A.* The foregoing answers show that material changes have taken place in the state and condition of Indian slaves. The subsequent ones will further show the nature of those changes in Malabar.

Question (N). Have any and what measures been adopted, and especially by the British Government, to abolish or ameliorate the state of slavery in India? Has the existence of the British rule in India in any manner affected the extent or character of slavery there; and if so, in what manner?—*A.* The British Government has wisely and cautiously, without offending the prejudices of caste, here so deeply impressed, that a shock to them would dislocate all the orders of society, or suddenly interfering with the long-established rights of property, which must destroy the public revenue, pursued a course of measures which have brought about a great amelioration of the state of slavery, and have placed its ultimate extinction, aided and accelerated as it may be by other measures, which an enlightened wisdom and experience will suggest, on the only secure, solid and rational basis. Forty years ago, when the first free man was condemned to death for the murder of a slave, I have heard it said that the owner exclaimed, on being informed of the trial and execution, "This is all very well according to your new law, but who is to pay me for my slave?" a striking proof that according to the then prevailing modes of thinking, the crime was of far less consequence than the compensation. It has now been universally taught by examples, that British law regards the life of a slave as of the same value as the life of a Brahmin; that in the courts

Upon this authority, he states the number of slaves in 1827 to have been	-	-	-	-	-	-	-	-	95,696
By the census of 1830, they were proved to be	-	-	-	-	-	-	-	-	140,224
									44,528
									146,202
									5,978
									15,837

A statement of such a character, put forth in England, where it could not be contradicted, and published during the excitement of the West Indian question, could have had but one object.

of justice, his person will receive the same protection, and his word the same weight, whether in testimony against his master or any other individual. His ill-treatment is a special object of inquiry and attention to the magistrate, and under him, to the native officers of police. The slave is now known to resort and complain to the magistrate and the courts of justice. If he abscond, the master is left to his own redress, for the civil power gives him none. Formerly, the slave who had no master escheated to the Rajah; at present, if he has intelligence and states the fact, he becomes his own master. His right to acquire and possess property by all lawful means was never attempted to be disputed. These vital and important changes, some legal and proclaimed, others moral and silent, by bringing the slave within the pale of the laws, and by admitting his right, in the eye of British justice, to the same legal protection and privileges as the free man, have obliterated the brand which was formerly set upon him as an outcast from society, and have paved the way, as far as legal enactment can effect the purpose, towards the further annihilation of the social distinctions which still mark him.

Question (O). Be pleased to give any information that seems to you useful with regard to the facts of this subject, though not particularly touched by any of the preceding questions? —*A.* There are facts which it seems to me not merely useful, but indispensable to know, before the subject can be thoroughly understood and viewed in all its important bearings. It has been seen that the origin of bondage in this country, and the social condition of those who belong to that state, result from the division of this large portion of mankind into castes; which beginning with the Brahmin, descend by regular gradations through the several classes of free men, pass the prædial slave, until at length, by not one of the least anomalies in this singular system, the last link in the chain of descent in Malabar, the one even beyond the Pariah slave, terminates in the Nyadee free man. Humanity would rejoice were it possible that this wretched human being, this masterless slave, could be incorporated with the Pariah. By means simple in themselves, yet incomprehensible to us were we not daily witnesses of their effects, each class of society, from the highest to the lowest, is preserved so firmly in its relative place, and is separated from the rest in so unalterable a manner, that it is not only beyond his own power, but that of any other person, to make the place of an individual other than what it is.

Owing to the brief and incomplete sway which the Mahomedans, under Hyder and Tippoo, had over Malabar, those distinctions have been preserved in far greater strictness here than in most other Hindoo countries.

The following are the rank and distinctions assigned to each caste, free man and slave, in the social edifice of the Hindoos of Malabar, as laid down in the shaster called the Sooda Sawkeeya.

Free Castes.

A Shoodra (Nyr) meeting or speaking to a Brahmin must remove from	3 to 6 paces.
A caste-expelled man (Brahmin) a Brahmin's washerman - - - - -	6 —
A cutamenial woman - - - - -	12 —
A woman recently delivered - - - - -	18 —
A Koorichien - - - - -	18 —
A Teon, and one who has recently burnt a corpse - - - - -	24 —
A carpenter - - - - -	24 —
A potter, a goldsmith, blacksmith, an astrologer, a fisherman, salt-maker, and washerman - - - - -	36 —
A Polean, and other servile castes - - - - -	64 —
A Nyadee (not a slave) - - - - -	72 —

All the above castes must remove to the same distance on meeting or speaking to Chetryens, Wysyans, and Soodras.

Servile Castes.

A Polean, and other servile castes on meeting or speaking to a Koorichien or a Teon must remove to	32 paces.
— meeting or speaking to a carpenter, potter, goldsmith, an astrologer, a salt-maker or washerman - - - - -	24 —
A fisherman - - - - -	12 —

The slave castes cannot approach nearer than the distance above prescribed, either to the houses or the persons of the free castes, without polluting both the one and the other.

The following is the precedence among the slave castes. The subdivisions are 20 in number, but these are the principal: 1. The Vettoowan. 2. The Ereehlen. 3. The Kana-ken. 4. The Maleen. 5. The Panneen (confined chiefly to Vynaad). 6. The Poleen. 7. The Pareen (the Pariah of the Coromandel coast). The Poleen must remove 10 paces from the Vettoowan, and to such a distance from the castes above him as not to touch them. If he touch them, they are polluted, and must perform the prescribed ablutions. The Panneen must remove to a like distance from the Poleen, and the Nyadee (free man) 12 paces from the Pareen.

Such are the observances by which the shaster has marked the gradations of rank among the different classes of society; a thread of gossamer, possessed of the strength of adamant, and respected as an eternal barrier placed between each. In the towns on the sea coast, known to Europeans, and inhabited by Mahomedans and foreigners, they are less perceived; but away from the towns, these observances are maintained to this day among all classes with undeviating strictness.

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One example will best denote their remarkable strength. There are two of the servile castes upon my property, the Vettoowan and the Poleen; some free, some my own; all of whom are treated in every respect alike. They meet and work together on all working days; but on all such days, on leaving work at noon, and again in the evening, the Vettoowers, men and women, invariably proceed and bathe, as prescribed, ere they return to their houses or taste food, whether the season be the height of the rains, when the practice is far from salutary, or the hot weather. After bathing they utter the usual cry to warn the coming Poleen to quit the road, and retreat to the prescribed distance. Their houses are obliged to be 40 paces distant from the Poleens'. They desert their houses when less. They will not frequent the same roads, nor buy at the same bazars, there being a separate one kept by Mahomedans for the Poleens. Nor will the children intermix in each other's games on a common play-ground.

The penalty incurred by an approach between the higher and lower castes, how casual or unintentional soever it may be, nearer than the one prescribed, is not merely a bodily but a deep moral pollution, and was formerly liable to be visited with the instant death of the inferior free man or slave. It is so rigidly sought to be avoided, that the lower servile castes, wherever they go, give notice of their coming by uttering a particular cry at every four or five paces; if the cry be answered by another uttered in a like manner by a superior, giving warning that he is approaching, the slave instantly quits the road and retires. In like manner, the lower free castes in the interior are invariably required to quit the road for a Brahmin or a Nyr; insomuch that it often happens to my bearers to be challenged to retire until the challenger discovers they are carrying a European. He will then himself retreat precipitately to a distance into the jungle.

The source of these observances among the Hindoos is drawn from a cardinal tenet of their religious belief, which has converted forms, to us so puerile, into a law of opinion, and so interwoven it into the whole frame-work of their existence, that it is upon the breach or the observance of the law, more than upon all external circumstances, that their misery or their happiness depends. The shasters inculcate that all the impure, and particularly all the servile castes, are chandalas or outcasts, who are doomed to expiate, under the miseries and contumelies of that degraded form, the deep-grained sins of a former existence. Hence the reason of the distance prescribed to them from the purer castes; hence a nearer approach is held to infect the purer with a portion of their inseparable guilt, and to demand from the polluted persons penances and expiations equally dreaded and vexatious. The polluted person, male or female, infant or adult, sick or well, can, from that moment, touch no food, take no drink (not even swallow his saliva), enter no house, touch no person or thing, change no dress; the mother cannot give suck to her infant without, if of a low caste, having first bathed and immersed the whole body three times under water; if of a higher, without going through these and other forms of minute purification. If from haste or forgetfulness, or accident, or sickness, the purification be even unintentionally neglected, and the polluted person enter a house, the house and all its inmates, of whatever age or sex, and all its furniture and utensils, likewise become polluted, the friends and neighbours fly all contact, fire and water are interdicted, and grievous are the penalties, and expensive the atonement, which the victims, however innocent, are compelled to make in poojahs, ceremonies and pilgrimages, ere they are purged from the sinful defilement, and completely regain their lost purity.

As the contamination is not confined to the person, but extends to the houses and the inmates of the pure castes, the Brahmin excludes even the lower free castes from entering his village, as he, in his turn, endeavours to avoid theirs. By a similar gradation, the Poleen is interdicted the highway, as his presence would pollute the houses situate upon it. The only exception that I know to this restriction is in the towns on the coast, particularly Calicut, where, from the presence and the countenance of Europeans and their own numbers, Poleers may be seen on the highway. Upon my own property, where we have been settled so many years, and in my own neighbourhood, where we possess some influence, the restriction is so rigidly enforced, that my Poleers cannot approach, far less walk through the village inhabited by the free labourers; they cannot work in the lands near their houses; and when at work upon my own lands at a distance, or walking upon my own roads, they are obliged to leave their work, and quit the road, if a child able to speak utter the usual cry of warning and superiority.

Such is the unshaken empire which these religious laws and usages continue to exert over all classes of Hindoos. At first sight they seem to operate with peculiar severity upon the lowest castes, because most apparent upon them. Upon a nearer examination, it will be found that these laws are all a parcel of the same code, derived from the same source, in force and equally binding upon all the superior castes, each in its degree. If the cohabitation of a Poleen with a free woman of the lowest caste was formerly punished with death, and the degradation of all her family, so the intercourse of a Nyr with a Brahmin woman was visited with the same severity, both upon himself and his kindred. Restrictions imposed under similar penalties upon all castes alike, ceased to be regarded as onerous upon any.

It is only by the predominance of this sentiment that I can explain the slow progress which 36 years of persevering solicitude on the part of my father, and since his decease, on mine, have made in raising our slaves in the estimation of their countrymen. Although they mingle daily at work with the free labourers, although they are uniformly protected and treated with the same justice and consideration, although the great improvement in their physical and intellectual faculties has placed the two races on a par, and although the slave is as free as the free man to go unquestioned wheresoever he may please to better his condition, yet no nearer approximation has taken place between the two; and the same line of distinction exists almost as broadly as before, that the time is not yet come, when I can without public support claim for the slave the free right of way upon my own property; and I must still endure the

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pain of seeing a fellow-man, who will at one moment fearlessly approach, address or pass me, retreat the next to a distance from one of my own servants.

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Question (P). Do you conceive that the British policy ought to be directed to the ultimate abolition of East India slavery? or ought it to be content with aiming only at the practical amelioration of the system?—*A.* The abolition of slavery in this province can convey no other meaning to the minds of the Hindoos, than the abolition of all the laws which religion has consecrated to mark the impure castes from the pure; and then, as a design, by upholding the Pariah to a level with the Brahmin, to destroy the whole fabric of Hindoo society, and confound all its ranks and distinctions in the same abasement. The impracticability* of the design is only exceeded by its enormous mischievousness. What, in the reign of Edward the Confessor or of William the Conqueror, would have been the reception of a law declaring all the Gurths and Wambas of the day to be free and the equals of their lords? What would be thought now in England of a law declaring sweeps and nightmen (I am obliged to use these images, however inadequate, to paint the modes of thinking) to be the equals of the spiritual and temporal peers of the realm, and giving them the further privilege of approaching and soiling every well-dressed man they met? What would be the consequence? But in England, the defilement would be external only. Let it be supposed possible that the law could pass this tyrannical limit, and declare that the sufferer should endure a loathed moral pollution, a pollution which he believes to be of the deepest dye, and to infect with a common guilt those nearest and dearest to him, both here and hereafter. If it were possible that such a law, by which the existence of the free castes would be rendered one sinful abomination in their own eyes, could be contemplated, one result, and one only would, I firmly believe, follow; they would rise as one man, and utterly exterminate every one of the servile castes. From every consideration of humanity for the safety and existence of the servile castes themselves, I feel persuaded (if we are to continue to govern the Hindoos according to their own religious laws and maxims, and not according to our own) that British policy ought to aim only at the amelioration of the system, prudently committing its final extinction to the usurping revolutions in morals and opinion, which, under the permanence of the British rule in India, not caste itself will resist.

* The name of the individual reveals his caste, whether free or servile.

But if, by "the abolition of East Indian slavery," the sacrifice of the servile castes to the exasperation of the free, be not intended; if by the term be meant the instant striking off, by a law, of the fetters which attach the serf bondsman to the soil, the history of nations opens at every page to demonstrate the hopelessness of the attempt.

If we turn to our own country, we find that scarcely 300 years ago prædial slaves were so numerous in England, as to form a distinct class of the community; that it required a period of 1,100 years, from the Saxon conquest to the reign of James the 1st, two centuries ago (1618), and four centuries after the passing of the great charter (1215), to eradicate the last traces of villainage in the very cradle of freedom, when that condition was a social, not a religious, distinction; where, on the contrary, it was reprobated as sinful by the faith of the people, and where the manumission of villains, expressed and implied, was legally recognized and deemed to be one of the most pious and meritorious acts the Christian could perform.

If we descend to our own times, and survey civilized Europe, we see how little absolute power, although wielded by the wisest princes, and aided and strengthened in its efforts both by the diffusion of printing, and by a large body of public intelligence, can effect, in extirpating the primeval bondage of a serf peasantry; in the failure of Frederick the Great in Prussia, of Maria Thereza in Hungary, and of Alexander in Russia. It is only in the most enlightened portion of Germany that the peasants are now, after the lapse of centuries, entering the transition state from serfs to copyholders, and gradually exchanging their labour services for money payments.

There is, it must be admitted, one other mode of "abolition," which, I fear, is in progress in Malabar, that which has made the Pariah of the Coromandel coast practically freer (for upon him the Exchequer has no demand) than the free castes of his fellow-countrymen; which is not by raising the Pariah, but by annihilating his superior, the landholder, by seizing upon the whole rent of the land as public revenue, and thus converting the landlord, by whatsoever name he may be called, into the real slave chained to the soil, subject to be brought back by force, should impotent despair drive him to flight, to wring from the earth for the sovereign lord, his taskmaster, a money revenue, which, were his sweat coined into ingots, it would not yield. When things, and not names, are considered worthy to engage the care of Indian philanthropists, the time may arrive when it may be thought necessary to survey the condition of the myriads in South India to whom this description applies, although, from the poverty or the deception of speech, the moral sense is not to be shocked by denominating them "slaves."

Question (Q.) State any measures that occur to you as proper to be adopted, with a view either to abolition or melioration?—*A.* The measures and principles already in force have prepared the way for the introduction of all others, which, respecting caste, shall have for their object the gradual conversion of the serf bondsman into the free labourer. Annexed is a table (No. 1), taken from Mr. Græme's report on Malabar, showing the allowances of slaves in the different districts, contrasted with those of the free labourers. If the condition of the latter were progressive, if the fund for employing him at all kept pace with his increase, there would be no difficulty in taking his hire as the minimum to be given to the slave; but all my experience bids me fear that the reverse of this state of things is the case, and that the condition of the free labourer is retrogressive. In the populous parts of the

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country numbers may be found who are willing to work for a bare subsistence in grain; and if roads and internal communications existed, if tolls and ferries were not so numerous and heavy as to operate as a barrier to the free circulation of labour, the free labourer, as being in the end cheaper and far less troublesome than the slave, would supplant the latter, and lead to his being turned out to starve, or to herd with swine, like the free Pariahs in the villages of the Carnatic. That this change is taking place in some parts is apparent from the numbers of the slave castes that flock for service, and whom I am compelled to refuse, as they would supplant twice over the 250 free labourers I employ. These slaves do not return to their homes, but subsist precariously, because unprotected, in the neighbouring jungles; thus confirming the truth of what they declare, and my own inquiries substantiate, a truth painful to trace out in all its causes and consequences, that their masters are unable or unwilling to support them.

To fix the allowance of slaves, therefore, is a matter of some difficulty. If the allowance be compulsory upon the master, and at any time it exceeds the rate at which free labour can be hired, the master may turn the slave out to starve, by presenting him with his freedom; on the other hand, if it be left unsettled, it may be said that the allowance may be wholly inadequate for the slave's subsistence, and the same effect follow, unbalanced by his freedom. But in this case there is the strong corrective derived from immemorial usage and acknowledged custom, in the allowance which the slave has a right to claim; and I greatly question whether every practical good would not be prudently and effectually attained, by directing the vigilance of the local officers to be exerted in seeing that the slave obtains his due, rather than by the Government intervening by an enactment to throw doubts upon a right which no one attempts to dispute.

With regard to the personal protection of slaves, their well-being requires that provision should be made for the summary cognizance of their ill-treatment by their masters, visiting the degree by a fitting punishment. As the best preservative against this excess, and against their compulsory sale, officers of police may be restrained by law from interfering in the apprehension of slaves who abscond from their masters, void of any other offence.

Slaves should be prohibited from being sold separate from their families in legal execution of a debt, public or private. To encourage the acquisition of property by their own industry, they should be declared privileged to hold the property they acquire against their masters, and a maximum be fixed, by the public tender of which they should be entitled to claim their own freedom, and that of their wives and children. All slaves without owners should be recognized as escheats to Government.

If slaves of this last description, those who have gained, and those who may be presented with, their freedom, were to be located upon Government land upon easy terms, and carefully protected in its possession, around such a nucleus numbers would rapidly accumulate, and form an independent community. But this protection, a protection of a superior, would be indispensable to impart to their minds a feeling of security in their novel independence. Mr. Græme, in a passage of his report, has described the absence of this feeling, and the pains he took to instil it in a family of slaves whom he himself manumitted at Calicut. (See the passage (Q).)

All these measures, if submitted to the good sense of the principal Brahmins and Rajahs, who are the great slave-owners, and agreed upon with their full knowledge and concurrence, would, I have no doubt, receive their ready co-operation, and hence carry with them the general assent of the free castes. Enlightened men among the Brahmins would make no difficulty in supporting them by the authority of texts by the Shasters.

But these measures would still leave the social freedom of the servile castes barren and incomplete. To know, to maintain, and to defend it, the intellect of the slave must be cultivated; the impediments which bar his access to knowledge removed. He must be privileged to resort freely to all courts and cutcherries, to frequent, without molestation, all highways, and to settle in all towns and bazars.

This, however, is treading on very tender ground, for the courts and cutcherries of European judges and magistrates are the only ones which are really free and open to the lower castes of free persons. If, without the open and direct interference of the Government, steps could be taken, in combination with the measures which have been suggested, which should have for their object, not the sudden, but the gradual, conversion of the servile castes to Christianity, their complete liberation from even the social thralldom might be finally accomplished, at the expense of some dishonour to religion, in the estimation of the higher castes, but with the least shock to their established opinions, and the smallest displacement of the ranks of society.*

Roman-catholic Christians are numerous on this coast; and long and anxiously have I wished to solicit the ministrations of the priests of that religion, for the purpose of admitting my slaves within its pale: but that faith, as here exemplified in its observances, partakes so little of the Christianity which one would desire to be inculcated and practised, that I have reluctantly foregone the immediate good, rather than that evil should come from it.

I have entered into the foregoing details for the purpose of depicting, to the best of my ability, the real nature of bondage as it exists at this day in this province.

It will be seen from the description that the institution of the State is ascribed by the Hindoos to the same divine origin from which they derive their religion and their laws; that it is hence widely dissimilar from the kinds of bondage which have existed among any other people; most of all is it dissimilar from that which has prevailed in the West Indies, and which is inseparably associated in the minds of Englishmen with the image of the once free negro, torn from his home by the demon of lucre, and held in chains by the white man for

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* I know not whether it would be possible to ascertain the number of Mahomedan converts; perhaps it might be done through the chief priests or patriarchs; but they must be considerable; conversion is always going on amongst the lower castes, and annually disturbs the real numbers of the servile.

his sole benefit; that the attempts which have been studiously made to represent the two conditions as identical, by suppressing the marked features which distinguish the former from the latter, can have no other object than to bring unmerited odium upon the Government, and to sow fatal suspicions among the people; and that to declare that it is possible, by direct legal enactment, to bring about "the immediate unqualified abolition of East India slavery," so far from leading to this happy result, is to rouse the unconquerable religious prejudices of the Hindoos; and, by arraying all the free castes in hostility against the servile, it is, in the humble but firm conviction of the writer, deliberately to plan the extermination of the slaves.

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(Documents.)

Tellicherry, Malabar, January 1834.

(signed) F. C. Brown.

(No. 1.)

Mr. Græme's Report on Malabar.

Para. 55. THE allowance made to slaves in the different districts, contrasted with what a free labourer gets, is as follows:

	Daily Allowance of Paddy for			Daily Allowance of Paddy for a Free Labourer.
	A Male Slave.	A Female Slave.	Total.	
	M. S.	M. S.	M. S.	M. S.
Calicut - - - - -	1 $\frac{1}{2}$	1	2 $\frac{1}{2}$	2 $\frac{1}{2}$
Betutnad - - - - -	1	1 $\frac{1}{2}$	2 $\frac{1}{2}$	2
Chowghaut - - - - -	1 $\frac{3}{4}$	1 $\frac{1}{4}$	3	2 $\frac{1}{2}$
Temelpoor - - - - -	1 $\frac{3}{4}$	1 $\frac{1}{4}$	3	2 $\frac{1}{2}$
Polghaut - - - - -	1 $\frac{3}{4}$	1 $\frac{1}{4}$	3	2 $\frac{1}{2}$
Waloovanad - - - - -	1 $\frac{3}{4}$	1	2 $\frac{3}{4}$	2 $\frac{1}{4}$
Ernad - - - - -	1 $\frac{3}{4}$.	2 $\frac{3}{4}$	2 $\frac{1}{4}$
Nidoonganad - - - - -	1 $\frac{3}{4}$	1	2 $\frac{3}{4}$	2 $\frac{1}{4}$
Shermad - - - - -	1 $\frac{3}{4}$	1	2 $\frac{1}{2}$	2
Koorumbund - - - - -	1 $\frac{1}{2}$	1	2 $\frac{1}{2}$	2
Cavay - - - - -	1 $\frac{3}{4}$	1	2 $\frac{3}{4}$	2 $\frac{1}{2}$
Cherikul - - - - -	1 $\frac{3}{4}$	1	2 $\frac{3}{4}$	2 $\frac{1}{2}$
Hartnad - - - - -	1 $\frac{1}{2}$	1	2 $\frac{1}{2}$	2
Kotiote - - - - -	1 $\frac{1}{2}$	1	2 $\frac{1}{2}$	2 $\frac{3}{4}$
Tellicherry - - - - -	1 $\frac{1}{2}$	1	2 $\frac{1}{2}$	2 $\frac{1}{4}$

N. B.—The rates here mentioned may vary in respect to the price of paddy. [Mr. Græme was misinformed; these rates are invariable, whatever the price of paddy. The table is substantially correct.]

(No. 2.)

58. "UPON an assurance from themselves that they would earn a more liberal subsistence in a free state, I purchased and emancipated at Calicut, under deeds registered in the zillah court, a woman of about 52 years of age, her son of 31, her daughter of 25, with an infant in her arms, and the husband of her daughter of 35. They are of the Kulludee caste. They felt, I believe, some degree of awkwardness at not having some tambran (or owner), some patron to look up to; and their neighbours, who derived no pleasure from the example of emancipation thus commenced, endeavoured and in part succeeded in instilling into them the idea that they were purchased with no other motive than that of being conveyed by sea to some distance, on a good opportunity; but their alarm was not so great as to prevent their communicating the report to me upon being asked. They were every day engaged out at work upon terms which secured them a comfortable livelihood, so that I have little doubt that their freedom will promote their comfort and happiness."

From T. H. Baber, Esq., Principal Collector and Magistrate of North Malabar,
to Chief Secretary to the Government of Bombay.—(19 April 1834.)

No. 20.

Sir,

It has recently come to my knowledge that a printed letter, in the name of Mr. Francis Brown, joint owner of the Anjarkandy plantation in Malabar, to the address of the chief secretary

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secretary to the Government of Madras, bearing date Tellicherry, 21st November 1833, together with one from the same person, addressed to the principal collector of Malabar, dated Anjarkandy, the 20th November, is in circulation at this presidency, containing the most calumnious and unfounded aspersions against my character, as an upright and independent magistrate, in consequence of that part of my late evidence before the Lords' Committee that related to the system of slavery obtaining in the province of Malabar, and especially of the more detailed information contained in my answer to the queries propounded and circulated by the Right honourable the Commissioners for the Affairs of India upon the same subject, to those gentlemen in England who were best acquainted therewith, and which were printed by order of the Houses of Lords and Commons, and subsequently re-printed by order of the honourable the Court of Directors, forming Appendix (K.) to the Public Report from the Select Committee of the House of Commons on the Affairs of the East India Company, under date the 16th August 1832. Whether or not the two letters in question were published by, or with the sanction of, Mr. Francis Brown, I have no means of knowing, as there is no printer's name to the publication; or what, if any notice has been taken of them by the authorities to which they were respectively addressed, I am in equal ignorance of; but as, if unanswered, the gross aspersions they contain are of a nature singularly to affect my credibility as an important witness, as well as to prejudice this great national question; and not considering myself authorized to address the Government of Madras direct, I am induced, by these considerations, to apply to the Government of my own immediate presidency to call upon the Right honourable the Governor in Council of Madras for a copy of the aforesaid despatch to that Government from Mr. Francis Brown, and of the order or decision that may have passed upon it, that I may be enabled to expose and refute the numerous calumnies therein contained, and afterwards bring the subject by petition before, if possible, the present session of Parliament, through the honourable the Court of Directors, to the end that such notice may be taken thereof as will vindicate the authority of Parliament against so gross a contempt of its independence and privileges as this attack upon a witness who has had the honesty and courage to tell the truth, the whole truth, and nothing but the truth, to the great council of our nation, upon one of the most important questions that ever has come before it in its deliberation on the affairs of this country.

As Mr. Francis Brown would appear, from the partial documents, especially those numbered eight and nine, upon subjects in no way connected with the inquiries into the kidnapped free-born persons and slaves found by my officers in a state of captivity upon the Anjarkandy plantation in 1811, 1812, and 1813, to have had free access to the records of the courts and cutcherries of Malabar, I have to express the hope that I may eventually be granted the same privilege in my exposure of the history of this Anjarkandy plantation, and the delusions which were resorted to to obtain the sanction of Government to an undertaking, which, for atrociousness in its progress and accomplishment, is perhaps unparalleled in the history of our eastern, or even western, colonial possessions.

Bombay, 19 April 1834.

(signed) *T. H. Baber.*

(True copy.)

(signed) *L. R. Reid,*
Secretary to Government.

No. 21.

From *T. H. Baber*, Esq., Principal Collector and Magistrate, late Judge and Magistrate, Zillah North Malabar, to *H. Chamier*, Esq., Chief Secretary to Government.—
(9 May 1834.)

Sir,

It having been recently brought to my notice that a printed copy of a despatch from Mr. Francis Brown to your address, dated the 21st November 1833, referring to one of the preceding day to the principal collector of Malabar, wherein, in reference to my evidence before the Lords' Committee on the 2d April 1830, and to the more detailed information in my answers to the queries I was required, by the Right honourable the Commissioners for the Affairs of India, in their secretary's letter dated the 27th August 1832, to reply to, on the system of slavery obtaining on the Malabar coast, both of which were published by order of Parliament, the most calumnious and unfounded aspersions have been cast upon my character as a magistrate, while serving the Madras Government, and which, if unanswered or unvindicated, are of a nature to materially affect my credibility as an important witness, as well as character as a magistrate, I have the honour to request the Right honourable the Governor in Council will give publicity in the Government Gazette to such orders as they may have passed upon this scurrilous production; as also allow the agent of the Government press to print for circulation 100 copies of the whole of the correspondence (as noticed below*), bearing upon my proceedings and evidence, which it is the object of this libeller to combat and destroy.

2. I

* 1. Mr. Baber's, magistrate of North Malabar, letter to Government, dated 24 April 1810, with accompaniments, relative to a barbarous murder committed by Mr. Brown's slave, and also relative to the illegal and cruel punishments Mr. Brown was in the habit of inflicting on his slaves, as was apparent from the marks and scars on their persons.

2. Extract

2. I have further to request that the Right honourable the Governor in Council will do me the favour to give me his opinion, how far so gross an attack upon the honour and character of a witness, who has had the virtue and courage to tell the truth, the whole truth, and nothing but the truth, to the great council of the nation, on one of the most important questions that has ever come before it in its deliberations on the affairs of this country, at great personal risk, is or is not a breach of the high privileges of Parliament; and in that point

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2. Extract of a letter from Government, dated 15 May 1810, in reply thereto, desiring that the misconduct of Mr. Brown be prosecuted to such legal issue as may be proper.

Mr. Baber's reply to ditto, dated 30 May, with its accompaniments.

3. Mr. Thackery, Chief Secretary to Government, letter to Mr. Baber, dated 25 January 1812, forwarding extract of a letter from the Resident of Travancore, relative to a traffic in slaves carrying on by Monsieur Valley, and the abuses it gave rise to in the clandestine seizure of children, and other acts of violence; and intimating his discovery of transactions of a similar nature carried on in Travancore, under the orders of Mr. Murdoch Brown at Mahé. The chief secretary directs the magistrate will take effectual steps to prevent that nefarious traffic in future, and to bring to punishment any persons concerned therein.

4. Mr. Baber's letter to Government, dated 29 February 1812, reporting the discovery of a considerable number of persons, freeborn and bondsmen, recently imported from Travancore, whence they had been stolen, and transported by water to Malabar, and enslaved; some of whom had been converted to Mahomedanism, and others associated with and made to eat the food of Poliards, and thereby irretrievably expelled their caste. That 76 of those unfortunate persons, including 10 infants, were found on Mr. Brown's plantations, all of whom declared they had been stolen or forcibly carried away by Moppillas from South Malabar, Cochin, and Travancore; that, of these, six children were freeborn natives of Travancore, whence they had been within the last six months stolen and sent by sea, by Mr. Brown's servant, Wallapalagato Assenally, to Mr. Brown at Anjarkandy, and there associated with and made to eat the food of Poliards; that the remainder were of the Poliar and Wellowar tribe of slaves, and 14 of them imported from Cochin eight months before, two from Chericul about two months ago, the remainder from the southern extremity of South Malabar 8, 10, and 12 years before, having been stolen by Karroowakar Moofa and his people, (a man of the most notorious character, though a police Darogah,) and sent by water to Mr. Brown at Anjarkandy, and accompaniments thereto; especially Wallapalagota Assenally's deposition, wherein he confessed that he had been directed by Mr. Brown to purchase 10 or 15 children for him in Travancore; that he purchased 25, of whom 17 were sent to Mr. Brown, and paid for with Mr. Brown's money; that the six freeborn children found in Mr. Brown's possession were part of those 17, the remaining 11 having been stopped while on their way to Mr. Brown by the Travancore officers, and that he himself had been taken up and amerced in the sum of 1,000 rupees by the Travancore authorities for this act. In proof whereof, Wallapalagota Assen Ally produced title-deeds of his having purchased these children at the rate of from 7 to 9 rupees each; some of which title-deeds are in the name of Wallapagota Assen Ally as agent of Mr. Brown, some simply in his own name.

5. The nazir of the zillah court reports to the magistrate, to the purport that Wappen and Cuntry Perry, the two persons who had imported the 14 slaves eight months before, were servants of Messrs. Brown and Dineur, by whom they had been sent out of the jurisdiction of the court the very day after Mr. Baber had commenced upon the inquiry into their conduct.

6. Extract from the proceedings of the Foujdaree Adawlut, under date 11 April 1812, for the guidance of the Provincial Court of Circuit, informing that court "that the judges of the Foujdaree Court consider the Provincial Court to have exceeded their authority in receiving and acting upon Mr. Brown's complaint."

7. A letter from the Chief Secretary to Government, Mr. Thackery, dated 29 May 1812, acknowledging Mr. Baber's letter of the 29th February, and conveying the approbation of the Governor in Council of Mr. Baber's inquiries and measures with regard to the persons found in a state of slavery on Mr. Brown's plantation, desiring that he will continue his inquiries; and also forwarding the opinion of the Advocate-general as to the application of the Acts for the abolition of slavery to Mr. Brown. In these letters from the Advocate-general, dated 14 April and 14 May, that officer gives his opinion, that "Mr. Baber, acting as a justice of the peace, in taking information, &c. against a British subject, is not only entitled, but bound to follow his own best judgment;" and also, "that the Slave Statute, 51 Geo. 3, c. 23, extends to India the prohibition to British subjects engaging in such traffic."

8. Letter from the Resident of Travancore to Mr. Baber, dated 29 November 1812, forwarding an original letter from Mr. Brown, "soliciting the protection of the Travancore State to his agent Wallapalagota Assen Ally (the person who sent to Mr. Brown the freeborn children) on whatever terms might appear reasonable to the Resident, in order that he might return to his duty at Anjarakandy, on the ground of his being a stranger, and therefore entirely innocent of any guilt that might attach to their purchase;" as if, adds the Resident, "the circumstance of a person being a stranger in a country, and receiving co-operation from an inferior officer of Government, could justify him in committing a most flagrant outrage against its laws, and against the most obvious principles of humanity and justice." The Resident "returned thanks to the magistrate, Mr. Baber, in the name of many families in Travancore, for his zealous and indefatigable exertions in restoring so many children to their parents and homes, and checking a practice of a most cruel nature."

9. Extracts (2, 10, 11, 12, 13, 14, 15, 16, and 17 paragraphs) of a letter from the Advocate-general to the Secretary to Government, dated 5 January 1813, containing his view of Mr. Brown's conduct throughout this investigation into the affair of the kidnapped children and adults found in his possession.

10. Mr. Baber, the magistrate's, letter to Government, dated 9 January 1813, reporting his further proceedings in the investigation of the traffic in freeborn persons and bondsmen; the discovery of 85 more unfortunate persons, for the most part natives of Travancore, who had been kidnapped and polluted in the same manner the freeborn children found in Mr. Brown's possession had been.

11. The deposition before the magistrate of Wappen, (one of the persons who had been sent out of the court's jurisdiction), stating that he had a little more than a year ago been desired by Mr. Dineur (Mr. Brown's partner) to go to Chetwar for 12 poligars, whom he would find there, for Mr. Brown. That he and his brother Cuntry Perry went to Chetwar, where he met a margakuran (native Christian), who asked him if he was Mr. Brown's servant, he said he was; on which he (the Christian) delivered to him 12 persons, for whom he passed a receipt; that when they set off on their return they (the 12 persons) all cried very much, he promised them they should be taken every care of. On their arrival at Mahé, Mr. Dineur gave him a letter to Mr. Brown, when he and Cuntry Perry delivered over the 12 persons to Mr. Brown at Anjarkandy.

12. Mr. Brown's letter to the Chief Secretary to Government, dated 30 June 1813, expressing his intention of prosecuting Mr. Baber for the recovery of the 52 slaves he had deprived him of; "property," he adds, "virtually belonging to the honourable Company;" and requesting His Excellency the Governor in Council will be pleased to permit the honourable Company's law officers to prosecute the suit.

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point of view, whether it would not be more regular, as well as respectful, to bring the subject by petition before the high court of Parliament.

3. Should, however, the opinion of the Right honourable the Governor in Council be what I cannot anticipate, in the negative, I would then solicit him to instruct the honourable Company's Advocate-general to commence such proceedings against this libeller in His Majesty's Court of Judicature at Madras, as the law provides and directs in such cases; viewing the acts which he has thus audaciously impugned as those of a magistrate, and one of His Majesty's justices of the peace, all whose proceedings in the particular case in question had been duly reported to, and had received the approbation and sanction of, the Government he was then serving.

4. Having addressed the Government I am now serving upon the subject of this daring libel, I have been authorized by the Right honourable the Governor in Council to make any communication I might wish direct to the Madras Government, in consequence of the acts in question having arisen during the time I was serving its orders and authority.

(signed) *T. H. Baber,*

Principal Collector and Magistrate, late Judge and
Magistrate Zillah North Malabar.

Poona, Principal Collector
and Magistrate's Office, 9 May 1834.

No. 22. EXTRACT Memorandum by the Right honourable the Governor; dated Ootacamand,
28 July 1834.

MR. BROWN should be informed, that this Government can take no cognizance of any complaint against Mr. Baber, founded on statements made by him in his evidence before a Committee of the House of Lords, or before Parliament. That it does not consider it necessary or expedient, in consequence of the statements alluded to, to institute any public inquiry into the state and condition of the slaves on his (Mr. Brown's) estate; and that judging by the information on this subject furnished by the present principal collector of Malabar, its opinion of the conduct and character of Mr. Brown is highly favourable.

Mr. Baber should be informed, that this Government has received no letter from Mr. Brown, its reply to, or orders on which it considers necessary or expedient to give publicity to; that it cannot allow the agent of the Government press to print for circulation copies of the correspondence particularized in the margin of his (Mr. Baber's letter); that it is altogether out of the province of this Government to give any opinion as to what is or what is not a breach of the high privileges of Parliament, and that it cannot comply with his (Mr. Baber's) desire that the Honourable Company's law officer should be instructed to commence proceedings against Mr. Brown on account of the circulation of a printed paper at Bombay, which Mr. Baber himself acknowledges (in his letter to the chief secretary to the Government of Bombay), he has no means of knowing whether or not it was published by or with the sanction of Mr. Brown.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 24 April 1832.

No. 1. EXTRACTS Letter from *P. Newnham, Esq.*, late Presiding Judge, Tellicherry, to the Register to the Foujdarry Adawlut, Fort St. George; dated 23 March 1832.

18. THE principal of the cases forming the basis of appeal from judgments of the joint magistrate, was that of certain inhabitants of low caste alleged to be slaves, and claimed by two adigaries, or head men, living far apart, while the head of the family itself represented its right to serve whom it pleased, and strongly contested the justice of being delivered, as the joint magistrate had ordered, to the Kaliate, Anunden Adigurar, who had pursued them from Cavay into the Cotiote disborn. It was alleged that the connexion of the nine human beings thus sought by Anunden as mancipated property with him, was confined to their having undertaken a temporary service for the same man. It had however been adjudged by the joint magistrate that strong grounds of crediting the claim of Anunden were afforded, from Raerappen having omitted during the same period to reclaim them as slaves owned by himself.

19. This adegaree did so at the present time, but without strictly insisting on his rights of ownership. In fact, the family was represented to have heretofore long lived at much too great a distance from Anunden to form a class in legal mancipation to him, and Raerapen's title

13. Mr. Secretary Hill's reply to the above, dated 13 July 1813, acquainting him that, in the event of his carrying that intention into effect, the honourable Company's law officers will, of course, be instructed to defend the suit.

14. Mr. Brown's reply to the above, dated 12 August 1813, to the purport, that as the act of the magistrate is in fact the act of the Company, and as such precludes all idea of prosecuting for the Company's property, &c.

(signed) *T. H. Baber,*
late Judge and Magistrate of Zillah North Malabar.

title appeared to depend on the family having long resided on same pagoda lands of which he had the charge. E. L. Company and Board of Control. (Documents.)

20. That the nine human beings whom Anunden sought to carry back to a distant place in the Cavay talook, where they had only sojourned, went thither from the Moorakura Amushom, in the Cotiok talook, their native place, whereat they were bred, were connected with a family of slaves belonging to Anunden, by the marriage of an ancestor, was one plea urged by that man, but there seemed to be no credible proof of this title, which had grown obsolete, and certainly so if the limitations placed in 1802 to claims for the recovery of articles of property can also place limits to claims for the property in human beings, to whom another individual would deny every right and blessing of freedom; as the exercise of the right of property in such an instance includes the feed, keep, and protection of the servant, and his maintenance and fair comfort even during times of sickness and calamity, a shorter period of neglect of the duty by the alleged master of a human being should in equity interrupt his title to again take hold of his fellow-being as a captive, than may interrupt a title to inanimate objects, or to brute animals, who cannot alike suffer from an owner's neglect, except in respect to claims for land or debts on mortgage suits; for all other species of property among which slaves will rank, a limitation of twelve years is absolutely placed by law, and even if Anunden's tradition of a marriage in times long past having taken place between two families of slaves, by which he or his ancestor might thenceforth have laid claim to the progeny of that marriage, be founded on any truth, his redress was by suit at law if he could show it to be within the limitation.

21. The inhabitants of Malabar are said to have been anciently considered *fera naturæ*, and as such to have been enslaved by Pureserama for the benefit of the sacerdotal order. This is the priestly tale through which so large a portion of the commons of Malabar are disfranchised even to slavery. The claim of Anunden seemed greatly based on his regarding Kovan, the petitioner, a being of very respectable appearance and demeanour for a slave, and his race, as *fera naturæ* that became the property of the owner of the ground, on which they, by becoming resident, can be taken into bondage. But surely a temporary sojournment will not hold good in support of a mancipation that would cut the mancipated off from a return to the place whence they came in full strength of life to Anunden.

22. The judge presiding objected to the nine persons being delivered over to Anunden in order that he might force them back to Cavay. The joint magistrate was required to make further inquiry. During this the oppressive nature of the claim and conduct of Anunden seemed to be made out in the judgment of the joint magistrate. The judge deemed the evidence originally given, to Cotiote being the place of nativity and residence of the nine claimed as dependents of the Cavay talook, to be most credible, though it had been rejected because slaves gave the testimony. In respect to the right of punishing for theft, reference was made to the higher court, and it decided that all punishment on such a ground must be made by a judicial sentence, and that a slave-owner cannot on such an account punish a slave.

23. Had a greater interval occurred, a question so interesting to the dearest rights of mankind would have been further inquired of, and returns of a later date have been obtained from the joint magistrate to show exactly the final result of his revived investigation. It may however be confidently asserted, that justice has been done towards the alleged slaves. This assertion may be rested on the disposition which the joint magistrate displayed to correct what were considered errors, and on no further complaint having reached the person who presided. He, though reduced to the necessity of abstaining from the duties of the judicial office which he lately filled, has been constantly near the court-house, and in passing would have been addressed by Kovan, the head of the alleged family of slaves, or Rae-rapen, the one best entitled in the judge's opinion to hold them to be his servants, more as dependants indeed than as slaves, had they still such grievances whereof to complain as to bring them so far from their homes. Even if Anunden could have shown good cause against the revised order of the joint magistrate, and its requiring him to surrender the hold that had been given to him over the nine men, he would have addressed the judge, who has never left the neighbourhood of the Tellicherry court-house, except for excursions that were very short.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 17 September 1830.

(No. 412.)

From Mr. Chief Secretary *Chamier* to the Judges of the Sudder and Foujdarry Adawlut.

No. 69.

Gentlemen,

I AM directed by the Right honourable the Governor in Council to refer for your consideration and report, the accompanying petition from Vencataramien and others, inhabitants of the Cusbah of Tinnevely.

I have, &c
(signed) *H. Chamier*,
Secretary to Government.

Fort St. George, 3 August 1830.

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EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 17 May 1831.

(No. 57.)

No. 6.

From *W. Hudleston*, Esq., Register of the Sudder and Foujdarry Adawlut, to
Mr. Secretary *Chamier*, 18 April 1831.

Sir,

I AM directed by the judges of the court of Sudder and Foujdarry Adawlut to acknowledge the receipt of your letter No. 412, dated 3d August last, referring for their consideration and report, a petition from Vencataramien and other inhabitants of the Cusbah of Tinnevelly.

2. The prayer of the petition would appear to be threefold: first, That the punishment which masters are authorized to inflict upon their slaves may be defined; secondly, That an officer, called Puttena Chitty, may be appointed to punish slaves; thirdly, That the officers of police may be authorized to do so upon complaint to them.

3. The petitioners refer to a circular order of the court of Foujdarry Adawlut, dated 27th November 1820, containing an exposition of the Mahommedan law respecting the punishment of slaves by their masters. This order is contained in paragraphs 10, 11, and 12 of the proceedings of the court of the above date, which were submitted to the Government with a circuit report from the third judge of the court of circuit in the western division.

4. The judges do not think that the correction which a master may lawfully inflict on his slave can be defined with greater precision than is done by the law officers of the Sudder and Foujdarry Adawlut, in their opinion, recited in the above order, of which a copy is annexed to this letter.

5. The judges cannot recommend that the disobedience of slaves to their masters should be made an offence specially punishable by the magistrate or the officers of police; and are of opinion, that any such interference as is solicited in the petition, which I am directed to return herewith, would be attended with injurious rather than beneficial consequences.

Sudder and Foujdarry Adawlut,
Register's Office, 18 April 1831.

I have, &c.
(signed) *W. Hudleston*, Register.

EXTRACT from the Proceedings of the Foujdarry Adawlut, under date the 27th November 1820.

READ letter dated 13th September last, from the third judge late on circuit in the Western division, submitting the report prescribed by Section XXXVII, Regulation VII. of 1802.

Para. 10. As the third of the provisions proposed by the third judge, appeared to imply that under the existing law personal injuries done to a slave by his master are not punishable, the court of Foujdarry Adawlut have thought it proper to ascertain from their law-officers, whether the ill-treatment of a slave by his master be duly punishable by the Mahommedan law.

11. The following is a translation of the answer of the law-officer of the Foujdarry Adawlut to the reference made to him on this head: "Under the Mahommedan law a master is competent to inflict correction (tazeer) upon his own slave. If therefore the master should in a lawful manner correct his slave for committing an act by which tazeer is incurred, he is not liable to punishment; but if a master should chastise his slave without his having been guilty of any offence incurring tazeer; or in the event of the slave's having committed such an offence, if the master should not correct him in a lawful manner, but treat him with violence and cruelty, the master would be liable to tazeer."

12. The court, under the foregoing exposition of the law, consider that the existing Regulations sufficiently provide for the punishment of owners of slaves who may treat them with cruelty; and with a view to prevent and discourage as much as possible the practices alluded to by the third judge, the court direct that the several magistrates be desired to make public the foregoing provision of the Mahommedan law, by a circular notification to the police officers under their jurisdiction respectively, and that they be enjoined to apprehend all persons charged with cruelty towards their own slaves, in like manner as they are directed to apprehend persons charged with other crimes of a heinous nature; and it will be the duty of the criminal judges in such cases, whenever the acts established in evidence may appear to demand greater punishment than they are competent to inflict, to commit the offenders for trial before the court of circuit.

Ordered, That extract of these proceedings be sent to the four provincial courts of circuit by precept, enjoining them to communicate the same to the several criminal judges and magistrates within their respective jurisdictions.

EXTRACT FORT ST. GEORGE JUDICIAL CONSULTATIONS, 1 August 1834.

EXTRACT from the Proceedings of the Foujdarree Adawlut, under date the 26 July 1834.

Para. 5. THE trial alluded to in paragraph 10 was that of two persons for the purchase of 27 children, whom they were conveying to Hyderabad for the purpose of domestic slavery. These children were bought during the late scarcity at prices not exceeding two or three rupees each, by a person belonging to a respectable family at Hyderabad, who had come to Masulipatam with other objects in view. Several of the female children were 13 or 14 years of age; none of them appear to have been ill-treated; and as they had, perhaps, been rescued from an untimely death, this court deemed it sufficient to pass a sentence of three years' imprisonment, with labour, without irons, on the principal offender. The accessory, who acted merely as a cook, was acquitted and released. It reflects credit on the magistracy to have repressed this offence by the successful seizure of the parties, and the restoration of the surviving children, with one single exception, to their relatives. There was no reason to believe that the few who died were in any respect treated improperly.

No. 9.

EXTRACT Letter from *G. J. Waters*, Esq. to the Register of the Foujdarry Adawlut.—
(28 June 1834.)

Para. 10. THE case, No. 6, is of a very remarkable character, and, perhaps, embraces the first indictment of the kind upon record, since the crime it sets forth has been ruled cognizable by the Honourable Company's courts. The voluminous record of the aforesaid case of conveying children, the subjects of the British Government, by land to foreign states for the purposes of slavery, is now before the Upper Court. I am happy to add, that by great exertion the children in question, with the exception of several deceased, have been delivered to their parents or guardians. The return to my last precept upon this subject reports, that only one child then remained under the charge of the Acting Joint Criminal Judge.

(True extracts.)

East India House, 13 August 1838.

(signed) *T. L. Peacock*,
Examiner of India Correspondence.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 6 July 1825.

MINUTE by the President.

No. 21.

IN an old report of Sir C. Metcalfe's, on the territory under Delhi, I observe that he had succeeded, without the least opposition, in putting a stop to the sale of slaves.

As Delhi is the place in all India where one would expect such a measure to have been difficult of execution, I am led, by the success of this experiment, to think that we may have overrated the obstacles to a similar abolition in the country under this Presidency.

The replies to the interrogatories formerly circulated on this subject by the Commissioner in the Deccan were rather unfavourable to interference; but most of the arguments were rather directed against the emancipation of persons already in servitude, than against a prohibition of the sale of slaves. Some precautions were taken at that time to prevent the sale of unknown children, and a prohibition before existed against the importation or exportation of slaves.

I am very strongly inclined to propose that the sale of slaves should be forbidden entirely, but it will be proper to consult the different judicial and revenue officers in the usual manner; and I will mention some modifications that may be adopted, if an entire abolition is found impracticable.

1. The transfer of grown-up slaves may be allowed, the sale of children being entirely forbidden.

2. The transfer of children, also, may be permitted during famine, allowing the parents a right of redemption for a certain number of years after the sale.

3. The sale of women for the purpose of common prostitution must in all cases be prohibited; but the naikins or women who keep such slaves and make a profit by their prostitution should be at all times allowed to sell them, it being penal in the purchasers either to sell them again, or to expose them to prostitution.

The first modification is intended to remove any objections that may be urged to interfering with what is now a marketable property; and also, to meet the remarks which occurs in the answers to the Deccan Queries, that slaves might often be at a loss for a maintenance, if they were emancipated; a result which would also occur if the reduced circumstances of their master prevented his keeping them, while the law forbade his selling them; this second object of the modification might be attained separately from the first, by making the consent of the slave a condition of the transfer.

The second modification is intended to counteract an evil on which great stress is laid in several of the answers, where it is urged that the lives of many children are preserved during famines by the sale of them to rich people, and that if Government prohibits this expedient,

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it is bound to provide other means for their preservation. There may be some truth in this as applied to actual famine, an event, however, of rare occurrence; but it ought on no account to be listened to in times of inferior pressure; since one of the great objections to the practice is, that it encourages the poor to improvident marriages, by holding out a prospect of getting rid of their superfluous progeny, and this in a manner which is more than usually calculated to degrade both the parent and the children. If the sale of children be tolerated during famine, it should be carefully confined to the parent, and a right of purchasing their liberty at the original price should be allowed, as was done by the Paishwa's government after the famine in 1803.

The reason for allowing the sale of prostitutes under certain restrictions by the women to whom they belong, is, that they are often purchased by men who wish to have them as concubines, and even as wives, the worst of which condition is better than that of a common prostitute.

The opinion of the local officers should be taken on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this Presidency. It is unnecessary to go more into detail in the circular letter. They should likewise be requested to suggest the most effectual means of detecting the offence, if it should be declared, and to point out any abuses that particularly require correction. They ought at all events to suggest means of effectually putting a stop to kidnapping children by Brinjarries or others, of which I have heard some bold instances.

The Regulation Committee should also be consulted. That committee and the Sudder Adawlut should give their opinion regarding the punishment proper to be annexed to the different offences arising from the proposed rules.

(signed) *M. Elphinstone.*

No. 22. CIRCULAR to the Judicial Authorities under this Presidency, and a similar communication being addressed to the Commissioner in the Deccan, to the Regulation Committee, and to the Sudder Adawlut.

CIRCULAR.

To the Judge of Surat.

Sir,

I AM directed by the Honourable the Governor in Council to request your opinion on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this Presidency.

You are likewise requested to suggest the most effectual means of detecting the breach of such rules as may be enacted, and to point out any abuses that specially require correction.

Your particular attention is requested to the best means of effectually putting a stop to kidnapping children by Brinjarries or others.

Bombay Castle, 30 June 1825.

I have, &c.
(signed) *D. Greenhill,*
Acting Secretary to Government.

No. 23. From *D. Greenhill*, Esq., Acting Secretary to Government, to the Regulation Committee.—
(30 June 1825.)

Sir,

I AM directed by the Honourable the Governor in Council to request your opinion on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this Presidency.

You are likewise requested to suggest the most effectual means of detecting the breach of such rules as may be enacted, and to point out abuses that specially require correction.

Your particular attention is requested to the best means of effectually putting a stop to kidnapping children by Brinjarries or others.

Your opinion is also requested regarding the punishment proper to be annexed to the different offences arising from the proposed rules.

Bombay Castle, 30 June 1825.

I have, &c.
(signed) *D. Greenhill,*
Acting Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 18 January 1826.

No. 7. From the Judge of Ahmedabad to the Secretary to Government, 23 July 1825.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 30th ultimo, desiring my opinion on the expediency of forbidding the sale of slaves throughout the territories under this Presidency.

2. The

2. The domestic slavery, such as is practised on this side of India, does not appear to me to be attended with severity or harsh treatment. Slaves are, I believe, in general, treated with consideration and kindness; several instances have come to my knowledge of masters giving their slaves considerable sums of money to enable them to marry; nor am I at present able to recall to my recollection a single case of complaint by a slave against the harsh treatment of his master; instances of this kind may sometimes occur, but I believe them to be few, and that slaves are almost universally treated with the same mildness as is shown to the members of the family.

3. I do not therefore think, in expediency, that it would be productive of any good to forbid the sale of slaves altogether; for it is well known that during years of famine or great scarcity the lives of many unfortunate children are alone preserved by their being sold to persons in opulent circumstances, who would not, I fear, from motives of pure charity (the sale of slaves being forbidden) bestow even a cake of bread on the famishing child, unless it fortunately happened to be of the favoured caste.

4. To prevent, however, the kidnapping of children by Brinjarees, who seldom come honestly by the children they bring for sale into the province, I think it would be necessary to entirely prohibit their dealing in slaves, and to attach a heavy penalty to the breach of such prohibition; and by giving a certain portion of the fine, or a fixed reward in case the fine should not be paid, to the person through whose means the offender shall have been convicted, an effectual stop might soon be put to this traffic.

5. From the inquiries I have made, I am led to believe that the importation of slaves by Brinjarees is now very inconsiderable. During the Mahratta government, a considerable number of children appear to have been brought annually by these people from Malwa, Marwar, and the northern provinces, and sold in Guzeratte; but since the establishment of the British authority, the traffic in slaves has nearly ceased.

6. Were the nakadars at the frontier stations to be constantly on the alert, which they no doubt would be if the hope of a reward was held out to them, Brinjarees would find it difficult to escape detection.

7. The purchaser of a slave should be held responsible for the purchase having been made from a person fully empowered to dispose of the child, and the transaction might be registered either by the tultatee of the village, or the nearest nakadar to the place where the sale took place; this would oblige people to be cautious from whom they purchased slaves, and it would consequently render kidnapping a less profitable business than it is at present.

Ahmedabad Collector's Office,
23 July 1825.

(signed) *A. Crawford.*

From the Collector of Broach to Secretary to Government.

No. 8.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, bearing date 30th ultimo, calling for my opinion on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this Presidency; as well as directing my especial attention to the best means of putting a stop to the crime of kidnapping children by Brinjarees or others.

2. In reply, I have the honour to state, that I have given attention and mature consideration to such information as I have been able to obtain from the works of men who have sought to form correct opinions on the subject of domestic slavery, as it exists in this country; and that I am led to entertain doubts of the expediency of at once enacting statutes prohibitory of the sale of slaves, although I am satisfied that a gradual and temperate abolition of an internal traffic in slaves within the British territories is highly desirable. I am not, however, prepared at present to suggest any immediate measures tending to this end, which I conceive will be best obtained by the moral improvement of the natives of this country, through the medium of instruction, and by the operation of a system adopted to fit the minds to appreciate so essential and decided a change in the frame of their society.

3. In respect to the crime of kidnapping children, I have the satisfaction of acquainting you, for the information of the Honourable the Governor in Council, that it is extremely rare of occurrence here, and that it has only once come under my observation, and then in so vague and doubtful a manner as not to convince me that it took place within this jurisdiction.

4. As, however, it may be very reasonably supposed that Brinjarees may be more addicted to this species of misdemeanor than others, I beg leave to report, that I have issued circular instructions to all the police officers in this zillah, calling upon them to exercise great vigilance over the conduct not only of Brinjarees, but of all persons, with a view to the effectual suppression of this evil, and that I hope that measure may prove generally conducive to the object.

5. Beyond extraordinary vigilance on the part of the police, I know of no means calculated to restrain the wandering tribes from the offence adverted to, excepting the exaction of ample security from their Sirdars for the good conduct of the hordes over which they respectively rule. But after all, I am not without doubts in regard to the eventual feasibility or success of such a measure; considering the extent of country travelled over by these people, their peculiar habits, and the difficulties of conviction, even supposing them to act in violation of such securities.

Broach Magistrate's Office,
14 July 1825.

(signed) *R. Boyd, Magistrate.*

E. I. Company and
Board of Control.
(Documents.)

From the Judge of Broach to the Secretary to Government.

Sir,

No. 9.

I HAVE the honour to acknowledge the receipt of your letter of the 30th ultimo, calling upon me for an opinion respecting the expediency of abolishing the sale of slaves.

2. I understand the principal evil complained of to be the kidnapping of children, which is increased and encouraged by the ready market afforded for the sale of them as slaves, and that the proposed regulation is with the view chiefly of removing this evil.

3. Under this impression, I beg to say, that the measure, as regards the zillah, is wholly unnecessary; it is calculated to incite much discontent, without producing any corresponding good. Kidnapping is of very rare occurrence, and the slaves, in point of number, are extremely limited throughout the zillah; they are generally well treated by their masters, and they live with the family more as members of it than as slaves; a term which, to an English ear, conveys a very incorrect notion of their condition in this country. It should also be remarked, that in a scarce season great numbers of children (literally born to starve) are, by the privilege of selling them, taken care of and provided for. In conclusion, I beg to submit, that until some considerable abuse shall exist in the system, any interference in it would be more likely to do harm than good.]

Broach Court of Adawlut,
18 July 1825.

(signed) *R. Stubbs,*
Acting Criminal Judge.

No. 10.

From the Acting Collector of Kaira to the Secretary to Government.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 30th ultimo, requesting my opinion on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this Presidency, and on other points relating to that subject.

In reply, I beg you will acquaint the Honourable the Governor in Council, that the practice of selling slaves was very common in this province under the governments that preceded us. It is said to have been carried to a great extent under the Musselmans, whose style of living encouraged it. It was the fashion for every family of any rank to maintain several slaves, whose offspring, brought up in it, constantly added to their numbers; their occupation was that of domestic servants; but they were also employed in agriculture and other out-door labour.

Slavery, as it exists at this day, bears ample testimony of how general it must have formerly been. In most market towns there are Casbattees, and many Musselmans, of a rank superior to the body of the inhabitants, who retain establishments of slaves, that have been long attached to their household; and they will sometimes trace the generations of these slaves almost as far back as their own.

The Mahomedans leaving the practice to its old course, it does not appear to have much diminished during the first part of their rule; if it was less common afterwards, it was owing to no measures of theirs, for they rather encouraged it than the contrary.

A fee of about five rupees was exacted at the city of Ahmedabad on the transfer of a slave; it was levied till the establishment of our Government; and is proof, if such is required, of the sale of slaves having not only been tolerated, but publicly authorized.

The practice, as it existed in these districts, seems to have been of that mild description general throughout India. The slaves brought up as part of the family were, I believe, usually well treated; but having no one to appeal to but their masters, their condition was of that dependent kind that is generally accompanied with some degree of hardship and restraint, and it may be reasonably conjectured that it has that consequence oftener than is publicly known, from the occupations of the slaves being so immediately connected with domestic privacy.

There can be no doubt, however, that under our Government the practice has in every respect decreased. No positive law has been enacted against it; but an effect nearly similar has been produced by the spirit of the Regulations, and the nature of our practice having a constant and powerful tendency to undermine any institution of the kind.

Complaints of slaves against masters are certainly rare, and it may be fairly inferred, that their treatment has improved as the practice has decreased.

But I would respectfully submit, that these beneficial effects of our administration should be brought forward as arguments against, rather than in favour of, the continuance of the practice. Their gradual operation has weakened and brought it into disrepute, and at length reduced it to that partial degree which appears to present a favourable opportunity of abolishing it; such a measure might perhaps have been considered an innovation some years ago, but now it would hardly, if at all, be viewed in that light.

Partial as is the description of slavery prevailing in this country, it must still be allowed to be of a nature calculated to produce evils. The fact of the sale itself is, I believe, everywhere admitted as the first point to be condemned; that circumstance alone, while inconsistent with the freedom our subjects in this respect enjoy, must produce moral effects injurious to general character. While the purchase of such property is permitted, a kind of sanction is given to acts of personal restraint.

Having thus noticed the subject in the views of it that have occurred to me, and adverting to the diminished state the influence of our measures have at length brought it to, I have only

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to add, that I think the sale of slaves might with safety be totally prohibited. If any dissatisfaction was thereby created, it would only, I believe, be in cases comparatively few; but there is little doubt that the abolition would be carried into effect without difficulty, and in general be regarded as a popular measure.

Adverting to the second paragraph of your letter regarding the breach of rules that may be enacted on the subject, I beg leave to suggest, that the sale of a slave might be made a particular offence punishable by a specified penalty, perhaps by a fine of several hundred rupees. Unlawful acts of a general nature might be taken cognizance of under the penal regulations in force.

Referring to the last paragraph, I beg to acquaint the honourable Board, that kidnapping children is an uncommon offence in this quarter. The local native authorities, and the village police, appear the best instruments for preventing an offence of this kind; and when they are active and vigilant it could, I conceive, be seldom committed.

Kaira, Collector's Office,
29 July 1825.

(signed) *T. Williamson,*
Acting Collector and Magistrate.

E. I. Company and
Board of Control.
(Documents.)

From the Judge of Kaira to the Secretary to Government.

No. 11.

Sir,

I HAVE the honour to inform you, in reply to your letter of the 30th June, for the information of the Honourable the Governor in Council, that I am of opinion the emancipation of all slaves throughout the territories under this Presidency is very desirable. The possessors of slaves are mostly people of property, and I believe in too many instances treat them with much severity. I should expect putting a stop to this traffic would also materially lessen the number of importations at the ports on the coasts.

The most effectual means of detecting the breach of such rules as may be enacted would be through informers, who should receive a reward; the vigilance of the police would then in a great measure put a stop to the traffic. All parties concerned should be heavily fined and imprisoned.

With regard to kidnapping children, I do not believe it to be carried on to any great extent in Guzerat. The potels and the police are in general very active; and in the only two instances which have occurred since my appointment to this station, the children were very soon recovered.

Adawlut, Eastern Zillah, North of the
Muhee, 5 September 1825.

(signed) *J. Williams,*
Judge.

From the Collector of Surat to the Secretary to Government.

No. 12.

Sir,

I HAVE the honour to acknowledge the receipt of your circular letter of the 30th of June, conveying the request of the Honourable the Governor in Council that I should state my opinion on the expediency of forbidding, either totally or partially, the sale of slaves, and proposing other inquiries connected with this subject.

The Dessaees Buttela Brahmins in Parchole Soopa, and some other pergunnahs, possess as large a portion of slaves as may be found perhaps in any part of India. These, who are frequently attached to the soil, as well as bond servants who voluntarily engage to labour in payment of loans made to them for their marriages, or the like occasions, at times run away from their masters, and such cases are brought before the magistrate; sometimes the master is to blame, and sometimes the servant, and no particular inferences arise on the cases of this nature I am acquainted with as to the treatment of slaves.

The slaves are all of the Coolee Doobla, and other poor classes of the Hindoos, who are, in this zillah, much addicted to drinking toddy, and a very debauched, improvident, and inferior race.

I believe the slaves to be more comfortable than the free portion of their respective castes.

4. I have accidentally fallen upon the subject of slaves in the third volume of Harrington's Analysis, which we have got in the library here, and may just state that the views there given by Mr. Colebrooke appear to me very profound, and, as far as my limited observations enable me to trace them, I recognize their coincidence with my own impressions.

5. I shall now offer the following quotation as containing opinions that I am disposed to subscribe to: "I conceive there is no occasion for abolishing slavery, or for preventing enslavement, or for prohibiting the sale of actual slaves, within the British territories in India." Colebrooke, at page 762: "Whilst it is allowed to remain, with respect to progeny of existing slaves born under the British Government in the West Indies and South Africa, the abolition of it on general principles of justice and humanity could not, the court apprehend, consistently be proposed for India, where it has from time immemorial been sanctioned by the laws and usages of the country, and where, it may be added, the state of slavery is not so injurious to the objects of it as in other countries where it is still maintained." Court of Nizamut Adawlut, note at the above page of the work.

I believe the prevailing impression with the natives is, that our Government judicially punishes any severe treatment of a slave in the same manner as if he were a free man; and

E. I. Company and
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(Documents.)

the general feeling of the character of our Government restrains acts of violence toward^s slaves as well as other subjects.

7. As the Hindoo and Mahomedan laws however make no provision for punishing the ill-treatment of slaves, and as the judicial authorities should always be strictly tied down by the law, whatever it is, it would seem expedient to declare slaves equally with others within the protection of the criminal law to all intents in the same manner as if they were free, except only that the power of moderate corporal correction should be continued to the master.

8. Although I cannot look forward to the time when it might be ever expected to be of any practical benefit in these districts, I should also make a provision for rendering slaves capable of acquiring property and purchasing their own freedom, and that of their wives and children, at what might be understood to be a fair valuation. If any man preferred realizing property to drinking, and should acquire the means of purchasing his freedom, he would be worthy of it.

9. In so far as among the Hindoos the manumission of slaves is deemed an act of piety, and an expiation of divers offences, I think it might be advisable to fix the sums at which freedom might be claimed at rates below the real loss which the owners would sustain, and thus favourable for the slaves; but as the rearing and feeding in years of scarcity, and the charges of settling in marriage (about 30 rupees), are all borne by the masters, suitable consideration, proportioned to cases of men, women, grown up people, or children, married or unmarried, and other just grounds of distinction affecting the stake of the master on the slave, would require to be extended in adjusting the rates of pecuniary compensation to the owners.

Office of the Collector and Magistrate,
Surat, 8 August 1825.

(signed) *W. J. Lumsden*,
Collector and Magistrate.

No. 13.

From the Judge of Surat to the Secretary to Government.

Sir,

I HAVE the honour to reply to your circular letter of the 30th June last, requiring my opinion on the expediency of forbidding, totally or partially, the sale of slaves throughout the territories under this Presidency, and other points.

2. I am not of opinion that it would be expedient or just to interfere in any way with the property in slaves at present existing, as recognized and defined by the Hindoo Mahomedan laws. This forbearance, as regards domestic slavery, has been directly guaranteed by the Government in Section V., Regulation I., A. D. 1805, and I am not aware of any abuse more prevailing now which renders alteration necessary.

3. Under the prohibition to the importation of slaves by land as well as by sea, slavery must, however, in our territories, gradually die away. This might be hastened by a more rigid enforcement of the law against the importation by land, the only way, I believe, by which slaves are now at all introduced into our territories. It is not, however, that slaves are even in this manner brought for sale, but that merchants, chiefly Borahs, and travellers, on their return from foreign territories, bring with them occasionally one or two slaves for their own use. To put a stop to this a law might be passed, that no person should be allowed to bring in any slave that he had previously taken away with him.

4. A further check might be put to the introduction of new slaves by requiring that a register should be made of all slaves at present in the territories under the presidency. This is a measure, however, that could not fail of exciting very general and considerable dissatisfaction throughout the country.

5. The domestic slavery of India, however, is of so peculiarly mild a form, that the servitude under it is perhaps more favourable than that of a servant receiving wages for his labour. It is also little extensive, as, for instance, in Surat, in a population of about 120,000, the number of slaves is estimated at only about 2,000.

6. The public sale of slaves, in this city at least, seems also entirely to have ceased, or clandestine transfer is most rare. A general and happy understanding seems to prevail, that although we exercise forbearance in regard to what exists, yet that our Government is nevertheless essentially hostile to slavery in any shape, a feeling that of course must tend to lessen the evil, and will, it is to be hoped, with the rules against importation, ultimately destroy it.

7. In regard to kidnapping children by Brinjarees, I believe the case very rarely to occur in our territories. I cannot indeed recollect any instance of it in the zillahs in which I have acted. The punishment of the offence by the Hindoo as well as Mahomedan law is most severe, reaching in some cases in the former even to death.

8. Formerly Brinjarees brought slaves into our territories; these in some cases may have been kidnapped, but a great portion are well known to have been purchased in seasons of famine since the prohibition to importation; however, the introduction of slaves in this manner is considered to have nearly ceased, and might entirely so by more strict measures on the part of the police. The penal part of Regulation I., A. D. 1813, also in this respect might be advantageously made more severe; instead, for instance, of six months, the imprisonment might be increased to seven years, and the law be made to extend to the importation of any slaves whatever, for whatever purpose, who were not before slaves in our territories. A provision of this last nature would be the most effectual check that could be given to at least any increase of slavery.

Surat Court of Adawlut,
18 August 1825.

(signed) *G. W. Anderson*,
Judge.

From the Commissioner in the Deccan to the Secretary to Government.

Sir,

I HAVE now the honour to submit the enclosed copies of letters from the collectors in the Deccan, stating their opinions on the reference contained in your circular letter dated the 30th June last, regarding slavery and kidnapping children by Brinjarees.

2. Traffic in slaves is practised chiefly by Lambanies or Brinjarees, who purchase children in times of famine from starving parents; kidnap them when an opportunity of doing so offers. Gosaynes are also dealers in slaves, which are procured in the same manner, either for the purpose of selling again, or of making cheles or disciples of them; such cheles are usually of the caste of Poorbuee Brahmins, Bukkalls, Guzeratees or Marattas, though boys of inferior castes are sometimes surreptitiously foisted in amongst them. When once admitted to this sect or profession they are not liable to be resold.

3. Many slave girls are purchased by Kunchenies, or dancing women, and brought up to that profession. These, after an experienced education in music and dancing, are sometimes resold, when a profitable bargain can be made of them. They are, however, oftener brought up as children of the family, and succeed to the property and station of their mistresses, who, as may be supposed, have seldom any offspring of their own. The suppression of the practice of purchasing slaves of this class will be a serious hindrance to an useful profession, which, though in itself immoral, has been always tolerated, if not respected, in India, as contributing perhaps to morality by preventing the seduction of married females.

4. The want of slave girls would be a great inconvenience also in the families of Mahomedans of rank, who always employ a number for household purposes; but both in the case of Kunchennies, and in the domestic slavery of the Mahomedans, the inconvenience that may be sustained by the abolition of the practice of buying and selling slaves would soon remedy itself, as the demand for service would probably soon be supplied by free competition, as it is in all other commodities.

5. To starving parents and starving children the abolition would be alike injurious. At present, in times of scarcity, both the seller and sold benefit by the bargain, if the preservation of life under such circumstances be a benefit.

Those who now possess a property in slaves ought not to be disturbed in it; and as it has been acquired under the laws, both of our own and the late Government, we cannot justly take away the right of again alienating, I presume, without making compensation to the owners.

6. The slavery of India is a very mitigated sort of domestic slavery, which probably has as much good as harm in it. I have already expressed my sentiments on the subject in the 279th and five following paragraphs of my general report of the 20th August 1822, to which, and to the sources of information quoted, I beg leave to refer for further remark on this question.

7. The accompanying letters from the collectors contain some valuable suggestions for preventing kidnapping, and some hints which may probably be considered useful in regulating the sale of slaves. If it is deemed expedient to abolish hereafter, a custom certainly inconsistent with an improved state of civilized society, some considerable previous notice should be given to the people before so great an innovation be introduced.

(signed) *W. Chaplain,*
Commissioner.

Poona, 6 October 1825.

From the Collector of Poona to the Commissioner in the Deccan.

Sir,

I HAVE the honour to acknowledge the receipt of your letter enclosing a circular from Government respecting the sale of slaves.

2. I do not think Government should at present forbid the sale of slaves in this country. The people are not rich enough to support each other by extensive charity in years of famine. The right of selling in Poona has been lately restricted by me to parents of children, and to persons, being residents, who have slaves, and wish to dispose of them. A fee of one rupee is taken for registering the sale, and no sale is valid without a certificate, which is only granted after strict inquiry regarding the venders and their right.

3. These restrictions were followed, as might have been expected, by those who were in the habit of trading in slaves resorting to kidnapping children, and writing out fictitious deeds of sale. By the assistance of Mr. Gray, of Bombay, and Mr. Wroughton, of the Northern Concan, and who each sent me some men and women concerned in stealing children in Poona, I discovered and sentenced to disgraceful punishments all the members of a large kidnapping establishment. If there be any other persons employed in such practices at this place, I have no doubt of soon finding them out.

4. The wholesale trade in slaves that was formerly carried on by the Binjarees appears to be entirely suppressed, and the evil in Poona is now, perhaps, confined within its narrowest bounds. Instances of kidnapping will of course occasionally occur, but I do not think any new rules are required, the magistrate having ample power to punish delinquents, while the activity of relations, and the known market of Bombay, must frequently lead to detection.

(signed) *H. D. Robertson,*
Collector.

Poona, 8 July 1825.

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From the Magistrate of Poona to the Commissioner in the Deccan.

Sir,

WITH reference to my letter of the 8th instant, regarding the sale of slaves, I do myself the honour to enclose a copy of the paper given to the vendee. I have circulated copies to the magistrates of the Concan, Surat, Ahmednuggur, and Bombay, so that the venders of children said to be brought from Poona for sale, without such a certificate, may be at once apprehended. Perhaps this, or some similar arrangement, might be useful in all other magistracies.

(signed) *H. D. Robertson*, Magistrate.

Poonah, 19 July 1825.

From the Collector of Sholapoor to the Commissioner in the Deccan.

Sir,

I HAVE the honour to acknowledge the receipt of your circular despatch, with enclosure, dated the 7th instant, regarding the sale of slaves.

There is, probably, no subject on which it is so difficult to procure correct information from the natives as this, arising from their extreme jealousy of our interference in matters which they consider as their domestic concerns, a difficulty I have experienced on the present, as well as on a former occasion, when a similar reference, if I recollect right, was made to me in 1817 or 1818 (when in the Concan), founded on a reference from the Supreme Government.

Whether, therefore, the practice of selling slaves exists to such an extent as to render it necessary to put it down altogether, I am unable to form a very correct opinion; but, at the same time, I think, provided we do not interfere with the existence of domestic slavery among the Hindoos, there would be no danger in prohibiting the traffic, which indeed, as regards the importation from other parts of the country, has, I perceive, already been done by a proclamation, issued by the late sub-collector, dated the 12th September 1823.

Supposing the purchase and sale, under any circumstances, to be forbidden, the simplest and most effectual mode of detecting a breach of the Regulation would be to make the heads of villages responsible within their respective jurisdictions, and in large towns we must depend on the vigilance of the cotwal and police.

I am not aware of any abuses that specially require correction, except it be the practice during years of scarcity, such as the present, of selling children. That they are frequently offered for sale is notorious, but the proclamation alluded to in my third paragraph appears to have had the desired effect in restraining the purchase of them, except perhaps to Brinjarees and others, not fixed inhabitants of the district.

The only method which it occurs to me to adopt, to prevent the kidnapping or the purchase of children by the description of people above mentioned, must be a strict examination of them by the police or custom-house chokeys on quitting the province, and visiting them with a heavy penalty if detected in a breach of such rules as may be enacted.

Sholapoor Collector's Office, 27 July 1825.

(signed) *V. Hall*, Collector.

From the Collector of Dhoolia to the Commissioner in the Deccan.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 7th instant, with copy of a circular letter from Government respecting the abolition of the traffic in slaves, either totally or partially, and the putting a stop to the practice of kidnapping children by Brinjarees or others.

2. I should conceive that there can be no objection to the enactment of a regulation which shall forbid the import and export of slaves, and which shall also forbid the purchasing of slaves, under any circumstances, from Brinjarees, Charons, Gossains, or other migratory dealers. The latter enactment would be necessary to secure the efficiency of the former, especially as far as the import traffic might be concerned.

3. Persons already possessing slaves might be allowed to dispose of them, if they found the same necessary, with the sanction, however, and knowledge of the authority of the place, who, when a native authority, should report all the circumstances to his European superior before he gives his sanction, and should give a certificate of the same, quoting therein the date of the European superior's permission.

4. In no sale, however, should a parent be separated from his or her offspring, till the latter may have attained the age of 12 years, by being sold to a person residing in a different town or village, nor a husband be separated from his wife; and no sanction should be given to a sale which shall involve these contingencies, while, should they afterwards result from the sale, that transaction should be invalidated thereby.

5. It may be a question whether parents should be allowed to sell their children in time of famine, but such a question surely need not be entertained in reference to times either of plenty or of partial scarcity, and it should in such times, I think, be positively prohibited, whatever may be decided in regard to a period of famine. If, in a time of famine, it should be sanctioned, then the sale should only be valid when made under the formalities above laid down, in regard to the sale of persons who are now slaves, nor should any sale be permitted till the

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persons selling satisfactorily established, not only their being the parents of the persons offered for sale, but also the necessity of their taking such a step.

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6. To provide a check against eluding these regulations, a registry of the slaves now in each talooka should be formed. This registry should contain the names of the owners, the names of the slaves, the sex, age, height, and colour, and whether married or single; if the former, the name of the husband or wife; and if a slave, in what register recorded, and what number of that register; whether a parent or not; if the former, the children, their age, sex, and also, as above, when registered.

7. Any person having or claiming a slave, not entered in this register when framed, or subsequently inserted in the same when bought, should be liable to a penalty, and the claim or possession should be invalidated.

8. The register might be corrected quinquennially, and as this would be done by talookas, it would not impose much trouble.

9. As to putting a stop to kidnapping, the above rules, if observed, would have a great effect in securing this object, and so also would the prohibition of the import and export of slaves; for while a free transport of slaves is allowed, and while the sale of them is permitted, the practice of kidnapping will be continued, whatever penalties may be enacted against it; besides, penalties, even if they produce an effect in the British jurisdiction, will not operate beyond it; and therefore, in proportion as it may be rendered difficult to kidnap within our territories, the practice will increase beyond them, if a free transit and sale be permitted. Penalties for this offence, even though they may not alone be very efficient, should not, however, be dispensed with, and they should be of a much more serious nature than those proposed by the committee for revising the regulations.

10. The great difficulty will be, to give effect to the rule prohibiting the import and export of slaves; for, intimidated by their possessors (children, and those kidnapped and offered for sale, are generally of tender age), they will give any account of themselves that those possessors choose; and custom farmers consider it so much their interest to keep on good terms with brinjarees, and other such traders, that they will afford but little aid to the wishes of Government in respect to such prohibition. In consequence of these difficulties, the register above proposed will be of the greatest value as a check, as far as the Company's territories are concerned. Indeed, it will be the principal check at our command, and is therefore indispensable, if it be heartily desired to put a stop to the increase of slavery, and to the evil of kidnapping children, by which alone, in years of abundance, slavery is supported.

11. The prohibition to import and export would be promoted by rewarding informers, on conviction; and this might always be done, as far as the parties could afford it, at the expense of the offenders, and in addition to any other punishment that might be awarded.

12. I fear mustering the followers of Brinjarees would have little effect, and might, to elude detection, lead to murders, for they are a cruel and unfeeling race; and living apart, as they do, when travelling about the country, in the jungles, from the rest of the community, and residing at one place or in one jurisdiction but a short time, and having, in general, but one interest, this could be done often without detection. Besides, it would be difficult to detect a slave dressed, as it would be, in their own clothes; and, as before alluded to, taught to say it was the child of one of themselves, or of a deceased relation.

13. In proportion, therefore, as it would be difficult to detect this offence, should the penalties following detection be severe, both against the principal offenders and all who may aid or abet in the crime, or who may knowingly conceal the same.

14. I see no hardship which would be entailed on the community by these regulations, for free labour can be abundantly commanded.

(signed) A. Robertson, Collector.

Dhoolia, 30 July 1825.

From the Principal Collector of Dharwar to the Commissioner of the Deccan.

Sir

I HAVE the honour to acknowledge the receipt of your letter, dated 7th July, enclosing, for my information, copy of a circular letter from Government, on the expediency of forbidding, either totally or partially, the sale of persons as slaves, and of effectually putting a stop to kidnapping.

2. I called upon the sub-collector, and the several moamludars of the taloogs under my own immediate charge, for information, and their opinions on the several points noticed in the Government circular, and herewith transmit copy of Mr. Stevenson's answer, and a paper I have drawn up, containing the substance of the answers received from the several moamludars.

3. I also forward copy of a paper of my predecessor's upon the subject of slavery, as collated from answers received from the moonsiffs of Dharwar, Hoobly, and Nowlgoond, which however refers more to what the practice was during the late government than to what it is at present.

4. By the reports from the moamludars, it will appear that the sale of children as slaves, and the kidnapping of children, are exceedingly rare occurrences throughout this collectorate; and that, although there are a few persons who are held in a state of bondage, they may be considered more in the light of hired domestics, than as absolute slaves. These may be formed into three classes; first, those who were deprived of their personal freedom as a penalty for crimes and acts whereby they forfeited their castes, during the late Govern-

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ment; second, those who were born in their masters' houses, or purchased of their parents in times of famine and scarcity; and, thirdly, those who subjected themselves to voluntary slavery for life, or a limited period, in liquidation of debts, &c.

5. There are no returns of the number of these several descriptions of slaves; but from all I can learn from personal inquiry and personal observation, I should not suppose that the aggregate exceeded a few hundred in the Company's part of the Dooab. They are more numerous in the territories of his Highness the Coolapore Raja, and of the Jageerdars, but chiefly confined to the houses of those chieftains and of their departments, under the designation of Scindya Buttakee.

6. My predecessor, whose opinions are entitled to every consideration, seemed to think that slavery, if such it could be called, was exceedingly mild, and that toleration was preferable to imposing restrictions upon the practice; Mr. Stevenson is of the same opinion, and that it does not call for the interference of the Legislature.

7. By the Hindoo and Mahomedan law, as well as the law of the land, domestic slavery is recognised, and we are bound to preserve to our native subjects the observance of their own laws and customs inviolate. I do not see how we could interfere with their right to their slaves, as long as they treat them with humanity. The theft and fraudulent sale of children, the wrongful detention of any person in bondage, and severities to slaves, are indictable offences by the spirit of the general Regulations, and, therefore, would seem to call for no special provisions; and the only cases that would warrant some legislative enactment, relate to the sales of children as slaves for life, which, I think, ought to be denounced as illegal, upon the principle that no parents or guardians can have a legitimate right to impose the yoke of slavery on his children or wards and their descendants in perpetuity. Compensation for their support during childhood might be authorized in the mode provided for in Article 3, Title 12, Regulation I. of 1812.

Dharwar, 30 September 1825.

(signed) *T. H. Baber,*
Principal Collector.

From the Sub-collector of Ranebidnoor to the Political Agent and Principal Collector,
Dharwar.

Sir,

IN compliance with the request conveyed in your letter of the 11th instant, I have the honour to state to you my opinion on the several points to which the Government circular, on the subject of the abolition of slavery, directs my attention; my remarks refer only to the part of the country under my charge. Slavery in the five talooks under my charge is neither a common nor a grievous evil; indeed it is so very mild that I doubt whether it can be called an evil.

Slaves are treated with as much, if not more, indulgence than were formerly the bondsmen of the Jews; they certainly are not, like them, at liberty to go free after seven years' service; but were this the case, I question whether the greater portion would not submit "to have their ears bored through with an awl."

The slaves that are now to be found in this part of the country, were either born in their master's house or bought in their childhood from their parents in years of distress and famine; some few are persons who, being unable to pay fines imposed by former governments as punishments for offences, have been, according to the then existing custom, sold slaves. They are all generally treated with great kindness by their owners, and, in fact, considered as belonging to the household; they are allowed to marry amongst each other, and the expenses of the ceremony are defrayed by the master, to whom all the children that may be born belong.

A master is at liberty to sell his slave, but it is a circumstance that hardly ever takes place; if disputes or other causes render it desirable that the slave shall not reside in the owner's house, he is allowed to live separately; the produce of his labour, however, belongs to his master, who allows him sufficient for his maintenance.

The power of punishment rests with the master, but is not to be exerted to a greater extent than would be used towards one of his own family.

These are the leading features of the state of slavery; and being so mild, it is my opinion that they do not call for the interference of the Legislature.

The only objections to the total abolition of slavery, that strike me, are, 1st, The interference with private property; 2d, The chance of aggravating distress in times of scarcity, by debarring the helpless from the resource of saving their offspring from starvation, by selling them to those who are able and willing to provide for them. The former objection would be in a great measure surmounted by making the new law extend only to the future.

The latter, as it is to be hoped that such distress will be a circumstance of very, very rare occurrence, would not be a sufficient argument against the total abolition of slavery.

Kidnapping is a crime so seldom committed that it is almost unknown. Several castes of jugglers, particularly the Shoodgadshid and the Lumbannees, are the only persons supposed ever to be guilty of the crime, and they generally bring up the child as their own; this is merely report, for I have not heard of a single instance of child theft. I am told that there are persons in Mysore who deal in slaves; but if this is true, they do not then trade to this part of the southern Mahratta country.

Sub-Collector's Office, Ranebidnoor,
29 July 1825.

(signed) *J. A. R. Stevenson.*

ANSWERS to Questions regarding Slaves and Kidnapping from all the Talooqs of the Carnatic Collectorate.

Dharwar :

THERE are not many (Goolam, Bandy) slaves in this taloog; where there are, it is not usual to sell them; they are fed, clothed, and are more servants than slaves.

The Lumbanees travel the country for the purposes of trade: they encamp in the jungles at the frontiers, and sometimes carry off children. To prevent these practices it is only necessary to watch their movements, to hold them responsible for all the robberies committed in the villages during their stay at the frontier, to make them give notice to the village officers when they take their departure from their ground of encampment, and where next going, taking a certificate from the police along with them.

Purrusgush :

Slaves are rarely met with in this taloog. Were the sircar to issue orders prohibiting the sale and purchase of slaves, and to punish all persons who disobey such orders, there would be an end to the traffic. Were Shetsundees placed as guards over the Lumbanees on their arrival, remain in the camp during their stay, and accompany them to the boundaries of the next village, they could not succeed in carrying off children.

Misricotta :

There are slaves, but they are never sold, excepting from necessity; it would be well to make bundobast to prevent sales altogether. When children are missing in villages near which Lumbanees are encamped, they should be required to trace the robbers of children, in failure of which they should be subjected to penalties.

New Hoobly :

There are few slaves, but they are treated like the children of their masters; where the masters are unable, from poverty, to maintain them, they ought to liberate them; but it has been customary from time immemorial to dispose of them in these cases. This practice, however, is not sanctioned by the shasters, nor does it appear equitable, the sircar should therefore enact a regulation to prevent such sales.

