

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

8.—Nothing can be presumed on the moderation or justice of Mahomedans who possess slaves. By their usages, the virtue or honour of female slaves is at the mercy of their master. I could hope, that the right of the master, was by law expressly limited to the bounds of humanity.

9.—I have thus presumed to take up your Excellency's valuable time, in recommending this class of our inhabitants to your generous consideration; and I have no other apology to offer, than my conviction that the subject matter of my letter is of the first importance to the interests and prosperity of this rising colony.

10.—I have the honour of sending enclosed, a return of the present state of the jail, and with sentiments of profound respect and duty,

I have the honour to be, &c. &c.
(signed) *John Dickens*, Judge and Magistrate
of the Settlement at Prince of Wales Island.

George Town, Prince of Wales Island, 1st January 1802.

Ordered, That the following letter be written to the Judge and Magistrate of Prince of Wales Island, by the secretary:

To John Dickens, Esq. Judge and Magistrate at Prince of Wales Island.

No 50.

Sir:—I am directed by the Honourable the Vice President in council, to acknowledge the receipt of your letters of the 25th of October last and 1st instant, with the several enclosures stated to accompany them, and to inform you, that all your letters should be addressed to the Lieutenant Governor of the island, on whom it will depend, if he shall deem it proper, to transmit them to Government, with such observations as he may judge it to be necessary to submit respecting them.

I am, &c.
(signed) *C. R. Crommelin*, Secretary to Government,
Public Department.

Extract, Bengal Law Consultations, 27th December 1804.

Acting Lieutenant Governor of Prince of Wales Island to John Lamden, Esq. Chief Secretary to the Government, at Fort William.

Sir:—Herewith I have the honour to transmit to you, to be laid before his Excellency the Most Noble the Governor General in council, an attested copy of the proceedings of a court held by me, as prescribed in the 15th paragraph of the regulations for this settlement, dated 1st August 1794, for the trials of persons charged with crimes of a capital nature.

I have the honour, &c.
(signed) *W. E. Phillips*, Acting Lieut. Gov.

Fort Cornwallis, Prince of Wales Island, 10th Nov. 1804.

Wednesday, the 3d October 1804.

The court met pursuant to their last adjournment, at 10 o'clock, A.M.; and the Provost brought prisoner into court, Goolamie, who was committed to prison on the 24th of April 1804, by Robert Townshend Farquhar, Esq. Lieutenant Governor of the said island, charged with the wilful murder of a female person, known by the name of Kitchie, as appears by the proceedings had, before the acting coroner, for the said island, following; that is to say;—

“Ayar Etam, 22d April 1804, Memorandum.”

“On viewing the body of the deceased, Kitchie, we found it in such a putrid state that it was impossible to examine it, much less, to have the body opened, and therefore cannot say that the said Kitchie died in consequence of the beating and kicking she received from Goolamie, as mentioned in the annexed depositions, or from sickness. As witness our hands.

Signed by *J. U.* “*A. Macintosh*, *Abdul Momen*”
(signed) “*John Brown*, Coroner.”

George Town, Prince of Wales Island.

“The information of Hoolooloo; (a Buggis woman, and who is the slave of one Inckey Garruff, of George Town aforesaid), taken by me, John Brown, acting coroner for the said town and island, who being charged to give evidence on the part

part of Government, touching the death of a woman (a native of the Bugg's country, known by the name of Kitchee, and who was also a slave of the said Inchey Garruff's) who was found dead in a house at Ayer Etam in the said island, which house is situated in a plantation, the property of Philip Manington of the said island. This informant saith, that on or about the 20th inst. April, between the hours of three and four o'clock of the afternoon of that day, this informant went to the house of a Bengal man, whose name is Goolamie, with the said deceased Kitchee, at Ayer Etam aforesaid, and with whom the deceased, Kitchee, cohabited, and at which house some words arose between the said Goolamie and the said Kitchee, in consequence of the deceased's asking the said Goolamie for a dollar; Goolamie refused to give her a dollar, and on Kitchee's repeating her request, he, Goolamie, took a stick and struck her, and kicked her in the back. And this informant saith, on her interfering, the said Goolamie beat her with the said stick with which he had beat Kitchee; upon which this informant ran away, and went to her house; and this informant saith, the deceased, Kitchee, was sick at the time of such kicking or beating, with a complaint in her bowels; and the next day, about 3 o'clock, a Bengal man of the name of Gurrobu Balla, came and informed this informant that the said Kitchee was dead. And this informant went to the house of the said Goolamie, and found that the said Kitchee was dead. And this informant further saith, that she desired the said Gurrobu Balla to go and inform the Provoost of what had happened; and further knoweth not.