When the Lumbanees travel about the country for the purposes of trade, the potel, cool-curnees, zemindars, &c. of the village in the vicinity of which their tandah is about to encamp, should send for the naig of the tandah, muster the number of men and cattle, and give them a rahdaree to that effect; this should be inspected and compared by the villagers of their next place of encampment, and they should be called upon to account for any discrepancies; the naig should be sent to the moamlutdar, who will inquire of the naig the cause of the increase, and if not satisfactorily explained, they should be sent to the huzzor to be dealt with according to law.

Nowlgoond :

The descendants of slaves live with their masters, who maintain them as servants. It is not customary in this part of the country to sell male slaves, though they are not at liberty to quit their service without the consent of their masters. Female slaves live in the same house with their masters; when the master is unable to provide for and maintain, they sell them. Such an occurrence as kidnapping by Lumbanees is unknown here.

Badamy :

During the late Government the sircar servants, but no one else, were authorized to sell slaves to those who were much in want of them. (It is supposed that the moamlutdar refers to the old custom of selling as slaves persons who committed acts whereby they lost their caste.)

Hoongoond :

It is not customary in this taloog to purchase or sell slaves. Zemindars have slaves, who should be prohibited from offering their services to others, nor should their masters be allowed to dispose of them.

Lumbanees travel throughout the country for the purpose of trade, and encamp with their tandahs at the boundaries of the taloog. The moktasur of the tandah should be enjoined to present himself before the moamlutdar of the taloog through which he is about to pass, and report the several descriptions of persons he has, the place from whence he last came, the place to which he is going, &c. and solicit orders to be permitted to encamp his tandah; the moamlutdar should take security from the moktesur that no kidnapping or robberies, &c. will take place by himself or any of his gang during their stay at the encampment. If the potel, coolcurnee, shetsundees, &c. are vigilant during the stay of their tandah, there will be no kidnapping the children and cattle of the village near to which the Lumbanees are about to take up their residence.

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Rhone :

Fathers sold their children, in times of great scarcity, to prevent them from starving; those who purchased during famine, kept the female children for a time, maintained, and then sold them to those who were inclined to purchase them; those who purchased a male and female slave maintained them till they grew to years of discretion, and then married them to each other. The sircar demanded nothing on this account. It will be difficult to put a stop to this custom all at once: it will be sufficient for persons desirous of selling slaves, of either sex, to report their intentions to the sircar servants.

Lumbanees should be directed to report their arrival at and departure from each village, and take documents from the villagers of their last encampment, by which means they will be prevented from committing any crimes.

Dumbull :

A master is not at liberty to sell his slave; he who sells his own fellow-creature commits a great sin, whatever is his caste: still, however, those who are unable to maintain their slaves do sell them. Such persons should be directed to report their circumstances to the sircar, and the causes which induce them to part with their slaves; the sircar will institute an inquiry, and issue the necessary orders.

Orders should be issued, that no person sells his slave without the express sanction of the sircar. If orders are issued, that all persons (the poor excepted) who are in circumstances to maintain their slaves, or in the enjoyment of a certain allowance by service, &c., sell their slaves for the love of money, will be punished according to their offence, bundobust will be made; some slaves who are able to purchase their freedom do so.

The Lumbanees do not occupy any fixed residence, but move about the country, for the purposes of trade. On their arrival, the mokasser should attend the cutcherry, and give a statement of his intended future movements; and they should be put under the surveillance of intelligent peons during their stay. This will effectually prevent kidnapping.

Baugulcote :

Those desirous of disposing of slaves, should not be permitted to do so of their own accord; they should report their intentions to the wuttundars of the villages in which they reside, and through the zelladar to the sircar, when those who have not the means of maintaining should be permitted to sell them: but on no account without the express orders of the sircar.

The potels and coolcurnees should station ruckwallees at the villages in which the Lumbanees or Brinjarees may encamp.

Padshapoor :

It is not customary to sell slaves; but if they grow insolent, and refuse to obey their masters' orders, the sircar should punish them. People in circumstances to maintain slaves do not sell them on any account; those in ordinary circumstances sometimes keep slaves, and when they find that they are not able to support them, should obtain the sircar's permission to dispose of them. When female slaves manifest an inclination to quit one, and take another master, or refuse to do the business of the house, the ornaments given them by their masters are taken back from them, and then they are set at liberty; or if they are able to purchase their ransom, the master grants it. This was the custom of the late Government. Orders should therefore be issued, that no slaves should be disposed of without the orders of the sircar, and that mamool should be conformed to.

The Lumbanees should report their arrival, their intended place of residence, &c., at the syer cutta of the village they enter; take a rahdaree from them on their departure, and do the same at all the stages through which they pass. The mokhtasur of the Brinjarees, carrying grain for the Company (denominated chowdries), should give security that their tandah will not commit kidnap, &c.

Kittoor :

It is not customary in this taloog to sell slaves; and even when any poor people, unable to maintain, wish to dispose of their children, intended purchasers are very reluctant to purchase them. It is said, that the custom of selling and buying children was very prevalent in times of great scarcity; but in order to put an effectual stop to this practice, orders should be issued to prevent persons from purchasing under any circumstances.

A large party of Lumbanees, with their tandahs, &c., came to this place *en route* to Goa, from the southward, for the purposes of trade. On these occasions, highway and simple robbery used to be very prevalent in the vicinity of their encampment; and they have even been known to carry off the children employed in tending the cattle at the jungles, as well as the cattle they found grazing, which they would drive to and dispose of at another village. During the time of the late deshah, these people used to be apprehended and confined at Kittoor. The practice still continues in a trifling degree. It would be advisable, therefore, to station either police peons, or order the potel, coolkurnee, zilladar, &c., to take an account, on the arrival of a tandah, of the number of cattle and souls it contains; a yad to be sent on to the place of their next intended encampment, or the mokhtasur of the tandah should give security that no robberies, &c., will take place during the halt of the tandah. Or if they are

are joined on the road by either men or cattle, they should have vouchers from the villagers, cutwal and zilladar of this increase, and be permitted to pass on. The people of the village where they make their next encampment should compare their kadarees with their numbers, and permit them to pass.

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Beede :

Persons unable to defray the expenses of their marriages, &c., engage to serve in the labours of a certain person's fields for 5 or 10 years; their master then marries them, and they live in conformity to the terms of their contract. Should they wish to quit before the expiration of the time agreed for, the value of their services, &c., is deducted from the marriage expenses, and the master takes the balance; these people, however, cannot be considered as slaves. If any one person, unable to maintain himself, engages by a written agreement to serve another person, himself and all his generation, as the case may be, the master marries them; their children are likewise considered as their master's property, and serve as slaves; some of them, after they have been married, quit their masters. Bundobust should be made to prevent this practice, as well as masters selling their slaves. Some poor people sell their children as slaves; if males, they are employed in the fields; if females, as female slaves: as their children become slaves, their masters sometimes sell them to others. Orders should be issued by the sircar to prevent this custom hereafter.

Shetsundees, ashams, &c., should hereafter be stationed over the tandahs of Lumbanees, and directed to accompany them to the next encampment; after this, if robberies still take place, the ruckwallas should be held responsible.

(signed) T. H. Baber, P. C.

SLAVERY.

REPLIES forwarded by the Moonsiffs at *Dharwar, Hoobley and Noulgoond.*

Queries.—1. Of what castes were the primitive slaves of India; and in how many do they now appear?

1. Famine and poverty often oblige persons of every caste to sell both themselves and their families (Hoobley). Every caste, the Brahmin only excepted, is occasionally enslaved (Dharwar). Slaves are of every caste, except the Brahmin and Vaish; but Mhars, Mhangs, Bhurds, Chumbar, &c., who cannot be employed, on account of the lowness of their caste, within the house, and who therefore superintend the stable, &c., of their masters, are not denominated, though they really are, slaves (Noulgoond).

2. How many of the following persons are liable by the custom of the country to be made slaves, prostitutes, prisoners of war, criminals, insolvent debtors, persons sold by their relations in years of famine, or who, at those periods, on condition of being supported, voluntarily become slaves; and of these, how many are the slaves of Government, how many of individuals, and what is the duty of each?

2. Fornicators of both sexes, when convicted, are liable to be punished; but not by condemnation to slavery (Hoobley). Women convicted in a court of justice of the crime of fornication, are sentenced to be made sircar slaves (Dharwar). Prisoners of war are but very seldom enslaved; excepting women convicted of murder, no criminals are doomed to slavery.

Debtors often voluntarily discharge their debts by servitude to their creditors.

Slaves are employed in any manner their owners think fit; their occupation is seldom, however, such as to alienate them from their caste.

Prostitutes, prisoners of war, and criminals alone, are Government slaves.

3. Under what particular circumstances did prostitutes under the Native Governments become slaves; is it a practice sanctioned by mamool, or considered characteristic of a tyrannical government?

3. The condemnation of prostitutes to slavery not being sanctioned by the shasters, may be considered characteristic of a tyrannical government.

4. Was any distinction made between prisoners of war, who voluntarily yielded, and those who were forcibly taken; if so, mention it?

4. It was not usual to enslave prisoners of war; but, when done, there does not appear to have been any distinction made between those who yielded and those who were taken, but both were treated as all other slaves were; it was not customary, however, to carry prisoners of war off the field of battle, where they were generally, for a slight ransom, liberated.

5. Is the conqueror obliged to take ransom, when offered, for prisoners of war who would become slaves?

5. It is discretionary with the conqueror either to accept the proffered ransom for, or to enslave, his prisoners of war.

6. Is the posterity of criminals, of any description, born to slavery?

6. The posterity of criminals have never been enslaved.

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7. Do not debtors occasionally become the slaves of their creditors; if so, what power have the latter over the former in regard to punishment for negligence, refusal to accept the ransom, &c.? Is the posterity of such debtors, in any case, enslaved; and how are circumstances altered if the debtor be a female?

7. Insolvent debtors occasionally discharge the obligation by service to their creditors. In Canara, and the district of Nugpoor in Mysore, it is customary to enslave both the debtors and their posterity, when natives; but such is not the case in this part of the country, the heirs of debtors here being only considered responsible for, and bound to discharge, the amount due. It is discretionary with the creditor, when a person has offered to discharge a debt by service, either to accept or refuse ransom for his debtor, whom he is allowed to treat, under such circumstances, as he would a slave of any other description.

8. What persons are allowed to sell their relations for slaves in years of famine?

8. Parents, in days of famine, may sell their children, male and female; but no person, according to the custom of the country, is justified in selling any relation but his own child; and any one, in doing so, renders himself liable to be punished (Noulgoond).

It is now legal, even during the raging of a famine, to sell any relation whatever (Dharwar and Hoobley).

9. If a person sell another, whom, according to mamool, he has no right to sell, how is he punished; is the person sold obliged to serve; or does the person who bought him grant him freedom, and recover his price from the seller?

9. A person so sold is immediately emancipated, and the seller punished, and made to refund the value received.

10. If the seller has not the power of ransoming the person he has fraudently sold, how are the slave and his purchaser to receive redress?

10. Under such circumstances the seller must himself become the slave (Hoobley).

The seller, if unable to ransom the person he has fraudently sold, must, by service to the buyer, recompense him for money paid for a slave, whom it is necessary to emancipate (Dharwar and Noulgoond).

11. Is a person who purchased a slave during a famine obliged to receive a ransom for him, whenever and by whomsoever it may be offered; and may a person so sold ransom himself, if he happen to have the means of doing so?

11. A slave owner may, if he thinks proper, decline accepting ransom for a person purchased during a famine, whether tendered by a third person or by the slave himself.

12. To what slaves is the privilege of ransom confined; when a person is ransomed, is his posterity, who would otherwise have been slaves, declared free?

12. Insolvent debtors, who have voluntarily become slaves, should be emancipated whenever the amount of their debt may be forthcoming; for all other slaves it is discretionary with their owners either to accept or refuse ransom (Hoobley).

A slave owner, contrary to his inclination, need not accept ransom for a slave of any description; in accepting a ransom for a slave, a person emancipates the slave's children also (Noulgoond).

It is customary to accept ransom for persons enslaved on account of insolvency or distress caused by famine (Dharwar).

13. Of what slaves is the posterity slaves?

13. Foundlings of female slaves, of persons purchased, and of those who gratuitously yield their freedom.

14. May a slave, whose children are free, obtain his own freedom by giving his son or any other relation to his owner?

14. If the owner consent to the arrangement, a slave whose posterity is free may enslave one of his children, and thereby emancipate himself.

15. If a slave escape, after an absence of how many years is he free?

15. Absence, however long, does not alter the relative condition of master and slave; a slave, however, who is not found until after the death of his master, is not the slave of his heir.

16. If a slave inherit property, does the whole, or any part of it, belong to his master?

16. The owner of a slave is also the owner of all that the slave may become possessed of; but if such property be the produce of murder, theft, or other crime, in the perpetration of which that owner was not an accomplice, he does not become responsible for the offence, though he alone has reaped the benefit of it (Dharwar and Noulgoond).

A slave has a right to enjoy, during his life, the property which may be bequeathed to him, or of which he may, in any other manner, become possessed; but at his death the whole becomes the property of his master (Hoobley).

17. When a slave dies with or without relations, to whom does his property fall?

17. Upon the death of a slave, his master becomes the owner of all his property, whether the slave has relations or not.

18. Can a master emancipate his slave at any time during his (the master's) life, and also by will; and, in both instances, is the posterity of the slave also free?

18. A slave owner may emancipate his slaves at any time; when such is done in conformity

mity to the owner's wish, expressed in his will, the slave and all his family are thereby rendered wholly independent of the heir of their owner.

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19. Has the Government, or any other public authority, power to manumit private slaves ; if so, on what occasions ?

19. Manumission of private slaves by the sircar, in opposition to the wish of the owners, would be an arbitrary act.

20. Is the posterity of a slave born to a condition exactly similar to his own ; if not, what is the difference ?

N. B.—The three moonsiffs have answered this question differently ; it will be returned to be properly answered.

21. May owners sell their slaves at any time ?

21. Yes.

22. Do slaves ever serve as soldiers ?

22. Monarchs have occasionally allowed their slaves to act as soldiers in the service of a foreign prince (Hoobley). When slaves are competent to the duty, they are enlisted as soldiers (Dharwar and Noulgoond).

23. Can slaves buy slaves, and profit by their labour ; if so, how much of this profit goes to their owner ?

23. Slaves are not allowed to own slaves ; if, however, they should happen to have any, the profits of their labour is the property of the person whose slave is the owner of a slave.

24. Are owners responsible for the debts of their slaves, or for their conduct as members of society ?

24. Slave owners are only responsible for the debts of slaves deceased without heirs ; slaves are responsible for the crimes they may commit ; but their owners are so for slight breaches of the peace, in which they (the slaves) may be concerned.

25. What is the difference between the condition of a female and that of a male slave ? Are slaves treated more humanely now than they were under the native governments, or *vice versa* ?

25. The female children of slaves are given in marriage, and their lot is, therefore, preferable to that of male children, who are similarly situated to their parents. The condition of the male children also of this female slave given in marriage is better than that of the descendants of slaves whose mothers were not so much favoured.

Under the native governments, both male and female slaves were treated harshly by the owners ; but as the present Government inquires into the complaints of slaves against their masters, they, rather than submit to the indignity of attending in court to answer for cruelty to their slaves, are willing to treat them with less severity than formerly.

26. Complaints, of what nature, made by slaves against their masters, should be received in a court of justice ?

26. If a slave cannot complain of deficiency of food and raiment, or that his owner has not enabled him to marry, his protestations against cruelty in other respects, such as a severe punishment inflicted on him by his master for disobedience, should not be listened to.

27. May a master kill a slave too old, or from other causes rendered unfit for work ; if not, under what circumstances may a master refuse to support his slave ? What punishment may a master inflict upon his slave ?

27. The owner is bound to support in age the slave who toiled for him in youth. If a slave evinces a disposition to insubordination, a master may refuse him, until he shall be more inclined to obedience, his accustomed food, or may punish him in any other necessary manner.

A master may not take away the life of his slave.

28. If a free woman marry a slave, does she and her posterity become slaves ; if so, whose ?

28. Neither the woman nor her children are enslaved. It is not usual, however, for a free woman to marry a slave, as she thereby loses her caste.

29. Are children of a bond woman by a free man the slaves of their mother's owner, whether born in wedlock or illegitimate ?

29. They are.

30. Is the offspring from a meretricious union between a bond man and a free woman free ?

30. Yes.

31. Are the children of a kept mistress the slaves of their mother's keeper ?

31. They are not ; they generally act as servants in their father's house.

32. Are any slaves attached to the soil ; if so, do they adhere to the spot which their fathers cultivated whether its owners change or not ?

32. Slaves attached to, and who superintend wuttun land, are stationary, though the owners of the wuttuns may not be so ; but the slaves of sircar ryots accompany their masters whenever and wherever they emigrate.

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(Documents.)**

33. Are not foundlings sometimes made slaves ; if so, of their finders, or of the Government ?
33. Foundlings are appropriated as servants by those who find them ; they are not degraded as slaves are, but are treated properly, and act as domestics of a higher or a lower degree, according to their competency.
34. After how long a period does a parent or other relation successfully claim a child which, as a foundling, had become a slave ?
34. A foundling should be restored to its parents whenever they may claim it, and can prove, to the satisfaction of the person into whose possession the child has fallen, that it is their offspring. The possessor of the child, however tender, under those circumstances, would be justified in demanding from the parents a reasonable recompense for having supported, and perhaps discharged the marriage expenses of his foundling to other than the parents. Also, it is discretionary with the possessor of the child to refuse, or to consent to deliver it ; and even to them he may decline to cede it without a reasonable compensation.
35. Would a slave receive his liberty for saving his master's life, or performing any other great service ; and would his freedom involve that of his family also ?
35. If a master think it fit to manumit a slave on account of faithful services, he, in doing so, bestows liberty upon the family also of the slave.
36. Is a person selling his own liberty regarded exactly as any other slave ; if not, mention the distinction ?
36. A person who voluntarily becomes a bondsman is treated more as an adopted son than a slave, and is considered a respectable member of society, which the latter is not.
37. Can a person of superior caste become the slave of an inferior ?
37. Famine or poverty may oblige a person of any caste to sell his freedom for food and clothing to any one willing and able to purchase it, whether a member of a higher or lower caste than himself ; but such misfortunes alone can cause so great a deviation from the general order of society.
38. Does a female, bearing a child to her master, in any case become free with her child ?
38. If the slave-owner acknowledge the child of the female slave his own, the mother with her offspring becomes free. There is not much slavery in this part of the country. During the Mussulmans supremacy there were many Siddees slaves in India, and at present slaves of all descriptions abound at Constantinople, in Arabia, in Turkey, in Persia, and in Portugal, but such is not the case in Hindoostan, or in the Deccan (Hoobley Moonsiff).

(True translation.)

(signed) *J. Warden.*

(True copy.)

(signed) *T. H. Baber, P. C.*

No. 4.

S L A V E R Y.

1. **SLAVERY** is not very common in this country, and its nature is very mild. Slaves may be mancipated.
2. Slavery was very uncommon formerly ; it increased under the Peshwa's administration.
 1. A woman committing theft or fornication was sometimes made a slave, when she became a servant of the state, and was sometimes sold.
 2. During famines people sometimes sold their female children, who became slaves ; this practice is very prevalent to the northward of Meritch. Slaves could not leave their master without his consent ; the master could dispose of his slave to another ; he was obliged to feed and clothe any children he had by her, and also to perform their marriage ceremonies. The son of the slave girl acted as a domestic servant, and the daughter, if not married, became a slave or prostitute. The son was heir to the mother, and in failure of a son the master of the deceased inherited the property, with the exception of that part of it which she had acquired by prostitution, which she was at liberty to bequeath to her daughter. The master was allowed to beat his slave, and her son, if they did not conduct themselves with propriety, but was fined heavily if death ensued from his maltreatment.
 3. The usage as regarded slaves was common to native and foreign slaves serving in this country.
 4. The Government never interfered. The parties might make what arrangements they pleased in communication with the heads of castes.
 5. A child, after being sold, and partaking of food from a purchaser of a lower caste than the seller, could not be redeemed. It has happened that Joolahees (who usually suffer most in times of scarcity) have re-purchased their child after being sold for five or six years. After marriage the child sold could not be restored to the caste in which it was born.
 6. Slavery is recognized by the Hindoo and Mussulman laws, and by the customs of the country.
 7. The toleration of it saves many lives during famine, and does not appear to shake the affection of parents, or to encourage oppression. Bondsmen here are rather hereditary servants

vants than slaves, and I doubt whether they would feel grateful for a law which shall emancipate them.

8. By restrictions on slavery, we raise its price, and with it, the price of life in a famine; and if Government should abolish it, they should provide a fund for starving children.

9. Slaves are very seldom imported; most of the few who are in the Dooab were either born slaves, or sold as such during famine.

(signed) *J. Thackery,
T. H. Baber, P. C.*

**E. I. Company and
Board of Control.**
(Documents.)

From the Register to the Sudder Adawlut to Secretary to Government.

No. 15.

Sir,

I AM directed by the Sudder Adawlut to acknowledge the receipt of your letter, dated the 30th June last, requesting the opinion of the Court on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this presidency, with its suggestions as to the most effectual means of detecting the breach of such rules as may be enacted. The Sudder Adawlut is also called upon to point out any abuses that specially require correction, and particular attention is desired to the best means of putting a stop to kidnapping children by Brinjarees and others; the Court's opinion being likewise requested regarding the punishment proper to be annexed to the different offences arising from the proposed rules.

2. It would appear that on a reference being made to the late Sudder Adawlut, in the year 1816, on the subject of slaves and domestic slavery, that Court, deeming the matter of great importance, laid the question before the Governor in Council, whence it was submitted for the advice and instructions of the Supreme Government.

3. In Mr. Secretary Adams' letter, dated 24th September 1817, from Cawnpore, the Governor-General observed, on transmitting extract of the resolutions of the Vice President in Council in the Judicial Department, "These resolutions have been framed after the maturest deliberation, in communication with legal authorities at the presidency." The subject was fully discussed by the Governor-General with his colleagues in the Government, before his departure from Fort William, and the resolutions, as now framed, have received his Lordship's entire concurrence. The Governor in Council of Bombay accordingly requested to make them the rule for his proceeding in the cases to which they apply. His Lordship further remarked that, with reference to the extent to which domestic slavery exists in India under the established laws and usages of the Hindoos and Mahomedans, and to the known habits and feelings of the people relative to that point, it is desirable that the greatest care should be observed to guard against the prevalence of an impression among the natives, that any general or direct interference in the existing relation of master and slaves is contemplated by Government; any impression of that nature might be expected to excite feelings of alarm and dissatisfaction; and on this ground the Right honourable the Governor in Council of Bombay will feel the importance of avoiding, as far as may be practicable, the official revival and discussion, after the deliberate consideration it has undergone, in communication with the legal authorities at Fort William.

4. The Sudder Adawlut is not aware of any defect in the existing laws of the Hindoos or Mahomedans for the punishment of kidnapping either children or adults; both visit the offence severely, and under them a sentence of transportation for 14 years might be awarded. Whether the crime be of common or rare occurrence within our provinces, the court has no other means of ascertaining than by returns of the criminal judges and zillah magistrates, and the reports of the judges on circuit; and as it is not particularly noticed in these papers, it may be concluded that if the offence of kidnapping be more frequently committed than the records of our courts show, the want of attention to it lies either in the negligence of the police or in the incapability or unwillingness of the suffering party to complain publicly; but not in the deficiency of the law to redress and punish such a wrong, when brought under its cognizance. The manumission or enfranchising of slaves is equally provided for by both codes, but the Court is not as yet acquainted with any abuses which they could not correct.

5. Still the Sudder Adawlut is not prepared to say that some amendment of the existing laws of the Hindoos and Mahomedans relating to slaves and slavery may not be expedient; but at present the Court is entirely without information upon which it could venture to ground an opinion on a subject so delicate. The instructions from Bengal do not preclude the examination of the question, for they expressly declare that the powers vested by law, in the Governments of the several presidencies in India, will enable them to frame such legislative enactments as may from time to time be found necessary, with a view to the correction of any abuses which may be found to prevail in the existing system of domestic slavery; the Court would therefore respectfully request to be furnished with any information on the subject of the domestic slavery of India, or detailed view of the question which may be in the possession of the Government, and upon which the honourable the Governor in Council would recommend the consideration of the expediency of abrogating or altering the existing laws and usages governing the relation of master and slave.

(signed) *E. Grant,
Register.*

Surat Sudder Adawlut,
10 August 1825.

E. I. Company and
Board of Control.
(Documents.)

No. 16.

From the Register to the Sudder Adawlut to the Acting Secretary to Government.

Sir,

IN continuation of the subject of my letter, dated the 10th instant, I am instructed by the Sudder Adawlut to inform you, that the Court having discovered since the transmission of that letter, that the question of slavery is treated at considerable length by Mr. Harrington, in a note commencing at page 68 of the revised edition of his Analysis, in which that gentleman states his having, in the month of November 1818, prepared the draft of a regulation for the guidance of the courts of judicature in cases of slavery, but that his return to England in the month of January following, before the regulation proposed by him had received the consideration of the other judges of the court, prevented his knowing the result, either of the deliberation of the Nizamut Adawlut or of the determination of the Governor-General in Council, on this interesting and important subject. The Sudder Adawlut think it probable that the matter has undergone further deliberation before the Supreme Government subsequent to the resolutions of September 1817, and would beg to suggest to the honourable the Governor in Council, whether it may be expedient to make a reference to Bengal on the subject, by which it may be likewise ascertained whether any and what measures have flowed from the recommendation of Mr. Harrington, or of any other person, towards reforming or ameliorating the existing systems of slavery under the laws of the Hindoos and Moosulmans.

(signed) *E. Grant*, Register.

Surat Sudder Adawlut,
20 August 1825.

No. 17.

From the Committee for Revising Regulations, to Secretary to Government.

Sir,

IN reply to your letter, dated the 30th June 1825, respecting slaves and kidnapping, we have the honour to submit the following consideration.

2. We take it for granted, in the first place, that the first paragraph of your letter does not relate to the importation of slaves from countries beyond the limits of India, because that has been already expressly prohibited by Act of Parliament.

3. With regard to domestic slavery, as it prevails in India, we see no reason to differ from the general opinion expressed by those who have written on the subject, that it is so leniently conducted as to weaken infinitely the objections arising from the principle; yet these objections cannot be totally set aside, and the less so, as among them is the revolting subjection of females to sexual purposes; and it happens, unfortunately, that the employment of female slaves, whether as servants only, or as concubines, is the point on which the domestic comforts, as well as the most delicate feelings of the most respectable and influential natives, would be wounded by interference; while we cannot say that morality (at least, native morality) is prejudiced by the present practice, nor that it would be improved by altering it. Under these circumstances, we would not recommend an immediate abolition, but a gradual reform, which we think may be commenced by the enactments hereafter detailed.

4. Thus far we are agreed, but we differ as to the precise measure to be adopted. Our president suggests the following:

Owners of slaves should be permitted no other means of punishment than may be used towards hired servants.

On an appeal made by a slave, the magistrate should be authorized to decide on the propriety of employing him in any particular sort of labour, as well as on the extent of it; and sexual intercourse should in no case be within the province of the master to require.

The magistrate should have authority to assign a sufficient maintenance in respect to food, clothing, and lodging.

And the magistrate should be authorized to declare a slave enfranchised, if the owner neglect to conform to a decision made by competent authority on the above points.

5. Mr. Morris thinks that it is not worth while legislating on the subject of slavery, as it exists in India, except with the view of effecting its certain abolition at no very distant date. The rights of slaves in the Bombay territories, with the exception of females, he considers to be at present such as the president proposes as above to declare them, and viewing the question generally, the amendment required is, he thinks, the abolition of slavery, and not improvements in the condition of slaves. It seems also to him, that the measure may be carried into effect without creating discontent, under the following enactments:

All persons born in the Bombay territories after the 1st January 1826 to be free.

All slaves brought into the Bombay territories after the 1st January 1826 to be free, after one year's continued residence in the said territories.

6. Lest, on describing the subject of kidnapping, we should mislead Government, by drawing conclusions from insufficient information, we begin by submitting a statement of what we suppose to be the existing nature and extent of that offence.

In Guzerat, men, women and children are sometimes carried into captivity, in order to enforce demands alleged by grassias and similar claimants. The instances are rare, but when they do occur the captives are subject to considerable suffering, from the long marches they are obliged to make to a great distance, and from being detained for long periods in wild

wild districts, which afford no accommodation and the most scanty supplies, besides the fear of violence extending even to death, though we do not hear of any actual violence being inflicted, unless in the very rare case of the captive being personally, and highly obnoxious to the culprits, insomuch that the captivity is not to be considered as leading to the violence, but rather as a delay of it, with a view to procure some more satisfactory revenge in the interim.

In the North Concan (or rather in a part only of it), it is common for robbers, who have not been able to discover property which they know to belong to a particular person, to carry him off, or some of his friends, in order to extort a ransom. They are not removed to a great distance, nor confined for a long period, nor treated harshly, except that a few instances occur of the demand being enforced by what may probably enough have been termed, in official reports, cutting off noses and ears. The cases, however, which have been seen by our President, in his judicial tours, amounted only to slitting a part of those features, deeply enough, indeed, to leave an indelible and unsightly mark.

Individuals who wish to adopt children, and are so situated as not to find suitable subjects whose parents consent, sometimes supply themselves by theft.

Classes whose customs forbid marriage, keep up the race by procuring children, with the consent of the parents if they can, otherwise by theft.

The kidnapping committed by wandering tribes we believe to come within the above definition of individuals wishing to adopt children, though, from the difficulty of rearing infants in their situation, they may be in want of a supply more frequently than others.

Kidnapping children who are heirs to large property is sometimes practised, in order to secure the succession to another line or person, when fear or feeling suggests it, in preference to removing them by fatal means, in which cases the children are subjected to no other evil than quitting an affluent for an obscure station.

7. By the revised code, detaining any person in confinement, or detaining any person not of mental discretion, from the custody of his guardians, is punishable to the extent of five years' imprisonment, with fine, limited by being commutable to imprisonment within the said period, and flogging to the extent of 100 stripes; besides that the perpetrator is separately liable to punishment for any outrage or assault connected therewith. This appears to us to be all that is requisite. As a final provision, the prevention of the offences, or bringing the offenders to punishment, must depend chiefly on the vigilance and activity of the police. Magistrates must always attend promptly to complaints of this nature; and, in proportion as the offence appears to be of frequent occurrence in their respective jurisdictions, must scrutinize suspicious cases with strictness; and, if it be found necessary, rewards may be offered for the discovery of offenders of this kind, upon their conviction. It is not, we confess, our impression that any unusual or particular precautions are necessary upon the occasion.

(signed) *J. Barnard,*
C. Norris,

President and Member of the Committee
for revising the Regulations.

Bombay, Office of the Committee,
13 July 1825.

From the Collector in the Southern Concan to the Secretary to Government.

No. 18.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, dated the 30th June last, desiring my opinion on the expedience of either totally or partially forbidding the sale of slaves in the territories under this Presidency.

I request you will inform the Honourable the Governor in Council, in reply, that it is generally understood in this collectorate that the importation and sale of slaves is at present prohibited, and in consequence no slaves are imported or sold openly.

This impression has arisen from the Government proclamation, dated 25th February 1822, referring to former advertisements, which prohibited the traffic in slaves, and pointing out the penalties which will be incurred by a breach of the provisions of Regulation I. of 1813.

Under these circumstances, I conceive there would be no objection to enacting more strict rules on the subject; and the most effectual way of preventing their evasion would probably be, to cause a registry to be made of all slaves at present in the collectorate, declaring those free who are not registered within a given time. It would also assist detections, if part of any fine imposed for a breach of the rules might be awarded to the informer.

The number of persons who are called slaves in this zillah is about 13,000, but of these the far greater part have obtained their freedom, and possess houses and property of their own; the number of actual slaves does not probably exceed 2,000; they are in general, I believe, well treated, and I am not aware of any particular abuse that requires correction.

The crime of kidnapping children is very uncommon in this part of the country, and no enactment on the subject at present appears necessary.

Rutnagury, Collector's Office,
18 November 1825.

(signed) *G. More,* Collector.

E. I. Company and
Board of Control.
(Documents.)

From the Judge in the Northern Concan to the Secretary to Government.

Sir,

No. 19.

I HAVE the honour of acknowledging the receipt of your communication of the 30th June last, calling for my opinion on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this presidency, and to suggest the most effectual means of detecting the breach of such rules as may be enacted, and to point out any abuses that specially require correction, as well as the best means of effectually putting a stop to kidnapping children by Brinjarees or others.

To enter into a minute detail of the various arguments connected with the subject now under discussion is not, I apprehend, the intention of the honourable Board; indeed, my ordinary duties at present occupy too much of my attention to admit of my doing so; I shall therefore briefly state my opinion, after having given the subject due consideration.

The abolition of the slave trade, as well as the amelioration of that description of persons, are subjects which have engrossed the attention and consideration of some of the ablest men at home, who have advocated the cause both on the score of humanity and expediency; but the Government of Great Britain, whether from seeing the subject in a different point of view, or from policy, have allowed domestic or rather internal slavery to exist to a certain extent, notwithstanding all that has been urged against its continuance, and not thought proper to comply with the clamour that has been made for general manumission.

The importation and sale of slaves from foreign territory in this and every other country under the British Government is already most properly put a stop to, and most strictly forbid in our own code of Regulations; but I consider the cruelty and misery of such an inhuman traffic as the system of slavery which exists among the natives in our own jurisdiction, or I should rather say, in that part of our territory which has fallen under my observation, and that with certain restrictions which would neither excite feelings of alarm or dissatisfaction, the latter may be allowed to exist, whilst it would be inhuman and unworthy of an enlightened government that the former should.

The sale or transfer of free-born subjects, in my opinion, in the Honourable Company's territories, should from henceforth be disallowed and discontinued; but I am far from thinking that the right which proprietors now possess over their slaves should be taken away, though it might, with advantage, be interfered with; on the contrary, I think that their right should remain the same, even to the remotest generation; but that a most effectual stop should be placed against a further purchase, sale, or transfer of new ones; that a fresh enactment might be passed, the breach of which would be attended with much more serious consequences than the one now in existence; and to secure those already in slavery from being ill-treated, that those now possessing slaves should be deprived of the power of disposing of them to persons residing out of the Honourable Company's jurisdiction.

When I thus suggest what appears to me means likely to ameliorate the condition of slaves without doing away slavery altogether, I beg leave to state, that my opinion is not formed from any impression that the slaves among the Hindoos and Mahomedans in this country are ill-treated (many of whom, in the first instance, are taken from motives of charity); on the contrary, it appears to me that those who do possess slaves, though there may be solitary instances to the contrary, generally treat them well; and that among the respectable inhabitants, and the landholders in particular, their wants are fully as well supplied, and their different ceremonies attended to, in the same manner as free subjects following the same occupations; but where slavery is not absolutely necessary, it is desirable it should be reduced to as narrow limits as possible, and in this country, so well populated, and where free labour for every purpose is procurable, though it could not be altogether abolished whilst the present generations exist, still it should be restricted as much as practicable.

I feel quite at a loss what to propose as the most effectual means of preventing the sale and purchase of slaves, as well as what to suggest as most likely not to be evaded; but whatever determination the Honourable the Governor in Council may come to, and whatever regulation may be passed in consequence, I should recommend that its contents be very generally circulated, and that the patell of every village should be made acquainted with the nature of them, so that bondsmen and freemen would know exactly how to act, and ignorance could never be urged as an excuse for the breach of them.

On the best means of putting a stop to the kidnapping of children I shall not occupy the time and attention of the honourable Board; it is a subject to which I am perfectly a stranger, the offence, and its extent, never having come within my personal observation, and I therefore trust to be excused for not offering an opinion upon it.

North Concan, Court of Adawlut,
21 November 1825.

(signed) *E. N. Baillie*, Judge.

No. 20.

From the Judge in the Southern Concan to the Secretary to Government.

Sir,

I HAVE the honour to acknowledge the receipt of yours of the 21st instant, calling for my opinion as to the expediency of forbidding the sale of slaves in the territories under this presidency.

2. The

2. The present relation between master and slave within the precincts above stated being acknowledged both by the Mahomedan and Hindoo code, and the system having been recognized by the state, laws and regulations having been framed for its governance, I think that it would not be expedient to interfere in the control of domestic slavery as it now exists.

E. I. Company and
Board of Control.
(Documents.)

3. The policy of Government hitherto appears to have been carefully to avoid all interferences between the parties now under consideration, both out of respect to the known habits and feelings of the people on this point, and to a wish to avoid creating alarm and dissatisfaction, a course, the continuance of which appears to me desirable.

4. Domestic slavery in this country being also formally recognized, the master would appear in fact to have the same right in his slave that he has in any other property he may be possessed of, and it never for a moment can be admitted that Government could interfere to prevent him selling his house or land.

5. Independent, however, of any law on the subject, the practice of parting with domestic slaves is, I believe, generally looked upon amongst our subjects with disrepute, great tenderness, on the contrary, being frequently observed towards them, so that often they are treated rather as humble friends and confidants than as mere servile dependents. As the system is therefore one seldom abused, or the sale indeed of slaves resorted to, I would, for the reasons which have so long weighed with Government, refrain from irritating or alarming the people by passing a positive law on the subject, more especially as the enactments now existing already operate, there is reason to believe, in furtherance of a prohibition thereof.

Adawlut, Southern Concan,
29 November 1825.

(signed) *J. D. Devitre*,
Judge.

From the Acting Criminal Judge at Ahmedabad to the Secretary to Government.

No. 21.

Sir,

I do myself the honour to acknowledge the receipt of your letter of the 30th June last, calling upon me for my opinion as to the expediency of abolishing, either totally or in part, the sale of slaves throughout the territories under this presidency.

I beg most respectfully to state in reply, that after having instituted every inquiry in my power, and giving the subject every consideration, that, in my opinion, there exist no valid objections, at least in this part of the country, to the practice being entirely abolished. Since the introduction of the British authority in this zillah, the sale of slaves has diminished in a very astonishing degree, and has wholly ceased to be carried on in the open and public way it was under the former governments. This diminution, I am led to believe, has arisen in a great measure from the idea which prevails among a great proportion of the people that the practice is even now prohibited. This idea has, from what I can learn, been studiously propagated and kept alive by the higher and respectable class of the Hindoos, to whom, I am persuaded, the total abolition of the practice would be very acceptable. One of their chief objections to the practice, and which most forcibly tends to make them wish for its abolition, is, that by it a great number of Hindoo children of all castes are sold as slaves to Mahomedans, and consequently are brought up in the Mahomedan faith. I do not apprehend that the Mahomedans, amongst whom the practice is most prevalent, would offer any great objections to it being abolished; and even if they did, I humbly venture to think they would not be deserving of any great consideration, since almost all the children sold as slaves are born of Hindoo parents; and considering also the small proportion the Mahomedans bear to the Hindoos, who, I have observed before, are in favour of the abolition.

With reference to the second paragraph of your letter, requesting me to state any abuse which I considered to call most for correction, I beg most respectfully to bring to the notice of the Honourable the Governor in Council (should it not be considered advisable to abolish the practice entirely) an abuse which I humbly conceive calls more loudly for correction than any other which the practice is liable, I allude to the sale of female children for the purposes of prostitution. The persons who procure them for this purpose are generally not very scrupulous as to the means by which they are obtained, and, I conceive, hold out the greatest inducement to people to kidnap children; almost all the children indeed so obtained are purchased by them.

I am happy to state that cases of children being kidnapped but seldom occur in this zillah. On looking over the criminal records of this office I find but three offences of the kind during the last year. The people concerned were coolies, and were all severely punished. Of late no children, as far as I have been able to learn, have been kidnapped, or even offered for sale here by Brinjarees. The heavy punishments invariably awarded by the Adawlut for the crime of kidnapping have no doubt materially tended to put a stop to the practice.

Ahmedabad, Court of Adawlut,
30 November 1825.

(signed) *J. Vibart*,
Acting Criminal Judge.

E. I. Company and
Board of Control.
(Documents.)

SUMMARY BY THE SECRETARY.

No. 22.

SUMMARY of Proceedings on the Sale of Slaves.

IN June last the Honourable President delivered in a Minute, subscribed by Mr. Warden, as follows:

The President observed, that in an old report of Sir C. Metcalfe's, on the territory under Delhi, he had succeeded, without opposition, in putting a stop to the sale of slaves; and he was led, by the success of this experiment, to think that the obstacles to abolition under this Presidency were over-rated.

The replies to the interrogations formerly circulated by the Commissioner in the Deccan, the President remarked, were rather unfavourable, but were directed rather against the emancipation of persons already in servitude, than against the prohibition of the sale of slaves. Some precautions were taken at that time to prevent the sale of children, and a prohibition before existed against the importation or exportation of slaves.

The President expressed himself inclined to propose the entire prohibition to the sale of slaves, but first proposed a call on the judicial and revenue officers in the usual manner. Should entire abolition be found impracticable, the following modification, in the opinion of the President, might be adopted:

1. The transfer of grown-up slaves allowed; the sale of children entirely forbidden.
2. The transfer of children to be allowed during famine; a certain number of years being allowed the parents to redeem them.
3. The sale of women for common prostitution in all cases prohibited. The naikins, or women who keep such slaves, to be allowed to sell them, it being penal in the purchasers either to sell or expose them again to prostitution.

The first modification is intended to remove any objections to the interfering with what is now a marketable property, and also to meet the remark in the Deccan answers, that slaves might often be at a loss for a maintenance, if they were emancipated; a result which would also occur, if the reduced circumstances of their masters prevented their keeping them while the law forbade their being sold; this second object of the modification might be attained by making the consent of the slave a condition of the transfer.

The second modification is intended to counteract an evil, where it was urged that the lives of many children were preserved during famines by their sale to rich people, and that if Government prohibited this expedient, it was bound to provide other means for their preservation. The President observed that there may be some truth in this observation as applied to actual famine, an event however of rare occurrence; but it ought on no account to be listened to in times of inferior pressure, since one of the great objections to the practice is, that it encourages the poor to improvident marriages, by holding out a prospect of getting rid of their superfluous progeny, and this in a manner calculated to degrade both parents and children. If the sale of children be tolerated during a famine, it should be carefully confined to the parents, and a right of purchasing their children's liberty at the original price, as was done by the Paishwa's government after the famine in 1803.

The reason of allowing the sale of prostitutes under certain restrictions by the women to whom they belong is, that they are often purchased by men who wish to have them as concubines, and even as wives, the worst of which conditions is better than that of a common prostitute.

The President wished the opinion of the local officers to be taken on the expediency of either totally or partially forbidding the sale of slaves under this Presidency; they should likewise be requested to point out the most effectual means of detecting the offence, and any abuses that require correction: they ought particularly to suggest means of putting a stop to the kidnapping of children by Brinjarees or others, of which the President observed he had heard some horrid instances.

The President concluded his Minute by suggesting that the Regulation Committee should also be consulted, and that Committee and Sudder Adawlut should give their opinion regarding the punishment proper to be annexed to the different offences arising from the proposed rules.

Mr. Goodwin did not think that any females having children should be sold unless the children went with them. This rule, he observed, was laid down in the late orders of the King in Council for the West Indies.

RESOLUTION, 30 June 1825.

Calling upon all the judicial and revenue authorities to give their opinion on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this Presidency; also to suggest the most effectual means of detecting the breach of such rules as may be enacted, and to point out any abuses that specially require correction. Their particular attention was also directed to the best means of effectually putting a stop to kidnapping children by Brinjarees or others.

The following replies to the circular issued on the 30th of June last, have been received.

On the 23d of July the collector of Ahmedabad reported, that domestic slavery, as practised on this side of India, does not appear to be productive of any ill consequences, slaves in general being treated with kindness; he had known masters give their slaves considerable sums

sums of money to enable them to marry. Mr. Crawford cannot recollect to his recollection a single case of complaint by a slave of harsh treatment from his master. Instances of this kind may occur, but slaves are generally treated with the same mildness as is shown to their master's family. The collector did not think it would be productive of any good to forbid altogether the sale of slaves, as during years of famine the lives of many children were preserved by being sold to opulent masters, who would not from motives of charity (should the sale of slaves be forbidden) relieve the wants of children, unless of the favoured caste.

E. I. Company and
Board of Control.
(Documents.)

To prevent Brinjarees from kidnapping children (as they seldom come honestly by those they expose for sale), it would be necessary to prohibit their dealing in slaves, and to attach a heavy penalty to the breach of the prohibition, a reward being given to the person by whose means the offenders are convicted.

Since the establishment of the British authority the traffic in slaves by the Brinjarees is considerably on the decline. If the nakadars on frontier stations were on the alert, which the hope of reward would no doubt make them, Brinjarees would find it difficult to escape detection. Purchasers of slaves should be responsible that the purchase was not made from improper persons; all sales of slaves to be registered by the village tullahies, or the nearest nakadar to the place where the sale was made.

On the 14th July the collector of Broach replied to the circular, that he was led to entertain doubts of the expediency of the sale of slaves after the most attentive consideration of the practice as it obtains in this country, but he was satisfied that a gradual and temperate abolition of traffic in slaves within the British dominions is highly desirable. Mr. Boyd did not suggest measures to this end, which he conceived the best obtained by the moral improvement of the people; that the kidnapping of children is of rare occurrence, that it had only once come under his observation, and that it took place within his jurisdiction.

With a view to put a stop to the kidnapping of children, either by the Brinjarees or others, Mr. Boyd issued circular instructions, calling upon all his subordinate authorities to exercise great vigilance to suppress this evil, and he hoped the measures he had adopted would conduce to the effect.

Beyond this the collector was not aware of any other means to restrain the wandering tribes from the offence, except by exacting ample security from their Sirdars. On the 18th of July the judge of Broach observed, as far as regards his zillah, regulation appeared to him wholly unnecessary, being calculated to excite discontent, without being productive of any corresponding good; the kidnapping of children is of rare occurrence, the number of slaves limited, and their treatment mild, living more as members of their master's family than as slaves; that in times of scarcity great numbers of children are, by the privilege of selling them, taken care of and provided for; Mr. Stubbs begged to submit, that until some considerable abuse shall exist, any interference in the system would be more likely to do harm than good.

On the 29th of July the acting collector of Kaira reported, that the practice of selling slaves was very common under the native governments, particularly under the Mussulmans' territory; that under our Government the practice had in every respect decreased; no positive law had been enacted against it; but an effect nearly similar had been produced by the spirit of the Regulations, and the nature of our practice having a constant tendency to do away with any institution of the kind. Complaints of slaves against their masters are rare, and it may be inferred that their treatment had improved.

Mr. Williamson submitted, that the beneficial effects of our administration should be brought forward as against rather than in favour of the continuance of slavery, their gradual operation having weakened and brought the practice into disrepute, which presented a favourable opportunity of abolishing it. Such a measure might have, some years ago, been viewed as an innovation; but now he is of opinion it would hardly be viewed in that light.

Mr. Williamson thought that, from the diminished state to which slavery had been reduced by the influence of our measures, the sale of slaves might with safety be totally prohibited; that, in his opinion, the cases of dissatisfaction created by the abolition would be very few; while there was little doubt that the prohibition would be carried into effect without difficulty, and in general be regarded as a popular measure.

To obviate a breach of such rules as may be enacted on this subject, the collector would suggest that the sale of slaves might be made a particular offence, punishable by a specified penalty.

Mr. Williamson observed, that the kidnapping of children is an uncommon offence in his zillah. The local native authorities and the village police appeared to him the best instruments for preventing this evil; and if they are vigilant, it could, he conceived, be seldom committed.

On the 5th September the judge of Kaira reported that, in his opinion, the emancipation of all slaves throughout the territories under this Presidency is very desirable. The owners of slaves are mostly people of property; and he had reason to believe that, in too many instances, they treat them with much severity; and he thinks putting a stop to this traffic would materially lessen the number of slaves imported on the coasts. The vigilance of the police, the judge considered, through the aid of information, the best means of detecting persons concerned in the traffic of slaves. The kidnapping of children is very rare in Guzerat. The potels and police are very active; and, in the only two instances that have occurred since his appointment, the children were very soon recovered.

Mr. Lumsden reported, under date 8th August, that there is as large a proportion of agricultural slaves in some of the Purgunnahs of his collectorate as is supposed to exist in any part of India. The slaves occasionally run away from their masters; but, from the complaints

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plaints brought before him, he was unable to draw any inference as to the general treatment of slaves. The slaves were all of the coolie and poor classes in this zillah, much addicted to drinking and debauched habits; but he believed they were more comfortable than the free portion of the same castes.

Mr. Lumsden concurred in Mr. Colebrooke's views, to be found in the third volume of Harrington's Analysis, quoted at page 762, the substance of which is, that there is no occasion for abolishing slavery in India, while it is allowed by the same Government to exist in the West Indies, that the state of slavery in India was not so injurious to the objects of it as in other countries, where it is still maintained.

The collector believed that the natives were impressed with the idea that slaves are as much under the protection of the law as free subjects; and the general feeling is, that acts of violence towards slaves is as liable to the restraints of law as towards other subjects. As the Hindoo and Mahomedan laws make no provision for punishing the ill-treatment of slaves, Mr. Lumsden thinks it expedient to provide, in our criminal law, for the protection of slaves in the same manner as if they were free, continuing to the master the power of moderate corporal correction. The collector would also permit slaves to acquire property, and to be permitted to purchase their own freedom, and that of their families, at a fair valuation. In granting manumission to slaves, which is deemed by the Hindoos an act of piety, Mr. Lumsden thinks it would be advisable to fix the sums at which freedom might be claimed, so proportioned as to be favourable for slaves, and to the interests of their owners, by adjusting the rates of pecuniary compensation accordingly.

On the 18th August Mr. Anderson reported that, in his opinion, it would be inexpedient to interfere with the property in slaves, as recognized by the Hindoo and Mahomedan laws. This forbearance, as regards domestic slavery, had been guaranteed by Government in section 5, Regulation I., A. D. 1805, and he was not aware of any abuse which rendered alteration necessary.

If the prohibition of importing slaves by sea and land were rigidly enforced, slavery must gradually die away. Slaves were not now brought for sale into our territories, but by borahs and merchants on their return from foreign territories, for their own use. To prevent this practice, a law might be enacted that no person should be allowed to bring in any slave that he had not previously taken away with him. As a further check to the introduction of new slaves, Mr. Anderson suggested that a register should be made of all slaves at present in the territories under this presidency. This was a measure, however, which he was of opinion would excite general dissatisfaction throughout the country.

The system of domestic slavery, as it obtains in India, the judge considered mild, perhaps more favourable than that of a servant receiving wages for his labour. The estimated number of slaves in Surat, with a population of about 120,000, is only about 2,000. The public sale of slaves in Surat had entirely ceased; and any private sale, the judge had been informed, was very rare, a general understanding prevailing among the natives that, notwithstanding the forbearance of Government to slavery as it exists, we are, nevertheless, hostile to slavery in any shape. This feeling, Mr. Anderson observed, must tend to lessen the evil, and would, with rules against importation, ultimately destroy it.

The kidnapping of children is very rare; and the judge did not recollect any instances of it in the zillahs in which he had acted. The punishment of this offence is severe, both by the Hindoo and Mahomedan laws, reaching, in some cases, even to death.

Brinjarees formerly brought slaves into our territories; but these were mostly purchased in times of famine. Since the prohibition to importation, the introduction of slaves in this manner had nearly ceased, and might entirely be put a stop to by more strict measures on the part of the police.

The penal part of Regulation I. of 1813, Mr. Anderson observed, might be made more effectual; instead, for instance, of six months' imprisonment, it might be increased to seven years; and the law be made to extend to the importation of any slaves whatever, who were not before slaves in our territories. A provision of this nature would be the most effectual check that could be given to any increase of slavery.

On the 6th October 1825 the commissioner forwarded district reports from the authorities in the Deccan, accompanied by his own observations on the state of slavery in the Deccan.

Mr. Chaplain observed, that traffic in slaves is practised chiefly by Brinjarees, who purchase children in time of famine, or kidnap them when opportunity offers. Gossayers, in their trading journeys, are also dealers in slaves, for the purpose of selling again or for making disciples of them; when once admitted as chilas or disciples, they are not liable to be resold.

Many slave girls are purchased by dancing women, and brought up to that profession after an education in music and dancing. These girls were sometimes resold; they are often brought up as children of the family, and succeed to the property and station of their mistresses, who have seldom any offspring of their own. Prohibiting the purchase of slaves of this class, the commissioner thinks, would be a serious hindrance to an useful profession, which had always been tolerated, if not respected, in India, as contributing to morality by preventing the seduction of married females.

The want of slave girls would be a great inconvenience in the families of Mahomedans of rank, who employ them for household purposes. But in the case of dancing girls and domestic slavery, the inconvenience that would be sustained by abolishing the sale would soon remedy itself, as the demand would be supplied by free competition.

To starving parents and starving children the abolition would be injurious. Those who now possess a property in slaves ought not to be disturbed, as it has been acquired under the laws of the present and late Government, and it would be unjust to take away the right

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of again alienating. The slavery in India, the Commissioner remarked, was a very mitigated sort of domestic bondage, with probably as much good as harm in it.

The Commissioner begged to refer to his sentiments already expressed on this subject at paragraphs 279 to 284 of his general report of 20th August 1822, for further remarks on this question.

Mr. Chaplain concluded his report by observing, that the accompanying letters from the collector contained some valuable suggestions. Mr. Chaplain thought some previous notice should be given to the people before so great an innovation be introduced.

On the 8th of July last, the collector of Poonah reported that he did not think Government should at present forbid the sale of slaves in this country. The people were not able to support each other by charity in years of famine. The right of selling in Poonah has been restricted by him to parents of children, and to residents who had slaves and wished to dispose of them.

A fee of one rupee was taken for registering a sale; and no sale is valid without a certificate, which is only granted after strict inquiry regarding the vendor's right to sell.

These restrictions, the collector observed, were followed by those who were in the habit of trading in slaves resorting to kidnapping children, and writing out fictitious deeds of sale.

The wholesale trade in slaves formerly carried on by Brinjarees is suppressed, and the evil in Poonah is now confined within its narrowest bounds. Instances of kidnapping will occasionally occur, but the collector does not think any new rules are required; the magistrate having ample power to punish delinquents, while the activity of relations and the known market of Bombay must frequently lead to detection.

On the 27th of July last, Mr. Hall reported, that there was no subject on which it is so difficult to procure information from the natives as on the sale of slaves, arising from their extreme jealousy of our interference in matters which they consider their own domestic concerns. Mr. Hall observed, that he was unable to form a correct opinion, whether the practice of selling slaves exists to such an extent as to render it necessary to put it down altogether.

The collector thought, provided the existence of a domestic slavery among the Hindoos was not interfered with, there would be no danger in prohibiting the traffic of importation, which had already been done by proclamation.

The simplest and most effectual mode would be to make the heads of villages responsible for their jurisdictions, and in large towns to depend on the cotwal and police.

Mr. Hall was not aware of any abuse that especially required correction, except the practice during years of scarcity of selling children. The proclamation formerly published had restrained the purchase of them; the only method which occurred to the collector, as necessary to prevent either kidnapping or the purchase of children by Brinjarees or others, must be by a strict examination of them by the police or custom-house chowkeys on quitting the province, and visiting them with a heavy penalty when detected.

On the 30th July last, Colonel Robertson reported, that he conceived there could be no objection to the enactment of a regulation, forbidding the import and export of slaves, and which shall also forbid the purchasing of slaves from Brinjarees or other migratory dealers, under any circumstances. The latter enactment would secure the efficiency of the former.

Persons possessing slaves might be allowed to dispose of them with the sanction of the authority of the place; when the authority is a native, he should report to his European superior before he gives his sanction, quoting therein the date of his superior's permission. In no sale should a parent be separated from a child, till the latter has attained 12 years of age, nor a husband separated from his wife; sales involving these contingencies to be invalidated.

It may be a question whether parents should be allowed to sell their children in time of famine: if sanctioned in a time of famine, the sale should only be valid when made under the above rules in regard to persons already slaves; nor should children be permitted to be sold till the persons selling satisfactorily prove, not only their being the parents, but also the necessity of their taking such a step.

To provide a check against eluding the Regulations, a registry of all the slaves now in each talooka should be formed. Any person having or claiming a slave, not entered in this register, should be liable to a penalty, and the claim or possession invalidated.

The register might be corrected every five years by the talookas, and would not impose much trouble.

The above rules would have a great effect in putting a stop to kidnapping, and also prohibit the import and export of slaves. The great difficulty will be to give effect to the rules prohibiting the import and export of slaves. Children kidnapped would be so intimidated by their possessors, that they would give any account they chose, and custom-farmers consider it their interest to keep on good terms with Brinjarees, and will afford but little aid to the wishes of Government.

The prohibition of import and export would be promoted by rewarding informers, on conviction, and this might often be done at the expense of the offenders.

The collector does not think that mustering the followers of Brinjarees would have any good effect. They are cruel, and to elude detection might lead them to murder; besides, it would be difficult to detect a slave, dressed up in their own clothes, and taught to say it was the child of one of themselves.

In proportion to the difficulty of detecting for this offence should the penalty be severe on detection, both against principals and abettors.

Custom-farmers, proved to have knowingly allowed a slave to be imported, be subjected to a heavy fine, and rewards given to informers in this respect.

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These regulations, Colonel Robertson observed, would not be attended with any hardship to the community, as free labour can at all times be abundantly commanded.

On the 30th September last, the principal collector at Dharwar forwarded the following report, with those of his assistants. Mr. Baber observed, that he had called upon the sub-collector, and the several native officers under his charge, and the information furnished with his report, as also a copy of a paper on slavery by his predecessor.

It appeared, from the reports of moamludars, that the kidnapping and sale of children as slaves are exceedingly rare; and Mr. Baber observed, that although there are a few persons held in a state of bondage, they may be considered more in the light of hired servants than as slaves. These slaves are of three classes: 1st. Those who are deprived of their freedom as a penalty for crimes, and for acts forfeiting caste, during the late government. 2d. Those who were born in their master's houses, or purchased in time of famine from their parents. 3d. Those who subjected themselves to slavery for life, or for a limited period, in liquidation of their debts.

The collector thinks the aggregate of the three classes exceed a few hundreds in the Honourable Company's part of this Dooab. In the territories of the Kolapoor Rajah and the Jagheerdars, they were more numerous, but mostly in the houses of chieftains or their dependents.

Mr. Baber, in accordance with his predecessor, thinks slavery exceedingly mild, and that toleration is preferable to imposing restrictions. In this opinion Mr. Stevenson concurs, and that it does not call for legislative interference.

The collector observed, that Hindoo and Mahomedan laws, as well as the law of the land, recognized domestic slavery; and as we were bound to preserve the laws and customs inviolate, he did not see how Government can interfere with their right to their slaves, so long as they treat them with humanity.

The kidnapping and sale of children, the wrongful detention of any person in bondage, as well as cruelty to slaves, are indictable offences, and call for no special provisions; and the only case, he thinks, that calls for legislative enactment, relates to the sale of children as slaves for life. This, he observed, ought to be denounced as illegal, upon the principle, that no parent or guardian have a right to impose the yoke of slavery on his children or wards, and their descendants in perpetuity. Compensation for the support of such children might be authorized in the mode provided for in Article 8, title 12, of Regulation I. of 1822.

Mr. Stevenson's report is in substance the same as the principal collector's, with the additional observation, that should the abolition of slavery take place, it would obviate the objection of interfering with property, by making the law extend only to the future.

The answers to questions regarding slaves and kidnapping, from all the taloogs of the Carnatic, with the answers from the moonsiffs of Dharwar, Hoobley, and Nowlgoond, accompany the principal collector's report, and give the local customs of treating slaves under the native governments, but furnish nothing decidedly new in the general question of abolition.

The late Mr. Thackery has left the following remarks, which accompany Mr. Baber's report on slavery:

Slavery is not common; its nature is mild. Slaves may be emancipated. Slavery increased under the Paishwa's administration. A woman committing theft or fornication was made a slave, and sometimes sold. During famine they sold their female children; this practice is prevalent to the northward of Meritch. Slaves could not leave their master without his consent. The master could not dispose of his slave to another. Any children he had by her, he was obliged to maintain; also to perform their marriage ceremonies. The son of a slave-mother acted as a servant; the daughter, if not married, became a slave or prostitute; the son was heir to his mother, if not, the master inherited the property; what part of it she had acquired by prostitution, she could bequeath to her daughter. The master could beat his slave or her son, but if death ensued was heavily fined. The usage was common to native and foreign slaves; Government did not interfere. The parties might make arrangements with the heads of castes. A slave sold, and partaking of food from a purchaser of a lower caste, could not be redeemed. Joolahees (who suffer most from scarcity) have re-purchased their children. After marriage, the child sold could not be restored to the caste in which it was born. Slavery is recognized by the laws and customs of the country; the toleration of it saves lives during famine. Slaves are treated so mildly, that it is doubtful if they would be grateful for a law to emancipate them. Restrictions on slavery raise its price, and the price of life during a famine. Should Government abolish it, they should provide a fund for starving children. Slaves are seldom imported; most of those few in the Dooab were born slaves, or sold during famine.

On the 10th of August, the Register to the Sudder Adawlut forwarded the opinion of that court on the sale of slaves, &c.

The Court observed, that on a reference being made to the late Sudder Adawlut in 1816, on this subject, that court deemed it of such importance as to recommend the question being submitted for the advice of the Supreme Government.

The Supreme Government replied to the reference in September 1817, and, in transmitting the resolutions of the Vice-president in Council, observed, "These resolutions have been framed after the most mature deliberation, in communication with the legal authorities at the Presidency. They were discussed before his Lordship's departure, and, as now framed, have his entire concurrence. The Governor in Council of Bombay is requested to make them the rule of his proceeding in the cases to which they apply." His Lordship further remarked, with reference to domestic slavery, and in relation to the known habits and feelings of the people, "It is desirable that the greatest care should be observed to guard
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against an impression, that any general or direct interference in the existing relation of master and slave is contemplated by Government.

Any impression of that nature being likely to excite feelings of alarm and discontent, and, on this ground, the Governor in Council of Bombay will avoid, as far as practicable, the official revival and discussion of this question, after the deliberate consideration it has undergone, in communication with the legal authorities at Fort William."

The Sudder Adawlut were not aware of any defect in the existing laws for the punishment of kidnapping either children or adults; a sentence of transportation for 14 years might be awarded for this offence. The manumission of slaves is also provided for in the existing codes. The Court is not acquainted with any abuses which they could not correct.

The Sudder Adawlut does not deny that some amendments in the existing laws relating to slavery may be expedient, but that the Court is without sufficient information.

On the 20th of August the Register forwarded the Court's further observations.

The Sudder Adawlut having discovered, since the transmission of their former letter, that the question of slavery is treated at length in Mr. Harrington's Analysis (revised Edition, p. 68).

On the 13th of July the Regulation Committee reported regarding domestic slavery, as it prevails in India, that they saw no reason to differ from the general opinion of those who have written on the subject; that it is so leniently conducted as to weaken the objections arising from the principle. The Committee did not think those objections could be totally set aside, particularly the revolting subjection of females to sexual purposes; and it happens, unfortunately, that the employment of female slaves as servants or as concubines is the point in which the domestic comforts and most delicate feelings of the most influential natives would be wounded by interference; while the Committee cannot say that native morality is prejudiced by the present practice, nor that it would be improved in altering it; under these circumstances, the Committee would not recommend an immediate abolition, but a gradual reform, which they think may be commenced by enactments, hereafter detailed. Thus far the Committee agreed, but they differed as to the precise measures to be adopted.

Mr. Barnard, the president, suggested the following amendments:

Owners of slaves should be permitted no other means of punishment than may be used towards hired servants.

On an appeal made by a slave, the magistrate should be authorized to decide on the propriety of employing him on any particular sort of labour, as well as the extent of it; and sexual intercourse should in no case be within the province of the master to require.

Mr. Barnard also thought, that the magistrate should have authority to assign a sufficient maintenance in food, clothing, and lodging, and to be authorized to declare a slave enfranchised, if the owner neglects to conform to a decision on the above points.

Mr. Norris thought it was not worth while legislating on the subject of slavery, except to effect its certain abolition. The right of slaves in the Bombay territories, with the exception of females, he considered such as Mr. Barnard proposes, and viewing the question generally, he (Mr. Norris) thinks the amendment required is the abolition of slavery, and not improvement in the condition of slaves. It appeared to him that the measure may be carried into effect without creating discontent, under the following enactments:

All persons born in the Bombay territories after the 1st January 1826 to be free.

All slaves brought into the Bombay territories after 1st January 1826 to be free after one year's continued residence in the said territories.

The Committee resumed, and observed, lest they should mislead Government in discussing the subject of kidnapping, by drawing conclusions without sufficient information, the Committee submitted a statement of what they supposed to be the existing nature and extent of that offence. In Goozerat, men, women, and children, are carried into captivity in order to enforce demands alleged by Grassias and other claimants; the instances are rare, but when they do occur, the captives are subject to considerable suffering from long marches, protracted confinement, and scanty supplies, besides fear from violence, extending sometimes to death. The Committee do not hear of any actual violence being inflicted, unless in rare cases, where the captive is personally obnoxious to the culprit, insomuch that the captivity is not to be considered as leading to the violence, but as a delay of it, with a view to procure some more satisfactory revenge.

In the Northern Concan it is common for robbers, having failed to discover property which they know belongs to a particular person, to carry him off, or some of his friends, in order to extort a ransom; they are not removed to a great distance, confined long, nor harshly treated, except that, in some instances, the demand is enforced by what may have been termed in official reports, "cutting off noses and ears." The cases, however, which Mr. Barnard has seen in his judicial tours, amounted only to slitting a part of those features, so as to leave indelible and unsightly marks.

Individuals who wish to adopt children, and cannot find suitable subjects, sometimes supply themselves by theft.

Classes whose customs forbid marriage, keep up the race by procuring children, with the parents' consent, otherwise by theft.

The kidnapping of children by wandering tribes, the Committee believe, comes within the above definition of individuals wishing to adopt children, though from the difficulty of rearing infants in their situation, they may want supply more frequently than others.

Kidnapping children who are heirs to large property is sometimes practised to secure the succession to another person, fear or feeling suggesting this expedient in preference to fatal

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means, in which case the children are only subjected to the evil of quitting an affluent for an obscure station.

By the revised code, detaining any person in confinement, or detaining any one not of mental discretion from the custody of his guardians, may be punished by five years' imprisonment, with fine, limited by being commuted to imprisonment within the above period, and flogging to the extent of 100 stripes; besides a liability to separate punishment for any assault. This appears to the Committee all that is necessary as penal provision; the prevention must depend on the vigilance of the police; magistrates must give prompt attendance to complaints of this nature, and must scrutinize suspicious cases with strictness. If found necessary, rewards might be offered for the discovery of offenders, upon conviction. The Committee do not consider that any particular or unusual precautions are necessary.

Mr. More reported, under date the 18th November, that he believed the import and sale of slaves to be prohibited by the proclamation of the 25th February 1822; that the registry of slaves, and rewards to informers, would prevent evasion of the rules. The number of slaves in his zillah is small, and they are well treated. The kidnapping of children is uncommon, and no new enactment on that subject appears necessary.

On the 21st November last the judge of the Northern Concan reported as follows:

Mr. Baillie observed that his ordinary duties prevent him from entering into a minute detail of the arguments connected with this subject. The judge does not apprehend such to be the intention of Government. The importation and sale of slaves from foreign territory is already put a stop to, and most strictly forbid in our code of Regulations; but Mr. Baillie considers the cruelty and misery of such an inhuman traffic far different from the system of slavery which exists in that part of our jurisdiction which has fallen under his observation, and he thinks that, with certain restrictions, the latter may be allowed to exist.

The sale or transfer of free-born subjects within British territory should, in Mr. Baillie's opinion, cease; but he does not think that the right which proprietors now possess over their slaves should be taken from them, though it might be advantageously interfered with; the judge thinks that their right should remain the same to the remotest generation, but an effectual stop should be put to future purchase, sale, or transfer of new slaves. That a new enactment might be passed, the breach of which would be attended with more serious consequences than the present one, and to secure those already in slavery from being ill-treated, those now possessing slaves should be deprived of the power of disposing of them to persons residing out of the Honourable Company's territories.

When Mr. Baillie thus suggests what appears to him the means likely to ameliorate the condition of slaves, without doing away with slavery altogether, he would also beg to state, that his opinion is not formed from any impression that slaves in this country are ill-treated, many of whom are taken from motives of charity; on the contrary, it appears to him that those who do possess slaves generally treat them well, (though there may be exceptions), and that among the respectable inhabitants, and the landholders in particular, their wants are as well supplied as free subjects following the same occupation.

But where slavery is not absolutely necessary, it should be reduced to narrow limits; this country is well populated, and free labour everywhere procurable, slavery should therefore be restricted as much as possible, although it could not be altogether abolished.

The judge feels quite at a loss what to propose as the most effectual means of preventing the purchase and sale of slaves, so as not to be evaded; but whatever regulation may be passed in consequence of the resolution of Government, he would recommend that its contents be very generally circulated, and that the potel of every village should be made acquainted with them.

The kidnapping of children is a subject which has never as an offence come within Mr. Baillie's observation, and he offers no opinion.

Mr. Devitre does not think it expedient to interfere in the control of domestic slavery as it now exists. Domestic slavery being recognized in this country, the master appears to have the same right in his slave as in any other property. The judge believes the practice of parting with domestic slaves is generally looked upon among our subjects with disrepute; great tenderness, on the contrary, being observed towards them, so that they are treated rather as humble friends and confidants than as mere servile dependents. As the system therefore is one seldom abused, Mr. Devitre would refrain from irritating or alarming the people by passing a positive law on the subject, more especially as the enactments now existing, there is reason to believe, operate in furtherance of a prohibition.

Mr. Vibart having instituted inquiry respecting the treatment and sale of slaves, gives as his opinion that there exists no valid objections to the entire abolition. The sale of slaves has much diminished under the British authority, and has ceased to be carried on in the open and public way it was under the former governments. An idea generally prevails that the practice is even now prohibited. The total prohibition would be acceptable to the respectable class of Hindoos; what tends to make them wish for the abolition is, that a number of Hindoo children of all castes are sold as slaves to Mahommedans, and are brought up in that faith.

The greatest abuse of the sale of slaves which has come under Mr. Vibart's notice, is the sale of female children for prostitution. The persons who procure them for this purpose are not very scrupulous as to the means by which they are obtained, and hold out the greatest inducement to people to kidnap children. Almost all the children so obtained are purchased by them.

Mr. Vibart is happy to state, that the kidnapping of children but seldom occurs in his zillah; but three offences of the kind occurred last year. The people concerned were coolies

coolies, and were all severely punished. No children, as far as he can learn, have of late been kidnapped, or even offered for sale by Brinjarees. The heavy punishments invariably awarded by the Adawlut for the crime, have materially tended to put a stop to the practice. E. I. Company and Board of Control. (Documents.)

MINUTE by the President, subscribed to by Mr. Goodwin and Mr. Sparrow ; dated 5th January.

No 23.

I WAS not aware when I agitated this subject of the prohibition by the Supreme Government which is adverted to by the Sudder Adawlut, but I do not apprehend any bad consequence from this accidental disregard of it.

Many of the present letters dwell on the inexpediency of emancipating those persons who are already in a state of servitude, a measure which was never contemplated ; most of them are unfavourable to the regulation which was proposed, prohibiting the sale of slaves ; and all (except one from a gentleman who had been but a few years in India) describe the condition of a slave among the natives to be as good as that of a hired servant, an opinion in which the opportunities I have had of observing leads me to concur.

On a general view of the whole correspondence, I am induced to abandon the proposal for abolishing the sale of slaves at this time ; the discontent and alarm the measure would create may be considerable, while the advantage would be very small, all the reports showing that the sale of slaves is of rare occurrence, and the rules I mean to submit being calculated still further to narrow its range.

I think the three rules I formerly suggested for adoption, in case an entire abolition of the sale were found inexpedient, might now be adopted, with some additions regarding the separation of relatives, drawn from Mr. Goodwin's minute and the letters before us ; and various measures suggested in those letters for entirely preventing the importation of slaves for sale by land or sea, as well as for guarding against the kidnapping of children, might be added to the rules. For the rules themselves, and the reasons for them, I beg to refer to my former Minute, the substance of which is fully given in the beginning of the Summary.

Slaves should never be sold without the transaction being registered, but a general register of all persons now in servitude seems inexpedient. The exportation and importation of children who are slaves, whether for sale or not, should be prohibited, except in time of famine.

This correspondence (together with the summary) should be sent without delay to the Regulation Committee, who should be requested to incorporate the rules determined on with the police and penal regulations now under review.

5 January 1826.

(signed) M. Elphinstone.

MINUTE by Mr. Warden, dated 6th January.

No 24.

1. THE motives that influenced the Supreme Government against any general or direct interference in the "existing" relation of master and slave was founded on an impression of its being likely to excite feelings of alarm and discontent.

Their instructions were promulgated in 1817.

2. In an old report of Sir C. Metcalfe's, on the territory under Delhi, he succeeded without opposition in putting a stop to the sale of slaves. Whether that measure was adopted prior to 1817 or subsequently I know not, but if after 1817, I conclude it must have been sanctioned by the Supreme Government, under a conviction that the obstacles to abolition, or the objections to the measure as entertained in 1817, had been warranted, and abandoned.

3. The general opinion that prevails in support of slavery by the result of the circular, that it is so leniently conducted, as to weaken the objections arising from the principle, is precisely of the same nature as the arguments that have been invariably used by the advocates for the slave trade ; a principle that is in its nature inhuman and abhorrent can, in my estimation, derive no support from such an argument.

4. The traffic in slaves appears to have generally decreased under the British administration ; the judge at Broach considered the proposed regulation calculated to excite discontent.

The collector at Kaira remarks, that the effects of our administration had gradually weakened and brought the practice into disrepute. The abolition some time ago might have been viewed as an innovation, but now it would be hardly viewed in that light ; he has little doubt the prohibition might be carried into effect without difficulty, and in general be regarded as a popular measure.

The judge at Kaira is of opinion, that the emancipation of all slaves was very desirable. The collector of Surat contends, that there is no occasion for abolishing slavery in India whilst it is allowed by the same Government in the West Indies.

The judge at Surat reports, that a general understanding prevailed among the natives that we were hostile to slavery in any shape ; this feeling must tend to lessen the evil, and would, with rules against importation, ultimately destroy it.

The general scope of Mr. Chaplain's arguments leads me to conclude, that no danger to our rule would arise from the abolition of slavery.

E. I. Company and
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(Documents.)

The collector at Poona thinks, that we should not at present forbid the sale of slaves; that the wholesale trade formerly carried on was suppressed, and the evils in Poona confined within the narrowest bounds.

The collector of Sholapore thought, provided the domestic slavery among the Hindoos was not interfered with, there would be no danger in prohibiting the traffic of importation, which had already been done.

The collector of Candeish saw no objection to a regulation prohibiting the import and export of slaves, and their purchase from Brinjarees or other migratory dealers, under any circumstances. Mr. Baber and Mr. Stevenson conceive toleration of slavery preferable to restrictions, and that it does not call for legislative interference.

The late Mr. Thackery thought slaves might be emancipated.

The Sudder Adawlut does not deny that some amendments in the existing laws relating to slavery may be expedient.

5. By Regulation I. 1813, the importation of slaves from foreign countries, whether by land or sea, and the sale of such slaves in the territories immediately dependent on the Presidency of Bombay, is prohibited, and the importation of slaves by sea into any part of the British territories of India is declared felony by the 51 of Geo. 3, c. 23.

Having then gone so far towards the entire abolition of the trade and sale of slaves, I do not apprehend creating the slightest danger or alarm in giving effect to the original proposition of the Governor. "I presume not to sketch out the mode, or to fix the period of general emancipation, and, perhaps, the sudden manumission of those now actually in a state of bondage, though abstractedly just, might be politically unwise: but there can exist no good reason, either political or humane, against the British Government prohibiting the purchase or sale of all slaves, legitimate or illegitimate, after a specified time; and likewise ordaining and declaring, that all children, male and female, born of parents in a state of slavery, shall from a like date be free."

6 January.

(signed) *F. Warden.*

No. 25.

FURTHER MINUTE by the President, subscribed to by Mr. *R. T. Goodwin* and Mr. *Sparrow*.

MY having originally made the proposal is the best proof that I should be happy to concur in Mr. Warden's recommendation, if I were not satisfied that the bad consequences of the step would predominate over the good. I think, therefore, that the adoption of it should be left for future times.

(signed) *M. Elphinstone.*

No. 26.

From the Acting Secretary to Government, Bombay, to the Regulation Committee.

Gentlemen,

IN reference to your report of the 13th of July 1825, respecting slavery, I am directed by the Honourable the Governor in Council to transmit to you the papers specified in the margin, together with a summary of proceedings on the subject, and to observe that, on a general view of the whole correspondence, the Governor in Council is inclined to abandon the proposal contained in the President's Minute, for abolishing the sale of slaves at this time, and to sanction the adoption of the three rules suggested in that Minute, with some addition regarding the separation of relatives, drawn from Mr. Goodwin's Minute, and the letters accompanying the despatch. The various measures suggested in their letters, for entirely preventing the importation of slaves for sale, by land or sea, as well as for guarding against the kidnapping of children, might be added to the rules.

For the rules themselves, and the reasons for them, I have the honour to refer to the President's Minute, the substance of which is fully given in the beginning of the summary.

Slaves should never be sold without the transaction being registered; but a general register of all persons now in servitude seems inexpedient. The exportation or importation of children who are slaves, whether for sale or not, should be prohibited, except in time of famine.

The Honourable the Governor in Council requests you will be pleased to incorporate the rules alluded to with the police and penal regulations now under review.

(signed) *D. Greenhill, Acting Secretary.*

Bombay Castle, 13 January 1826.

Minute of the President connected with the sale of slaves, &c.
Minute of Mr Goodwin.
Report of the Sudder Foujdarree Adawlut.
Report of the Judge at Surat.
Ditto - Collector ditto.
Ditto - Judge at Broach.
Ditto - Collector ditto.
Ditto - Judge at Northern Concan.
Ditto - Judge at Southern Concan.
Ditto - Collector ditto.
Ditto - Judge at Kaira.
Ditto - Collector ditto.
Ditto - Judge at Ahmedabad.
Ditto - Collector ditto.
Ditto - Commissioner in the Deckan, with enclosure from the Deckan collectors.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 22 February 1826.

E. I. Company and
Board of Control.
(Documents.)From the Regulation Committee to *D. Greenhill*, Esq., Acting Secretary to Government.—
(13 February 1826.)

Sir,

PREVIOUS to inserting the enactment on the subject of slavery, which we have framed in conformity with your letter of the 13th ultimo, in the new code, we have the honour to forward it herewith, that it may be submitted to government.

No. 38.

We have, &c.
(signed) *T. Barnard*,
C. Norris,

President and Members of the Committee
for revising the Regulations.

Bombay, Office of the Committee, 13 February 1826.

Insertion to be made in Regulation XIV., in conformity with the Government order, dated 13 January 1826.

Section 32. Clause 1. As in the original.

Clause 2. The importation into, or exportation from, the territories, subject to the presidency of Bombay, of a child under 10 years of age in a state of slavery, except in time of famine, and under a certificate and registry as prescribed in the succeeding clause, shall be punishable with fine or ordinary imprisonment, not exceeding five years, or both.

No. 39.
Accompanying
No. 38.

Clause 3. The prevailing customs and respective laws of the natives of India, in respect to domestic slavery and the sale of slaves not illegally imported, are to be maintained in force, except as may regard such sales as hereinafter specified, which are expressly forbidden, and all persons concerned therein, either as purchasers or sellers, shall be punishable with fine or ordinary imprisonment, or both.

1. All sales whatever, not registered by the magistrate, whose duty it will be, after due investigation, to grant or withhold such regulation and a certificate thereof, according as the rights of the parties and the succeeding provisions of this section may indicate.

2. Any sale of a female slave having a child under 10 years of age, by which such child is separated from her.

3. Any sale of a child under 10 years of age, though already in a state of slavery, except in time of famine.

4. Any sale of a child into slavery, except in time of famine, and by one of the parents, in which case a right of redemption at the price of sale shall be reserved to either parent or to the child itself, within a period of 10 years.

5. Any sale of a female for common prostitution; but this rule is not to be applied to cases where the seller be of a profession by the prosecution of which the slave would be subject to such purposes, if the sale did not take place.

Minute by the President, subscribed by *Mr. Sparrow*.

I do not know what the 1st clause in the original was, but I suppose it has already been approved.

No. 40.

I would recommend an alteration in the 2d clause, by which the simple importation of a child in a state of slavery should merely occasion the emancipation of the child, but the importation of a child for a sale, or the sale of a child within a year of its importation, should be punishable as in the present draft. A traveller might have a child with him as a slave, and would be obliged to desert him on entering our territory, if the present draft was acted on.

Exportation and importation of slaves for sale should be prohibited.

The 5th paragraph of clause 3 had better be confined to "any sale of a female for common prostitution;" the evils of any further legislation on the subject appearing in practice to be greater than those of leaving the paragraph unmodified.

16 February 1826.

(signed) *M. Elphinstone*.

Minute by *Mr. Goodwin*, subscribed by the President.

A SLAVE emancipated by clause 2 ought possibly to be returned to his or her native country, when that country is known, and the measure be otherwise deemed expedient, at the charge of the importer, to which end a suitable but moderate fine might be imposed.

No. 41.

(signed) *R. T. Goodwin*.

E. I. Company and
Board of Control.
(Documents.)

From *D. Greenhill*, Esq., Acting Secretary to the Regulation Committee.—
(22 February 1826.)

No. 42.

Gentlemen,

I AM directed to acknowledge the receipt of your letter of the 13th instant, submitting the draft of an enactment on the subject of slavery, and have the honour to inform you, that an alteration is to be made in the 2d clause, by which the simple importation of a child in a sale of slavery should merely occasion the emancipation of the child, but the importation of a child for sale, or the sale of a child within a year of its importation, should be punishable as in the present draft.

2. A slave emancipated by clause 2 ought possibly to be returned to his or her native country, when that country is known, and the measure be otherwise deemed expedient, at the charge of the importer, to which end a suitable but moderate fine might be imposed.

3. Exportation and importation of slaves for sale should be prohibited.

4. The 5th paragraph of clause 3 should be confined to any sale of a female for common prostitution; the evils of any further legislation on the subject appearing in practice to be greater than those of leaving the paragraph unmodified.

I have, &c.

(signed) *D. Greenhill*, Acting Secretary.

Bombay Castle, 22 February 1826.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 31 May 1826.

From *W. Chaplin*, Esq., Commissioner in the Deccan, to *D. Greenhill*, Esq., Acting Secretary to Government.

No. 1.

Sir,

I HAVE the honour to submit copy of a letter from the collector of Poonah, containing some remarks on slavery, and the circumstances under which he thinks manumission might be allowed without sacrificing the rights of slave owners.

Bombay, 18 May 1826.

(signed) *W. Chaplin*, Commissioner.

From *H. D. Robertson*, Esq., Collector of Poonah, to *W. Chaplin*, Esq., Commissioner in the Deccan.—(16 May 1826.)

Sir,

WITH reference to my letter replying to a reference from government about slavery, and dated 19th July 1825, I have now the honour to state my opinion that it might be advisable to establish a law in respect to the limits of demand for the emancipation of slaves, for I find it to be considered by masters, and also to be consonant with the general sense of the community, in opposition both to common reason and the natural liberty of man, that if an adequate price is offered by a slave, or by any person for his emancipation, it is not incumbent on the master to accept it, or to take any sum short of that he may arbitrarily determine to demand. My opinion on this head is, that the property in a human being ought not to be considered like the property in any thing else, and that an opening should always be left for the attainment of freedom independent of the will of the master, yet securing him from loss to a defined and just limit, and it is not perhaps difficult to determine what that limit should be. In the case of a person who is an adult when he is bought, it ought never perhaps to exceed the value given, and in the case of a person purchased when only three or four years old, and who is redeemed when 13 or 14 years of age, the price of redemption should not perhaps exceed double the amount given. With such limits fixed, judges could award the just valuation of freedom between the first and second limits in proportion to the number of years of slavery under one, before and after puberty. The reason of the first limit is obvious. The labour of an adult is valued to be at least worth his food and the interest of the purchase-money. The reasons of the second bears reference to the same grounds.

2. The object being to emancipate from slavery those who can emancipate themselves, or who through the contribution and favour of others can be set free, the law should declare that unless the original purchase-money tendered, or the double of it, as the case may be, does produce this effect, it is not incumbent on the master to part with his property in the slave; for, if he should be found under other circumstances to part with him, the effect of the law would be to oblige a master to sell his slaves whensoever a new purchaser presented himself, which would be unjust to the master, without advancing the cause of humanity or lessening misery.

3. An amelioration of the condition of slaves might be effected by fixing a definite number of years of slavery, say 10 or 12 years of slavery from the age of 14, as a term to entitle to freedom without ransom. In such case if the slave is sold immediately, the number of years elapsed of the term should be certified on the transfer. Any rule of this description, however, should exclusively refer to the future and not to the past.

4. These observations occurred to me, I find, about seven or eight months ago, in the course of hearing the story of a poor woman, who from distress having sold her daughter to a dancing woman, was desirous of redeeming her when better fortune and industry had enabled her to acquire as much as the original purchase-money. Although the little girl had been only three years in a state of slavery, and could not have been a heavy cost to her mistress

mistress for food and clothes, I had a great deal of trouble in inducing (for I acted as a mediator to compromise, and not as a judge to decide on the case) the old dancing woman to accept * half as much again as she paid to annul her right. I made a note of the case, with an intention of submitting to you at the time the foregoing suggestions; but it escaped my notice and memory till just now. There may be nothing new in these remarks, but if submitting them to government is of no use, there can also be no harm in doing so.

Poonah, 16 May 1826.

(signed) *H. D. Robertson*, Collector.

(True copy.)

(signed) *John Warden*, Assistant Commissioner.

From *D. Greenhill*, Esq., Acting Secretary to Government, to *W. Chaplin*, Esq.,
Commissioner in the Deccan.—(25 May 1826.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 18th instant, with its enclosure from the collector of Poonah, containing his remarks on slavery, and the circumstances under which he conceives manumission might be allowed without sacrificing the rights of slave owners, and I have the honour to request you will be pleased to inform the collector that the attention paid by him to the subject is duly appreciated by the Honourable the Governor in Council, but that, after full consideration at a recent period, it was deemed inexpedient to go beyond certain rules then resolved on, which will form part of a regulation in course of publication.

(signed) *D. Greenhill*, Acting Secretary to Government.

Bombay Castle, 25 May 1826.

No. 2.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 7 March 1827.

From the Collector of Ahmednugger, to Secretary to Government.—(29 January 1827.)

Sir,

I HAVE the honour to acknowledge the receipt of a circular from the late commissioner, of the 7th July 1825, enclosing the printed copy of a circular letter from government, calling for an opinion on the expediency of forbidding, either totally or partially, the sale of slaves throughout the territories under this presidency.

2. I had occasion to communicate my opinion on this subject, at Surat, and I have little to say on this occasion. It is the ancient custom that the sale of slaves should be registered by the cotwal or casee of the place where the transaction occurs; it would be expedient that wherever a gentleman is stationed within a certain distance, here and elsewhere, the comavisdar or moonsiff should be applied to, to attest the writing by signature, and enter the slave in a register.

Where a female slave should leave her mistress, be reclaimed, and it appears she had been employed by her in prostitution, the magistrate should dismiss the complaint; prostitution should be merely tolerated by the sufferance and not supported by the active interference of the magistrate, and thus the power over such a slave to compel her to serve should extend only to such service as was not in itself immoral.

Circuit Cutcherry, Kurmalla,
29 January 1827.

(signed) *W. J. Lumsden*,
Collector and Magistrate.

No. 82.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 15 April 1829.

From the Acting Magistrate of Kandeish to Mr. Secretary *Norris*.

Sir,

I HAVE the honour to transmit, for the information of the Honourable the Governor in Council, copy of a letter from Captain *Ovans*, assistant magistrate, under date 12th instant, and of its English enclosures, and beg to recommend that measures should be taken not only for the restoration of the slave girl alluded to in Captain *Ovans*'s letter, but for the surrender of *Shaik Nizam* to the custody of Captain *Ovans*, to be tried for the outrage committed by him within this jurisdiction.

2. By the *Mahratta* documents transmitted by the magistrate it appears that, in the month of April last year, one *Mahomed Morad*, an inhabitant of *Sendoornee*, complained that *Shaik Nizam*, the nephew of his (*Mahomed Morad*'s) sister's husband had forcibly carried off a slave girl, by name *Chunda*, from his house, where she had resided ever since his brother-in-law's death, which had taken place nearly two years before: *Shaik Nizam*, being summoned by Captain *Ovans* to answer the charge preferred against him, distinctly acknowledged that he had forcibly taken the girl from the house of *Mahomed Morad*, but alleged that she was his property, having been purchased by him, although she had remained

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No. 50.

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remained in charge of his uncle until the latter's death. Captain Ovans very properly determined that the question of right to the slave girl as property was a matter to be decided in the civil court, to which Shaik Nizam might refer it for decision, but he (Shaik Nizam) could have no right to possess himself of the girl by force; and he therefore ordered the girl to be restored to Mahomed Morad, and took security to the amount of 50 rupees for the future conduct of Shaik Nizam. Regardless of this decision of the assistant magistrate and of the security given, Shaik Nizam again, some time in December last, forcibly seized the slave girl in the fields at Sendornee, where she had been sent with food for persons working there, and placing her on a horse, carried her off to the nizam's country. At the same time the persons who had given security for his good conduct absconded. On both these occasions the girl was carried off against her own inclination, and on the first occasion Shaik Nizam himself acknowledges that he beat her with a rope.

3. The paper forwarded by Captain Inglis contains merely the declaration of Shaik Nizam, that the slave girl was his property, and been purchased by him for one rupee and two annas, and declarations of two witnesses on the back of it, that they recollect his procuring a slave girl some years ago from Hingona; one of the witnesses however adds, that the slave girl was brought by Shaik Nizam and his uncle, who were on service together, and that he does not know by which of them the girl was purchased.

4. The question, however, is not whether Shaik Nizam may or may not have a claim to the girl as his property, which he may be able to establish in the civil court, but whether he is to be allowed, with impunity, to carry the girl off by force from the person in whose possession she has long since been; but this view of the question appears to have been entirely overlooked by Captain Inglis.

(signed) *H. W. Hodges*, Acting Magistrate.

Kandeish, Camp Jamnere,
15 March 1829.

From Captain *C. Ovans*, Assistant Magistrate, Kandeish, to the Acting Magistrate.

Sir,

No. 51.

I HAVE the honour to hand up the accompanying copies of a correspondence with Major Sutherland, commanding the nizam's cavalry at Amba, on the subject of a complaint against Shaik Nizam, a horseman in his highness's service, for carrying off a slave girl from Sendornee, a village within the Company's jurisdiction.

2. I also beg leave to transmit for your information the Mahratta papers forwarded with my letter to Major Sutherland, as well as certain proceedings held before me at Bhurgaum, in April last, regarding this woman whom Shaik Nizam had forcibly seized, and who was ordered by me to be restored to her proper owner, and Shaik Nizam obliged to find security for his future good behaviour.

3. Under these circumstances I cannot see upon what pretence Shaik Nizam could take upon himself to carry off the woman as described in the evidence deposed on oath before me in January last, and now transmitted to you; if he conceived he had a claim to the slave, he ought to have brought this claim before the proper authority, by whom it would have been heard and examined, but it never, I imagine, for a moment can be permitted to any man to come into the Company's country and take the law into his own hands, as this horseman appears to have done.

4. I have therefore to suggest that application may be made to the resident at Hyderabad, for the immediate restoration of the woman, who ought to be sent direct to the Company's authorities, either at Kunner or Bhurgaum, in order to prevent all further disputes between the parties.

(signed) *C. Ovans*, Assistant Magistrate.

Camp, Kunner, 12 March 1829.

From Captain *C. Ovans* to Major *Sutherland*.

Sir,

I HAVE the honour to forward for your information certain Mahratta papers, numbered as per margin,* containing a complaint against Shaik Nizam, a horseman, in his highness's the nizam's service, for carrying off a slave girl belonging to Mahomed Morad, an inhabitant of Sendornee, within the Company's jurisdiction; and I have to request that an inquiry may be made into this affair, and that the woman may be sent to the Mamlutdar, of Bhurgaum, who will have orders to restore her to the complainant.

(signed) *C. Ovans*, Assistant Magistrate, Kandeish.

Camp Bhurgaum, 27 January 1829.

From Major *J. Sutherland* to Captain *C. Ovans*.

Sir,

I HAVE had the honour to receive your letter of the 27th ultimo.

I have the honour to transmit for your information a letter and Persian paper, in original, which has been received from Captain Inglis, to whose regiment Shaik Nizam belongs, and whose report was called for in the documents contained in your letter.

(signed) *J. Sutherland*,
Major Comms C. D. N. I.

Camp, Nominabad, 9 February 1829.

From

* Sic orig.

From Captain *H. Inglis* to the Brigade Major.E. I. Company and
Board of Control.
(Documents.)

Sir,

I HAVE the honour to return the Mahratta papers received in your letter of the 5th instant, with the statements of Shaik Nizam, and two witnesses whom he has brought forward to prove that the woman alluded to is his property. As there is no decisive evidence in the papers forwarded by Captain Ovans, as to the right of Mahomed Morad to the woman, I think that his request that she should be delivered up ought not to be complied with until it is proved to whom she belongs.

Camp, Nominabad, 9 Feb. 1829.

(signed)

H. Inglis,
Capt^a 2d Reg. C. D.From Mr. Secretary *Norris* to the Acting Magistrate of Kandeish.

Sir,

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter of the 15th ultimo, with its enclosures, and to acquaint you that the resident at Hyderabad has been requested to cause the slave girl alluded to to be sent back, and the person who took her away to be given up, if you should, after the restoration of the girl, still consider the measure necessary.

No. 52.

Bombay Castle, 8 April 1829.

(signed)

C. Norris, Secretary to Government.

No. 578.

From Mr. Secretary *Norris* to the Resident at Hyderabad.

Sir,

I AM directed by the Honourable the Governor in Council to transmit to you the accompanying copies of a letter from the acting magistrate in Kandeish, dated the 15th ultimo, and of its enclosures, and to convey the request of the Honourable the Governor in Council that you will cause the slave girl alluded to to be sent back, and the person who took her away to be given up, to answer for his outrage, if the acting magistrate of Kandeish should, after the restoration of the girl, still consider the measure necessary.

No. 53.

Bombay Castle, 8 April 1829.

(signed)

C. Norris, Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 22 July 1829.

From the Resident at Hyderabad to the Secretary to Government. —(2 July 1829.)

Sir,

I HAVE the honour to acknowledge the receipt of Mr. Secretary *Norris*'s letter, dated 8th April last, with its several enclosures, and in reply to transmit, for the information of the Honourable the Governor in Council, the accompanying copy of a letter from the officer commanding the cavalry division of the nizam's army.

No. 74.

Hyderabad Residency, 2 July 1829.

(signed)

W. B. Martin, Resident.From Major *J. Sutherland* to the Military Secretary to the Resident, Hyderabad.

Sir,

I HAVE received from Captain-commandant Keir the letter which you addressed to him, as senior officer in charge of the cavalry division, on the 22d April.

No. 75.

2. Shaik Nizam having been absent on duty, it has been impossible at an earlier period to comply with the instructions regarding him communicated to Captain Keir through your letter.

3. I have perused the depositions which accompanied Captain Ovans's letter of 27th of January to my address, and which were before referred to Captain Inglis to be reported on.

4. It appears from these depositions, that Shaik Nizam, as well as Mahomed Morand, belongs to the town of Sendoornee, which is in the Company's territory; that Shaik Nizam has before laid claim to the slave girl, Chunde, as his property; that he had failed to establish his claim; and that at a future period he went to Sendoornee, found the slave girl in a field, in company with two Mahomedans of the town; that the slave girl left the two men and proceeded towards the town; Shaik Nizam followed her, and in their sight got the girl on his horse, and carried her off; he was met on the road to Ajunta by a person who accosted him, and the slave girl made no complaint of violence, nor any objection to the situation in which she was placed.

5. From Captain Hodges's letter of the 15th March, to Mr. Secretary *Norris*, it appears that violence was used by Shaik Nizam when he carried off the slave girl in the first instance, but in the depositions taken before Captain Ovans in the instance under discussion, there is not any proof of force having been used, nor can the circumstance of Shaik Nizam proceeding to his own village and enticing this girl, to whom he laid claim as his slave, to accompany him, be considered any great outrage.

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(Documents.)

6. There is not in the depositions any proof that the slave girl belongs to Shaik Morand, further than the assertion of the witnesses where he procured her; whether by purchase or at what time, does not appear. Shaik Nizam and Mahomed Morand are relations, and their several claims seem to arise out of these circumstances.

7. Captain Inglis reported to me that the girl expresses herself perfectly indifferent whether she goes back to Sendoornee, or whether she remains with Shaik Nizam. Shaik Nizam professes his readiness to proceed to Captain Ovans's adawlut to establish his claim to the girl, whom he says he purchased at Hingolee; they will accordingly proceed together, and he will be accompanied by such witnesses as he may consider necessary.

8. I shall have the honour of transmitting a copy of this letter to Captain Ovans for his information, and a copy will be addressed to Captain-commandant Inglis for his guidance.

Camp, Nominabad,
21 June 1829.

(signed) *J. Sutherland*, Major Comm^{rs} Cav^y Dⁿ.

From Mr. Secretary *Norris* to the Acting Collector and Magistrate in Kandeish.

Sir,

No. 76.

IN reference to your letter of the 15th March last and enclosures, I am directed by the Honourable the Governor in Council to transmit to you the accompanying copies of a letter from the resident at Hyderabad, dated the 2d instant, and its enclosure.

Bombay Castle, 21 July 1829.

(signed) *C. Norris*, Sec^y to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 22 July 1829.

SUBSTANCE of a PETITION from *Gunga Keluskureen Maleen*, of the Village of Bang Maudley Turuf Bankote Talooka Sooverndroog, in the Southern Conkan, to the Honourable the Governor, dated 19 June 1829.

No. 14.

WHILE I was residing in Qusba Siree Vurdhun, under the jurisdiction of the seedee of Jinjeera, the villagers and the people of the seedee's surkar having come to the determination to prefer false charges against me to seize and take me to Jinjeera, and there to cause me to become an apostate, and to reduce me to slavery, I fled for protection and security to the territories of the Honourable Company's government, and took up my abode in the village aforesaid; but the people of the seedee, having come forcibly, carried me off with my girl, about one year and a half or two years old, by a cross road to Siree Vurdhun; a Chuprasee (peon) was immediately despatched by the tulatee of the aforesaid village, on information of the circumstance being received by him. The Chuprasee overtook us at the bunder, where passage-boats are stationed. I had not embarked at that time on board the passage-boat, but my child had been taken on board the boat. The people belonging to the seedee, without paying any attention to the Chuprasee, carried away my child, whereupon I returned and delivered a petition to the magistrate of the aforesaid zillah at Bankote, but my girl was not restored to me. I have now heard that those people wish to convert her to their religion and make her a slave; but the determination formed by the seedee's people, as above stated, is contrary to the provisions of Regulation XI., A. D. 1827, clauses 1 and 2, section 5, and of Regulation XIV., clauses 3 and 5, section 31; moreover, also, I am informed that the seedee of Jinjeera was desired by the Honourable Company's government to file a suit in the Honourable Company's adawlut, if he had any claim on the certain havildar who fled from the seedee's jurisdiction and came to Rajapoor in the Honourable Company's territory, but the havildars were not delivered up to the seedee; I therefore request that you, honourable sir, will be pleased to take the above circumstances into consideration, and cause my girl, together with the person who took her away, to be brought; and having restored the girl to me, I request that you will be pleased to inflict punishment on the aforesaid oppressor, as prescribed in Regulation XIV., A. D. 1827, clause 2, section 33.

As I have received no answer to my former petition,* dated 1st May 1829, the present petition has been despatched by post.

(signed) *W. Clerk*, Act^s Persⁿ Sec^y to Gov^t.

No. 1,096.

From Mr. Secretary *Norris* to the Magistrate in the Southern Conkan.

Sir,

No. 15.

I AM directed by the Honourable the Governor in Council to refer to you, for your report, the accompanying copy of the substance of a petition from *Gunga Keluskureen Maleen*, of the village of Bang Maudley Turuf Bankote Talooka Sooverndroog, in the southern conkan, dated the 19th ultimo.

Bombay Castle, 16 July 1829.

(signed) *C. Norris*, Sec^y to Government.

EXTRACT

* The petition here alluded to has not been received in this department.

(signed) *W. Clerk*, A. P. S.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 8 October 1829.

E. L. Company and
Board of Control.
(Documents.)

From the Collector in the Southern Concan to Secretary to Government.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of 16th July last, forwarding for my report substance of a petition from Gunga Keluskureen, complaining of the forcible abduction of her child by some people of the hubshee of Jinjeera, from within the British territories.

2. This woman is a subject of the hubshee, and resided at Sewurdhun; her husband having discovered her in adultery, cast her off, and the hubshee's Mussulman officers, who usually punish such an offence by forcible conversion to Mahomedism, apprehended her. She was allowed to go home for her meals, having procured a bhundaree of Sewurdhun to be surety for her re-appearance; but, fearing to return, she fled with her child to Bag Mandla, in the Company's districts, on the 21st September 1827. In the evening of that day four bhundarees sent by her surety came to her lodging, and prevailed on her to accompany them back to Sewurdhun; when they had left Bag Mandla with this intention, the tulatee of the village heard of the circumstance, and aware of the consequences of her return to the hubshee's dominions, sent to advise her to remain; his man overtook her as she was going to cross at the hubshee's ferry, and, having brought her back, produced her and the persons accompanying her before the mamledar at Bankote. This officer inquired into the matter, and, as in the written statement given before him by the petitioner, she acknowledged that she had freely consented to accompany the men to Sewurdhun, and as she made no mention whatever of her child, the Sewurdhun bhundarees were allowed to return to their village. The petitioner, Keluskureen, remained at Bag Mandla.

3. On my visiting Bankote in March 1828, Keluskureen presented to me a petition, in which she complained, for the first time, of the forcible abduction of her child. This was referred for further investigation to the mamledar, who very negligently omitted to report thereon, considering that the first inquiry, in September 1827, was sufficient.

4. The petitioner made no further application, and as she herself allowed that no violence was used in carrying her from Bag Mandla, I can see no reason for a representation to the hubshee on the subject. It appears that, when the woman was induced to return from the hubshee's ferry, her child, who had accompanied her, had been taken into the boat, and was carried over to Sewurdhun, while she returned to Bag Mandla.

(signed) *L. R. Reid*, Magistrate and Collr.

Southern Concan, Magistrate's Office, 19 Sept. 1829.

RESOLUTION.

Ordered, That Gunga Keluskureen Maleen, of the village of Bang Maudley Turuf Bankote and Talooka Sooverndroog, in the southern concan, be informed, through the office of the Persian secretary to government, in answer to her petition of the 19th June, received through that officer, complaining of the forcible abduction of her child by some people of the hubshee of Jinjeera, that government cannot interfere in her case.

Ordered, That a copy of the preceding resolution be transferred to the Persian secretary's office.

(True extract.)

(signed) *C. Norris*, Actg Chf. Secy to Govt.No. 66.
Minutes 29 Sept.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 28 October 1829.

From the Assistant Magistrate of Broach to the Secretary to Government.

Sir,

WITH reference to the provisions of section 4, Regulation XI., A. D. 1827, I have the honour to solicit the instructions of the Honourable the Governor in Council regarding the trial of Ahmud Khan Mahomed Khan, a native subject of the British Government, charged with stealing a child from its parents; the crime is alleged to have been committed in Lajpoor village, belonging to the nawaub of Sucheen.

Broach, Magistrate's Office,
14 October 1829.(signed) *P. Stewart*,
First Assistant Magistrate in charge.

No. 11.

No. 1,558.

From Mr. Secretary *Williamson* to the Collector of Broach.

Sir,

I AM directed to acknowledge the receipt of your first assistant's letter of the 14th inst., soliciting instructions for the disposal of Ahmud Khan Mahomed Khan, subject of the British Government, who stands charged with stealing a child within the territories of the nawaub of Sucheen, and to convey to you the authority of the Honourable the Governor in Council to proceed against the prisoner as if the offence had been committed within your jurisdiction.

Bombay Castle, 27 October 1829.

(signed) *T. Williamson*,
Secretary to Government.

No. 12.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 23 November 1831.

From *J. Forbes*, Esq., Superintendent, Poonah Bazar, to *J. Bar*, Esq., Secretary to Government.—(11 November 1831.)

Sir,

No. 65.

I HAVE the honour to report, agreeable to Regulation XIV., A. D. 1827, section 32, cap. 5, criminal branch of judicature, for the information of the Right honourable the Governor in Council, on Wednesday, the 9th instant, being informed by Lieutenant Ramsay, attached to this department, that he had reason to suppose an Arab with slaves, which he believed were imported for the purpose of sale, would pass through the military limits of this cantonment the following morning, and this, on inquiry, proving correct, the said Arab, Hajee Syed, lately from Medina, in Arabia, was accordingly detained, having no pass or document to show.

The undermentioned were the slaves found in his possession, and whom he admits to be so. *Vide* No. 2, translation accompanying papers.

NAMES.	SEX.	AGE.	COUNTRY.
Burel - - -	female - -	12 or 13	Africa.
Turez - - -	male - -	13 or 14	ditto.
Nussub - - -	ditto - -	10	ditto.
Zungoor - - -	ditto - -	12	ditto.

Prior to his apprehension he had sold an Abyssinian slave boy of about nine years of age, named Nussiba, to a resident of the city of Poonah for the sum of Rs. 112. 2.; due information of this has been given to George Giberne, esq., zillah magistrate.

The girl, Burel, was also offered for sale, but which was not finally arranged, in consequence of a disagreement as to price.

May I request the honour of the commands of government on this report ?

I have, &c.
(signed) *J. Forbes*,

Cantonment Magistrate, Poonah, and J. P.

Superintendent of Bazar's Office, Poonah,
11 November 1831.

Deposition, No. 2.

No. 66.

Hajee Syed, Arab, native of Medina, states:—I purchased four slave boys and one slave girl, the under-named: Farez, an African boy, for 40 reals, or rupees 100; Naseeban, African boy, for 30 reals, or rupees 75; Zungoor, an African boy, for 30 reals, or rupees 75; Naseeb, an African boy, for 30 reals, or rupees 75, since sold in Poonah; Burel, an African girl, for 100 reals, or rupees 250; rupees 575.

The above were purchased by me above three months back in Mocha, and embarked and brought by me to Bombay, and from thence to Poonah. Four days ago I sold Naseeb for rupees 112. 2. to Ahmed Bukhou, an Arab jemadar, residing at Syed Tairs, Poonah.

They were all purchased by me, and are my property; the other persons who have been apprehended were merely accompanying me to Hyderabad in search of employment. Given with my own free will.

Signature in Arabic of *Hajee Syed*.

10 November 1831.

Witnesses:

Hurry Punt, Second Kotwal, Camp, Poonah.

Moorad Khan, Jemadar, Ramoosee.

Sworn Interpreter in Arabic,

Moodruch African, a Moolla, his signature.

(True translation.)

Poonah, 11 November 1831.

(signed) *Horatio Nelson Ramsay*, Interpreter.

Note.—Hajee Syed begged it might be stated that he has acted throughout in ignorance; in so doing, he was not aware he was transgressing the laws of the country in which he at present is.

(signed) *J. Forbes*,
Superintendent of Bazar and Cantonment Magistrate.

No. 67.

THE four slaves having been confronted with the said Hajee Syed, Arab, stated they were his property, and considered themselves slaves.

(signed) *J. Forbes*,
Cantonment Magistrate, Poonah, and J. P.

Superintendent of Bazar's Office, Poonah,
11 November 1831.

No. 2,448

No. 2,448 of 1831.

E. I. Company and
Board of Control.
(Documents.)

From *J. Bax*, Esq., Secretary to Government, to Captain *J. Forbes*, Cantonment Magistrate and Justice of the Peace.—(22 November 1831.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 11th instant, with its enclosures, and to instruct you to make over the case, the Arab and the slaves, to the zillah magistrate of Poonah.

No. 68.

I have, &c.
(signed) *J. Bax*, Secretary to Government.

Bombay Castle, 22 November 1831.

From *J. Bax*, Esq., Secretary to Government, to *G. Giberne*, Esq., Magistrate of Poonah.—
(22 November 1831.)

Sir,

IN transmitting to you the accompanying copies of a letter from the superintendent of the bazar at Poonah, dated the 11th instant, and of its enclosures, &c., regarding the importation of some slaves at Poonah by an Arab named Hajee Syed, I am directed by the Right honourable the Governor in Council to acquaint you that Captain Forbes has been requested to make over the case, the Arab and the slaves to you.

No. 69.

His Lordship in council requests you will report your proceedings on the case of the slave boy who had been sold.

I have, &c.
(signed) *J. Bax*, Secretary to Government.

Bombay Castle, 22 November 1831.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 14 December 1831.

From *George Giberne*, Esq., Magistrate of Poonah, to Mr. Secretary *Bax*.—
(30 November 1831.)

Sir,

1. ACCORDING to section 32 of Regulation XIV. of 1827, I have the honour to hand up a report for the information of the Right honourable the Governor in Council, regarding the importation and sale of slaves; the proof of the same having been illegally made is established by the sale having taken place within one year after importation, according to section 30, clause 1, of the above-quoted regulation.

No. 19.

2. From the character of the person who brought these slaves, it is fair to suppose that he must have been entirely ignorant of the laws of this country, and probably the Right honourable the Governor in Council will consider this a fair case for a mitigation of his punishment; should it be determined to send back the children to their own country, the charges to be defrayed, and the loss this measure would subject the offender to, might, for a first offence, considering the circumstances of the case, I humbly conceive, be sufficient punishment; but with regard to returning the children to their own country against their apparent wishes, to certain slavery, I presume I should respectfully express a doubt that greater misery might be their lot; I would rather suggest, for the consideration of government, that the children should be sent to the charity school in Bombay, and a future provision, in service, according to their inclinations, may easily be obtained when they become old enough.

I await the determination of government on the subject.

I have, &c.
(signed) *George Giberne*, Magistrate.

Circuit Cutcherry, Camp at Chandkhier,
30 November 1831.

From *W. W. Malet*, Esq., Assistant Magistrate, to *George Giberne*, Esq., Magistrate,
Poonah.—(29 November 1831.)

Sir,

I HAVE the honour to forward to you the proceedings in a case of trade in slaves, under Regulation XIV., sections 30 and 31, and which, according to section 32, is to be reported to government, for its determination as to the imposition of fine, and the appropriation of it.

No. 20.

In the proceedings it will be seen that the slaves emancipated still wish to be with their importer, and not be re-exported.

I have, &c.
(signed) *W. W. Malet*, Assist^t Magistrate.

Poonah, 29 November 1831.

E. I. Company and
Board of Control.
(Documents.)

MEMORANDUM of a case of importation of slaves, and the sale of one of them, being under sections 30 and 31 of Regulation XIV., A. D. 1827, and the magisterial proceedings therein before me,

29 November 1831.

W. W. Malet,

Second Assistant Magistrate of Poonah.

RECEIVED from the superintendent of the camp police a letter, accompanied, by order of government, with an Arab and four slaves, and their depositions and statements, and also a slave boy, placed under that officer's care by G. Malcolm, esq., assistant-magistrate, on the 21st instant.

The papers resulting from this case are as follows:—

No. 1.

THE deposition of *Hajee Syed* is read, in which it appears that he bought five slaves at Mocha, and about three months ago reached Bombay, on route to Hyderabad; that he sold one slave to Ahmed, a sepoy, in Poonah, for 112½ rupees. In answer to the question why he brought slaves into this country, contrary to its laws, he states he was not aware that it was so.

No. 2.*

THE deposition of *Ahmed*, Arab, states that he purchased a slave boy, named Nuseeb, of Hajee Syed, for 112½ rupees, but was ignorant of any law against it.

No. 3.

THE deposition of *Sangoor Seddi*, age 12 years, states, that Hajee Syed bought him; that he is his slave; he is asked where he wishes to go, as he is now free, and answers, that he will remain with Hajee Syed.

No. 4.

THE deposition of *Nuseeb Sode* states, he wishes to remain with Ahmed, sepoy of Syed Jhain, of Poonah.

No. 5.

THE deposition of *Nuseeb Side*, 10 years of age, states, that he was brought from Mocha, by Hajee Syed, as his slave; that he wishes to remain with him, and go with him wherever he goes.

No. 6.

THE deposition of *Furey Sidi*, 15 years of age, states, that he wishes to remain with Hajee Syed, and go to Hyderabad with him.

No. 7.

THE deposition of *Burel Sidi*, girl, 15 years of age, states, she wishes to go with Hajee Syed to Hyderabad.

The above deponents were questioned by means of the sworn interpreter, Hajee Mubaruck, an Arab of the camp.

From the above papers it appears that Hajee Syed, Arab, is guilty of having imported slaves for sale, and punishable by the 30th section, Regulation XIV. A. D. 1827; he is therefore hereby sentenced to pay a fine of 200 rupees, or be imprisoned eight months in failure of payment; he is informed, though, that his extenuation of the breach of the laws, viz., his ignorance of them, and the evident attachment of the slaves to him, will be reported to government, and that the decision of the sentence will be suspended till their pleasure is known. Hajee Syed is now released on bail to the amount of the sentence.

Poonah, 29 November 1831.

(signed) *W. W. Malet*, Assist^t Magistrate.

No. 2,555 of 1831.

From Mr. Secretary *Bax* to the Junior Principal Collector, Poonah.—(10 December 1831.)

Sir,

No. 21.

I AM directed to acknowledge the receipt of your letter dated 30th November, with accompaniments, and to inform you, the Right honourable the Governor in Council approves of and confirms your proceedings regarding the slaves sold at Poonah.

I am also directed to request you to ascertain, by communications with Mr. Mutti or other persons, and to report whether any method can be discovered of providing for the emancipated slaves in question, so that they may be altogether separated from their late owner, as the Right honourable the Governor in Council considers this course to be preferable to sending them to the school here or to their native country.

I have, &c.

Bombay Castle, 10 December 1831.

(signed) *J. Bax*, Sec^y to Gov^t.

EXTRACT

* This is the copy of a deposition before sent, on the 10th instant, to G. Malcolm, esq., assistant-magistrate, with the deponent, who on the 18th was fined by that assistant-magistrate 45 rupees, and the boy, for purchasing whom he was thus fined, was returned to the superintendent of the camp police on the 21st; the papers in this case, which was closed on the 18th by G. Malcolm, esq., which are three in number, are separate from the present ones.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 21 December 1831.

From *G. Giberne*, Esq., Magistrate of Poonah, to Mr. Secretary *Bax*.
—(28 November 1831.)E. I. Company and
Board of Control.
(Documents.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 22d instant, and, according to the instructions contained in the second paragraph thereof, requiring a report on the proceedings in the case of the slave boy who had been sold, I beg to forward the same in a letter from the assistant-magistrate, Mr. Malcolm, dated the 27th instant.

No. 4.

Circuit Cutchery, Camp at Chandkheir,
28 November 1831.I have, &c.
(signed) *G. Giberne*, Magistrate.

 From *G. Malcolm*, Esq., Assistant Magistrate, to *G. Giberne*, Esq., Magistrate of Poonah.
—(27 November 1831.)

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of the 27th instant, calling for a report of my proceedings in the case of a slave boy who had been sold by an Arab to Ahmed, Arab, resident in the city of Poonah.

No. 5.

2. Ahmed, Arab, being convicted of buying the slave boy alluded to, was sentenced to pay a fine of rupees (45) forty-five, or in failure of payment to be imprisoned with hard labour for three months, and to give a hundred rupees (100) security for his future good conduct.

3. The boy was emancipated and sent to the bazar master, with a request that he would keep him, with two or three others similarly situated, then under his charge, pending the pleasure of government regarding them.

4. As the prisoner urged in his defence that he was a foreigner, and unconscious that buying a slave was criminal, I thought, notwithstanding his residence in the city of Poonah, the circumstance justified a mitigation of punishment, consequently one less than the full extent specified in the regulation was inflicted.

I have, &c.

Chandkheir, 27 November 1831.

(signed) *G. Malcolm*, Assistant Magistrate.

 No. 2,584 of 1831.
From Mr. Secretary *Bax* to *G. Giberne*, Esq., Magistrate of Poonah.—(15 December 1831.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 28th ultimo, and to acquaint you, that the Right honourable the Governor in Council approves of your proceedings in the case of the slave boy who had been sold, and awaits your further proceedings as regards the disposal of the slaves.

No. 6.

I have, &c.

Bombay Castle, 15 December 1831.

(signed) *J. Bax*, Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 18 January 1832.

From the Junior Principal Collector and Magistrate to Mr. Secretary *Bax*.—
(25 December 1831.)

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of the 10th instant, in reply to mine of the 30th ultimo, regarding the slaves imported for sale.

No. 12.

2. And requiring me to ascertain by communication with Mr. Mutti or other persons, and to report whether any method can be discovered of providing for the emancipated slaves in question.

3. In reply I beg to state, for the information of the Right honourable the Governor in Council, that on a report from the foudjar, who mentioned that the prisoner had declared that the female and a youth, of the five slaves, were his wife and servant, I directed the assistant-magistrate, Mr. Burnett, to refer to the former proceedings, under date the 29th November last, before Mr. Malet, and although this defence does not appear to have been thought of in this investigation, in which he confessed to having purchased the five slaves at Mocha, to obtain further information on the subject, if possible.

4. The accompanying letter, under date the 24th instant, is the result:

Fureig Wulud Salum, aged 15 years, cannot say whether he is a slave or not, but has been with Hajee Syed, Arab, since his infancy as servant, and wishes to remain with him.

Burbee, a girl, aged 14 years, declares now, that her father Yacoob, Arab, gave her in marriage to Hajee Seyd, and wishes to remain with him.

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E. I. Company and
Board of Control.
(Documents.)

5. It is quite impossible to learn the exact truth when those who may be considered the injured party forbear to claim the advantage of the law, and as these two persons have from the first earnestly desired to continue with Hajee Syed, Arab, and as they are of an age to judge for themselves, I beg to suggest that they be allowed to follow their own inclinations in that respect, and to remain with Hajee Syed.

Nuseeb Side, aged 10 years, deposed, that he was purchased, but wishes to remain with his master.

Nuseeb Sode, the youth who was sold to Ahmed Syed, wishes also to remain with his master.

And Sangoor Seddi, aged 12 years, wishes to remain with Hajee Syed.

6. Hajee Syed owns that the three were bought. From their youth they may be unable to decide according to their own advantage; and as from the Arab's statement, and act of selling one of them, he probably intended to sell all, it appears the most charitable manner to provide for them elsewhere.

7. According to the instructions of government, I communicated with Mr. Mutti on the subject; the accompanying is that gentleman's reply, under date the 18th instant, from which it will appear that he is most ready to take charge of three of the boys, feeding and clothing them.

8. This perhaps may be sufficient for a few years, or until they may find some other employment or service more to their choice or advantage; for the present I should beg to be allowed to make them over to Mr. Mutti; in a few months, when they may be able to understand their circumstances better, these may be explained to them.

(signed) *G. Giberne, J. P.*, Collector and Magistrate.

Circuit Cutcherry, Camp at Sassoor,
25 December 1831.

From *J. Burnett, Esq., P. M.*, to *G. Giberne, Esq., Magistrate, &c.*—(24 December 1831.)

Sir,

I HAVE the honour to forward to you the result of the inquiries made in consequence of the foudjar's report relative to the slave case, dated 19th instant.

By the enclosed depositions, and from what else I could learn from the parties, it appears that the woman, Benlee, is the wife, and the boy, Fureig Wullud Salum, the servant of the prisoner Hajee Seyd, Arab. They both declare that they are satisfied with their situation, and remain in it with their own free will and consent, and indeed they evince the greatest dread of being separated from the prisoner.

Poonah, 24 December 1831.

(signed) *J. Burnett, P. M.*

(Copy—sic orig.)

De Monsieur *G. Mutti* à Monsieur *George Giberne*, Collecteur Principal à Poonah.—
(13 Dec. 1831.)

Monsieur,

JE reçois l'honneur de votre lettre du 15 cour.

Dans la vue d'être utile aux pauvres esclaves, et bien heureux de faire quelque chose qui puisse seconder les soins et mesures vraiment paternelles de ce bon gouvernement, je prendrai avec plaisir trois des plus grands garçons, ou deux garçons et une fille, esclaves Africains, dont vous, Monsieur, en lirez propos. Je les employe pour la soie ou d'autres travaux, suivant leur disposition. Je m'engage de les nourrir et habiller à mes frais. Ils seront libres de quitter mon service quand leur plaisir.

Je vous prie, Monsieur, d'écrire au gouvernement qu'il aye la bonté d'ordonner en Perse qu'on nous envoie de la serviteur de muriers, ainsi que de celle de vers à soie.

J'ai l'honneur d'être, Monsieur,

Votre très humble et obéissant serviteur,

Poonah, 13 Dec. 1831.

(signé) *G. Mutti.*

From Mr. Secretary *Bax* to the Principal Collector and Magistrate of Poonah.—
(9 January 1832.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 25th ultimo, with enclosures, and to state that the Right honourable the Governor in Council approves of your suggestions regarding the mode of providing for the emancipated slaves therein alluded to.

Bombay Castle, 9 January 1832.

(signed) *J. Bax, Secy to Govt.*

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 25 January 1832.

From the Acting Session Judge of Surat to Mr. Secretary *Bax*.—(2 January 1832.)

Sir,

UNDER section 32 of Regulation XIV. of 1827, I have the honour to report a case of illegal importation of a slave, under the following circumstances :—

2. The

No. 13.
Accompanying
No. 12.

No. 14.

No. 15.

No. 26.

2. The slave, named Jafran, is a girl, apparently under 10 years of age, the person importing her to Surat is a Borah woman, by name Umteeboo, an inhabitant of this place; and no permission, written or otherwise, from a magistrate having been previously obtained, such importation is consequently contrary to the provisions of the regulation above referred to. E. I. Company and Board of Control. (Documents.)

3. It appears that the Borah woman had merely charge of her from Bombay, having been commissioned by one Budrooddeen Futtahbhaee, stated to be now resident either in Bombay or in Poonah, to convey her to one Noorooddeen Bhanjee, an inhabitant of Surat.

4. From the evidence of the said Borah woman, Umteeboo, from that of Noorooddeen Bhanjee, as well as from that of the slave girl herself, and from a letter written by one Ubdoola ben Saleh, an Arab, in Mocha, to the above-named Noorooddeen Bhanjee, of Surat, it is collected that this girl was sold by her father and mother, and afterwards sent as a present by Ubdoolah ben Saleh, the Arab, of Mocha, to his friend Noorooddeen Bhanjee, at Surat, having been imported to Bombay on board an Arab vessel belonging to the said Ubdoola ben Saleh, where she was detained by Budrooddeen Futtahbhaee, until the opportunity offered of sending her in charge of Umteeboo, on board the "Botella Rhoadabukhs," to Surat. The evidence of Budrooddeen Futtahbhaee, not being a resident of this place, has not been taken.

5. I have the honour to request to be favoured with the instructions of government relative to the disposal of the girl, Jafran, and whether any fine, and to what amount, shall be imposed on the importer.

(signed) *E. Grant*, Act's Session Judge.

Surat, Court of Adawlut, 2 January 1832.

Minute by Mr. *Newnham*.

I REQUEST to be favoured with Mr. Sutherland's opinion on this case; it appears to me to be one on which the full penalties of the law should be imposed. No. 27.

(signed) *W. Newnham*.

Minute by Mr. *Sutherland*, subscribed to by Mr. *Newnham*.

I THINK this is an evident case of importation of a slave under the regulations, and the only course to be adopted is as suggested by the acting-resident. No. 28.

If the fine to be imposed is not paid, and the importer suffer imprisonment, it does not appear that government is bound to restore the slave to her own country, and in that case she may be, as any other free person without friends, placed in such care as the session judge may think proper, until she is able to take care of herself.

If, however, a fine is paid, government can do no otherwise than expend the same in re-exporting the girl to her own country.

The session judge should report the result to government.

(signed) *J. Sutherland*.

No. 185.

From Mr. Secretary *Bar* to the Acting Session Judge at Surat.—(25 January 1832.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 2d instant, requesting instructions relative to the disposal of the girl, Jafran, a slave, and whether any fine, and to what amount, shall be imposed on the importer, and to inform you that the Right honourable the Governor in Council considers the case to be one in which the full penalties of the law should be imposed. No. 29.

I am further directed to observe, that if the fine to be imposed is not paid, and the importer suffers imprisonment, it does not appear that government is bound to restore the slave to her own country, and in that case she may be, as any other free person without friends, placed in such care as you may think proper, until she is able to take care of herself.

If, however, a fine is paid, you will report it, as government cannot do otherwise than expend the same in re-exporting the girl to her own country.

I have, &c.

Bombay Castle, 25 January 1832.

(signed) *J. Bar*, Secy to Govt.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 25 April 1832.

From *R. C. Money*, Esq., Acting Persian Secretary to Government, to Mr. Secretary *Norris*.
—(17 April 1832.)

Sir,

I HAVE received a letter from Bohman Ben Ladda Banyan, dated 28 Ramzan (2 March 1832), informing me of his having liberated a woman forcibly carried off from Bombay and sold to different persons, as detailed in the accompanying deposition of the captain of the "Discovery" and a passenger. Bohman Ben Ladda had bought the woman, and says he intends sending No. 59.

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E. I. Company and Board of Control. (Documents.) sending her to me in a few days. I beg to be instructed by government what to do in case the woman is sent to my office; I would recommend her being delivered to the senior magistrate of the police for examination, if government think fit to inquire into the facts relative to her seizure and slavery.

I have, &c.

Persian Secretary's Office,
17 April 1832.

(signed) *R. C. Money*,
Actg Persian Secretary to Government.

No. 60
Accompanying
No. 59.

We, the undersigned, having been requested by Bohman Ben Ladda Annandoss, merchant, of Muscat, to personally question a woman, stated by him to have been forcibly brought from Bombay in a buggalow and sold here as a slave, do, upon personal inquiry of the said woman, find as follows:—That her name is Gungerbye; that she was inveigled on board of the buggalow "Futtee Allee," belonging to the said vessel; that on the day of the departure of the said buggalow, she requested of the nakhoda Rajahballe Beg to be sent on shore, when she was told she had been purchased from a man of the name of Moydeen, and that she would be taken to Muscat for sale; that on the arrival of the said buggalow at Muscat, she was sold to one Jenel Abden, of Muscat, by the aforesaid Comis, and with the knowledge of the aforesaid Rajahballe Beg, and was by him kept as a slave; that she was subsequently purchased from the said Jenel Abden for fifty dollars, by the said Bohman Ben Ladda Annandoss, and by him liberated; that she is now living in a banian family in a state of perfect freedom, and is, in the course of a few days, going on to Bombay in a vessel belonging to the said Bohman Ben Ladda Annandoss. Given under our hands, this second day of March, in the year of our Lord one thousand eight hundred and thirty-two.

(signed) *G. H. Morrison*, Master of the barque
"Discovery," of Bombay.
Thaddeus Cawork, Passenger to Bombay.

No. 744 of 1832.

From Mr. Secretary *Norris* to the Acting Persian Secretary.

No. 61.

Sir,
I AM directed to acknowledge the receipt of your letter of the 17th instant, with enclosed deposition of the master of the barque "Discovery," of Bombay, representing that a woman named Gungerbye had been inveigled on board the buggalow "Futtee Allee," and sold as a slave, and to convey the instructions of the Right honourable the Governor in Council, that you send the woman when she arrives to the senior magistrate of police, for the purpose of examination into the facts relative to her alleged seizure and sale as a slave.

I have, &c.
(signed) *Charles Norris*, Chief Sec^y to Government,

Bombay Castle, 24 April 1832.

No. 745 of 1832.

From Mr. Secretary *Norris* to the Senior Magistrate of Police.

No. 62.

Sir,
I AM directed to communicate to you the accompanying copy of a letter from the master of the barque "Discovery," of Bombay, representing that a woman named Gungerbye had been inveigled on board the buggalow "Futtee Allee" and sold as a slave, and to inform you that the Right honourable the Governor in Council has been pleased to direct the acting Persian secretary to forward the woman to you when she arrives, for the purpose of examination into the facts of the case.

I have, &c.

Bombay Castle, 24 April 1832.

(signed) *C. Norris*, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 4 July 1832.

From the Magistrate of Ahmedabad to Mr. Secretary *Norris*.

No. 43.

Sir,
I HAVE the honour to state, for the information of the Right honourable the Governor in Council, that under the provisions of Regulation XIV., sec. 32 of 1827, M^r Moolaham has been this day convicted before me of importing a female child into this city, for the purpose of common prostitution, and has been fined 100 rupees, commutable to six months' imprisonment.

I shall feel obliged by your furnishing me with the instructions of government as to how the child is to be disposed of.

I have, &c.

Ahmedabad, Magistrate's Office,
18 June 1832.

(signed) *J. Vibart*, Magistrate.

MINUTE

Minute by Mr. *Sutherland*, subscribed to by the Commander-in-chief and Mr. *Newnham*.

E. I. Company and Board of Control. (Documents.)

MR. VIBART should be informed that he has failed to communicate such full particulars as are necessary to enable the government to give instructions in regard to the disposal of the slave, and it should be pointed out to him that from such negligence an accumulation of correspondence arises that is unsatisfactory, and unnecessarily occupies time.

Mr. Vibart to report the age of the child, from whence she was imported, and, if possible, it should be ascertained whether the child has parents or relations, and the possibility of delivering her up to them.

(signed) *J. Sutherland*.

No. 44.

No. 1,311 of 1832.

From Mr. Secretary *Norris* to the Magistrate of Ahmedabad.—(2 July 1832.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 18th ultimo, soliciting instructions for the disposal of a slave girl imported into Ahmedabad by M^t Moolaham, for the purpose of common prostitution.

2. His Lordship in council has directed me to signify to you that you have failed to communicate such full particulars as are necessary to enable him to give instructions in regard to the disposal of the slave, and to intimate to you at the same time, that from such negligence an accumulation of correspondence arises that is unsatisfactory, and unnecessarily occupies time.

3. His Lordship in council desires you will report the age of the child, from whence she was imported, and, if possible, it should be ascertained whether the child has parents or relations, and the possibility of delivering her up to them.

I have, &c.

Bombay Castle, 2 July 1832.

(signed) *Charles Norris*, Chief Secretary.

No. 45.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 1 August 1832.

From the Principal Collector of Ahmedabad to Mr. Chief Secretary *Norris*.—(10 July 1832.)

Sir,

WITH reference to your letter, dated 2d instant, I have the honour to report for the information of the Right honourable the Governor in Council, that the female slave reported in my letter of 18th June as having been brought into this zillah for prostitution, was stolen from her mother at Deesa, and is between five and six years of age.

I have further to state, for the information of the Right honourable the Governor in Council, that the mother has arrived from Deesa to claim the child. She states that it was stolen from her about one month and a half since, and declares she had no part in or knowledge of the sale.

As the mother has come to reside in the city of Ahmedabad, I have directed the child to be placed under her care, which I hope will be approved of by the Right honourable the Governor in Council.

(signed) *John Vibart*, Magistrate.

Ahmedabad, Magistrate's Office, 10 July 1832.

No. 68.

Minute by Mr. *Sutherland*, subscribed to by the Board.

NOTHING more need be done, as the child has been restored to her parent.

Whatever portion of the fine imposed is paid under the sentence passed by the magistrate should be made over to the mother in some measure to cover her expenses.

As it has been discovered from the mother of the child that the prisoner Moolaham brought to Ahmedabad a child that had been kidnapped at Deesa, inquiry should be made into the matter, if the prisoner is a British subject, and liable to our tribunals for criminal offences, with a view to enforcing the punishment exhibited in clause 2, section 33, Regulation XIV. of 1827; should she not be amenable to our tribunals, if there are grounds for conviction, she should be sent to the local authority of the place where the crime was committed, on the expiration of her present sentence.

(signed) *J. Sutherland*.

No. 69.

No. 1,480.

From Mr. Chief Secretary *Norris* to the Magistrate at Ahmedabad.—(31 July 1832.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 10th instant, on the subject of the female slave discovered to have been imported into your zillah, and to acquaint you that as the child has been restored

697.

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to

No. 70.

E. I. Company and Board of Control. (Documents.) to her parent, nothing further need be done, but whatever portion of the fine imposed is paid under the sentence passed by you, should be made over to the mother, in some measure to cover her expenses.

2. As it has been discovered from the mother of the child, that the prisoner Moolaham brought to Ahmedabad a child that had been kidnapped at Deesa, his Lordship in council directs me to signify to you that inquiry should be made into the matter, if the prisoner is a British subject, and liable to our tribunals for criminal offences, with a view to enforce the punishment exhibited in clause 2, section 33, Regulation XIV. of 1827.

3. Should she not however be amenable to our tribunals, if there are grounds for conviction, she should be sent to the local authority of the place where the crime was committed, on the expiration of her present sentence.

(signed) C. Norris, Chief Secretary.

Bombay Castle, 31 July 1832.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 3 June 1834.

No. 1,369 of 1834.

From Mr. Chief Secretary Norris to the Civil Auditor.—(30 May 1834.)

Sir,

No. 59.

I AM directed by the Right honourable the Governor in Council to transmit for your information the accompanying extract (para. 1) of my letter, dated the 31st July 1832, to the magistrate of Ahmedabad, authorizing him to pay the fine imposed on the individual who kidnapped a child to her mother.

I have, &c.

(signed) C. Norris, Chief Secretary.

Bombay Castle, 30 May 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 25 September 1833.

From J. A. Forbes, Esq., Magistrate, Rutnagherry, to Mr. Secretary Bax.—
(3 September 1833.)

Sir,

No. 39.

WITH reference to my report on the proceedings against Bappoo Mhyput, for importing slaves from a foreign territory into the Honourable Company's districts, I have now the honour to hand up, for the information of the Right honourable the Governor in Council, the depositions of the slave women who were transmitted to Rutnagherry, by order of the magistrate of Tannah, in consequence of my letter to him, a copy of which accompanied my first report.

2. At their examination before me, the women told a story so totally at variance with what I knew to be the true state of the case, from the previous evidence taken in these proceedings, as to arouse my suspicion that some of Bappoo Mhyput's emissaries (for I was aware he had great influence in Rutnagherry) had found means to tamper with them on their way to this kutchery, I therefore ordered the women into confinement, as they appeared to be poor ignorant persons who were not likely long to persist in a false story, unless tampered with, and supported by interested persons, and the result has verified my anticipation, as will be seen from the second depositions (as per margin*) which were taken about 14 days subsequent to the first.

* Sic. orig.

3. I beg to mention, however, that previous to confining the women, I confronted them with two of my kutchery peons, who recognized and swore to them as having met them journeying northward in the month of March last, in company with Bappoo Mhyput's people and baggage near the village of Achere, in the Malwan districts; I was in hopes this would induce them at once to confess the truth; they persisted, however, that they knew nothing of Bappoo Mhyput, nor of any of his people.

4. The first person who was examined as to whether any person held intercourse with the slaves on their way to Rutnagherry, was the peon in whose charge they had been despatched from Ragbur, and not conceiving that he could be a party in any conspiracy, I took his deposition on oath, wherein he stated that he arrived on Tuesday the 30th July, at about six P.M., and that he proceeded to the house of a havildar, belonging to the collector's establishment, named Balloo Soorwa, who told him that as it was then late, and the next day being a holiday in the office, he had better remain with the women in his house till Thursday morning, when they could be conveyed to the kutchery; a naique of my establishment, who was present when the above deposition was read, immediately stated that he met the peon and the three women in Rutnagherry on Monday, instead of Tuesday; this led to further investigations, when gradually a conspiracy developed itself, the object of which evidently was to pervert the course of justice; for it was clearly proved that the women arrived at Rutnagherry on the evening of Monday the 29th July, that they were conveyed to the house of Balloo Soorwa, the havildar of Hoozoor peons, where they remained till the morning of Thursday the 1st August, and that they were then sent up to the kutchery for examination. From the evidences which the slaves then gave, as well as from their confessions in their subsequent examination, it is clear that the object for this concealment was to tutor them to deny all knowledge of Bappoo Mhyput. The woman

Shewtee,

Shewtee, in her second examination, distinctly states that she was told by Balloo Soorwa, the havildar, that if she persisted in denying any knowledge of Bappoo Mhyput, the magistrate would send her immediately back to her home at Warree, and this temptation, it may be supposed, had its full effect on the poor old woman, who, it is much to be feared, has been originally lured away under false pretences, from her country and friends, particularly, too, when it is considered that the assurance was given by an officer of the court before which she was about to appear.

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(Documents.)

5. The persons found to be engaged in this conspiracy are Bappoo Salvee, the peon in whose charge the woman travelled from Mahe to Rutnagherry; Balloo Soorwa, havildar of Hoozoor peons, in whose house they were concealed; Shaik Ally Mereker, jemadar, of Hoozoor peons; Rabunsett Wyrag, a carkoon of the liquor; Farmar Raghoba Sheet Pawuskar Wanee.

6. The last mentioned person has been admitted as a king's evidence, as it was apparent that his poverty was taken advantage of; gets him to enter into a plot which had for its object the withdrawing from custody the slave women, lest they should confess the means that had been used to induce them to deny all knowledge of Bappoo Mhyput. From his confession it appears that he was tutored to present a petition at the kutchery, and to lay claim to the women on the strength of his being a kinsman and of the same family name as the owners of the slaves at Warree; and if he succeeded in possessing himself of them, they were to be considered as his property, and he might sell them or bestow them as he pleased. In pursuance of this plan, he first appears to have got access to the women, and to have held intercourse with them in the guard-room, where they were kept along with other prisoners, under a guard of the conkan rangers; he then proceeded to Mr. Alvares, and requested him to make known his claim to the women to me, and to intercede with me to induce me to deliver them up to him. Mr. Alvares very properly immediately brought him to me, and the account he gave of himself and his claim to the women was so suspicious, that I ordered him to find security for his attendance at any future period it might be necessary to call upon him, in failure of which he was placed under restraint. A few days subsequent to this he sent to me to say that he was desirous to be allowed to speak with me, when he stated, that if a pardon was given him, he would confess all he knew of the conspiracy; this I acquiesced in; he then related the circumstances mentioned above, and gave up the names of the havildar and Rabunsett Wyrag, as the persons who had engaged him to enter into the plot.

7. The part taken by the ryghur peon and the havildar in this conspiracy is proved beyond a doubt from their own admissions, from the statements of the slave women in their second examination before me, from the evidence of the naique, who deposed that he met the ryghur peon and the slave women on Monday night, and from the evidence of the ferryman of Kallabeuce ferry, about two miles from Rutnagherry, and his wife, who both depose upon oath to the peon and women having crossed the ferry on Monday the 29th July.

8. The jemadar was charged in court by the naique, Bappoo Oldia, with having threatened him for discovering to me that the ryghur peon with the women had arrived on Monday instead of Tuesday; at the same time the naique stated, that the jemadar was himself well aware of the arrival of the peon and the women, although he had not come forward to give me any information on the subject; on these charges the jemadar's deposition was taken, in which he admits having had a conversation with the ryghur peon, at the door of Balloo Soorwa havildar's house, on Wednesday the 31st July. The peon also stated, that the jemadar told him at that time, that that day being a holiday he need not take the women to the office till next day; and granting that no conspiracy existed, this of itself was a gross violation of the local police rules, for the orders to convey all persons forwarded for examination to the Hoozoor direct to the kutchery are most peremptory, and to the best of my knowledge and belief have hitherto been strictly acted up to. It is to be observed that the jemadar, although aware, on the 31st July, of the arrival of the ryghur peon, yet concealed his knowledge of that fact till charged with it in court by the naique, Bappoo Oldia, on the 6th of August, and in the intermediate time he was daily present in court listening to the investigation going on before me for the purpose of proving the arrival of the ryghur peon and women two days previous to their having been brought to the kutchery; for these reasons the jemadar was suspended from his situation, and placed at the bar as an accomplice in the conspiracy. I regret much the part this man has been induced to act on this occasion; he has served the Company in different capacities for 30 years, and bears the highest testimonials of good conduct from all my predecessors, on which account I have always looked upon him and treated him as a confidential servant.

9. The crime charged against these persons being of a most serious nature, particularly when the situation as police officers of the principal actors is taken into consideration, has decided me in handing them all up to take their trial at the approaching sessions, for a conspiracy to obstruct and pervert the course of justice, under the provisions of section 1, Regulation XVII. of 1828.

10. There is no evidence whatever to lead to the suspicion that the sepoy of the rangers, who were on duty when Raghoba Pawuskar got access to the women when in custody, were in any way concerned in the conspiracy. Pawuskar lives about the lines of the conkan rangers, and chiefly gains his livelihood by writing and reading for the sepoy, and is consequently known to all of them, and he was probably admitted into the guard-room without suspicion; his having been admitted, however, is a gross breach of duty, for which I have placed in confinement the havildar in charge of the guard, and the sepoy who was

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(Documents.)

proved to have been on duty in the room where the women were at the time Pawuskar held communication with them; these persons are both from the line; the former has served 30 years, and the latter 14 years; they cannot therefore plead ignorance of the strict orders against permitting persons to hold intercourse with prisoners intrusted to their custody without a warrant from a proper authority. I would therefore take the liberty to recommend that the havildar should be reduced to the ranks, and the sepoy be dismissed from the service, as he persists in denying the offence charged against him, although the evidence of the other sepoys of the guard place it beyond a doubt. I am of opinion that too severe an example cannot be made in a well-authenticated case of this kind, particularly in a corps like the rangers, where it is almost morally impossible that the discipline of the men can be so strictly maintained as in the corps of the line; instances, therefore, of gross breach of duty ought to be severely punished as a warning to the rest of the men.

11. The confessions of the two slave women in their second examinations before me fully confirm the evidence originally taken in this case, which went to prove that Bappoo Mhyput was the importer of these people into the honourable Company's territories, although the pretext under which he appears to have allured them from their homes I by no means think is the true account of the means by which he became possessed of them. On the contrary, I still adhere to the opinion that they were presented to him by their owners, but that, with all the cunning and artifice of a Brahmin, he made use of the stratagem related by the woman Sawetree, to induce them to lend themselves to his schemes for conveying them in as quiet a manner as possible to his house at the village of Ghoragaon. The third slave is a little girl of about six years of age, therefore no deposition has been taken from her. The simple importation of this child, under 10 years of age, which is fully proved from the evidence of her mother and sister, renders Bappoo Mhyput liable to the retributive measure described in section 32, Regulation XIV. of 1827, which I humbly take the liberty of recommending should be enforced against him to the full extent. The fourth slave woman, who it was stated had been presented to Bappoo Mhyput by Mhadeo Ram Sirke, the ex-minister at Warree, has not been forwarded to this office, but from the statements of the two women, Sawetree and Bhickee, we learn that Bappoo Mhyput, on his way to join his station at Tannah, called at the village of Ghoragaon, and took away the woman in question with him.

12. In conclusion, I beg to observe, that Bappoo Mhyput remained at Rutnagherry for about 20 days before I dismissed him to join his station at Tannah; during this time he must have got intelligence that a letter had been sent to the magistrate at Tannah, requesting that the slaves should be sought out and sent here for examination, and it is more than probable that he arranged the plan for their being intercepted and tutored to deny all knowledge of him.

I have, &c.

(signed) J. A. Forbes, Magistrate.

Southern Conkan, Magistrate's Office, Rutnagherry,
3 September 1833.

TRANSLATION of the DEPOSITION of *Shawurtee*, the Female Slave of Tookshelf, a Banian of Pawuskar, age 45, Inhabitant of Soonder Warree.

I DEPOSE that I am the slave of a Pawuskar banian, who dismissed me without any certificate to that effect. I left Warree to go to Bombay to procure subsistence, where I have a relation, but do not know his name; I intended to go to him; this is about four months ago. We left with a canara banian, but I do not know his name. Having left Warree, we remained two days at Malwan, in the house of Mooraslett, banian, where I have a sister. I did not see Bappoo Mhyput there, nor do I know him, nor have I ever seen him. We were travelling from Warree on foot, and the canara banian allowed me occasionally to ride his bullock and carried my little girl, and my eldest girl walked; her name is Bhiccee, and the little girl's Dhondee. After this we three left Malwan for Chiploon; there was another man with us, but we lost him upon the road, and we also at that time lost our road and got into the jungle, and the next day arrived at a village, the name of which I do not know, nor do I know what the name of the man is who left Malwan with us; he lived above the Ghaut. We then went to Chiploon, and having remained there two days, left it and went to Ghoragaon, where we remained in the house of a singra banian for one month, and having left this went to Patagaon, a village about a coss and a half from Ghoragaon, and put up in the house of a Coonbee, whose name I do not know, and on leaving it went to Mhar, and lived in the house of Cundao for a month, after which we lived in a temple in the village of Lanaree.

Question. You left Warree to go to Bombay, and went as far as Ghoragaon; why then did you go from thence to Patagaon and Mhar?—*Answer.* I could not meet with any one to accompany us, and did not therefore go to Bombay.

Q. Why did you go from Ghoragaon to Mhar?—*A.* The singra banian told me I could not gain subsistence there, and on this account to go to Mhar, and I accordingly went, and the singra banian came himself to Mhar and told me to hire a man to go with us to Warree.

Q. Having left Mhar, you went to Lanaree; where did you intend to go from thence?—*A.* There was cholera at Mhar, and we therefore went to Lanaree, intending to return again when it subsided, and from thence to Warree.

Q. Where

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Accompanying
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Q. Where do you wish to go from hence?—A. I am going from hence to my house at Warree. E. I. Company and Board of Control.

Q. When Bappoo Mhyput was at Warree, did you ever perform his household duties, such as cleaning his basins, &c.—A. I never went to him, nor do I know him. (Documents.)

Dated 1 August 1833.

(signed) *Shawurtee Loundee,*

✕
Her mark.

Deposed to before me, this 1st August 1833,

(signed) *J. A. Forbes,* Magistrate.

Q. Have you sold your daughter Bhiccee to any one as a slave or not?—A. I have sold my daughter Bhiccee to Camrakur Bheel, but I do not recollect exactly for how much.

Q. Two sepoys, Essoo Khan and Saik Daod, depose in your presence that they saw you with Bappoo Mhyput's effects in the hill at Acharee, coming from Malwan, and you say you did not meet any one on the road; how is this?—A. It must have been somebody else they saw, for they did not see me with the effects.

Q. Do you know Hussun, a ghorawala, and did he go with you to Ghoragaon?—A. Hussun is a Warree servant; I know him, but he was not with me, nor did I meet with him, either at Malwan, on the road at Ghoragaon, or Chiploon.

Q. Your daughter Bhiccee deposes in your presence that you met with Hussun at Malwan and other places on the road, and also at Ghoragaon, and you say you did not see him; how is this?—A. It is true she deposes to that effect, but I did not see him.

(signed) *Shawurtee Loundee,*

✕
Her mark.

Dated 1 August 1833.

Deposed before me, this 1st August 1833,

(signed) *J. A. Forbes,* Magistrate.

(True translation.)

(signed) *C. M. Harison,* Assistant Magistrate.

TRANSLATION of a DEPOSITION of *Bhiccee*, the Female Slave of the Banian Pawuskar, age 14 years, Inhabitant of Soondar Warree.

I DEPOSE I left Warree about four months ago with a canara banian, altogether 10 or 12 men at that time; there were no government peons or other servants with us; I, my mother and little sister arrived at Malwan. There is a slave, by name Rama, living there, whom I know, and with whom we put up; we remained there four days, and the canara banian left us and went up the Ghaut, and I, my mother and sister left for Mhar; at that time there was no other person with us. When we arrived at Mhar there was so much cholera there we left it for Ghoragaon, and lived for one month in the house of a singra banian, and left it to return to Warree, but having lost our road, arrived at the village of Lanaree, and I, my mother and sister lived a month in the house of Bappoo Pingla, at Mhar.

Question. Did your mother tell you, on leaving Warree, where you were going to?—Answer. My mother told me we were going to Mhar.

Q. Did you ever, during the time, know Bappoo Mhyput, a government karkoon, who was at Warree, clean his basins, beat rice, or perform any other household work for him, or do you know him?—A. I do not know Bappoo Mhyput, nor have I ever seen him, nor have I ever served him in any way.

Q. You remained at Ghoragaon one month; at that time whom did you serve, and did you ever go to Bappoo Mhyput, or not?—A. I went for employment to every one at Ghoragaon, and once to Bappoo Mhyput's house, to beat rice, and prepared two maunds.

Q. Bappoo Mhyput went from Rutnagherry to Ghoragaon; how many days did he remain there, and do you know Hussun, a ghorawala?—A. I was not at Ghoragaon at the time Bappoo Mhyput went there, but at Lanaree; Lanaree is a coss from Ghoragaon; we remained there 15 days, and I do not, therefore, know how long he remained at Ghoragaon; I know Hussun, the ghorawala.

Q. Did Hussun, the ghorawala, accompany you when you left Warree?—A. At the time we left Warree, Hussun, the ghorawala, was with Bappoo Mhyput's effects; we met him at Dhamapoor, from whence he accompanied us to Malwan; and Hussun and Abdool, both Mussulmen, used to come twice a day to dinner, when I constantly met them; and having left Malwan, we met Hussun in Chiploor, and afterwards at Ghoragaon, when I said to him, "I am coming with you to Warree;" and he replied, "You have no money for the expense of the road; do not therefore come;" and I did not therefore go with him.

Q. You met Hussun at Chiploor that time; what effects had he with him, and how many other men were there with him?—A. When I met him he had two horses and two sepoys; one of them

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(Documents.)

them a government peon, and the other a Warree sepoy, but I do not know his name; the horses had saddle-bags, and carried Bappoo Mhyput's effects.

Q. Has your mother sold you to any one, or not?—A. My mother has sold me to Camrakur Bheel, but I do not know for how much.

Dated 1 August 1833.

(signed) *Bhiccee Loundee,*
✕
Her mark.

Deposed before me, this 1st day of August 1833.

(signed) *J. A. Forbes,* Magistrate.

(True translation.)

(signed) *C. M. Harison,* Assistant Magistrate.

TRANSLATION of the EXAMINATION of *Bhicklee Loundee*, of Dhondshut Pawunskur, at present residing at Rutnagherry.

No. 42.
Accompanying
No. 49.

Question. WHEN you went to the house of Abbajee Mhyput, at Ghoragaon, what business did you do there?—Answer. I beat bhat.

Q. What did they give you to eat?—A. They gave my mother rice, of which I ate.

Q. Who gave your mother rice?—A. Abbajee Mhyput's brother's wife.

Q. Where did you sleep?—A. I slept at a house near Abbajee Mhyput's.

Q. On the road to Ghoragaon did the slave-woman, given by Sheerka, ride on the horse, or did you?—A. She rode; I did not.

Q. When you went to Ghoragaon, who were there with you?—A. One puttawalla, one matchlock-man, Hussun, the ghorawala, and we four women; among whom was Sheerka's slave-woman; also two horses.

Q. Why did you not return with Hussun, the ghorawala, from Ghoragaon?—A. Abbajee Mhyput said, "Bappoo Mhyput sent you here; when he arrives I will let you go; before, I cannot allow you to go."

Q. When did you go to Mhar?—A. The cholera was raging at Ghoragaon; on this account Abbajee Mhyput told us to go to Mhar, which we accordingly did, and Bapoojee Mullar Pingla Wukul visited Ghoragaon, as Bappoo's father had died; when Pingla asked Abbajee Mhyput—"These women are inhabitants of Warree, why have they come here?" Abbajee Mhyput answered, "Bappoo Mhyput has sent them here from Warree to gain their livelihood."

Q. How many days before coconut day did you arrive at Rutnagherry?—A. We arrived on Monday at Rutnagherry, at about half-past six o'clock; but there was a ryghur sepoy with us, who said we did not arrive on Monday, and I therefore also said so formerly; we met a sepoy of the Hoozoor kutchery, to whom, I recollect, the sepoy who was with us made a salam.

Q. When Raghobah Sheet Pawuskar came into the guard-room, what did he say to you?—A. He said to the sepoy and other people there, "These women belong to me."

Q. When you arrived at Ghoragaon, what became of Sheerka's slave-woman?—A. As long as I was at Ghoragaon she was there, and living in the stable behind Bappoo Myphut's house; afterwards I went to Mhar, and do not know where they sent her.

Dated 19 August 1833.

Mark of
✕
Bhicklee, Slave-girl.

Stated before me, this 19th day of August 1833.

(signed) *J. A. Forbes,* Magistrate.

(True translation.)

(signed) *C. M. Harison,* Assistant Magistrate.

TRANSLATION of the EXAMINATION of *Shevtee*, Slave-woman, belonging to Dhond Sheet Pawuskar, now residing at the Village of Rutnagherry.

No. 44.
Accompanying
No. 39.

Question. WHEN you went to the house of Abbajee Myphut at Ghoragaon, what business did you do there?—Answer. I did not go to Abbajee Mhyput's; I was with Dhonda, a banian, where they brought me bhat, which I beat.

Q. Do you know any thing about Sheerka having given Bappoo Mhyput some slave-women at Warree?—A. Bappoo Mhyput was at Warree, to whom Baba Sheerka gave a slave-woman; two months before we left, Bappoo Mhyput was living with Ragoo Shut Mhaphsekur, whose house was near mine, and at that time Sheerka gave him the slave-woman, who came to my house to have her hair braided; when I asked her where she had come from, she replied, Baba Sheerka having brought her from the village of Ashia-mut, gave her to Bappoo Mhyput, to whom the sirkar are to give some other slave-woman, but have not done so.

Q. After you had left the village of Atchre, you met a puttawala on the road; he spoke to you; who was riding on the horse at that time?—A. We left Atchre, and having descended the hill came to the river, near which we met a sepoy coming from Rutnagherry;

at

at that time Baghee, the female slave given to Bappoo Mhyput by Baba Sheerka, mentioned above, was sitting on the horse.

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(Documents.)

Q. What did the sepoy you met say?—**A.** He asked me whose effects they were; when Suntoo, a sepoy of Bappoo Mhyput, who was with the effects, answered, "They are Bappoo Mhyput's, going from Malwan to Ghoragaon."

Q. At that time how many of you were there?—**A.** At that time there were Suntoo, a puttawalla, and a matchlock-man; Hussun, a ghorawala, myself and my daughters Bhiccee and Dhondee, and Baghee, whom Sheerka had given to Bappoo Mhyput.

Q. Who paid the expenses of Bappoo's effects on the road?—**A.** The matchlock-man; and having procured supplies from the bazar, gave dinner to all.

Q. When Bappoo Mhyput's effects arrived at Ghoragaon, where did the slave-woman Sheerka had given him live?—**A.** Abbajee Mhyput (Bappoo Mhyput's brother) kept her in his own house.

Q. When Bapoojee Mullar Pingla came to Ghoragaon, what passed between him and Bappoo Mhyput's brother, Abbajee Mhyput?—**A.** Bappoo Pingla asked, "What have these people come from Warree for?" when Abbajee Mhyput said, "Bappoo Mhyput has sent them from Warree; when he comes he will arrange what is to be done with them."

Q. You intended to leave Ghoragaon to return to Warree with Hussun, the ghorawala; why did you not go there?—**A.** We were about to proceed with Hussun, the ghorawala, to return to Warree, when Abbajee Mhyput said to Hussun, "Bappoo Mhyput has sent these women from Warree; I will not allow them to return, and do not you take them;" at which he was very much annoyed, and said, "I will go on to Warree, and endeavour to get you there; do not fear."

Q. Why did you go from Ghoragaon to Mhar?—**A.** The cholera having broken out at Ghoragaon, people began to die, and I, being afraid, took my daughters, and told Abbajee Mhyput I was going to Mhar, when he said, "I cannot allow you to go;" I told him I was going on account of the cholera, and that when it had ceased I would return; and having so said, I went to Mhar; after this, Abbajee Mhyput sent two men to bring me back to Ghoragaon; I do not know their names; I told them I was coming, but did not go, and after a month left Mhar, and went to the village of Lanarre; then Abbajee Mhyput sent a man of Bappoo Mhyput's, who found me there, and told me to go to Bappoo Mhyput's house at Ghoragaon; I told him I was going to Warree, but he said he would not allow me to go; and after this, a sepoy of the mahul came and took me to the mahul; I do not know whether the people who hindered me were villagers or Abbajee Mhyput's servants.

Q. When you arrived at Ghoragaon, whose house did you live in, and who supported you?—**A.** For four days after our arrival at Ghoragaon, Aba and his women gave us rice, which we ate; afterwards Baghee, a slave-woman of his, began to annoy me regarding his house-work, and some women who lived near Abbajee Mhyput said to me, "He who has brought you here will expect you to work as a slave in his house, and will not allow you to go away anywhere;" so that, having deceived me, he sent me from Warree; I imagined that I should not be comfortable there; there was a jota banian's house within reach of a call, where I told Aba I was going to live, not liking to remain where I was, and would take my food from his house, and that when Bappoo Mhyput arrived he would make proper arrangements; and having so said, I went and lived in the jota banian's house, and went from thence to Abbajee Mhyput's to work, and received rice from him; as, however, I was very much annoyed in performing his house duties, I was about to proceed to Warree with Hussun, the ghorawala, but Abbajee Mhyput prevented me, and would not allow me to go.

Q. When did you first hear the sirkar was investigating regarding the slave-women sent by Bappoo Mhyput's from Warree to Ghoragaon?—**A.** On the day after our arrival at Ghoragaon, Abbajee Mhyput told me a man had arrived from Bappoo Mhyput, and that there was an investigation going on concerning his having taken us from Warree; but if any one should ask me about it, to say I came to gain subsistence; I asked him why I should say so, that I should suffer for it, but would do as he wished.

Q. Before you arrived at Rutnagherry, did any one tell you not to tell the truth, and did any one teach you not to mention Bappoo Mhyput's name?—**A.** One day, before I was apprehended at the Temple, in the village of Lanarre, by a sepoy of the mahul; Abbajee Mhyput sent a servant of his, a mahratia, who told me, if any sahib or other persons should question me, not to say I was sent by Bappoo Mhyput from Warree, or to mention his name, but say I came to gain a livelihood, and not say any thing about Bappoo Mhyput; he further told me, there was a sepoy coming to apprehend me, and to keep a good heart.

Q. How did Bappoo Mhyput mislead you to get you from Warree to Ghoragaon?—**A.** One month before Sheerka gave the slave-woman Baghee to Bappoo Mhyput, Bappoo Mhyput's sepoy used to come to me for my daughter Bhiccee; but I told him she had not yet reached the age of puberty, and could not therefore come; also I told my daughter not to go to Bappoo Mhyput, as the purvoo caste was a very low one; but before I came here I do not know in what way Bappoo Mhyput turned my daughter's head, but his matchlock-man, whose name I do not know, came to my house, and told me not to fear any thing,—“Bappoo Mhyput will give you fine clothes and food, and every three or four months will allow you to go from Ghoragaon to Warree, and afterwards bring you back again;” on this account my daughter, Bhiccee, insisted upon going to Ghoragaon, and begged me to go, and take the little girl with us; we therefore, with the little girl, accompanied Bappoo's effects to Ghoragaon; but when I had arrived at his house, they expected me

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to perform the work of a slave, and gave me great annoyance; I therefore intended to return to Warree.

Q. Having left Mhar, Bappoo Salvee, sepoy, came with you to Rutnagherry; did he teach you on the road what you were to say?—A. He did not; nor did he say any thing to me except to tell me to get on quickly.

Q. Upon what day did you arrive at Rutnagherry?—A. I do not recollect upon what day or date; but the night of our arrival and the two following we slept at Balloo Soorwa's house, and on Thursday, having eaten our khana, came to the kutchery.

Q. What did they keep you three nights at Balloo Soorwa's house for, instead of bringing you to the kutchery?—A. I do not know what they kept us at Balloo Soorwa's for; but he said, "You shall first see the cocoanuts thrown into the sea, and afterwards go to the kutchery."

Q. Did any one come to Balloo Soorwa's while you were there?—A. People came there; but I do not know who they were.

Q. When you arrived at Balloo Soorwa's, did he ask you any questions?—He asked Bappoo Salvee, the sepoy, who was with us, "Who are these?" when he replied, "They are prisoners in Bappoo Mhyput's case;" and Balloo Soorwa then said, "They may not be slave-women, but may have gone to procure a livelihood;" he likewise said, "If they will say 'We went there to gain a livelihood, and are not slave-women, nor did Bappoo Mhyput take us to Ghoragaon; we went of our own accord,' then they will be released by the magistrate."

Q. During the time you were confined in the Hoozoor guard, did any one come to see you there?—A. Above five or six days after we were placed there, Raghobah Sheet Pawuskar came into the guard-room and sat down upon a box and smoked a hookha, and began to look at me, and asked me "Who are those children?" when the sepoy on guard told me not to answer him, and did not allow either myself or Pawuskar to speak, and told him to get up and go away; I did not hear whether Pawuskar spoke after this.

Q. How long have you known Raghobah Sheet Pawuskar?—A. Hurshut Pawuskar was my master; Raghobah is his brother Pookshut's son, and Dhondshut my master's uncle's son; but Dhondshut is the eldest branch of the family, and they all live together, and Dhondshut is the head, and Raghobah Sheet is a drunkard, and has lost caste, and on this account his uncle Hurshut is my master, and 25 or 26 years ago turned Raghobah Sheet out of his house; since this Hurshut died, and he, Raghobah Sheet, commenced visiting his house; but Dhondshut is my master.

Dated 19 August 1833.

Mark of

✕

Shewtee, Slave-woman.

Stated before me, this 19th August 1833.

(signed)

J. A. Forbes, Magistrate.

(True translation.)

(signed)

C. M. Harison, Assistant Magistrate.

TRANSLATION of the DEPOSITION of *Essoo Khan Wullud Ishmael Khan*, Puttawalla, Inhabitant of the Port Rutnagherry, aged 25, Mussulman.

No. 44.
Accompanying
No. 39.

I DEPOSE on oath, that I and another sepoy, Bapoo Golandaz, left Rutnagherry to proceed to join the collector at Malwan, and on ascending the hill at Acharee we met a fine young woman, and asked her where she came from; she replied from Warree: after I had ascended a little higher I met two other women, one ghorawala, one puttawalla suntoo, and one matchlock-man, altogether five persons with two horses. When I asked the puttawalla "Where have these effects come from?" he replied, "They belong to Bappoo Mhyput Bhuree, and are going to Ghoragaon." I then proceeded on the road to Malwan, and the others on their way.

Dated 1 August 1833.

Question. You have now seen the girl Bhiccee; was she one of the party or not?—Answer. She was riding upon one of the horses.

Q. Was the female slave Shawurtee, you now see in the presence of the court, with the effects or not?—A. She was also there.

Q. You mentioned in your deposition the name of the puttawalla suntoo, where did you know him?—A. Bappoo Mhyput was formerly a carcoon in the Rutnagherry office, and he was at that time living with Bappoo Mhyput, and he was also an office peon; afterwards he went away with Bappoo Mhyput.

(signed)

Essoo Khan Wullud Ishmael Khan, Puttawalla,

✕

His mark.

Dated 1 August 1831.

Sworn before me, this 1st day of August 1833.

(signed)

J. A. Forbes, Magistrate.

(True translation.)

(signed)

C. M. Harison, Assistant Magistrate.

TRANSLATION

TRANSLATION of the DEPOSITION of the *Shaik Daod Wullud Shaik Adam*, Sepoy, age 25, Mussulman, trade Puttawalla, inhabitant of Rutnagherry.

E. I. Company and
Board of Control.
(Documents.)

I DEPOSE on oath, that I and Essoo Wullud, whose father's name I do not know, left Rutnagherry for the sowaree at Malwan. There is a ford in the river at Atcharre, which I went near, and I saw approaching from in front three women, one puttawalla, and one matchlockman, and one ghorawala, altogether six men and two horses; the sepoy, Essoo, who was with me, inquired "Where have you come from?" There was one stout woman who answered, "We have come from Warree, and all these effects belong to Bappoo Mhyput;" after which we proceeded on our road to Malwan.

Dated 1 August 1833.

Question. Are the women you now see in the court, Shewtee and Bhiccee, the same you met on the road?—*Answer.* They are; there was also another woman with them, but I do not recollect seeing the little girl.

(signed) *Shaik Daod Wullud Shaik Adam*, Puttawalla,

✕

His mark.

Sworn before me, this 1st day of August 1833.

(signed) *J. A. Forbes*, Magistrate.

(True translation.)

(signed) *C. M. Harison*, Assistant.

Minute by Mr. *Sutherland*, subscribed to by Mr. *Newnham*.

THE resolution of government on the charge of importing slaves should have been communicated to the magistrate of Rutnagherry, to be acted upon, and he should be instructed to send the necessary proceedings and witnesses to the magistrate of Tannah.

No. 46.

In regard to the subject of the present letter, the magistrate should be directed to await the result of proceedings before the magistrate of Tannah, and thereafter act in such manner as he may deem proper in the matter now submitted for the consideration of government.

(signed) *J. Sutherland*.

No. 1,881.

From Mr. Secretary *Bar* to *J. A. Forbes*, Esq., Magistrate, Rutnagherry.—
(19 September 1833.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letters of the 29th July and 3d instant, the former regarding the investigation of the charges of bribery and corruption preferred against Bappoo Mhyput, and the latter forwarding the depositions of the slave-women and others regarding the charge against him of importing slaves.

No. 47.

In regard to the former letter I am directed to observe, that a reference has been made to the *Sudder Foujdaree Adawlut* to ascertain whether Bappoo Mhyput can be tried for bribery and corruption, seeing that he was acting for the British Government in a foreign state at the time the alleged crimes are supposed to have been committed, and not in his ordinary capacity on the establishment of the collector of Tannah, who at the time had been divested of political control over Warree, which is under you, and under whose orders he was then acting.

The charge for importing slaves into the Bombay territory is one that may of course be tried, if it is your opinion that he should be brought to trial; and as the place to which the supposed slaves were conveyed and lodged, viz. Ghoragaon, is in the Tannah magistrate's jurisdiction, Bappoo Mhyput should be tried there for any criminal act connected with the importation, save and except the acceptance of a slave or slaves as a present, which if proceeded with should be before the same tribunal as the other charges of a similar nature.

You will accordingly act upon these instructions, and send the necessary proceedings and witnesses to the magistrate of Tannah.

In regard to the subjects of your letter of the 3d instant, I am directed by the Right honourable the Governor in Council to instruct you to await the result of proceedings before the magistrate of Tannah, and thereafter act in such manner as you may deem proper in the matter now submitted to the consideration of government.

I have, &c.

(signed) *J. Bar*, Secretary to Government.

Bombay Castle, 19 September 1833.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 9 October 1833.

From the Register of the Sudder Foujdaree Adawlut to Mr. Secretary *Bax*.—
(16 September 1833.)

Sir,

No. 21.

IN reply to your communication of the 26th ultimo, forwarding the papers connected with the investigation of certain charges of bribery and corruption against Bappoo Mhyput Bhuree, for the opinion and report of the judges, I am directed by them to state, for the information of his Lordship in council, that, having given the case their best consideration, they are of opinion that the regulations contain no provisions under which the individual in question can be tried for the crime of bribery and corruption in a foreign state, whilst not acting in his official capacity as a revenue or police servant.

The regulations under which the offence of bribery and corruption is punishable are directed solely against officers employed in a revenue, magisterial or judicial capacity.

In regard, however, to the charge of illegally importing slaves, he may, in the opinion of the judges, be tried under chap. 5, Regulation XIV. of 1827, for any transgression of its rules.

The papers accompanying your letter are herewith returned.

Bombay, Sudder Foujdaree Adawlut,
16 September 1833.

I have, &c.
(signed) *H. Young*, Register.

Minute by Mr. *Sutherland*.

No. 22.

It appears to me, under the opinion of the Sudder Foujdaree Adawlut, that no prosecution will lie against Bappoo Mhyput Bhuree while employed on political duty in the Sawant Warree state; there is nothing, however, to hinder government from acting in the proceedings held to determine whether he is a fit person to retain in the employment he has under the Tannah collector. I would recommend that the papers he sent to Mr. Giberne, for him to report, on a perusal of these proceedings, whether he is trustworthy or not, and that he should do this through the revenue commissioner, in the usual manner, for the information of government, returning the papers by this channel to government.

The magistrate of Rutnagherry should be informed of this resolution, with the grounds that have led to it.

The prosecution for importing slaves against Bappoo Mhyput has already been referred to the magistrate of Tannah.

The result of this case leads me to reflect on the impunity with which persons in political situations may act in the discharge of their duties. I think a regulation should at once be introduced, declaring them amenable to the rules in force against other public officers, whether revenue or judicial.

(signed) *J. Sutherland*.

Minute by the Right honourable the Governor, subscribed to by the Board.

No. 23.

I QUITE agree with Mr. Sutherland that such a regulation is called for, and the Sudder Adawlut may be requested to send in a draft for approval; I concur in Mr. Sutherland's remarks on this case.

(signed) *Clare*.

27 September 1833.

No. 2,001 of 1833.

From Mr. Secretary *Bax* to the Sudder Foujdaree Adawlut.—(4 October 1833.)

Gentlemen,

No. 24.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your register's letter of the 16th ultimo, and to observe that as, under your opinion, no prosecution will lie against Bappoo Mhyput Bhuree while employed on political duty on the Sawant Warree state, and reflecting on the impunity with which persons in political situations may act in the discharge of their duties, his Lordship in council is desirous that a regulation should at once be introduced, declaring them amenable to the rules in force against other public officers, whether revenue or judicial, and accordingly requests you will prepare the draft of one, and submit it to government.

2. As there is nothing, however, to hinder government from acting on the proceedings held to determine whether Bappoo Mhyput is a fit person to be retained in public employment under the Tannah collector, the papers have been sent to Mr. Giberne, for him to report, on a perusal of those proceedings, whether he is trustworthy or not.

3. In regard to the prosecution for importing slaves, I am directed to inform you that instructions have been issued to the magistrate of Rutnagherry to the effect stated in the 3d para. of my letter of the 26th of August last.

I have, &c.

(signed) *John Bax*, Secretary to Government.

Bombay Castle, 4 October 1833.

No. 2,002.

No. 2,002.

From Mr. Secretary *Bar* to the Magistrate of Tannah.—(4 October 1833.)

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying proceedings on the charge of bribery, &c. preferred against Bappoo Mhyput Bhuree, while employed on political duty at Warree, and to inform you that, under the opinion of the Sudder Foudaree Adawlut, no prosecution will lie against him while thus employed; but as there is nothing to hinder government from acting in the proceedings held to determine whether he is a fit person to be retained in the employment which he has under you, his Lordship in council desires you will report, on a perusal of these proceedings, whether he is trustworthy or not, and that you will do this through the revenue commissioner, for the information of government, returning the papers by that channel to government.

2. In regard to the charge for importing slaves, the magistrate of Rutnagherry has been informed that it may of course be tried, if it be his opinion that he should be brought to trial; and as the place to which the supposed slaves were conveyed and lodged, viz., Ghoragaon, is in your jurisdiction, Mr. Forbes has been informed that Bappoo Mhyput should be tried at Tannah for any criminal act connected with the importation; the Sudder Foudaree Adawlut has given its opinion that he can be tried on that charge, under chap. 5, Regulation XIV. of 1827, for any transgression of its rules.

I have, &c.

(signed) *John Bar*, Secretary to Government.

Bombay Castle, 4 October 1833.

E. I. Company and
Board of Control.
(Documents.)

No. 25.

No. 2,003 of 1833.

From Mr. Secretary *Bar* to *J. A. Forbes*, Esq., Magistrate of Rutnagherry.—
(4 October 1833.)

Sir,

IN reference to the 2d para. of my letter of the 19th ultimo, I am directed to inform you that, under the opinion of the Foudaree Adawlut, no prosecution for the crime of bribery and corruption will lie against Bappoo Mhyput Bhuree, while employed in political duty in the Sawant Warree state.

2. As there is nothing, however, to hinder government from acting on the proceedings held to determine whether he is a fit person to be detained in the employment he has under the Tannah collector, the papers have been sent to Mr. Giberne, for his report, on a perusal of these proceedings, whether he is trustworthy or not.

3. In regard to the prosecution for importing slaves, the instructions of government have already been communicated to you, under date the 19th ultimo. The Sudder Foudaree Adawlut has given its opinion in regard to that charge, that he can be tried under chap. 5, Regulation XIV. of 1827, for any transgression of its rules.

I have, &c.

(signed) *John Bar*, Secretary to Government.

Bombay Castle, 4 October 1833.

No. 26.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 21 December 1833.

From *R. Mills*, Esq., Magistrate, Ahmednuggur, to Mr. Secretary *Bar*.—
(14 December 1833.)

Sir,

CONFORMABLY to section 34 of Regulation XIV. of 1827, I have the honour to hand up a statement of persons convicted by the assistant-magistrate at Nuggur, of selling and buying a girl, aged about seven years, contrary to the provisions of section 30 of the above-quoted regulation, and to request you will obtain for me the instruction of government regarding her disposal.

2. The girl states in her deposition, that she was sold by her mother to the accomplice of Maddapa Kikaree, a Doudee woman, but that she does not know the name of the place of her residence or birth.

3. The girl is not old enough to take care of herself if she were set at liberty, and her mother probably sold her from inability to support her; and as she can give no account of her birth-place, it would be useless issuing a proclamation about her.

4. I know of no other way of disposing of her, except government maintains her till she is able to take care of herself, than by making her over to the woman who purchased her, taking her security that she will not bring her up in the way she doubtless intended to do when she purchased her.

I have, &c.

(signed) *R. Mills*, Magistrate.Ahmednuggur, Magistrate's Office,
14 December 1833.

No. 42.

E. I. Company and
Board of Control.
(Documents.)

STATEMENT of CHILDREN under charge of the Magistrate.

Name.	Caste.	Age.	Place of Residence.	Sold by whom.	Bought by whom.	Sentence.	Fine paid.
Mudder	Lingayet	6	Badrad	-- Muddapah Wullud Bapoo, Kulkajee. Dhondee, wife of my appa. Ditto.	Dedar Buakh Kulwanteen.	-- The prisoners are fined 30 rupees each, and, in default, sentenced to four months' imprisonment.	Dedar.