"Taken by me, (signed) "John Brown, Acting Coroner."

"The 22d April 1804.

"The deposition of Gurebee Balla, a native of Bengal, taken upon oath before me, John Brown, acting coroner for the said town and island, this 22d day of April 1804, who being charged to give evidence on the part of Government, touching the death of a woman named Kitchee, found laying dead at Ayer Etam in the said island,—saith, that he is a gardener in the employ of Philip Manington, Esq. and works on his plantation at Ayer Etam, with three other Bengal men, also in the employ of the said Philip Manington, Esq. whose names are Goolamee Mahomed, Sophey and Ramgany; that on or about the 20th of this instant April, about five o'clock in the afternoon of that day, the deceased, Kitchee, with another woman of the name of Hoolooloo, came to the said house, where this deponent, Mahomed Sophey, and Goolamee were. Goolamee and the deceased had for some time cohabited together. The deponent heard Kitchee ask Goolamee for a dollar; Goolamee replied he had no money, and was angry with Kitchee, and took a piece of nubory and beat her, and desired her to go away; and she, the said Kitchee, did go away, but the other woman of the name of Hoolooloo remained behind in the house; and in about half an hour afterwards Kitchee returned, and went into the said house, where this deponent, Mahomed Sophey, and the said Hoolooloo were, and Goolamee followed her, and asked Kitchee for what she had returned, and he, Goolamie, kicked Kitchee several times with his foot in the small part of her, Kitchee's back, and she fell on the ground and cried out she was much hurt. And this deponent further saith, that the deceased, Kitchee, appeared to be in great agony from the kick she so received in the small part of her back, and Goolamee helped her, the said Kitchee, to the cot, and laid her thereon, and went and gathered some leaves and made a medicine, and gave it to her, Kitchee; this was about ten o'clock at night, and the deponent then went to sleep. The next morning the deponent arose about six o'clock, and then saw Goolamee giving medicine to Kitchee, who was still lying in the cot apparently very ill. The deponent heard Goolamee tell Kitchee that he was going to the town to get medicine for her. The deponent further saith, that Goolamee did not appear then angry with Kitchee; and about eight o'clock Goolamee left Ayer Etam and went to the town; and this deponent, Mahomed Sophey and Kitchee, were then in the house. After Goolamie had left Ayer Etam, Kitchee continued to get worse and worse; and the deponent observed to Mahomed Sophey, that he thought Kitchee would die, and that it would be proper to follow Goolamie to the town, and give information of what had happened; and Mahomed Sophey immediately left Ayer Etam for that purpose, and left him, the deponent, and the deceased, in the house. A short time after Mahomed Sophey left the house the deponent went into the jungle to look for his buffaloes, and on his return to the house, about three o'clock, he found the said Kitchee was dead, and this deponent went and called Hoolooloo, who came to the house,

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

and the deponent returned with her, and remained there until about ten o'clock at night, when Mahomed Sophey returned; and this deponent, with the said Mahomed Sophey, came to the town, and informed the Provost of what had happened; and further this deponent knoweth not.

(signed) " with the mark of *Gurebee Balla*."

" Sworn before me, *John Browne*, Coroner,
" the day and year before written."

" The deposition of Mahomed Sophy, a native of Bengal, taken by me, John Browne, coroner for the said island, who being duly sworn to give evidence on the part of the Government touching the death of one Kitchee, saith, That on or about the 20th instant, he was at Ayer Etam, where he worked in the plantation of Philip Manington, and lived in a house there with three other men, one of the name of Golamee, the others of the names of Gurulee, Balla and Ramgany; Golamee cohabited with the deceased Kitchee, who frequently came to the said house, but did not altogether reside there; Kitchee, with another woman named Hoorbaloo, came to the said house on the said day about five o'clock in the afternoon; Kitchee was very unwell and complained of a pain in her inside; some words arose between Kitchee and the said Golamee, concerning Kitchee's asking Golamee for a dollar, which he refused to give, and beat her with a stick, and afterwards kicked her in the back, on which she fell to the ground; Goolamee took her, Kitchee, up and laid her on the couch; the next morning Goolamee went to George Town to get medicine for Kitchee; Kitchee got worse, and Gurebu Balla desired him to follow Goolamee to the town, and give information of what had happened; the deponent saw Goolamee at the house of Jaffer Misty, near the first bridge in George Town, and Goolamee told this informant that he was going immediately up with medicine for Kitchee; the deponent desired that he would make haste, as Kitchee was worse; Goolamee went away, and about eight o'clock at night on the said 20th day of this instant April, he, this deponent, returned to his house at Ayer Etam, and found that Kitchee was dead, and that Goolamee had not been there, nor has he, the deponent, seen the said Goolamee since; and the deponent saith, that he and the said Guribu Balla came to the town, and informed the Provost of what had happened; and this deponent upon his oath saith, that he cannot tell whether the said Kitchee died in consequence of the beating and kicking aforesaid, or whether the said Kitchee died from sickness."