(signed) R. Mills, Magistrate.

No. 2,652 of 1833.

From Mr. Secretary *Bax* to *R. Mills*, Esq., Magistrate, Ahmednuggur.

No. 42 a.

Sir,
I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 14th instant, and to acquaint you that it would be objectionable to hand over the girl in question to the woman who purchased her.

Perhaps some person of her own caste will take charge of the girl, and, if necessary, you are authorized to give a small sum for her maintenance until she is able to take care of herself.

I have, &c.

(signed) *John Bax*, Secretary to Government.

Bombay Castle, 20 December 1833.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 22 January 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to Mr. Secretary *Bax*.—
(28 December 1833.)

No. 31.

Sir,
WITH reference to the 2d paragraph of your letter, dated 20th instant, I have the honour to acquaint you that Sheikh Booden, foudjar, of this town, is willing to take charge of the girl alluded to in my letter of the 14th instant; and will, if the government sanctions the arrangement, give an acknowledgment to bring up the girl respectably.

2. The foudjar is a respectable government servant, and if government concur in it, the girl shall be made over to Sheikh Booden, and his acknowledgment taken.

Ahmednuggur, Magistrate's Office,
23 December 1833.

(signed) *R. Mills*, Magistrate.

No. 108 of 1834.

From Mr. Secretary *Bax* to *R. Mills*, Esq., Magistrate of Ahmednuggur.—
(17 January 1834.)

No. 32.

Sir,
I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter, dated the 28th ultimo, and to request you will ascertain whether an arrangement cannot be effected for placing the girl under the care of a person of her own caste.

The foudjar of Ahmednuggur, I am directed to observe, is a Mahomedan, and by transfer to him the girl will have no chance of ever being again received by her connexions or caste, as she is a Hindoostanee.

(signed) *J. Bax*, Secy to Govt.

Bombay Castle, 17 January 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 2 April 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to Mr. Chief Secretary *Norris*.—
(12 March 1834.)

No. 62.

Sir,
IN reply to your letter of the 17th January last, I have the honour to acquaint you that only one man of all the lingayet caste in Nuggur is willing to take the girl alluded to, and he will only consent to give her in marriage, if any one will take her, otherwise he will keep her as a house-slave.

2. The objection which the lingayets make to receiving the child is, that she has already lost caste by eating with a cusbin who purchased her.

3. I would

3. I would suggest that I be permitted to offer a reward of 50 rupees, or more if necessary, to any lingayet who will take the girl and bring her up properly; this sum might be expended in such ceremonies as are necessary for establishing her in her caste.

E. I. Company and
Board of Control.
(Documents.)

I have, &c.

Circuit Cutcherry, at Kopergaum,
12 March 1834.

(signed) *R. Mills*, Magistrate.

No. 827.

From Mr. Chief Secretary *Norris* to *R. Mills*, Esq., Magistrate of Ahmednuggur.—
(22 March 1834.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 12th instant, and to inform you that the Right honourable the Governor in Council is pleased to permit you to offer a reward of 50 rupees, or more if necessary (which you will be pleased to report to government), to any lingayet who will take the girl and bring her up properly, which sum might be expended in such ceremonies as are necessary for establishing her in her caste.

No. 63.

His Lordship in council cannot allow the girl to be given to any one to bring her up as a house-servant.

I have, &c.

Bombay Castle, 29 March 1834.

(signed) *C. Norris*, Chief Secy to Govt.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 31 December 1833.

From *R. Mills*, Esq., Magistrate, Ahmednuggur, to Mr. Secretary *Bar*.—
(30 November 1833.)

Sir,

CONFORMABLY to section 32 of Regulation XIV. of 1827, I have the honour to hand up statements of persons convicted by the assistant-magistrate at Nuggur of selling and purchasing certain children of different ages, contrary to the provisions of section 31 of the above-quoted regulation, and to request you will obtain for me the instructions of government regarding them.

No. 95.

2. A statement, showing the names, ages and caste of the children, the purchasers and sellers, is herewith annexed, for the information of the Right honourable the Governor in Council.

3. From the depositions of all those children who are able to give any account of themselves, it appears that some of them reside in the Solapoor districts and some in the nizam's territories. I have forwarded copies of the depositions to the magistrate of Solapoor, with a request that he will endeavour to find out the relations and friends of the children, and forward them to Nuggur to receive charge of them.

4. For the present I have kept the children in the hospital, but I request the instructions of government for their final disposal; the girls, who are about the age when, according to the Hindoo law, they are able to take care of themselves, might be released, and a sum of money given them to support themselves, being the amount of the fine awarded against those who sold or purchased them.

5. Those children who are inhabitants of the Company's districts, and who can give any account of themselves, might be forwarded to the magistrate of the zillah in which their villages are, who might be instructed to find out their parents, or, if their parents cannot be found, the children might be made over to their caste or to the villagers, with instructions to take care of them.

6. In regard to those children who state they reside in the nizam's territories, the government, if they do not wish to support them till they arrive at maturity, can transfer them to the nizam's authorities, and with the government's permission I will request the resident at Hyderabad to interest the durbur in their favour and to direct the villagers to take care of them.

7. With respect to those children who can give no account of themselves, and who are very young, the government must, I apprehend, support them till such time as their parents can be found. I would beg leave to suggest that proclamations be issued, stating the names, ages and appearance of each child respectively, and directing their parents or relations to come and claim them; this seems the only way of finding out their natural protectors, though it is very doubtful whether it will have the desired effect.

8. The late scarcity in the Solapoor and adjacent districts has no doubt induced the parents of many of these children either to desert them, being unable to support them, or to sell them to prevent themselves from starving, whilst others, I have little doubt, were seized and carried off and disposed of to the best advantage.

9. From the proceedings held in each case, and the purchasers being of a class who live by prostitution, &c., there is no doubt that the children were purchased for that object also, contrary to the provisions of 5th clause, section 31, of Regulation XII. of 1827.

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E. I. Company and
Board of Control.
(Documents.)

10. There have been some other cases of sales and purchase of children, and as it appeared to me that nothing would check the practice but a severe punishment being inflicted on the offenders, I directed the assistant-magistrate to commit all future cases to the session judge of this zillah for trial.

I have, &c.

Ahmednuggur, Magistrate's Office,
30 November 1833.

(signed) *R. Mills*, Magistrate.

STATEMENT of CHILDREN under the charge of the Magistrate.

Name.	Caste.	Age.	Place of Residence.	Sold by whom.	Bought by whom.	Sentence.	Fine paid.
Gunga -	Wanee -	4	Kelgee -	Muddappa W ^d Bappoo Kykasee.	-- Kuppooora Nykun and her daughter.	-- Muddappa and Dhondee fined 30 rupees each, and, in default of payment, to suffer four months' confinement. Ryappa and Hurkoo are released. Kuppooora and Khondee are admitted as king's evidence, and pardoned according to the provisions of clause 1st, section 34, of Regulation XII. of 1827.	
Sheeame -	Kolleen -	4	Chittapore -	- - - -	-- Khondee Kulwatteen.		
Mucktoom -	Mussulman	12	Kulboorge	-- Dhondee, wife of Myappa Kybunee Ryappa W ^d Jettee, ditto.			
Moosun -	Kollee -	6	Muna -	-- Hurkoo W ^d Sutwa, ditto.			
Gunga -	Coonbee -	3	Kulboorge	-- Muddappa W ^d Bappoo Nerye Jowjee Nagapa Kykaree.	Pappa Kuskeen -	-- The prisoners are fined 30 rupees each, and, in default, sentenced to four months' imprisonment.	-- Nerye and Pappa.
Bhagee W ^d Hoonus appa.	Kollee -	12	- ditto -	-- Gundappa W ^d Trimbuckjee Kykaree.	-- Dhunna Kulwatteen.	- ditto - ditto -	Dhunna.
Muddar -	Mussulman	7	Bagan, near Solapoor.	-- Ryappa W ^d Jetteappa.	-- Pheisum Kulwattee.	- ditto - ditto -	-- Ryappa and Pasen.

Ahmednuggur, Magistrate's Office,
30 November.

(signed) *R. Mills*, Magistrate.

No. 2,675.

From Mr. Secretary *Bax* to *R. Mills*, Esq., Magistrate of Ahmednuggur.

Sir,

No. 97.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 30th ultimo, and to inform you that the Right honourable the Governor approves of your suggestions in regard to the girls alluded to, as contained in the 4th and 8th paragraphs of your letter, and authorizes you to transfer the children, subjects of the nizam, to the authorities within his territory.

I have, &c.

(signed) *John Bax*, Secretary to Government.

Bombay Castle, 21 December 1833.

From *R. Mills*, Esq., Magistrate, Ahmednuggur, to Mr. Secretary *Bax*.—
(16 December 1833.)

Sir,

No. 133.

I HAVE the honour to annex a copy of a letter from my assistant, Mr. Inverarity, in charge of the talook of Potloda, and to submit a statement of the names, ages and place of residence, regarding the five girls forwarded, who have been stolen by certain bringarrees from the neighbourhood of Peit Omrawattee Puruf Warrar, in his highness the nizam's territories.

2. The girls state that they fled from the bringarrees, and sought refuge in the Monza Bharum of the Patoda Pergunnah, and that they wish to be sent to their birth-place.

3. I have addressed letters to the magistrates of Poonah, and the northern and southern concan, to apprehend the bringarrees, and to forward them to me, when I shall proceed against them agreeably to the regulations of government.

4. I have

4. I have also addressed the resident at Hyderabad, and forwarded copies of the depositions, &c. and requested him to solicit the durbur to issue instructions to the authorities at Oomrawattee to direct the parents of the girls to come to Nuggur to claim their children. E. I. Company and Board of Control. (Documents.)

5. If the bringarrees are apprehended, I shall of course detain the girls till their trial is finished.

6. Should the bringarrees not be apprehended within a reasonable time, say two months, and the parents of the girls not appear to claim them, I request the instructions of the government to forward them to the place of their birth.

I have, &c.
(signed) *R. Mills*, Magistrate.

Ahmednuggur, Magistrate's Office,
16 December 1833.

From *J. D. Inverarity*, Esq., Assistant Magistrate, Khuringee, to *R. Mills*, Esq., Magistrate, Ahmednuggur.—(10 December 1833.)

Sir,
I HAVE the honour to forward, together with their statement, five girls, who represent that they were stolen from their homes near Nagpoor, two or three months ago, by a tribe of bringarrees, from whom they fled four days ago, and sought refuge in the village of Bharum in this district.

2. They say they wish to be sent to their homes; I therefore forward them to you for transmission to their villages.

3. They are entirely destitute; I have in consequence directed the mamlutdar to supply them with food, while in the road to Nuggur.

There is another girl, the sixth of the number who took refuge in Bharum, now sick in that village; she shall be forwarded as soon as she is recovered.

I have, &c.
(signed) *J. D. Inverarity*, Assistant Magistrate.

Khuringee Boodnoog, 10 December 1833.

(True copy.)
(signed) *Richard Mills*, Magistrate.

STATEMENT of CHILDREN under charge of the Magistrate.

Names of Girls.	Age.	Place of Residence.	Who Stole them.
Kumbee Jaugee Myhungnee Coonbie.	18	Oomrawattee Prant Warrur.	Poona Naik Lurnan, Pandewallu.
Turamee, wife of Byherjee Coshia.	16	Mouthyaon, near Oomrawattee Prant Warrur.	Poongea Lurnan, ditto.
Anundee, wife of Pudhaje Coonbie.	20	Argaon, near ditto - -	Rukhmea Lurnan & 3 other persons, names unknown.
Muktee Wullud Bhukjee Coollee.	- -	Moujee Wurgaon, near ditto	Luxvoomee, a woman, &c.
Muannee W ^d Geamajee -	10	Oomrawattee Prant Warrur.	Names unknown.

(signed) *Richard Mills*, Magistrate.

No. 2,735 of 1833.

From Mr. Secretary *Bar* to *R. Mills*, Esq., Magistrate, Ahmednuggur.

Sir,
I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 16th instant, and to authorize you to forward the children to their parents, as suggested in the 6th paragraph of your letter.

No. 134.

I have, &c.
(signed) *John Bar*, Secretary to Government.

Bombay Castle, 28 December 1833.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 15 January 1834.

From *W. Stubbs*, Esq., Collector of Kaira, to Mr. Secretary *Bax*.—(21 December 1833.)
Sir,

No. 10.

THE accompanying petition (of which a translation is annexed) has been presented to me by the community of dancing-girls of the town of Kaira. The object of it is to complain of the effect of clause 5, section 31, Regulation XIV. of 1827. They have stated, verbally, that as they neither give or take in marriage, and by consequence have no families of their own, a few years will probably see the end of their race, since the regulation prohibits their purchasing children to succeed them in their calling. As this is an effect of the regulation which may not have been contemplated by government, I have thought it expedient to forward the petition.

(signed) *W. Stubbs*, Collector.

Kaira, Collector's Office, 21 December 1833.

SUBSTANCE of a PETITION presented in Goozerattee to *W. Stubbs*, Esq., Collector of Kaira, by Dancing Women (Paturs) of Kaira, dated 19 December 1833.

No. 11.

Bounteous Sir,

WE, the undersigned, are kushees (public women), and have made bold to represent the hardship we labour under, through the medium of this humble petition, fully trusting to your honour for relief.

It has been an old custom with us to purchase girls from their parents, who through want offer them for sale; these girls we rear up and treat as if they were our own children, and eventually they become our heirs; we also rely on them for our support. This custom was extant during the governments of the guicowar and peshwa, and even for some time under the English Government; but since the enactment of the new regulations, all such dealings have been put a stop to, very much to the detriment of our interest. To this your honour might reply, that parents choosing to sell their daughters should acquaint the sircar therewith; but, generous sir, take into consideration if parents would, with any regard to their reputation, make such intentions known to the sircar; but, through sheer necessity, they are obliged to sell their children secretly.

The purchase of girls by us being prevented, what are we to do? who are to become our heirs, and how are our names to continue?

Under these circumstances, we most humbly pray that your honour will (either yourself, or, if you deem necessary, submit our most humble petition to government) do something in our favour, so that we may be allowed to purchase girls to support ourselves, and we, as in duty bound, shall ever pray.

(signed) *Neicka Kheemkoonver Ootungee*,
" *Chundajee Kessurja*,
" *Jafranjee Goolalyee*,
" " *Kessurjee*,
" *Ruttonkoonver Jafranjee*,
" *Umrutjee Vahujee*,
" *Uowl Koonwer*,
And others of the same class.

From Mr. Secretary *Bax* to *W. Stubbs*, Esq., Collector of Kaira.—(10 January 1834.)

Sir,

No. 12.

I AM directed to acknowledge the receipt of your letter of the 21st ultimo, forwarding a petition from the dancing girls of the town of Kaira against that clause of Regulation XIV. of 1827, which prohibits their purchasing children to succeed them in their calling, and in reply to acquaint you that government could not, with propriety, at any time erase the enactment from the code; but, at the present time, when a commission is about to be appointed to inquire into the state of slavery in this country, the Right honourable the Governor in Council is of opinion it would be highly improper and inexpedient to accede to the prayer of the petition.

(signed) *J. Bax*,
Secretary to Government.

Bombay Castle, 10 January 1834.

No. 56.

From Mr. Secretary *Bax* to the Secretary to the Supreme Government.—(10 January 1834.)

Sir,

No. 13.

I AM directed by the Right honourable the Governor in Council to transmit to you, for the purpose of being laid before the Right honourable the Governor-general in Council, the accompanying copy of a letter, dated 21st ultimo, from the collector of Kaira, in Goozerat, forwarding the substance of a petition from the community of dancing-girls in the town of Kaira,

Kaira, against the prohibition of the traffic in the girls for the purpose of being trained to their profession, which has heretofore prevailed among them, together with copy of my reply.

E. I. Company and
Board of Control.
(Documents.)

His Lordship in Council has deemed it advisable to forward these documents, in the event of any inquiry being in contemplation respecting slavery in India.

Bombay Castle, 10 January 1834.

(signed) *J. Bar,*
Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 21 May 1834.

From *C. Prescott, Esq.*, First Assistant Magistrate of Kaira, to Mr. Chief Secretary *Norris*.—
(29 April 1834.)

Sir,

AGREEABLY to Regulation XI., section 4, of 1827, I have the honour to request the sanction of government to proceed against Calla Umra, Hemta Peerbhoy, Calla Zalla, Malbhoy Nowelsing, and Motajee Subtagee, inhabitants of Naupar Purgunna, charged with selling a female to a prostitute at the city of Baroda, Guicowar jurisdiction.

No. 5.

I have, &c.

(signed) *C. Prescott*, First Assistant Magistrate in charge.

Kaira, Magistrate's Office, 29 April 1834.

From *C. Prescott, Esq.*, First Assistant Magistrate of Kaira, to Mr. Chief Secretary *Norris*.—
(29 April 1834.)

Sir,

AGREEABLY to Regulation XI., section 4, of 1827, I have the honour to request the sanction of government to proceed against Zoosa Cullian, Bhadar Huttee, Bahadur Samta, Laldass Jeevun and Lehra Owla, inhabitants of Bhoj Coowa Homlet, of Arrass Village, in Naupar Purgunnah, for disposing of a slave and her two children at Baroda, Guicowar jurisdiction.

No. 6.

I have, &c.

(signed) *C. Prescott*, First Assistant Magistrate in charge.

Kaira, Magistrate's Office, 29 April 1834.

No. 1,235 of 1834.

From Mr. Chief Secretary *Norris* to the Sudder Foujdaree Adawlut.—(8 May 1834.)

Gentlemen,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying copies of two letters, dated the 29th ultimo, from the first assistant magistrate in charge at Kaira, and to request you will give your opinion on the best course to be pursued, regarding the two cases therein mentioned.

No. 7.

I have, &c.

(signed) *C. Norris*, Chief Secretary.

Bombay Castle, 8 May 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 3 June 1834.

From *W. E. Frere, Esq.*, Assistant Register to the Sudder Foujdaree Adawlut, to Mr. Chief Secretary *Norris*.—(21 May 1834.)

Sir,

IN reply to your letter, dated the 8th instant, and enclosures from the first assistant magistrate in charge at Kaira, dated the 29th ultimo, requesting the judges' opinion as to the best course to be pursued regarding the two cases therein mentioned, I am directed by the judges of the Sudder Foujdaree Adawlut to request you will state for the information of the Right honourable the Governor in Council, that in their opinion the prisoners should be tried by the ordinary tribunal of the zillah of which they are inhabitants.

No. 27.

I have, &c.

(signed) *W. E. Frere*, Assistant Register.

Bombay, Sudder Foujdaree Adawlut,
21 May 1834.

E. I. Company and
Board of Control.
(Documents.)

No. 1,347 of 1834.

From Mr. Chief Secretary *Norris* to the First Assistant Magistrate in charge at Kaira.—
(28 May 1834.)

No. 28.

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letters, Nos. 53 and 54, dated 29th ultimo, and to inform you that the prisoners named in the margin, charged with offences committed in the Guicowar territories, should be tried by the ordinary tribunal of the zillah of which they are inhabitants.

I have, &c.

(signed) *C. Norris*, Chief Secretary to Govt.

Bombay Castle, 28 May 1834.

Calla Umra.
Hanta Peerhboy.
Calla Zalla.
Malbhoy Ponelsing.
Motagee Sabtaje.
Zoose Cullian.
Bhadur Haltea.
Bhadur Santa.
Lalldass Jeewan.
Lehra Owla.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 21 May 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to Mr. Chief Secretary *Norris*.—
(26 April 1834.)

No. 8.

Sir,

I HAVE the honour to hand up a statement, and copy of a letter from my assistant at Sudder station, relating to three male children supposed to be stolen by three individuals who have been committed to stand their trial before the session judge, and to request, under section 32 of Regulation XIV. of 1827, the instructions of government as to their disposal.

2. With the government's permission I will address the resident at Nagpoor to solicit the durbar to have search made for the parents of these children. As Nagpoor is so far distant, I do not apprehend much good will result from the application.

I have, &c.

(signed) *R. Mills*, Magistrate.

Circuit Cutcherry at Dytun, 26 April 1834.

From *E. C. Jones*, Esq., Assistant Magistrate, to *R. Mills*, Esq., Magistrate of Ahmednuggur.—(12 April 1834.)

Sir,

I HAVE the honour to enclose a Mahratta statement relating to three male children formerly residents of Nygaon, a village in the vicinity of Nagpoor, who are supposed to have been stolen from their parents by three persons who have been committed to stand their trial before the session judge according to Regulation XIV. section 33, clause 2, of 1827, and to request you will have the goodness to obtain instructions from government with regard to their disposal.

I have, &c.

(signed) *E. C. Jones*, Assistant Magistrate.

Assistant Magistrate's Office,
Ahmednuggur, 12 April 1833.

(True copy.)

(signed) *R. Mills*, Magistrate.

STATEMENT of MALE CHILDREN Stolen.

No.	Names of Male Children.	Caste.	Place of Residence.	Age.	No.	By whom Stolen.
1	Mahadajee W ^d Sinujee Audee.	Coolee	Moose Naegaum, Wurda noor Nagpoor.	10	1	Chapah W ^d and Ojee Charun, aged 30 years. Lummon.
2	Ramah Wuilud Jenajee Audee.	- ditto	- ditto - ditto -	6	2	Rekha, W ^d Radoo, ditto, ditto, ditto.
					3	Amroota, W ^d Sunkoor Poonmah, aged 15 years. Lummon.
					4	Bhojah W ^d Ramdoss, aged 30 years. Lummon.
					5	Deojee W ^d Gondjee, ditto, ditto, ditto.
3	Bhendiah, son of Mahadoo's uncle.	- ditto	- ditto - ditto -	-	6	Jugunah W ^d Rama Charun, aged 30 years. Lummon.

(signed) *Richard Mills*, Magistrate.

No. 1,236 of 1834.

From Mr. Chief Secretary *Norris* to *R. Mills*, Esq., Magistrate of Ahmednuggur.—
(8 May 1834.)

No. 9.

Sir,

I AM directed to acknowledge the receipt of your letter of the 26th ultimo, with its enclosure, and to inform you that the Right honourable the Governor in Council authorizes you to address the resident at Nagpoor respecting the parents of the three male children supposed

posed to be stolen by three individuals who have been committed to stand their trial before the session judge of Poonah.

His Lordship in Council will await the receipt of the report of their trial previously to issuing instructions regarding the disposal of the children.

E. I. Company and
Board of Control.
(Documents.)

I have, &c.

(signed) C. Norris, Secretary to Government.

Bombay Castle, 8 May 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 21 May 1834.

From S. Marriott, Esq., Session Judge of Poonah, to Mr. Chief Secretary Norris.—
(3 May 1834.)

Sir,

IN transmitting the accompanying copy of a letter from the Sudder Foujdaree Adawlut, of the 30th ultimo, I have the honour to forward, under the provisions of Regulation XIV., 1827, section 30, clause 1, section 32, proceedings, with translations, held before me, in case No. 10, of the calendar for the year 1834, and beg you will be good enough to submit the same for the decision of the Right honourable the Governor in Council.

No. 94.

I have, &c.

Poonah, 3 May 1834.

(signed) S. Marriott, Session Judge.

From P. W. Le Geyt, Esq., Register of the Sudder Foujdaree Adawlut, to S. Marriott, Esq.,
Session Judge of Poonah.—(30 April 1834.)

Sir,

WITH reference to your letter of the 22d instant, transmitting proceedings held in case No. 10, of your calendar, I am directed by the judge of the Sudder Foujdaree Adawlut to inform you that they are not aware of any necessity for sending them through this court. If, however, you should be in possession of any special instructions to that effect, and will inform them thereof, they shall of course be forwarded; in the mean time the proceedings are returned to you.

I have, &c.

(signed) P. W. Le Geyt, Register.

Bombay, Sudder Foujdaree Adawlut, 30 April 1834.

(True copy.)

(signed) S. Marriott, Session Judge.

EXTRACT from the Proceedings of the Session Judge of Poonah, dated the 7th of April 1834.

The Court enters upon the trial of case No. 10, of the calendar of 1834.

The three following prisoners are placed at the bar :

1. Shikoo Wullud Babjee Jadhoo Kykaree, aged about 28 years.
2. Gungnack Wullud Rungnack Purwaree, aged about 35 years, and
3. Ameena Moosulmaneen.

The prisoners are charged as follows :—

Shikoo, first, with having imported a slave under the age of 10 years, into the zillah of Poonah; and secondly, with having sold the slave.

Gungnack Wullud Rungnack and Ameena, with having been accomplices in the buying and selling of the said slave.

The prisoners are called upon to answer to the charges respectively.

The prisoner Shikoo denies having sold the slave, but admits having received her from her mother at Punderpoor, and imported and given her to the prisoner Ameena.

The other two prisoners deny the charge.

A little girl, apparently about nine years of age, is brought into court; she states her name to be Sahibee, and that she was brought from Punderpoor by the prisoner Shikoo. An examination taken before the assistant-magistrate is read, in which it is stated that she came from Seringapatam; but this is not likely, as the child speaks the Mahratta language. There can be no doubt that this statement was given by the child under direction of some other person. The examination is recorded, No. 1.

No. 1.

The examination before the assistant-magistrate is read of the prisoner Shikoo, and acknowledged by him. It is recorded as follows :—

No. 2.

I am a resident of the Gorpury peit of Poonah, and gain my livelihood by making baskets; some time ago I brought two girls from Punderpoor, named Mookte, aged five years, and Sahibee Ourp Goorlingee, for which I was brought before justice, and having given personal security for the two children and myself, I was discharged.

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I could not afford to feed them, therefore I gave them in charge to Ameena Phultaneen, but I did not sell them to her, and I made known the circumstance to Jagho Mhar, a government seapahi.

Question. For what purpose did you bring these children from Punderpoor? *Answer.* Their mother had not wherewith to feed and clothe them, she therefore gave them over to me.

(signed) *Shikoo Wa Babajee,*

X

Confirmed before me, this 2d of April 1834,

His mark.

(signed) *W. Escombe, Assistant Magistrate.*

The examination of the prisoner Gungnack taken before the assistant-magistrate, is read, and acknowledged. It is recorded as follows:—

No. 3.

I am a government seapahi; six weeks ago I went to the temple of Chettersing; there I met the prisoner Shikoo; he told me that he intended giving the girl Sahibee to Ameena, and that, as I was a government servant, he thought it proper to apprise me of his intention, which having done, he gave the child to Ameena. I did not report the circumstance to government.

Question. When Shikoo gave the girl Sahibee to Ameena, did he receive any money in return or not?—*Answer.* I asked him if he received any money for her; he answered that he had not; I asked him again, and told him that if he had I should immediately make a report to government; he again denied it; he told me at the same time also, that Mr. Bacon had written down Sahibee's name, and that if he was ever called on to produce her, that he would do so.

2 April 1834.

Confirmed before me, this 2d day of April 1834,

(signed) *W. Escombe, Assistant Magistrate.*

The examination of the prisoner Ameena before the assistant-magistrate is read and acknowledged. It is recorded and marked as follows:—

No. 4.

I at present reside at Khalapore near Boratee in the Nesserapore district.

Question. When did you meet with the girl Sahibee, and for what purpose were you taking her to Bombay?—*Answer.* A seapahi, named Sukhea, gave her to me out of charity, and I was taking her to my house in Bombay; there was a man of the kikaree caste with the seapahi at the time, whose name I do not know.

Q. You say that a seapahigave the child to you; did you pay any money for her; if so, how much did you give?—*A.* I gave the seapahi nothing for her, and he told me to take care of her; neither he nor the kikaree who was with him demanded any thing for her, and I gave him nothing.

7 March 1834.

(signed) *Ameena.*

Witnesses { *Govind Ram Kelkur.*
Baldeo Purres Gupeia.

Question. You said that a seapahi and kikaree had given the girl to you; can you tell where they are to be found?—*Answer.* The seapahi Sukhea is a government servant, and is employed in the Furaskhana. I know nothing of the kikaree.

(signed) *Ameena.*

Taken before me,

(signed) *Anund Row Damodar Kureekur.*

Witness: *Govind Ram Kelkur.*

9 March 1834.

Cross-examined by the Mamlutdar.

Question. How many days ago did the seapahi and kikaree give you the child Sahibee?—*Answer.* Nineteen or twenty days ago.

Q. Of what caste did you suppose Sahibee to be when you took her?—Of the cooly caste; I was asked to take care of her, therefore I took her.

Q. Who has fed Sahibee since she has been with you?—I took for myself and three other persons, and she partakes of our food.

Q. You are a musulmanee by caste, and Sahibee is a cooly; why, therefore, did you make her partake of your food?—*A.* The seapahi Sukhea who gave her to me is a purwarree, and she eat with him, therefore I made her eat with me.

Q. You have said that the seapahi Sukhea gave the child to you in Poonah; when did he give her to you, and did he do so in the presence of any one?—*A.* He gave her to me at four o'clock (A.M. or P.M. not stated).

Q. In what peit does the seapahi Sukhea reside?—He lives in Mullajee Rajeas peit, but I have never been at his house; he is employed at the Furaskhana.

(signed) *Ameena.*

Witnesses:

Suckaram Moreshwur Koolkurnee.

Janardun Bullal Gunglal.

Taken before me,

(signed) *Appajee Narrain Gopte, Mamlutdar, Nesserapore District.*

Cross-examined by the Magistrate.

Question. Are the seapahi Sukhea and the kikaree present?—**Answer.** They are both present; the seapahi, who says his name is Gungnack, is known to me by the name of Sukhea, and I now find that the kikarree's name is Sukhoo.

Confirmed before me, 2d April 1834,

(signed) *W. Escombe*, Assistant Magistrate.

E. I. Company and
Board of Control.
(Documents.)

This is the whole of the evidence for the prosecution.

The prisoners are called upon for their defence.

The prisoner Shikoo says he has nothing to say.

The prisoner Gungnack denies having had any participation in the alleged crime. That he is, and long has been, a sepoy in the police of Poonah.

The prisoner Ameena says that she did not purchase that child, but undertook to take care of it, at the instance of the prisoner Shikoo. That she has been an aya in the service of European families, and that her father, Moolna Ahmed, is an officiating priest in Bombay, and that her husband was drowned in a storm on coming from Surat. That she took the child Sahibee, now in court, with the object of adopting it as her own.

The court having considered the whole of the circumstances of the case, finds the prisoner, Shikoo Wallud Babjee Jadhoo Kykaree, guilty of having illegally imported the child Sahibee into this zillah in a state of slavery, and accordingly declares the said child to be emancipated.

Regulation XIV.
1827, sec. 32.

It has not been proved that the child Sahibee was sold to Ameena, and the circumstances of the case would lead to the inference that she had no improper motive in receiving the child from the prisoner Shikoo. She is therefore acquitted of the crime charged against her, as is also the prisoner Gungnack Wullud Rungnack.

Under the Regulation quoted in the margin, the court sentences the prisoner Shikoo Wullud Badjee to pay a fine of 100 rupees, or to be imprisoned for the term of two years; and the said fine, if realized, is to be appropriated to the expense of restoring the child to her parents at Punderpoor; and if any surplus remains, it is to be applied for her future maintenance, under directions of the magistrate, who will cause the child to be returned to her parents.

Regulation XIV.
1827, sec. 30,
clause 1, sec. 32.

This will be referred to Government, through the Sudder Foujdaree Adawlut, for confirmation, agreeably to the above-quoted provisions.

In the meanwhile the warrant for the imprisonment of Shikoo, if the fine be not paid, is issued.

No. 5.

The prisoners, Ameena and Gungnack Wullud Rungnack, are discharged.

(True extract.)

(signed) *S. Marriott*, Session Judge.

The DEPOSITION of *Sahibee bin Bheemaje*, of the Cooly caste, aged 10 years, inhabitant of Dhurgen, in the Seringapatam districts.

No. 96.
Accompanying
No. 91.

I now reside at Khulapoor, where I gain my livelihood by working as a cooly; my uncle brought me by force into the camp at Poonah, and there sold me to a man of the Karnutta caste; I afterwards ran away, and fell in with the prisoner, who was taking me to Bombay, for what purpose I know not.

March 7, 1834.

(signed) *Sahibee bin Bheemaje*.

Witnesses:

Ballajee Weshwasrow.

Narroo Govind Chitta.

Sworn before me,

Anundrow Damodur Curneek, Mahalkurree.

Cross-examined, on oath, by the Mamlutdar.

Question. Is this a true deposition which you have made before the mamlutdar of Khalapoor?—**Answer.** Yes.

Q. You have stated that your uncle brought you by force to Poona, and sold you to a karnuttee there; what is your uncle's name, and where does he live; and what is the name of the karnuttee to whom he sold you?—**A.** My uncle's name is Rannoo Cooly; he has gone to Seringapatam; I do not know what the karnuttee's name is.

Q. How many days did you remain in the karnuttee's house, and when did you leave it?—**A.** I do not know.

Q. Four persons have been pointed out to you, named Chotum Khan W^d Ghoree Khun, Ameena Phutteehen, Merwanjee bin Pallunjee Parsee, Hussein Khun W^d Ghorekhan; which of these four was taking you to Bombay?—**A.** I do not know her name; but this woman, whom you now point out to me, is the person who was taking me to Bombay.

Q. The name of this person, who, you say, was taking you to Bombay, is Ameena Phutteehen; do you know for what purpose she was taking you there?—**A.** I do not know.

697.

3 Q 3

Q. Where

E. I. Company and
Board of Control.
(Documents.)

Q. Where did Ameena Phutteeheen bring you from, and did she travel with you by night or day?—A. She found me on the road, and we travelled at night.

Q. Did she give you food?—A. Yes she did.

March 13, 1834.

Sworn before me,

(signed)

Appajee Narrain Gopte, Mamlutdar Nusserapore districts.

Confirmed before me, this 2d of April 1834,

(signed)

W. Escombe, Assisting Magistrate.

(True translation.)

(signed)

J. A. Rose, Acting Assistant Session Judge.

From *S. Marriott*, Esq., Session Judge of Poonah, to the Nazir of the Zillah of Poonah.—(7 April 1834.)

No. 97.
Accompanying
No. 91.

WHEREAS at a court held at Poonah, before Saville Marriott, Esq., Session Judge, the prisoner Sukhoo Wullud Babajee Kikaree, has been tried on the charge recorded, in case numbered 10 in the calendar, dated 1st January 1834, and convicted of having exported from another zillah into the zillah of Poonah, a female slave for sale; and the said prisoner has therefore been sentenced to pay a fine of one hundred rupees (100), in default of payment to undergo two years' imprisonment; which sentence, however, is subject to the final decision of the court of the Sudder Foujdaree Adawlut; you are hereby required to keep the said prisoner in custody until you receive final instructions from the said court.

Poonah, 7 April 1834.

(signed)

S. Marriott, Session Judge.

(True translation.)

(signed)

J. A. Rose, Acting Assistant Judge.

Minute by the Right honourable the Governor.

No. 98.

Mr. Sutherland,—If the man will not or cannot pay the fine, ought not the child to be returned to her parents at Punderpoor, if they can be found, at the expense of Government?

(signed)

Clare.

Minute by Mr. *Sutherland*.

No. 99.

I CERTAINLY think this should be done, as it is an object of the first consideration to return the child to its parents, if possible.

(signed)

J. Sutherland.

No. 1,272 of 1834.

From Mr. Chief Secretary *Norris* to *S. Marriott*, Esq., Session Judge of Poonah.—
(14 May 1834.)

Sir,

No. 100.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 3d instant, with its enclosure, and to acquaint you that the magistrate of Poonah has been instructed to return the child alluded to, to her parents at Punderpore, if they can be found, at the expense of Government, if the prisoner who imported her will not or cannot pay the fine imposed on him.

I have, &c.

(signed)

Charles Norris, Chief Secretary to Government.

Bombay Castle, 14 May 1834.

No. 1,273 of 1834.

From Mr. Chief Secretary *Norris* to the Magistrate of Poonah.—(14 May 1834.)

Sir,

No. 101.

IN reference to the proceedings held before the session judge of Poonah, on the case of Shikoo and others, charged with having illegally imported a girl named Sahibee, under the age of 10 years, into the zillah of Poonah, of which Shikoo has been convicted, and sentenced to pay a fine of rupees 100, or to be imprisoned for the period of two years, and the said fine, if realized, to be appropriated to the expense of restoring the child to her parents at Punderpore, and the surplus, if any, applied for her future maintenance, under your directions, I am directed by the Right honourable the Governor in Council to instruct you to return the child to her parents at Punderpore, if they can be found, at the expense of Government, if the prisoner will not or cannot pay the fine imposed on him.

I have, &c.

(signed)

Charles Norris, Chief Secretary to Government.

Bombay Castle, 14 May 1834.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 21 May 1834.

From *Rd. Mills*, Esq. Collector of Ahmednuggur, to Mr. Chief Secretary *Norris*.—
(7 May 1834.)

E. I. Company and
Board of Control.
(Documents.)

Sir,
THE children in the hospital, who have at various times been sold, and whose cases have been reported to Government, are without any clothes to wear, and I have therefore directed that they be supplied with such necessary articles as they may want, and request that you will do me the favour to obtain the sanction of Government to the annexed estimate of expense incurred.

No. 108.

I have, &c.

(signed) *Rd. Mills*, Collector and Magistrate.
Circuit Cucherry, at Purnair, 7 May 1834.

ESTIMATE of CLOTHING required for the CHILDREN who are in the HOSPITAL
and CHOWRY at Ahmednuggur.

6 Women's cloth, at 1 - 50	-	-	-	-	-	6	3	-
9 Cholkhuns	-	-	-	-	-	1	2	-
5 Trowsers	-	-	-	-	-	1	-	-
5 Camblees at 1 quarter and 50 reas	-	-	-	-	-	1	3	60
3 Male cloth	-	-	-	-	-	-	3	-
5 Cubits of Dungry for Koodtas	-	-	-	-	-	-	1	25
Rupees	-	-	-	-	-	12	-	75

(signed) *Richard Mills*, Collector and Magistrate.

From Mr. Chief Secretary *Norris* to *R. Mills*, Esq., Collector and Magistrate of
Ahmednuggur.—(14 May 1834.)

Sir,
I AM directed to acknowledge the receipt of your letter of the 7th instant, and to acquaint you that the Right honourable the Governor in Council is pleased to sanction the estimate for clothing several children at Ahmednuggur that had been sold, amounting to rupees 12 - 75.

No. 109.

I have, &c.

(signed) *Charles Norris*, Chief Secretary.
Bombay Castle, 14 May 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 3 June 1834.

From *T. H. Baber*, Esq., Magistrate of Poonah, to Mr. Chief Secretary *Norris*.—
(17 May 1834.)

Sir,
I HAVE the honour to acknowledge the receipt of your letter, dated the 14th instant, on the subject of the girl named Sahibee, who had been illegally imported into this zillah; and to report, for the information of the Right honourable the Governor in Council, that as Punderpore, the child's place of nativity, is in the territory of his highness the Sattara Raja, I deemed it more regular to forward her to the resident at that court, for him to use his influence with his highness, to give effect to the humane intentions of government; the child was despatched this day accordingly, under a standy jassood, to Sattara, with a letter to the resident, of which the accompanying is a copy.

No. 5.

I have, &c.

(signed) *T. H. Baber*,
Principal Collector and Magistrate.
Poonah, Principal Collector's Office,
17 May 1834.

From *T. H. Baber*, Esq., Magistrate of Poonah, to the Resident at Sattara.—(17 May 1834.)

Sir,
I HAVE the honour to transmit copy of a letter from the chief secretary to government, dated the 14th instant, on the subject of the illegal importation into this zillah of a girl named Sahibee, under the age of 10 years, native of Punderpore, and consequently a subject of his highness the Raja of Sattara, together with the child herself, in order that, through your representations to his highness, the orders of the Right honourable the Governor in Council may be more fully carried into execution. I also forward copy of a letter from the session judge, from which it would appear that there was no chance of the 100 rupees fine being paid, which it was the intention of government should be appropriated to the benefit of this child.

I have &c.

(signed) *T. H. Baber*, Magistrate.
Poonah, Magistrate's Office, 17 May 1834.

E. I. Company and
Board of Control.
(Documents.)

From *S. Marriott*, Esq., Session Judge of Poonah, to *T. H. Baber*, Esq., Magistrate of Poonah.—(17 May 1834.)

Sir,

IN forwarding the annexed copy of a letter, dated the 14th instant, No. 1,272, from the secretary to government, in the judicial department, I beg to send the emancipated female slave Sahibee therein referred to.

I beg to state, that I believe there is no probability of the fine being paid, which was imposed upon the convict Shikoo.

I have, &c.

(signed) *S. Marriott*, Judge and Session Judge.

Poonah, Adawlut, 17 May 1834.

(True copies.)

(signed) *T. H. Baber*, Magistrate.

No 1,331 of 1834.

From Mr. Chief Secretary *Norris* to *T. H. Baber*, Esq., Magistrate of Poonah.—
(28 May 1834.)

Sir,

No. 6.

I AM directed to acknowledge the receipt of your letter of the 17th instant, with its enclosures, and to inform you that the Right honourable the Governor in Council approves of your having sent the girl named Sahibee to the resident at Sattara, in order he may use his influence with his highness the Raja, to give effect to the intentions of government communicated to you on the 14th.

I have, &c.

(signed) *Charles Norris*, Chief Secretary.

Bombay Castle, 28 May 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 21 May 1834.

From *John Warden*, Esq., Senior Magistrate of Police, to Mr. Chief Secretary *Norris*.—
(20 May 1834.)

Sir,

No. 168.

I HAVE the honour to submit for the consideration of the Right honourable the Governor in Council, the accompanying copy of an information on oath, of one Antonio Carvalho, stating that there are slaves on board the ships "Cæsar" and "Sette De Marco," now in Bombay harbour. They are, I believe, about to sail, but their port clearances can be suspended by government.

I have, &c.

(signed) *John Warden*, Senior Magistrate of Police.

Bombay Police Office, 20 May 1834.

THE INFORMATION of *Antonio Carvalho*, inhabitant of Bombay, taken upon oath before me, *John Warden*, Esq., one of his Majesty's justices of the peace for the town and island of Bombay, on Monday, the 19th day of May 1834.

No. 169.
Accompanying
No. 168.

Which said informant on his oath aforesaid saith,—I am a native of Portugal, and am by profession a mariner. I am at present employed on board the ship "Futteh Salaam," now lying in Bombay harbour, under English colours. I came to Bombay from Rio de Janeiro, on board the ship "Cæsar," of the Port of Lisbon, the name of the captain of the "Cæsar" is Joaquim dos Ramos. She came from Rio de Janeiro to Mosambique, under Brazilian colours, and from Mosambique to Bombay, under Portuguese colours. On board the "Cæsar," which is still lying in Bombay harbour, there were about 17 persons whom I verily believe to be slaves; they entered into no articles with the captain, and got no pay. When I embarked on board of the "Cæsar" at Rio de Janeiro, there were eight of these slaves, all of whom came from Rio de Janeiro to Bombay, and at Mosambique 10 more slaves were embarked, of whom seven or eight belonged to the captain, one belonged to the chief mate, and the other to a French passenger, who sold him at Goa. Two of the slaves whom we brought from Rio de Janeiro ran away in Bombay harbour to the ship Fort William. With the exception of the two slaves who ran away, and the one sold at Goa, the whole now belong to the "Cæsar," in Bombay harbour; about a month ago, I went on board a Portuguese ship now lying in Bombay harbour, called the "Sette de Marco," where I saw three persons whom I verily believe to be slaves, they told me they were purchased at Mosambique about six years ago.

I recollect the names of some of the slaves on board the "Cæsar;" they are Joze Carbinda, Antonio Illhabano, John Illhabano, Francesco Manoel John.

(signed) The cross of

✕

Antonio Carvalho.

Taken and sworn the day, month and year herein first written, before me,

(signed) *John Warden*, Justice of the Peace.

(True copy.)

(signed) *John Warden*, Senior Magistrate of Police.

From

No. 1,310 of 1834.

From Mr. Chief Secretary *Norris* to *John Warden*, Esq., Senior Magistrate of Police.—
(21 May 1834.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 20th instant, and to inform you that port clearances are not to be granted to the ships "Cæsar" and "Sette de Marco" until the circumstance represented has been inquired into.

The advocate-general has been requested to communicate with you as to the steps which should be taken, and you will also apply for information to Mr. Le Mesurier.

I have, &c.

(signed) *Charles Norris*, Chief Secretary.

Bombay Castle, 21 May 1834.

No. 170.

No. 1,311 of 1834.

From Mr. Chief Secretary *Norris* to the Advocate-general.—(21 May 1834.)

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you for your opinion the accompanying copies of a letter from the senior magistrate of police, dated 20th instant, with its enclosure, regarding an information given on oath by one Antonio Carvalho, stating that there are slaves on board the ships "Cæsar" and "Sette de Marco," now in harbour, and to request you will communicate to the senior magistrate what should be done.

Orders have been issued for not granting port clearances to these vessels until the circumstances have been inquired into.

I have, &c.

(signed) *Charles Norris*, Chief Secretary.

Bombay Castle, 21 May 1834.

No. 171.

No. 1,312 of 1834.

From Mr. Chief Secretary *Norris* to the Collector of Sea Customs.—(21 May 1834.)

Sir,

I AM directed by the Right honourable the Governor in Council to request you will not grant port clearances to the ships "Cæsar" and "Sette de Marco" until an investigation has been had of an information on oath of one Antonio Carvalho, stating that there are slaves on board those ships.

I have, &c.

(signed) *Charles Norris*, Chief Secretary.

Bombay Castle, 21 May 1834.

No. 172.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 24 May 1834.

From *H. Gray*, Esq., Acting Senior Magistrate of Police, to Mr. Chief Secretary *Norris*.—
(24 May 1834.)

Sir,

I HAVE the honour to submit an original letter from the advocate-general of this date, and to request that you will favour me with the immediate orders of his Lordship in Council thereon, the commander of the "Sette de Marco" wishing to sail to-day.

I have, &c.

(signed) *H. Gray*, Acting Sen^r Magistrate of Police.

Bombay Police-office, 24 May 1834.

No. 17.

From *A. G. Le Mesurier*, Esq., Advocate-general, to *H. Gray*, Esq., Acting Senior
Magistrate of Police.—(24 May 1834.)

Sir,

WITH reference to the communication I had with you yesterday by the direction of Government, on the subject of certain Africans mentioned in the information of Antonio Carvalho, taken before the magistrate, Mr. Warden, as being on board the Portuguese vessels "Cæsar" and "Sette de Marco," now in the harbour, and serving as slaves, I have the honour of stating, for your information and guidance, that I see no grounds in such information for the detention or withholding the port clearances of either of these vessels. We have nothing to do with the domestic slaves of any foreign state, that I see; our slave treaties with Portugal relate only to the traffic in slaves, and to the African slave-traffic. If the persons said to be slaves on board of either of the above vessels are detained against their consent, they may be set at liberty by habeas corpus, or if any run away, the

No. 18.
Accompanying
No. 17.

E. I. Company and Board of Control. (Documents.) magistrate cannot compel them against their consent to return to their ship, because, as long as they are in a British port they are under British laws, and are free. But, even in these cases I have supposed, there would not be any ground for the confiscation or detention of the vessels themselves.

I have, &c.

(signed) *A. G. Le Mesurier, Advocate-general.*

Bombay, 24 May 1834.

MINUTE by the Right honourable the Governor.—(24 May 1834.)

No. 19.

I SHOULD think it will be proper to ascertain, before these ships shall be allowed to leave Bombay, whether the individuals stated to be slaves on board these vessels are detained against their consent; if they are, they must be set at liberty by habeas corpus. If they are on board these vessels with their own consent, we may, on the opinion of the advocate-general, give the vessels the port clearances, and allow them to depart.

The senior magistrate should go on board these vessels, taking with him some person who can speak the language of these individuals reported to be slaves, and he will report the result of his examination to Government.

I should be sorry to put the owners or commanders of these vessels to any inconvenience, but they cannot, I think, be allowed to depart until the fact above stated has been ascertained.

(signed) *Clare.*

24 May 1834.

MINUTE by Mr. *Sutherland.*

No. 20.

I AM not sure that Government is called on to interfere; if the parties choose, they may apply for habeas corpus; but I do not see that this Government need do any thing more in the matter than has been done.

(signed) *J. Sutherland.*

Further MINUTE by the Right honourable the Governor.—(25 May 1834.)

THE fact of there being slaves on board can hardly be doubted, and they may be on board against their will; now, even supposing Government not called upon, after the opinion of the advocate-general, to do more than has been done, I submit to the board, that the only evil which can arise from the course which I have recommended, will be the detention for a day or two of the vessels in the harbour.

If the slaves are on board against their consent, the master will take care that they shall have no means of applying for a habeas corpus.

(signed) *Clare.*

25 May 1834.

MINUTE by Mr. *Sutherland*, concurred in by the President.

No. 22.

I THINK it very advisable to be guided in this matter also by the opinion of the advocate-general, to whom I would recommend a reference to be made.

(signed) *J. Sutherland.*

No. 1,321 of 1834.

From Mr. Chief Secretary *Norris* to *A. G. Le Mesurier, Esq., Advocate-general.*—
(26 May 1834.)

No. 23.

Sir,

IN reference to your letter to the acting senior magistrate of police, dated the 24th instant, regarding some slaves said to be on board the Portuguese vessels "Cæsar" and "Sette de Marco," I am directed by the Right honourable the Governor in Council to request your opinion, whether it would not be proper to ascertain before these ships shall be allowed to leave Bombay, whether the individuals stated to be slaves on board these vessels are detained against their consent, in which case their release under habeas corpus will follow.

If this should be done, his Lordship in Council proposes to instruct the senior magistrate of police to go on board these vessels, taking with him some persons who can speak the language of these individuals reported to be slaves, and to report the result of his examination to government.

I have, &c.

(signed) *C. Norris, Chief Secretary.*

Bombay Castle, 26 May 1834.

From

From *David de Santos, Manoel Florindo and Antonio Joaquim*, to Mr. Chief Secretary Norris.—(26 May 1834.)

E. I. Company and Board of Control. (Documents.)

The humble Petition of *David de Santos, Manoel Florindo and Antonio Joaquim*.

No. 24.

Humbly represents,

Your petitioners are crews belonging to the ship called the "Cæsar," now lying in the Bombay Harbour. Original.

The vessel left the shores of Brazil, and proceeded on her voyage to the coast of Africa, and touched at Mosambique, where the vessel was detained for about two months, and where the captain purchased 11 slaves, Africans, of different ages and sizes, and they are still on board of the said vessel, with the exception of two out of this quantity; one was sold or bartered at Goa, when the vessel last touched there, and one was sent here to the house of Sir Roger de Faria.

Your petitioner has volunteered himself to prove the facts of this case, as one of the crew of the said vessel. Having deposed before the magistrate, it appears that little attention is paid; and as your petitioners can't see the credit of their companion at stake, volunteer themselves to corroborate the whole facts. Original.

Your petitioners pray that an officer of police may be instructed to accompany the petitioners, and they will point out all the slaves now on board of the said vessel "Cæsar."

Your petitioners, in duty bound, shall ever pray.

Bombay, 26 May 1834.

(signed)

David de Santos.
the mark of

✕

Manoel Florindo.
the mark of

✕

Antonio Joaquim.

P. S.—Your petitioners reside near the small Portuguese church at Kalkadavy.

No. 1,322 of 1834.

From Mr. Chief Secretary Norris to *A. G. Le Mesurier*, Advocate-general.—
(26 May 1834.)

Sir,

WITH reference to your letter of this date, No. 1,321, of this department, I am directed by the Right honourable the Governor in Council to refer to you the accompanying copy of a petition from *David de Santos, Manoel Florindo and Antonio Joaquim*, individuals belonging to the crew of the "Cæsar," stating their knowledge that there are slaves on board that vessel. No. 25.

I have, &c.

Bombay Castle, 26 May 1834.

(signed) *C. Norris*, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 27 May 1834.

From *A. S. Le Mesurier*, Esq., Advocate-general, to Mr. Chief Secretary Norris.—
(27 May 1834.)

Sir,

IN reference to your two letters of yesterday's date respecting the slaves on board the Portuguese vessels "Cæsar" and "Sette de Marco," now in the harbour, I have the honour, in reply, of stating that I think it would be proper to ascertain whether the men are detained against their consent, and that they should be informed through the senior magistrate, that they may be set at liberty if they wish it; but I would not recommend any measures being taken to entice away the men; they should be left to their own free choice entirely. No. 29.

I have, &c.

(signed) *A. S. Le Mesurier*, Advocate-general.

Bombay, 27 May 1834.

No. 1,324 of 1834.

From Mr. Chief Secretary Norris to *H. Gray*, Esq., Acting Senior Magistrate of Police.—
(27 May 1834.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter dated 24th instant, and, in reply, to transmit to you the accompanying copy of one from the advocate-general, dated this day. No. 30.

2. His Lordship in Council is pleased to direct, that in conformity with Mr. Le Mesurier's opinion, you proceed on board the vessels "Cæsar" and "Sette de Marco," and

ascertain

3 R 2

E. I. Company and Board of Control. (Documents.) ascertain whether the persons stated to be slaves are detained against their consent, and inform them that they may be set at liberty, if they wish it, but you will not hold forth any inducement to them to adopt any course.

3. You will be pleased to report the result as speedily as possible.

Bombay Castle, 27 May 1834.

I have, &c.
(signed) C. Norris, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 27 May 1834.

From *H. Gray*, Esq., Acting Senior Magistrate of Police, to Mr. Chief Secretary *Norris*.—
(27 May 1834.)

No. 33. Sir,
I HAVE the honour to acknowledge the receipt of your letter of this day's date, No. 1,324 of 1834, and beg to state for the information of the Right honourable the Governor in Council, that I am this moment come from on board the ship "Sette de Marco;" and I have seen the three Africans on board that ship, who look well and in good health, and who state, they have no wish whatever to leave the ship, and that they are not detained against their will; which being the case, I have signed the port clearance, which I have the honour to enclose for your signature.

Bombay Police-office, 27 May 1834.

I have, &c.
(signed) *H. Gray*,
Acting Senior Magistrate of Police.

No. 1,326 of 1834.

From Mr. Chief Secretary *Norris* to the Collector of Customs.—(27 May 1834.)

No. 34. Sir,
IN reference to my letter of the 21st instant, I am directed to inform you that the Right honourable the Governor in Council is pleased to withdraw the prohibition for the grant of port clearance to the ship "Sette de Marco."

Bombay Castle, 27 May 1834.

I have, &c.
(signed) C. Norris, Chief Secretary.

No. 1,327 of 1834.

From Mr. Chief Secretary *Norris* to *H. Gray*, Esq., Acting Senior Magistrate of Police.—
(27 May 1834.)

No. 35. Sir,
I AM directed to acknowledge the receipt of your letter of this date, and to inform you that the Right honourable the Governor in Council approves of your having signed the port clearance of the ship "Sette de Marco."

Bombay Castle, 27 May 1834.

I have, &c.
(signed) C. Norris, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 3 June 1834.

From *David dos Santos*, one of the crew of the "Cæsar," to the Right honourable the Governor-general.—(31 May 1834.)

The humble Petition of *David dos Santos*, one of the crew of the ship called "Cæsar."

No. 81.
Original.

Humbly sheweth,
THAT your petitioner, with two others, addressed your Lordship in Council, on the 26th instant, but has met with no redress.

That your petitioner has always understood that the English nation are most averse to the traffic of slaves from Africa, and now that they are informed of such horrid act practised by persons now under this Government's jurisdiction, your petitioner is astonished that no notice whatsoever is taken of the information given in that letter of the 26th, thereby rescue those unfortunate wretches from suffering.

Your petitioner's strong motives for bringing forward this information is more for the sake of humanity than any other cause, for he, as a Christian, cannot see the cruelty practised on those unfortunate wretches now on board of the said vessel.

That since the last address to your Lordship, the ship-owner of the said vessel has promised, and with words of assurance under oath, that as soon as the vessel comes on a Portuguese station, that he, the captain, will make those slaves free; and if any investigation takes place, for them to tell they are not slaves; but with this promise they are not satisfied, as they are convinced that as soon as they are out of this presidency, they will be worse served.

That

That Sir Roger de Faria is a man of no humanity, and that he goes and persuades the magistrates, and tells some history, and turns the matter to no examination; as this man has been the cause of preventing the procuring redress to many crews who unfortunately have been obliged to leave the ship, and procure other means to go to their country, and the owner did not pay one ree of their arrears, which amounted to upwards of 2,000 rupees, thereby harassing the poor unfortunate sailors, and profiting the captain. Such is the conduct of those great people.

That one of your petitioner's crew was sworn twice as to the facts of this case before the magistrate, but no investigation or the least movement taken place, which really astonishes your petitioner much.

Your petitioner earnestly prays that your petitioner may be assisted with some one to point out every slave on board who are all waiting for this opportunity to rescue them from punishment and cruelty, and that your petitioner may be allowed attendance on such examination. And in duty bound will for ever pray.

(signed) *David dos Santos.*

Bombay, 31 May 1834.

E. I. Company and
Board of Control.
(Documents.)

No. 50.

MINUTE by the Right honourable the Governor, subscribed to by Mr. *Sutherland*.—
(31 May 1834.)

It does not appear to be necessary to take any notice of this petition. Mr. H. Willis happened to be present when the petitioner delivered it into my hands, and he informed me that when Mr. Gray went on board the vessel, he found the men had no cause whatever of complaint against the captain, and that they were quite frightened at the idea of being removed from the ship. He informed me that the petitioner had a quarrel with the captain, who dismissed him, and he accordingly made the accusation against him of having slaves on board.

(signed) *Clare.*

31st May 1834.

No. 82.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 11 June 1834.

From *E. E. Elliott*, Esq., Acting Senior Magistrate of Police, to the Secretary to Government.—(7 June 1834.)

Sir,

In reference to your letter No. 1,324 of 1834, dated the 27th May last, directing the then acting senior magistrate of police to proceed on board of the ship "Cæsar," to ascertain whether the persons on board that vessel, stated to be slaves, are detained against their consent, I have the honour to report for the information of the Right honourable the Governor in Council, that the late Mr. Gray did go on board the ship "Cæsar" on the very evening of the day (the 27th ultimo) your letter now under acknowledgment is dated, but having left no record of the result of his inquiries, I thought it right to visit that vessel again, which I did this morning, and I have now further to state, for the information of his Lordship in Council, that I found Senhor Joakin de Ramos, the commander of the Cæsar, on board, who kindly gave me every facility to prosecute my inquiries, by calling eight Africans, all that were on board, before me, who, one and all, readily and willingly, stated that, "they had no wish to leave the ship, and that they were not detained against their consent." I may add, that they looked contented and healthy. Three more Africans, I was told, were on shore on duty; I asked those present, if they had ever heard these absent men complain of being kept on board against their will, when they distinctly said "they never had." Captain Joakin de Ramos declared on his honour that these 11 Africans were all that now belonged to his ship. Two had sailed on board the Fort William, and three or four had been allowed to quit the ship, on asking permission to do so. Indeed, I saw no symptoms of compulsory measures being put in force, and I have accordingly signed the port clearance of the Cæsar, which I have the honour to enclose to you.

I have, &c.

Bombay, Police Office, 7 June 1834.

(signed) *E. E. Elliott,*
Acting Senior Magistrate of Police.

No. 56 a.

No. 1,416.

From *W. H. Wathen*, Esq., Secretary to Government, to the Collector of Customs.—
(7 June 1834.)

Sir,

In reference to my letter of the 21st ultimo, I am directed to inform you that the Right honourable the Governor in Council is pleased to withdraw the prohibition for the grant of port clearance to the ship "Cæsar."

I have, &c.

Bombay Castle, 7 June 1834.

(signed) *W. H. Wathen,*
Secretary to Government.

No. 56 b.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 18 February 1835.

From *W. J. Lumsden*, Esq., Session Judge of Surat, to *L. R. Reid*, Esq., Secretary to Government.—(20 January 1835.)

Sir,

No. 3.

AGREABLY to the provisions of section 32, Regulation XIV, A.D. 1827, I have the honour to report that Buxabhaee Jafurbhaee, a small trader to the Red Sea, has been convicted of the illegal import of a negro slave boy from Mocha, about three years ago. The child is of the age of about eight years, and is unwilling to return to Arabia. I beg to be instructed what amount of fine I am to impose, and with reference to Mr. Bax's letter of the 25th January 1832, to be informed whether, supposing the fine imposed should not be sufficient to defray the expense of re-exporting the child, the fine may be otherwise applied, and the slave left where he is, or how the deficiency is to be provided, if under such circumstances the slave must be exported.

I have, &c.

Court of Adawlut, Surat,
20 January 1835.

(signed) *W. J. Lumsden*, Session Judge.

No. 251 of 1835.

From *L. R. Reid*, Esq., Secretary to Government, to *W. J. Lumsden*, Session Judge of Surat.—(5 February 1835.)

Sir,

No. 4.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 20th ultimo, and to inform you that you should proceed with the case, and sentence the offender to such punishment as may be provided under the first clause of section 30, Regulation XIV., of 1827. If a fine is levied, the circumstance should be reported, under the section quoted, by you to the Right honourable the Governor in Council, who will then issue such instructions as he may deem necessary.

I have, &c.

Bombay Castle, 5 February 1835.

(signed) *L. R. Reid*, Secy to Govt.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 25 February 1835.

From *W. J. Lumsden*, Esq., Session Judge of Surat, to *C. Norris*, Esq., Chief Secretary.—(12 February 1835.)

Sir,

No. 78.

WITH reference to the instructions of Government, contained in your letter of the 5th instant, I have the honour to report that Buxabhaee Jafurbhaee, who was convicted of the importation of a slave boy by sea from Mocha about three years ago, was sentenced, under clause 1, section 30 of Regulation XIV. A. D. 1827, to pay a fine of 36 rupees, or to remain in gaol for six months, and that he has paid the fine. I wait instructions for the disposal of the slave.

I have, &c.

Court of Adawlut, Surat, 12 February 1835.

W. J. Lumsden, Session Judge.

No. 439 of 1835.

From *C. Norris*, Esq., Chief Secretary, to *W. J. Lumsden*, Esq., Session Judge of Surat.—(24 February 1835.)

Sir,

No. 79.

I AM directed to acknowledge the receipt of your letter of the 12th instant, reporting that Buxabhaee Jafurbhaee, who was convicted of importing a slave boy from Mocha, had paid a fine of rupees 36.

As from your former letter of the 20th ultimo, it appears that the boy is unwilling to return to Arabia, his Lordship in Council is disposed to think that by adding a small sum to the fine you will get some person in Surat to take charge of him; you will accordingly be pleased to make a further report on the subject.

I have, &c.

Bombay Castle, 24 February 1835.

(signed) *C. Norris*, Chief Secy.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 17 March 1835.

From *C. W. Lumsden*, Esq., Session Judge of Surat, to Mr. Chief Secretary *Norris*.—
(2 March 1835.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 24th ultimo, and with reference to the instructions therein contained, I asked the Mahommedan law officer of this court, Shaikh Fajoodeen, who is a respectable private character, and he readily agreed to take the African boy, employ him in his service, and instruct him gratis.

No. 7.

I have, however, thought it right to settle that the mooluee is to receive 36 rupees, at the rate of one rupee per month for three years, and thereafter he engages to keep the boy until of age without further charge. The boy may be withdrawn if desired at any time. The mooluee has given a writing to this effect. I trust this speedy and desirable arrangement may be approved.

(signed) *C. W. Lumsden*, Session Judge.

Court Adawlut, Surat, 2 March 1835.

No. 545 of 1835.

From Mr. Chief Secretary *Norris*, to *C. W. Lumsden*, Esq., Session Judge of Surat.—
(12 March 1835.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 2d instant, and to acquaint you that the Right honourable the Governor in Council sanctions the fine of rupees 36, imposed on the party who imported and sold an African boy as a slave, being paid to Shaikh Fajoodeen, Mahommedan law officer of your court, at rupee one per month for three years, he engaging to take the boy and employ him in his service, and instruct him until he be of age, without further charge, the boy being liable at any time to be withdrawn if required.

No. 8.

(signed) *C. Norris*, Chief Secretary.

Bombay Castle, 12 March 1835.

No. 546 of 1835.

From Mr. Chief Secretary *Norris* to the Civil Auditor, Collector of Surat and Accountant General.—(12 March 1835.)

Sir,

I AM directed to inform you that the Right honourable the Governor in Council has sanctioned the fine of rupees 36, imposed on the party who imported and sold an African boy as a slave, being paid to Shaikh Fajoodeen, Mahommedan law officer of the court of Adawlut at Surat, at rupee one per month for three years, he having engaged to take the boy and employ him in his service, and instruct him until he be of age, without further charge, the boy being liable to be withdrawn at any time if required.

No. 9.

(signed) *C. Norris*, Chief Secretary.

Bombay Castle, 12 March 1835.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 18 February 1835.

From *R. Mills*, Esq., Magistrate of Poonah, to *L. R. Reid*, Esq., Secretary to Government.—
(2 February 1835.)

Sir,

In forwarding to you, to be laid before the Right honourable the Governor in Council, extract from the proceedings of the session judge, in a case in which two individuals were charged with carrying away a child and offering to sell her, I have the honour to acquaint you, that I have directed the girl to be sent to the joint magistrate at Sholapoor, with a request that he will find out her parents, and deliver her to them, which I trust will be approved by Government.

No. 49.

The expense of transmitting the girl to Sholapoor will be about (10) ten rupees, which I request the Government will sanction.

I have, &c. &c.

Magistrate's Office, Poonah,
2 February 1835.

(signed) *R. Mills*, Magistrate.

F. I. Company and
Board of Control.
(Documenta.)

EXTRACT from the Proceedings of the Session Judge of Poonah, dated Wednesday,
the 28 January 1835.

THE child Beah states, that she will be happy to be returned to her mother, who it
appears resides at Koonoor, a village in the Akulkote territory; she will, therefore, be sent
to the magistrate for that purpose, with copy of the above rule.

(True extract.)

(signed) *S. Marriott*, Session Judge.

No. 280 of 1835.

From *L. R. Reid*, Esq., Secretary to Government, to *R. Mills*, Esq., Magistrate of Poonah.—
(10 February 1835.)

No. 50.

Sir,
I AM directed to acknowledge the receipt of your letter of the 2d instant, with its en-
closure, and to acquaint you that the Right honourable the Governor in Council is pleased to
sanction an expenditure of about ten rupees, in transmitting the girl Beah, therein alluded
to, to the joint magistrate at Sholapoor.

I have, &c. &c.

Bombay Castle, 10 Feb. 1835. (signed) *L. R. Reid*, Secretary to Government.

No. 283 of 1835.

From *L. R. Reid*, Esq., Secretary to Government, to the Joint Magistrate of Sholapoor.—
(10 February 1835.)

No. 51.

Sir,
I AM directed to inform you, that the Right honourable the Governor in Council has
been pleased to authorize the magistrate of Poonah to send you a girl carried away for sale
from a village in the Akulkote territory, to the Poonah zillah.

I have, &c. &c.

Bombay Castle, 10 Feb. 1835. (signed) *L. R. Reid*, Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 17 March 1835.

From *P. W. Le Geyt*, Esq., Register of the Sudder Foujdaree Adawlut, to
Mr. Chief Secretary *Norris*.

No. 20.

Sir,
IN forwarding copy of a letter from the magistrate of Rutnagiree, dated 18th ultimo, I
am directed by the judges of the Sudder Foujdaree Adawlut to state, for the information of
the Right honourable the Governor in Council, that they approve of the measures adopted
by the magistrate for the maintenance of the two children, and beg to recommend the sanc-
tion of his Lordship in Council thereto.

(signed) *P. W. Le Geyt*, Register.

Bombay, Sudder Foujdaree Adawlut,
6 March 1835.

No. 82 of 1835.

From *G. L. Elliott*, Esq., Magistrate of Rutnagiree, to *P. W. Le Geyt*, Esq., Register
to the Sudder Foujdaree Adawlut.

Sir,

I HAVE the honour to solicit the instructions of the court in the following case:
Two children, of the respective ages of six years and one year and half, were sold by their
mother to Yessee Koolubee, who was apprehended, convicted, and, agreeably to Regu-
lation XIV., section 31, clause 4, A. D. 1827, punished with one year's imprisonment.
The mother has evaded apprehension, and has left the zillah. As there were no other
means of providing for the children, I took upon myself to place them with a person in this
town, upon a payment of two rupees per mensem for their maintenance.

(signed) *G. L. Elliott*, Magistrate.

Rutnagiree, Magistrate's Office,
18 February 1835.

(True copy.)

(signed) *P. W. Le Geyt*, Register.

No. 560.

No. 560 of 1835.

From Mr. Chief Secretary *Norris* to *P. W. Le Geyt*, Esq., Register to the Sudder
Foujdaree Adawlut.

Sir,

I AM directed to acknowledge the receipt of your Register's letter of the 6th instant, and to inform you, that the Right Honourable the Governor in Council approves of the measures adopted by the magistrates of Rutnagiree, and is pleased to sanction the payment of rupees two per mensem for the maintenance of two children who were sold as slaves.

No. 21.

(signed) *C. Norris*, Chief Secretary.

Bombay Castle, 12 March 1835.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 15 April 1835.

From *R. Mills*, Esq., Magistrate of Poonah, to Mr. Chief Secretary *Norris*.—
(27 March 1835.)

Sir,

WITH reference to your letter of the 4th November last, directing me to forward two children to Punderpoor, I have the honour to acquaint you, for the information of Government, that the resident at Sattarah has informed me, that his highness the rajah's authority at Punderpoor has been instructed to receive the children, and "to use every endeavour to discover and restore them to their parents."

No. 22.

2. I have, therefore, this day directed the children to be sent to Punderpoor, and the sum of 10 rupees to be given for their expenses on the road, which I request you will do me the favour to obtain the sanction of Government to bring to account.

3. It appears that the prisoner suffered the imprisonment awarded against him, and did not pay the fine of 15 rupees.

Camp Yeiont, 27 March 1835.

(signed) *R. Mills*, Magistrate.

No. 766 of 1835.

From Mr. Chief Secretary *Norris* to *R. Mills*, Esq., Magistrate of Poonah.

Sir,

I AM directed to acknowledge the receipt of your letter of the 27th ultimo, and to acquaint you, that the Right Honourable the Governor in Council approves of your having directed the two children being sent to be delivered over to his highness the rajah of Sattarah's authority at Punderpoor, for the purpose of being restored to their parents.

No. 23.

The Governor in Council is pleased to sanction the sum of rupees 10, given for their expenses on the road, being brought to the account of Government.

(signed) *Charles Norris*, Chief Secretary.

Bombay Castle, 9 April 1835.

From ———, Magistrate of Poonah, to Mr. Chief Secretary *Norris*.—
(25 March 1835.)

Sir,

I HAVE the honour to request you will obtain for me the instructions of Government relative to the disposal of a girl named Bheemee, five years of age, whose father, Hurry Sing, sold her, contrary to the Regulations of the Government, and who is consequently now undergoing imprisonment for his offence.

No. 46.

The child, Bheemee, states, that her mother is dead, and her only remaining natural protector is therefore her father, Hurry Sing; but as he has already been convicted of selling his child, the Government may not feel disposed to make her over to him again.

I request, therefore, under the provisions of Regulation XIV., of 1827, section 32, the instructions of Government for my guidance. It appears that inquiries were made by my predecessor for any relations of this girl, but that there were none to be found.

(signed) ———, Magistrate.

Camp of Phoolsurjee, 25 March 1835.

E. I. Company and
Board of Control.
(Documents.)

No. 782.

From Mr. Chief Secretary *Norris*, to ———, Magistrate of Poonah.

Sir,

No. 47.

I AM directed to acknowledge the receipt of your letter of the 25th ultimo, and to request that you will make inquiries whether a native family in or near Poonah cannot be found, who would, in consideration of a small allowance from Government, take care of the child named Bheemee, who was sold by her father Hurry Sing.

(signed) *C. Norris*, Chief Secretary.

Bombay Castle, 9 April 1835.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 20 May 1835.

From *Richard Mills*, Esq., Magistrate of Poonah, to Mr. Chief Secretary *Norris*.—
(4 May 1835.)

Sir,

No. 59.

I HAVE the honour to acknowledge the receipt of your letter dated the 9th ultimo, requesting me to make inquiries whether a native family in or near Poonah could be found, which would, in consideration of a small allowance from Government, take charge of the child Bheemee, who was sold by her father Hurry Sing.

2. In reply, I request you will inform Government that a naique of the police establishment of the city is willing to take charge of the child, and enter into security to bring her up properly, if Government will give him a donation of 50 rupees. The naique in question is a married man, and has two children. He, however, states that, as the father of the child is now at liberty, he cannot be answerable for any measures he may pursue for the recovery of his child, and his objection appears to me to be valid.

3. Should Government consider it necessary, I can demand security from the father that he will not molest his child; but I have some doubts whether he could or would give it; and if he did not, Government can pursue no other measure than confining him; but as that confinement could not be indefinite, the same obstacles would again occur on his release.

4. Hurry Sing might be in dread of the consequences of carrying away his child, and she might be made over to the naique, and the reward paid to him, should Government consider this course expedient.

I have the honour to be, &c.

Magistrate's Office, Poonah,
4 May 1835.

(signed) *Richard Mills*, Magistrate.MINUTE by the Honourable Mr. *Sutherland*.

No. 60.

THE father is the natural guardian of his own child, and may demand the child in whatever charge it may be placed. It is further to be supposed, that, having been punished for the offence of selling his child, he will take warning not to do so again. The naique might have charge on a small monthly allowance of a rupee or more; and if the father interferes to receive the child, she may be delivered up, of which the naique might be informed.

(signed) *J. Sutherland*.

No. 1,075.

From Mr. Chief Secretary *Norris* to *R. Mills*, Esq., Magistrate of Poonah.—
(18 May 1835.)

Sir,

No. 61.

I AM directed to acknowledge the receipt of your letter of the 4th instant, and to acquaint you that Hurry Sing is the natural guardian of his own child Bheemee, and may demand the child in whatever charge it may be placed.

It is further to be hoped that, having been punished for the offence of selling his child, he will take warning, and refrain from doing so again.

The Right Honourable the Governor in Council sanctions the naique having charge of her on a monthly allowance of a rupee, if necessary, the amount of which, in this case, you will report; and if the father interferes, the child may be delivered up to him, of which you will inform the naique.

I have the honour to be, &c.

Bombay Castle, 18 May 1835.

(signed) *C. Norris*, Chief Secretary.

No. 1,076.

No. 1,076.

E. I. Company and Board of Control. (Documents.)

From Mr. Chief Secretary *Norris* to the Civil Auditor.—(18 May 1835.)

Sir,

I AM directed to inform you, that the Right Honourable the Governor in Council has sanctioned the collector and magistrate of Poonah making over a child named Bheemee to a naique of the police establishment of the city, and granting an allowance of one rupee monthly.

No. 62.

I have the honour to be, &c.

Bombay Castle, 18 May 1835.

(signed) *C. Norris*, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 3 June 1835.

From *Richard Mills*, Esq., Magistrate of Poonah, to Mr. Chief Secretary *Norris*.—
(28 May 1835.)

Sir,

WITH reference to your letter of the 18th instant, relative to the girl named Bheemee, I have the honour to acquaint you, that, as Hurry Sing claimed his own child, I made her over to him, with a warning for his future conduct towards her.

No. 105.

I have the honour to be, &c.

Magistrate's Office, Poonah,
28 May 1835.

(signed) *Richard Mills*, Magistrate.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 29 January 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to Mr. Secretary *Bax*.—
(6 January 1834.)

Sir,

CONFORMABLY to section 32, of Regulation XIV. of 1827, I have the honour to hand up a statement of a person convicted of buying a child, aged about three years, contrary to the provisions of section 31 of the above quoted Regulations, and to request you will obtain for me the instructions of Government regarding her disposal.

No. 5.

2. The child is quite unable to say where she came from, or to give any account of herself.

3. I would suggest that the sum of 50 rupees, or more if necessary, be given to any one who will enter into proper securities to provide, take care, and bring up the child in question.

(signed) *R. Mills*, Magistrate.

Ahmednuggur, Magistrate's Office,
6 January 1834.

STATEMENT of Child under Charge of the Magistrate.

NAME.	Caste.	Age.	Place of Residence.	Sold by whom.	Bought by whom.	Sentence.	Fine paid.
Essee, a female.	- Mus-selman.	3	- - -	-- Gungee, wife of Wooton Ky Baroon.	-- Bhugunta w ^d Ramjee Coombe.	- Bhugwanta, fined 30 rs.; in default, sentenced to 4 months' confinement; Gungee released.	Bhugwanta.

Ahmednuggur, Magistrate's Office,
7 January 1834.

(signed) *R. Mills*,
Magistrate.

No. 129.

From Mr. Secretary *Bax* to *R. Mills*, Esq., Magistrate, Ahmednuggur.—
(25 January 1834.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 6th January, and to inform you that the Right Honourable the Governor in Council sanctions the sum of 50 rupees, or more if necessary, being given to any one of the same caste, if possible, as the child stated by you as having been sold, who will enter into proper security to take care and bring up the child in question.

No. 6.

(signed) *J. Bax*, Secty to Govt.

Bombay Castle, 25 January 1834.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 5 March 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to Mr. Secretary *Bax*.—
(17 February 1834.)

- No. 91. Sir,
WITH reference to your letter dated 25th ultimo, I have the honour to acquaint you, for the information of the Right Honourable the Governor in Council, that a person named Buddoo Bhye Wullud Syed Meer, who has a track on the Customs, has consented to receive the child, and has entered into security to bring it up.
I have therefore directed the child to be made over to him, and 50 rupees to be paid to him, according to the Government instructions.
(signed) *R. Mills*, Magistrate.
Circuit Cutcherry, at Toka, 17 February 1834.

No. 649.

From Mr. Secretary *Bax* to *R. Mills*, Esq., Magistrate of Ahmednuggur.—
(5 March 1834.)

- No. 92. Sir,
I AM directed to acknowledge the receipt of your letter of the 17th ultimo, and to inform you that the Right Honourable the Governor in Council approves of your having directed the child alluded to being made over to a person named Buddoo Bhye Wullud Syed Meer, and of your having paid him the sum of rupees 50, on his having entered into security to bring her up.
(signed) *J. Bax*, Sect^y to Gov^t.
Bombay Castle, 5 March 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 29 January 1834.

From *R. Mills*, Esq., Magistrate, Ahmednuggur, to Mr. Secretary *Bax*.—(8 January 1834.)

- No. 31. Sir,
A CHILD about 10 years of age having a short time since been brought into Nuggur, and disposed of to a cushin of the town, though the sale has not been proved before the assistant magistrate, I have the honour to request the instructions of the Government regarding the disposal.
2. She states that her birth-place is distant from Sholapoor about five coss, and I would suggest for the consideration of Government, that I may be permitted to forward her to the magistrate at that station, with a request that he will find out her parents, and give her into their charge.
(signed) *R. Mills*, Magistrate.
Circuit Cutcherry, at Imrampoor, 8 January 1834.

No. 145.

From *J. Bax*, Esq., Secretary to Government, to *R. Mills*, Esq., Magistrate of Ahmednuggur.—(25 January 1834.)

- No. 32. Sir,
I AM directed to acknowledge the receipt of your letter of the 8th instant, and to acquaint you that the Right Honourable the Governor in Council approves of your forwarding the female child alluded to to the magistrate of Sholapoor, near which place she states her birth-place to be.
(signed) *J. Bax*, Sect^y to Gov^t.
Bombay Castle, 25 January 1834.

No. 146.

From Mr. Secretary *Bax* to Acting Magistrate of Sholapoor.—(25 January 1834.)

- No. 33. Sir,
I AM directed by the Right Honourable the Governor in Council to acquaint you that the magistrate of Ahmednuggur has been instructed to forward to you a female child of about 10 years of age, who was taken to that place, and disposed of to a cushin of the town a short time since; she describes her birth-place to be about five coss distant from Sholapoor, and his Lordship in Council requests that you will endeavour to discover her parents, and give her into their charge.
(signed) *J. Bax*, Sect^y to Gov^t.
Bombay Castle, 25 January 1834.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 19 February 1834.

From *R. Mills*, Esq., Magistrate, Ahmednuggur, to Mr. Secretary *Bax*.—
(10 February 1834.)

Sir,

I HAVE the honour to report that another girl, named Jankee, about 13 years of age, was discovered in a field by a coonbee of Tulouree, in the Pergunna of Patado, who had been stolen by Bingaries, and who had effected her escape; she states that she is an inhabitant of Manze Julgaum Praunt Wurrad, belonging to his highness the Nizam; and I request, therefore, the permission of Government to address the resident at Hyderabad to solicit the durbar to issue orders that a search may be made for her relations, and to direct them to come to Nuggur to claim her.

In the event of no one appearing to claim the girl within the period of one month, I would suggest for the consideration of Government, that I be permitted to offer a gift of 50 rupees or more, to any one who will take care of her till claimed by her friends.

(signed) *R. Mills*, Magistrate.

Circuit Cutcherry Camp, at Toka, 10 Feb. 1834.

No. 128.

No. 503, 1833.

From Mr. Secretary *Bax* to *R. Mills*, Esq., Magistrate of Ahmednuggur.—
(19 February 1834.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 10th instant, and to acquaint you that the Right Honourable the Governor in Council approves of the course you suggest, with a view to restoring the girl Jankee to her relatives, but in the meantime she should be taken care of by some persons of her own caste.

(signed) *J. Bax*, Secty to Govt.

Bombay Castle, 19 February 1834.

No. 129.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 5 March 1834.

From *J. Kentish*, Esq., Session Judge, Ahmednuggur, to Mr. Secretary *Bax*.—
(6 February 1834.)

Sir,

I HAVE the honour to forward a list of several female children who have been imported into Nuggur, and recovered from the parties to whom they had been sold for the purpose of prostitution, the sellers and buyers having been fined and imprisoned under the provisions of the Regulation. The object of the present application is, to recommend to Government the transfer of the children to the magistrate, in order that they may be delivered over to such of their parents as can be ascertained, and further to solicit the instructions of the Right Honourable the Governor in Council for the disposal of the remainder, suggesting, at the same time, that the expense likely to be incurred should be paid out of the fines which eventually may be recovered.

I beg also to observe, that some of the children have been imported from a foreign territory, and to express apprehension that their transfer to a native government in those instances where the parents are unknown, might place them in a similar situation from which the operation of our laws have redeemed them.

(signed) *J. Kentish*, Session Judge.

Ahmednuggur Adawlut, 6 February 1834.

No. 18.

No. 19.

STATEMENT of CHILDREN imported into *Ahmednuggur*, sold there, and subsequently redeemed.

No.	NAMES.	SEX.	Age.	CASTE.	Where purchased, or from whence brought.	What Relatives.	NAMES.	RESIDENCE.
1.	Under Session Judge : Beeya	Female	5	Moosulman	-Indee Barwutta in the Nizam's districts.	Father Mother Brother	Uzzumthae. Hallumbae. Meegajee.	
2.	Mustan } twins Chand }	- ditto -	4 3	- ditto -	- ditto.	Father Mother Brother	-- Mulla w ^d Kaselah Sinday Anheelia -- Jewagee and Kasseeba. Yessa	-- Antoor Pergunnah Nuldroogin, in the Nizam's territory.
3.								
4.	Guzzee, alias Gunga.	- ditto -	10	Hoonbee	- Sholapoor	Sister Uncles	-- Hybuttee w ^d Kasseeba -- Jayram w ^d Luxamon Bagal	-- Vangree Sarolay Pergunnah Joolyapoor, in do. -- Antoor Pergunnah Nuldroog, in the Nizam's territory. -- Sangree Sarolay Pergunnah Joolyapoor, in the Nizam's territory.
5.	Tarra, alias Kasee.	- ditto -	3	Singart Wanees	- ditto -	Father Mother Sister Uncles	Annappa Anwoobae Bussawa Bussappa Appa	-- Honallee, in the Ankulkote, Rajah's territory. -- Kolaree, in the Nizam's territory.
6.	Boogee, alias Boolingee.	- ditto -	3	- ditto -	- ditto -	Father Mother Brother Father	Abbajee Nilvah Bussapa -- Nimlajee Hulkur Dhungur	-- Wagdoorgee, in the Ankulkote, Rajah's territory. -- Kullian Kulboongee, in the Nizam's territory.
7.	Saneetree, alias Satoomee, wife of Lingsett.	- ditto -	12	-- Dhungur Koonbee.	- Hulboorgay, in the Nizam's territory.	Sister Uncle Husband Father-in-law. Mother-in-law. Father	Satowa Mulharee -- Singsett w ^d Seedapa Nursawa -- Chambussapa w ^d Seersapa	Bhubjallee, in ditto. Kullian Kulboongee, in do. -- Gubboor Tacklee, in the Nizam's territory. -- Honally Pergunnah, of Sholapoor.
8.	Suggee, alias Sunywa, wife of Bhudapa.	- ditto -	8	Lingart Wanees	Sholapoor	Mother Brother Sister Husband Father	Heerawa Bussapa -- Savatree, wife of Gnappa Bhurrappa -- Unneersettee w ^d Sewlingapa	-- Khulmudree, in the Ankulkote, Rajah's territory. -- Konattee, in the Ankulkote, Rajah's territory.
9.	Cheemee, alias Owbaee.	- ditto -	4	- ditto -	- ditto -	Mother Brother Sister	Jeworah Busappa Annundee	
10.	Kondee, alias Harsavah	- ditto -	4	- ditto -	- ditto -	Father Mother Brother	Shohibpa Gunga Bappo	-- Errolee, in the Ankulkote, Rajah's territory.
11.	Fyzeen, alias Honovah.	- ditto -	5					
12.	Naggee	- ditto -	8	- ditto -	- Hubboorga, in the Nizam's territory.	Father Mother Sister Uncle Husband Mother-in-law Father	-- Gurawa, wife of Peerapa Peerapa Sewba Tookae -- Krastnagee w ^d Sunkrajee.	-- Gargee, in the Nizam's territory. -- Kajeelay, in the Ankulkote, Rajah's territory. Nizam's territory.
13.	Jummees	- ditto -	5	Mharratta	- Kolapoor -	Mother Brother Sister Uncle Father	Sunkrajee Sunkraee Gungajee Runnee Jannoo Mallee Dhoondee	-- Kolapoor, in the Ankulkote, Rajah's territory.
14.	Bhoolee	- ditto -	3	- ditto -	- ditto -	Mother Brother Sister Uncle	Nagae Dadah Bae Khundee	- ditto.
15.	Bhicka	Male	6	- ditto -	- ditto.			

Ahmednuggur Adawlut, 31 Jan. 1834.

(signed) J. Kentish, Session Judge.

No. 576 of 1834.

From Mr. Secretary *Bax* to the Judge and Session Judge of Ahmednuggur.—
(28 February 1834.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 6th instant, with enclosure, and to acquaint you that the Right Honourable the Governor in Council, approving of the course suggested by you with regard to the disposal of children recovered from parties to whom they had been sold, is pleased to direct that the children from within the British territory should be delivered over to the magistrate, who will restore them to their parents or relations, in cases where those can be found, and take measures for the discovery of the friends of those among them whose families are at present unknown, transferring the children imported from the Nizam's and Ankulkote district to the authorities within those territories, the expense attending these measures being defrayed out of the proceeds of the fines levied on their account.

No. 20.

(signed) *J. Bax, Secy to Govt.*

Bombay Castle, 28 February 1834.

No. 577 of 1834.

From Mr. Secretary *Bax* to the Magistrate of Ahmednuggur.—(28 February 1834.)

Sir,

I AM directed by the Right Honourable the Governor in Council to transmit to you the accompanying copy of a letter from the Judge of Ahmednuggur, and its enclosure, and, in acquainting you that Mr. Kentish has been instructed to deliver over the children to you, to request you will restore them to their parents and relations in cases in which those can be found, and take measures for discovering the friends of such of them as belong to families at present unknown.

No. 21.

Those children who have been imported from the nizam's and the rajah of Ankulkote's districts you are to transfer to their territories, informing the local political authorities accordingly.

(signed) *J. Bax, Secy to Govt.*

Bombay Castle, 28 February 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 25 June 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to *W. H. Wathen*, Esq., Secretary to
Government.—(12 June 1834.)

Sir,

REFERRING to Mr. Secretary *Bax*'s letter, dated 28th February last, forwarding a statement of children who had been sold, received from the session judge at this station, I have the honour to acquaint you, that the two children, No. 10 and 11 on the list, having been claimed by their father, and his right to them proved to my satisfaction, they have been made over to him, and the sum of 10 rupees given to him to pay their expenses, &c. to a village in the Ukulkote rajah's territories, near Solapoor, and to request you will do me the favour to obtain the sanction of Government to the expenditure.

No. 90.

I have, &c.

Ahmednuggur, Magistrate's Office,
12 June 1834.(signed) *R. Mills*, Magistrate.

No. 1,500 of 1834.

From *W. H. Wathen*, Esq., Secretary to Government, to *R. Mills*, Esq., Magistrate,
Ahmednuggur.

Sir,

I AM directed to acknowledge the receipt of your letter of the 12th instant, and to acquaint you that the Right Honourable the Governor in Council approves of your proceedings regarding the children who have been claimed by their father, and sanctioning the sum of 10 rupees given for their expenses, &c.

No. 91.

I have, &c.

(signed) *W. H. Wathen*, Secy to Government.

Bombay Castle, 23 June 1834.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 23 July 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to *W. H. Wathen*, Esq., Secretary to the Government of Bombay.—(14 July 1834.)

Sir,

No. 93.

WITH reference to the 2d paragraph of the letter from Government, dated 28th February last, with copy of one from the session judge, regarding some children sold in this town, I have the honour to acquaint you, for the information of the Right Honourable the Governor in Council, that I addressed letters to the British authorities at Sattarah and Hyderabad, under date 10th March last, requesting that they would solicit their respective durbars to send some confidential person to receive charge of such of the children as belonged to their governments.

2. No persons having appeared to take charge of the children, I again addressed the residents at Hyderabad and Sattarah on the 12th ultimo, and beg leave to annex, for the information of Government, copies of my letters to those authorities.

3. As yet I have received no reply from the resident at Hyderabad; but I beg leave to annex copy of a letter from the resident at Sattarah, dated 3d instant, and request you will inform his Lordship in Council, that, agreeably to the Government orders above adverted to, I have forwarded all the children to the magistrate at Sholapoor, with a request that he will make them over to the rajah's authority at Akulcote, and I trust this measure will be approved.

4. The expenses attending the transmission of these children shall be submitted.

(signed) *R. Mills*, Magistrate.

Ahmednuggur, Magistrate's Office, 14 July 1834.

From the Magistrate of Ahmednuggur, to Lieutenant-colonel *Lodwick*, Resident at Sattarah.—(12 June 1834.)

Sir,

No. 94.

REFERRING to my letter dated the 10th March last, and of your reply of the 10th April following, I have the honour to acquaint you, that two of the children, named Hondee alias Rassarah, Fyzun alias Honerah, have been claimed, and made over by me to their father.

Referring also to the second paragraph of the Government letter of the 28th February, copy of which accompanied my letter above alluded to, I request you will do me the favour to solicit his highness's government to instruct his authorities at Sholapoor, or Akulcote, to receive the children, as it is probable if they were removed to any place near the place of their birth, and proclamations issued inviting their friends to claim them, that the parents would gladly come forward. If the children remain here, I see no prospect of their being claimed at all, or, at all events, for a very long time to come.

As soon as I receive a reply to this communication, and information from you where to send the children, I will forward them without loss of time.

(signed) *R. Mills*, Magistrate.

Ahmednuggur, Magistrate's Office, 12 June 1834.

From the Magistrate of Ahmednuggur to Colonel *J. Stewart*, Resident at Hyderabad.—(12 June 1834.)

Sir,

REFERRING to my several letters, and your replies, on the subject of children stolen from his highness the nizam's territories, and sold in the Company's territories, I have the honour to acquaint you, that no one has yet come to claim them, and to solicit you will again bring the subject to the notice of the durbar.

2. I would suggest, as the readiest way of finding out the parents of the children, that they should be forwarded to some of the nizam's authorities, who should be instructed to issue proclamations, which will soon induce the parents of the children to come forward and claim them, whereas, if they remain in Nuggur, I see no chance whatever of their ever finding their homes again.

3. Should you concur in this suggestion, I will, on receiving your reply to this communication, forward all the children, who are subjects of his highness, to any authority you may name, who may be furnished with the proper credentials for receiving and taking care of them.

(signed) *R. Mills*, Magistrate.

Ahmednuggur, Magistrate's Office, 12 June 1834.

From

From the Resident at *Sattara* to the Collector of Ahmednuggur.—(3 July 1834.)

Sir,

IN reply to your letters of the 10th March and 12th June 1834, forwarding a roll of children supposed to belong to the Akulcote district, I have the honour to enclose a yaude received from this government, by which it appears instructions have been given to the kaumdar to receive the children in question, in the hope of discovering their relations. Those for whom natural protectors cannot be found will be returned to your charge.

(signed) *P. Lodwick*, Resident.

Sattara, 3 July 1834.

No. 1,688.

From the Secretary to the Government of Bombay, to *R. Mills*, Esq., Magistrate of Ahmednuggur.

Sir,

I AM directed to acknowledge the receipt of your letter of the 14th instant, and to inform you that the Right Honourable the Governor in Council approves of your proceedings in regard to the children who had been sold in your district.

No. 95.

I have, &c.

Bombay Castle, 23 July 1834.

(signed) *W. H. Wathen*.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 13 August 1834.

From the Magistrate of Ahmednuggur, to *W. H. Wathen*, Esq., Secretary to the Government of Bombay.

Sir,

REFERRING to your letter dated 22d March last, regarding a girl named Goorlongiah, alias Muddar, I have the honour to acquaint you that I have not been successful in procuring a person willing to take charge of the child, and beg leave therefore to suggest, as she states she comes from a place near Sholapoor, that I may forward her to the magistrate of that station, for the purpose of finding out her parents and relations.

No. 1.

(signed) *R. Mills*, Magistrate.

Ahmednuggur, Magistrate's Office, 29 July 1834.

No. 1,739.

From the Secretary to the Government of Bombay to the Magistrate of Ahmednuggur.—
(7 August 1834.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 29th ultimo, and to inform you that the Right Honourable the Governor in Council approves of your suggestion of sending the girl therein alluded to to the joint magistrate of Sholapoor, for the purpose of finding out her parents and relations.

No. 2.

(signed) *W. H. Wathen*,
Secy to Government.

Bombay Castle, 7 August 1834.

No. 1,740.

From the Secretary to the Government of Bombay, to the Magistrate of Poonah.—
(7 August 1834.)

Sir,

I AM directed by the Right Honourable the Governor in Council to transmit to you for your information the accompanying copy of a letter from the magistrate of Ahmednuggur, dated the 29th ultimo, and of my reply of this date, regarding a girl who he has been authorized to send to the joint magistrate at Sholapoor, for the purpose of finding out her parents and relations.

No. 3.

You will be pleased to make the necessary communication to the joint magistrate of Sholapoor.

Bombay Castle, 7 August 1834.

(signed) *W. H. Wathen*,
Secy to Government.

E. I. Company and
Board of Control.
(Documents.)

From the Magistrate of Ahmednuggur to *W. H. Wathen*, Esq., Secretary to the
Government of Bombay.

Sir,

No. 10.

REFERRING to the correspondence which has passed between Government and this department relative to some children, subjects of the nizam's government, who were purchased and sold in Nuggur, I have the honour to acquaint you, that the resident at Hyderabad having sent a person to receive charge of the children as per annexed statement, they have been given over to his charge.

2. A copy of the resident's letter is herewith transmitted.

3. I trust this measure will meet his Lordship in Council's approbation.

(signed) *R. Mills*, Magistrate.

Ahmednuggur, 29 July 1834.

STATEMENT OF CHILDREN.

Numbers.	Names of Children.	Caste.	Age.	Place of Residence.
1.	Muslan - - - -	Muosoolman -	3	} - Nimbagree Perguanay Cardole, Nizam's territory.
2.	Chand - - - -	- ditto -	3	
3.	Gujee, alias Gunga - -	Coonbee -	12	Sarrol Sangree, near Toolyapoor.
4.	Saweelree - - - -	Dhungur -	15	Kulboorga.

(signed) *R. Mills*, Magistrate.

From the Resident at Hyderabad to the Collector of Ahmednuggur.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 11th instant, with its several enclosures, and to inform you, that the bearer has been deputed by the minister to wait upon you to receive charge of the children stolen from the nizam's territories, and to convey them to their parents.

(signed) *J. Stewart*, Resident.

Hydrabad Residency, 22 March 1834.

No. 1,751.

From the Secretary to the Government of Bombay to the Magistrate of Ahmednuggur.

Sir,

No. 11.

I AM directed to acknowledge the receipt of your letter of the 29th ultimo, and to acquaint you that the Right Honourable the Governor in Council approves of your proceedings regarding the children delivered to the persons deputed by the resident at Hyderabad to receive them.

(signed) *W. H. Wathen*, Secy to Govt.

Bombay Castle, 7 August 1834.

From the Magistrate of Ahmednuggur to Mr. Secretary *W. H. Wathen*.

Sir,

No. 22.

I HAVE the honour to annex copy of a letter from my assistant, Mr. Jones, and statement relative to two children illegally imported into this zillah from the rajah of Aukulcote's territories, and to request, under section 32, of Regulation XIV. of 1827, the instructions of Government to their disposal.

2. I beg leave to suggest that I be authorized to address the resident at Sattara to solicit the durbar to issue orders to the authorities at Aukulcote to receive the children, and make them over to their parents, and that in the mean time I may be instructed to forward the children to the sub-collector and magistrate at Sholapoor, to take care of till the reply from the resident is received.

(signed) *R. Mills*, Magistrate.

Ahmednuggur, Magistrate's Office,
29th July 1834.

From

From the Magistrate of Ahmednuggur to the Collector of Ahmednuggur.

E. I. Company and Board of Control. (Documents.)

Sir,

I HAVE the honour to transmit a Mahratta statement relating to two children who, having been brought up for a theft (for which they were punished), were questioned about their parents, and how they came here, when they informed me of all that is mentioned in the accompanying Mahratta documents. The person whose name is therein mentioned, when charged with having stolen the children, denied it; and as no evidence was forthcoming to prove the assertion of the children, he was released, on giving security for his appearance.

I have the honour to request you will have the goodness to let me know what you consider best to be done for the future welfare of the children.

(signed) R. Mills, Magistrate.

Ahmednuggur, Assistant Magistrate's Office,
17 July 1834.

STATEMENT OF CHILDREN.

NAMES of CHILDREN.	AGE.	CASTE.	PLACE of RESIDENCE.	NAMES of the Persons who brought the Children.	NAMES of Purchasers.
1. Yelah wd Malliah -	8 years -	Coombe	-- Dhoodunj, six coss from Akulcote.	-- the zeliah says that the man who brought him has run away; he does not know his name.	-- Maunkoo Poethuro.
2. Kukume wd Tuckeerah	10 ditto -	-- Moolman.	-- Mouze Disegee Purgunnah Akulcote.	- ditto - -	- ditto.

(signed) R. Mills, Magistrate.

No. 1,757.

From Mr. Secretary W. H. Wathen to the Magistrate of Ahmednuggur.

Sir,

I AM directed to acknowledge the receipt of your letter of the 29th ultimo, with its enclosures, and to authorize you to write to the resident at Sattara to solicit the durbar to issue orders to the authorities at Akulcote to receive the two children illegally imported into your zillah, and make them over to their parents, and also in the meantime to forward the children to the sub-collector and magistrate of Sholapoor to take care of them until you receive a reply from the resident.

No. 24.

(signed) W. H. Wathen, Secy to Govt.

Bombay Castle, 7 August 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 20 August 1834.

From the Magistrate of Ahmednuggur to Mr. Secretary W. H. Wathen.

Sir,

WITH reference to my letter dated 29th ultimo, regarding a girl named Goorlingiah, alias Muddar, I have the honour to acquaint you, that the paternal uncle of the girl has come from his village in the Akulcote territories, beyond Sholapoor, to claim her, and, as I felt satisfied, from the pleasure which the girl exhibited, and her desire to accompany him, that he was a relation, I did not hesitate to make her over to him.

No. 28.

I have advanced twenty rupees to the paternal uncle, as a present, to enable him to return to his village, and to purchase clothes, &c. for the child, and trust Government will sanction the expenditure.

(signed) R. Mills, Magistrate.

Ahmednuggur, Magistrate's Office,
6 August 1834.

No. 1,082.

From Mr. Secretary W. H. Wathen to the Magistrate of Ahmednuggur.

Sir,

I AM directed to acknowledge the receipt of your letter of the 6th instant, and to inform you that the Right Honourable the Governor in Council approves of your having made over to her paternal uncle the girl named Goorlingiah, alias Muddar, and sanctions the present made to him of Rs 20, to enable him to return to his village, and purchase clothes, &c. for the child.

No. 29.

(signed) W. H. Wathen, Secretary to Govt.

Bombay Castle, 15 August 1834.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 24 September 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to *W. H. Wathen*, Esq., Secretary to Government.—(3 September 1834.)

Sir,

No. 67.

WITH reference to your letter, dated 8th May last, authorizing me to address the resident at Nagpore, regarding some children stolen by individuals who have been committed to stand their trial before their sessions judge, I have the honour to acquaint you that, agreeably to instructions, I addressed the resident, and regret to say that, though the durbar issued proclamation, no one has come forward to claim the children.

I have, &c.

Ahmednuggur, Magistrate's Office,
3 September 1834.

(signed) *R. Mills*, Magistrate.

MINUTE by the Right Honourable the Governor, subscribed to by *Mr. Newnham* and *Mr. Sutherland*.

No. 68.

IT would be no use to send these children back to their own country, where, it appears, there is no one to claim them. I should think, under these circumstances, the magistrate might be directed to try and induce some of their own caste to take charge of them at the cost of Government; and if the three individuals charged with having stolen them shall be convicted and fined, the amount should be expended in supporting these children until they are old enough to earn their own bread, because I do not think we could, with propriety, leave these children destitute; and I believe there are precedents for the course I have suggested.

(signed) *Clare*.

No. 2,064 of 1834.

From *W. H. Wathen*, Esq., Secretary to Government, to *R. Mills*, Esq., Magistrate of Ahmednuggur.—(23 September 1834.)

Sir,

No. 69.

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter of the 3d instant, and to inform you, in reply, that as it appears there is no one to claim the children therein alluded to in their own country, it would be useless to send them there; and that, under these circumstances, his Lordship in Council desires you to endeavour to induce some of their own caste to take charge of them at the cost of Government; and in the event of the individuals charged with having stolen them being convicted and fined, the amount of the fines should be expended in supporting these children until they are old enough to earn their own bread.

I have, &c.

(signed) *W. H. Wathen*, Secretary to Government.

Bombay Castle, 23 September 1834.

No. 2,065.

From *W. H. Wathen*, Esq., Secretary to Government, to *James Farish*, Esq., Civil Auditor.

Sir,

No. 69 a.

I AM directed by the Right Honourable the Governor in Council to acquaint you that the magistrate of Ahmednuggur has been instructed to endeavour to induce some of their own caste to take charge, at the expense of Government, of three stolen children from Nygaon, in the vicinity of Nagpoor; and he has been further informed, that if the individuals charged with having stolen them [&c. as to the magistrate of Ahmednuggur.—See No. 69.]

I have, &c.

(signed) *W. H. Wathen*, Secy to Government.

Bombay Castle, 23 September 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 12 November 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to the Secretary to Government.—
(15 October 1834.)

Sir,

No. 21.

REFERRING to the second paragraph of my letter, dated 14 July last, submitting copy of my letter to the resident at Hyderabad, relative to some children sold in the British territories, I have the honour to acquaint you, for the information of Government, that as yet no one has come from the resident to take charge of the children.

2. The

2. The annexed statement will show the age, &c. of the women and children ; and I beg leave to acquaint you, that the elder ones have petitioned me to be permitted to go where they please : I therefore solicit the instructions of Government to accede to their request, as there can be no object in keeping them in their present state, as they are old enough to provide for themselves.

E. I. Company and Board of Control. (Documents.)

3. If the elder females will take charge of the younger children, I would suggest, for the consideration of his Lordship in Council, whether they might not be entrusted with the charge of them ; if Government sees no objection to the arrangement, I would recommend that I be permitted to allow all of them to reside in Nuggur, or to go where they please, and that I be authorized to divide the sum of (50) fifty rupees between them, in such proportions as I may deem conducive to their future welfare and comfort.

I have, &c.

Ahmednuggur, Magistrate's Office on Circuit,
at Rahooy, 15 October 1834.

(signed) *R. Mills*, Magistrate.

STATEMENT OF CHILDREN.

NAMES.	Caste.	Age.	PLACE OF RESIDENCE.
Bhicka - - - -	coonbee -	6	unknown the name of his village.
Kumby Jowyay Muheemajee	- ditto -	18	Oomraurattee Pergunna Wurod.
Jummy Icoyay Ravoo Buhirjee.	coolee -	15	- - Mouzee Tuheeyaun, near Oomrauruttee.
Annundee - - - -	combee -	20	Odyaum, near ditto - - ditto.
Mookteo - - - -	coolee -	18	Vudgaum, ditto - - - ditto.
Muney - - - -	coombee -	10	Oomrauruttee Pergunna Wurod.
Jankee - - - -	- ditto -	13	Indgaum Purgunna - ditto.
Muthoora - - - -	chambar -	9	Oomrud, near Oomrauruttee.

(signed) *R. Mills*, Collector and Magistrate.

No. 2,385.

From *W. H. Wathen*, Esq., Secretary to Government, to *R. Mills*, Esq., Magistrate of Ahmednuggur.

Sir,

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter of the 15th instant, with enclosure regarding the children stolen from his highness the nizam's territories, and to request you will apprise the resident at Hyderabad, that if you do not within a month hear of any arrangement regarding these persons being adopted, you are authorized to set them at liberty, to go where they choose.

No. 23.

I have, &c.

(signed) *W. H. Wathen*, Secy to Government.

Bombay Castle, 30 October 1834.

From *S. Marriott*, Esq., Session Judge at Poonah, to the Secretary to Government.—
(28 October 1834.)

Case, No. 65 of calendar, dated 1st January 1834.

No. 104.

Prisoner.

Crime.

Sabajee Ben Sudasew - - For purchasing two boys, and illegally importing them into Poonah.

Sir,

I HAVE the honour to forward, for the decision of the Right Honourable the Governor in Council, extract from my proceedings in the above case, under this day's date.

Poonah, 28 October 1834.

(signed) *S. Marriott*, Session Judge.

Extract from the Proceedings of *Saville Marriott*, Esq., Session Judge of Poonah, dated Tuesday, 28 October 1834.

THE court enters upon the trial of case No. 65 of the calendar of 1834.

The prisoner, Subajee Ben Sudasew Moree Kansar, by occupation a pedlar of armlets, inhabitant of Poonah, aged about 52 years, is placed at the bar upon the following charges :—
First, For purchasing from Mahadoo, the father (as alleged by the prisoner himself),

No. 105.

697.

3 T 3

E. I. Company and Board of Control. (Documents.) inhabitant of Punderpoor, for 18½ rupees, two boys, named Wittoo and Bhewa, of the ages of three years and a half and eight years old, in the month of July 1834, or Ashad 1756.

Second. For illegally importing them into Poonah.

The prisoner is called upon to answer to the charge.

The prisoner, in answer to the first charge, says he did not purchase the boys, but received them in barter for two turbans, two parsories and rupees 3½, besides incurring the expenses of the road.

In answer to the second charge, the prisoner says that he brought the children to be taken care of by his wife, in consequence of their being in a state of starvation, and declares that he was not aware of the Regulations requiring him to have the names of the boys registered by the magistrate.

The court proceed to take the evidence for the prosecution.

No. 1.

The statement of the prisoner before the magistrate is read and acknowledged by the prisoner; it is recorded and marked No. 1.

The deputy nazer reports that the above two boys are in charge of the police, and that they were ordered to be brought to-day: they are, however, not yet in attendance, but are directed to be sent for forthwith.

In the meanwhile the court transacted business on the Dewannee side.

The boys having been brought into court, the proceedings are resumed.

They appear to be of the respective ages stated in the charges, viz., about eight years and three years and a half.

The person in attendance upon them is sworn and examined. His name is Wittoo Bin Eembajee, servant of Poorungeer Gosavee, aged about 16 years. The witness says they are living with his master, Poorangeer Gosavee, and that their names are Wittoo and Bheemuna.

No. 2.

The prisoner declines asking any questions.

The examination in Marhattahs is marked No. 2.

The evidence for the prosecution is closed, and the prisoner is called upon for his defence.

He states, that he was utterly ignorant of his offending in either receiving or bringing the children into the Zilla without the permission of the magistrate.

The purchase of the boys took place at Punderpoor, in the territory of his highness the rajah of Sattarah, and the act comprised in the first charge is therefore not cognizable by this court, and the prisoner is therefore acquitted of the same.

The prisoner has not attempted to show that the importation of the children was conducted under the rules required to be observed by Regulation XIV., 1827, section 30, clause 1st, under permission from the magistrate, by which alone that act can be rendered legal. On the contrary, the prisoner declares he was not acquainted with the existence of any such rules.

The prisoner is pronounced guilty of the second charge.

By Regulation XIII., 1827, section 37, clause 2d, all exculpatory circumstances which may appear in a prisoner's statement or confession are to be allowed full weight. The prisoner states that the children were in a state of starvation when he took them from their father at Punderpoor, and that he took every care of them so long as they remained with him; that his wife objecting to their continuing with them, he gave them over to a gosavee, by whom they have since been maintained. Under this and other circumstances of the case, the court considers it necessary to pass a very lenient sentence on the prisoner for the offence contained in the second charge; and he is accordingly ordered to be imprisoned for the term of five days; and under the provision of Regulation XIV., 1827, section 32, the boys Wittoo and Bhewa alias Bheemuna, are declared to be emancipated. Under the provision of the same section, the court will recommend to Government that the prisoner pay a fine of 15 rupees, to be commuted into imprisonment, in default of payment, for a period of five days, which sum should be appropriated to defray the expense of returning the children to their father or other relations who may be discoverable at Punderpoor or elsewhere. In the meanwhile the magistrate will be requested to take charge of the boys for ultimate transmission to the local authority of Punderpoor.

The letter, No. 3, is to be written to the magistrate to accompany copy of the above minute.

The copy, No. 4, to the secretary to Government, forwarding copy of the above minute.

The prisoner is remanded to gaol.

(signed) *Saville Marriott*, Session Judge.

(True extract.)

(signed) *S. Marriott*, Session Judge.

No. 2,429.

From *W. H. Wathen*, Esq., Secretary to Government, to the Judge at Poonah.—

(4 November 1834.)

Sir,

No. 106.

I AM directed to acknowledge the receipt of your letter of the 28th ultimo, with extract of your proceedings in the case of an importation into Poonah of two boys by Sabajee Ben Sadasew, and to acquaint you that the magistrate has received instructions to forward

forward them to their relatives at Punderpoor, for which purpose the Right Honourable the Governor in Council trusts the fine of rupees 15, levied from the prisoner, will prove sufficient; but if not, the magistrate has been authorized to add whatever sum may be required for that purpose.

E. I. Company and
Board of Control.
(Documents.)

(signed) *W. H. Wathen*, Secretary to Government.

Bombay Castle, 4 November 1834.

No. 2,430.

From *W. H. Wathen*, Esq., Secretary to Government, to the Magistrate of Poonah.—
(4 November 1834.)

Sir,

I AM directed by the Right Honourable the Governor in Council to request you will take measures to forward to their relations at Punderpoor the two children made over to you by the judge at Poonah, as having been illegally imported into Poonah by Sabajee Bin Sadasew, for which purpose his Lordship in Council trusts the amount of fine, rupees 15, levied on the prisoner, will prove sufficient. In the event, however, of its not being sufficient, you are authorized to add whatever sum may be required.

No. 107.

I have, &c.

(signed) *W. H. Wathen*, Secretary to Government.

Bombay Castle, 4 November 1834.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 19 November 1834.

From *T. H. Baber*, Esq., Magistrate of Poonah, to Mr. Chief Secretary *Norris*.—
(25 October 1834.)

Sir,

As calling for the early and most serious consideration of the Right Honourable the Governor in Council, I have the honour to forward a list of persons whom I committed during last month to take their trial for being concerned in a traffic in children, some of them our own subjects, but mostly imported from foreign territories, together with the sentences of many of them.

No. 51.

2. I am now engaged in an examination of one of the most notorious of these dealers in human flesh, on whom two children were recently found, and herewith forward translation of a paper of information recorded in that case, to give the Government an insight into the open and barefaced manner in which this man has been carrying on this traffic even to Bombay; and that, although repeatedly apprehended, he has always, doubtless through the intrigues and machinations of these corrupt men, Shamjee Punt, former sowabnavesa, and Gopall Punt, late head magisterial carcoon, continued to elude punishment; and, what is most to be regretted, the unfortunate children themselves have been given back to their oppression, without any measures being taken for ensuring their restoration to their country and their friends.

3. The encouragement given to this traffic in the territories of his highness the Sattara Rajah seems to particularly call for the interposition of Government, if only to protect our own subjects from having their children stolen.

4. I beg to submit copy of a correspondence I had with the resident on that subject in June last, wherein that officer informs me, "that there is no regulation in the Sattara territory against the purchase of slaves."

5. I also forward copy of a deposition of a Mussulman girl, aged eight years, who had been stolen and carried to Sattara, where she was purchased by a borah, who sent her to his brother in this city, from whom she fled for cruel treatment. The girl is now under my charge, and will be sent to her friends whenever the sub-collector, to whom I wrote in July last, may discover who they are.

6. My first assistant, Mr. Elphinstone, has reported, under date the 23d instant, the disappearance of a child from the village of Nunbgoan Ketkee, in the Indapoor Purgunnah, and its having been traced to Natigpootee, in his highness the Sattara Rajah's territory; but that the Sattara Rajah's officers had refused to surrender the child, on the plea of having purchased it. I have written to the resident to use his influence to cause to be delivered up all the parties, as well those who have sold and purchased, as the kidnapper, to my authority; but I very much fear that without the strongest remonstrance on the part of Government, this my application will not be complied with.

I have, &c.

Poonah, Principal Collector's Office,
25 October 1834.

(signed) *T. H. Baber*, Magistrate.

LIST of PERSONS COMMITTED FOR TRIAL before the Session Judge for kidnapping and purchasing or selling SLAVES during September and October 1834.

No.	Number of Persons in each case.	NAMES.	CRIME.	SENTENCE.
1.	1.	Davajee Bin Annajee -	-- No. 1. For selling his son, aged seven years, for 40 rupees, to Nos. 2 & 3.	-- No. 1. sentenced to four years' imprisonment.
	2.	-- Mugulnah Gooroo Badadoorgeer - -	-- Nos. 2 & 3. For purchasing the above boy for 40 rupees.	-- Nos. 2 & 3. Three years' imprisonment.
	3.	-- Badadoorgur Gooroo Huinutgeer - -		
2.	1.	Kunusing Bin Ramsing -		
	2.	Paroutty Cusbin - -	No. 2. For purchasing the above child - - -	- No. 2. Five years' imprisonment.
3.	1.	Dajee Wasdesjosee -	-- No. 1. With drawing out and writing a deed of sale of a boy, aged seven years, on the 10th May 1834	-- One day's imprisonment to each person.
	2.	Jogjee Ben Crustunjee -	-- Nos. 2, 3 & 4. With affixing their signatures as witnesses to the above sale - - - -	
	3.	Hunmuntrow - -		
	4.	Wittoo Ben Istigajee -		
4.	1.	Bhajee, wife of Luximon -	-- No. 1. For selling, for common prostitution, a girl named Dunna, aged 13 years, to Lallan Nankan, for rs 30. about three years ago, which girl, it is strongly suspected, the prisoner kidnapped from her parents, in a village near Tannah, in the northern Concan - - - - -	-- Sentenced to be each imprisoned for a term of seven years.
	2.	-- Lallan Nankan Kunchane.	-- No. 2. For purchasing the above girl, aged 13 years, from Bhajee, about three years ago, for 30 rupees, and making profit by her by prostituting her person - - - - -	
5.	1.	Tarra Kolatin - -	-- For stealing the prosecutor's (Bhagoo, wife of Malapa Costee) daughter, named Kuckma, aged five years, and concealing her from her parents for a period of five months.	- Sentenced to be imprisoned for the period of six months.
6.	1.	Sobajee Ben Soodaseer -	-- For purchasing from Mahadoo, the father, as alleged by prisoner himself, an inhabitant of Ponderpoor, for 18 ½ rupees, two boys, named Vittoo and Bhewa, from 3 ½ to eight years old, and illegally importing them into Poonah, and strongly suspected of having kidnapped them.	Under trial.
7.	1.	-- Yemnah, wife of Munsing.	-- No. 13. For selling a boy, aged four years, to Kustoonje, for 10 rupees, about eight months ago.	- ditto.
	2.	-- Kustoonjee Gooroo Mugsoodunjur - -	-- No. 2. For purchasing a boy from Yannah and Gunna, the first and third prisoners, for 10 rupees, about eight months ago - - - -	
	3.	Gunja - - -		
8.	1.	Hunlul Bin Tekun -	-- For bringing away from their places of nativity, namely the provinces of Mawaand Malwa (belonging to Holkar and Scindia respectively), and importing into British territory 16 boys, from five to 12 years old, for sale, and strongly suspected of having themselves kidnapped these children, or purchased them of those who had - - - - -	- ditto.
	2.	Megga Bin Heera -		
	3.	Nundram Bin Juvunram -		
	4.	Ramjee Bin Gurgaram -		
	5.	Jugga Bin Nandjee -		
	6.	Dulloo, wife of Gunesh -		
	7.	Nowlee, wife of Sewlal -		
	8.	-- Rutnee, wife of Nundajee.		
9.	9.	Goovendhungeer - -	-- For illegally purchasing 11 of the above children, and afterwards making proselytes of them to their order, by the process of mudla; viz., and shaving their heads, and clothing them with the bhugwee dress, thereby depriving them of their original caste, and this without the sanction or knowledge even of who their parents are - - - - -	- ditto.
	10.	Poorungeer - - -		
	11.	Rangeer - - -		
	12.	Narrayen - - -		
	13.	Sidgeer - - -		
	14.	Bhowrangur - - -		
	15.	Gunnish Poonee - -		
16.	Vishnoo Pandoorung -	-- For drawing out and writing the deed of sales of 11 boys.	- ditto.	
		Total - 23 Children.		

Poonah,
25 October 1834.

(signed) T. H. Baber,
Magistrate.

DEPOSITION of *Syed Eesar W. Syud Meer*, a Manufacturer of Carpets, aged 35 ;
Inhabitant of Peit Paorwar, this 13th of October 1834.

E. I. Company and
Board of Control.
(Documents.)

ON the 12th of this month, at 9 in the evening, Tulsajee, sepoy, and Dunmut Dowoodkhan, jemadar, both of the police, and Assen Koredawalla, were talking together in the Sultangheer Alik (street). I went up to them, when I overheard Assen Koredawalla ask Tullojee to lend him some rupees ; and Tullojee answered, that he already owed him a balance on account of the children he had formerly sold ; and when he found that he would lend him some more, Assen replied that he would pay them after his return from Bombay, where he was taking some children for sale. They then reported ; upon which I went, and reported what I had overheard to Appojee Niekum, police sepoy, when we, together with the jemadar of Wittal Peit and his sepoy, went that night to the house of Assen Koredawalla, where we found a little girl, whom we took to the ferashkanna : receiving information of another child, I mentioned it to Appojee Neikum, sepoy, and that night, about 11, we took two other sepoy with us, and went to Assen Koredawalla's sister's house, where we discovered another child, whom we took to the ferashkanna as before. This said Assen Koredawalla and his wife once before were taking five children in a cart to Bombay for sale, whom I seized at Ghunesh Khind, and took them to the ferashkanna, together with the cart ; but Assen Koredawalla was released on security, and the children given up to him. It is the practice for the Kaikadjee (wicker-worker caste) to go and entice children from foreign countries, and bring them to this Assen Koredawalla ; two or three of these cases have come before the sircar. Before this, on one occasion I discovered five children in the house of a Kollattee (caste of jugglers) in the name Peit, and six more in the house of Karkudhee (wicker-worker), making altogether 16 I have delivered up to the sircar ; but, for want of due inquiry, the persons on whom found have been discharged on finding security, and the children given up to them.

(True translation.)

(signed) *T. H. Baber*, Magistrate.

From *W. Escombe*, Esq., Acting Magistrate of Poonah, to *T. H. Baber*, Esq., Magistrate of Poonah.—(24 May 1834.)

Sir,

HAVING very strong reason to believe that Suruff Ali Amed Bhau, said to be residing in the house of Budroodeen Oulud Abdool Ali of Sattara, has been concerned in the buying and selling of a slave, now in my charge, I have the honour to request that you will write to the resident at Sattara to cause the said Suruff Ali Amed Bhau to be brought to this office as soon as possible.

I have, &c.

(signed) *W. Escombe*, A. M.

Poonah, 24 May 1834.

From *T. H. Baber*, Esq., Principal Collector at Poonah, to Lieutenant-colonel *Lodwick*, Resident of Sattara.—(24 June 1834.)

Sir,

I HAVE the honour to transmit for your information an annexed copy of a letter from my assistant, Mr. Escombe, and with the request, should you see no objection to a compliance therewith, that you will cause the person therein alluded to, named Suruff Ali Amed Bhau, to be forwarded to this place.

I have, &c.

(signed) *T. H. Baber*, Principal Collector.

Principal Collector's Office, Poonah,
24 June 1834.

From Lieutenant-colonel *Lodwick*, Resident at Sattara, to *T. H. Baber*, Esq., Principal Collector and Magistrate, Poonah.—(June 6, 1834.)

Sir,

IN acknowledging the receipt of your letter, dated 24th May 1834, accompanying copy of a letter from Mr. Escombe, I have the honour to forward a yandu from this government, together with the deposition of the Borah Suruff Ali Amed Bhau, taken at Sattara.

2. There is no regulation in the Sattara territory against the purchase of slaves ; and it is not in my power to cause the person alluded to to be sent prisoner to Poonah, as he is a subject of his Highness the Rajah, who does not consider him guilty of any offence, and is desirous that the domestic slave in question should be sent to Sattara.

I have, &c.

(signed) *J. Lodwick*, Resident at Sattara.

E. I. Company and
Board of Control.
(Documents.)

No. 247, of 1834.

From *T. H. Baber*, Esq., Magistrate of Poonah, to *W. Escombe*, Esq., Third Assistant Magistrate, Junere.—(10 June 1834.)

Sir,

IN reference to your letter, dated 24th ultimo, I have the honour to forward copy of a communication from the resident at Sattara and of its enclosures, for any observations you may wish to offer on the subject.

I have, &c.

Principal Collector's Office, Poonah,
10 June 1834.

(signed) *T. H. Baber*, Magistrate.

From *W. Escombe*, Esq., Acting Magistrate of Poonah, to *T. H. Baber*, Esq., Magistrate of Poonah.—(13 June 1834.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 10th instant, and of its enclosures, from the resident at Sattara.

The sale of the slave having been effected in the Rajah of Sattara's country, there can be no occasion for the attendance of Suruff Ali; and the security taken for the appearance of the person in whose possession the child had been while in Poonah, might be released: but with regard to the wish expressed by the resident, on the part of the Sattara government, that the slave should be restored, I beg to observe that, by clause 1, sec. 30, of Regulation XIV. of 1827, the simple importation of a slave under 10 years of age is declared illegal; and that the slave in question being within that age, would appear, by section 32, of the same Regulation, to have become free.

I have, &c.

Chakun, 13 June 1834.

(signed) *W. Escombe*, A. M.

(True copies.)

(signed) *T. H. Baber*, Magistrate.

TRANSLATION of a Marattee DEPOSITION of *Saullee*, a Mussulman Girl, aged about 8 Years, dated 11 July 1834.

A MUSSULMAN brought me from Kailwailla, and left me at a village, but I do not know the name of it. He then took me to another village and sold me to a "dungaree" (goatherd); I do not know where he went to afterwards. The "dungaree" took me to Sattara, and sold me to a "kullathuy" (dancing girl); she then sold me to a bhorra; he sent me to Poonah to his brother, who told me that I was to work. I used to do my business every day, but he would not allow me to sleep. I therefore went to a neighbouring shop, and fell asleep. At night the chowkedaur asked me whose daughter I was? I told him that I lived at a bhorra's, and because he beat me, I came and slept at this place. The chowkedaur then brought me to the fanuskhana. The "sahib" gave me in charge of the choupdar, and I have since remained at this place.

My mother's name is Dhaudmah, and my father's Hussainshaw. I do not know where they are at present. The name of the village, where I and my parents resided, is called Kunnee Mirnsgee; it is near Kailwailla.

(True translation.)

(signed) *T. H. Baber*, Magistrate.

From *Alexander Elphinstone*, Esq., Assistant Collector, Sassoor, to *T. H. Baber*, Esq., Magistrate of Poonah.—(23 October 1834.)

Sir,

I HAVE the honour to forward a report from the mamlutdar at Indapoor, with a letter from the patell of Numgaon Kethee Indapoor Purgunnah, stating that "a boy, aged 7 years, was kidnapped from the latter place, and carried off to Natey Pootey, in the Sattara Rajah's territories. The people of Natey Pootey admit that the boy was brought to their village and sold in the bazaar, but profess they did not know he was stolen." They have not, however, surrendered the child, nor those who sold and bought him, to the messenger despatched by the patell of Niemgaum, to convey them to his village.

2. I have thought it my duty to bring the subject to your immediate cognizance, that the child may be recovered, and measures taken to protect the inhabitants of these districts from the depredations of the subjects of his Highness the Rajah of Sattara.

I have, &c.

Sassoor, 23 October.

(signed) *Alex. Elphinstone*, Assistant Collector.

(True copy.)

(signed) *T. H. Baber*, Magistrate.

MINUTE by the Right Honourable the Governor, on the above subject.

I DO not see what Government can do in the cases reported. The magistrate has, under the powers vested in him, severely punished the offenders; others are under trial, and, it is to be hoped, will be also punished according to the regulations. This traffic is much to be lamented, but referring to the state of society in India, I fear the enactment of more severe laws would have but little effect.

The magistrate acted quite right in addressing the resident, but I have some doubt whether we can with propriety direct Lieutenant-colonel Lodwick to address a strong remonstrance to the Rajah of Sattara. It appears that when the resident did speak to his Highness on the subject, he was not at all inclined to consider the purchase of a slave for domestic purposes as any offence. It is much to be lamented that this traffic should be viewed in this light by the Rajah; but I am afraid the British Government, as yet, cannot make native princes adopt our ideas of what is just and proper, and act accordingly.

Mr. Baber has done all in his power to check the evil within his jurisdiction.

(signed) *Clare.*

E. I. Company and
Board of Control.
(Documents.)

No. 52.

MINUTE by the Honourable Mr. *Sutherland*, subscribed to by the Honourable Mr. *E. Ironside*, on the above subject.

I CONCUR, save in regard to the Rajah of Sattara. It being against our rules to admit a trade in slaves, his intimate connexion with us should lead him to prevent such acts from our territory. But in the instance in question, we have a right to demand the restoration of a kidnapped child, and I think this should be insisted on.

(signed) *J. Sutherland.*

No. 53.

FURTHER MINUTE by the Right Honourable the Governor, subscribed to by the Board.

As my colleagues are both of opinion that the Rajah should be addressed on the subject of the child alluded to in Mr. Elphinstone's letter, I shall defer their judgment, but I recommend that Colonel Lodwick shall be instructed to request that the child may be restored, on the ground of his being a British subject, who has been stolen and sold as a slave in his Highness's territory.

(signed) *Clare.*

November 10.

No. 53 a

No. 2,480 of 1834.

From Mr. Chief Secretary *Norris* to *T. H. Baber*, Esq., Magistrate of Poonah.—
(18 November 1834.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 25th ultimo, with its enclosure, regarding the traffic in children, and to inform you that the Rajah at Sattara has been instructed to call upon the ryot to cause the child alluded to in Mr. Elphinstone's letter to your address, dated 23d October 1834, to be delivered to you, for the purpose of being restored to his friends.

I have, &c.

Bombay Castle,
18 November 1834.

(signed) *Charles Norris*, Chief Secretary.

No. 54.

No. 2,481 of 1834.

From Mr. Chief Secretary *Norris* to Lieutenant-colonel *Lodwick*, Resident of Sattara.—
(18 November 1834.)

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you the accompanying copy of a letter addressed to the magistrate of Poonah, by his joint assistant, Mr. H. Elphinstone, and to instruct you to call upon his Highness the Rajah of Sattara, to cause the child alluded to, who is a British subject, to be delivered to the magistrate of Poonah, for the purpose of being restored to his friends.

I have, &c.

Bombay Castle, 18 November 1834.

(signed) *C. Norris*, Chief Secretary.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 26 November 1834.

From *R. Mills*, Esq., Magistrate of Ahmednuggur, to Mr. Chief Secretary *Norris*.—
(13 November 1834.)

Sir,

No. 77.

I HAVE the honour to acknowledge the receipt of your letter, dated 23d September last, regarding some children under the session judge's charge, preparatory to the persons who stole them being tried by that authority, and requesting me to ascertain if any one of their caste will take charge of them till the case is decided. I have the honour to acquaint you, for the information of the Right honourable the Governor in Council, that two of the children, names as per margin, were returned to me yesterday by the judge, the persons who are said to have stolen them having been acquitted. The third boy, Bende, died in the hospital some time since.

Mahadjee W.
Jenajee Cimbe.
Rama W. Jenajee
Cimbe.

2. One of the boys is desirous of being restored to his parents, who, he states, live at Muoza Nygaum Prunt Wurrad; the other boy is his brother. The Government are aware that the Nagpore government have issued proclamations about these children, but have not been able to discover their parents. I scarcely, therefore, know what measures for their disposal to recommend. The elder boy, though 10 years old, ought not to be released, to go where he pleases; and it would probably be the best plan to put both boys under charge of some native of their caste, who would enter into security to endeavour to find out their parents, about whom the elder boy could probably give such information as would lead to the discovery of the place of their residence.

3. I would, therefore, suggest that a present of 50 rupees be paid to the person who would undertake the task, and that I be permitted to pay him and the boys the usual batta for travelling.

4. The boys are desirous of returning to their parents, or I should not suggest this mode of disposing of them; but that they should be made over to some one of their caste in Nuggur, who would enter into security to take care of them.

I have, &c.

Ahmednuggur, Magistrate's Office,
13 November 1834.

(signed) *R. Mills*, Magistrate.

No. 2,535 of 1834.

From Mr. Chief Secretary *Norris* to *R. Mills*, Esq., Magistrate of Ahmednuggur.—
(25 November 1834.)

Sir,

No. 78.

I AM directed to acknowledge the receipt of your letter of the 13th instant, regarding some children who were stolen, and to acquaint you that the Right honourable the Governor in Council approves of your recommendation, that the two boys returned to you by the session judge from the persons said to have stolen them be placed under the charge of some native, who will enter into security to find out their parents.

2. His Lordship in Council is pleased to sanction a present of rupees fifty (50) to the person who undertakes the task, and permits you to pay him and the boys the usual batta for travelling.

I have, &c.

Bombay Castle, 25 November 1834.

(signed) *C. Norris*, Chief Secretary.

From Mr. Chief Secretary *Norris* to the Civil Auditor.—(25 November 1834.)

Sir,

No. 78

Mahadjee W.
Jenajee Cimbe.
Rama W. Jenajee
Cimbe.

I AM directed to inform you, that two boys, named in the margin, were made over to the magistrate of Ahmednuggur by the session judge, in consequence of the persons who were said to have stolen them having been acquitted. The Right honourable the Governor in Council has approved of that officer's recommendation to place them under the charge of some native, who will enter into security to find out their parents; and has authorized him to make a present of 50 rupees to the person who undertakes the task, and to pay him and the boys the usual batta for travelling.

I have, &c.

Bombay Castle, 25 November 1834.

(signed) *C. Norris*, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 10 December 1834.

From *P. Lodwick*, Esq., Resident at Sattara, to ————. —(26 November 1834.)

Sir,

No. 49.

I HAVE the honour to acknowledge the receipt of your letter, under date the 8th instant, directing me to call upon his Highness the Rajah, to deliver the child, being a British subject, said to be sold as a slave within his dominions.

2. In reply, I beg leave to request you will submit the accompanying translation of a memorandum,

memorandum, reporting the delivery of the child in question to its father; and I much regret the means of apprehending the person who sold the child for 16 rupees are not in my power. E. I. Company and Board of Control. (Documents.)

I have addressed his Highness in strong terms upon the expectation entertained by the British Government, that selling persons into slavery will be discouraged, if not entirely discontinued, and hope eventually to succeed in making it a serious offence.

I have, &c.

Sattara, 26 November 1834.

(signed) *P. Lodwick*, Resident at Sattara.

TRANSLATION of a MEMORANDUM, No. 104, from His Highness the Rajah to the Resident at Sattara, dated 20 November 1834.

A. C.

HAVING received your memorandum, dated 27th October, No. 134, intimating that a boy, about seven years of age, belonging to the goolekerry (traveller), who halted at the village Mojoy Timbgaonkulotee, was stolen from them at that place by some person, and the theft has been discovered at Nata Pota. The people of that village forwarded the boy and his father to Peta Dyagarry, but not the person who bought him, and therefore desiring that the purchaser may be made to secure the person who sold the boy to him, and requesting that both the child and his purchaser should be sent either to Poonah or to the mambledar at Indapoor, and to favour you with an answer on the subject.

In reply, I beg to state that orders were issued to the mambledar of Peta Khotow, to call upon the purchaser of the boy to produce or find out the person from whom he had bought him and his, the purchaser's bringing the accused, to send him in charge of sepoy to the mambledar of Indapoor; in the event of his failing so to do, to forward the purchaser with sepoy to the same mambledar, and obtain a receipt from him to be forwarded to the Hoozoor (meaning to his Highness). Sic. orig.

The mambledar reports, that Ramjee Jadow, a traveller, sold the boy in question to Ramjee Sindia for rupees 16, and made out the customary purchase-paper; and the Sindia, on paying the usual duty to the farmer of customs, took the deed from him: after this took place, the father of the boy made his appearance there and demanded the child as his own son, and the lad confessed to be his son. The villagers passed a writing, stating that the purchaser of the boy, Ramjee Sindia, was gone to the Concan; and as to the person selling the child, no traces can be made by them. Nevertheless, the result is this, that the boy in question was made over to the person who claimed him to be his son, and the party who sold the boy is not to be found in the village.

(True translation.)

(signed) *P. Lodwick*, Resident.

No. 2,626 of 1834.

From Mr. Secretary *Reid* to the Magistrate of Police.—(3 December 1834.)

Sir,

WITH reference to Mr. Baber's letter of the 5th October last, regarding the traffic in children, I am directed to communicate to you the accompanying copy of a letter from the resident at Sattara on the subject, with its accompaniment. No. 50.

Bombay Castle, 8 December 1834.

I have, &c.
(signed) *L. R. Reid*,
Secretary to Government.

From *H. W. Reeves*, Esq., First Assistant Collector in Charge, Ahmednuggur, to *L. R. Reid*, Esq., Secretary to Government.—(29 November 1834.)

Sir,

I HAVE the honour to request the instructions of Government respecting two boys, one aged 13 years and the other 11 years, found near a Bunjaree encampment at the village of Warree, in the Khoombaree Purguna Patoda Talooka. The boys, as it appears from their own account and of the two Bunjarees who owned them and answered the title of guardian, have lived in the society of Bunjarees for six or seven years; at the commencement of which period they were freely given by their parents, whose place of residence is in the Nagpoor country, and who, on account of famine, were enabled to support them to the Bunjarees. No. 89.

2. The assistant magistrate, Mr. Inverarity, who forwarded the boys to this office, mentions that they fled the Bunjarees' encampment on account of ill treatment. In questioning them here, however, apart from their late guardians, they declare that such is not their complaint, and that the patel of the village at which the encampment was, carried them away because they found one of them crying, who had received a beating from another boy of the Bunjaree horde.

3. I am of opinion that the account given by Mr. Inverarity is partly true, and the children have been instructed since making their complaint, with the view of securing their

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services. I have therefore kept them here until the pleasure of Government is notified respecting them, though I may, at the same time, add, that I think it is quite impossible to find their parents or provide for them in any manner better than that on which they have hitherto lived, and would consequently recommend their being delivered back to the Bunjarees, who, from the appearance and account of the boys, have generally behaved in a kind manner to them.

Ahmednuggur Collector's Office,
29 November 1834.

I have, &c.
(signed) *H. W. Reeves*,
First Assistant Collector in Charge.

No. 2,648 of 1834.

From Mr. Secretary *Reid* to *H. W. Reeves*, Esq., First Assistant Collector in Charge, Ahmednuggur.—(9 December 1834.)

No. 90.

Sir,
I AM directed to acknowledge the receipt of your letter of the 29th ultimo, regarding two boys found near a Bunjaree encampment at the village of Warree of Patoda Talooka; and to signify to you, that as it seems that the boys have lived for six or seven years with these Bunjarees, and their parents are not known, the Right honourable the Governor in Council sanctions your returning them to the Bunjarees.

Bombay Castle, 9 December 1834.

I have, &c.
(signed) *L. R. Reid*,
Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 24 December 1834.

From *R. Mills*, Esq., Principal Collector and Magistrate of Poonah, to *L. R. Reid*, Esq., Secretary to Government.—(12 December 1834.)

No. 4.

Sir,
REFERRING to Mr. Baber's letter, dated the 28th October last, handing up a statement of children sold contrary to the regulations of Government, I have the honour to acquaint you, for the information of Government, that the girl, named Dhunnah, sold for common prostitution by the prisoners, mentioned in case No. 4 of the return sent, has requested that she may be released; as she is not desirous of being sent to her parents, as she has lost her character, and has consequently suffered ejection from caste.

The persons who sold this girl have been sentenced to seven years' imprisonment. Dhunnah is 13 or 14 years old, will probably return to her former vicious and abandoned habits; but even though this lamentable result of the release of this girl must be expected, I do not see how Government can retain her in confinement, if she is herself desirous of being released, and I therefore solicit the sanction of Government to permit her to depart whenever she is disposed to go.

As the girl has scarcely any clothes to cover her, I have incurred an expense of three rupees and six annas in purchasing her what is necessary, and trust that the Government will sanction the expenditure.

Poonah, Magistrate's Office,
12 December 1834.

I have, &c.
(signed) *R. Mills*,
Principal Collector and Magistrate.

No. 2,709.

From *L. R. Reid*, Esq., Secretary to Government, to *R. Mills*, Esq., Principal Collector and Magistrate of Poonah.—(18 December 1834.)

No. 5.

Sir,
1. I AM directed to acknowledge the receipt of your letter of the 12th instant, and to signify to you, that his Lordship in Council authorizes you to release the girl named Dhunnah, mentioned in case No. 4 of the return handed up to Government by your predecessor on the 28th of October last.

2. I am further directed to signify to you that his Lordship in Council has been pleased to sanction the expenditure mentioned in the last paragraph of your letter under acknowledgment.

Bombay Castle, 18 December 1834.

I have, &c.
(signed) *L. R. Reid*,
Secretary to Government.

From *L. R. Reid*, Esq., Secretary to Government, to the Civil Auditor (and the Accountant-general informed).—(18 December 1834.)

No. 6.

Sir,
I AM directed to inform you, that the Right honourable the Governor in Council has been pleased to sanction the sum of rupees three and six annas expended by the principal collector

collector and magistrate of Poonah, in purchasing some clothes for a girl named Dhunnah, who was under his charge, and has been ordered to be released.

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Bombay Castle, 18 December 1834. I have, &c.
(signed) *L. R. Reid,*
Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 7 January 1835.

From *P. W. Legeyt*, Esq., Register of the Sudder Foujdarree Adawlut, to
Mr. Secretary *Reid*.—(20 December 1834.)

Sir,

I AM directed by the judges of the Sudder Foujdarree Adawlut to forward the copy of correspondence, noted in the margin, to you, for the purpose of being laid before the Right honourable the Governor in Council. His Lordship in Council will perceive that orders were issued by the courts of Sudder Foujdarree Adawlut, under date 10th of November, to stay the trial of certain Gosavees committed to take their trial before the session judge on a charge of purchasing slaves, pending the issue of a petition made by the accused to Government. As no answer to that petition had been received on the 1st instant, I am instructed to request you will ascertain if orders from this court for the trial to be proceeded with will interfere with any proceedings which may be directed by Government.

No. 26.

Poonah Session Judge's letter, dated
28th October, with extracts.

Register of the Sudder Foujdarree
Adawlut's letter, dated 10th November
1834; Poonah Session Judge's letter,
6th December 1834.

Bombay, Sudder Foujdarree Adawlut, I have, &c.
20 December 1834. (signed) *P. N. Legeyt*, Register.

From *S. Marriott*, Esq., Session Judge, Poonah, to *P. W. Legeyt*, Esq., Register
to the Sudder Foujdarree Adawlut, Bombay.

Sir,

I HAVE the honour to forward, for the consideration and orders of the judges of the Sudder Foujdarree Adawlut, copies of two petitions presented by the Gosavee inhabitants of the city, together with extracts from my proceedings, under date the 27th instant, which I trust will meet the approval of the Sudder Foujdarree Adawlut.

Poonah, 28 October 1834. I have, &c.
(signed) *S. Marriott*, Session Judge.

EXTRACT from the Proceedings of *S. Marriott*, Esq., Session Judge of Poonah, dated
Monday, 27 October 1834.

A PETITION is read of the Gosavees of Poonah, representing that they have been from time immemorial permitted to obtain disciples for their religious establishment, by purchasing when there are failures by natural means. Cases have now, they state, been sent up by the magistrate for trial, in which some of the members of the community are charged with criminal acts in having so obtained disciples, some of whom the petitioners represent were procured in times of famine: they further state, that those who are initiated into their order become joint members of the community, and derive equal advantage with the rest of their community, often acquiring even wealth. The petitioners further urge, that they were totally unacquainted with the law by which such purchases of boys are prohibited, and that the same, though it may, but unknown to them, have been enacted seven years, yet it has not before been acted upon. The petitioners further state, that they gave a petition to the visiting judicial commissioner when lately on circuit, who informed them that an answer would be sent from the Sudder Foujdarree Adawlut, through the session judge. They further state, that they have made a representation to the Governor in Council upon the same subject, and earnestly entreat that, pending answers to those representations, the trials of the cases in question may be postponed.

Upon a mature consideration of all the circumstances, the court is of opinion that in consequence of the regulation in question never having been promulgated, excepting by being printed with the rest of the code, together with the fact of its not having been acted upon, as these religious orders in question are affected; the court is of opinion, for these reasons, that the petitioners have really acted in ignorance of the provisions of that regulation. The court is well aware of the maxim of English law, that ignorance of a law will not justify its infraction. But, in consideration of the circumstances above briefly noticed, taken in connexion with the customs and feelings of the people, it seems to be the proper course to pursue, to postpone the trial of the cases in question until a reference be made to the Sudder Foujdarree Adawlut, upon the petitions under consideration, that is, the one presented on the 21st of the present month and the other this day, or until a decision be received in the one presented to the judicial visiting commissioner.

The petitions are recorded and marked No. 1 and 2 of A.

E. I. Company and Board of Control. (Documents.) Copies of the petitions and of the above minute are to be forwarded to the Sudder Foujdarree Adawlut, and the trial of the cases in question will be postponed.

(signed) *S. Marriott*, Session Judge.

(True extract.)

(signed) *S. Marriott*, Session Judge.

No. 1,002 of 1834.

From *P. W. Legeyt*, Esq., Register, Sudder Foujdarree Adawlut, to *S. Marriott*, Esq., Session Judge, Poonah.

Sir,

I HAVE the honour to acknowledge yours of the 28th ultimo, and its enclosures; and in reply, I am directed to state that the judges of the Sudder Foujdarree Adawlut see no objection to the trial of the Gosavees being postponed until the results of the reference from the parties to Government be known.

I am, however, instructed to request you will again report to this court, should the delay extend beyond the 1st proximo.

Bombay, Sudder Foujdarree Adawlut,
10 November 1834.

I have, &c.
(signed) *P. W. Legeyt*, Register.

No. 172 of 1834.

From *S. Marriott*, Esq., Session Judge, Poonah, to *P. W. Legeyt*, Esq., Register, Sudder Foujdarree Adawlut, Bombay.—(6 December 1834.)

Sir,

WITH reference to your letter of the 10th ultimo, No. 1,002, I have the honour to state that no answer from Government to the reference from the Gosavees has yet been communicated: in conformity, therefore, with the second paragraph of the above letter, I beg to report that the trial is still delayed in consequence.

Poonah, 6 December 1834.

I have, &c.
(signed) *S. Marriott*, Session Judge.

No. 11 of 1835.

From Mr. Secretary *Reid* to the Sudder Foujdarree Adawlut.

Gentlemen,

No. 26.

I AM directed to acknowledge the receipt of your register's letter of the 20th ultimo, and to transmit to you copies of a petition from Ellay Echegeer Bhremgeer Rajugeer Pramgeer and others, Dushman Gosavees, and of the answer of Government, declining to interfere in the case.

Bombay Castle, 3 January 1835.

I have, &c.
(signed) *L. R. Reid*, Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 28 January 1835.

From *R. Mills*, Esq., Magistrate, Poonah, to Mr. Secretary *Reid*.

Sir,

No. 4.

IN consequence of the children alluded to in my predecessor's letter, dated 25th October last, being without sufficient clothes to cover them, I have the honour to acquaint you, for the information of Government, that I directed articles of dress to be purchased for them, and that the expense incurred is twelve rupees three quarters and two annas, which I request you will obtain for me the sanction of the Right honourable the Governor in Council to charge in the accounts.

Camp at Randalla Circuit Cutcherry,
14 January 1835.

I have, &c.
(signed) *R. Mills*, Magistrate.

No. 165 of 1835.

From Mr. Secretary *Reid* to *R. Mills*, Esq., Magistrate, Poonah.—(22 January 1835.)

Sir,

No. 5.

I AM directed to acknowledge the receipt of your letter of the 14th instant, and to acquaint you that the Right honourable the Governor in Council is pleased to sanction the expense incurred by you in the purchase of clothing for some children under your charge, amounting to rupees (12. 3. 2.) twelve three, quarters and two annas.

Bombay Castle, 22 January 1835.

I have, &c.
(signed) *L. R. Reid*, Secretary to Government.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 4 February 1835.

From *H. A. Harrison, Esq., Magistrate, Poonah, to Mr. Secretary Reid.*—
(26 January 1835.)

Sir,

I do myself the honour to hand up translations of documents regarding the importation of two females into slavery from Indore; and as the importation of these girls is illegal, and they have become thereby emancipated, I would beg to recommend that a fine be imposed upon the purchaser, to be expended, when realized, in re-exporting them to their own country, agreeably to Section 32, Regulation XIV. of 1827.

The place from which these females have been brought being at a considerable distance from Nassick, I beg respectfully to suggest that a copy of the documents forwarded be transmitted to the resident at Hyderabad, with a view to the friends of the parties being made acquainted with their situation, and to enable them to provide them with a safe conduct to their own home.

I have, &c.

(signed) *H. A. Harrison, Magistrate.*

Circuit Cutcherry, at Poonah, 26 January 1835.

No. 95.

From *H. A. Harrison, Esq., Magistrate, Ahmednuggur, to* _____
(26 January 1835.)

Sir,

TRANSLATION of a report, dated 23d November 1834, from the joint police-officer of Nassick, setteth forth that on 24th June last, one Ramjee Wullud Ranojee Shukar Nisbut Gonajee Patele Kamgar Kasba, Nassick, gave a petition, stating that in the Rajapoor warra (or mansion) there are two Marratta girls who have been brought from another country: do you inquire into it. Upon that, having brought them, by name Succoocomb Rama Yewlee Deshmookh Wuderaker Prant Onmurrawutlee, and Jannee Ourut, daughter of Ragojee Coonbee Muster Dewallwarree Prant Warrad, I took their depositions. They state, "We were at our father's houses at Dewallwarree, and having taken an attendant, we went to see our father's field: she stopped behind to collect fuel, and we went on. In the mean time, four puttawallas came and seized us, and put us on horses, and went off, telling us, 'We are taking you to your father's house;' then we cried aloud a great deal, but they would not let us go, but went on travelling at night, and halting in the day-time; thus they brought us to the Nimbea Behaduck ghaut; there the kamavisdar of Nimbea Behaduck stopped, and both us and the puttawallas, and questioned us all; then we told him the above; then he, having beaten the puttawallas, gave them six rupees on account of the expense of our keep, and sent us to the Kunoed kamavisdar. We remained there one month; then he, the kamavisdar of Kunoed, took us to Indore, and remained there two months: afterwards he sent us to the buza bace of Rajapoor. Six months are now past and gone, and we are doing service in her house; we don't know the puttawallas' names. If our father and mother would come and fetch us, we would gladly return."

Upon this I questioned Bapoo Rajaram Nisbut Sursootee Bace, of Rajapoor: he states that my mistress, Sursootee Bace, wrote to her father at Indore, to send her two coonbins; and upon that he sent these two, who live in our house. We have no deed of sale, or any thing of the sort.

Translation of the deposition of Ramjee Wullud Canojee Shukur setteth forth, "That, on 24th June 1834, as I was going into the bazaar on the Gunga, I met two girls, accompanied by a gardener's wife, and they were telling her that we have been brought from our own country, and are employed as slaves by the jaghersaress of Rajapoor. As soon as I heard this, I came and made a petition that the sircar would inquire into it."

Translation of the statement given by Succoo, wife of Rana yewlee Deshmook, of Wud-donee Prant, Oomurwattee, caste Combee, aged 15 years. She states, "that some time last year, when at my father's house at Dewawarree, Anundee Cooleen asked me to show her father's garden, and we started to see the garden; my younger sister, by name Jannee, aged eight years, was with us on the road. Anundee Cooleen said, 'I want to collect fuel, go you on;' which we did about half a coss out of her sight: then we met four puttawallas coming from the Satoor market; it was getting late; they took us, and placed us on horses; they had three horses, and went off, not minding our cries. They travelled at night, and halted in the day-time; thus, in about 12 stages, we came to Nimbabara ghaut, where the kamavisdar having stopped, kept us and questioned us: we told him what had passed; he then beat the puttawallas, and gave them five rupees for our keep, and sent them about their business, and sent us to their kamavisdar of Kunoed, where we remained one month. He brought us to Indore, and having kept us two months, he then sent us (two sisters) to Buza Bace, of Rajapoor. Six months have now passed, and we are still employed in service. When we were first taken by the puttawallas, we had ornaments, value (67) rupees, all which they took away. We told this to the Nimbabara kamavisdar, but

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the puttawallas denied it. If any of our relations would come and fetch us, we would like to go back very much; but if not, we will remain with the Buza Bace. My father's name is Babajee Patele Bhangodee, of Dewawarree, about seven coss from Elickpoor. We are treated very well at Rajapoor, and would not return unless our relations came to fetch us."

(signed) with her mark.

(True abstract and translation.)

(signed) *E. H. Dallas*, Assistant Magistrate.

Translation of the deposition of Jannee Ourut, daughter of Ragojee, caste Coonbee, aged eight years, agreed with the above deposition given by her sister; also states, "that the puttawallas told them they were taking them to their father and mother. If my father would come and fetch me I would gladly return; but if not, I will remain here with Sursootee Bace; as we are free to do what we like."

Translation of the statement given by Bapoo Rajaram Yardee, caste Bramhim, aged 18 years, writer, on the part of the Soorsootee Deshmook Deshpordy Pergunnah Wunn. "The father of my mistress lives at Indore; we sent a letter to him, stating that there was no one in the house to do the work, therefore send us two Coonbees. An answer came, that if you will send men and horses to fetch them, I will send them. Upon this, having sent them to her father, by name Mulbar Unnbayee, sent these two Coonbees, Succoo and Jannee; this is about six months since. We have no deed of sale, and do not know what their price was; we don't know whether they were bought there or not since their arrival. A letter and khurreed khut, or deed of sale, has arrived; it is now present."

(signed) *Bapoo Rajaram*.

Entered the khurreed khut, which is written in the character commonly made use of in Malwa.

After careful perusal of the above-entered documents, the assistant magistrate is of opinion that the girls Succoo and Jannee have been illegally carried off from their home, imported into this zillah as slaves, and that they should now be emancipated and re-exported, agreeably to Section 32, of Regulation XIV. of 1827.

(signed) *E. H. Dallas*, Assistant Magistrate.

(True copies.)

(signed) *H. A. Harrison*, Magistrate.

From Mr. Secretary *Reid* to *H. A. Harrison*, Esq., Magistrate, Ahmednuggur.—
(4 February 1835.)

Sir,

No. 97.

I AM directed to acknowledge the receipt of your letter of the 26th ultimo, with enclosures regarding the importation of two females from Indore, and to signify to you that the Right honourable the Governor in Council approves of your suggestions that a fine be imposed upon the purchaser, to be expended when realized in re-exporting them to their own country, agreeably to Section 32, Regulation XIV. of 1827.

A copy of the documents accompanying your letter under acknowledgment will be forwarded to the resident at Hyderabad, in order that the friends of the parties may be enabled to provide them with a safe conduct to their homes.

Bombay Castle, 4 Feb. 1835. I have, &c.
(signed) *L. R. Reid*, Secretary to Government.

From Mr. Secretary *Reid* to ————. (4 February 1835.)

Sir,

No. 98.

I AM directed by the Right honourable the Governor in Council to transmit the accompanying copy of a letter from the magistrate of Ahmednuggur, dated 26th ultimo, with its enclosure, and to request you will make the friends of two girls alluded to acquainted with their situation, in order that they may provide them with the means of returning to their own homes.

Bombay Castle, 4 Feb. 1835. I have, &c.
(signed) *L. R. Reid*, Secretary to Government.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 22 April 1835.

From *R. Mills*, Esq., Magistrate of Poonah, to Mr. Chief Secretary *Norris*.—
(25 March 1835.)

Sir,

CONFORMABLY to Section 32, of Regulation XIV. of 1827, I have the honour to hand up, to be laid before the Right honourable the Governor in Council, a statement of children who have been illegally imported into and sold in the British territories, and to request you will obtain for me the orders and instructions of Government regarding their disposal.

No. 107.

2. The Government will observe that these children were brought from Malwa and Mewar, and they state they were sold in consequence of a famine in those countries.

3. The following boys who were sold to Gosains in this city have been made proselytes:—

1. Sukkyah Bin Hullum Sing - - is desirous of remaining with the Gosain who purchased him; has a father and mother.
2. Dewlah Bin Bickajee - - - Ditto - - ditto.
3. Bicklah Sing Bin Dulaljee - - Ditto - - ditto.
4. Roophah Bin Pullalgher - - Ditto - - ditto.
5. Hurrysing Bin Veramjee - - Ditto - - ditto.
6. Gunglah Bin Goolabsing - - Ditto - - ditto; has no father or mother.
7. Dhewlah Bin Teringjee - - Ditto - - ditto.
8. Arnkar Bin Roopjee - - - has been made a Gosain; has parents alive, and wishes to be sent to them.
9. Nuggla Oorf Roopla Bin Rooplajee - Ditto - - ditto.

4. Of the remaining three boys two have parents alive, and are desirous of being sent to them; and the other wishes to remain with the Bhat who brought him into the British territories.

5. It rests with the Government to determine whether the boys who have been made proselytes to the order of Gosains, and who are willing to remain with their purchasers, can be permitted to do so. The Gosains having been punished according to law, and the boys emancipated, they will, no doubt, if released, and not sent to their parents or country, return to the Whats, from whence they have been taken; and as they will probably derive a more respectable livelihood by being there than in their own country, the Government may perhaps think fit to release them, and allow them to go wheresoever they please.

6. If all the prisoners pay the fines imposed upon them, that amount, together with the sums paid for the boys, which has been confiscated by the magistrate, will be nine hundred and ninety-nine rupees.

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7. This sum might be appropriated, if realized, for transporting the children to their parents; but how to forward them is a question of some difficulty. They might, should Government approve, be sent to the collector of Candeish, who might be instructed to forward them on to any British authority in charge of the British interests in Malwa and Mewar; but of the best plan to be adopted, the Government will probably be best able to arrange.

8. In regard to the disposal of the remaining boy who wishes to remain with the Bhat who brought him to Poonah, it would probably be the best plan to send him to his parents in the same way as the other boys.

9. Till I receive the Government orders, I have directed all the boys to be kept in the Chokey.

(signed) *R. Mills*, Magistrate.

Camp at Phoosinghee, 25 March 1835.

No. 108.

MEMORANDUM of PRISONERS who have imported and sold CHILDREN contrary to the provisions of Section 30 and Section 31, of Regulation XIV. of 1827; and of Prisoners who have purchased Children contrary to the provisions of Section 31, of Regulation XIV. of 1827; and of Prisoners who have aided and abetted in the Sale and Purchase of Children contrary to Section 31, of Regulation XIV. of 1827.

Number.	Names of Children.	Names of Village.	Purgunnah.	Age.	Caste.	Names of Prisoners who imported and sold the Boys.	Sentence.	Names of Purchasers, Brokers and Aiders and Abettors.	Sentence.	
1	Dewla Bin Beddo	Mousa Anhirabah.	Prant Malwa	12	Mypoot	Jugga Bin Mandjee Bhat, of Nowgan, in Malwa.	Fined 20 rupees, or to suffer four months' imprisonment.	Rayeegur Gooroo, Khimdeygeer Gosavee, purchased No. 3.	Fined 20 rupees, or to suffer two months' imprisonment.	Fine paid.
2	Doulah Bin Ker-gejee.	Mousa Dongurpoor.	Ditto -	10	ditto -	Rama Bin Gungria Bhutt -	Fined 20 rupees, or to suffer two months' imprisonment.			
3	Roopla Bin Pratapgur.	- - -	Prant Meywar	10	ditto -	- ditto -				
4	Guglin Bin Goolubsing.	Dewla -	Manwar -	9	ditto -	- ditto -	Fined 30 rupees, or to suffer four months' imprisonment.	Seedgeer Gosavee purchased No. 4, No. 7 & No. 9	- ditto -	ditto.
5	Sukia Bin Halumsing.	Dewla Bud-dera.	Meywar -	13	ditto -	Kurla Bin Rukum Bhutt.				
6	Dewla Bin Wustunjee.	Frutupgur -	ditto -	10	ditto -	- ditto -	Fined 100 rupees, or to suffer six months' imprisonment.	Goveerdhungur Gosrod Narrainjeer Gosavee purchased No. 5, No. 6, Nos. 10 & 11	- ditto -	ditto.
7	Hursing Bin Veeramjee.	Ditto -	Malwa -	12	Rutur -	- ditto -				
8	Bhuma Bin Naringjee.	Mohungur -	ditto -	9	ditto -	- ditto -				
9	Bucky Sing Bin Dallaljee.	Kahingur -	Marwa -	13	ditto -	Nundram Bin Jewram Bhutt.	Fined 20 rupees, or to suffer two months' imprisonment.	Bhowanpooree Gooroo Chitenpooree Gosavee purchased No. 12.	Fined 20 rupees, or to suffer two months' imprisonment.	Fine paid.
10	Ookur Bin Boopjee.	Anwud -	Meywar -	8	ditto -	Meggah Bin Hera Bhutt.	Fined 15 rupees, or to suffer two months' imprisonment.			
11	Nugha Oorf Roopho.	Warwah -	ditto -	10	Chowan -	Nowlee Komb Sewland Bhutt.	Fined 10 rupees, or to suffer one month's imprisonment.	Vishrvoo Pandoorung, for writing deed of sale, thereby aiding and abetting -	- ditto.	
12	Dewla Bin Turgayjee.	Kurgunpoor	Marwar -	13	ditto -	- - -	Gunesh Poree Gosavee, the broker, through whose aid the children were sold.			

Magistrate's Office, Camp at Phooslinghee, }
25 March 1835.

(signed) *Richard Mills*, Magistrate.

No. 866 of 1835.

From Mr. Chief Secretary *Norris* to *Richard Mills*, Esq., Magistrate of Poonah.

Sir,

No. 109.

I AM directed to acknowledge the receipt of your letter of the 25th ultimo, handing up statement of children who have been illegally imported and sold in the British territories, and soliciting instructions for their disposal, and to signify to you that the Right honourable the Governor in Council is pleased to decide, that all the boys who have parents are to be returned to them. With respect to those whose parents are dead, you are requested to endeavour to arrange a plan for their being properly taken care of, and report the same to Government; but none are to remain in the hands of the Gosains.

Bombay Castle, 21 April 1835.

(signed) *Charles Norris*,
Chief Secretary to Government.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 1 July 1835.

E. I. Company and
Board of Control.
(Documents.)From *R. Mills*, Esq., Magistrate of Poonah, to Mr. Chief Secretary *Norris*.—
(2 June 1835.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 21st April, relative to the disposal of some children brought into the British territories and sold.

In your communication you inform me, that the Government are pleased to decide that all the boys who have parents are to be returned to them; and I therefore request you will obtain for me the orders of Government, whether the plan proposed by me in the 6th paragraph of my letter, dated 25th March last, is to be adopted, or whether the Government will address direct the British authorities in Malwa and Mewar.

With respect to those boys whose parents are dead, Government must either sanction a monthly allowance, say two rupees a month, to some one in Poonah to take charge of them, or they must direct them to be sent with the other children to their native country, leaving the local authorities to find out their friends and relations, and to deliver them to their charge.

Such of the boys who have no parents and who are willing to remain with Gosains who brought them, will, I have little doubt, eventually enter into the fraternity, when released from the control of Government, if they are given in charge to any person in Poonah; and, for this reason, it would probably be better to send them to their native country.

It is, in my opinion, preferable to send the boys to their native country, than to keep them in Poonah, and to grant some one an allowance for maintaining them; and I beg leave to request that I may be permitted to forward them all to the magistrate in Candeish, who should be instructed to forward them on to the British authorities nearest at hand, to those in charge of the Government interests in Malwa and Mewar.

Should the Government consider it inexpedient to forward those boys whose parents are dead to their native country, I will endeavour to induce some one to maintain them till they are of a certain age, say 12 years, when they may be supposed to be able to take care of themselves.

Magistrate's Office, Poonah, 2 June 1835.

(signed)

R. Mills, Magistrate.

No. 30.

From Mr. Chief Secretary *Norris* to *R. Mills*, Esq., Magistrate of Poonah.—
(26 June 1835.)

Sir,

I AM directed to acknowledge the receipt of your letter, dated the 2d instant, relative to the disposal of some children brought into the British territories and sold, and to signify to you the wish of Government that all the boys should be sent back to their native country.

You will accordingly be pleased to forward them to the collector of Candeish, with a request that he will send them on to the British agent in Malwa and Mewar, who will restore the children to their parents, or, if they are dead, to their nearest relations; for which be careful to send, at the same time, all procurable information regarding the country, parents and relations of the children.

Such expense as may be hereby occasioned must be defrayed by you, the collector of Candeish disbursing an account what may now conveniently be discharged by him; and the amount of fines which may be realized from the persons who are in confinement for being concerned in the sale of the children will be carried by you to the credit of Government.

The collector of Candeish and the resident at Indore have been addressed upon the subject of this communication.

Bombay Castle, 26 June 1835.

(signed)

C. Norris, Chief Secretary.

No. 31.

From Mr. Chief Secretary *Norris* to the Collector of Candeish.—(26 June 1835.)

Sir,

I AM directed by the Right honourable the Governor in Council to inform you, that the magistrate of Poonah has received instructions to forward you some children brought into the British territories, and sold as slaves.

The Governor in Council, I am instructed to observe, is anxious that all the boys should be sent back to their native country. You will therefore be pleased to send them to the resident at Indore, for the purpose of being restored to their parents if alive, or to their nearest relations.

Such expense as may be incurred on this account will be defrayed by the magistrate of Poonah, to whom you will submit an account, disbursing such part of the expense as may be now conveniently discharged in the first instance by you.

Bombay Castle, 26 June 1835.

(signed)

C. Norris, Chief Secretary.

No. 32

E. I. Company and
Board of Control.
(Documents.)

From Mr. Chief Secretary *Norris* to the Resident at Indore.—(26 June 1835.)

Sir,

I AM directed by the Right honourable the Governor in Council to inform you, that the magistrate of Poonah has received instructions to forward to you, through the collector of Candeish, certain children, natives of Malwa or that of countries adjoining, beyond the British territories, who have been brought into the British territories and sold as slaves.

It being desirable that all the boys should be sent back to their native country, the Governor in Council requests that you will adopt the necessary measures for restoring them to their parents if alive, or to their nearest relations.

Such expense as may be incurred on this account will be defrayed by the magistrate of Poonah, to whom the Right honourable the Governor in Council requests that you will submit an account, disbursing such part of the expense as may, in the first instance, be most conveniently discharged by you.

Should it be necessary to forward any of the children to any country beyond the Indore territories where there may be a British agent, the Right honourable the Governor in Council requests that you will be good enough to solicit his service in a similar way, and report to Government the expense incurred.

Bombay Castle, 26 June 1835.

(signed)

C. Norris, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 14 August 1835.

From *R. Mills*, Esq., Magistrate, Poonah, to Mr. Chief Secretary *Norris*.—(30 July 1835.)

Sir,

No. 10.

REFERRING to your letter of the 26th ultimo regarding some children imported into Poonah, I have the honour to acquaint you, for the information of the Government, that 11 of the children have been received by the collector of Candeish, as advised in his letter, dated 16th instant, this day received by the return escort.

2. I regret to state, one of the boys died in the hospital at this station before the others were sent to Candeish.

3. When I receive an account from the collector in Candeish of the expenses which he may incur in carrying the orders of Government into execution, I shall submit his account for the sanction of Government. In the mean time I request that the sum already expended in forwarding the boys to Candeish, as per annexed statement, amounting to 51 rupees one anna, may be sanctioned by Government.

Poonah, Magistrate's Office,
30 July 1835.

(signed)

R. Mills, Magistrate.

Memorandum of Expenses incurred in forwarding 11 Boys to Candeish.

To the hire of five tatoos, at six rupees and a half each	-	-	32	8
Clothes for the above-mentioned boys	-	-	12	6
Amount expended for victuals on the road	-	-	6	3

Total rupees - - 51 1

(signed)

R. Mills, Principal Collector.

No. 1659 of 1835.

From Mr. Chief Secretary *Norris* to *R. Mills*, Esq., Magistrate, Poonah.—(6 August 1835.)

Sir,

No. 11.

I AM directed to acknowledge the receipt of your letter of the 30th ultimo, and to signify to you that the Right honourable the Governor in Council is pleased to sanction the memorandum of expenses, amounting to 51 rupees one anna, incurred in forwarding 11 boys to Candeish, who were imported into Poonah.

(signed)

C. Norris, Chief Secretary.

Bombay Castle, 6 August 1835.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 29 April 1836.

From *Richard Mills*, Esq., Principal Collector of Poonah, to Mr. Secretary *Willoughby*.—(16 April 1836.)

Sir,

No. 1,399.

WITH reference to Mr. Chief Secretary *Norris*'s letter of 26th June last, I have the honour to forward copy of a letter, dated 30th ultimo, and its original enclosures, from the collector in Candeish, relative to six boys forwarded to their parents in Malwa.

2. The

2. The bill received from the collector is herewith forwarded, amounting to (rs 237 10) E. I. Company and two hundred and thirty-seven rupees and ten annas, to which I request the sanction of Board of Control. Government, and the transmission of the bill to the civil auditor. (Documents.)

Camp at Purwee, 16 April 1836. (signed) *R. Mills*, Principal Collector.

From *W. Boyd*, Esq., Magistrate of Candeish, to *Richard Mills*, Esq., Principal Magistrate of Poonah.—(30 March 1836.)

Sir,

I HAVE the honour to enclose a correspondence between the resident of Indore and myself on the subject of 11 boys transmitted to me, and to report that I have now forwarded them to Indore. I am happy to say six of them have been traced.

Enclosed is the amount of charges incurred in feeding and transmitting the boys to Indore, which sum has been debited to your collectorate.

Candeish, Magistrate's Office, Dhoolia, (signed) *W. Boyd*, Magistrate.
30 March 1836.

From *W. S. Boyd*, Esq., Magistrate of Candeish, to *John Bax*, Esq., Resident at Indore.—(30 August 1835.)

Sir,

I HAVE the honour to enclose a register of 11 children abducted from Hutta Holkur's territories, and sold as slaves at Poonah. No. 1,400.

2. I have taken the greatest care to learn from the children all they know of themselves, and if the information contained opposite each name was sent in the language of the district and published in the village, I should hope their parents or friends would be easily discovered.

3. In the mean time I retain the children on account of the state of the weather; and perhaps before the season opens, the result of your inquiries may lead me to judge of the utility of despatching them to you; for if their relations cannot be discovered, I see no use in moving them.

Dhoolia, 30 August 1835. (signed) *W. S. Boyd*, Magistrate.

P.S. I enclose a copy of the letter from the Bombay government to me on this subject, and Mahratta list of the children, &c. &c.

(signed) *W. S. Boyd*.

From *John Bax*, Esq., Resident at Indore, to *W. S. Boyd*, Esq., Magistrate in Candeish.

Sir,

I HAVE the honour to acknowledge your letter, with enclosures, of the 30th ultimo, and shall cause the necessary steps to be taken for ascertaining where the parents or other relatives of the children may be, and inform you hereafter. In the mean time I concur with you in thinking it very desirable that the children should be forwarded to Malwa until their relatives are discovered.

Indore, 5 September 1835. (signed) *John Bax*, Resident.

From *J. Bax*, Esq., Resident at Indore, to *W. S. Boyd*, Esq., Magistrate in Candeish.—(19 February 1836.)

Sir,

IN reference to your letter of the 30th August last, I have the honour to enclose copy of a letter, dated the 14th December, from the political agent at Neemuch; and not having since heard from him, I apprehend he has not yet succeeded in discovering the parents of the children whose names were inserted in the list accompanying your letter.

2. The political agent at Ruttam has been equally unsuccessful hitherto; but I shall again address him to-day, as well as Lieutenant-colonel Spiers, on the subject.

Indore, 19 February 1836. (signed) *J. Bax*, Resident.

From Lieutenant-colonel *Spiers*, Political Agent, Neemuch, to *John Bax*, Esq., Resident at Indore.—(14 December 1835.)

Sir,

I HAVE the honour to acknowledge the receipt of your letters of the 5th September last and 28th ultimo. Immediately on receipt of the former letter, I gave extracts from the register of the children to which it gave cover, to the vakeels of Gwalior, Purtaubgurh, Dongurpoor and Banswarrah, with notes, containing a request that they would make the earliest possible inquiries in regard to the parents of the children mentioned in the memorandum given to them, and belonging to the territories of their respective chiefs; and I have repeatedly since that time orally brought the subject to their recollection.

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E. I. Company and
Board of Control.
(Documents.)

2. On the receipt of your last letter above mentioned, I again addressed a memorandum to each of these functionaries on the same subject; but such is the extreme apathy and disregard to the interests of humanity, the welfare and feelings of their subjects, that I had not a reply from any of them till yesterday; when the Galior vakeel acquainted me that the authorities at Jawud had at length informed him that the parents or relatives of Gunghia Goojur (No. 1 of register) could not be discovered in Jawud, or in that neighbourhood.

3. So much delay has occurred, that I have deemed it my duty to forward to you this imperfect information, and to acquaint you that I shall lose no time in transmitting to you such further intelligence in regard to the remaining children whose names are in the registers, as I may be able to procure from the other states when it reaches me.

Neemuch Political Agency, (signed) *Alexander Spiers*, Political Agent.
14 December 1835.

From *W. S. Boyd*, Esq., Magistrate, Candeish, to *John Bax*, Esq., Resident, Indore.—
(7 March 1836.)

Sir,

WITH reference to your letter of the 19th ultimo, and its enclosure, I beg to suggest, instead of waiting the result of further inquiry from these native functionaries, that the boys be sent to Indore, and forwarded by you to the villages they point out: they are all intelligent lads, and declare they know their villages and homes perfectly, and are very anxious to return.

2. I shall therefore forward them, with your concurrence, to Indore.

Magistrate's Office, Dhoolia, (signed) *W. S. Boyd*, Magistrate.
7 March 1836.

From *John Bax*, Esq., Resident, Indore, to *W. S. Boyd*, Esq., Magistrate, Candeish.

Sir,

I HAVE the honour to forward, for your information, the enclosed copy of a letter, dated the 1st instant, with accompaniment, from Lieutenant-colonel Spiers, political agent at Neemuch, respecting the children under your charge.

Indore, 7 March 1836. (signed) *John Bax*, Resident.

From Lieutenant-colonel *Spiers*, Political Agent, Neemuch, to *John Bax*, Esq., Resident, Indore.—(1 March 1836.)

Sir,

WITH reference to your letter of the 19th ultimo, I have the honour to forward to you copy of a statement received this day from the vakeels of Purtaubgurh and Doongoorpoor, which is the only information, I regret to say, I have been able to obtain from the authorities under my superintendence in regard to the children alluded to in your letter above referred to.

2. There is no hope of receiving a reply at present, on the subject of the children, from the Banswarrah authorities.

Political Agency, Neemuch, (signed) *Alexander Spiers*,
Camp Oodypoor, 1 March 1836. Political Agent.

From *John Bax*, Esq., Resident, Indore, to *W. S. Boyd*, Esq., Magistrate, Candeish.—
(10 March 1836.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 7th instant, and shall be happy to use my best endeavours in forwarding the boys to the villages they may point out. It will be necessary for me to hire persons to accompany them onwards, unless those who accompany them hither are to continue with the boys after their arrival here: and I request you will ascertain and inform me how I am to dispose of the boys who prove unsuccessful in discovering their parents or their villages, or who obtain no tidings of relations, or any means of livelihood, after their villages are found.

Indore, 10 March 1836. (signed) *John Bax*, Resident.

From *W. S. Boyd*, Esq., Magistrate, Candeish, to *John Bax*, Esq., Resident, Indore.—
(15 March 1836.)

Sir,

I HAVE the honour to forward, under the care of two peons, the boys alluded to in my letter of the 7th instant.

2. One of the peons has been directed to remain with the children till they are finally disposed of; but as I conceive persons acquainted with the country to be the better able to convey the boys to their villages, I should be obliged by your entertaining people of this description, and the consequent expenses will be discharged by this government.

3. I shall require the instructions of the Bombay government how to dispose of the boys, should they prove unsuccessful in discovering their villages, parents, or other relatives.