(signed) " with the mark of *Mahomed Sophy*."

" Sworn before me, *John Browne*, Coroner,
" the year and day before written."

To Mr. John Browne, Coroner.

Sir:—For the information of the jury on the body of a female Malay, I have to report as follows:—

The body must have been dead at least 24 hours; from the very putrid state of the body, it was impossible to say where the injury was given which was said to be cause of her death; a mark on the right side of the back, near the region of the kidney, had something like the appearance of contusion, but I cannot take upon myself to say it was, or if it was the case, that it (the contusion) was the immediate cause of her death.

I am, &c.

(signed) *G. M. Elmer*, Assistant Surgeon at the

Ayer Etam, 22d April 1804.

Hospital, George Town.

And the said John Brown, Provost, now before this court, charged the said Goolamee, for that, on the 22d of April 1804, at Ayer Etam, in the said island, the said Goolamee, with force and arms, in and upon the said Kitchee, then and there, being feloniously, wilfully and with malice aforethought, did make an assault, and with a stick of wood, which he the said Goolamee then and there in his right hand held, in and upon the loins and back of the said Kitchee, did strike and beat; and also for that the said Goolamee, then and there with his foot, in and upon the loins and back of the said Kitchee, did kick and beat, giving to the said Kitchee, by the beating, striking and kicking aforesaid, several mortal wounds and bruises, and of which said several mortal wounds and bruises she the said Kitchee then and there died; and so the said Provost charges, that he the said Goolamee, the said Kitchee then and there feloniously and wilfully did kill and murder, against the peace, and so forth.

This

This charge being explained to the prisoner, he pleaded thereto not guilty. And the said Provost, being now called upon to produce evidence in support of the said charge, represents to the court, that Gurrebee Balla is now without the jurisdiction of this court, so that he could not be summoned to be re-examined before this court; and that Hoolooloo is unable to attend through sickness, and that George Elmes, who examined the body, is not within the jurisdiction of this court, so that he could be summoned to be re-examined before this court, but that Mahomed Sophy is present in court; whereupon the said Mahomed Sophy being duly sworn, saith, that in the month of Mobarin last (about five and a half months since), at Ayer Etam, in the said island, the witness lived in the same house with the prisoner; Gurubee Balla and Ramzang know nothing respecting the death of Kitchee; for whose murder the prisoner is now on his trial; that the said Kitchee was the slave of Gooster, the wife of Incher Garriff, and occasionally came to the said house as a common prostitute; and one day of the last Mohurram, about five o'clock in the evening, the said Kitchee, with another woman named Hoolooloo, came to the said house to visit Goolamee, as she had done every three or four days for the two months preceding; and the witness saith, that from the appearance of the said Kitchee, as well as from her own declaration, that she had a pain in her bowels; he knows that the said Kitchee was at that time unwell. A dispute arose between Goolamee and Kitchee, on account of her refusing to go with him to the town to see the procession of the Mohurram, unless Goolamee gave her, before she went, a dollar; and Goolamee thereupon ordered Kitchee to go away, and shoved her out of the said house, but without violence; about a quarter of an hour afterwards the said Kitchee returned to the said house, and Goolamee, the prisoner, was displeased with the said Kitchee, and gave her abusive words, and kicked her with his foot four times on the loins with some violence, and gave her with his open hand three or four slaps in the face; the said Kitchee was sitting on the ground, when the prisoner Goolamee kicked her as aforesaid, and on her being kicked, she fell on the ground on her side, and complained that she was much hurt, and desired the prisoner not to beat her any more; afterwards Goolamee got water, and washed Kitchee clear from the dirt on her body, and put her on the bed in the said house; the said Kitchee died during the next day; the witness saw the body of the said Kitchee about ten o'clock of the night of the next day, and it was cold. The witness cannot speak to the cause of her death.

The prisoner declined cross-examining this witness.

The Provost states, that he has no other witnesses to adduce in the support of the prosecution.

The prisoner rests on his plea of not guilty.

The court, having taken the evidence into their consideration, are of opinion, that the prisoner, Goolamee, is not guilty of the murder of Kitchee, with which he stands charged, and he is accordingly acquitted of the said charge.

(signed) *W. E. Phillips*, Acting Lieut. Governor.

John Dickins, Judge and Magistrate.

George Caunter, J. C. Assistant.