4. The

4. The persons in charge have received money sufficient for the expenses of the children till their arrival at Indore. E. I. Company and Board of Control. (Documente.)

Camp Belawud, 15 March 1836.

(signed) *W. S. Boyd,*
Collector and Magistrate.

No. 655 of 1836.

From Mr. Secretary *Willoughby* to *R. Mills, Esq.*, Principal Collector, Poonah.—
(26 April 1836.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 16th instant, with its enclosures, from the collector of Candeish, relative to six boys forwarded to their parents in Malwa. No. 1,401.

The bill by the collector in Candeish amounting to rupees 237. 10 annas, has been sanctioned by the Right Honourable the Governor in Council, and sent to the civil auditor.

Bombay Castle, 26 April 1836.

(signed) *J. P. Willoughby,*
Secy to Govt.

No. 656 of 1836.

From Mr. Secretary *Willoughby* to the Civil Auditor.—(26 April 1836.)

Sir,

I AM directed to transmit to you the accompanying bill of expenses incurred by the collector of Candeish in forwarding some children sent by the magistrate of Poonah to their parents in Malwa, amounting to rupees 237. 10. sanctioned by the Right Honourable the Governor in Council. No. 1,402.

Bombay Castle, 26 April 1836.

(signed) *J. P. Willoughby,*
Secy to Govt.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 14 September 1836.

From *W. S. Boyd, Esq.*, Magistrate, Candeish, to Mr. Secretary *Willoughby*.—
(21 June 1836.)

Sir,

I BEG to enclose copies of a correspondence with the resident of Indore, on the subject of the 12 children sent to me by orders of Government, dated the 26th June 1835. No. 3,349.

2. I am at some loss to know how to dispose of the children thus returned to me. If Government approves of the measure, I will offer them (not as bondsmen) to any respectable persons who would treat them kindly, or adopt them, or they might be brought up in the office as peons : at present half a peon's pay would suffice for their support.

Candeish, Magistrate's Office, Dhoolia,
21 June 1836.

(signed) *W. S. Boyd,*
Magistrate.

From *J. Bar, Esq.*, Resident, Indore, to *W. S. Boyd, Esq.*, Magistrate, Candeish.

Sir,

I HAVE the honour to forward for your information an extract (p. 2.) of a letter, dated the 6th instant, from Lieutenant-colonel Spiers, by which you will observe that the relatives of six of the boys you sent here have been discovered. The remaining five boys are on their return here, and will be sent on to Dhoolia as early as practicable. No. 3,350.

Indore, 9 June 1836.

(signed) *J. Bar.*

Extract of a Letter from the Political Agent at Nemuch, to the Resident at Indore, dated the 6th June 1836.

Para. 2. THE chupprasees in charge were so fortunate as to discover the relatives of six of the boys they took to Purtaubghur; but though every exertion has been made in the neighbourhood of this place, I regret to say our exertions have not been successful in discovering the parents or relations of the others: I have, therefore, directed your chupprasees to return to Indore with the remaining five, the names of whom are annexed.

(True extract.)

(signed) *T. Robinson,* First Assistant.

MEMORANDUM by the Secretary, dated 16th July.

THE magistrate of Poonah, on the 25th March 1835, reported that 12 children had been illegally imported and sold as slaves, and solicited instructions for their disposal: he further stated, No. 3,351.

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E. I. Company and
Board of Control.
(Documents.)

stated, that if all the prisoners paid the fines imposed upon them, the amount together, with the sums paid for the boys by the purchasers, which has been confiscated by the magistrate, would realize a sum of 999 rupees. In reply, he was informed, that all the boys who had parents were to be returned to them; and with respect to those whose parents were dead, he was to endeavour to arrange a plan for their being properly taken care of, and report the same to Government.

With respect to the boys whose parents were dead, the magistrate recommended that Government should give a monthly allowance for their maintenance: they must be sent, with the other children, to their native country, leaving the local authorities there to find out their friends or relations. If Government agreed to the latter measure, he recommended their being sent to the magistrate of Candeish, with instructions to forward them to the authorities in Malwa and Mewar. In reply, he was requested to forward them to the collector of Candeish at the expense of Government, crediting the amount of the fines levied to Government.

The collector of Candeish was at the same time instructed to receive the boys, and send them to the resident at Indore, who was accordingly requested to receive, charge and restore them to their parents; that the expenses incurred by him would be defrayed by the principal collector of Poonah.

The magistrate of Poonah subsequently reported the death of one of the boys, and stated that the other 11 had been sent to Candeish.

The collector of Poonah, on the 16th April last, submitted copy of a correspondence from the collector of Candeish on the subject of these boys, and stated, that six of them had been forwarded to their parents: he at the same time submitted a bill for the expense attending them, amounting to rupees 237. 10. which was accordingly sanctioned.

Perhaps under the recent orders from Bengal, Mr. Boyd's present application should be referred for the sanction of the Government of India.

16 July 1836.

MINUTE by the Honourable Mr. *Ironside*, subscribed by Mr. *Farish*.

No. 3,352. I SHOULD wish, in the first instance, that this should go to the Right Honourable the Governor.
(signed) *E. Ironside*.

No. 3,353. MINUTE by the Right Honourable the Governor, subscribed by the Honourable Mr. *Farish*.

As "allowances" must be made for these children, I presume Mr. Willoughby is right in recommending a previous reference to Calcutta.

It would be very kind and advantageous if Mr. Townsend would take the children on the same terms as he did the Africans.

(signed) *R. Grant*.

Further MEMORANDUM by the Secretary, dated 16 August.

No. 3,354. I HAVE ascertained from Mr. Townsend that he has no objection to receive charge of the five children alluded to in this correspondence.

16 August 1836.

Further MEMORANDUM by the Honourable Mr. *Ironside*.

No. 3,355. I THOUGHT this matter had been disposed of on Wednesday.
(signed) *E. Ironside*.

Further MINUTE by the Honourable Mr. *Farish*.

No. 3,356. MY impression was, that it was settled, to authorize the collector to take them at half the pay of peons, if he had vacancies, so that it could be done without increase of charge, or otherwise to make them over to Mr. Townsend.

(signed) *J. Farish*.

Further MINUTE by the Honourable Mr. *Ironside*, subscribed by the Board.

No. 3,357. THE necessary steps should be taken.
(signed) *E. Ironside*.

No. 1,576.

From Mr. Secretary *Willoughby* to *W. S. Boyd*, Esq., Magistrate, Candeish.—
(10 September 1836.)

Sir,

No. 3,358. I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter, dated the 21st June last, with enclosures regarding several children who have been sold as slaves, and whose parents cannot be discovered, and to inform you, in reply, that Government will not object to your employing them on your establishment on half the pay of peons, provided you have vacancies for them.

2. If this arrangement, however, should involve any increase of charge to Government, I am instructed to request that you will be pleased to make the children over to Mr. Townsend, for the purpose of being placed in some charitable institution.

E. I. Company and Board of Control. (Documents.)

(signed) *J. P. Willoughby,*

Secy to Govt.

Bombay Castle, 10 September 1836.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 16 November 1836.

From *R. Mills*, Esq., Magistrate, Poonah, to Mr. Chief Secretary *Wathen*.—
(17 October 1836.)

Sir,

REFERRING to my letter of the 16th April last, No. 470, and of the Government reply of the 26th of the same month, No. 655, relative to charges incurred in sending 11 boys to Indore, I have the honour to forward copy of another letter from the collector in Candeish, dated 30th ultimo, and of its original enclosures, and to request the sanction of Government to the further sum of 114 rupees, 12 annas and 8 pies, being further expenses incurred, as per bill, from the resident at Indore.

No. 4,212.

(signed)

R. Mills,

Magistrate.

Magistrate's Office, Poonah, 17 October 1836.

From *J. Buchanan*, Esq., Assistant Collector, Candeish, to *W. S. Boyd*, Esq., Collector, Poonah.—(30 September 1836.)

Sir,

WITH reference to your letter of the 5th May last, and in the absence of the collector in the districts, I have the honour to request you will have the goodness to furnish this department with your draft for the sum of rupees 237 and annas 10, as therein exhibited.

2. I have also to request you will have the goodness to favour me with your further draft for the amount of charges incurred for the boys, as per copy, of a memorandum received with the letter from the resident at Indore, dated 16th July 1836, aggregating the sum of Chandore rupees 123. 15. 11. equal to Indore rupees 114. 12. 8. together with the copy of my letter of the 2d ultimo.

Candeish, Collector's Office, Dhoolia,
30 September 1836.

(signed)

J. Buchanan,

A. P. C. in charge H. K.

MEMORANDUM of Expense incurred on account of the Boys who were lately sent to Indore by the Collector at Dhoolia, for the purpose of being made over to their Parents, if they could be discovered in Pertaubgurh and Neemuch:—

No. 4,213.

Subsistence of 11 boys from Indore to Pertaubgurh - - -	14 - 3
Cart-hire for them - - - - -	14 7 -
Subsistence of five boys from Pertaubgurh to Neemuch - - -	1 14 -
Ditto, during their stay at Neemuch - - - - -	18 13 3
Purchased a brass pot for the boys to drink water out of - - -	2 1 -
Ditto, a blanket for one of the boys - - - - -	- 12 -
Barber for cutting hair and washing - - - - -	- 8 -
Gave the six boys on their parents being discovered, to enable them to reach their homes, four annas each - - - - -	1 8 -
Subsistence of five boys on their return back to Indore - - -	7 10 -
Cart-hire for them - - - - -	13 1 -
Pay and balta to the chuprassy attending the boys - - - - -	16 10 7
Paid the balta on a draft sent to Neemuch for 356 Y ^s rupees, for the subsistence of the boys whilst there - - - - -	- 9 10
Subsistence and carriage of the five boys to Mundlaisur, on their return to the collector at Dhoolia - - - - - 5 8	
	97 6 11
Expense incurred by Dr. Stuart at Mundlaisur in forwarding the five boys to Dhoolia - - - - -	17 5 9
	<hr/>
TOTAL Halee R ^s	114 12 8

Indore, 16 July 1836.

(signed)

J. Bax, Resident.

From *W. S. Boyd*, Esq., Collector, Candeish, to *John Bax*, Esq., Resident, Indore.—
(2 August 1836.)

Sir,

WITH reference to your letter of the 16th ultimo, I have the honour to enclose a hoondee on Savoyram Himmutram for Halee rupees 114, annas 12, and pies 8, in liquidation of the charges incurred for 11 boys sent by me for restoration.

2. I request you will have the goodness to acknowledge the receipt of this letter.

(signed)

W. S. Boyd, Collector.

Candeish, Collector's Office, Dhoolia, 2 August 1836.

E. I. Company and
Board of Control.
(Documents.)

From *John Bax*, Esq., Resident, Indore, to *W. S. Boyd*, Esq., Magistrate, Dhoolia.—
(16 July 1836.)

Sir,

IN reference to the second paragraph of your letter of the 15th March last, I have the honour to enclose a memorandum of the expenses, amounting to Halee rupees 114. 12. 8. which have been incurred on account of the 11 boys sent by you to Indore, and request that the amount may be remitted to me.

Indore, 16 July 1836.

(signed) *J. Bax*, Resident.

No. 2,048 of 1836.

From Mr. Chief Secretary *Wathen* to *R. Mills*, Esq., Magistrate, Poonah.—
(7 November 1836.)

Sir,

No. 4,214.

I AM directed to acknowledge the receipt of your letter of the 17th ultimo, and to inform you that the Right Honourable the Governor in Council is pleased to sanction rupees 114, 12 annas, and 8 pies, for further expenses incurred on account of the 11 boys sent to Indore by the collector of Candeish.

Bombay Castle, 7 November 1836.

(signed) *W. H. Wathen*,
Chief Secretary.

From *H. A. Harrison*, Esq., Magistrate, Ahmednuggur, to Mr. Secretary *Willoughby*.

Sir,

No. 4,298.

I HAVE the honour to transmit copy of a letter from my first assistant, Mr. Reeves, reporting the importation of a child, about the age of seven years, in a state of slavery, from his highness the Guikwar's territories; and as the act of importing this child under the provisions of section 30, clause 1, Regulation XIV. of 1827 is illegal, and by section 32 of the same Regulation she becomes emancipated, I have the honour to recommend that a fine be imposed on the purchasers, to be expended, when realized, in re-exporting her to her own country, or supporting her in this district, should her parents not be discovered, which they very probably may not be, the child having been purchased in a Brinjaree camp.

Ahmednuggur, Magistrate's Office, 1 November 1836.

(signed) *H. A. Harrison*,
Magistrate.

From *H. W. Reeves*, Esq., First Assistant to the Magistrate of Ahmednuggur, to
H. A. Harrison, Esq., Magistrate, Ahmednuggur.—(26 October 1836.)

Sir,

I HAVE the honour to report to you, for the information of the Right Honourable the Governor in Council, that two individuals, named Shaik Ahmed Wullud Shaik Lúloo, and Mankoowur, otherwise called Rumma Kulwanteen, both of the town of Sennur, have imported a female child about seven years of age, whom they state that they purchased for rupees 40 and 8 annas, at Songurh, in the territory of his highness the Guikwar, of one Luhuree Chârun, in the camp of Kaloo Naik Brinjaree.

2. The parties have produced before me a khureed khut, or deed of purchase, which document bears two stamps in the Guzeratee character, and which they aver to have been executed with the consent and direction of the momlutdar of Songurh, but bears not the signature of that person, or any other public officer.

3. It appears to me that this child has evidently been illegally imported, as will be seen from the circumstance of her tender age, as from the fact of the purchasers being people of that class (Kulwanteen), whose business is to rear female children for the avowed purpose of making money by the prostitution of their person. I have the honour to request your instructions as to the disposal of the case, in conformity with section 32, chapter 5, Regulation XIV. A. D. 1827.

4. For the present, I have given the child in question into the care of the Momlutdar of Sunnur, and taken security for the offenders for their appearance whenever called for.

Assistant Magistrate's Office, 26 October 1836.

(signed) *H. W. Reeves*,
First Assistant Magistrate.

No. 2,033 of 1836.

From Mr. Secretary *Willoughby* to *H. A. Harrison*, Esq., Magistrate, Ahmednuggur.—
(14 November 1836.)

Sir,

No. 4,299.

I AM directed to acknowledge the receipt of your letter, dated the 1st instant, with enclosure, and to inform you in reply, that the Right Honourable the Governor in Council authorizes you to levy a fine from the offenders, Shaik Ahmud Wullud Shaik Lullo, and Mankoowur, otherwise called Rumma Kulwantee, charged with having illegally imported a female

a female of about seven years of age, to be appropriated in the manner suggested by you, E. I. Company and but commutable to imprisonment, if not paid, as provided in the Regulation quoted in Board of Control. your communication. (Documents.)

Bombay Castle, 14 November 1836.

(signed) *J. P. Willoughby,*
Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 13 May 1835.

From *Samuel Mills, Esq.,* Magistrate of Poonah, to *Charles Norris, Esq.,* Chief Secretary.—
(8 May 1835.)

Sir,

UNDER the provisions of section 32 of Regulation XIV. of 1827, I have the honour to request the instructions of Government regarding the disposal of a girl named Jaynah, received from the session judge, who had been imported by a woman named Emun Naikien, in a state of slavery, and who, for the offence, has been sentenced to one year's imprisonment, without labour.

No. 74.

2. The girl is about 12 years of age, and states that she comes from the village of Alimd, near Sholapoor. Her father and mother are dead, but she has other relations there; and I would suggest, that I be permitted to forward her to the joint magistrate at Sholapoor, for delivery to her relations.

3. At present the girl is too ill to be removed.

4. The expense of conveying the girl to Sholapoor may be about 20 rupees, which I request the sanction of Government to expend. If any is saved, it will be credited to Government.

Poonah, Magistrate's Office,
8 May 1835.

I have, &c.
(signed) *Samuel Mills, Magistrate.*

No. 1,037 of 1835.

From *Charles Norris, Esq.,* Chief Secretary, to *Samuel Mills, Esq.,* Magistrate of Poonah.—
(12 May 1835.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 8th instant, regarding the disposal of a girl named Jynah, and to acquaint you that the Right honourable the Governor in Council is pleased to sanction an expenditure of about 20 rupees in forwarding the girl above alluded to, to the joint magistrate of Sholapoor, for delivery to her relations.

No. 75.

Bombay Castle, 12 May 1835.

I have, &c.
(signed) *Charles Norris, Chief Secretary.*

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 20 May 1835.

From *W. J. Lumsden, Esq.,* Session Judge of Surat, to *Charles Norris, Esq.,*
Chief Secretary.—(6 May 1835.)

Sir,

AGREEABLY to the provision of section 30, Regulation XIV., A. D. 1827; I have the honour to report that a borah, Shuruf Allee Salehbhaee, has been convicted by the assistant session judge of the illegal importation of a female slave, and fined 36 rupees, or to be imprisoned for six months.

No. 9.

The child is of the age of about eight years, and is unwilling to return to Arabia.

The fine has been paid by the borah. I have asked the junior native commissioner, Hafiz Daood, who is a respectable private character, and he has readily agreed to take the girl, and employ her in his service.

I have, however, thought it right to settle that Hafiz Daood is to receive 36 rupees, at the rate of half a rupee per month, for six years, and thereafter he engages to keep the girl until of age, without further charge. The girl may be withdrawn, if desired, at any time. Hafiz Daood has given a writing to this effect. I trust this desirable arrangement may be approved.

6 May 1835.

I have, &c.
(signed) *W. J. Lumsden, Session Judge.*

No. 1,051 of 1835.

From *Charles Norris, Esq.,* Chief Secretary, to *W. J. Lumsden, Esq.,* Session Judge of
Surat.—(14 May 1835.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 6th instant, reporting that a borah, named Shuruf Allee Sahibhaee, has been convicted by the assistant judge of the
697. illegal

No. 10.

E. I. Company and
Board of Control.
(Documents.)

illegal importation of a female slave, and, in consequence, fined rupees 36, or imprisonment for six months; and to acquaint you, that the Right Honourable the Governor in Council approves the arrangement made by you with Hafiz Daood, junior native commissioner, to take charge of the girl in question, for the sum of rupees 36, at the rate of half a rupee per month, for six years, and thereafter to keep the girl until of age, without any further charge on Government, and on condition that the girl may at any time be withdrawn, if desired.

In the event of the charge being borne by Government, you will be pleased to report the same to Government, for the information of the departments concerned.

Bombay Castle, 14 May 1835.

I have, &c.
(signed) C. Norris, Chief Secretary.

From P. W. Le Geyt, Esq., Register to the Sudder Foujdaree Adawlut, to C. Norris, Esq., Chief Secretary.—(28 April 1835.)

No. 48.

Sir,

I AM directed by the judges of the Sudder Foujdaree Adawlut, under section 31, Regulation XIV. of 1827, to forward, for the purpose of being laid before the Right Honourable the Governor in Council, extracts from proceedings held before the senior assistant judge of Poonah; and as it appears that the difference pointed out by the assistant session judge does exist to the extent noticed by him, inasmuch as that part of the Maharatta translation of clause 1, section 30, Regulation XIV., A. D. 1827, which, in the English version, distinctly specifies that sale within one year after importation shall be deemed conclusive proof that such was the object of the importation, is omitted. I am instructed by the court of Sudder Foujdaree Adawlut to state, that it concurs in the recommendation that a pardon should be granted to the prisoners.

Bombay Sudder Foujdaree Adawlut,
28 April 1835.

I have, &c.
(signed) P. W. Le Geyt, Register.

Extract from the Proceedings of R. D. Luard, Esq., Senior Assistant Session Judge, dated 4 April 1835.

No. 7 of calendar
1835.

PEERAJEE is this day received from A. Elphinstone, esq., first assistant magistrate, together with documents and proceedings as under, recorded from No. 1 to No. 5; viz.

1. The Mamlutdar Report (Pergunnah Poorunder.)
2. Bill of customs paid.
3. Ditto - ditto - ditto.
4. Evidence of Wahee Poorghee.
5. Statement of the prisoner Peerajee.

The prisoner Peerajee is brought and placed at the bar, charged with, 1st, having, on the 20th February 1835, illegally imported to Kusbah Sassore, Purgunnah Poorundhur, Zillah Poona Walkee, a child under ten years of age, in a state of slavery.

2d. For having at Sholapoor, about one year ago, illegally purchased, at an illegal sale, the said child Walkee.

The prisoner is asked whether he is guilty or not guilty, and he pleads guilty to both charges.

No. 1.

The court reads the statement of the girl Walkee, in order to judge of the degree of guilt to be attached to the prisoner. Entered, No. 1.

No. 2.

The court records, that the girl Walkee is dead since the commitment. The report of the nazir upon the subject is entered, No. 2.

The court records, that Govind Ragoonath Gurboli appears to defend the prisoner.

No. 3.

The court finds the prisoner, in the first charge, guilty, upon the latter part of Regulation XIV. of 1827, section 30, clause 1, of having imported a child, under the age of 10 years, in a state of slavery, not being during the time of famine, and not upon a written permission granted by the magistrate: the prisoner is held convicted upon his own plea and confession, which is read, and he confirms it. Entered, No. 3.

The court having found the prisoner guilty, sentenced him to be imprisoned (without labour) for one year, but recommends to Government that he should be pardoned, since, owing to the defective translation of the English regulations into Maharatta, as no mention is made in the Maharatta Regulations of the mere importation of a slave into the Bombay territories being a punishable offence, and the prisoner, in all probability, therefore, did not consider it to be so; and upon this concluding sentence of the English version of Regulation XIV. of 1827, section 30, clause 1, the prisoner is found guilty, but guilty upon a regulation he certainly had not the means of knowing.

The court respectfully calls the attention of Government to the defective translation in question, the meaning of the English and Maharatta version appearing to the court at variance. To render the matter as easy of decision as possible, the court records that the Maharatta version states, that "if any person brings a slave or slave girl into the Bombay districts for sale, he shall be imprisoned for one year, or fined, or both, whether the slave so imported be above or below the age of ten years; and that if a person import a slave under the age of ten years, except at the time of famine, or immediately after, without the order

order of a magistrate, he shall be punishable by Regulation XIV. section 32." Now, the context here would evidently lead to the supposition that the latter part of the sentence, as well as the first part, alluded to a slave imported for the purpose of sale, and not to the mere act of importation, as distinctly laid down in the English version. E. I. Company and Board of Control. (Documents.)

With regard to the second charge against the prisoner, viz. for having, at Sholapoor, about a year ago, illegally purchased at an illegal sale the said child Walkee, the court acquits the prisoner of the charge: the regulation upon which this charge is framed is not entered in the proceedings of the magistrate, but the child was brought and sold during the prevalence of a most awful famine at Sholapoor, or before its influence had ceased; and he is therefore acquitted of the second charge.

Letter written to the Sudder Adawlut upon the subject, forwarding copy of proceedings.

Order to the nazir to keep the prisoner in confinement until the orders of Government be received.

(True extract.)

(signed) *R. D. Luard*,
Senr Assistt Session Judge

Extract from the Proceedings of *R. D. Luard*, Esq., Senior Assistant Session Judge.
dated 4 April 1835.

ERNAN NARKEN is this day received from A. Elphinstone, esq., first assistant magistrate of Poonah, together with documents and proceedings as under recorded, from No. 1. to No. 8. viz.

No. 8 of calendar
for 1835.

1. Order to the mamlutdar (copy.)
2. Report of ditto.
3. Deed of purchase relating to Jeyna Poorgi.
4. Ditto of customs paid for ditto - ditto.
5. Deed of purchase relating to Thamoola Poorgie.
6. Ditto of customs paid for ditto - ditto.
7. Evidence of Jeyna Poorgee.
8. Statement of the prisoner.

The prisoner is brought up, and placed at the bar, charged—

1st. With having illegally imported to Kusbah Jassore Poorundhur Purgunnah a child named Thamoola, under ten years of age, in a state of slavery.

2d. For having illegally imported to Kusbah Jassore Poorundhur Purgunnah a child named Jeyna, who appears under ten years of age, in a state of slavery.

The prisoner is asked whether she is guilty or not guilty, and she says she brought the girls to Jassore, but not for the purpose of selling them; that she brought them for the purpose of making prostitutes of them.

The prisoner is accused merely of having imported the girls in the state of slavery of which she is upon her plea and confession, which is read to her, and which she confirms. Convicted upon the latter part of Regulation XIV., of 1827, section 30, clause 1; her confession is entered No. 1.

There is no evidence in either of these cases to prove that the slaves were brought into the Bombay territories for the purpose of sale, or that they ever had been re-sold; and the prisoner in both cases appears to have been committed upon the mere act of importation.

The prisoner is sentenced to one year's imprisonment (without labour), and the case sent to the Sudder Foujdaree Adawlut, the former remarks being equally applicable to both.

Ordered extract of proceedings in this case to be sent to the Sudder Foujdaree Adawlut.

Issued order to the nazir to imprison prisoner until the order of Government be received.

(True extract.)

(signed) *R. D. Luard*,
Senr Assistt Session Judge.

MINUTE by the Honourable Mr. *Sutherland*.

It appears to me that the recommendation of the Sudder Foujdaree Adawlut, if acted on, would form a most dangerous precedent, inasmuch as it is well known that the translation of the Regulations of 1827 are faulty; and if these translations are to be the standard, there is no saying what actual alteration would be introduced. The definition of the heaviest crime, that of murder, so far as my recollection serves, is in this predicament; and I recollect once, when on circuit at Kaira, soon after the Regulations came into operation, in order to inform the bystanders of the extent of the crime of murder, I directed the translation into the Goozerattee to be read in court, and was much pained to find it erroneous; and I was compelled to interpret from the original.

The laws administered are to be taken from the English originals; and I do not see that Government could extend to criminals pardon because the translations are bad. The punishments awarded should not be interfered with.

It might be pointed out to the Sudder Foujdaree Adawlut that Mr. Luard ought to have had amended charges against the last prisoner, as the slaves were confessedly brought for the purposes of prostitution.

E. I. Company and Board of Control. (Documents.) The records of Government show that it is quite aware of the faulty translations, and means were formerly taken to rectify the great evil. Mr. Borradaile was appointed to translate the code. The Sudder Foujdaree Adawlut may be asked what progress has been made, whether any have been finished and sent in, or how.

(signed) *J. Sutherland.*

MINUTE by the Right Honourable the Governor.

No. 50.

THE Maharatta version of the Regulation (I judge from the literal English translation of it), though not so clear as the original, does not to me seem necessarily opposed to it. I am therefore not certain that the prisoners were unacquainted with the law; and even if they were, I agree with Mr. Sutherland, that it would be dangerous to allow such a plea. "Ignorantia juris non excusat," is, on the whole, a safe and useful, though in particular cases it has proved a cruel rule.

But in proportion as we enforce that rule, in the same degree ought we to use means for disseminating among our subjects a right knowledge of the laws which they are to obey, and by which they are to be judged. Mr. Sutherland's concluding remarks are very forcible. It is not, I think, creditable to this Government, that the current versions of some important laws are mis-translations, and means should instantly be taken to remedy the evil.

(signed) *R. Grant.*

No. 1,070.

From *C. Norris*, Esq., Chief Secretary, to the Sudder Foujdaree Adawlut.—(18 May 1835.)

Gentlemen,

No. 51.

I AM directed to acknowledge the receipt of your letter of the 28th ultimo, forwarding extracts of proceedings held before the senior assistant judge of Poonah, on two prisoners charged with having imported children, under ten years of age, in a state of slavery, and pointing out some discrepancy in the Maharatta translation of clause 1, section 30, Regulation XIV. of A. D. 1827, and forwarding, in consequence, a recommendation that a pardon should be extended to the prisoners as regards slaves, and to communicate to you the following observation thereon.

2. It appears to the Governor in Council that your recommendation, if acted on, would form a most dangerous precedent, inasmuch as it is well known that the translation of the Regulations of 1827 are faulty, and if these translations are to be the standard, there is no saying what actual alteration would be introduced; the definition of the heaviest crime, that of murder, is believed to be in this predicament.

3. The Governor in Council therefore, I am directed to state, declines to interfere with the punishment awarded, and to extend a pardon, because the translations of the regulations are bad, considering that the laws administered are to be taken from the English original.

4. I am at the same time directed to state, that the Maharatta version, though not so clear as the original, does not seem necessarily opposed to it, and that the Governor in Council is therefore not certain that the prisoners were unacquainted with the same.

5. The Governor in Council conceives that the English version of the regulations can alone be quoted as the law; he is at the same time fully impressed with the obligation which Government is under to disseminate among its native subjects a knowledge of the case: with this view, and when the first translation of the code was found to be incorrect, Mr. Borradaile was appointed to re-translate it. The Governor in Council requests that you will state what progress has been made in the work, and whether any translations have been transmitted to you.

6. In conclusion, I am directed to observe with reference to the case immediately under review, that Mr. Luard ought to have had amended charges against the last prisoner, as the slaves were confessedly brought for the purposes of prostitution.

Bombay Castle, 18 May 1835.

(signed) *C. Norris*, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 2 September 1835.

From *R. Mills*, Esq., Magistrate of Poonah, to Mr. Secretary *Wathen*.—(12 August 1835.)

Sir,

No. 105.

1. UNDER the provisions of section 32, of Regulation XIV. of 1827, I have the honour to hand up copy of a letter from my assistant, Mr. Escombe, relative to a child named Rama Bin Sudashew, about 12 years of age, who, there is good reason to believe, was illegally imported into this zillah.

2. I consider it impolitic that the child should remain with the gosain, and I would therefore recommend that I be permitted to forward him to the collector in Candeish, that he may take measures for finding out the parents of the child, and restoring him to them.

Magistrate's Office, Poonah,
12 August 1835.

I have, &c.
(signed) *R. Mills*, Magistrate.

From

From *W. Escombe*, Esq., Assistant Magistrate of Poonah, to *R. Mills*, Esq., Magistrate of Poonah.—(10 August 1835.)

E. I. Company and
Board of Control.
(Documents.)

Sir,

I HAVE the honour to request your instructions with regard to a child named Rama Bin Sudashew, about 12 years of age, who has been found in the possession of Deweegeer Gooroo Duryougeer Gosavee, and who, there is good reason to believe, was illegally imported into this district.

An inquiry was made into the circumstances of the case two years ago by Mr. Bacon, when the gosaeen was held to bail; and as no one appeared to claim the child, he was given up to the gosaeen.

What led to the matter being again brought forward was, that the child left the gosaeen's house, and was found a few days back unprotected in the city; on being taken before the foujdar, he declared that he and another boy had been brought down from Oomrawuttee, and sold to the gosaeen for rupees 30: at that time the child could not have been more than 10 years old, and his testimony therefore not such as, in my opinion, could be admitted in proof of the criminal offence against the gosaeen.

That the gosaeen, however, has no right to the child, is quite clear: he says he was sent to him to educate by one Rama Bin Janojee Simpee, who again admits having brought the child from Oomrawuttee. Evidence as to the intention with which the child was imported is wanting, and, consequently, Rama Bin Janojee does not appear liable to the slavery Regulations.

The same feeling, however, which dictated that the restoration of the children who were last year found under similar circumstances, will probably induce you to take measures to have this child also returned to its friends: in the meantime I have given directions to have him taken care of by the foujdar.

Poonah, 10 August 1835.

I have, &c.
(signed) *W. Escombe*, Ass^t Magistrate.

No. 52 of 1835.

From Mr. Secretary *Wathen* to *R. Mills*, Esq., Magistrate of Poonah.—(25 August 1835.)

Sir,

I AM directed to acknowledge the receipt of your letter to the address of Mr. Chief Secretary Norris, dated the 12th instant, and to convey to you the authority of the Right Honourable the Governor to forward the child Rama Bin Sudashew, therein alluded to, to the magistrate of Candeish, who has been instructed to take measures to find out the parents of the child, in order that he may be restored to them.

No. 106.

Dapooree, 25 August 1835.

I have, &c.
(signed) *W. H. Wathen*,
Secy with the Right honourable the Governor.

No. 53 of 1835.

From Mr. Secretary *Wathen* to the Magistrate of Candeish.—(25 August 1835.)

Sir,

I AM directed by the Right honourable the Governor to transmit to you the accompanying copy of a letter from the magistrate of Poonah, dated the 12th instant, and of my reply thereto of this day, respecting a child believed to have been illegally imported into his zillah, which he has been authorized to forward to you, and to request you will take measures to find out the parents of the child, and, when they have been discovered, restore him to them.

No. 107.

Dapooree, 25 August 1835.

I have, &c.
(signed) *W. H. Wathen*,
Secy with the Right honourable the Governor.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 28 October 1835.

From *R. Mills*, Esq., Principal Collector and Magistrate of Poonah, to Mr. Secretary *Wathen*.—(10 October 1835.)

Sir,

REFERRING to my letter of the 12th August last, and to your reply of the 25th, relative to a child named Rama, which Government authorized me to transfer to the collector in Candeish, I have the honour to acquaint you, for the information of the Right honourable the Governor, that the child Rama Bin Sudashew has been sent to Candeish accordingly, and that I have incurred an expense in his transmission of 8 rupees, 15 annas and 11 pice, as per annexed Statement, to which expenditure I request you will obtain for me his Excellency's sanction.

No. 35.

Poonah, Principal Collector's Office,
10 October 1835.

I have, &c.
(signed) *R. Mills*,
Prin^l Coll^r and Magistrate.

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STATEMENT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 12 November 1835.

E. I. Company and
Board of Control.
(Documents.)From *R. Mills*, Esq., Magistrate of Poonah, to *E. H. Townsend*, Esq., Acting Secretary.—
(30 October 1835.)

Sir,

I HAVE the honour to forward copy of a letter from the first assistant magistrate at Poonah, relative to a girl named Lal Bebee, found in the city a few days ago.

No. 27.

2. As she is stated to reside at Ukulkote, I beg leave to suggest that I be authorized to send her to the magistrate of Solapoor, who should be instructed to make her over to the Ukulkote authorities, with a view to her delivery to her friends.

3. The probable expenses of sending the child to Solapoor and Ukulkote would be about 30 rupees; if less, the saving will be credited to Government; and I beg to request that I may receive the sanction of Government to the expenditure of this sum.

(signed) *R. Mills*, Magistrate.

Camp at Sassore, 30 October 1835.

From *W. Escombe*, Esq., Assistant Magistrate of Poonah, to *R. Mills*, Esq., Magistrate of Poonah.—(28 October 1835.)

Sir,

I HAVE the honour to inform you that I have made over to the care of the foudjar, pending your instructions, a child named Lal Bebee, who was found a few days ago in the city, and who, there was reason to suppose, had been imported into the zilla for the purpose of sale.

2. Four persons, in the possession of all of whom the child had been within the last few days, were apprehended on suspicion, but no evidence as to any sale of the child having been made by them, or of their having brought her into the zilla, being forthcoming, they have been discharged.

3. From the child's statement, however, it appears that her father and mother reside, or did reside, at Ukulkote, and that in the famine which occurred there three years ago, they made her over to a camel-man of Malligam, with whom she has continued to live, till about two months ago, when, in consequence of his ill-using her, she ran away.

4. I would beg to be informed how, under these circumstances, the child should be disposed of: my own opinion is, that the best plan would be to restore her to her parents at Ukulkote.

(signed) *W. Escombe*,
Assistant Magistrate.

Poonah, 28 October 1835.

(True copy.)
(signed) *R. Mills*, Magistrate.

No. 2,289.

From *E. H. Townsend*, Esq., Acting Secretary, to *R. Mills*, Esq., Magistrate of Poonah.—
(7 November 1835.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 30th ultimo, and to signify to you that the Right honourable the Governor in Council approves of your suggestion to send the girl Lal Bebee therein mentioned to the joint magistrate of Sholapoor, with instruction to make her over to the Ukulkote authorities, with a view to her being delivered to her friends, and sanction the sum of rupees 30, as the probable amount that will be incurred on the occasion.

No. 28.

(signed) *E. H. Townsend*,
Acting Secretary.

Bombay Castle, 7 November 1835.

No. 2,290.

From *E. H. Townsend*, Esq., Acting Secretary, to the Civil Auditor.—(7 November 1835.)
(7 November 1835.)

Sir,

I AM directed by the Right honourable the Governor in Council to signify to you, that the magistrate of Poonah has been authorized to disburse rupees 30, being the sum estimated by him for sending a girl named Lal Bebee to Sholapoor, for the purpose of being made over to her friends at Ukulkote.

No. 29.

(signed) *E. H. Townsend*,
Acting Secretary.

Bombay Castle, 7 November 1835.

E. I. Company and
Board of Control.
(Documents.)

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 31 December 1835.

From *John A. Dunlop*, Esq., Acting Principal Collector and Magistrate of Dharwar, to
J. P. Willoughby, Esq., Secretary to Government.—(17 Dec. 1835.)

No. 76.

Sir,

I do myself the honour to forward a bill for rupees 5. 6 a. 4 p., being the amount of expenses incurred by this collectorate for the conveyance and maintenance of a girl named Lal Bebee, from Dharwar to Indee, in the sub-collectorate of Bagulkotah, who was forwarded to Dharwar by the magistrate of Poonah, as per his communication dated the 30th of October last, and to request you will have the goodness to obtain the sanction of the Right Honourable the Governor in Council for the payment of the same.

On Circuit, Moogulkhan Hoobly,
17 Dec. 1835.

I have, &c.
(signed) *John A. Dunlop*,
Actg Princ^l Coll^r and Magistrate.

From *R. Mills*, Esq., Magistrate, Poonah, to *T. H. Baber*, Esq., Magistrate, Dharwar.—
(30 October 1835.)

No. 77.

Sir,

I HAVE the honour to inform you, that I shall forward, in a few days, a girl named Lal Bebee, whose friends reside at Almela, in the Indee Talooka, in your zillah.

2. Extract from a letter from Government, sanctioning the transfer, is herewith annexed. All the girl's expenses to Dharwar will be paid by this department.

3. A sepoy will be sent with the girl to take charge of her, with a maratta yandee to your address.

Camp at Sapoor, 30 Oct. 1835.

I have, &c.
(signed) *R. Mills*, Magistrate.

Extract of a Letter from Mr. Secretary *Townsend* to the Magistrate of Poonah.—
(28 October 1835.)

THE Right Honourable the Governor in Council is pleased to sanction an estimated expenditure of 20 rupees, for conveying the child in question to that station.

(True extract.)

(signed) *Richard Mills*, Magistrate.

No. 2,542 of 1835.

From *J. P. Willoughby*, Esq., Secretary to Government, to *John A. Dunlop*, Esq.,
Acting Principal Collector and Magistrate, Dharwar.—(30 Dec. 1835.)

No. 78.

Sir,

I AM directed to acknowledge the receipt of your letter of the 17th instant, and to inform you that the bill which accompanied it, amounting to rupees 5, 6 annas and 4 pice, for expenses incurred for the conveyance and maintenance of a girl named Lal Bebee from Dharwar to Indee, in the sub-collectorate of Bagulkotah, has been passed by the Right Honourable the Governor in Council, and sent to the civil auditor.

Bombay Castle, 30 Dec. 1835.

I have, &c.
(signed) *J. P. Willoughby*, Secy to Govt.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 24 February 1836.

From *R. Mills*, Esq., Magistrate of Campat Wurwunt, to Mr. Secretary *Willoughby*.—
(3 February 1836.)

No. 510.

Sir,

A CHILD, named Lal Bebee, having been found in the city of Poonah, and none of her friends or relations being there to take care of her, she has been kept in the Government chowky.

2. She states, her friends live near Akulcote, at a village named Aland; and I have the honour to request the instructions of Government to incur an expense of about 15 rupees, for the purpose of sending her to Sholapoor, and to supply her with some clothes.

3. I have written to the resident of Sattara, to solicit the durbar to have inquiries made about her friends; and I shall, on receipt of Government's reply to this letter, direct the joint magistrate at Sholapoor to make her over to her friends.

Campat Wurwunt, 3 Feb. 1836.

(signed) *R. Mills*, Magistrate.

No. 254

No. 254 of 1836.

E. I. Company and
Board of Control.
(Documents.)From Mr. Secretary *Willoughby* to *R. Mills*, Esq., Magistrate of Poonah.

Sir,

IN reply to your letter of the 3d instant, I am directed to inform you that Government will sanction the expense of rupees 15 for supplying clothes, and sending to Sholapoor the girl named Lal Bebee, when you have ascertained where the child's friends reside, which at present seems doubtful.

No. 511.

Bombay Castle, 19 Feb. 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 14 September 1836.

From *R. Mills*, Esq., Magistrate of Poonah, to Mr. Secretary *Willoughby*.—(14 Sept. 1836.)

Sir,

WITH reference to Government letter, dated 19th February last, No. 254, respecting Lal Bebee, a girl now in confinement in the chokey, who has no friends, I have the honour to acquaint you, for the information of Government, that all inquiries have been made with a view to the discovery of the friends of the girl, but without success; and she still, therefore, continues under charge of the foudjar of the city.

No. 3,627.

2. A mussulman seapoy of the police, named Shaik Abdulla, is willing to take the girl in marriage, and will give security to treat her properly. The girl is also willing to be married to Shaik Abdulla; and I therefore beg to suggest, that I may be authorized to make her over in marriage to Shaik Abdulla.

Poonah, Principal Collector's Office,
13 Sept. 1836.(signed) *R. Mills*,
Principal Coll^r and Mag^e.MINUTE by the Honourable Mr. *Ironside*, subscribed by the Honourable Mr. *Farish*.

PERHAPS there is no objection, both parties being willing. What is the girl's age? she may be too young to be married.

No. 3,628.

(signed) *E. Ironside*.

No. 1,710.

From Mr. Secretary *Willoughby* to *R. Mills*, Esq., Magistrate, Poonah.—(28 Sept. 1836.)

Sir,

IN acknowledging the receipt of your letter, dated the 13th instant, reporting that the endeavours which have been made to discover the friends of the girl Lal Bebee, under the charge of the foudjar of the city of Poonah, have been unavailing, and requesting the instructions of Government, therefore, as to the propriety of disposing of her in marriage to a mussulman seapoy of the police, I am directed, by the Right Honourable the Governor in Council, to request you to state the age of the girl.

No. 3,629.

Bombay Castle, 28 Sept. 1836.

(signed) *J. P. Willoughby*,
Secretary to Govt.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 26 October 1836.

From *R. Mills*, Esq., Magistrate, Poonah, to Mr. Chief Secretary *Wathen*.—(3 Oct. 1836.)

Sir,

I HAVE the honour to acknowledge the receipt of your letter, dated 28th ult^o, No. 1,710, and to acquaint you, for the information of Government, that Lal Bebee is about 13 years of age.

No. 3,970.

2. I have had the girl before me, and she now states that she will not marry the seapoy, because he has no mother or friends. Lal Bebee is a girl who has not much regard to truth, and one day says one thing, and one day another. I scarcely know what to recommend should be done with her under these circumstances. To send her to Sholapoor on a wild-goose chase after her parents, would be putting Government to expense to no purpose, whilst to keep her in Poonah is not likely to be more beneficial to her. She herself wishes to be allowed to go where she likes; and as she seems to have cunning and understanding enough to take care of herself, I would suggest that she be at liberty either to marry the police seapoy, or not, as she pleases, or to take up her residence with any one who will give her shelter.

3. Government might authorize me to give any one willing to receive her into their family a small sum, say 20 rupees, if they will see that she gets into no mischief.

Magistrate's Office, Poonah,
3 Oct. 1836.(signed) *R. Mills*,
Magistrate.

E. I. Company and
Board of Control.
(Documents.)

No. 1,876 of 1836.

From Mr. Chief Secretary *Wathen* to *R. Mills*, Esq., Magistrate, Poonah.

No. 3,971.

Sir,
I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter dated the 3d instant, stating that the girl Lal Bebee refused to marry the sepoy, and recommending that she may be permitted to take up her residence wherever she can find shelter.

2. In reply, I am instructed to inform you that the Governor in Council approves of your suggestion, and authorizes you to pay to any person willing to receive the girl into their family the sum of 20 rupees, if they will agree to take proper care of her.

Bombay Castle, 21 Oct. 1836.

(signed) *W. H. Wathen*,
Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 23 September 1835.

From *W. Stubbs*, Esq., Magistrate of Kaira, to Mr. Chief Secretary *Norris*.—
(1 September 1835.)

No. 10.

Sir,
I HAVE the honour to solicit the permission of the Right honourable the Governor in Council, according to section 4, Regulation XI. of 1827, to bring to trial the prisoner Ghumbheera Rugnath, of Neriad, charged with having taken away a woman named Ruslee, and sold her in Sadra, in the Guicawar's jurisdiction.

Kaira, Magistrate's Office, 1 Sept. 1835.

I have, &c.
(signed) *W. Stubbs*, Magistrate.

No. 1,975 of 1835.

From Mr. Chief Secretary *Norris* to *W. Stubbs*, Esq., Magistrate of Kaira.—
(18 September 1835.)

No. 11.

Sir,
I AM directed to acknowledge the receipt of your letter of the 1st instant, and to signify to you that the Right honourable the Governor in Council authorizes you to proceed with the trial of Ghumbleheera Rugnath, of Neriad, charged with having taken away a woman named Ruslee, and sold her in Sadra, in the Guicawar's jurisdiction.

Bombay Castle, 18 Sept. 1835.

I have, &c.
(signed) *C. Norris*, Chief Secretary.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 29 April 1836.

From *W. Simson*, Esq., Acting Magistrate, Tannah, to Mr. Secretary *Willoughby*.—
(17 April 1836.)

No. 1,489.

Sir,
I HAVE the honour to enclose a letter from the assistant magistrate at Tannah, dated 16th instant, and to beg you will solicit the sanction of the Right honourable the Governor in Council to the expenditure alluded to for the transport to his own country of an emancipated slave, according to Regulation XIV., section 32, of 1827.

(signed) *W^m Simson*, Acting Magistrate.
Tannah, Magistrate's Circuit, Cutcherry,
17 April 1836.

From *D. Davidson*, Esq., Assistant Magistrate, Tannah, to *William Simson*, Esq.,
Acting Magistrate, Tannah.—(16 April 1836.)

Sir,
I HAVE the honour to request that you will obtain permission according to Regulation XIV. 1827, section 32, that part of a fine of rupees 100, imposed by me, and confirmed by you, in a case of slavery, be expended in conveying to his own country the emancipated slave Luximon V. Bappoo Guickwar, aged 13 years, an inhabitant of Gaon Umrawati Prant Warad, situated somewhere between Aurungabad and Nagpore.

Tannah, Magistrate's Office,
16 April 1836.

(signed) *D. Davidson*,
Assistant Magistrate in charge of Sudder Station.

No. 703 of 1836.

From Mr. Secretary *Willoughby* to *William Simson*, Esq., Acting Magistrate, Tannah.—
(29 April 1836.)

E. I. Company and
Board of Control.
(Documents.)

Sir,

I AM directed to acknowledge the receipt of your letter of the 17th instant, and to convey the sanction of the Right honourable the Governor in Council to your assistant, Mr. Davidson, expending part of a fine imposed by him, and confirmed by you, in conveying to his own country the emancipated slave, Luximon V. Bappoo Guicowar, an inhabitant of Gaon Umrawati Prant Warad, situated somewhere between Aurungabad and Nagpore.

No. 1,490.

Bombay Castle, 29 April 1836.

(signed) *J. P. Willoughby*,
Secretary to Government.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 8 July 1835.

From *T. H. Baber*, Esq., Magistrate, Dharwar, to Mr. Chief Secretary *Norris*.—
(24 June 1835.)

Sir,

I HAVE the honour to request the orders of the Right honourable the Governor in Council, relative to seven little girls who have been lately discovered in the houses of three professed prostitutes in Balgaon, whose account of the manner they came by them is any thing but satisfactory.

No. 49.

2. As it will not be possible to bring the charge of having actually bought them, however strong the presumption, home against these wretched women, I have deemed it advisable not to bring them to trial, as the consequences of an acquittal would only encourage the commission of a crime which I fear is already too prevalent.

3. One recent prosecution of actual purchase and sale of a little girl by its own father to a prostitute, before the sessions court, has in a great measure failed, on the ground of the Regulation not being known; but gross as the ignorance of the people undoubtedly is of our laws in general, I very much doubt whether there is that person living who does not know that the sale of human beings is illegal.

4. When in authority here nine years ago, I took great pains to discountenance this inhuman traffic. Copy of an order I circulated to that effect on the 5th July 1826, I herewith forward.

5. I have now to solicit the authority of Government to take the seven little girls (five of whom are orphans) away from their vicious keepers, and place them under charge of persons who may be willing, with or without an allowance from Government, to bring them up; or perhaps it may be in the power of Government to find an asylum for them in one of the benevolent institutions at the Presidency.

Dharwar, 24 June 1835.

(signed) *T. H. Baber*,
Magistrate.

LIST of CHILDREN held as Bandedes, or Slaves, in the Town of *Belgaum*.

1. ABVALACH, aged 13 years, found on Joyee, a prostitute by profession; she says she got her when eight years old; that she is the daughter of a slave woman belonging to Ven Rajee Sev Ram and Bhugwunt Ramchunder, who gave the girl to her to adopt, as both her parents were dead; that she had paid no money for her. She produces a patra, dated 21st February 1829, from the above two persons, making over their right to this girl. It is witnessed by the patell and kulkurnee of Cusba Belgaum.

No. 50.

2. Anandee Caste Gosavee, aged eight years; mother's name unknown; was brought to her (Joyee's) house by the mother of the child when it was five days old; the mother died after serving her in the capacity of a cooley for nearly three years, since when the girl has been with and supported by her; she is ignorant from whence the girl's parents came.

3, 4 and 5. Statement of three females, by name Ameer, Jummal and Mahaboo, found upon Noviah Narkeen, a professed prostitute. No. 3, Ameer, is four years old, caste mussulmanee, daughter of Jorama, but being illegitimate, the mother left it with her when three years old, or about a year ago; she does not know where the mother is; says no money was paid as the price of the child, nor no writing executed.

4. Jummal is five years old; was brought to her (Joorah Naiken) about two years ago, at a time of scarcity, by her father Khadur Saheb, of Ballakoondrighee Makka Shapoor, and her mother Meeramah; she fed both (the parents) for four months, but gave no money as the price of the girl, nor took any written document; does not know where Khadur Saheb and his wife are gone.

5. Mahaboo, eight years old, caste Mahratta, was brought to her about two years ago at the time of famine, by Rachawah, from Bagulkotah; she gave Rachawah one sieve of jowaree daily for two months; afterwards she went away to her country, leaving the girl with her.

6 and 7. Upon Chayndah, another prostitute, caste Mussulmanee, of Belgaum, two girls, by name Emomee and Hoossanee were found; she states, that (6) Emomee is eleven years of age, and (7) Hoossanee, eight years; about six years ago their mother, Bowanee, caste Rajpoot, came to her, and asked her to be taken into her house and supported; she accordingly

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E. I. Company and
Board of Control.
(Documents.)

ingly took the whole three, and supported them up to this day. Bowanee, the mother, states, that she is from Seringapatam; she left her husband, and came to Bangalore about 14 years ago, and lived with Dhazoo Tellingah in illicit intercourse, and from thence they came to Kulladghee, and there remained for some time, and afterwards came to Belgaon, where the said Tellingah died; having nothing to subsist upon, she went to Chaynda with her daughter, who has supported all three for these four years; she did not sell her girls for money.

Extracted from the report, and its accompaniments, of the Padshapoor Mamletdar, dated the 19th instant.

24 June 1835.

(signed) T. H. Baber, Magistrate.

EXTRACT from the Proceedings of the Magistrate of the Zillah of Dharwar,
dated the 13 June 1835.

No. 51.
Case, No. 57
of 1835.

READ an urzee from Gholam and Hoossain, mamletdar of Sumpgaon, dated the 6th June 1835, No. 3, forwarding the following prisoners upon the charge set forth against their names, recorded, No. 1. A.

- | | | |
|---|---|---|
| 1. Tellanah bin Kenchanah,
of Davelapoor - - - | } | -- Selling his daughter, named Bussee, a child of eight years old, on the 8th August 1821, to second prisoner, for 14 Shapooree rupees. |
| 2. Ballee, a prostitute of
Davelapoor - - - | | } |
| 3. Cherniapah bin Hunmiah,
of Davelapoor - - - | } | |
| 4. Roodrapa Kagay bin Erapah,
of ditto - - - | | |
| 5. Hunnapah bin Munnabah,
of Davelapoor - - - | } | -- Village Coolkurnees drawing up the "kurreed puttra," or bill of sale of the said child, on the 8th August 1831, by the first to the second prisoner. |
| 6. Timonapah bin Kulsapa,
of ditto - - - | | |
| 7. Venkutapa bin Yellapah,
of Davelapoor - - - | } | Attesting the said bill of sale as witnesses. |
| 8. Goorsiddapah bin Yellapah,
of ditto - - - | | |
| 9. Buslinganaik naik Rayanaik,
of ditto - - - | | |
| 10. Somana bin Yellana,
of ditto - - - | | |

The prisoners are called into court.

N. B.—The bill of sale has been lost; the mamletdar suspects the sixth prisoner of having abstracted it during the inquiry.

The prisoners plead guilty.

Read statement of Bussee, daughter of Yellanah, before the mamletdar, to the purport, that her father and mother, Buddee, sold her to Ballee Dombernee, about three years ago, but for what amount does not know; from which period she remained with her purchaser until about two months ago, when she accompanied Ballee to the Hongul Bazar. Mallee and Gungawah of that place advised her to desert Ballee, and that they would answer for any complaint made to the sirkar; and, besides being ill-treated by Ballee, she left her on the 26th April 1835 at about 8 A.M., and ran off to Daverseegahully, and took refuge in the house of one Meessiah Purreet, with whom she became acquainted while at Davelapoor; confirmed in a separate examination before the magistrate, that she prefers to return and live with her father, because second prisoner beats her; recorded, No. 2. B.

Read statement of prisoner Yellanah bin Kenchanah, aged 35 years, caste Badur, a set-sundee of Davelapoor, before the mamletdar, to the purport, that about four years ago scarcity prevailed; he being in want, sold his daughter, by name Bussee, about eight years of age, got by his kept woman, Buddee, for 14 Shapooree rupees, to Ballee Dombernee, on the 8th August 1831, which amount was brought to him by Roodrapah Kagay: after receiving it, he got "kurreed puttra," or bill of sale, drawn out by Hunnapah Cookurnee, and after it had been attested by some of the ryots, gave it to Ballee, since when the girl had remained with her: he never ran away with her (his daughter), excepting the 14 rupees Shapooree; he has received nothing further. Confirmed in a separate examination before the magistrate, that poverty alone had induced him to sell his daughter; recorded, No. 3. C.

Read statement of prisoner Ballee Dombernee, aged 40 years, a prostitute, resident of Davelapoor, before the mamletdar, to the purport, that about four years ago Yellanah Hoon-sheeghatty was going to sell his daughter Bussee, about eight years of age; she paid 25 Shapooree rupees through Roodrapa Kagay and Chennapah Budkannavur for the girl, upon which Yellanah got a "kurreed puttra," or bill of sale, drawn out by Hannapah Coolkurnee, and after it was attested by 11 persons, gave it to her; that the "kurreed puttra" she has now laid before the court* is the very same one; that at the persuasion of Buddle, Bussee deserted

* Mamletdar.

deserted her, which she brought to the notice of the village officers; Yellanah then promised to bring her (Bussee) back. Confirmed before the magistrate in a separate examination, that the money was paid to Yellanah through Chennapah, Roodrapa and Bussanah, but she does not know how much of it was paid to him (Yellanah) by them; recorded, No. 4. D.

E. I. Company and
Board of Control.
(Documents.)

Read statement of prisoner Chennapah bin Hunniah, aged 45 years, caste lingayet, cultivator of Davelapoor, before the mamletdar, to the purport, that about four years ago Yellanah and his uncle Bussanah was about selling Bussee the daughter of the former, about eight years of age. Ballee Dombernee, wishing to make the purchase, gave into his hands 25 shapooree rupees, which he gave to Roodrapa, who delivered it to Bussanah, upon which Yellanah got a "kurreed puttra" drawn out by Hunnapah, coolkurnee, which he himself attested and gave it to Ballee; that Ballee gave Hunnapah one rupee for drawing out the "kurreed puttra," or bill of sale; Yellanah says, that he only received 14 shapooree rupees, but the full 25 rupees was paid to him. Confirmed in a separate examination before the magistrate and recorded, No. 5. E.

Read statement of prisoner Roodrapa Kagay bin Veerapah, aged 50 years, caste lingayet, cultivator of Davelapoor, before the mamletdar, to the purport (as above prisoner), but that the amount of the sale, rupees 25, was paid to Bussanah through Chennapah, and that Ballee paid Hunnapah, coolkurnee, one rupee for his trouble in writing out the bill of sale, which he himself attested. Confirmed in a separate examination before the magistrate, that at the time of drawing out the "kurreed puttra," Ballee Timmapah and Hunnapah were present; recorded, No. 6. F.

Read the statement of prisoner Hunnapah bin Munnapah, aged 28 years, Brahmin coolkurnee of Davelapoor, before the mamletdar, to the purport, that about four years ago Yellanah and his uncle, Bassanah, sold the former's daughter, about eight years of age, for 14 shapooree rupees, to Ballee Dombernee; that Ballee requested of him, after paying the money to Bussanah, to draw out a "kurreed puttra," which he did, to which Yellanah signed his name and got witnesses to attest it and gave it to Ballee; that Ballee gave him one rupee for his trouble, of which he gave half to Timmapah, coolkurnee; he was ignorant of the regulations being against slave-selling, consequently did not report it to the sirkar. Confirmed before the magistrate and recorded, No. 7. G.

Read statement of prisoner Timmapah bin Kulsapah, aged 32 years, Brahmin coolkurnee of Davelapoor, before the mamletdar, to the purport (as above prisoner), but that he was desired by the mamletdar to read over the "kurreed puttra" to him, which he obeyed, and afterwards left it in his (the mamletdar's) dufter, and that he did not take it away; was ignorant of the regulations being against slave-selling, consequently did not bring it to the notice of the sirkar. Confirmed before the magistrate and recorded, No. 8. H.

Read statements of Venkuttapah bin Yellapah, Goorseddapah bin Yellapah, Bussling Naik bin Rayanaik and Somana bin Yellanah of Davelapoor, before the mamletdar, to the purport, that about four years ago (the month and the date they do not exactly recollect) they were sitting at the chowdry where Ballee Dombernee came and asked them to be witnesses to the purchase she had made from Yellanah of his daughter, Bussee; they accordingly signed their names to the "kurreed puttra." Confirmed before the magistrate and recorded, Nos. 9, 10, 11 & 12, I. J. K. & L.

Committal recorded, No. 13. M.

The whole of the prisoners were then informed that they were committed to take their trial before the session judge of Dharwar, upon the charge set forth against their names, under section 31, Regulation XIV. of 1827. On being questioned if they had any evidence to adduce, answered in the negative.

(signed) T. H. Baber, Magistrate.

From J. B. Simson, Esq., Session Judge, Dharwar, to T. H. Baber, Esq., Magistrate,
Dharwar.—(18 June 1835.)

Sir,

I HAVE the honour to advise you, in conformity to the circular of the Sudder Foujdaree Adawlut, dated the 22d September 1831, that the result of the 10 prisoners committed by you on the 13th of this month, connected with the sale of a child in Davelapoor Talooka Sumpgam, is detailed in the annexed extract of the session court; and I beg to solicit your attention to the apparent necessity of the illegality of such proceedings being made as generally known as possible.

No. 52.

(signed) J. B. Simson, Session Judge.

Dharwar Session Court of Adawlut,
18 June 1835.

An Extract from the Proceedings of the Session Judge of the Zillah of Dharwar.—
(18 June 1835.)

PROCEEDED to judgment. The prisoners are all found guilty upon their pleas, their confession recorded, and their subsequent admissions, that part of the charge against Chennapah and

No. 53.

E. I. Company and Board of Control. (Documents.) and Roodrapa, which goes to show that they retained part of the purchase-money paid by Ballee, for the girl purchased of Yellanah, not being proved.

The session court observes that the sale of the child occurred very nearly four years ago; it is understood that, during the late government and previously, it was most common to dispose of children in this manner; it is not in evidence, nor is the court aware that any proclamation prohibiting the practice has ever issued from the magisterial department, and all the prisoners plead ignorance of the regulation which had been in force in the southern Mahratta country, scarcely more than a year when the sale took place. That the parties were ignorant of the enactment, may also be fairly inferred from the open manner in which the deed of sale was registered by the village coolkurnee, and attested by four witnesses. To punish severely the father of the child, Yellanah, would only add to his probable disinclination to take her back; but as he has received 14 rupees for an illegal transaction, the court directs him to pay that sum as a fine, or to be imprisoned three months; he will also give security to take proper care of his child, Bussee, who is ordered to be given into his charge.

Ballee having paid, as she says, rupees 25 for the child, and having supported her for nearly four years without any return for this outlay, is discharged with a caution that the purchase was illegal, and that any subsequent similar offence will bring her to condign punishment; it is recommended to the magistrate to take security from her.

Although Chennapah and Roodrapa deny retaining any portion of the money, as they admit receiving 25 rupees, and as the deed of sale states the price paid to be only 14 shapooree rupees, it is pretty evident morally that they retained the difference; hence the court fines each 11 rupees; failing to pay, each will remain one month in gaol, and have hard labour.

Hunnapah and Timmapah, being coolkurnees, have not the same excuse for ignorance of regulations that the poorer ryots may have; it was their duty to know that the sale of children was illegal; each is accordingly fined 10 rupees; failing to pay, each will remain one month in confinement.

The four other prisoners do not appear to have had any interest in the transaction, their connexion with it being confined to the deed of sale; they are accordingly discharged with a warning.

Copies of the court's minutes to be sent to the zillah magistrate, with a suggestion, that the illegality of the sale of children be made generally known by proclamation, or other mode as may seem to him most expedient.

(signed) J. B. Simson, Session Judge.

Circular Order issued to all the Mamletdars, dated 15 July 1835, Fuslee.

No. 54.

A custom prevails of people trafficking in bandeos or slaves; would it not be better to take measures to put a stop to such a practice in future? Write whatever occurs to you as the most effectual bundobust (mode of prevention), and also inquire of those most intelligent what they think, and let me have their statements in writing.

2. The sirkar will certainly pass some laws against this practice which it will be necessary to follow; if there are any particular objections to this mode, point out any other, that the same may be made known to the sirkar.

3. Bringarees and Lumbanees are in the habit of travelling all about the country, and, during the sojourn of their thandas near villages, kidnap children, and commit other robberies, against which it is very essential that immediate bundobusts be made. Do you therefore inquire and report on the best way to prevent children being thus taken away.

(signed) T. H. Baber, Principal Collector.

No. 1,424.

From Mr. Chief Secretary *Norris* to the Judges of the Sudder Adawlut.—(6 July 1835.)

Gentlemen,

No. 55.

I AM directed by the Right honourable the Governor in Council to forward, for your opinion, copy of a letter, dated the 24th ultimo, from the magistrate of Dharwar, and of its enclosures, relative to seven little girls discovered in the houses of three prostitutes of Belgaum, whose account of the manner in which they came by them is not deemed satisfactory.

The Right honourable the Governor in Council directs me to call your attention to the doctrine inculcated in the session judge's proceedings of the 18th ultimo, wherein a want of knowledge of the laws in a convicted party is considered to free him in a measure from the penalties prescribed for an offence.

(signed) C. Norris, Chief Secretary.

Bombay Castle, 6 July 1835.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 5 August 1835.

From *P. W. Le Geyt*, Esq., Register to the Sudder Adawlut, to Mr. Chief Secretary *Norris*.—
(23 July 1835.)

Sir,

I AM directed by the judges of the Sudder Adawlut to acknowledge your letter, No. 1,424 of 1835, dated 6th instant, forwarding, for the opinion of the court, the copy of a letter from the magistrate of Dharwar, dated 24th ultimo, relative to the seven little girls discovered in the houses of three prostitutes at Belgaum.

No. 7.

2. In reply I am instructed to state, for the information of the Right honourable the Governor in Council, that the judges are of opinion that it rests with the magistrate to decide whether, under the regulations, he considers the children entitled to their freedom, and that he should enter into such proof as may be necessary to establish that fact; and after this has been done, the judges think the course recommended is unobjectionable.

3. I am further instructed to state that the remarks on the 2d paragraph of your letter have been brought to the notice of the session judge of Dharwar.

(signed) *P. W. Le Geyt*, Register.

Bombay Sudder Adawlut, 23 July 1835.

No. 1,595 of 1835.

From Mr. Chief Secretary *Norris* to the Magistrate of Dharwar.—(30 July 1835.)

Sir,

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your letter of the 24th of last month, requesting the orders of government respecting seven young girls who have been discovered in the houses of three professed prostitutes in Belgaum, and soliciting instructions as to taking them away from their keepers.

No. 8.

In reply I am instructed to state, that it rests with you to decide whether, under the regulations, you consider the children entitled to their freedom, and that you should enter into such proof as may be necessary to establish that fact; and that after this has been done, government thinks the course recommended by you is unobjectionable.

(signed) *Charles Norris*, Chief Secretary.

Bombay Castle, 30 July 1835.

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 26 August 1835.

From *P. W. Le Geyt*, Esq., Register to the Court of Sudder Foujdaree Adawlut, Bombay, to Mr. Chief Secretary *Norris*.—(15 August 1835.)

Sir,

WITH reference to the 3d paragraph of my letter dated 23d ultimo, I am directed by the judges of the Sudder Foujdaree Adawlut, to forward, for the purpose of being laid before the Right honourable the Governor in Council, the accompanying copy of a letter from the session judge of Dharwar, together with an extract of his proceedings on the trial of Yellapa bin Kinchappa, and nine others, charged as principals and accessories in the sale of a child at Davelapoor in the zillah of Dharwar.

No. 47.

Bombay Sudder Foujdaree Adawlut, (signed) *P. W. Le Geyt*, Register.
15 August 1835.

From *J. B. Simson*, Esq., Session Judge, Dharwar, to *P. W. Le Geyt*, Esq., Register to the Court of Sudder Foujdaree Adawlut, Bombay.—(31 July 1835.)

Sir,

I HAVE the honour to request you will be pleased to submit to the judges of the Sudder Foujdaree Adawlut, the accompanying extract of the session court's minutes, on the trial of certain persons charged as principals and accessories in the sale of a child, my object being to put them in possession of the real principles upon which I passed lenient sentences, and that the Right honourable the Governor in Council may be aware that ignorance of the laws did not alone operate in their favour, as might be presumed from the tenor of your letter to me of the 23d instant.

Dharwar Session Court of Adawlut, (signed) *J. B. Simson*, Session Judge.
31 July 1835.

E. I. Company and
Board of Control.
(Documenta.)

An Extract from the Proceedings of the Session Judge of the Zillah of Dharwar.—
(18 June 1835.)

* Reg. XIV. of
1827, sec. 31.

PROCEEDED to judgment. The prisoners are all found * guilty upon their pleas, their confessions recorded, and their subsequent admissions, that part of the charge against Chennapah and Roodrapa, which goes to show that they retained part of the purchase-money paid by Ballee, for the girl purchased of Yellanah, not being proved.

The session court observes, that the sale of the child occurred very nearly four years ago; it is understood that, during the late government and previously, it was most common to dispose of children in this manner; it is not in evidence, nor is the court aware, that any proclamation prohibiting the practice has ever issued from the magisterial department, and all the prisoners plead ignorance of the regulation which had been in force in the southern Mahratta country, scarcely more than a year when the sale took place. That the parties were ignorant of the enactment may also be fairly inferred, from the open manner in which the deed of sale was registered by the village coolkurnees, and attested by four witnesses. To punish severely Yellanah, the father of the child, would only add to his probable disinclination to take her back; but as he has received 14 rupees for an illegal transaction, the court directs him to pay that sum as a fine, or to be imprisoned three months; he will also give security to take proper care of his child, Bussee, who is ordered to be given into his charge.

Ballee having paid, as she says, rupees 25 for the child, and having supported her for nearly four years without any return for this outlay, is discharged with a caution that the purchase was illegal, and that any subsequent similar offence will bring her to condign punishment; it is recommended to the magistrate to take security from her.

Although Chennapah and Roodrapa deny retaining any portion of the money, as they admit receiving 25 rupees, and as the deed of sale states the price paid to be only 14 shapoorree rupees, it is pretty evident morally that they retained the difference; hence the court fines each 11 rupees; failing to pay, each will remain one month in gaol, and have hard labour.

Hunnarah and Timmapah, being coolkurnees, have not the same excuse for ignorance of regulations that the poorer ryots may have; it was their duty to know that the sale of children was illegal; each is accordingly fined 10 rupees; failing to pay, each will remain one month in confinement.

The four other prisoners do not appear to have had any interest in the transaction, and their connexion with it being confined to their attesting the deed of sale, they are accordingly discharged with a warning.

Copies of the court's minutes to be sent to the zillah magistrate, with a suggestion, that the illegality of the sale of children be made generally known by proclamation, or other mode, as may seem to him most expedient.

(A true extract.)

(signed) J. B. Simson, Session Judge.

No. 1,807.

From Mr. Chief Secretary *Norris* to the Judges of the Sudder Foujdaree Adawlut.—
(25 August 1835.)

Gentlemen,

No. 48.

I AM directed by the Right honourable the Governor in Council to acknowledge the receipt of your register's letter of the 15th instant, forwarding copy of one from the judge of Dharwar, together with an extract of his proceedings on the trial of Yellapa bin Kinchappa, and nine others, charged as principals and accessories in the sale of a child at Davelapoor in the zillah of Dharwar, and to signify to you, that the above extract from the proceedings of the session judge was before government, when the attention of the court was called to the point now referred to, and in the proceedings sent to the court with Mr. Baber's letter of the 24th June last, it formed an enclosure. Mr. Baber's letter further exhibited the result of the leniency shown on that occasion, while it appeared, that in 1826 he took measures to put a stop to this traffic, by his circular to the local officers of police.

In calling your attention to the subject, government did so, in the expectation that you would correct the session judge in regard to the erroneous principle on which he had acted, should it seem fit under these circumstances. The Governor in Council still requests that you will take the matter into your consideration, and issue such instructions to the session judge, as well as to the magistrate, as will do away with the unfortunate opinion entertained by the latter in such important cases.

I am further directed to request you to favour government with copies of any orders which you may issue on the case in point.

(signed) C. Norris, Chief Secretary.

Bombay Castle, 25 August 1835.

EXTRACT

EXTRACT BOMBAY JUDICIAL CONSULTATIONS, 23 September 1835.

From *P. W. Le Geyt*, Esq., Register to the Sudder Adawlut, to Mr. Chief Secretary *Norris*.
—(12 September 1835.)

Sir,

I AM directed by the judges of the Sudder Foujdaree Adawlut to acknowledge the receipt of your letter, No. 1,807, of the 25th ultimo, regarding the trial of Yellapa bin Kinchappa, and nine others, charged as principals and accessories in the sale of a child at Davelapoor, in the zillah of Dharwar, and requesting the court would take the matter into consideration, and issue such instructions to the session judge, as well as to the magistrate, as will do away with the unfortunate opinion entertained by the latter on such important cases, and directing that copies of any orders the court may issue in the case be forwarded to government.

No. 35.

2. I am instructed to forward to you, for the purpose of being laid before the Right honourable the Governor in Council, the annexed copy of a letter addressed to the session judge of Dharwar, on the 23d July last, expressing the court's sentiments on his proceedings in the case in question, and with a letter issued under this date to the magistrate of the zillah, requesting him to give every publicity to the laws against slavery.

3. I am further instructed to state, for the information of government, that Mr. Greenhill has recorded his sentiments separately on this subject, and a copy of his minute is herewith subjoined.

Bombay Sudder Foujdaree Adawlut,
12 Sept. 1835.

I have, &c.
(signed) *P. W. Le Geyt*, Register.

No. 722 of 1835.

From *P. W. Le Geyt*, Esq., Register, to the Session Judge of Dharwar.—(23 July 1835.)

Sir,

A PORTION of a case which was tried by you on the 18th of June 1835, in which some prostitutes were convicted of purchasing and having in their possession certain female children as slaves, having been referred to the court of Sudder Foujdaree Adawlut, by the Right honourable the Governor in Council, in consequence of the doctrine held by you, that the want of knowledge of the law in a convicted party frees him, in a measure, from the penalties prescribed for the offence, being disapproved of, and as ignorance of the law cannot be admitted by the court to be such an extenuation as to warrant the non-infliction of punishment, to an extent necessary to assist materially in checking a repetition of the offence, I am directed to observe, that should any similar plea be made before you, the court trusts it will not influence you in any punishment you may adjudge, which should be in conformity with the regulation, of which none can be supposed to be in total ignorance.

No. 36.

Bombay Sudder Foujdaree Adawlut,
23 July 1835.

I have, &c.
(signed) *P. W. Le Geyt*, Register.

Minute by Mr. *Greenhill*.

It appears to me that the judge is not unaware of the principle everywhere acknowledged, that ignorance is not a justification of a breach of the laws; and when the subject was last before the court, by desire of the Right honourable the Governor in Council, I recorded my opinion, to the effect that there was a peculiarity in this instance, and that, in the circumstance attending the case, the ignorance of the people was admissible, as an extenuating plea; and it was under the impression that Mr. Simson's proceedings were influenced by similar considerations, that I was unwilling to attribute ignorance of the maxim to the judge.

The selling of children, however revolting to us, was a common practice, and an authorized one in Dharwar, not only before the establishment of the British government, but thereafter. I say, authorized, because it appears to have been done openly, and with the knowledge and sanction of the officers of government; and I look upon the proclamation referred to by Mr. Baber, of the 15th of July 1826, as a direct recognition of it. That proclamation disapproves of it, but it does not make it criminal, nor does it prohibit it. It informs the people that government will certainly pass some laws against the practice; and hence it appears to me, that when a government, by a law, makes criminal what was not known or felt to be a crime before, and which, moreover, was recognized as legal by the magistrate, it is incumbent on government to acquaint the people that such act would henceforth be punishable.

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E. I. Company and
Board of Control.
(Documents.)

As to the law in point, it appears that no proclamation was issued. It does not appear that the regulation regarding slavery was distributed to the village officers. I doubt much if a translation in the native language existed at the time the offence took place, and I do not find that the people generally had, by any means, been informed that the sale of children was, for the first time, made a crime; and if nothing more than what is defined to be promulgation, which is the day of receipt of the (English) regulation at the Sudder station, has been done to inform the people in such a peculiar case, I cannot but agree with the judge, that their ignorance is a ground of great extenuation. I think the magistrate should be requested to say whether the law is now extensively known, and what means he may have taken to promulgate it.

Having been led, under the circumstances of the case, to withhold my concurrence in the censure passed by the court on the judge, I beg that this explanation of my sentiments, in exoneration of Mr. Simpson, may accompany any letter my colleagues may address to the Right honourable the Governor in Council on the subject.

(signed) *D. Greenhill.*

No. 875 of 1835.

From *P. W. Le Geyt*, Esq., Register, to the Magistrate of Dharwar.—(12 Sept. 1835.)

Sir,

No. 37.

A QUESTION having been lately before the Sudder Foujdaree Adawlut, respecting the administration of the laws against slavery in the Dharwar zillah, and the principle adopted by the session judge, that ignorance of the regulations might be successfully pleaded in extenuation of the crime, having been overruled by the court, I am directed by the judges of the Sudder Foujdaree Adawlut to request you will give every publicity in your power to the regulation against the practice of buying and selling children, in order that the people may be generally informed that such a practice will undoubtedly entail a severe punishment.

Bombay Sudder Foujdaree Adawlut,
12 Sept. 1835.

I have, &c.
(signed) *P. W. Le Geyt*, Register.

(True extracts.)

East India House, 13 Aug. 1838.

(signed) *T. L. Peacock*,
Examiner of India Correspondence.

SLAVERY IN CEYLON.

C O P I E S O R E X T R A C T S

OF ALL

C O M M U N I C A T I O N S

R E L A T I N G T O

T H E S U B J E C T O F S L A V E R Y I N T H E I S L A N D O F C E Y L O N ,

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T H E M E A S U R E S T H E R E T A K E N F O R I T S A B O L I T I O N .

Colonial Office, Downing-street, }
16 May 1838.

G. GREY.

SCHEDULE.

- No. 1.—Extract of a Despatch from Lieutenant-general Sir R. Brownrigg, G. C. B., to Earl Bathurst, K. G., dated King's House, Colombo, 16 Sept. 1816; (twelve Enclosures) - - p. 561
- No. 2.—Extract of a Despatch from Earl Bathurst, K. G., to Lieutenant-general Sir R. Brownrigg, G. C. B., dated Downing-street, 20 June 1817 - - - - - p. 568
- No. 3.—Copy of a Despatch from Lieutenant-general Sir R. Brownrigg, G. C. B., to Earl Bathurst, K. G., dated Kandy, 17 August 1818; (three Enclosures) - - - - - p. 569
- No. 4.—Extract of a Despatch from Major-general Sir E. Barnes, C. B., to Earl Bathurst, K. G., dated King's House, Colombo, 10 May 1821; (two Enclosures) - - - - - p. 591
- No. 5.—Copy of a Despatch from Earl Bathurst, K. G., to Lieutenant-general Sir E. Paget, dated Downing-street, 15 November 1821 - - - - - p. 597
- No. 6.—Extract from a Report of Lieutenant-colonel Colebrooke, one of his Majesty's Commissioners of Inquiry, upon the Administration of the Government of Ceylon, dated 24 December 1831 - - - - - p. 597
- No. 7.—Extract of a Despatch from Lord Glenelg to the Right honourable J. Stewart Mackenzie, dated Downing-street, 2 October 1837 - - - - - p. 598
- No. 8.—Extract of a Despatch from Sir R. W. Horton, Bart., to Lord Glenelg, dated King's House, Colombo, 3 October 1837; (four Enclosures) - - - - - p. 599
- No. 9.—Extract of a Despatch from Lord Glenelg to the Right honourable J. Stewart Mackenzie, dated Downing-street, 4 April 1838 - - - - - p. 612
- No. 10.—Copy of a Letter from Sir Alexander Johnston to Mr. Secretary Spring Rice, dated Cumberland-place, 7 August 1834 - - - - - p. 613
- No. 11.—Copy of a Letter from Mr. Secretary Spring Rice to Sir Alexander Johnston, dated Downing-street, 16 September 1834 - - - - - p. 615
-

SLAVERY IN CEYLON.

COPIES or EXTRACTS of all COMMUNICATIONS relating to the subject of SLAVERY in the Island of *Ceylon*, and to the Measures there taken for its Abolition.

— No. 1. —

(No. 160.)

EXTRACT of a DESPATCH from Lieutenant-general Sir *R. Brownrigg*, G.C.B., to Earl *Bathurst*, K.G., dated King's House, Colombo, 16 September 1816.

I do myself the honour to lay before your Lordship a series of papers concerning a plan which is in great forwardness for obtaining from the inhabitants of this colony a voluntary surrender of their titles to slave-children born after the birth-day of his Royal Highness the Prince Regent, in the present year.

The immediate sacrifice appears trifling on the part of the proprietors; but the result of the measure, if it can be made general, will eventually be the positive abolition of slavery in the island. My minute of the 30th August last will lay before your Lordship the latest proceeding hitherto taken in the business. The domestic and field slaves of the province of Jaffnapatam, classed under the denomination of Covias, Nalluas and Pallas, have long been the subject of considerable difficulties to government. I rather apprehend that the present plan will meet with greater impediments in that quarter than in any other; and I propose to aid its operation by some legislative enactments. My ideas on the subject are not sufficiently matured to be laid before your Lordship in the shape of a regulation; but one step, I think, will be to enforce the operation of General Maitland's registry, by which a particular period was fixed for registering all slaves of the above description, on the penalty of forfeiting the title to those which should not be so registered.

The first regulation gave four months for the registration to take place. It expired, however, without producing any very general effect; and 17 months afterwards it was thought necessary to suspend the penalty of forfeiture, and to enlarge the term from that time for six months longer, which finally expired on the 27th of November 1808.

Any questions which may exist as to the competency of the last-mentioned regulation are not matter for the review of the local government; nor would it perhaps be politically advisable to agitate the point at present; but it appears to deserve your Lordship's consideration. Even the extinction of title, attaching after a lapse of the enlarged period, as the cases were numerous in which no registration had taken place, was thought too much to be enforced. Government hesitated, and the courts have been in doubt; but it appears to me that this is the moment to take a decisive resolution on the point, to transfer the registers to the provincial court, and peremptorily to annul all titles not legalized by entries in those records.

This is one of the enactments which I have stated to your Lordship to have in view.

Another which I apprehend will go far to reform the abuses existing in this species of property, and greatly diminish the inducements for retaining servants of the descriptions alluded to, is the abolition of joint tenure in slaves; at present the Covias, Nalluas and Pallas, whose ancestors originally belonged to some one person or family, have by the necessary consequence of a long series of descents become the property of many owners. The number of such claimants to the services of one slave, and the practical privileges to which their titles are occasionally reduced, has something in it that is nearly ridiculous; but it seriously affects the police and good order of that extensive and valuable province.

These classes form altogether so numerous a body that they may either materially promote the pursuits of industry and the consequent prosperity of the district, or interrupt its peace and endanger the property of the inhabitants, according as they are placed under a good system of regulation, or the contrary.

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No. 1.
Lieut.-gen. Sir
R. Brownrigg to
Earl *Bathurst*,
16 Sept. 1816.

Regulation No. 13,
of 1806, dated
14 August 1806.

Regulation No. 3,
of 1808, dated
27 May 1808.

Of

Slavery Abolition.

CEYLON.

Of these alternatives, that which exists is obvious. A power of proprietorship, which stands between the slaves and government, yet is not sufficiently close to provide maintenance or secure control, must, as in fact it does, frustrate every benefit which might be derived from this part of the population, and realize every inconvenience which such a body (incapable of responsibility themselves, and having none to answer for them) might be expected to produce.

To abolish these subdivided titles, therefore, will be the other branch of my intended regulation, which I hope shortly to have the honour of submitting to your Lordship, with all further particulars.

Enclosure 1, in No. 1.

Encl. 1, in No. 1. A MEETING was held on Sunday the 14th instant, in the Jury-room at Hultsderp, of the Dutch Gentlemen who belong to the Special Jury in the Province of Colombo, to take into consideration the subject of the following Letter, which the Honourable the Chief Justice had written to them on the 10th instant :—

To the Dutch Gentlemen at Colombo belonging to the Special Jury.

Gentlemen,

Colombo, 10 July 1816.

THE able assistance which I so often derive from you in the execution of my office renders it my duty to communicate to you any information which may be interesting to your feelings; I therefore have the honour to send for your perusal the 8th and 9th reports of the African Institution, which I have lately received from England.

The liberality which you have always displayed in your sentiments as jurymen make me certain that you will be highly gratified at the success which has attended the proceedings of that benevolent institution.

Many of you are aware of the measure I proposed in 1806 to the principal proprietors of slaves on this island, and of the reason for which its adoption was at that time postponed. Allow me to avail myself of the present opportunity to suggest to you, that should those proprietors, in consequence of the change which has since taken place in the circumstances of this island, now think such a measure advisable, they will, by carrying it into effect, set a bright example to their countrymen, and show themselves worthy of being ranked amongst the benefactors of the human race.

I have, &c.

(signed) *Alexander Johnston*

The above letter having been read, all the gentlemen present unanimously resolved to consider as born free every child who may be born of any of their slaves from and after the 12th of August next, and that a committee of 13 should be immediately appointed to prepare the necessary resolutions for carrying this benevolent intention into effect, and also that the following answer should be sent to the Honourable the Chief Justice :—

May it please your Lordship,

Colombo, 14 July 1816.

WE, the undersigned, respectfully beg leave to acknowledge the receipt of your Lordship's very kind and condescending letter of the 10th instant, accompanied with the 8th and 9th reports of the African Institution, the perusal of which we did not delay, in consequence of the honourable distinction which your Lordship has shown in addressing us on so important a subject, with the laudable and humane view of directing our attention to the measure which your Lordship has heretofore proposed in the year 1806.

We sincerely beg leave to assure your Lordship, that the proposal conveyed by your Lordship's letter is gratifying to our feelings, and it is our earnest desire, if possible, to disencumber ourselves of that unnatural character of being proprietors of human beings; but we feel regret in adding, that the circumstance of every individual of us does not allow a sudden and total abolition of slavery without subjecting both the proprietors and the slaves themselves to material and serious injuries.

We take the liberty to add, that the slaves of the Dutch inhabitants are generally emancipated at their death, as will appear to your Lordship on reference to their wills deposited in the records of the supreme court, and we are confident that those who are still in a state of slavery have likewise the same chance of obtaining their freedom.

We have, therefore, in following the magnanimous example of those alluded to in the afore-mentioned reports of the African Institution, come to a resolution, as our voluntary act, to declare that all children who may be born of slaves from and after the 12th of August 1816 inclusive, shall be considered free, and under such provisions and conditions as contained in a resolution which we shall agree upon, and which we shall have the honour of submitting to your Lordship for the extinction of a traffic avowedly repugnant to every moral and religious virtue.

We have, &c.

(signed) By the Special Jury.

The Honourable Sir Alexander Johnston, Knt.,
Chief Justice of the Supreme Court of Judicature,
in the Island of Ceylon, &c. &c. &c.

The

The committee, having drawn up the necessary resolutions, forwarded them on the 19th to the Honourable the Chief Justice, with request to his Lordship to submit them to his Excellency the Governor for his Excellency's consideration, and the Honourable the Chief Justice wrote the following answer:—

Gentlemen,

Colombo, 21 July 1816.

I HAVE had the honour to receive the resolutions which you have sent me by Mr. Kriekenbeek and by Mr. Prins, and shall with pleasure present them, as you desire me, to his Excellency the Governor.

I beg leave to offer you my warmest congratulations on this interesting occasion; the measure which you have unanimously adopted does the highest honour to your feelings; it must inevitably produce a great and a most favourable change in the moral habits and sentiments of many different classes of society in this island; and generations yet unborn will hereafter reflect with gratitude upon the names of those persons to whose humanity they will owe the numerous blessings which attend a state of freedom.

I return you my sincere thanks for the honour you have done me by making me the channel through which your benevolent intention is to be communicated to his Excellency the Governor. As an Englishman, I am bound to feel proud in having my name associated with any measure which secures the sacred right of liberty to a number of my fellow-creatures.

have, &c.

(signed) *Alexander Johnston.*

As soon as the determination which the Dutch gentlemen of the special jury had come to was known, all the native jurors at Colombo immediately resolved to come to a similar determination, and wrote letters to the Honourable the Chief Justice, informing his Lordship that they unánimously concurred in opinion with the gentlemen of the Dutch special jury, to which letters the Honourable the Chief Justice wrote the following answer:—

Gentlemen,

Colombo, 22 July 1816.

I HAVE had the honour to receive the resolutions which you have respectively passed, declaring your unanimous acquiescence in the measure which has lately been adopted by the Dutch special jurymen.

I take the liberty to enclose you, as the best way of conveying to you the sentiments which I entertain upon the subject, a copy of a letter which I have written to those gentlemen.

Allow me to add, that I am fully aware of the anxiety which the jurymen of all castes have shown to emulate the example set them by the Dutch special jurymen, and that it will be gratifying to the friends of humanity to know, that whatever difference of religion or whatever difference of caste may prevail among the persons who are enrolled on the list of jurymen for this place, no difference of opinion has for a moment prevailed among them as to the propriety and justice of the measure in question.

I have, &c.

(signed) *Alexander Johnston.*

Enclosure 2, in No. 1.

May it please your Lordship,

Colombo, 20 July 1816.

WE, the undersigned jurors of the class of Mahomedans, having understood that in consequence of a recent suggestion from your Lordship to the Dutch gentlemen composing the special jury in bringing to their notice certain measures proposed by your Lordship in 1806, to the principal proprietors of slaves, they have now, as we learn, unanimously resolved to carry into execution that benevolent and humane object, in declaring that all children born of slaves from and after the 12th of August next ensuing shall be considered free; we being likewise proprietors of slaves, and desirous of extending our voluntary aid towards the eventual extinction of slavery on this island, embrace this opportunity of submitting to your Lordship, with much gratification and feeling, our ready and unanimous assent and submission to the resolutions taken by the said Dutch special jury.

We beg leave to subscribe ourselves with the most profound respect and submission,

May it please your Lordship, &c.

(signed) By Sixty-three Malabar persons.

The Honourable Sir Alexander Johnston, Knt.
Chief Justice, &c. &c. &c.

Enclosure 3, in No. 1.

May it please your Lordship,

Colombo, 22 July 1816.

IN considering the reference made by your Lordship with respect to effect certain measures proposed by your Lordship to the principal proprietors of slaves, we, the undersigned Cingalese jurors, being desirous to grant our aid for the eventual extinction of slavery, most willingly coincide in that benevolent, laudable and humane act of declaring all children born of

Slavery Abolition. of slaves from and after the 12th August next ensuing shall be considered free, under the
 CEYLON. same provisions and conditions as have been proposed and unanimously agreed upon by the
 Dutch special jurors on the 15th July 1816.

We have the honour to remain, with profound respect,

May it please your Lordship, &c.

(signed)	<i>A. D. Saram.</i>	<i>D. J. Dias.</i>
	<i>Dⁿ A. D. Alwas.</i>	<i>D. B. D. Silba.</i>
	<i>J. L. Perera.</i>	<i>J. J. Pieris.</i>
	<i>J. G. Phillipsz.</i>	<i>J. P. Perera.</i>
	<i>C. D. Saram.</i>	<i>D. S. D. Livera.</i>
	<i>D. P. Samerkoon.</i>	<i>D. H. Dassenayke.</i>
	<i>D. C. D. Livera.</i>	

The Honourable Sir Alexander Johnston, Knt.
 Chief Justice, &c. &c. &c.

Enclosure 4, in No. 1.

May it please your Lordship,

Colombo, 20 July 1816.

Encl. 4, in No. 1.

It having come to our knowledge that the Dutch gentlemen composing the special jury have agreed to certain resolutions in reference to a proposal made by your Lordship originally in 1806, and recently repeated, for the amelioration and eventual abolition of slavery, to their notice, and to that of the several proprietors of slaves on this island,—

We, the undersigned jurors of the class of Chitties, cannot but with feelings of the most lively emotion most readily and willingly assert our unqualified assent to the adoption, on our part, *in toto*, of the resolutions alluded to, which declare, amongst other minor points, that all children born of slaves from and after the 12th of August next ensuing shall be considered free, sensible that, by such a procedure, we not only tend to alleviate the misfortunes of a portion of our unhappy fellow-creatures, and their future offsprings, from a deprecated condition, but that we thereby discharge a most important duty as Christians, and evince, at the same time, a due sense of the precepts of the holy religion we profess, and which we have only to regret could not ere this be accomplished.

In conveying these sincere and unfeigned impressions of our hearts to your Lordship, we beg leave to assure, in subscribing ourselves with the utmost respect and deference,

May it please your Lordship, &c.

(signed)	<i>A^m Rodrigo, Modlr.</i>	<i>S. Rodrigo.</i>
	<i>S. D. Milho.</i>	With Malabar characters.
	<i>W. Mardappa.</i>	<i>C. Casechitty.</i>
	With Malabar characters.	With Malabar characters.
	<i>P. P. Asserappa.</i>	<i>J. Gomes.</i>
	<i>J. Tambiannen.</i>	

The Honourable Sir Alexander Johnston, Knt.
 Chief Justice, &c. &c. &c.

Enclosure 5, in No. 1.

May it please your Lordship,

Colombo, 18 July 1816.

Encl. 5, in No. 1.

UNDERSTANDING that in consequence of a very recent suggestion made by your Lordship to the Dutch gentlemen composing the special jury, to endeavour to carry into effect certain measures proposed by your Lordship in 1806, to the principal proprietors of slaves, they have now, as we learn, unanimously resolved to declare that all children born of slaves from and after the 12th of August next ensuing shall be considered free, we, the undersigned jurors of the first, second and third classes of the Mahabadde, being likewise proprietors of slaves, and desirous of extending our voluntary aid and support towards the eventual extinction of slavery in this island, embrace this opportunity of submitting to your Lordship, with much cheerfulness and humility, our ready unanimous assent and submission to the humane and laudable resolutions adopted by the said Dutch special jury in declaring that all children born of slaves from and after the 12th of August next ensuing shall be considered free, under similar conditions and provisions as have been proposed and unanimously resolved upon by the said respectable Dutch special jury.

We have the honour to remain, with the most profound respect,

May it please your Lordship, &c.

(signed) By Twenty-seven Cingalese persons.

The Honourable Sir Alexander Johnston, Knt.
 Chief Justice, &c. &c. &c.

Enclosure

Enclosure 6, in No. 1.

CEYLON.

Encl. 6, in No. 1.

May it please your Lordship,

Colombo, 19 July 1816.

WE, the undersigned fishermen, jurors, having been given to understand that in consequence of a suggestion made by your Lordship to the Dutch gentlemen composing the special jury, to endeavour to carry into effect certain measures proposed by your Lordship in 1806 to the principal proprietors of slaves, they have now, as we learn, unanimously resolved to declare that all children born of slaves from and after the 12th of August next ensuing free.

We, being likewise proprietors of slaves, and desirous of extending our voluntary aid and support of such laudable and philanthropical views as may tend towards the eventual extinction of slavery on this island, without exposing ourselves to such inconvenience as we might otherwise unavoidably suffer in case of a sudden and total abolition of slavery, embrace this opportunity of submitting to your Lordship, with much inward satisfaction and humility, our ready and unanimous assent and submission to the humane and charitable resolutions adopted by the Dutch special jury, in declaring that all children born of slaves from and after the 12th of August next ensuing shall be considered free, and subject to similar conditions and provisions as have been proposed and unanimously resolved upon by the said respectable Dutch special jury.

We beg leave to subscribe ourselves, with the most profound respect,

May it please your Lordship, &c.

(signed)

By Twenty-two Cingalese persons.

The Honourable Sir Alexander Johnston, Knt.

Chief Justice, &c. &c. &c.

Enclosure 7, in No. 1.

At a Meeting of the Members of the special Dutch Jurors, assembled by general consent, for framing certain Resolutions to be carried into effect for the eventual Emancipation of Children born of Slaves, held at Colombo, on Monday the 15th July 1816;

Encl. 7, in No. 1.

PRESENT:

Counraad Sebastian Wickerman, Esq.

Dieterick Cornelis Fretz, Esq.

Johan Frederic Lorenz, Esq.

Richard Morgan, Esq.

Johan Gerard Kriekenbeek, Esq.

Cornelis Arnoldus Prins, Esq.

Frans Philip Fretz, Esq.

Johannes Justinus Stork, Esq.

Leonard Van Dort, Esq.

Jacobus Cornelis Vandendriessen, Esq.

Christianus Cornelis Whlenbeek, Esq.

Johannes Bartholomeusz, Esq.

Wilhelm Abraham Kriekenbeek, Esq.

Resolved unanimously,—

1st. That all children born of slaves from and after the 12th of August next ensuing shall be considered free.

2d. That if a female slave be sold who has a child or children born free, they shall go with her into the hands of the new master, if they have not completed their second year.

3d. That of all children who have passed their second year, it shall be at the option of the master to retain them, notwithstanding the sale of the mother.

4th. That all children who are born free shall remain in their master's house, and serve them without any wages, save and except their food and raiment, which shall be at the expense of the masters; a male till the age of 14, and a female till the age of 12.

5th. That when free-born children have completed the 14th and 12th year of their age as aforesaid, they shall from that day hence be emancipated from their masters.

6th. That if a master manumits his female slave who has a free-born child or children above two years of age, it shall be at the option of the masters to retain them, namely, the female till the age of 12, and the male till the age of 14, or allow such child or children to follow the mother, in which latter case the mother shall be obliged to support the child or children.

7th. That in case any master, through manifest poverty or from the incorrigible depravity of the free-born children, or for any other causes, finds himself unable to retain them any longer under his care, application shall be made by such master to any charitable funds or the magistrates, that they may be otherwise disposed of.

8th. That in order to prevent any fraud to the prejudice of the free-born children, all heads of the families in whose houses any child of that description is born shall have the birth of such child registered by the constables of his division, at least within three days thereafter.

9th. That every constable shall for the same purpose open a register, in which shall be specified the sex and names of the parents and masters, and a list thereof shall monthly be transmitted to the office of the sitting magistrate, to be entered in a general register of the free-born children.

10th. That in the register to be kept by the constables an entry shall likewise be made by him of the death of every free-born child, upon the information to be given by the heads of the family, within the same space of time aforesaid, and a monthly list thereof shall be transmitted to the sitting magistrate's office, to be entered accordingly in the general register.

11th. That of both the general registries of births and deaths, a quarterly return shall be made to the chief secretary's office.

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Lastly,

Slavery Abolition.

CEYLON.

Lastly, resolved unanimously, that the foregoing resolutions be forwarded to the Honourable the Chief Justice, to be submitted to his Excellency the Governor, in order that the same may be made a rule, under such alterations, amendments and modifications as his Excellency may deem expedient for the furtherance of the beneficial object in view.

(signed) *C. S. Wickerman.* *D. C. Fretz.*
J. F. Lorenz. *R. Morgan.*
J. G. Kriekenbeek. *Cs As Prins.*
F. P. Fretz. *J. J. Stork.*
L. V. Dort. *J. C. Vn Dn Driesen.*
C. C. Uhlenbeek. *John Bartholomeusz.*
W. A. Kriekenbeek.

An additional article proposed, but not consented to unanimously, with this provision, that it shall be inserted at the end of the foregoing resolutions, with the signatures of the members voting for it,—

That the free-born children shall, as a token of their freedom, be brought up in the habit of their native ancestors, and not wear any European dress, and be further taught, by such as may be capable of affording it, to read and write some native language.

(signed) *R. Morgan.*
J. F. Lorenz.
F. P. Fretz.

Enclosure 8, in No. 1.

Encl. 8, in No. 1.

ON a Meeting of the Dutch Special Jurors at Jaffnapatnam, on Tuesday the 30th day of July 1816, for taking into consideration certain proposals contained in a Resolution made by the Dutch Special Jurors at Colombo, on the 15th July 1816, for the eventual Emancipation of Children born of Slaves;

Resolved unanimously,—

THAT in concord with the benevolent intention, touching the manumission of children born of slaves from and after the 12th day of August next, all children born of such slaves as belonging to the Dutch inhabitants in this settlement, be also considered free from and after the said period, under such stipulations as provided for by the above-mentioned resolution.

And it is further resolved, that this our unanimous resolution be laid before the Honourable the Chief Justice, in order that the same may be submitted to his Excellency the Governor, for the furtherance of the liberal object in view.

(signed) *J. Verwyk.* *H. H. Schrader.*
J. B. Vanttek. *J. S. Bartholomeusz.*
M. P. Raket. *W. Saalfelt.*
As De Niese. *G. L. De Niese.*
C. G. Keegel. *D. Bast.*
P. J. Kerkenber. *W. C. Pronk.*
C. J. Schrader.

Enclosure 9, in No. 1.

Encl. 9, in No. 1.

AT a Meeting of the Members of the Dutch Jurors of Point de Galle, assembled by general consent for the eventual Manumission of Children born of Slaves, held at Galle, on Sunday the 21st day of July 1816;

READ the resolution taken by a committee of thirteen members of the Dutch special jurors at Colombo, chosen and appointed at a general meeting of the said jurors, on the 15th July instant, transmitted to us by Cornelis Arnoldus Prins, Bsq., proctor for paupers and slaves.

And it is unanimously resolved, that all children born at Galle of slaves, from and after the 12th day of August next ensuing, shall likewise be considered free, as they are considered by these presents, under the same rules as is set forth in the said resolution of the Dutch special jurors at Colombo.

And it is further resolved, that Mr. Prins aforesaid be requested to present this resolution to the Honourable the Chief Justice, to be submitted to his Excellency the Governor, in order that the same be included in the rules which his Excellency the Governor shall be pleased to make in respect to the resolution taken by the special jurors of Colombo as aforesaid.

(signed) *C. R. Hollebeek.* *J. M. Wettensleger.*
D. Loret. *J. Rose.*
J. M. Anthonisz. *H. E. Bogaars.*
D. Aldons. *John Adms Meurling.*
H. Puttenaer. *C. V. Houten.*
P. Z. Andiessens. *Joseph Waltzell.*
J. H. Breehman.

(True copies.)
John W. Bennett.

Enclosure

Enclosure 10, in No. 1.

MINUTE by his Excellency the Governor.

Encl. 10, in No. 1:

A COLLECTION of papers have been presented for the perusal of his Excellency the Governor by the Honourable the Chief Justice, expressive of an intention on the part of the principal Dutch inhabitants, burghers, and native inhabitants of Colombo, to emancipate the children of their slaves born on or subsequent to the anniversary of his Royal Highness the Prince Regent's birth-day, the 12th of August next.

The humane feelings and just principles which have dictated a resolution so salutary to the future condition of an unfortunate class of the community, his Excellency cannot too highly applaud, nor express in adequate terms the satisfaction with which he contemplates this proof of an existing disposition on the part of slave proprietors of Ceylon to lend their concurrence and support to the great work of humanity, in which a bright example has been set by the Legislature of Great Britain.

In a matter of so great interest, the Governor will not interpose between his Royal Highness the Prince Regent and the inhabitants of this colony, by any act of his own authority beyond a provisional acceptance in the name of his Royal Highness of the offer to emancipate the children of slaves from the period alluded to. He will, by the earliest opportunity, and with the fullest expression of his approbation and applause, convey this dutiful resolution of the inhabitants to the favourable notice of his Royal Highness. He doubts not he shall anticipate the sense of the parties concerned, by referring the incidental points proposed by them as legislative provisions to the free disposal of that authority from which it is his Excellency's wish that every thing relating to this important part of the political economy of the colony should immediately emanate.

As his Excellency has no doubt that a corresponding disposition prevails amongst the inhabitants in other parts of the island, he would recommend to all classes an early declaration of their intentions.

The proper mode of proceeding will be by humble address to his Royal Highness the Prince Regent, forms of which will be found at the chief secretary's office in Colombo, and the several cutcherries throughout the island. Signatures will be received from slave-owners of every description, who may be animated with sentiments so highly honourable to their character.

By his Excellency's command,

(signed) *J. Rodney*, Chief Sec. to Government.

Chief Secretary's Office, Colombo, 25 July 1816.

Enclosure 11, in No. 1.

To His Royal Highness the Prince of WALES, Regent of the United Kingdom of Great Britain and Ireland, &c. &c. &c.

WE, his Majesty's loyal subjects the Dutch inhabitants, burghers, and native castes of the maritime settlements in the island of Ceylon, animated with sentiments of sincere and fervent loyalty towards the person and government of his Majesty and your Royal Highness, and emulating the humane and disinterested spirit with which our fellow-subjects in the United Kingdom have moved the Legislature in favour of that unfortunate class of beings placed in the degraded condition of slavery, beg leave to approach your Royal Highness with an humble tender of such tribute on our parts, in furtherance of the same benevolent object, as our circumstances enable us to afford. Encl. 11, in No. 1.

In families long settled in this island, of whatever class, the household establishment is usually so much dependent on the service of slaves, that a general discharge of those persons would subject the inhabitants to privations, losses and expense, such as ordinary prudence forbids us to encounter; at the same time we have reason to know, that to great numbers of persons now in our houses in the character of slaves, bred up under our roofs; supported for a course of years with kind and considerate treatment and comfortable subsistence, many of them far advanced in life, the greater part established in habits of attachment, a general emancipation would withdraw the source of their support without advancing their happiness or improving their condition.

We therefore humbly incline, both in consideration to them and to ourselves, to adopt the principle sanctioned by the wisdom of British legislation, of a gradual abolition, that which we beg leave to offer being indeed gradual in its progress, but in its issue certain and complete.

We respectfully and dutifully propose that the era of future freedom to the slaves of this colony shall take its commencement on the auspicious occasion of your Royal Highness's birth-day, the 12th of August in the present year 1816; and we declare all children born of our slaves from that date inclusive to be free persons.

Some incidental provisions will be perceived to be necessary with regard to the support and tutelage of these liberated children during their tender years. The leading articles of enactment which appear expedient for this purpose have already been indicated in resolutions conveyed by the Honourable the Chief Justice for the information of his Excellency the Governor, and we doubt not that these and such other regulations as may be found calculated to place the intended measure on a footing of mutual comfort to the emancipated slaves and their masters will be distinctly and favourably represented by his Excellency, and receive in substance the gracious acceptance and confirmation of your Royal Highness.

Slavery Abolition.

CEYLON.

Enclosure 12, in No. 1.

EMANCIPATION OF SLAVE CHILDREN.

MINUTE by his Excellency the Governor.

Encl. 12, in No. 1. For the convenience of persons desirous to subscribe the address to his Royal Highness the Prince Regent respecting the emancipation of slave children, it is hereby directed that in addition to the forms lodged at the chief secretary's office in Colombo, and the several cutcherries throughout the island, copies of the same be also transmitted to every other department under government, civil and military.

The heads of public offices and departments will explain to all persons employed under them, being proprietors of slaves, the warm interest taken by his Majesty's government and the Parliament of the United Kingdom in the cause of those labouring under the afflicting condition of slavery, also the moral and religious obligation of commiserating the situation of that unfortunate class of persons, the laudable example set in this island by the principal Dutch inhabitants, burghers and native castes at Colombo, and the satisfaction his Royal Highness will experience in receiving, as his Excellency the Governor in conveying, a general resolution of all inhabitants of this island to concur in the humane measure which has been thus meritoriously begun.

Persons subscribing the address will at the same time deliver a list of their female slaves, with the names and ages of their respective children.

Such, if any, as may decline to subscribe, are to be requested to deliver in a similar memorandum of their female slaves and children.

In the instance of persons not belonging to any branch of his Majesty's service, the commissioner of revenue, the collector and the sitting magistrate at Colombo, and the collectors at out-stations, will invite the principal of each class to form themselves into committees for the purpose of procuring the concurrence of others of the same class, and for conveying to government the general resolution, with lists of the female slaves and children as required in the other cases.

By his Excellency's command.

Chief Secretary's Office, Colombo, 30 August 1816.

—No. 2.—

(No. 16.)

EXTRACT of a DESPATCH from Earl *Bathurst*, K. G., to Lieutenant-general Sir *R. Brownrigg*, G. C. B., dated Downing-street, 20 June 1817.

No. 2.
Earl Bathurst to
Lieut.-gen. Sir
R. Brownrigg,
20 June 1817.

THE first point to which I considered it my duty to call the particular attention of his Royal Highness was the plan adverted to in your despatch, No. 160, for obtaining from the inhabitants of the colony the voluntary manumission of all slave children born after a certain period; and I am to assure you, that while his Royal Highness derives the sincerest pleasure from the prospect which this measure affords of an early and entire abolition of slavery in Ceylon, the gratification is in no slight degree enhanced by the proof which this sacrifice on the part of the slave proprietors affords of the progress of just and liberal feelings in the colony, and the desire of the inhabitants to anticipate in these respects the wishes of the mother country.

The course which you have adopted, first, in not unnecessarily canvassing the means or motives of those by whose agency the measure was effected, and afterwards, in facilitating its execution by the legislative provisions detailed in your despatch, has received his Royal Highness's entire approbation. As to the wisdom of the principal regulations proposed it is impossible to doubt. That one slave should at the same time be the property of many separate owners is an evil which, upon every principle of policy and humanity, cannot be too soon removed. And with respect to a registry of slaves, highly useful as such a measure is in every colony where slavery prevails, it is yet more particularly necessary at the present moment in Ceylon, in order to guard against the possibility of any person entitled to freedom under the arrangement detailed in your despatch from being hereafter detained or dealt with as a slave. At the same time, however, it does not appear to me necessary now to enforce at once (especially after the long forbearance which has been up to the present period shown on this subject) the penalty of enfranchising every slave who shall not have been duly registered by his owner, under General Maitland's regulations of the 14th August 1806. To enforce the penalties of a law which has so long been dormant must be considered as a measure of extreme severity; and, however desirous I am to enforce the laws upon this subject, I nevertheless deem it preferable, especially after the late conduct of the leading owners of slaves, to fix, by a new regulation, some early period

period within which the registration of these slaves must be effected, in order to support a right to retain them in slavery; and with respect to such a regulation, I have only to add, that the more rigidly its provisions are enforced, the more will it meet with my cordial concurrence.

Slavery Abolition.

CEYLON.

— No. 3. —

(302.)

COPY of a DESPATCH from Lieutenant-general Sir *R. Brownrigg*, G.C.B., to Earl *Bathurst*, K.G.

My Lord,

Kandy, 17 August 1818.

No. 3.

I HAVE NOW the satisfaction of enclosing to your Lordship copies of two Regulations passed on the 5th instant, being one for effecting a complete registry of slaves, and abolishing joint tenurè, and the second, establishing a course of proceedings for the more easy accomplishment of the latter object.

Lieut.-Gen. Sir
R. Brownrigg to
Earl Bathurst.

The arrangements of the plan for the former regulation were commenced by me on 21st April, in the mode which, owing to my absence from Colombo, I have been obliged to adopt for collecting the opinions of members of council there, on any proposed act of legislation, viz. by circulation of a minute, with draft of the regulation suggested. In return to that sent on this occasion, the members of council reported a concurrence in all such part as relates to the registry of domestic slaves, and their general conviction of the utility, in a humane and moral view, of the destruction of joint interests in those of the Covia, Nallua and Palla castes; but the feasibility of the measure was doubted, and the discontent it might occasion in the Jaffna district suggested as rendering the measure objectionable, and it was requested of me to consult the opinions of the civil servants, who had the best means of solving those two questions, from their local experience, being Mr. Richardson, the late provincial judge of that district, and Mr. Hooper, the present collector, as to whether these objections were of great moment, or might be obviated. The puisne justice also suggested that the establishment of a temporary commission to enforce the division of interest with the celerity required, was expedient, and almost unavoidable; accordingly, the draft of the regulation now enclosed, No. 10, was prepared, and, with the latter part of No. 9, sent to Messrs. Richardson and Hooper for consideration, whose reports being both in favour of the arrangements, and the latter gentleman having also secured the promise of the principal natives to give their willing aid in accomplishing the desirable object in view, the regulations were again sent in circulation on the 20th July, and, with the general concurrence of the members of council at Colombo, passed here by me on the day they bear date.

The commissioners appointed under the 10th Regulation are, the collector, provincial judge, sitting magistrate and assistant collector of Jaffna, to sit under the instructions, of which I beg to enclose a copy, as well as of their commission; and I also submit a schedule of the expense sanctioned for this object, which, exclusive of the necessary charge for stationery (about 40 reams of royal and 30 reams of foolscap paper), will, it is expected, be more than covered by the stamp-duty on the certificates of enregistration.

I have, &c.

(signed) *Robt Brownrigg*.

Enclosure 1, in No. 3.

REGULATION of GOVERNMENT.

Present: His Excellency the Governor in Council, A. D. 1818.

REGULATION No. 9.

A REGULATION for securing to certain Children emancipated by the Proprietors of their Mothers the full benefit of such Proprietors' Intentions, and for establishing an efficient Registry of all Slaves, and abolishing the joint Tenure of Property in the same. Encl. 1, in No. 3.

1. WHEREAS his Royal Highness the Prince Regent, acting in the name and on behalf of his Majesty, has been graciously pleased to accept the voluntary offer of the greater number of proprietors of slaves in the maritime provinces, and whose signatures appear to different copies of an address to his Royal Highness of the tenor annexed to this Regulation, and marked (A.), (which said copies bearing their signatures are of record in the office of the Chief Secretary to Government of this colony), that all children born of their slaves on and after the 12th day of August, which was in the year of our Lord 1816, should be free persons:

Recital of acceptance by his Royal Highness the Prince Regent of the voluntary offer by the greater number of proprietors of slaves in the maritime provinces, to declare free all children born of their female slaves, on or after the 12th August 1816, as appears by their address on record, of which a copy is annexed (A.)

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2. And

Necessary to provide for effectually securing to such emancipated persons the advantages of this concession, and to provide for their tutelage and support during their tender years.

Tenure of slaves in joint property of the Covia, Nallua and Palla castes prejudicial to good order and police in the district of Jaffnapatam :

its continuance eventually will tend to produce encroachment on liberties of now emancipated persons,

and presents obstacles to extension of this beneficent plan.

All children of female slaves belonging to proprietors who have subscribed the addresses to the Prince Regent born on or after the 12th August 1816 declared free.

All such subscribers and all other possessors of domestic slaves not being Covias, Nalluas and Pallas, to enregister the names, ages and sexes of their slaves, and the names, sexes and ages of the children of their female slaves, specifying if born before or on or after 12th August 1816, in the provincial court of the district in which they reside in three months from this date.

Personal attendance not required of subscribers to the address to enregister their slaves, but they may send a list according to form (B.)

Registers in the districts of Manar, Batticaloa and Mahagampattoo to be kept by sitting magistrate.

Registry of slaves belonging to minors to be made on application by guardians, and of married women by their husbands.

True copies of addresses to be sent to each provincial court, and original lists of slaves compiled under minute by the Governor of 30th August 1816.

On death of any registered slave, or birth or death of any child of a slave, notice to be given by proprietor in eight days after the event, personally or in writing, to provincial court, and if in writing according to forms (C) and (D).

Register of such event to be made in original register if in same district,

or in a new book, if in another.

Notice of new registry to be sent to original register for entry therein.

2. And whereas it is necessary to provide effectually for securing to the persons in whose favour this liberal and humane concession has been made, the full privileges thereof, and to provide for the support and tutelage of the children born, or to be born, during their tender years :

3. And whereas the tenure of slaves of the Covia, Nallua and Palla castes, in joint and undivided property, by several owners, has been found to be prejudicial to good order and police in the province of Jaffnapatam, where that mode of tenure principally exists, and the continuance of the same must eventually tend to encourage and produce encroachments on the liberties of persons who may by the provisions of the arrangement above recited become free, and to throw obstacles in the way of such persons, being owners of such slaves, who may be willing to follow the good example that has been held forth to them by the subscribers of the addresses afore-mentioned :

4. It is therefore enacted by his Excellency the Governor in Council, That, in pursuance of the wishes of the subscribers above referred to, all and every the children of the female slaves who were on the 12th day of August 1816, or who may since, or shall hereafter come into the possession of such subscribers, or their heirs, executors or administrators, born on or after the said 12th day of August, or who may hereafter be born of such female slaves, are and shall be free.

5. And it is further enacted, That the said several subscribers to the said address, and all other persons being proprietors of domestic slaves, such slaves not being of the castes of Covias, Pallas and Nalluas, respecting whom is hereinafter provided, shall and they are hereby required to enregister the names, ages and sexes of their several slaves, with the names, sexes and ages of the children of such their female slaves, specifying whether such children were born before, or on and after the 12th day of August 1816, in a register to be opened for that purpose by the provincial court in the district in which such subscriber resides, within three months from the date of this Regulation.

6. Provided, that a personal attendance shall not be deemed necessary from the subscribers to the several addresses for the purpose of effecting such registry as is herein above directed, but that a list of such male and female slaves and their children shall and may be sent to the secretary of the court, according to the form annexed to this Regulation, and marked (B.), on which list the registry may take place ; and provided also, that in the districts of Manar, Batticaloa and the Mahagampattoo, such registry may take place in the office of the sitting magistrates of those districts respectively ; and that all and singular the acts by the foregoing or hereinafter contained clauses directed and authorized to be done by the secretaries of the provincial courts respectively, shall be done in those three districts respectively, by such sitting magistrates ; and provided further, that the registry of slaves, the property of minors, shall be made on the application of their natural or appointed guardians, and of married women on the application of their husbands on their behalf.

7. And it is further enacted, That, in order to facilitate the formation of the registry, true copies of the original addresses, bearing the signatures of the subscribers in each district, be forwarded to such provincial courts, and also the original lists of slaves compiled or collected under the directions of his Excellency the Governor's minute of the 30th day of August 1816.

8. And it is further enacted, That upon the death of any slave who shall have been registered, or on the birth or death of any child of a slave (whether such child shall by the operation of this Regulation be free or not), notice thereof shall, within eight days after either event occurring, be given personally or in writing by the proprietor of such slave to the secretary of the provincial court of the district in which he or she resides, and if in writing, according to the Forms (C.) and (D.) respectively hereto annexed ; and a registry thereof shall be made in a column allotted to that purpose in the original register, if the slaves deceased or the mother of the child was registered in that district ; and if the child born shall not be free, such child shall also be registered as a new slave of the proprietor, or in a new book, according to the form of the notice transmitted, if the said slave deceased, or the mother of the child born, was registered in any other district ; and in those last-mentioned cases, the said secretary shall send a copy of the notice to the secretary of the court where the original registry was made, in order that the same may be noted therein.

9. And

9. And it is further enacted, That on the acquisition of any slave or slaves, whether by purchase, gift, legacy, inheritance or otherwise, the person acquiring the same shall in similar manner, personally or in writing, according to the form (E.), notify the same to the secretary of the provincial court of the district in which he or she resides, for the purpose of such change of property being enregistered by such secretary, either in the original register or de novo, as the register may be in the same or in another district, notifying, in the latter instance, the circumstance to the court or office of original registry.

An acquisition of any slave, howsoever made, the acquirer to notify the same, personally or in writing, according to form (E.) to registry of district in which he resides.

Change of property to be registered, and if in a new register, notice sent to original register of the slave.

10. And it is further enacted, That certificates of the registry directed in and by the 5th, 6th, 8th and 9th clauses of this Regulation, shall be issued by the said secretaries to the persons registering the same, at the expense of such parties, upon a stamp of six fanams for each certificate of original registry, or of change of property, or of a child not being free-born, and on blank paper for each certificate of the registry of a free child born, and of the death of a slave or child.

Certificates of registries above directed to be issued to parties at their expense,

on stamp of 6 fanams for certificate of original registry, or of change of property or birth of a child not free ; and on blank paper of birth of a free child, and death of a slave or child.

11. And it is further enacted, That any proprietor of slaves who shall fail to comply with the several provisions hereinbefore enacted, shall be liable to the following penalties respectively :—

Penalties of not complying with Regulation.

For failing to enregister his or her adult slaves, as provided by the 5th clause, within the time specified, or any fresh acquisition of slaves, the forfeiture of all right in and to the said slave or slaves not registered, and to all the children of such slave or slaves, who shall be and are declared absolutely free.

For failing to enregister adult slaves, or any fresh acquisition, forfeiture of all right to the slave, and any children of such slave, who shall become free.

For any omission in the number of children of each slave at the time of original registry, a fine not exceeding one hundred rix dollars for each child wilfully or knowingly omitted ; and for any wilful mis-statement of the time of birth of such child, a fine not exceeding one hundred rix dollars, and imprisonment till such fine is paid.

For any omission in the number of children registered originally, fine not exceeding 100 rix dollars for each child omitted ; similar fine for wilful mis-statement of date of birth ; imprisonment till payment of fine.

For omitting to give notice within the time prescribed of the death of any slave, or of any child of such slave, a fine of 20 rix dollars, and imprisonment till such fine is paid.

For omitting to give notice of death of slave or child, fine of 20 rix dollars, and imprisonment till paid.

For omitting to give notice within the time prescribed of the birth of any child of a slave.

For omitting to notify birth of a child.

If the child shall be by virtue of this Regulation free, a fine of 200 rix dollars, and in default of payment, imprisonment at hard labour for a term not exceeding 12 months.

If child free under Regulation, a fine of 200 rix dollars, and in default of payment, imprisonment at hard labour, not exceeding 12 months.

If the child would not have been free, a fine not exceeding 50 rix dollars, and imprisonment till such fine be paid, with forfeiture of all right and title to such child as a slave ; and that one-half of all such fines shall go to our lord the King, and the other half to the person suing for the same before any provincial court or sitting magistrate having local jurisdiction ; and that it shall lie on the defendant to prove that he has complied with the Regulation, by production of the certificate herein above directed to be issued, of the registries herein commanded.

If child not free, fine not exceeding 50 rix dollars, and imprisonment till paid, with forfeiture of the child as a slave.

Half of fines to the Crown, half to informer, recoverable before any court or magistrate having local jurisdiction.

Proof of compliance with Regulation to rest on defendant by production of certificate of registry.

12. Provided always, That in any instance of a malicious and unfounded prosecution for offences against this Regulation, it shall and may be lawful for the judge or magistrate before whom the case shall be tried, to award compensation from the prosecutor to the defendant, equivalent to the amount of fine which might have been adjudged to be paid by such defendant on conviction, and to grant process of execution to compel payment thereof, as in other civil actions.

In case of unfounded and malicious prosecution, compensation may be awarded equivalent to fine and process of execution granted.

13. And it is further enacted, That the said penalties shall be over and above all such punishment as by law now may be inflicted on persons detained or pretending to detain free persons in slavery, or to use or dispose of them as such ; it being in nowise intended by any thing herein contained to abrogate, annul or alter such laws, or any part thereof.

Penalties over and above any other punishment now by law applicable to persons detaining free persons in slavery.

14. And it is further enacted, That every proprietor of a female slave whose child or children, or any one or more of them, are or shall be free under this Regulation, shall maintain such child or children until he, she or they attain the age of 14 years, and find them in food and raiment, such child or children of their slaves being bound to service according to their abilities and age to the said proprietors of their mothers, without any demand of wages therefor, and shall be liable to moderate castigation for offences and neglects ; and that if any such proprietor shall alienate a female slave having a child or children free under this Regulation, under the said age of 14 years, such child or children shall accompany the mother, and be maintained and clothed by, and be servient to, the person to whom the said female

Every proprietor of a female slave whose children are free, is to maintain and clothe such children till they are 14 years old, in return for which, such children are bound to serve the said proprietor of their mothers without wages, and are subject to moderate castigation for offences or neglects.

In case of alienation of any female slaves, children to accompany the mother, and be maintained by purchaser.

From and after the 12th August 1819 joint property in slaves, of whatever class, illegal.

All registries of slaves to be in the name of a single proprietor only for each slave.

All holders of slaves in common required to cause such tenure to cease, either by actual partition or sale of slaves, and division of proceeds.

And for more effectual completion of this division in Jaffnapatam and Trincomalie, further provision is made by Regulation of this date.

No child under 14 years to be separated from its mother on division.

On death of any proprietor of registered slaves, property to be divided in one month after,

or disposed of in due course of administration.

No person of Covia, Nallua or Palla caste to be deemed a slave, unless registered before 12 August 1819.

Any person claiming such persons as slaves after that date, without certificate of registry, liable to punishment as for detaining a free person in slavery.

Register of Covia, Nallua and Palla slaves to be made on personal attendance of sole proprietor, or of an authorized agent, or of guardians of minors, to be held in provincial courts of districts in which proprietors reside;

except in Jaffnapatam, where the registries are multiplied as per Schedule (F.);

and in Manar, Batticaloa and Mahagampattoo, where registry is to be held by sitting magistrate;

and in certain parts of the Wanny, where the registry is to be held by sitting magistrate at Mulletivoe.

Registries to contain name, age and sex of slave, and number of children of each female slave under 14 years, and to be noted if any such children are free by the subscription of their mothers' owner to the address to the Prince Regent.

Certificate of registry to issue for each slave on a stamp of three fanams.

All changes in families of Covia, Nallua and Palla slaves by birth or death to be notified by proprietor to the schoolmaster of the parish, if in the district of Jaffna, or in any other districts to the headman of the pattoo in eight days.

Schoolmaster or headman to certify to the register according to forms (G.) and (H.)

Change to be noted in register.

slave is transferred, till he, she or they shall have completed their 14th year.

15. And it is further enacted, That from and after the 12th day of August which will be in the year 1819, joint property in slaves, either domestic or belonging to the caste of Covia, Nallua or Palla, or under any other denomination, shall not be lawful within any of the maritime provinces of these settlements; and that all registries of slaves under the provisions of this Regulation shall be only in the name of a single proprietor for each slave; and all persons who now hold shares of slaves in common, are therefore hereby peremptorily required, by agreement among themselves, to cause such tenure to cease, either by division of the families of slaves among such holders of slaves, or by the sale of such slaves singly to one of the present proprietors, or to a stranger, and division of the proceeds, as may be most practicable; and for the more effectual completion of which partition or division of the value of such slaves in the provinces of Jaffnapatam and Trincomalie, further provision is, by a Regulation bearing even date with these presents, made and enacted: Provided, That in such division or sale no child under 14 years of age shall be separated from the mother of the same.

16. And it is hereby further enacted, That on the death of any proprietor of slaves duly registered under this Act, the property in such slaves shall be [within one month after his or her death] distributed or disposed of in due course of administration among the heirs, either by actual division of the slaves among the heirs respectively, where the same is possible, or by the sale of such slaves, and division of the proceeds in the manner above prescribed and referred to.

17. And it is further enacted, That no person of the Covia, Nallua or Palla castes shall be deemed or taken to be a slave, unless he or she shall have been, on or before the 12th day of August which will be in the year 1819, registered according to the provisions hereinafter mentioned; and that any person or persons claiming any person or persons of the said castes as a slave or slaves, or detaining or pretending to detain, or using or disposing of any such person or persons as a slave or slaves, from and after the said 12th day of August, not being provided with the certificate of the registry of the said slave or slaves under the provisions of this Regulation, shall be liable to all such penalties as by law now may be inflicted on the detention, use or alienation of free persons as slaves.

18. And it is further enacted, That the registry of such slaves of the Covia, Nallua and Palla caste shall take place on the personal attendance of the person claiming to be the sole proprietor of any such slave or slaves, or of an authorized agent on his or her behalf, or, being a minor, by the attendance of the natural or appointed guardian of such minor, on his or her behalf, at the offices of provincial courts of the respective districts wherein such proprietor resides, save and except in the district or province of Jaffnapatam, wherein, for the convenience of the inhabitants, the places of registry are multiplied for different divisions of the same, according to the Schedule hereto annexed, marked (F.), and save and except in the districts of Manar, Batticaloa and Mahagampattoo, where such registry is to be held by the sitting magistrates of Manar, Batticaloa and Hambantotte respectively, and save and except in those parts of the Wanny which now belong to the districts of Trincomalie and Jaffnapatam, in which the registry shall be held by the sitting magistrate of Mulletivoe.

19. And it is further enacted, That such registers of Covia, Nallua and Palla slaves shall contain the name, age and sex of each slave, and the number of children of each female slave being under the age of 14 years at the time of the registration, and that it be also noted if such children are by the subscription of the proprietors of such female slaves to the address herein-above recited free, and that the person registering the same do issue to such proprietor, agent or guardian at the expense of such proprietor, a certificate of such registry on a stamp of three fanams for each slave.

20. And it is further enacted, That all changes in the families of slaves of the Covia, Nallua and Palla castes by deaths or births occurring in the same, shall be notified by the proprietor of such slaves in the district of Jaffnapatam to the schoolmaster of the parish, or in any other district to the principal headman of the Pattoo, in eight days after such change occurs, and such schoolmaster or principal headman shall forthwith certify the same according to the forms (G.) and (H.) respectively, to the officer holding the registry of slaves for the district or division in which the said schoolmaster or principal headman resides, who shall register such change in the manner prescribed

scribed in the eighth clause of this Regulation for registering births and deaths among domestic slaves, and shall issue a certificate of such registry gratis to such schoolmaster or headman for delivery to the slave proprietor.

Certificate of entry to be given to schoolmaster or headman to deliver to proprietor.

21. And it is further enacted, That such proprietor shall and must, if such child or children to be born as aforementioned are not free under the provisions of this Regulation, and if he wishes to detain the same as slaves after they attain the age of 14 years, register the same in the registry of the district or division within six months before they attain such age, by attendance in the manner prescribed in the 18th clause of this Regulation, and receive a certificate of such registry; in default whereof, such child or children shall be and are hereby declared to become free.

Registry of children not born free on completing their 14th year required to constitute title to such child as a slave.

Certificate to be issued as for a slave originally enregistered on stamp of three fanams.

22. And it is further enacted, That on any new acquisition of property in an adult slave or slaves of the said castes, such acquisition shall be registered by the new acquirer, he or she personally attending at the place of registry of his or her district or division within eight days after acquiring such title, and be furnished with a certificate thereof on a stamp of three fanams for each slave, on pain of the same being of no avail, and the slave or slaves not registered, or for whom no certificate is forthcoming being absolutely free, and such registry is to be made in manner similar to that prescribed by the 9th clause of this Regulation for registering acquisitions of domestic slaves.

All acquisitions of slaves of Covia, Nallua and Palla castes to be registered by personal attendance of new acquirer in eight days from acquisition.

Certificate to be issued on stamp of three fanams.

All persons for whom no certificate is forthcoming, free.

23. And it is further enacted, That any slave proprietor wilfully and knowingly neglecting to notify the death of a slave, or the birth of a child to any slave, to the schoolmaster or principal headman, as provided in the 19th clause of this Regulation, shall pay a fine of six dollars ten for the omission of notifying any death, and six dollars twenty for the omission of notifying any birth, and shall be imprisoned till such fine be paid; and that any schoolmaster or headman neglecting to certify such deaths or births to the person holding registry, or withholding from the proprietor demanding the same, the certificates of such deaths or births being enregistered, shall pay a fine of ten six dollars for each offence, and be imprisoned till such fine is paid; and that one-half of such fines shall go to our lord the King, and the other half to the person prosecuting the offender to conviction, before any provincial judge, sitting magistrate or justice of the peace having local jurisdiction.

Penalty for not notifying death of a slave, or birth, or death of a child, to schoolmaster; 10 six dollars' fine for not notifying death, and 20 for not notifying a birth.

Schoolmaster or headman neglecting to certify or withholding certificate of registry from proprietor, to pay a fine of 10 six dollars.

Half of fines to the Crown, and half to informer.

Recoverable before local magistrate.

24. And it is further enacted, That if any slave throughout the maritime provinces is desirous of being emancipated, he or she may appear before the provincial court of the district, and state such his or her desire, which court shall thereupon, by summons in writing, call on the proprietor of such slave to attend the said court, and on his or her attendance, which, if need be, may be compelled by attachment, shall by order in writing assemble five respectable persons, of whom two shall be chosen by the proprietor, and two by the slave, and the last appointed by such court, and those five persons, or the major part of them, shall, by a writing under their hands, recorded in court, fix a fair price to be paid by the slave to the proprietor, on payment of which at the time (or in three months thereafter) into such court for the use of such proprietor, the said slave shall be free, and shall receive a certificate of the same on a stamp of five six dollars from the provincial judge, who shall transmit a duplicate of the same to the person in whose registry such slave shall have been enregistered as a slave, that the same may be noted therein: Provided always, That during the interval between the assessment of value and the time of payment every such slave shall continue to serve his or her owner as a slave, and that in default of payment in the time prescribed, the assessment, and all proceedings had on the application of the slave, shall be held null and of no further avail, but without prejudice to any new application; and provided further, that no slave who shall have been convicted of any offence exceeding a petty assault, or of any assault on his or her master, mistress or any member of his family, shall be entitled to the benefit of this enactment.

Any slave desirous of being emancipated, may apply to provincial court, which will summons proprietor,

and assemble five valuers to assess a price of the slave; on payment of which, at the time or in three months, slave shall be free.

Certificate of freedom to be issued by judge, and notified to register where the slave was enregistered.

In interval between assessment and payment, slave to serve his owner.

In default of payment, proceedings to become null.

No slave convicted of offence above a petty assault, or of any assault, on his master, or any member of his family, to be free under this clause.

25. And it is hereby further enacted, That the 13th Regulation of the year 1806, and the 3d Regulation of the year 1808, shall be and the same are hereby repealed. Provided always, That no act done under the same before the publication of the 8th Regulation of the present year in the district of Jaffnapatam, shall be annulled or avoided.

13th Regulation of 1806 and 3d Regulation of 1808 repealed:

acts under the same not avoided.

Supreme court of judicature may in any case of robbery or violent assault, with intent to rob or murder, wherein a slave is convicted, at its discretion order such slave to be sold, and the proceeds paid to the Crown, subject to powers of making compensation to prosecutors granted by 65th clause of Charter of 1801.

Forms of keeping registers and issuing certificates to be as annexed to the Regulation, Nos. 1 to 16.

Subject to charge by order of the Governor in Council.

Transcript of registry of domestic slaves to be transmitted to Chief Secretary in six months from this date;

and of alterations every quarter of a year subsequent: transcript of registry of Covia, Nallua and Palla slaves to be likewise sent in 15 months,

and lists of alterations every subsequent quarter.

Extracts from transcripts duly authenticated of equal validity as from original registry.

Any person wilfully making false entry in original registers or in transcripts,

or erasing any entry, or altering the same, or being an officer employed in issuing extracts, granting false papers purporting to be extracts, to be punished by transportation, or other punishment.

Persons procuring, or attempting to procure, false entries or extracts liable to punishment by fine, imprisonment and whipping.

Nothing in this Regulation to prevent discussion of legitimacy of title to a slave registered,

nor to reduce any free person to slavery.

No suit to recover a slave to be instituted after dates of registry herein prescribed, without production of a certificate of registry; nor any defence of property in a slave admitted without such certificate.

26. And it is further enacted, That it shall and may be lawful for the supreme court of judicature, in any case of robbery or violent assault, with an intent to rob or murder, wherein any slave shall be convicted before it, and it shall appear to the said court that due care was not taken by the proprietor of such slave, to prevent him or her being concerned in such offence, in addition to punishment of the said slave, to award and sentence that such slave shall be sold by auction to the highest bidder, and the proceeds be paid to the Crown, subject to a power of making compensation therefrom to prosecutors as in and by the 65th clause of his Majesty's Charter constituting the said supreme court, is granted to the said court in respect to fines imposed by its orders.

27. And it is further enacted, That the forms of keeping the registers and of issuing certificates shall be according to the forms annexed to this Regulation, and numbered 1 to 16, subject to such changes as may from time to time be sanctioned by order of his Excellency the Governor in Council, and that a full and correct transcript of the registry of domestic slaves in each district shall be transmitted by the provincial judge or sitting magistrate holding the same, to the office of the Chief Secretary to Government, in six months from the date of this Regulation; and a list of alterations in the same for every three months subsequent to the first six months, in one month after the expiration of the quarter: and that a similar transcript of the registries of all other slaves, save domestic slaves, shall be sent to the office of the Chief Secretary aforesaid within fifteen months from the date of this Regulation, by the judges and magistrates holding the same, and similar lists of alterations in the same for every three months subsequent to the said period of fifteen months, in one month after expiration of the quarter.

28. And it is further enacted, That the extracts from the transcripts of the said registries, duly certified by the chief, deputy or assistant secretary to Government, or other person duly authorized thereto, by his Excellency the Governor, shall be deemed and taken as full evidence, as similar extracts from the original registries.

29. And it is hereby further enacted, That any person who shall wilfully make any false entry, either in the original registers, or in the transcripts thereof afore-mentioned, or who shall fraudulently erase any entry made therein, or, by interlineation or otherwise, alter any such entries, or shall, being an officer duly authorized to issue extracts from the same, issue any false or fraudulent paper purporting to be an extract therefrom, such person or persons shall, on conviction thereof by due course of law, be punished by transportation or other punishment, as to the court trying such offence may seem meet; and any person or persons who shall wilfully, knowingly and fraudulently, procure, or attempt to procure, the making of any such false entry, or the fraudulent erasure or interlineation of any matter in the said registers or transcripts, or fictitious extracts therefrom, shall, on conviction, be liable to punishment by fine, imprisonment and whipping.

30. And it is further declared and enacted, That nothing in the Regulation shall be taken or construed to prevent the legitimacy of title in and to any slave or slaves registered under the same, being impeached by any person having claims to the property of such slave or slaves, or to reduce any person not being really a slave to slavery, under colour of being registered under this Regulation, but that as well all claims to freedom as between individuals as to property in slaves shall remain unaffected thereby, and subject to discussion before the competent tribunals: Provided always, That from and after the dates herein above specified, within which such registration is commanded to take place, a certificate of registry shall be an indispensable voucher, to entitle any person to prefer a claim to recover property in a slave, or to defend such property in any suit or action.

Given at Kandy, this fifth day of August 1818.

By order of the Council.

(signed) *Geo. Lusignan,*
Act. Sec. to Council.

By his Excellency's command,

(signed) *John Rodney,*
Chief Sec. to Govt.

(A.)

CEYLON.

To his Royal Highness the Prince of WALES, Regent of the United Kingdom of Great Britain and Ireland, &c. &c. &c.

WE, his Majesty's loyal subjects, the Dutch inhabitants and native castes of the maritime settlements in the island of Ceylon, animated with sentiments of sincere and fervent loyalty towards the person and government of his Majesty and your Royal Highness, and emulating the humane and disinterested spirit with which our fellow-subjects in the United Kingdom have moved the Legislature in favour of that unfortunate class of beings placed in the degraded condition of slavery, beg leave to approach your Royal Highness with an humble tender of such tribute on our parts, in furtherance of the same benevolent object, as our circumstances enable us to afford.

In families long settled in this island, of whatever class, the household establishment is usually so much dependent on the service of slaves, that a general discharge of those persons would subject the inhabitants to privations, losses and expense, such as ordinary prudence forbids us to encounter. At the same time we have reason to know, that to great numbers of persons now in our houses in the character of slaves, bred up under our roofs, supported for a course of years with kind and considerate treatment and comfortable subsistence, many of them far advanced in life, the greater part established in habits of attachment, a general emancipation would withdraw the source of their support, without advancing their happiness, or improving their condition.

We therefore humbly incline, both in consideration to them and to ourselves, to adopt the principle sanctioned by the wisdom of British legislation, of a gradual abolition; that which we beg leave to offer being indeed gradual in its progress, but in its issue certain and complete.

We respectfully and dutifully propose, that the era of future freedom to the slaves of this colony shall take its commencement on the auspicious occasion of your Highness's birthday, the 12th of August in the present year 1816, and we declare all children born of our slaves from that date inclusive to be free persons.

Some incidental provisions will be perceived to be necessary, with regard to the support and tutelage of these liberated children during their tender years. The leading articles of enactments which appear expedient for this purpose have already been indicated, in Resolutions conveyed by the honourable the Chief Justice for the information of his Excellency the Governor, and we doubt not that these and such other regulations as may be found calculated to place the intended measure on a footing of mutual comfort to the emancipated slaves and their masters, will be distinctly and favourably represented by his Excellency, and receive in substance the gracious acceptance and confirmation of your Royal Highness.

LIST of SUBSCRIBERS to the Address to His Royal Highness the Prince Regent for emancipating Children born of Slaves after the 12th of August 1816.

COLOMBO.

DUTCH INHABITANTS AND BURGHERS.—C. S. Wickerman, V. W. Vanderstraaten, D. C. Fretz, C. C. Uhlenbeck, F. P. Fretz, A. Count Ranzow, J. G. Kriekenbeek, R. Morgan, G. Schneider, W. A. Kriekenbeek, J. F. Lorenz, C. A. Prins, J. H. Douwe, C. A. De Raymond, J. A. Kriekenbeek, B. De Waas, J. C. Van den Driesden, J. J. Stork, C. A. Spaar, J. J. Philipz, P. A. Loos, J. De Waas, J. F. Conderlag, C. Jansen, A. Mortier, C. F. Mottau, J. H. Van den Driesen, P. S. De Rau, J. F. Jonklaas, B. Brohier, E. W. Staats, C. W. Hoffman, L. De Run, W. J. Ondatjje, D. A. Estrop, N. Bergman, A. De Kretzer, J. P. Landsberger, L. H. Lourenz, S. W. Pfeiffer, J. L. Cramer, C. E. Pfeiffer, P. S. Herscher, A. W. Van Cuylenberg, B. Alwis, J. P. Sichel, P. A. Pompeus, G. F. Gillening, J. B. Ludekens, E. J. Jongbloed, P. Kalenberg, C. G. Kalenberg, L. Lonrensen, P. C. Jonklaas, H. W. Van Cuylenberg, J. M. Maas, P. A. Daniels, J. H. Lourensz, L. Schokman, H. Martensz, J. A. Muller, J. J. Loos, J. C. Gerhard, G. J. Ide, V. F. Nonies, H. G. De Zilva, H. Schokman, G. W. Gambs, J. G. Hillebrand, J. M. Mortier, P. A. Bracker, F. J. Ide, J. F. Willschut, M. Van Derwall, H. Van Langenbergh, J. A. Schumagher, R. H. Ebert, W. C. Engel, C. J. Melhuysen, L. J. Olhmus, H. P. Schoondorp, J. F. Meyer, J. Mack, J. F. C. Gambs, J. L. Van Buuren, C. C. Muller, J. C. Ludekena, P. J. Oudaijje, J. J. Gerhard, G. C. Siegerts, J. Ebert, W. Franciscus, P. Nell, C. Raffel, R. Christoffelsz, N. Raymon, M. J. Ludekens, W. Van Eyk, H. W. Schemmelketel, C. H. W. Erdman, N. Pieters, L. Van Der Linde, J. G. Henkel, W. Driberg, J. P. Horn, H. B. Van Dort, L. Van Dort, A. N. Perera, A. C. Coerea, J. F. Philipz.

Slavery Abolition.

CEYLON.

VELLALES.—A. De Saram, J. G. Philipz, C. De Saram, J. De Saram, H. De Saram, D. P. Samerkoon, V. De Saram, D. C. De Livera, J. P. Perera, D. J. F. Dias, J. L. Perera, D. H. Dassanaikie, D. B. H. De Liwera, P. Perera, M. De Saram, D. C. Dias, M. Perera, D. S. Ameresekera, P. De Liwera, P. Perera, S. Perera, J. Coerea, D. P. Silva, F. Perera, S. De Silva, D. Johannes, Juanis Appoo, Andries Perera, S. M. Silva, Christoboo Pieris, Abanchy Appoo, Juanis, Pedroe Appo, Don Andries, Christoboo Rodrigo, Louis Silva, Manuel Silva, J. De Silva.

FISHER CASTE.—Susey Fernando, Bastian, J. Fernando, F. F. Fernando, A. Silva, Jeronis, Anderey Nonis, Anthony Silva, Susey Silva, D. Silva (a schoolmaster), Nicolus Fernando, Domingo Munaz, Markoe Fernando, Saverenty Silva, Domingo Fernando, Marcinus Fernando, Istoboe Fernando.

WASHER CASTE.—M. Gomis Modeliar, J. Gomis Maha V. Moh., Philip Gomis, L. Gomis, C. Fernando, J. P. Gomis Aratchy, P. Fernando, P. D. Fonseka, Demstyn, Johannis Marcus, Juanis Fernando, D. H. Franciscus, A. Fernando Constable, Juan Fernando Vidabn, J. Fernando Constable, Luis Gomis, B. Fernando Vid. Aratchy, F. Fernando Constable, G. Fernando, Frans Gomis Aratchy, Christian De Fonseka, Don Salmon Aratchy, Migel Gomis, Siman Fernando.

MAHABADDE.—Adrian De Abrew Wijeguneratne Rajepakse, Simon Cornelis de Abrew Rajepakse, Salomon De Soosa, T. Mendis Wickremeneyeke, D. C. De Abrew Rajepakse, Andries De Abrew, Areud De Abrew Rajepakse, Simon Mendis, Balthazar De Mirando, Hendrik De Zoysa, Gregory De Zoysa, Lourens Mendies Wickremenayke, Don Simon De Abrew, Salamon De Zoysa, Adrian Mendies, Lourens Mendies, Thomas Mendies, Francisco Mendies, Simon Mendis, Rober Mendis.

MALABARS.—A. Rodrigo, J. D. Mardappa, J. M. A. Temonday, S. Franciscus, M. Jonclus, L. De Mello, P. Ondatjie, S. J. Ondatjie, N. J. Ondatjie, D. Casiechetty, J. Fernando, M. Franciscus, D. Rodrigo, M. Murgappa, P. J. Damodarampulle, J. Candappen, P. Fernando, D. Anendappen, A. P. Poellenoy, J. B. Anendappen, F. Rodrigo, Manuel Gomis, L. P. Assamppa, P. P. Assamppa, A. Coomarasamy, Siman Morgappa, Johan Rodrigo Sangam Chitty, Johan Rodrigo Cupe Moetto, M. Petin Gomis, Johan Pawoelus Tambapulle.

MOORS.—Slema Lebbe Markan, Secadi Markan, Segoe Mira Lebbe, Aliar Markan, Ibrahim Lebbe, Oedoema Lebbe, Secadie Markan, Pakier Sariantoe Palladian, Oedoema Lebbe, Katte Lebbe, Wappoo Markan, Pakkier Tamby, Seesma Lebbe Constable, Alpiers Sinne Lebbe, Pakkier Tamby, Secadie Markan, Alchoe Markan, Omer Lebbe Markair, Neyna Markan, Ossena, Kooskannie, Slema Lebbe, Segoe Mira Lebbe, Seesma Lebbe, Seca Markan, Oedoema Lebbe, Mahadoen Pulle, Pakier Pulle Segoe Lebbe, Hadjie Marikan, Ahamadoe Lebbe Markan, Sinne Loawppoo, Seesma Lebbe.

NEGOMBO DUTCH INHABITANTS AND BURGHERS.—J. M. Lavalliere, J. Van Langenberg, J. H. Ledulx, L. De Quacker, C. D. De Quacker, A. F. Koelmyr, M. Mack, J. Vander Laan, J. C. Vander Laan, R. W. Pieris, J. Koertz, J. Roey, J. Van Der Laan, S. D. Rehley, J. L. Koelmyer, J. Pietersz, Thomas Nelson.

CINGALESE.—H. Alfonso, D. L. E. Perera, Don Franciscu Coenja, Francisco Fernando, Jeronimus Fernando, Mana Rodrigo Silva, Istakie Fernando, Domingo Piris, Juanis Piries, Suse Fernando, Digoo Pieris, Istakie Laytan, Philippoo Fernando, Domingo Fernando, Soosey Fernando, Abraham Fernando, Domingo Fernando, Don Juwan Appoo, Jeliawsie Fernando, Juanis Liene, Istaakky Fernando, Istaakky Pieris, Philippoo Fonseca, Istaakky Fernando, Anthony Pieris, Philippoo Fonseca, Istaakky Fernando, Philippoo Fernando, Istaakky Fernando, Pedroo Fernando, Philippoo Fernando, Anthony Fernando, Istakie Fernando, Juan Fernando, Juan Fernando, Istoboo Fernando, Don Susey, Siman Fernando, Philippoo Dias, Manuel Fernando, Augustinoe Fernando, Pauloe Fernando, Francisco Lima, Augustinoe Fernando, Philippoo De Cross, F. Fernando Anawie, Nicolair Fernando, Domingo Fernando, Tomme Perera, Pedroe De Livera, Manuel Coorey, Itte Bolance, Francisco Fernando, Juan Fernando, Juan Fernando, Francisco Fernando, Siman Costa, Manuel Fernando, Juan Fernando, Don Anthony Appoo, Augustino Fernando, Francisco Fernando, Jusey Costa Moppoo, Raphiel Perera, Louwrenty Fernando, Bastian Fonseca, Joesy Fonseca, D. A. Perera, Joseph Perera, Anthony Fernando, Anthony Silva, Adrian, Atjiya, Silvestry Perera.

NEGOMBO CINGALESE.—Daniel De Mois, Adrian Perera, W. Abreu, J. Rodrigo, D. S. Moffel, Migil Fernando, Bastian Fernando, Don Simee Ondehiwela, Mathees Fernando, S. A. C. Fonso, Andries Fernando, Juan Fernando,

Fernando, Pedroe Fernando, Don Louis Dias, Salyado Saviel, Don Caronj Wijeyesekere, D. B. Wijeyesekera Rajepakse, Saviel Fernando, Naanpilige Bastian Fernando, Bastian Perera, Abraham Pesera, Bastian Fernando, Lourenso Fonseca, Gabriel Fernando, Bastian Fernando, Migil Fernando, Juan Fernando, Susey Fernando, Migel Fernando, Juan Fernando, Francisco, Don Philip, Johannes Fernando, Christoboe, Manuel Pieris, Hendrik Fernando, Domingo Fernando, Isteeboo Fernando, Hendrik Fonseca, Gabriel Perera, Pauloo, Gasbeer Fernando, Pauloo Fernandoo, Savery Costa, Philippoo Fernando, Migil Fernando, Bastian Fernando, Kilamenty Fernando, Sawery Fernando, Pauloo Fernando, Gasbeer Fernando, Juan Fernando, Adrian, Pedroe Piaris, Louis Silva, Salamon Fernando, David Fernando.

MALABARS.—Louis Rodrigo Chitty, Saviel Morel Constable, N. Rodrigo Verappa, P. De Cross Annavy, Vyattyanade Pulley, Manuel Croos, John Rodrigo, Philip De Waas, Christoboe Perara.

MOORS.—Segoe Ossen, Ismayleblee Vattyawr, Slema Lebbe, Assena Lebbe.

JAYELLE CINGALESE.—A. C. Coeren, Siman Perera, Roowell, Johannes Perera, Betercels, H. Perera, F. Perera, Elizabeth Perera, Hatan Hamy, J. Rowel, Gabriel Fonseca, Siman, Don Siman, Don Daniel, Juan Rodrigo, Don Salmon Appoo, Juwan Appoohamy, Bastian Rodrigo, Don Abraham, Don Christian, Don Pedroe, Don Lourenso, Diago Perera, Don Juanis, Don Andries, Hendrick, Don Bastian, Juwan Nonies, Siman Perera, Siman Perera, Don Alexander, Alexander, Jeasey Roerey, Bastian Perera, Hendrick Perera, Andries Rodrigo, Don Lourenso, Don Carolis, Don Hendrik, Don Daniel, Don Bastian, Don Jeronimus, Don David, Don Janis, Andries, Don Rendrick, Don Pawloe, Soosey Mendis, Don Luwis, Kirihettyge Don, Thomis, Harmanis Swaris, Bartholan, Gregory, Raphiel Silva, Bastian, Antho Perera, Ahtho, Abram, Langrippoo, Don Johannes, Tikery Rawle, Appoo Rawle, Kiryhamy, Punchy Rawle, Mennick Rawle, Poonchy Appoo, Singo Appoo, Kaligohamy, Kawo Rawle, Lapahamy, Jayatohamy, Tikiry Rawle.

CHILAW MALABARS.—G. Casie Chitty Modeliar, S. De Rosayro Pulle, Sinne Tamby.

MOORS.—Cawder Sayboo Markar, Aboebaker Markar.

MANAR: DUTCH INHABITANTS AND BURGHERS.—H. Matchies, J. Jan, J. C. van Brownhoff, S. Myse, J. Werkmeester, J. Hutch, A. H. Stevensz, A. Jansz, M. T. Jan, J. H. Vanduyn, P. Bertus.

CHITTEIS.—Iesewiratne Modliar, Raje Ratne Modliar, Rajecanrya Modliar, Sinne Tamby, Swan Diogu, Anthony Fernando, Juan Koenjo, Madevadyaputte, Mamy Muttu, Maniel Saviel, Antonial Torrom, J. A. Fernando, Tommano Crus, Savery Muttoe Coenje, Juwan de Lukas, Suse Punchy, Marshal Motten.

MOORMAN.—Segoe Mahamadoe Markar.

JAFFNA DUTCH INHABITANTS AND BURGHERS.—P. Tap, M. Margenout, J. G. Koch, A. De Niese, D. Bast, J. A. Maartenz, P. L. Kroon, J. B. Vanderweff, W. De Rooy, J. Mattheysz, J. Verwyk, Widow Vander-spar, J. A. Stutzer, Widow Van Hek, Widow Saalfelt, Widow Schraader, Widow Tussaint, G. Frankena, F. B. Rodrigo.

MOORS.—Coenjy Tamby, Segoenaden.

TRINCOMALE DUTCH INHABITANTS AND BURGHERS.—N. J. Gibbons, A. Maartenz, C. Donhorst, G. Wambeek, G. Nasson, J. Simonsz, C. De With, D. Meerwald, P. Dierand, H. Floryn, M. Winn, E. Neil, A. M. Bower, F. Hipponstall.

MALABARS.—Nelleratnesegra, Candoo Welloo Modliar, Ratnesigem, Don Gaspar Sanderesekere Poedoe Nalla, Manpana Wanman, Tambapully Modliar, Rajesekere Nalletamby Modliar, Arnasa Modliar, Mapana Modliar, Rasendia Modliar, Tamodra Modliar, Suppremanie Modliar, Cadergawnie Modliar, Rajacoon Modliar, Tirowealo Modliar, Sangrapulley Oodear, Van-rytamby Odear, Adievierepandite Modliar, Canjesinhe Modliar, Aleghon Modliar, Antony Modliar, Rajecaria Modliar, Sannaeganade Aratchy, Vettywealo Odyar, Sedemberenader Mottoo, Diogo Moetetamby, Somer Caderaumen, Colendyar Armogen, Anesepulle Wealen Chitty, Arlen Swanden, Ramer Moettan, Nooronjar Caleapen, Wally Periatamby, Colesegram,

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Jemedar Sittembelem, Willewer, Nawesyangem, Supprimania Pulley, Rengappen, Cooneary Coalen, Winayeger Manier, Rejecaria Modliar, Rajewarodiem Wittyom Periatamby, Weiyder Canden, Teager Sinne Tamby, Wyrewananden, Kwriekal, Arnasalen Vayrewan, Conepper Madsilamany, Katiegease Kurnwal, Alwar Canden, Ramer Suppremanien, Conepper Ranegesally, Sinnewen Wealen, Philipper Suppen, Comerewealoo Odeyar, Canden Suppen, Armagam, Paremer Wealen, Wiesoewar Sanderewen, Nieler Sandan, Nagepper Candeppen, Pedrian Podean, Suppe Odeyar Codiramen, Canny Pattengatty, Sangerpulley Seeden, Canepper Viesowenaden, Wyttyer Canewady, Anander Sinne Tamby, Cadergawner Wayrewie, Moedeley Odear Visowenaden, Moedeley Pattangatty Wayrewie, Peria Weerappen, Cadra Mottyar, Welayden Canden Wayrewie, Tiroowambillen Chinne Tamby, Alwar Moettoe Odyar, Omeyar Pagen, Condygease Odyar, Wallyame Wannitchy, Ramasue Sandenapully, Wayramuttama, Poodappen Candatta, Periapulley, Jangayer, Moettie, Mawrie Moettoo, Pinnatchy, Ambegepulle, Pajawadie Amal, Tywave, Siediewie, Aminat, Parpady, Tillewana Modeliar Anama, Caliana, Teywana, Oemyatcha, Walliana, Oemyatcha, Muttupulle, Tellewana Modliar Pattiana, Allagwreme.

TRINCOMALE MOORS.—Naynaham Markayar, Tamby Markar Sinne Vanpo, Ibrayneynapulle Peroo Conicopoly, Sabo Mastan Saybo, Neynaham Markar Mira Saybo, Kabiepulle Majainmed Mira Lebbe, Seara Modly Osseneys.

BATTICALOA MALABARS.—Sewekinoe Modliar, Rammanaden Modliar, Segenander Modliar, Caderamen Miny, Antony Isteavo, Moetar Santiago, Managen Chinne Tamby, Sambonaden, Comappen Adigary, Pattenen Adigary, Candeperemal, Velayden Chinnetamby, Velayden Joan Chinnetamby, Vealayden Adigary, Coneppen, Cadiramen Coneppen Adigary, Chimbecutty, Veneseger Cadiramen, Terookenen.

MOORS.—Madena Marcayen, Oedoema Nayna Slynia Lebbe, Agamadoe Isapulle, Marcayan Marcan, Agamado Pulley Mira Lebbe, Agamadoe Pulley Mira Cando, Ayneynan Markan Saydaly, Ahamadoe Lebbe Cosalip, Cadolebbe Vidahn, Caderpody.

GALLE DUTCH INHABITANTS AND BURGHERS.—A. E. De Ley, J. H. Brechman, P. A. De Moor, J. P. Rabinel, J. S. Augier, J. A. Wittensleger, J. Rose, J. H. Roosmalecocq, P. C. Roosmalecocq, J. Paulier, J. H. Memling, A. V. D. Brocks, W. Aldons, J. D. Aldons, D. Loret, W. Stroef, E. M. Degen, J. J. Engelbregt, J. Waltzell, H. A. Bogaars, P. Z. Andriessens, C. Hollebeek, H. Puttenaar, C. V. Houten, A. De Silva, L. H. Anthonietz.

GALLE CINGALISE.—D. A. Dias, T. S. D. Abeyesekere, Harmanus, D. V. Waas, J. D. Silva.

MATURA DUTCH INHABITANTS AND BURGHERS.—Jacobus Jansz, Fioris Jansz, N. R. Keuneman, Amelia De Meis.

VELLALES.—D. B. Ilangakoon, D. B. Wangediwakere, D. S. Perera, G. D. Saram, D. B. Ilangakoon, G. J. Ilangakoon.

MATURA VELLALES.—Don Siman Sammerewiere Kaamewickreme, Don Phillippoo Bandernaika.

MOORS.—J. Miracando.

CALTURA DUTCH INHABITANTS AND BURGHERS.—J. H. Reckerman, L. U. Bartholomeus, W. H. Andre.

RETURN

(B.)

RETURN of SLAVES belonging to _____ being a Subscriber to the Address to his Royal Highness the Prince Regent, in favour of Emancipating Children of Slaves.

Date.	Name of Slave.	Sex.	Age.	How acquired, by Purchase, Gift, Bequest, or Inheritance.	Names of Children of Female Slaves.	Age of Children.	Sex.	Whether born on or after 12th August 1816.

(C.)

Name of Slave deceased.	Number, Date and Letter on Certificate of Enregistration.	Whether registered in present, or other and what, District.	Date of Death.

(D.)

Name of Mother of the Child and of the Child.	Number, Date and Letter on Certificate of Mother's Enregistration.	Whether registered in present, or other and what, District.	Date of Birth or Death of Child.	Whether Free or not under Regulation No. 9, of 1818.

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(E.)

Name of Slave.	Name of original Proprietor, and No., Date & Letters, Certificate of Enregistration.	Whether registered in present, or what other District.	Name of Acquirer.	Date and Mode of Acquisition.

(F.)

SCHEDULE of PLACES of REGISTRY of Covia, Nallua and Palla Slaves in the Province and District of Jaffnapatam.

The Provincial Court of Jaffnapatam for the town of Jaffnapatam, and the parishes Nelloor, Wannarponne, Chundicolu, Navacooly, Copay, and the island of Karedivo.

The sitting magistrate of Jaffnapatam for the parishes Kits, Allepitty, Weline, Poon-gertivo, Nynativo, Aneletivo.

The sitting magistrate of Mallagam, for the parishes Pottoor, Atchovelly, Mayletty, Tellepalle, Mallegam Oodoowil, Pandatripo, Sangany, Manipay, and Battecotte.

The sitting magistrate of Point Pedro, for the parishes Partitorre, Oodoopitty, Kawawely.

The sitting magistrate of Katchay, for the parishes Sevacaserry, Wareny, Catchay, Elludomatual, Plopale, Mullepattoo, Mogomole, Tambobham.

The sitting magistrate of Poonereen, for the parishes Poonareen, Palweraincadoo, Ilpocadewe, Koretchipattoo.

(G.)

Name and Caste of Slave deceased.	Name of Proprietor.	Date of Death.	Parish of original Registry.

(H.)

Name and Caste of Mother of the Child, and Name of Child.	Date of Birth of the Child.	Name of Proprietor.	Parish of Mother's Registry.

No. 1.

CERTIFICATE of ORIGINAL ENREGISTRATION of a Domestic Male Slave.

No. on Register.

Letter.

Name of Proprietor.

Name and Age of Slave.

Place and Date of Enregistration.

Signature.

No. 2.

CERTIFICATE of ORIGINAL ENREGISTRATION of a Domestic Female Slave.

No. on Register.

Letter.

Name of Proprietor.

Name of Slave & Age.	Names of Children.	Age and Sex of Children.	Whether Free or not.	—

Place and Date of Enregistration.

Signature.

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No. 3.

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No. 3.

CERTIFICATE of ENREGISTRATION of a Free-born Child of a Domestic Slave.

No. and District of Mother's Register.

Letter.

Name of Proprietor of Mother.

Date of Birth, Name and Sex of Child.

FREE.

Place and Date of Certificate.

Signature.

No. 4.

CERTIFICATE of ENREGISTRATION of a Domestic Slave Child.

No. and District of Mother's Register.

Letter.

Name of Proprietor.

Date of Birth, Name and Sex of Child.

No. of Child's Register.

Letter.

Place and Date of Registration.

Signature.

No. 5.

CERTIFICATE of ENREGISTRATION of Death of a Slave.

No. and District of Register.

Letter.

Name of Slave.

Name of Proprietor.

Date of Death and Place of Registry.

Signature.

No. 6.

CERTIFICATE of ENREGISTRATION of Death of a Child of a Female Slave.

No. and District of Register of Mother.		Letter.
Name of Child.	Name of Proprietor.	
Date of Death and Place of Registry.	Signature.	

No. 7.

CERTIFICATE of REGISTRATION of Acquisition of a Domestic Slave.

No. and District of Original Register.		Letter.
Name of Slave and Sex.		
Name of Original Proprietor.	Name of new Proprietor.	
Date and Place of Registry.	New Number and Letter of Registry.	
Signature.		

No. 8.

CERTIFICATE of ENREGISTRATION of a Covia Male Slave.

District.	Parish.
No. on Register.	Letter.
Name and Caste of Proprietor.	
Name and Age of Slave.	
Place and Date of Enregistration.	Signature.

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No. 9.

CERTIFICATE of ENREGISTRATION of a Covia Female Slave.

District.		Parish.		
No. on Register.		Letter.		
Name of Proprietor.				
Name of Slave, and Age.	Name of Children.	Age and Sex of Children.	Whether Free or not.	—
Place and Date of Enregistration.			Signature.	

No. 10.

CERTIFICATE of ENREGISTRATION of a Free-born Child of a Covia Slave.

District.		Parish.	
No. and District of Mother's Register.		Letter.	
Name of Proprietor of Mother.			
FREE			
Date of Birth, Name and Sex of Child.			
Place and date of Certificate.		Signature.	

No. 11.

CERTIFICATE of ENREGISTRATION of a Covia Slave Child.

District.		Parish.	
No. and District of Mother's Register.		Letter.	
Name of Proprietor.			
Date of Birth, Name and Sex of Child.			
No. of Child's Register.		Letter.	
Place and Date of Registration.		Signature.	

No. 12.

CERTIFICATE of ENREGISTRATION of Death of a Covia Slave.

District.	Parish.
No. and District of Register.	Letter.
Name of Slave.	Name of Proprietor.
Date of Death and Place of Registry.	Signature.

No. 13.

CERTIFICATE of ENREGISTRATION of a Child of a Female Covia Slave.

District.	Parish.
No. and District of Register of Mother.	Letter.
Name of Child.	Name of Proprietor.
Date of Death and Place of Registry.	Signature.

No. 14.

CERTIFICATE of REGISTRATION of Acquisition of a Covia Slave.

District.	Parish.
No. and District of Original Register.	Letter.
Name of Slave, Age and Sex.	Name of New Proprietor.
Name of Original Proprietor.	
Date and Place of Registry.	New No. and Letter of Registry.
Signature.	

N. B.—The Certificates Nos. 8 to 14 are equally applicable to Nallua and Palla Slaves changing the word Covia as necessary.

No. 15.
ALPHABETICAL REGISTER of DOMESTIC SLAVES in and for the Province or District of
Letter (A.)
under the 9th Regulation of 1818.

1. No.	2. Date of Registration.	3. Name of Slave.	4. Sex.	5. Age.	6. Name of Proprietor, and how acquired.	7. Name of Children of Female Slaves.	8. Age and Sex of Children.	9. Whether Free under Regulation.	10. Name and Sex of Free Children born after first Registry, with Date of Birth.	11. Name and Sex of Slave Children born after first Registry, and reference to No. and Letter under which registered Slaves.	12. Reference to No. and Letter under which this Slave is registered in a change of Property.	13. Additional Remarks.
												In this column will be inserted the contents of notifications respecting the slave, or his or her family, received from other registers; also the number and dates under which slaves who, or whose children, are required to be registered in a new register, appear in one of any other district; and the date of the death or emancipation of any slave.

No. 16.
ALPHABETICAL REGISTER of SLAVES of the Covia [or Nallua or Palla] Caste in the Parish of
Letter (A.)
under the 9th Regulation of 1818.

1. No.	2. Date of Registration.	3. Name of Slave.	4. Sex.	5. Age.	6. Name of Proprietor.	7. Name of Children of Female Slaves.	8. Age and Sex of Children.	9. Whether Free under Regulation.	10. Name and Sex of Children born after the Registration with Date of Birth, and if free or not; and reference to No. and Letter wherein such Slave-child is registered on becoming of the age of 14 years.	11. Reference to No. and Letter under which this Slave is registered on a change of Property.	12. Additional Remarks.
											In this column will be inserted the contents of notifications from other registries relative to the slave, and the number, dates and letters of certificates of original registries of slaves who, or whose children, are to be registered in a new district; also the date of death or emancipation of slaves.

By Order of Council,
(signed) George Lasignon, Act. Sec. to Council.

Enclosure 2, in No. 3.

REGULATION OF GOVERNMENT.

Present: His Excellency the Governor in Council, A.D. 1818.

REGULATION No. 10.

A REGULATION for facilitating the Division of Covia, Nallua and Palla Slaves, in the Di stricts of Jaffnapatam and Trincomalee, among the present Owners of such Slaves.

1. WHEREAS by a Regulation passed this day, numbered Nine, and entitled, "A Regulation for securing to certain Children emancipated by the Proprietors of their Mothers the full benefit of such Proprietors' intentions, and for establishing an efficient Registry of all Slaves, and abolishing the Joint Tenure of Property in the same," it is enacted, That from and after the 12th day of August in the year 1819, joint property in slaves, either domestic or belonging to the castes of Covia, Nallua or Palla, or under any other denomination, shall not be lawful within any of the maritime provinces of these settlements, and that all registries of slaves under the provisions of the said regulation shall be only in the name of a single proprietor for each slave :

Recital of Regulation No. IX., A. D. 1818.

2. And whereas it is necessary for the more effectual execution of this provision of the said regulation, that certain rules should be enacted for enabling the present holders of shares of such slaves of the Covia, Nallua and Palla castes in common, specially in the districts of Jaffnapatam and Trincomalee, more easily to cause such tenure to cease, either by division of the families of slaves among such holders of shares, or by the sale of such slaves singly to one of the present proprietors or to a stranger, and division of the proceeds, as may be most practicable, and as by the said regulation is required.

Necessary to provide for the more effectual division of slaves held in undivided tenure in the districts of Jaffnapatam and Trincomalee, and to enact rules for enabling the present holders of shares in slaves to cause such tenure to cease.

3. It is enacted by his Excellency the Governor in Council, That upon the appearance before any one of the several judges and magistrates in the provinces of Jaffnapatam and Trincomalee, who in and by the regulation above recited are appointed to hold registries of slaves under the regulation above referred to, of any one or more person or persons claiming to be an owner or owners either in whole or in part of one or more Covia, Nallua or Palla slaves then resident, or who may have been usually resident and domiciled within the local jurisdiction assigned to such judge or magistrate for registry, or of the husband of any female proprietor, or the natural or appointed guardian of any proprietor under age, for or on behalf of such female or minor proprietor of slaves or shares of slaves ; and on such appearer giving in a list of such slaves, including the children of any female slave, the said judge or magistrate shall cause a copy of the said list to be sent to such commissioners as by warrant under his Excellency's hand and seal may be appointed to sit within the district of Jaffnapatam, for the execution of this regulation, and another copy to be affixed at his office, and another copy to be sent to each and every other of the aforesaid judges or magistrates, and to the collectors of Jaffnapatam and Trincomalee, who are all severally hereby required to affix such lists in the most conspicuous parts of their several offices, and further to give all publicity to the same ; and the said lists shall also bear a general notice or citation to all persons who may have or claim an interest in the slaves above mentioned, or any one or more of them, either in whole or in part, to be and appear before the commissioners herein above alluded to on a day there to be fixed, at the distance of five weeks or thirty-five days from the date of the application, either in person or by attorney, or being minors, by their natural or appointed guardians, with the several deeds or documents on which they found or refer for proof of their respective claims, in default whereof the said commissioners will proceed further to the execution of the provisions of this regulation, notwithstanding the absence of any claimants not appearing ; and the said judge or magistrate shall direct the original applicant on the said day to appear, either by himself or his attorney, before the commissioners above mentioned.

On appearance before any judge or magistrate in the aforementioned districts, authorized by Regulation No. IX., to hold registries of slaves of any one or more person or persons claiming to be owners in whole or in part of Covia, Nallua or Palla slaves in his jurisdiction of registry :

or of the husband of any female proprietor, or natural or appointed guardian of a minor proprietor ;

and on giving a list of such slaves, including children of female slaves, copy of the list to be sent by judge or magistrate to certain commissioners to be named, and to sit in the district of Jaffna.

Another copy to be affixed at his office. Other copies to be sent to each and every other judge or magistrate holding registries in those districts, and to collectors of Jaffnapatam and Trincomalee, who are to affix the same in conspicuous parts of their offices, and give all publicity to the same.

Lists to bear a general notice or citation to all persons interested in slaves therein mentioned to appear before commissioners on a day at 35 days or five weeks distance from the date of the application, either in person or by attorney, or being minors, by guardians,

with the several deeds or vouchers on which they found or refer for proof of their respective claims. In default, commissioners will proceed to execute the provisions of this regulation, notwithstanding absence of non-appearing claimants.

Judge or magistrate shall direct original applicant to appear on same day.

Commissioners, or any one or more, shall, during continuance of commission (the termination of which shall be notified in government gazette), have the powers and jurisdictions of a provincial court,

as far as relates to property in Covia, Nallua and Palla slaves, whether the owners or slaves be or not resident in district of Jaffnapatam ;

subject to appeals as from provincial courts.

4. And it is hereby further enacted, That the said commissioners to be appointed by warrant as aforesaid, or any one or more of them, shall have, during such time as it shall be deemed necessary that the said commission shall be in force (the termination of the powers whereof shall be notified in the government gazette by order of his Excellency the Governor) all and singular the powers and jurisdictions of a provincial court, in as far as regards property in Covia, Nallua and Palla slaves, and that whether the said slaves or the owners thereof may or not be resident or inhabiting in the district of Jaffnapatam, and shall hear, try and determine all and singular the cases which may occur touching such property, subject to such appeals

Commissioners, or one or more of them, shall sit daily at some place in the district of Jaffnapatam, to be appointed by the Governor, except on Sundays or admitted holidays.

On days of appearance directed by citations mentioned in paragraph 3d, the sitting commissioner or commissioners shall proceed to call all claimants present before him or them, and inquire into claims of each slave or family of female slave in the list under consideration.

And where any number of slaves shall appear to be the joint property of the several claimants, make a partition among the owners, if possible.

No separation of children under 14 years of age to take place from the mother.

Where the commissioner or commissioners deem it impossible to make partition,

the slaves being above 14 years of age, and males, or females without children, to be put up singly; and females having children, with their children, to auction among proprietors.

Or, the majority of proprietors present consenting, to general auction after three days' notice; and proceeds to be divided among part-owners, according to their rights.

In case of a claim to shares not exceeding one-sixteenth of any slave being preferred and contested, the trial of such title not to impede the division,

which is to be effected by sale, as directed in preceding clause, and share of proceeds claimed reserved till the claim is decided by ordinary tribunals.

In cases of claims contested exceeding one-sixteenth, the commissioners to investigate and determine on the justice of the same.

If any of claimants of a female slave has subscribed address to the Prince Regent in favour of gradual emancipation,

such persons shall be entitled preferably to possess female slaves at his or her option on payment of value of the slave and her family, to be ascertained by appraisement or by the price highest bid at auction,

If all claims admitted and reserved do not amount to establish rights of ownership to the whole slave,

division to be by sale by auction.

Unclaimed shares of proceeds to be held in deposit and paid on application to the slave,

unless suggestion is made of claimants being absent from the district of Jaffna and Trincomalee, whose claim to shares of proceeds is reserved till 1st August 1819.

Lists to be returned by commissioner or commissioners to judge or magistrate from whom received, with a note of proceedings and decision,

for the guidance of the judge and magistrate in enregistering slave on application.

Mode of assignment of a person as a slave by commissioners.

as by the regulations now in force exist from the decisions of provincial courts.

5. And it is further enacted, That the said commissioners, or some one or more of them, shall sit at such place within the district of Jaffnapatam as his Excellency the Governor may appoint, every day (Sundays and other admitted holidays excepted), in order to the due execution of the provisions of this regulation.

6. And it is hereby further enacted, That on the days on which the appearance of claimants under the citations or notices above specified shall have been directed, the said commissioner or commissioners sitting shall proceed to call all such claimants or attorneys of claimants as are present, in every case before him or them, and shall inquire into the various claims to each slave or family of a female slave appearing in the list then before him or them for consideration, and shall, where any number of slaves in such list appear to be the joint property of the several claimants, make a partition of the same among the owners, if possible, observing always, that no separation of children shall take place from the mother where such children may be under 14 years of age; and where it shall appear to the said commissioner or commissioners that it is impossible to make such partition, the said slaves shall, being males above 14 years of age, be put up singly; and females having children, with their children under 14 years of age, or not having children, singly, to auction among the several proprietors, or the majority of such proprietors present consenting, to general auction, after three days' notice, and the proceeds shall be divided among the several part-owners, according to their rights.

7. And it is further enacted, That in case of any claim being preferred to a share of any slave or slaves, not exceeding the one-sixteenth part of such slave, and being contested by any other claimants present, the trial of such title shall not impede the execution of the provisions of this regulation, but the said slave or slaves shall be sold by auction, as is hereinabove directed, and the share of proceeds claimed reserved in sequestration till the claim depending shall be decided by the common competent tribunal; but in cases where the contested claim of any person shall exceed one-sixteenth part of any slave or slaves, the commissioners shall proceed to investigate and determine on the justice of the same.

8. And it is further enacted, That if among the claimants to any female slave there shall be one or more who have subscribed the address to his Royal Highness the Prince Regent, assenting to the emancipation of slave children born after the 12th day of August 1816, such person or persons, the priority of choice, where there are more than one being given to the possessor of the largest share, shall be, at his or her option, preferably entitled to the possession of such female slave and her children, on payment into court, for the use of the other partners, either of an appraised value or of the price highest bid on the said slave being put up to auction, according to the discretion of the commissioner or commissioners.

9. And it is hereby further enacted, That if the claims admitted by the said commissioner or commissioners, on hearing and investigating the same to shares in a slave, shall not, together with such as are hereinabove directed to be reserved for further trial, go to establish right of ownership to the whole of any person claimed as a slave, the division of interest shall be, as before directed, by sale of such slave by auction, and by division of the proceeds; and the shares to which no claims shall have been admitted, shall be reserved in deposit, to be paid over, on application, to the slave, unless any one or more of the claimants present shall have suggested, of which a note shall be made by the commissioner, that there are absent from the above districts proprietors duly entitled to such reserved share or part thereof, whose right to claim the same on or before the first day of August 1819 shall be reserved to such absent proprietor.

10. And it is further enacted, That the said commissioner or commissioners shall return the lists to the judge or magistrate from whom the same shall have been received, with a note of their proceedings and decision in the margin, or endorsed or annexed to the same, for the guidance of the judge or magistrate in enregistering the slaves, upon application duly to be made to him by the person entitled to the same, according to the 18th clause of the regulation herein first above recited in that behalf.

11. And it is hereby further enacted, That whenever the said commissioner or commissioners assign to any person one or more slave or slaves, either on partition, or in consequence of the sale at auction of such slave or slaves to such person, he or they shall do the same by certificate in writing under his or their hands, and shall also assign to

to him or her true copies of the documents adduced to establish the right of the original claimants to such slave; and that the said commissioners do preserve the originals of such documents, to be handed over at the termination of their functions to the provincial court of Jaffnapatam, where the same will remain on record.

True copies of the documents adduced to establish right of original claimant to be also assigned.

Originals to be preserved and handed over to provincial court of Jaffnapatam to remain on record.

12. And it is hereby further enacted, That all proceedings under this regulation shall be without fee or duty to government, save and except on the trial of contested claims, in which fees by stamp shall be payable as if the proceedings were before a provincial court.

All proceedings without fees, except on trials of contested claims, when similar fees are to be levied as in provincial court.

13. And it is hereby further enacted, That nothing in this regulation contained shall be construed to reduce into slavery any person not being really a slave under colour of any decision by the commissioners above mentioned, to which such person shall not have been a party, and been duly and according to law heard on his or her own behalf, and judgment formally pronounced and recorded that he or she is a slave; but that all claims to freedom which shall not have been fully and according to law discussed before such commissioner or commissioners, shall remain subject to decision before the competent tribunal; provided always, that the decision of the said commissioner or commissioners, duly made, as well in such cases as upon the validity of claims to slaves or shares, between contending claimants, which may be heard and decided before them, or any one or more of them, shall be taken to be the decision of a competent tribunal, referred to in the 30th clause of the 9th regulation herein first above recited for all purposes to which the same applies.

No decision of commissioners to reduce a person to slavery, unless expressly declaring so after the party has been judicially heard and judgment after such hearing pronounced.

Decision of commissioner or commissioners duly made, as well deciding cases of slave or no slave, as on validity of claims to slaves or shares, between contending claimants, to be taken as decisions of competent tribunal referred to in 30th clause of 9th Regulation, Ao. 1818.

Given at Kandy this fifth day of August 1818.

By order of the Council,
(signed) *Geo. Lusignan*, Act. Sec. to Council.

By his Excellency's command,
(signed) *John Rodney*, Chief Sec. to Govt.

Enclosure 3, in No. 3.

Gentlemen,

Kandy, 13 August 1818.

In transmitting you the enclosed commission, nominating you the commissioners for executing the 10th regulation of 1818, I am directed by his Excellency to impress on you how much the fulfilment of the views of government must depend on your personal exertions in carrying them into effect, as well by your unremitting attention to the duty of commissioners as by your official influence in accelerating the production by proprietors of their claims to slaves for discussion.

Encl. 3, in No. 3.

You will sit singly in weekly rotation, excepting always in cases where you may deem it beneficial to consult each other's opinions, when it will be in the power of the sitting member to call a meeting of the rest at the distance of three days from the day of notice; and in such cases where there may be an equality of votes on any subject, the question will be decided by the casting vote of the presiding member in the order of nomination, agreeable to the proclamation of the 23d of September 1799.

In case of indisposition or other public business of more urgency (which last his Excellency will be slow to admit) preventing any commissioner from taking his weekly tour of duty, it will pass to the next in rotation, notice being given thereof to me for his Excellency's information.

Your sittings will be held in such part of the catchery as the collector can appropriate to this purpose, of which a report is to be made.

The following establishment is allowed to be drawn as a judicial contingency of the catchery from 1st September:—

			Rix Dollars.				Rix Dollars.
1	Secretary	- - -	45	-	1	Malabar writer	7 6
1	Clerk	- - -	20	-	2	Peons	7 6
1	Interpreter	- - -	30	-			110 -

You will be good enough to report the names of the persons you propose appointing to the three former offices for his Excellency's confirmation.

You will be pleased to report on the 1st of every month the number of lists of slaves received from each department of registry during the preceding month, and the number decided on and left pending to be carried to the next monthly account.

Whensoever stamps are required for litigated cases, you will conduct your requisitions on the collector and accounts in the manner laid down in the instructions to provincial courts of 18th August 1810.

I have, &c.

(signed) *Geo. Lusignan*, Depy Secy Judl Dept.

The Collector, the Provincial Judge,
the Sitting Magistrate,
the Assistant Collector at Jaffnapatam.

Slavery Abolition.

CEYLON.

WE, the Honourable Sir Robert Brownrigg, Baronet and Knight Grand Cross of the Most honourable Military Order of the Bath, Governor and Commander-in-chief of the British Possessions in the Island of Ceylon,

To the Collector, Provincial Judge, Sitting Magistrate, and Assistant Collector of the District of Jaffnapatam,

Greeting.

WHEREAS we have deemed it expedient to enact a regulation, intituled, "A Regulation of Government for facilitating the division of Covia, Nallua and Palla slaves, in the district of Jaffnapatam and Trincomalee, among the present owners of such slaves: "And whereas we have deemed it necessary to provide therein for the more effectual division of slaves held in undivided tenure in the district of Jaffnapatam and Trincomalee, and to enact rules for enabling the present holders of shares in slaves to cause such tenure to cease, and for that purpose to appoint commissioners with powers and jurisdiction of a provincial court, as far as relates to property in Covia, Nallua and Palla slaves, and to make their decisions subject to such appeals as by the regulations now in force exist from the decisions of provincial courts: We do hereby, by the powers in us vested, nominate, appoint and authorize you to be commissioners for the said purpose, and to sit daily, Sundays and other admitted holidays excepted, jointly, or one or more of you, at or near the town of Jaffnapatam, for the purpose of carrying into effect the provision contained in our said regulation to its full extent, provided that your decisions shall be subject to such appeals as we have deemed it necessary to enact by our said regulation.

For which these presents shall be your warrant and authority during the continuance of your commission, and during our further pleasure.

Given under our hand and seal at Kandy, in the Island of Ceylon, this 13th day of August in the year of our Lord 1818.

By his Excellency's command,

(signed) *Geo. Lusignan,*
Dep^y Sec^y to Gov^t Jud^l Dept.

(True copies.)

Geo. Lusignan,
Dep^y Sec^y to Gov^t Jud^l Dept.

SCHEDULE of EXPENSES to be incurred in the District of Jaffnapatam and Trincomalee, for carrying into effect the 9th and 10th Regulations of 1818.

JAFFNAPATAM.

For the Commissioners to sit under 10th Regulation.

	<i>Ris Dollars.</i>	
1 Secretary - - - -	45 - -	
1 Clerk - - - -	20 - -	
1 Interpreter - - - -	30 - -	
1 Malabar Writer - - - -	7 6 -	
2 Peons - - - -	7 6 -	
	110 - -	
For the Provincial Court and for each of the five Magistrates authorized to hold Registries:		
1 Clerk - - - -	25 - -	
1 Malabar Writer - - - -	7 6 -	
	32 6 -	each 195 - -
	305 - -	for 12 months is 3,660 - -

TRINCOMALEE.

For the Provincial Court and the Sitting Magistrate of Moellette, for each:		
1 Clerk - - - -	25 - -	
1 Malabar Writer - - - -	7 6 -	
	32 6 -	ea. or 65 - - for 3 months is 195 - -
TOTAL estimated Expense - - 3,855 - -		

Estimate Stamp Revenue from Registries under the above Regulations.

	<i>Ris Dollars.</i>
For 2,000 domestic slaves at 6 f. each - - - -	1,000 - -
For 20,000 Covia, Nallua and Palla slaves at 3 f. each - - - -	5,000 - -
	6,000 - -

Geo. Lusignan, Dep^y Sec^y to Gov^t Jud^l Dept.

(No. 77.)

— No. 4.—

Slavery Abolition.

EXTRACT of a DESPATCH from Major-general Sir *E. Barnes*, C.B., to Earl *Bathurst*, K.G., dated King's House, Colombo, 10 May 1821.

CEYLON.

No. 4.

Major-general Sir *E. Barnes* to Earl *Bathurst*, 10 May 1821.

I HAVE the honour of transmitting to your Lordship copy of a regulation, passed on the 17th ultimo, "for the gradual emancipation of all female slave-children of the Covia, Nallua and Palla castes, by the purchase of their masters' interest in such female slave-child at the period of her birth;" the date of the commencement of the enactments whereof I thought it right to fix on the day of celebrating his Majesty's birth-day.

The motives which have led me to adopt this measure your Lordship will find detailed in the minutes accompanying; and I have the satisfaction of stating that it has met the general concurrence of the members of his Majesty's Council, as also of the puisne justice, to whom, though not a member of council, yet from the respect I bear to his talents and character, and as he had recently come from a part of his Majesty's dominions where slavery generally prevails, I thought it right to communicate my plans.

The copies of these gentlemen's opinions are annexed to the minute, as also a copy of a letter from the collector of Jaffnapatam, to whom I made a second and separate reference for his opinion as to the effects of the project on the general state of the district; and I venture to express my confidence, that, as the same appears free from any objection, excepting such as must be looked for from the owners of slaves, and as the annual expense is of very inconsiderable amount in comparison with the beneficial consequences to be derived from it, the regulation will be recommended by your Lordship to his Majesty's gracious sanction.

Enclosure 1, in No. 4.

REGULATION OF GOVERNMENT.

Present: the Honourable the Lieutenant-governor in Council, A. D. 1821.

REGULATION, No VIII.

For the gradual Emancipation of all Female Slave Children of the Covia, Nallua and Palla Castes, by the Purchase of their Masters' Interest in such Female Slave Child at the period of her Birth. Encl. 1, in No. 4.

1. WHEREAS it is in every respect desirable that slavery should be gradually abolished in this island, consistently with a due regard to the rights of the owners, but with the more imperative feelings of justice and humanity to the slaves: And whereas by sundry regulations of this government, it is for this purpose provided, that any slave who can tender the estimated value of his or her person to his or her owner, according to certain rules in the said regulations set forth, shall be and is entitled to his or her freedom: And whereas it is expedient to extend the benefits of those enactments, and to emancipate all female slave children of the Covia, Nallua and Palla castes, who shall be born from and after the 24th day of April now current, and at the same time to compensate the owners of the mothers of such female slaves, for their interest in such slaves, at a fair and reasonable price, proportioned to the present value of grown-up female slaves of the said castes, and the chances of life:

2. It is therefore enacted, by the Lieutenant-governor in Council, That all and every the female children, who shall be born of a female slave of the Covia, Nallua or Palla caste, on or after the 24th day of April now current, being the day appointed for the celebration of the birth-day of his most gracious Majesty, shall be, and they and every of them is and are hereby declared free to all intents and purposes, any provision or enactment in this or any other regulation or law to the contrary notwithstanding.

3. And it is hereby further enacted, That the owner of every female slave of the Covia, Nallua or Palla caste, to whom a female child may be born, on or after the said 24th day of April now current, shall, after the expiration of 30 days from the birth of such child, and within 60 days therefrom, upon production to the collector of the district wherein he resides, of a certificate of the birth of such female child, and of its being alive on the 30th day after its birth, signed by the schoolmaster of the parish in the district of Jaffnapatam, and two respectable persons of his, the owner's, neighbourhood, and in any other

Preamble:

Desirable in every respect that slavery should be gradually abolished in this island. Recital of regulations providing that slaves may purchase their liberty by paying their estimated value to their masters.

Expedient to extend the benefit of those enactments, and to emancipate all female slave children of the Covia, Nallua and Palla castes, who shall be born on and after the 24th of April 1821, compensating to the owners for the value of their interest in such children at a fair proportionate price.

All female children of female slaves of the Covia, Nallua and Palla castes, born on and after the 24th April 1821, being the day of celebrating his Majesty's birth-day, are declared free.

The owner of any female slave of the Covia, Nallua and Palla castes, to whom a female child shall be born on or after 24th April 1821, on production to the collector of the district of a certificate of the birth of such child, and that it is alive on the 30th day, signed in the Jaffna district by the schoolmaster of the parish, and in any other district by the headmen of the Pattoo, 30 days after the birth and within 60 days, and being accompanied by the mother, if she is alive, shall receive three rix-dollars if the mother is of the Covia caste, and two rix-dollars if of the Nallua or Palla caste.

Collector shall further pay the mother two rix dollars.

Collector shall give the mother a certificate of the freedom of the child according to the Form (A.) and send a duplicate to the register of slaves for the district or division.

Register to keep a separate book for registering such certificates.

Reference to mother's registry when made.

Certificates by schoolmasters and headmen to be issued gratuitously and without delay on the declaration of the owner, the mother of the child and two of the owner's neighbours.

Penalty on persons procuring certificates by fraud or false declaration.

Fine, not exceeding 50 rix-dollars, and imprisonment at hard labour, not exceeding six months.

Any one claiming a person hereby declared free as a slave, or pretending to detain, use or dispose of such person as a slave, liable to the punishment established by law.

Recital that government has refrained from exercising all dominion over the persons who were the slaves of the Dutch East India Company when the island was occupied by his Majesty's forces;

yet as no public Act declares them free, doubts may exist touching their condition.

All persons who at the period of the occupation of any part of Ceylon by his Majesty's forces were considered slaves of the Dutch East India Company, and their descendants, other than such on whom individual claims exist from their being the progeny of slaves of individuals, are declared free.

district on the production of a certificate signed by the principal headman of the Pattoo, and two respectable persons, his, the owner's, neighbours, and also being accompanied by the mother of the child (unless she shall have previously died), be entitled to receive from such collector the sum of three rix-dollars if the mother is of the Covia caste, and the sum of two rix-dollars if she be of the Nallua or Palla caste; and the said collector shall further pay to the mother of every such child the sum of two rix-dollars.

4. And it is further enacted, That such collector shall give to the mother a certificate of the freedom of her child, according to the Form (A.) annexed to this regulation, and shall send a duplicate thereof to the proper officer authorized by the 9th regulation of 1818 to hold the registry of slaves of this description, who shall register the same in a separate book to be kept for this purpose, referring at the time to the mother's registry as a slave, if she shall have been registered under the said regulation, and noting in such registry of the mother, if it has taken place, or when it does take place, the birth of the female child, and that she is a free person.

5. And it is further enacted, That the certificates in and by the 3d clause required, shall be issued by the schoolmasters or principal headmen gratuitously, and without any delay, on the declaration of the owner, the mother of the child, and of the two neighbours of the owner; and that if it shall be proved that any such certificate shall have been obtained by fraud, or in consequence of a false declaration, the person or persons who shall be convicted of such fraud or false declaration shall be punished therefor by fine, or imprisonment at hard labour, or both; such fine not to exceed 50 rix-dollars, and such imprisonment not to exceed six months.

6. And it is further declared and enacted, That any person who shall claim any person declared free by this regulation as a slave, or shall detain or pretend to detain, use or dispose of any such person, as a slave, shall be liable to all such punishment as by law may now be inflicted on the detention, use or alienation of free persons as slaves.

7. And whereas, although the British Government has invariably refrained from exercising any dominion over the persons of the Covia, Nallua and Palla castes, who were at the time of the occupation of the island by his Majesty's forces considered and known as the slaves of the Dutch East India Company, or over their descendants, still there has not been any public or declared recognition on behalf of the Crown of the freedom of such persons, and doubts may exist touching their condition; it is therefore hereby declared and enacted, That all such persons as were at the period of the occupation of the island of Ceylon, or any part thereof, by his Majesty's forces, considered as slaves of the Dutch East India Company in the said island, are, together with all such of their descendants on whom no claim of individuals may exist in virtue of their birth from the female slaves of such individuals, to all intents and purposes free.

Given at Colombo this 17th day of April 1821.

By order of the Council,
(signed) *George Lusignan*, Secretary to Council.

By the Lieutenant-governor's command,
(signed) *John Rodney*, Chief Sec. to Govt.

No.	FORM (A.)	Cutcherry
		182
This is to certify that agreeable to the provisions of the eighth		Regulation of 1821, a female
child of		a female slave of the
caste, born on the	day of	182 is free.
To be registered in the register of		
		A. B.
The owner of the mother is		Collector.

Enclosure

Enclosure 2, in No. 4.

Slavery Abolition.

CEYLON.

EXTRACT from the MINUTES of a COUNCIL held at Colombo, on Tuesday the 17th day of April 1821.

MINUTE by the Lieutenant-governor.

THE regulation which the Lieutenant-governor now has to propose should pass into a law, to have effect from the 24th instant, the day fixed by his Majesty for the celebration of his birth-day; having been already, with the motives for enacting it, submitted to the consideration of the members of council, by the Lieutenant-governor's minute of the 9th February last, and having met their general concurrence, it will not be necessary to repeat the grounds on which the regulation proceeds, as enumerated in the former minute, which will be recorded in the books of council.

It is proper, however, to state that the suggestions of the chief-justice, to render the words declaring the persons now emancipated free susceptible of no doubt, have been adopted. Those which connect the right of the master to payment of the compensation allowed with a previous registry of the mother could not be adopted without postponing the operation of the Act till the registry should be completed, which certainly will not be till the end of this year, and may be longer delayed by the tediousness of dividing the complicated tenure of slaves.

The suggestion of the chief secretary, that the compensation is not sufficient, and that the interest of the mother of the child and her master in its preservation is not sufficiently provided for, has received the Lieutenant-governor's consideration. It appears, however, by a report received from the collector of Jaffna, that the master seldom if ever took any interest in the rearing of his slaves' children, and the mother's interest in the preservation of her offspring may naturally be expected to be increased by the improvement in the infant's future condition.

The Lieutenant-governor now moves that the regulation, as now amended, be read and passed.

MINUTE by the Lieutenant-governor, addressed in circulation to the Members of his Majesty's Council.

THE Lieutenant-governor very lately had the honour of laying before council a minute relative to certain measures adopted by him for aiding the emancipation of slaves in the Jaffna district. He now has to request the attention of the members to a plan he has for some time had in his thoughts, and which must effectually, in the course of about 30 years, by the known operation of law, destroy slavery altogether. This desirable object he proposes to attain by purchasing, at a fair and reasonable price, the liberty of every female slave born in a month from her birth, and the expense of which undertaking, supposing 2,500 female slave children to be born in a year (the number of grown-up female slaves being rated at 9,000; from a rough estimate, as none very exact can be immediately obtained), will not exceed 11,000 rix dollars annually,—a contribution in the cause of humanity which the Lieutenant-governor is persuaded his Majesty's Ministers will most fully approve.

The Lieutenant-governor has consulted, in respect to the detail of the proposed arrangement, its effect as regarding the children to be emancipated, and the feelings of the proprietors of slaves, and also as to the price which should be paid the three civil officers at Jaffna; and their report which is sent herewith will show the facility with which the measure can be accomplished, though, as might be expected, some repugnance is anticipated on the part of the proprietors.

The necessary regulation for this purpose the Lieutenant-governor believes is drawn up with sufficient clearness to expose all other points connected with the measure, in respect to which he requests the members of council will be pleased to favour him with their several opinions, and he will be thankful for any suggestions tending to facilitate the completion of the object in view.

(signed) *E. Barnes.*

King's House, Colombo, 9 February 1821.

Chief Secretary's Office, Colombo, 23 October 1820.

Gentlemen,

THE Lieutenant-governor having reason to believe that an arrangement may be made without any very great annual expenditure on the part of government for the gradual extinction of slavery in the province of Jaffnapatam, by purchasing the liberty of every female slave-child of the Covia, Nallua and Palla castes, the moment it is born, has directed me to request your consideration and report on the following most important points connected with the measure proposed:—

Whether the emancipation of these children by the purchase of their liberty will or not tend, by abolishing the interest of the masters in their growth and life, to render their existence more precarious than at present, or whether the means at command of the parents will suffice for the maintenance of these children until they become of an age to contribute to their own support in the first instance, and finally to maintain themselves.

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Slavery Abolition
 CEYLON.

In order to place this important part of the inquiry in the clearest point of view, it will be necessary for you to state what is the present mode of livelihood of these slaves and their families; it is understood, that when they work for their owner they are supported by them, but it will be necessary to know whether this support extends to the labourer only, or to his family generally; and if the latter are not included in such support, how are they maintained during the time that the person on whom they depend for support is working for his or her proprietor?

What will be a fair price to be paid to the proprietors of slaves for every female child to be born at the time of its birth, taking into consideration the value of a full-grown female slave of each caste, and the chances of the child attaining that state, in reference to which it may not be out of the way to mention, that the number of children born who die before the age of 14 is reckoned at six in ten.

You will also report your opinion as to whether the measure will meet countenance or opposition among the proprietors of slaves, recollecting, however, that it is not the Lieutenant-governor's wish that you should, by making inquiries, give occasion to a premature knowledge of the views of government.

I have, &c.

(signed) *Geo. Lusignan*, Dep. Sec. to Govt.

C. E. Layard, Esq., Provincial Judge,
 W. H. Hooper, Esq., Collector, and
 J. N. Mooyart, Esq., Sitting Magistrate,
 Jaffnapatam.

Sir,

Jaffnapatam, 4 January 1821.

WE have the honour to submit our answers to the several queries relative to the plan proposed for the gradual extinction of slavery in this district, by purchasing the freedom of female children of the Covia, Nallua and Palla castes, as soon as they are born.

Query 1. Whether the emancipation of these children by the purchase of their liberty will or not tend, by abolishing the interest of their masters in their growth and life, to render their existence more precarious than at present; or whether the means at command of the parents will suffice for the maintenance of these children until they become of an age to contribute to their own support in the first instance, and finally to maintain themselves?

Ans. The only support a slave has by established custom from her master to assist her in the rearing of her children, is five fanams, and a piece of cloth six cubits in length, at the time of her confinement; and we are therefore of opinion, that if an equivalent can be secured to her by government, that she will be subjected to no additional inconvenience by the proposed plan. The slaves who are brought up in their masters' houses, as domestic, will, of course, have still sufficient allowance for such of their children's daily food as live in the house. The parents have always, hitherto, supported their children independent of their masters, and, in this district, there is so great a demand for labour, that no slave can find a difficulty in getting employ if he or she will work.

Q. 2. What is the present mode of livelihood of these slaves and their families? Whether the support given to them by their masters when they work for them is extended to their families; and if not, how they are sustained during the time the person on whom they depend for their support is working with his or her proprietor?

A. The Covia, Nallua and Palla slaves are generally employed in cultivating the lands, tending the cattle and collecting produce from the trees. The Covias alone are used as domestic slaves. When the cultivators are employed by their own masters, either in their fields or at their feasts, the persons actually employed alone are fed; in some instances the cultivators are allowed a share of the produce of the land, particularly when they cultivate tobacco, or any plant that requires continual attention and daily labour in the watering and preserving; and when slaves serve for their own individual interest, either as cultivators of paddy, or high lands, with cocoanut trees, the proprietors of the ground (not being their masters) usually grant them a share of the crop or the trees grown. Many of the slaves are very opulent, and, generally speaking, they have lands, either by purchase, acquisition, or by gifts from their masters. As they are not continually in their proprietors' employ, they acquire sufficient when they serve others to provide their families with support the days they must attend their masters' call.

Q. 3. What

We

Q. 3. What will be a fair price to be paid to the proprietors of slaves for every female child at the time of its birth, calculating the number of children born who die before the age of 14 as six in ten?

A. We consider that it will be a very liberal remuneration if government allows that for every Covia female child three rupees be paid to the master, and two rupees to the mother at the time of her delivery; and for every Nallua and Palla, two rupees to the master, as an equivalent for the slave's value, and two rupees to the mother.

Q. 4. The committee's opinion as to whether the measure will meet countenance or opposition amongst the slave proprietors?

A. We are confident that no undertaking of this nature can be commenced without creating some jealousy in the minds of the people relative to the nature of the opposition; we have some diversity of opinion, but believe, generally, that if such measure be established by a law, their objections may be overcome without very great difficulty, and that, with so liberal a remuneration, there will be no ground for discontent.

We have, &c.

(signed) C. E. Layard, P. Judge.
W. H. Hooper, Collr.
J. N. Mooyart, S. M.

Sir,

Colombo, 10 February 1821.

IN obedience to the desire intimated in your minute of the 9th instant, I have to offer such considerations as suggest themselves upon the subject of the proposed regulation for the emancipation of female slave children in the Jaffna district.

The measure, as tending to a gradual abolition of the slave system has, in the fullest degree, my approbation; and I trust that its operation will be equally useful and effectual.

That it should be completely so, perhaps a very slight addition is required in that part of the regulation which declares the freedom of all female slave children born after a certain date; to make that freedom absolute and indefeasible, and disentangle it from all possible connexions with the subsequent provisions of registry and certificate, which, however convenient for the particular purpose, are not, I presume, to be considered essential to the emancipation, I would, after the declaration of freedom, submit the addition of, "any provision or enactment in this or any other regulation to the contrary notwithstanding."

And to prevent its being controlled by the words of the preamble, it might perhaps be convenient to let the preamble run in this form (after the words "these presents"): "*and at the same time to compensate the owners of the mothers of such female slaves for their interest;*" these words in *italics* being introduced instead of "by purchasing from," which now stand in the regulation, and might be construed to render evidence of the purchase necessary to the completion of the emancipation.

As the regulations of 1806, 1808 and 1818 must have already operated, the emancipation of many persons heretofore deemed slaves, either as not having been duly registered in the time required by those regulations, or as having purchased freedom under their provisions, it would be perhaps right, as a check upon frauds, to oblige the person claiming ownership in the mother of the female infant to show that she had been duly registered, according to some of these regulations, and had not purchased her freedom under their provisions.

I have, &c.

(signed) Hardinge Giffard, Chief Justice.

His Honour the Lieutenant-governor.

Sir,

IN obedience to your minute of the 9th, I submit that in my opinion the rupees proposed to be given the proprietor is in the first instance insufficient; that both the master and mother's interest cease too soon for the preservation of the child; that if population is wealth, it would be better a further remuneration, both to the late master and the mother should be given on their producing the child the fifth and tenth year of its age; at which period the child should be able to obtain a livelihood, and retain a sense of her freedom.

11 February 1821.

I have, &c.

(signed) John Rodney.

Major-general Sir Edward Barnes,
&c. &c. &c.

Slavery Abolition.

CEYLON.

IN regard to the regulation for the gradual emancipation of all female slave children of the Covia, Nallua and Palla castes, proposed in the minute by the Lieutenant-governor, under date 9th February last, I feel pleasure in expressing my perfect concurrence in a measure whose beneficial consequences will be felt over one of the most important of the maritime districts, and which, while it sows the seed of increased civilization, will in its slow but certain operation abolish a distinction now universally condemned.

(signed) *R. Boyd.*

Colombo, 16 April 1821.

THE degree of importance attached by the inhabitants of Jaffna to the possession of Covia, Nallua and Palla slaves, is, or, I should perhaps say was, during my residence in that district, so strong, that I apprehend very great repugnance to the proposed regulation may be looked for on their part.

It being however the opinion of those civil officers now on the spot, whose duty it has been to report on this subject, that the measure may be carried into execution with facility, it is impossible to withhold an opinion in full support of a regulation tending to so humane and desirable an object as the gradual abolition of slavery.

(signed) *J. W. Carrington.*

Colombo, 15 March 1821.

My dear Sir,

Colombo, 10 April 1821.

PREVIOUSLY to my departure for Jaffna you did me the honour to request my opinion on the subject of the regulation then proposed for the abolition of slavery in the Jaffna district.

I have considered the measure in contemplation, and beg to assure you of my hearty concurrence in opinion with you of the beneficial effects which the measure is calculated to produce.

I consider that the ends of justice are obtained by the compensation to the master.

That humanity is consulted by the allowance of the means of providing for the young children to be granted to the parent.

That the measure is likely to prove effectual by the silent and progressive improvement of the condition of the servile class, without producing that convulsive agitation which an immediate emancipation might excite.

And, lastly, that the opposition of the slave-holders ought not to operate as an impediment; because I am convinced that every interference on behalf of the oppressed will find an obstruction from the spirit of those whose supposed interest it is to perpetuate the calamities of their fellow-creatures.

And I am too well aware of the jealousy of the masters of slaves not to anticipate opposition to every measure tending to diminish their authority; but should the regulation be enforced, I trust that, as men become less habituated to despotism, their minds will be more accessible to the truth, and the happy result will be acknowledged even by those who are at present hostile to the measure.

Being unwell at this time, and unwilling to occasion any delay, I beg you to excuse this short letter; and, if my health should improve, I shall feel much satisfaction in stating my reasons more at length for cordially approving of your plan.

I am, &c.
(signed) *Richd Otley.*

The Honourable Sir Edward Barnes.

Sir,

Jaffna Cutcherry, 20 February 1821.

I HAVE the honour to acknowledge the receipt of your letter of the 12th instant.

The measure that government has it perhaps in contemplation to adopt for granting a manumission to the female children born of slaves, though ultimately tending, no doubt, to the eradication of slavery *in toto*, must nevertheless require a lapse of several years before its object in that respect can be accomplished; and presuming that the condition of the present race of slaves will undergo but a slight change, I cannot see any just ground for supposing that either the agriculture or population of the district can be very materially or immediately affected by it. Such might very probably be the case was its intended purpose effected in a less gradual manner.

Of the future consequences I can likewise see no reason to think unfavourably; on the contrary, we must rather imagine, that people born free and capable of acquiring, in common with their neighbours, property of all kinds, are much more likely to become an industrious and in every respect useful set of persons than where labouring under the same disabilities that the slaves of the present day do.

Nor do I apprehend, that when the present system shall have undergone a change, and the landholder must obtain his servants under circumstances different to what is now very generally the case, that there will either be a scarcity of efficient hands in the country, or that the future landholder will find their remuneration to press heavier on his ways and means than, under every view of the matter, is now felt.

The effect of the proposed measure on the population can only be remote if any is ever produced

produced by it. In the care at the time of the birth and in the subsequent rearing of a female child, the mother must unquestionably feel an equal solicitude now as before; and among the Nalluas and Pallas in particular, their masters have not heretofore contributed that decided and efficient support at such a critical time which, by being now withdrawn, would expose the mother and the infant to imminent danger. Her means may in fact be considered now, or in future, the same as they have always been; and were inquiries set on foot in an instance where such an individual was ascertained to have been (previous to the enacting of the late regulation by which such undivided proprietorship was abolished) the property of many masters, in all probability it would be found she had not been supported by one. From these facts I conclude, then, there is nothing to be apprehended from weakening the masters' interests in the birth of such a child; and if emigration be dreaded at any future period when these classes are possessed of freedom, I think the best security against its being carried to any detrimental length, is the want of a sufficient inducement for it, and the natural predilection which a native of Jaffna generally discovers for his own country.

On this occasion, however, I cannot omit observing, that the influence of the masters over the minds of their slaves is frequently such, that, were it optional with the latter to obtain a freedom for their posterity by a compliance on their part with any prescribed rules, they would be biassed to an opposite conduct in a majority of cases, at least such is the opinion which I have formed from my experience among them.

The measure is of all others the one which the natives here would most jealously receive; the performance of many of their religious, funeral and other rites and ceremonies are so intimately connected with the system now in existence, and it is so interwoven with their customs, and habits that no intrigue or finesse would be left unresorted to for opposing its success. I respectfully submit these observations to your notice, and trust in so doing it will not be deemed improper in me; indeed, the points referred to me for an opinion are what I humbly conceive would be dwelt on principally, with a few other leading ones, by the opponents; and I would, therefore, respectfully submit to your judgment, whether an assurance that the services of the Covia, Nallua and Palla castes towards the superior should not be performed in like manner when free, at all ceremonies, as is observed by the Chovias, Barbers, and other inferior castes who have certain parts to perform.

I have, &c.

(signed) *W. H. Hooper*, Collector.

G. Lusignan, Esq., Depy Secy to Govt,
Colombo.

— No. 5.—

(No. 17.)

COPY of a DESPATCH from Earl *Bathurst*, K. G., to Lieutenant-general
Sir E. Paget.

Sir,

Downing-street, 15 November 1821.

I HAVE received and laid before the King Sir E. Barnes's despatch, No. 77, transmitting a regulation for the gradual emancipation of all female slave children of certain castes, by the purchase of their masters' interests in them, and stating that it had received the general concurrence of all the members of council. His Majesty cannot but derive great satisfaction from the emancipation of any persons in a state of slavery, which may be effected under circumstances so favourable to themselves without injustice to their masters; and trusting, although the information transmitted upon this particular point is not so full as to be completely satisfactory, that the masters' interests have in this case been sufficiently considered to remove any just ground of dissatisfaction and complaint, his Majesty has been pleased to command me to give this regulation this sanction of his approbation.

I have, &c.

(signed) *Bathurst*.

No. 5.

Earl Bathurst
to Lieut.-gen.
Sir E. Paget,
15 Nov. 1821.

— No. 6.—

EXTRACT from a REPORT of Lieutenant-colonel *Colebrooke*, one of his Majesty's Commissioners of Inquiry, upon the administration of the Government of Ceylon, dated 24 December 1831.

THERE is reason to infer that some of the subordinate castes were originally slaves, who in the revolutions of the country were left to provide for their own support, and were recognized on the footing of servile castes, deriving their subsistence from the land; and in the Kandyan provinces it has been a custom for

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debtors

No. 6.
Extract from a
Report of Lieut.-
col. Colebrooke,
upon the adminis-
tration of the
government of
Ceylon, 24 Dec.
1831.

Slavery Abolition.

CEYLON.

debtors to become the slaves of their creditors. Personal slavery, however, is nearly extinct in the Cingalese provinces, but it still exists among the Malabars in the northern districts of Ceylon. The number of slaves in the district of Jaffna, according to the returns of 1824, was 15,350. The number of domestic slaves throughout the maritime provinces does not exceed 1,000, and they are chiefly the property of the Dutch inhabitants or their descendants, who in 1816 agreed to enfranchise the children born of them after that date.

See Regulation of Government, No. 9, of 1818, clause 15. Ibid, clause 24. Ibid, No. 8, of 1821.

Covia caste, rix-dollars three; Nallua or Palla caste, rix-dollars two.

The slaves in the Malabar districts were first registered in 1806, and in 1818 provision was made for annulling all joint-ownership in slaves, and for enabling all slaves to redeem their freedom by purchase.

To lead to the abolition of slavery, a regulation was passed in 1821 for the emancipation of all female slave children, by purchase, at their birth, the government engaging to pay to their owners the sum of two or three rix-dollars, according to the caste of the mother.

The number of children who have been registered as free by the subscribers to the address to the Prince Regent in 1816 is 96; 50 male and 46 female children. The number of female children who in 1829 had been purchased by government, under the regulation of 1821, was 2,211; and the number of slaves who had purchased their freedom under the regulation of 1818, either by labour on public works or otherwise, was 504; or, males, 200; females, 171; and children, 133.

Regulation of Government, No. 9, of 1818, clause 24.

By the provisions of this law the value of the slave is determined by arbitrators; and it may be objected to the regulation of 1821, that the government should have fixed the sum to be paid for each female child, with reference to caste, and at so low a rate as three rix-dollars (or 4s. 6d.) for the highest, which sum the owner was bound to accept. It would be more just that, as in the case of adult slaves purchasing their freedom, arbitrators should be appointed to determine the rate.

Latterly the Malabar slaves have not come forward in any numbers to redeem their freedom by purchase, but many children have been enfranchised under the regulation. These laws are objected to by the Malabar proprietors, who have complained of the compulsory manumission of their slaves; but as the gradual extinction of slavery in Ceylon may be accomplished with so little sacrifice, the regulations of 1818 and 1821, with some modifications, should be maintained, and their operation extended to the Kandyan provinces, where personal slavery to a limited extent also prevails.

— No. 7. —

(No. 18.)

EXTRACT of a DESPATCH from Lord *Glenelg* to the Right honourable *J. Stewart Mackenzie*, dated Downing-street, 2 October 1837.

No. 7.
Lord *Glenelg* to the Right honourable *J. Stewart Mackenzie*,
2 October 1837.

I REGRET to think that the evil of slavery still exists in the island, though it be only to a comparatively small extent. The number of slaves is stated to be 27,397; they chiefly reside in the Malabar districts. A regulation of government was passed in 1818, to enable them to redeem their freedom by purchase; and a second regulation in 1821, for the emancipation of all female children, by purchase, at their birth; the value of the slave is determined under the former law by arbitrators, but the latter awards the price of the female children with reference to caste, the highest rate being fixed at three rix-dollars (or 4s. 6d.). Colonel *Colebrooke* did not consider this to be an equitable mode of adjustment, and has recommended in his report that arbitrators should be appointed to determine the rate, as in the case of adult slaves purchasing their freedom.

I quite agree in Colonel *Colebrooke's* opinion that, as the gradual extinction of slavery in Ceylon may be accomplished with so little sacrifice, the regulations of 1818 and 1821, with some modifications, should be maintained, and their operation extended to the Kandyan provinces, where personal slavery to a limited extent is stated also to prevail. You will therefore consider how you can best modify those regulations, so as to give them the greatest possible effect.

—No. 8.—

Slavery Abolition.

CEYLON.

EXTRACT of a DESPATCH from Sir R. W. Horton, Bart., to Lord Glenelg, dated King's House, Colombo, 3 October 1837.

I HAVE the honour to report, that a session of the legislative council opened on the 4th and closed on the 27th ultimo. I have to submit, for her Majesty's approval, a copy of the following ordinance, No. 3, of 1837, for making provision for the registration of slaves in those parts of the island in which the same is not already provided for by law.

No. 8.
Sir R. W. Horton
to Lord Glenelg,
3 October 1837.

The state of slavery in the Kandyan provinces attracted my attention at a very early period of my administration, as will be seen on reference to the address which I made to the Kandyan chiefs on the 11th January 1832.

I enclose also copies of the correspondence which passed at that period.

The great reluctance of the Kandyan chiefs to agree to any measure for the emancipation of their slaves, and the degree of discontent which the abolition of compulsory services and other measures of improvement gave rise to, and which terminated in the conspiracy of 1834, rendered it necessary to defer any measure connected with slavery. The period having at length arrived when it appeared to me that such a measure might be safely introduced, I brought a bill before the legislative council, which was passed with very little alteration. This measure, by securing an accurate registry, is a necessary preliminary to any further measure which may be judged necessary.

I need hardly remark, that slavery in Ceylon is the mildest possible condition of slavery, and the Kandyan slaves are not valued in consideration of the labour executed by them, but in some measure as appendages of rank, and for the performance of certain services which, being considered a badge of slavery, cannot be obtained for hire. The rapidity with which the Kandyan people abandon their national prejudices is very remarkable; and it is highly probable that the prejudices to which I have referred will gradually disappear, when the objection to emancipation will cease, and slaves become, as they now are in the maritime provinces, nearly valueless.

Upon the suggestion of Mr. Justice Jeremie, I have introduced a provision for the triennial verification of the registries. To this verification Mr. Jeremie attaches much value, from opinions founded upon his experience in other colonies.

Mr. Jeremie has publicly stated his belief that slaves have been imported into this colony; I am bound to state my conviction that such an occurrence has not taken place; not only because, until Mr. Jeremie made such a statement, no rumour existed of the possibility of slaves having been imported, and being, for the strongest reason, convinced to the contrary, but further, because slaves would be of no value in the maritime provinces if imported. Mr. Jeremie's opinion is, I believe, founded upon extraordinary variations of the number of slaves in the statements of the population published in the Ceylon Calendar. Such statements are of no authority, and are compiled from very imperfect data. No particular attention was paid to the published census of slaves, owing to the fact of slavery here being so nearly nominal.

I shall, at a future period, transmit to your Lordship a report upon slavery, by the government agent in the northern province, where alone slaves are numerous; but I think it right to state, that I have declined, at least for the present, to act upon a recommendation submitted to me by Mr. Jeremie, that a law should be passed for the triennial verification of the registries in the maritime provinces. My reason is, that slaves being of no value, the whole system of slavery, if not agitated, will become obsolete, and slavery will have ceased. The triennial verification would, in some degree, force proprietors to keep up titles to slaves, which they may not be disposed formally to relinquish, but which are constantly allowed to lapse by neglect. Great numbers of slaves have become owners of property, and subsist by their own industry, totally unnoticed by the nominal owners.

A short time ago, a report gained ground that a grant of money was about to be made by way of compensation for compulsory emancipation. In consequence, many slave proprietors began to reclaim their slaves, in the hope of receiving a share of such compensation. It is not improbable that any legislative measure would renew the belief that compensation might be given, and thus prove injurious, instead of advantage, to the slave himself.

Slavery Abolition.

Enclosure 1, in No. 8.

CEYLON.

EXTRACT from a SPEECH addressed to the LEGISLATIVE COUNCIL of the Island of CEYLON, by the Governor, the Right honourable Sir *Robert Wilmot Horton*, upon the 11th September 1837.

Encl. 1, in No. 8.

THE ordinance which will next be brought before you is that for the registration of slaves. The object of this ordinance is merely to assimilate the law of the old Kandyan provinces on the subject with that of the maritime provinces, and nothing more is required than simple registration. I think it desirable upon this occasion, and after a lapse of five years, to read to the council part of an address, in which this subject is referred to, delivered by me at Kandy to the chiefs and headmen.

When I first came to this colony, my attention was early drawn to the general question of slavery, and I need hardly add, that I felt the utmost anxiety to effect some arrangement for the gradual removal of this evil; political circumstances, however, which it is not now necessary to recall, but which must be present to the minds of many who hear me, contributed to retard that design; many improvements and changes of the utmost importance were introduced about that time, and it was not desirable to press on too rapidly. I will now take leave to read and record the address to which I have adverted.

“After receiving from the chiefs the answers to the usual preliminary inquiries regarding the state of the country, the Right honourable the Governor proceeded to state, that he was desirous of availing himself of the very first opportunity of conferring with the chiefs, to call their attention to the important measure of effecting a gradual abolition of slavery in the Kandyan provinces, which his predecessor, General Sir Edward Barnes, had recently brought under consideration.

“His Excellency opened the discussion by distinctly and pointedly assuring the chiefs that no definitive measures were at present in the contemplation of government, and that there was nothing that his Excellency would have to discuss or suggest on the present occasion that need in the remotest degree disconcert or alarm their feelings.

“He was desirous of making them fully acquainted how much the question of the abolition of slavery engaged the public attention in England, and of impressing upon their minds how important a part of his own duty his Excellency considered it to be to avail himself of every favourable opportunity of advancing the objects of this measure of vital consequence, and of making prospectively such general arrangements as would be calculated both to increase those opportunities, and to turn them to the best account when they did present themselves. There was no measure, his Excellency assured them, in the administration of the government he had recently assumed, which he would be more anxious to bring to a successful issue than that of the emancipation of slaves, not in resistance to their masters, but with their acquiescence, founded upon the reasonable nature of the change proposed. The chiefs themselves could not adopt any more effectual mode of gaining the approbation of the Sovereign whom his Excellency represented, or of the Parliament of England, than by evincing a desire to regard this question with a disposition to facilitate its early accomplishment.”

* * * * *

“For the purpose therefore both of securing the rights of the proprietors, and of rescuing menial free servants from the hazard of being condemned to slavery, his Excellency proposed, under ample precautions and provisions, to meet the interests of both parties, by passing a law requiring the registering of all Kandyan slaves.

“After a satisfactory adjustment of this point, his Excellency stated, that the registry would be, for the future, the only admissible evidence for the proof of titles to slaves, and that the present admitted practice of allowing the proof of the performance of certain services to constitute that proof of title would be absolutely prohibited.”

I have only to add, that I am not at present prepared to go beyond what I have now read, and further discussion will be premature.

Enclosure 2, in No. 8.

Encl. 2, in No. 8.

ORDINANCE enacted by the GOVERNOR of *Ceylon*, with the advice and consent of the Legislative Council thereof.

No. 3.

For making Provision for the Registration of Slaves in those parts of the Island to which the same is not already provided for by Law.

Preamble.

WHEREAS by the Regulation No. 9 of 1818, and other enactments subsequent thereto, provision was made for the registration of all slaves in those parts of the island of Ceylon which then constituted the maritime provinces of the said island: And whereas it is expedient to make provision for the registration of slaves in those parts of the island to which the regulations aforesaid do not extend:

1. H

1. It is therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, That all proprietors or persons in charge of slaves and resident in those parts of the island of Ceylon to which the Regulation No. IX. of 1818 does not extend, shall and they are hereby required to enregister the names, age, sex and description of their several slaves in a register, according to the Schedule (A.) to this ordinance annexed, to be opened for that purpose by the district judge of the district in which any such proprietor or person in charge of a slave resides, before the 1st day of July 1838.

All slaves to be registered.

2. And it is further enacted, That from and after the said 1st day of July 1838, on the death of any registered slave, or on the birth of any child of a slave, notice thereof shall, within eight days after the event occurring, be given personally or in writing by the proprietor or person in charge of such slave, to the secretary of the court of the district in which such slave-owner or holder resides; and if such notice be given in writing, the information specified in the Schedules (B.) and (C.) to this ordinance annexed respectively shall be fully detailed; and if the mother of the child whose birth may be so reported shall not previously have been registered in that district, it shall be necessary for such proprietor or person in charge to produce a certificate of the last registry of such mother.

Notice of death or birth of slave.

Production of certificate of mother.

3. And it is further enacted, That on the acquisition of any registered slave, whether by purchase, gift, legacy, inheritance or otherwise, the person acquiring the same, or the person acting on his or her behalf, shall in like manner give notice to the secretary of the court of the district in which he or she shall be resident, within eight days after the acquisition of such slave; and if such notice be in writing, the information specified in the Schedule (D.) to this ordinance annexed shall be fully detailed; and if the slave so acquired shall not previously have been registered in that district, it shall be necessary for the person acquiring the slave, or the person acting on his or her behalf, to produce a certificate of the last registry of such slave.

Notice of acquisition of slave.

Production of certificate.

4. And it is further enacted, That within 48 hours (exclusive of Sundays and other authorized public holidays) after the receipt of notice of the birth, death or acquisition of any slave, and on production of the certificate in the two preceding clauses required, the secretary of the district court shall enter the same in the proper book to be kept by him, according to the Schedules (E.), (F.) and (G.) to this ordinance annexed respectively; and if the slave whose death is reported, or the mother of the slave whose birth is reported, or the slave reported to have been acquired, shall not previously have been registered in that district, but in some other district to which this ordinance is applicable, he shall, within 48 hours of the receipt of such notice, transmit a full report, specifying the particulars detailed in the Schedules (E.), (F.) and (G.), as the same may be applicable, to the secretary of the district court in which such slave is registered.

Registry of birth, death or acquisition.

5. And it is further enacted, That certificates of the registry directed in the first and fourth clauses of this ordinance shall be issued by the secretary of the district court at his proper office to the persons making such registry, and he is hereby required to issue such certificates (unless there should be any good or reasonable cause for delay) within 24 hours (exclusive of Sundays and other authorized public holidays) after he shall have been applied to; provided that if the secretary shall be absent, the district judge, upon application made to him in open court, shall order such certificates to be prepared and issued within the period above specified by some other proper officer of his court.

Issue of certificates of registry.

6. And it is further enacted, That such certificates shall be written upon a stamp of 1s. if applied for within three months after the date of registration, and of 5s. if applied for at any subsequent period, such stamp to be furnished by the slave-owner or holder, and no court shall, from and after the said 1st day of July 1838, deem or consider any person to be a slave unless a certificate of his or her last registry be produced.

To be on stamp,

and be requisite, in proof of slavery.

7. And it is further enacted, That any person registered as being a slave shall be furnished by the secretary of the district court, at his proper office, with a copy of his registry, within 24 hours (exclusive of Sundays and other authorized public holidays) after application made to him, or to the district judge, free of all charge whatever.

Slave to have copy of registry.

8. And it is further enacted, That any proprietor or person in charge of a slave, who shall fail to comply with the several provisions of this ordinance, shall be liable to the following penalties respectively:—

For failing to enregister any slave as required by the first clause of this ordinance, or the acquisition of any slave, or the birth of any child of a slave, within the periods prescribed, the forfeiture of all right in and to any slave or child not registered and all the children of such slave, if a female, who shall be and are hereby declared absolutely free.

Penalty on failure to register;

For omitting to give notice of the death of any slave, a fine not exceeding 5*l.*, half of which fine shall be paid to the informer; and it shall in all cases be upon the defendant to prove that he has complied with the provisions of this ordinance.

and on omission of notice of death.

9. And it is further enacted, That the penalties imposed by this ordinance shall be over and above all such punishment as may by law be inflicted, or in civil damages recoverable, upon any person detaining free persons in slavery or disposing of them as slaves.

To be over and above other punishment.

10. And it is further enacted, That any secretary of a district court, who shall neglect or refuse to comply with the provisions of this ordinance, shall be liable to a fine not exceeding 10*l.*

Misconduct of secretary.

- Process of registration.** 11. And it is further enacted, That any person claiming to register any slave under the first clause of this ordinance, shall, on the day of registration, bring such slave openly before the district court, and the court shall put to the person claiming to enregister, and also to the person to be registered, such questions as the court shall think necessary to satisfy itself that the person brought before the court is the person intended to be registered; the district judge shall then cause it to be explained to the person claimed to be registered that he is alleged to be a slave; he shall compare the slave with the description given for the purpose of registration, and he shall sign his name in the original register opposite to the slave's name, and in the column marked for the purpose, in token that the person produced agrees with the description.
- Translation of register to be hung up.** 12. And it is further enacted, That a copy of each register of a slave, and of each alteration of the same, shall be translated into the native language of the district, and hung up in some conspicuous place at the court-house for three months after registration.
- Forms of registers and certificates.** 13. And it is further enacted, That the forms of keeping the registers and of issuing certificates shall be according to the Schedules (A.), (E.), (F.), (G.), (H.), (I.), (K.), (L.) and (M.) to this ordinance annexed, and that a full and correct transcript of the registry of slaves made in pursuance of this ordinance shall be transmitted by the district judge of the district to the colonial secretary's office immediately after the said 1st day of July 1838, and a correct transcript of all new entries or alterations made in the registers for every three months subsequent thereto shall be sent to the colonial secretary's office, within one month after the termination of each quarter.
- Transcripts.**
- Fraudulent registry.** 14. And it is further enacted, That any person who shall make a false report to any secretary of a district court, or who shall bring before the court any person not being the person intended to be registered with a view to making a false or fraudulent registry, or any person who shall wilfully make any false entry, either in the original registry or in the transcripts thereof required to be transmitted to the colonial secretary's office, or who shall fraudulently erase or alter any such entry, or shall, being an officer duly authorized to issue extracts from the same, issue any false or fraudulent paper purporting to be an extract therefrom, shall be deemed to be guilty of a misdemeanor, and punished accordingly.
- Court to make order for support of sick slave.** 15. And it is further enacted, That every proprietor or person in charge of a slave shall be held liable to support every sick or infirm slave registered as his property or in his charge, and it shall be lawful for any district court, on application by or on behalf of any such sick or infirm slave, to make such inquiry as may be necessary to ascertain the truth of such complaint, and to make such order as it shall deem fit to provide for the due support of such slave or for a monthly allowance being paid for the subsistence of, and, if necessary, medical assistance to, such slave at the cost of the owner or person in charge, to be recovered from him by distress to be levied on his property.
- Certificate to be renewed in three years,**
- or right to slave forfeited.** 16. And it is further enacted, That within three months after the termination of three years from the closing of the register directed by the first clause of this ordinance to be opened in each district, or within three months after the termination of three years from the registry of the birth or acquisition of a slave as directed by the fourth clause hereof, according to the circumstances of the case, and thereafter in like manner triennially, every proprietor or person in charge of a slave shall take out from the district court a renewed certificate of the registry of such slave, which certificate shall be written upon a stamp of one shilling, to be furnished by the proprietor or person in charge of such slave; and prior to the issue thereof, each slave for whom such renewed certificate is claimed to be taken out shall be brought openly before the district court, when the registry shall be examined, and such questions put as the court shall deem necessary to satisfy itself that the person brought before the court is the person registered, whereupon the district judge shall enter in the proper columns of the registry the date of such slave appearing before the court, and such alteration of the description of such slave as he shall find necessary, and shall affix his initials thereto; and in any case where the proprietor or person in charge of a slave shall omit to take out a renewed certificate of registry as hereby required, such slave shall be and is hereby declared absolutely free; provided always, that such neglect shall not exonerate any person from the obligation to maintain any sick or infirm slave to which he is liable under the fifteenth clause of this ordinance.
- Issue of renewed certificate.** 17. And it is further enacted, That such renewed certificates of registry shall be issued in like manner as is provided by the fifth clause of this ordinance in respect to certificates of original registry.

SCHEDULE (A.)

ALPHABETICAL REGISTER of SLAVES in the District of

No.	Date of Registration.	Name of Slave.	Age.	Sex.	Description, specifying the Size, Colour, Caste, and any peculiar Marks of the Slave.	Name of Proprietor or Person in Charge.	Signature of District Judge.	Date of Appearance for Renewed Certificate.	REMARKS.

SCHEDULE (B.)

NOTICE of DEATH of SLAVE.

THIS is to give Notice that _____, registered under the Number _____, in the Register of the District of _____, is the (male or female) Slave of _____, died at _____ on the _____ day of _____ 183

Signature of Owner.

SCHEDULE (C.)

NOTICE of BIRTH of SLAVE.

THIS is to give Notice that the Female Slave, _____, registered as the property of _____, under Number _____, in the Register of the District of _____, was delivered of a (male or female) Child on the _____ day of _____ 183

Signature of Owner.

SCHEDULE (D.)

NOTICE of ACQUISITION of SLAVE.

THIS is to give Notice that I, _____, residing at _____, became the proprietor on the _____ day of _____ 183, of the (male or female) Slave, _____, registered under the Number _____, in the Register of the District of _____, as the property of _____.

Signature of Owner.

SCHEDULE (E.)

ALPHABETICAL REGISTER of BIRTHS of SLAVES in the District of

No.	Date of Registration.	Age.	Sex.	Description, specifying the Size, Colour, Caste, and any peculiar Marks of the Slave.	Name of Proprietor.	Name of Mother.	Reference to Number of Register of Mother.	Date of Birth.	Remarks.	Signature of District Judge.

SCHEDULE (F.)

ALPHABETICAL REGISTER of DEATHS of SLAVES in the District of

Name of Slave.	Sex.	Name of Proprietor.	Date of Death.	Reference to Number in Register.	REMARKS.

SCHEDULE (G.)

ALPHABETICAL REGISTER of ACQUIRED SLAVES in the District of

No.	Date of Registration.	Name of Slave.	Age.	Sex.	Description, specifying the Size, Colour, Caste, and any peculiar Marks of the Slave.	Name of the former Proprietor.	Reference to Number of last Registry.	How Acquired.	REMARKS.

SCHEDULE (H.)

Slavery Abolition.

CEYLON.

CERTIFICATE of ENREGISTRATION of a SLAVE.

No. on Register.

Name of Proprietor.

Name, Sex and Age of Slave.

Place and Date of Enregistration. Signature.

SCHEDULE (I.)

CERTIFICATE of ENREGISTRATION of a SLAVE-CHILD.

No. and District of Mother's Register.

Name of Proprietor.

Date of Birth, Name and Sex of Child.

No. of Child's Register.

Place and Date of Registration. Signature.

SCHEDULE (K.)

CERTIFICATE of ENREGISTRATION of DEATH of a SLAVE.

No. and District of Register.

Name of Slave.	Name of Proprietor.
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Date of Death and Place of Registry. Signature.

SCHEDULE (L.)

CERTIFICATE of ENREGISTRATION of ACQUISITION of a SLAVE.

No. and District of Original Register.

Name of Slave, Age and Sex.

Name of Original Proprietor.	Name of New Proprietor.
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Date and Place of Registry.	New Number of Registry.
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Signature.

Slavery Abolition.

CEYLON.

SCHEDULE (M.)

RENEWED CERTIFICATE of ENREGISTRATION of a SLAVE.

No. on Register.

Name of Proprietor.

Name, Sex and Age of Slave.

Place, and Date of Enregistration.

Date of Verification of Registry.

Signature.

Given at Colombo, this 16th day of September 1837.

By his Excellency's command,
(signed) *P. Anstruther*, Colonial Secretary.

Enclosure 3, in No. 8.

SUBSTANCE of an ADDRESS delivered by the Right honourable the Governor at a Levee of the Kandyan Chiefs, assembled in the Audience Hall at Kandy on the 11th January 1832.

Encl. 3, in No. 8.

AFTER receiving from the chiefs the answers to the usual preliminary inquiries regarding the state of the country, the Right honourable the Governor proceeded to state, that he was desirous of availing himself of the very first opportunity of conferring with the chiefs, to call their attention to the important measure of effecting a gradual abolition of slavery in the Kandyan provinces, which his predecessor, General Sir Edward Barnes, had recently brought under consideration.

His Excellency opened the discussion by distinctly and pointedly assuring the chiefs that no definitive measures were at present in the contemplation of government, and that there was nothing that his Excellency would have to discuss or suggest on the present occasion that need in the remotest degree disconcert or alarm their feelings.

He was desirous of making them fully acquainted how much the question of the abolition of slavery engaged the public attention in England, and of impressing upon their minds how important a part of his own duty his Excellency considered it to be to avail himself of every favourable opportunity of advancing the objects of this measure of vital consequence, and of making prospectively such general arrangements as would be calculated both to increase those opportunities, and to turn them to the best account when they did present themselves. There was no measure, his Excellency assured them, in the administration of the government he had recently assumed which he would be more anxious to bring to a successful issue than that of the emancipation of slaves, not in resistance to their masters, but with their acquiescence, founded upon the reasonable nature of the change proposed. The chiefs themselves could not adopt any more effectual mode of gaining the approbation of the Sovereign whom his Excellency represented, or of the Parliament of England, than by evincing a desire to regard this question with a disposition to facilitate its early accomplishment.

It appeared to the Right honourable the Governor from the documents laid before his Excellency, and from the information he had gathered from public servants he had consulted, that the main and almost sole objection on the part of the chiefs, to a compliance with the views of government at an early period, arose from their apprehension that certain menial services at present exclusively performed by slaves would not be rendered by free persons under any practicable inducement of remuneration. The justness of this objection (under the peculiar circumstances which regulated and furnished evidence, in cases involving titles to slaves in the Kandyan provinces) his Excellency most fully admitted. He had learnt that, although documentary titles did exist in the country in cases of transfers or testamentary bequests of slaves, there was no public register or other authentic record whereby the title of proprietorship was defined; consequently, to prove by oral evidence that those especially menial services had been rendered by the party, whom the proprietor claimed to be a slave, is the only available and adducible proof of title before a court of law; the establishing of those facts, and those facts alone, deciding the point at issue before the court.

Under these circumstances it would unquestionably be delusive to hold out to the chiefs and other slave proprietors that persons could be found, however low in the grade of society, and however great the remuneration offered to them, who would voluntarily consent to render those services, as long as their performance exposed them to the risk of being legally adjudged to be slaves, in a court of law, on the very grounds of having rendered them.

For the purpose, therefore, both of securing the rights of the proprietors and of rescuing the menial free servants from the hazard of being condemned to slavery, his Excellency proposed,

proposed, under ample precautions and provisions, to meet the interests of both parties by passing a law requiring the registering of all Kandyan slaves. Slavery Abolition.

After a satisfactory adjustment of this point, his Excellency stated that the registry would be, for the future, the only admissible evidence for the proof of titles to slaves and that the present admitted practice of allowing the proof of the performance of certain services to constitute that proof of title would be absolutely prohibited. CEYLON.

His Excellency confidently hoped that the passing of such an enactment would place within the reach of all individuals capable of making a competent remuneration, the means of procuring the performance of those particular services by free persons; and he was equally sanguine in his expectation that the attainment of this desirable result would call forth a corresponding disposition in the higher orders of the Kandyans to concur in the adoption of measures for a gradual but comparatively early emancipation of slaves.

The governor concluded by saying, that though he was perfectly disposed to receive any remarks or proposals the assembled chiefs might wish to offer, and to reply to them as far as his present acquaintance with Kandyan slavery would allow him, his Excellency by no means called for any immediate expression of opinion upon the topics discussed. He trusted that they would give them a full and mature consideration; and, in order that his Excellency's views and sentiments might be deliberately weighed, he would take an early opportunity of committing the substance of what he had said to writing, which would be circulated among them, translated into their own language.

Enclosure 4, in No. 8.

In the Board of Commissioners, Kandy, 28 January 1824.

Sir,

WE have the honour to enclose an extract from the board's proceedings of yesterday, containing a statement of the number of slaves as collected from the returns of the chiefs and headmen in the different Kandyan provinces. Encl. 4, in No. 8.

Geo. Lusignan, Esq.
Secy Kand^a Provinces, Colombo.

We have, &c.
(signed) *J. D'Oyly*, Resident.

EXTRACT from the PROCEEDINGS of the BOARD of COMMISSIONERS held at Kandy, the 27th January 1824.

THE resident lays before the board a statement, as required by government, of the number of slaves in the several Kandyan provinces.

STATEMENT of the Numbers of SLAVES in the KANDYAN PROVINCES.

	Males.	Females.
The Four Korles - - - - -	174	162
The Seven Korles - - - - -	222	228
The Three Korles - - - - -	15	12
Saffragam - - - - -	275	225
Uwah - - - - -	81	101
Wegalawe - - - - -	5	4
Bentenne - - - - -	33	50
Wellasse - - - - -	85	84
Matelle, Matelle Korle, &c. - - - - -	54	47
Ditto - Udogoda and Asgiri, &c. - - - - -	56	62
Nawera Kalawe - - - - -	23	26
Udapala - - - - -	21	32
Uda Bulatgame - - - - -	2	-
Kotmale - - - - -	3	7
Udunuwera - - - - -	78	89
Yatenuwera - - - - -	97	115
Tunpane - - - - -	11	12
Harrispallo - - - - -	57	52
Dumbure - - - - -	119	104
Hewahete - - - - -	22	19
Kandy and its environs - - - - -	10	25
TOTAL - - - - -	1,443	1,456

In Walapane and Tamankada, none.

(signed) *J. D'Oyly*, Resident.
S. Savers, J. C.

Slavery Abolition.

CEYLON.

Gentlemen,

Chief Secretary's Office, Colombo, 27 April 1829.

I AM desired by his Excellency the Governor to request you will carefully ascertain and report for his information upon the state of the slavery in the Kandyan provinces, the numbers and description of them, and the nature of the services they are bound to perform for their masters; whether attached to the land or are personal property, and can be separately disposed of; whether they possess lands in their own right, and, if so, whether those lands are subject to the same rule of inheritance as the property of free persons; the practice in courts of law in regard to receiving their testimony; and, generally, any other information upon the subject you may be able to afford.

I have, &c.

Lieut.-colonel Lindsay, C. B.,
and the Board of Commissioners,
&c. &c. &c.

(signed) *Thos Eden, Dy Secy*

EXTRACT from the PROCEEDINGS of the BOARD for the KANDYAN AFFAIRS, held at Kandy the 25th day of August 1829.

IN obedience to Mr. Eden's letter of 27th April last, the board, having consulted the principal chiefs, begs to report, that all the slaves in the Kandyan provinces are personal property, and liable to perform any service the owner may think proper to require of them.

Some are retained for domestic purposes, others located on lands and employed as nilakarayas or otherwise, at the pleasure of the proprietor. Frequently they are advanced to offices on the estate; but these arrangements are not considered permanent, the manner of employing slaves being entirely at the option of the owner.

Slaves are all personal property; none are attached to the soil, but can be disposed of in any way the proprietor may think proper. They are competent to acquire and possess landed and immovable property independent of their masters, and dispose of it by will or otherwise; but a slave dying intestate, his owner becomes his heir-at-law, and inherits all his lands and effects. They are in every respect held equally competent with a free man to give evidence in a court of law, and are not unfrequently called upon to be witnesses to transactions where their owners are concerned.

Of the slaves at present in the Kandyan country, some are descendants of native Kandyans, who from circumstances became slaves; and others are supposed to be the descendants of slaves brought from the continent of India by the first settlers. Slaves were likewise acquired by purchase of children from their parents in times of great scarcity, and by seizing free persons in satisfaction of pecuniary claims; but these practices have entirely ceased since the insurrection of 1818.

Census of the slave population was made a short time since by order of government, and the following is the result:—

	SLAVES.	
	Males.	Females.
Uderatte - - - - -	380	425
Four Korles - - - - -	82	81
Three Korles - - - - -	2	8
Seven Korles - - - - -	213	186
Uwah - - - - -	151	166
Matelle - - - - -	70	66
Saffragam - - - - -	169	134
TOTAL - - - - -	1,067	1,046

Under the late government there were a number of slaves attached to the royal household, but who were emancipated by this government soon after the accession, so that all the slaves are now private property.

By the laws and customs of the country, a master has the power of punishing his slave in any way short of maiming and death.

The punishments usually inflicted are flogging, confining in stocks or irons, cutting off their hair, and, when very refractory, selling them. But in no part of the world is slavery in a milder form than here. Cruelty to a slave is scarcely known, and in general they are treated more as adopted dependents of the family than menials. Indeed there is no object for ill-using slaves. The owners are the principal landed proprietors of the country, who confine their agricultural pursuits merely to the supply of grain for the use of their families and retainers; there is, therefore, no inducement for over-working or otherwise ill-treating their slaves.

Slaves are seldom sold or families separated, but when given as a marriage portion, or on the demise of the proprietor, when, in common with the rest of the deceased property, they are distributed among his heirs. In all cases, however, every consideration is paid to the feelings of the slaves thus disposed of.

Extract

Extract from a Letter from the Deputy Secretary to Government, dated 11 September 1829, to the Board of Commissioners for the Kandyan Affairs.

Slavery Abolition.

CEYLON.

I AM to express his Excellency's satisfaction as to the general state of slavery in the Kandyan provinces, as exhibited by the report of the board recorded on their proceedings now under consideration, and which, for the present, would probably render impolitic and inexpedient any immediate interference on the part of government, with a view to the abolition thereof. There are two points, however, which have attracted his Excellency's attention, and which appear to require some further consideration.

The first is, the acquisition of slaves by the purchase of children in time of scarcity, or by seizing free persons in satisfaction of pecuniary demands,—a practice which the board report to have ceased to exist since 1818. Upon this point, however, it is his Excellency's intention to publish a proclamation, declaring such modes of acquisition of slaves to be henceforth illegal, and which, seeing that the practice has been discontinued since 1818, his Excellency conceives, cannot be deemed by the people as an unwelcome infringement of their customs.

The other is, the powers of punishment said to be vested by the laws and customs of the country in masters in respect to their slaves; and upon this point, I am to request the opinion of the board, whether it would not be advisable to restrict the measure of punishment which may be inflicted by masters upon their slaves within reasonable bounds, instead of leaving them that unlimited power of inflicting punishment, which, by the existing law and custom of the country, it would seem they possess; and should you be of that opinion, I am to request you will frame a scale of punishment which you conceive may with propriety be recognized as a lawful infliction by the master upon his slave.

At a Meeting of the Board of Commissioners for the Affairs of the Kandyan Provinces; held in the Hall of Audience at Kandy, this 6th day of December 1831.

PRESENT:

Colonel Miller Clifford, c. b., Commanding the Troops in the Interior.

Henry Wright, Esq., Judicial Commissioner.

George Turnour, Esq., Revenue Commissioner.

The following Chiefs attend according to notice:—

Mollegode, 1st Adikar.

Doolleawe, 2d Adikar.

Mullegame, 3d Adikar.

Galagode Desave, of Valapane.

Dunuwile Desave, of Udapalate.

Dehegame Udagabada Nelame.

Kadegemuwe Matra Lekam.

Vattarantenne Nanayak Kare Lekam.

Ganegoda Basnayahe Nelame.

Amunugame Nelame.

Giragame Nelame.

Madugalle Nelame.

A REFERENCE having been made to the chiefs upon the subject of the late Governor Sir Edward Barnes's address to them at his last audience in Kandy, respecting the emancipation of slaves, and the answer received from them appearing to require some further communication with them on this subject, they have been convened for this purpose. After some discussion, in which the views and feelings of government are fully explained, the chiefs express their wish to retire, with the view of consulting together on a matter of so much interest to them and their families, and say that whatever determination they or any of them may come to shall be speedily committed to writing, and presented in the course of this afternoon.

The board accordingly adjourns until five o'clock.

The chiefs return, and present a paper which they have just drawn up, and which is signed by all now present, expressive of the conditions upon which they would consent to a system of progressive emancipation of their slaves, and they likewise request that in submitting this document for the consideration of government, their former representation may be forwarded with it.

The board agrees in the propriety of laying the whole of their proceedings before the Right honourable the Governor, and in so doing would beg leave to refer to the report on the state of slavery in this country, which was transmitted with its proceedings of the 25th August 1829.

Not forwarded to the Colonial Office.

It will be seen thereby, that slavery in this country is of the mildest possible character, and that the number of the slaves is extremely small, considering how recently these provinces have emerged from the barbarism of the despotic rule of a native sovereign, and been brought under the influence of the more enlightened principles of European administration, the feelings evinced by the chiefs on the present occasion are those which might be naturally expected to result from the present state of the society and of the civilization of the country,

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and the board would beg to add that, for the same reasons, the concessions they now offer to make appear to them to go as far as might be reasonably expected of them.

CEYLON.

By the present offer, though the commencement of the emancipation is deferred for 60 years, yet its operation from that period is certain, and it is to be hoped that the gradual progress of improvement in that interval will afford the means of removing or amending the other stipulations under which the offer is made, excepting the one which requires a pecuniary recompense, as the amount thereof will not be great from the gradually progressive nature of the emancipation.

Under all the circumstances of the case, therefore, the board would venture to suggest, that the proposal now made by the chiefs should be favourably received, and that copies of the second document presented by them should be sent to all the agents of government, in order that the proprietors of slaves residing in their respective districts might be invited to subscribe thereto.

When the wishes of all the Kandyan proprietors of slaves have been thus ascertained, it will then become necessary to consider in what form, and under what stipulations and modifications, a legislative enactment should be passed, conformably with the proceedings adopted in passing the Regulation No. IX of 1818.

(signed) *Miller Clifford*, Col^l Comm^s K. P.
H. Wright, J. C.
George Turnour, R. C.

Letter to the First and Second Adikars.

WITH reference to the speech delivered by his Excellency Sir Edward Barnes, at the last public audience held in Kandy, in which he proposed a plan for the emancipation of the female children only who may be hereafter born in slavery, we have been directed to ascertain and report what the sentiments of the principal chiefs are upon this subject.

It is obvious that the success of this benevolent measure will greatly depend upon the ready acquiescence of those who, from their rank and station, possess the greatest influence in this country, and as your zeal for the public good has never been questioned, we rely with confidence on your disposition to meet the views of government, so far as you and your family are concerned.

There are various ways in which this object may be accomplished, and that which would prove the least inconvenient to the proprietors would doubtless be the most acceptable to government.

Any suggestions, therefore, from you, as to the best mode of effecting this object, will be taken into consideration, as well as any difficulties or objections which appear to you to exist, in order that government may adopt suitable measures for removing them.

I have, &c.

(signed) *H. Wright*, Jud. Comm^r.

(True copy.)

(signed) *H. Wright*, J. C.

(Translation.)

Kandy, 22 November 1831.

ON the occasion of the last audience given by his Excellency the Governor, Sir Edward Barnes, to the chiefs in Kandy, in the speech then made to us, the chiefs, and to the inhabitants, mention was made of a measure for the enfranchisement of female slaves born hereafter, and we are very sorry that want of time prevented us from submitting the circumstances which we have to urge respecting this before his Excellency's departure from this island. However, in the letter sent by the judicial commissioner to the Adikars, clear and explicit information is called for as to how this measure is to be effected, and what disadvantage will result therefrom to the owners of female slaves.

In the first place, we are clearly informed that government entertains the opinion that it is a good thing to liberate the slaves in this country. If government thus intend prosperity for the slaves, we would also implore government to consider what must be the adversity, loss and disadvantage, the disgrace and the difficulties which must result to the principal chiefs and the owners of the slaves in consequence of liberating the slaves whom they have inherited from their ancestors.

The most important services rendered to us by our slaves are the following: on the death of a member of any one of our families, the laying out of the corpse, and doing every thing else

else that is requisite at the funeral, carrying out the corpse, and performing the office of sepulture; whatever may be the amount of the incidental emoluments, none but such slaves will take the same; a free ratta person, of whatever degree, will neither do such service at a funeral, nor accept of the perquisites allotted on the occasion, because such perquisites have been made appropriate to slaves only from ancient times; no people, even of low caste, with the exception of gahaleyas, would accept of such perquisites, and if gahaleyas were to be hired therewith to perform the offices of sepulture, that will involve our families in disgrace.

On the death of a person of a chief's family who possessed no slaves, a relation who has slaves must send them to remove the corpse; amongst ratta people who possess no slaves, the relations themselves bury their dead, but a person of a chief's family cannot do such a thing. In the maritime provinces, in the event of a death in any of the respectable families, respectable appuhamies bear the corpse to the grave, but such a thing is impossible in this country.

The bringing of firewood and water to our walanwes, and various other menial offices and services performed in attendance on the masters and mistresses of respectable families amongst us, can be imposed on none but slaves; no free person of any degree can be so employed. If their slaves were to be liberated, then the masters and mistresses of respectable families will be constrained to do what had been incumbent on their slaves, for none else will submit to be so employed. By this liberation of slaves, we will suffer other difficulties and distresses which we cannot enumerate.

Moreover, although it is alleged therein that government will consider the prevention of any loss that may accrue to the owners of slaves in consequence of their emancipation, we cannot say what advantage we will receive to obviate the losses incident on such liberation of slaves.

Therefore we pray government not to inflict on us a distressing loss of the means whereby we maintain the honour and respectability which have devolved to us in this country from ancient times.

Further, we do not exact services gratuitously from these men slaves and women slaves; we allot to them out of our hereditary estates paddy lands and gardens, &c.; and some slaves there are, who, from having been long settled so, have become very rich, and they serve us with much fidelity.

In case of inquiry, we have much more to state touching this matter; if facts were to be fully stated the writing will be extensive, therefore this is written concisely; and we all pray that government will not abolish this usage of the country.

(signed)	<i>Molligodde Maha Nileme.</i>	<i>Madugalle.</i>
	<i>Dooleyve Maha Nileme.</i>	<i>Golahella.</i>
	<i>Mullegame Maha Nileme.</i>	<i>Gonigoda.</i>
	<i>Galagode Walapany Dassawe.</i>	<i>Angammore.</i>
	<i>Dunnewille Dissave.</i>	<i>Ammurnegama Nileme.</i>
	<i>Dehigamelida Gabeda Nileme.</i>	<i>Mullegame.</i>
	<i>Waegodapola Lekam.</i>	<i>Giragama Banda.</i>
	<i>Wattarantenne Nanayahara Lekam.</i>	<i>Halangoda Lekam.</i>
	<i>Kodigomuwe.</i>	<i>Kotuwegedere Banda.</i>

Translated by,

(signed) *J. Armour, Int' Jud^l Court.*

(Translation.)

Kandy, 1 December 1831.

It was in order that government may be informed of the loss, the detriment and the disgrace consequent on the liberation of slaves in this country, that we lately gave in a statement in writing; however, we have been since informed of Governor Sir Edward Barnes's earnest wish for effecting the liberation of female slaves having been made known to government in England. When his Excellency was governor of this island, he bestowed friendship and conferred honour on persons of the principal respectable families in the Kandyan country, and maintained the institutions and customs in a very proper manner; and on the approach of his Excellency's departure from this island, we were exceedingly sorry thereat; and on account of his Excellency's beneficence, we also evinced to the utmost our fidelity and reverence. How great soever may be the loss resulting to us from this measure which his Excellency wished to adopt, yet if we should counteract his Excellency's wishes, it might seem that all the fidelity and respect which we showed to his Excellency were a scheme of dissimulation. Therefore we most earnestly pray, that in consideration of our fidelity and attachment to government, this gracious government will also have compassion towards us, and refrain from liberating the female slaves in question for the 60 years ensuing, so that for a short space of time we may continue free from inconvenience; and that it may be so regulated, that female slaves born after the lapse of these 60 years shall be paid for at the rate of 100 rudies for each, and thus a gradual emancipation of female slaves be effected thenceforth, as his Excellency had suggested; that it may also be

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ordained, that on the death of a member of our families, the emancipated female slaves shall attend to perform services at the funeral as they (female slaves) now do, receiving the allotted perquisites; or that government may, in regard of this matter, make some other suitable rule that will consist with the customs which have subsisted in this country from ancient times; and that the protection and respect which are at present insured to our religion, and the respect and honours accorded to us and the other ancient and important institutions and usages of this country may not be abrogated even as the institution in question is sought to be abolished; moreover, we pray that when the plan of emancipating the female slaves born after the ensuing 60 years comes to be made public, it may at the same time be proclaimed by government that the men slaves and women slaves now belonging to us shall continue submissive and obedient as they now are, that the power of enforcing obedience will continue as at present, and that, after the lapse of the 60 years, such slaves as may yet be retained by us must continue under such control.

(signed)	<i>Molligodde Maha Nileme.</i>	<i>Madugalle.</i>
	<i>Dooleywe Maha Nileme.</i>	<i>Gonigoda.</i>
	<i>Mullegame Maha Nileme.</i>	<i>Angammore.</i>
	<i>Galagode.</i>	<i>Unanbuwe.</i>
	<i>Dunnewille Dissave.</i>	<i>Giragama.</i>
	<i>Dehigarne.</i>	<i>Amurnegama.</i>
	<i>Kadigomawe.</i>	<i>Kotuwegedere Bunda.</i>
	<i>Wattarantenne.</i>	

Translated by,

(signed) *J. Armour*, Int^r Jud^l Court.

Gentlemen

Chief Secretary's Office, Colombo, 20 December 1831.

I HAVE laid before the Governor the proceedings of your board at a meeting held at Kandy on the 6th instant, and in reference to your report relative to the proposed emancipation of slaves in the Kandyan provinces, I am directed to acquaint you that his Excellency will take an early opportunity of visiting Kandy, for the purpose of personally entering upon this very important question with the principal chiefs, and he cannot but hope that, on more mature consideration, they will be inclined to make arrangements for more speedily carrying into effect a measure so highly creditable to themselves, and so much in unison with the wishes of his Majesty's Government.

I have, &c.

Colonel M. Clifford, c. B.,
and the Board of Commissioners,
&c. &c. &c.

(signed) *P. Anstruther*, Dep^y Sec^y.

—No. 9.—

(No. 69.)

EXTRACT of a DESPATCH from Lord *Glenelg* to the Right honourable
J. Stewart Mackenzie, dated Downing-street, 4 April 1838.

No. 9.

Lord *Glenelg* to
the Right honour-
able *J. Stewart*
Mackenzie,
4 April 1838.

THE ordinance (No. 3) for the registration of slaves in those parts of the island in which the same is not already provided for by law, relates to a subject of the deepest interest. The opinions of Mr. Jeremie on this subject derive peculiar weight from the station which he occupies; I therefore have been slow to admit the conviction that his advice in favour of a triennial registration of slaves in the maritime districts was ill founded, but I am bound to acknowledge the force of your predecessor's objection. There can be no doubt, that in every country the cheapness of human labour is the most effectual security against the establishment or the continuance of slavery, since men will not make themselves responsible for the maintenance of slaves, nor acquiesce in the innumerable inconveniences with which a system of compulsory labour must everywhere be attended, unless in the persuasion that this arrangement will, on the whole, prove economical. This persuasion is, indeed, frequently retained long after it has ceased to be true in point of fact; but when the wages of labour are reduced to so low a point, as compared with the inevitable expense of maintaining the labourer, as is the case at present at Ceylon, the motives for resisting the enfranchisement of the slaves would seem to have lost all their force. I therefore subscribe to Sir Wilmot Horton's opinion, that slavery having become little more than a nominal relation, there may be good policy in permitting it

it to expire silently, instead of exciting the hopes of compensation, and awakening the cupidity of the proprietors by taking triennial lists under a local ordinance.

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These considerations apply only to the case of unskilled labourers. Slaves, whose wages, if free, would be higher than the rate paid to the lowest class of husbandmen and mechanics, may still be a valuable property and the subject of importation, and I am not satisfied that the necessity for a periodical registration of such slaves does not exist.

Her Majesty is, however, pleased to confirm and allow this ordinance, because whatever doubt may be raised as to the omission to which I have adverted, the provisions which the law does contain are, so far as they extend, unexceptionable, and are well calculated to promote the general plan of emancipation to which I have referred in my despatch of the 2d of October last (No. 18).

It is almost superfluous to add, that if any evidence can be adduced in proof of Mr. Jeremie's opinion, that slaves have been imported into Ceylon, the most decisive measures should be taken for the conviction and punishment of the offenders.

— No. 10.—

COPY of a LETTER from Sir *Alexander Johnston* to Mr. Secretary *Spring Rice*.

Sir,

19, Great Cumberland-place, 7 August 1834.

No. 10.

As the Act for abolishing slavery has just taken effect in the British West India possessions in the Cape of Good Hope and in the Mauritius, I feel it to be a duty which I owe to the inhabitants of the island of Ceylon, considering that I was Chief-justice and President of his Majesty's Council at the time in that colony, and that I am thoroughly acquainted with the proceeding, to recall to the recollection of his Majesty's Government the nature and the importance of the resolution which the proprietors of domestic slaves on the island passed so far back as 18 years ago for abolishing domestic slavery in that island.

Sir Alexander
Johnston to Mr.
Secretary Spring
Rice, 7 August
1834.

These proprietors, consisting of 763 persons of all the different religious persuasions, and of all the different castes which prevail in Ceylon, on my suggestion, and out of gratitude for their having, on my advice, been relieved from the political and religious disabilities to which they had previously been subject, and for their having obtained from his Majesty, the first time any natives of India had ever obtained such a privilege, the right of sitting upon juries, and being tried by juries of their own countrymen, unanimously resolved, in the year 1816, to consider as born free all children born of their slaves after the 12th day of August in that year, and to educate all such children at their own expense, up to the age of 14, and thus publicly evinced, by fixing upon the birth-day of the then King of Great Britain as the day from which this boon to the children of their slaves should have effect, in the manner the most appropriate, their loyalty to the sovereign of a free country and their attachment to the British constitution.

This measure was then looked upon in Europe and Asia as one of great moral and political importance, from its being the first proceeding of the kind ever adopted by any British proprietor of slaves in any British possession, and from its being carried into effect at a time, 18 years ago, when great excitement prevailed in every British possession against any attempt to abolish slavery, and in a colony, the island of Ceylon, where the prejudices had been strong in favour of its continuance, and where the proprietors of slaves had become, owing to the transfer of the island from the Dutch to the British authority, reduced in their circumstances, and dependent, in a great degree, upon their slaves for their comfort, and even for their subsistence.

Such a proceeding at such a moment and under such circumstances, afforded not only a bright example for imitation to the other slave colonies in Asia, and

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to all the inhabitants of the neighbouring peninsula of India, where upwards of 500,000 slaves were kept in the most abject state of bondage, but also a most decisive proof, if any were necessary, of the moral and political effect which a liberal government may produce upon the hearts and understandings of the natives of India by an enlightened and liberal system of legislation, the meritorious conduct of the proprietors of slaves in Ceylon being attributable, as they declared, to the enlightened and liberal view which they themselves had acquired on the question of slavery, in consequence of their having publicly exercised and publicly enjoyed for some years the rights and privileges which they had on my advice received in 1806 and 1811, from his Majesty's Government.

The African Institution, in 1817, after having explained all the circumstances of the case, and congratulated the public on the event in their 11th report, of which I have the honour to send you a copy, express their opinion of the proceeding in the following terms:—

“ The directors are persuaded that they express the cordial feeling of the institution at large, in offering the tribute of their grateful acknowledgment to Sir Alexander Johnston, for his successful exertions in promoting, and to the special and other jurymen of the island, for their general adoption of this important change in the condition of their country, and for the bright example which they have taken the lead in exhibiting to the world of fixing a period for the extinction of the state of domestic slavery—an example which the directors trust will speedily be followed wherever it may be done with safety. But whether this hope shall be realized or not, it will never be forgotten that the inhabitants of Colombo were the first of the British colonists to act upon this grand, noble, liberal and disinterested principle; and they will for ever deserve the best thanks every individual who has at heart the advancement of the happiness of mankind and the improvement of human nature.”

As his Majesty's Government in this country must, at a time when the East India Company's governments in British India are, under the provisions of the last East India Act, endeavouring to induce the proprietors of slaves in the peninsula of India to abolish slavery in that country, be anxious to show some mark of public approbation to the proprietors of slaves in Ceylon, for their enlightened conduct in 1816; and as it cannot, under the recent Act for remunerating the proprietors of slaves, grant them any pecuniary remuneration under that Act, no pecuniary remuneration having been provided by it for the inhabitants of Ceylon, although a most ample one is provided for the inhabitants of the Cape of Good Hope and the Mauritius, I beg leave to submit that it will be highly advisable, not only as an honorary reward to the proprietors of slaves in Ceylon, but also as a powerful encouragement to the proprietors of slaves in the peninsula of India, to imitate their example, for his Majesty's Government to order a monument to be erected at Colombo, with the names inscribed on it of all the proprietors of domestic slaves who signed the resolution of the 12th of August 1816, and thereby to commemorate, in a manner which will be flattering to the feelings of all the natives of Asia, a proceeding which is described by the African Institution as one which is deserving the best thanks of every individual who has at heart the advancement of the happiness of mankind, and the improvement of human nature.

I have, &c.

(signed) *Alex^r Johnston.*

P. S. I beg leave to send you a list of the names of the 763 proprietors of slaves who subscribed that resolution, and to refer you for a detailed account of the whole proceedings to the 11th and 12th reports of the African Institution, and to the evidence which I gave before the House of Lords on the 16th March 1830, and before the House of Commons on the 6th and 9th July 1832, and to the 4th volume of the last edition of Bryan Edwards's History of the West Indies, page 481.

—No. 11.—

COPY of a LETTER from Mr. Secretary *Spring Rice* to Sir *Alexander Johnston*.

Sir,

Downing-street, 16 September 1834.

I HAVE to acknowledge the receipt of your letter, dated the 7th ultimo, containing a proposition that Government should cause the erection of a monument at Colombo, for the purpose of recording the names of certain numerous slave proprietors, who, in 1816, came to the unanimous decision of declaring as born free all children born of their slaves after the 16th day of August in that year.

No. 11.

Mr. Secretary
Spring Rice to
Sir Alexander
Johnston,
16 Sept. 1834.

I can assure you that although it would be impossible either to forget such an act of benevolence, or to undervalue it as a measure of mercy by which an end was put to the existence of slavery in Ceylon, I cannot help feeling that the length of time which has elapsed since its occurrence must now render it both unnecessary and inexpedient; and I therefore do myself the honour of returning the volumes which accompanied your letter.

I am, &c.

(signed) *T. Spring Rice.*