Extract of a Treaty concluded by Sir George Leith with the King of Queda, in August 1800, and confirmed by the Governor General in Council, in November 1802; for the Surrender to the Company of a tract of Land on the Queda shore.

Article 4.—All slaves running away from Purlies and Queda to Pulo Penang, or from Pulo Penang to Purlies and Queda, shall be returned to their owners. All debtors running from their creditors from Purlies and Queda to Pulo Penang; or from Pulo Penang to Purlies and Queda, if they do not pay their debts, their persons shall be delivered up to their creditors.

Extract of a General Letter from the Court of Directors to the Governor in Council of Prince of Wales Island; dated 18th April 1805.

Par. 60.—It is stated by the late Lieutenant Governor, that in 1801-2, there were 723 persons who possessed landed property, and that there were at that time upon the island above 1,200 slaves. We cannot authorize any encouragement being given to the introduction of slaves into the island; we could wish, that the clearing of the lands and the cultivation of the pepper and the spices should, as we understand they may, be carried on by free people. At the same time care must

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

be taken, that slaves belonging to ships occasionally resorting to the island, and who may land for the purpose of obtaining their freedom, be delivered up on sufficient proof of their being the property of the claimants.

Extract of a General Letter from the Governor in Council of Prince of Wales Island to the Court of Directors; dated 12th November 1805.

Letter from the
Court, dated
18th April 1805.
(Go.) Introduction
of slaves not to be
encouraged.

Par. 73.—It is estimated that there are from 1,200 to 1,400 slaves on the island, most of whom are employed in domestic purposes; a register is kept of their sale and transfer from one master to another, but there is not any tax or duty levied upon their importation. It would, perhaps, be good policy to impose a duty, as no inconvenience could arise were it entirely discontinued.

SUGGESTIONS for the Abolition of Slavery on Prince of Wales Island, submitted in 1805, by the Lieutenant Governor R. T. Farquhar, Esq. to the Governor General in Council of Bengal.

Extract, Prince of Wales Island, Public Consultations, 4th Oct. 1805.

Extract of a Letter from the Governor General of Bengal to the Lieutenant Governor, dated 27th September 1805.

It is understood that the system of slavery has been carried to a considerable extent at Prince of Wales Island, and that the number of male and female slaves now at that settlement is not inferior to five thousand. The toleration of this system cannot be necessary in India, where labour of every description can be performed by free men; and although the prejudices of our native subjects on the continent of Asia may there forbid the entire abolition of slavery, the same objection does not appear to be applicable to Prince of Wales Island, which has been settled within these twenty years.

31.—Under these circumstances, it is considered to be desirable, that at Prince of Wales Island the system of slavery should, if possible, be prohibited. His Excellency in council accordingly desires, that you will consult the best informed European inhabitants of the island, with respect to the means by which this measure can be accomplished without injury to individuals, and that you will submit your opinion in detail on this question for the orders of the Governor General in council, after you shall have had an opportunity of examining the subject with those who may be qualified to afford you accurate information regarding the effects of the abolition of slavery, as it would be contemplated by the Chinese, Malays, and other native settlers on the island.

Extract, Prince of Wales Island, Public Consultations, 17th Dec. 1805.

Extract, Letter from R. T. Farquhar, late Lieutenant Governor of Prince of Wales Island, to the Secretary to Government; dated 8th Nov. 1805.

Lastly, I proposed to recommend to the Board of Plantation the means of abolishing slavery at Prince of Wales Island, the great body of planters being, of course, materially concerned in this important point of reference.

I have the honour to transmit to you herewith, my ideas upon the best and most feasible method of annulling slavery in the shortest period in which that desirable object can be effected, without prejudice to individuals, or injury to the public interests of the settlement; but I recommend, that this measure be postponed until all the objects of the Board of Plantation, and particularly that of advancing small sums to industrious planters, for the encouragement of cultivation, can be carried into execution.

Enclosure in the foregoing.

N^o 3.—On Slavery at Prince of Wales Island.

I recommend slavery's being abolished at Prince of Wales Island. It is the greatest of all evils, and the attempt to regulate such an evil is in itself almost absurd.

There was some excuse for using slaves in the West Indies, on account of the want of people, and Africa offered the readiest supply.

But there is no excuse for continuing the practice in India, a country fully peopled, and where cultivation and commerce can be carried on by free men.

But,

But, as slavery has in some degree been sanctioned by the government of Prince of Wales Island, it would be unjust, without an equivalent to the proprietors, to declare slaves free.

Suppose then that a committee were appointed, and authorized to affix to each slave now on the island, a value at which his master should be obliged to liberate such slave, on tender of the amount.

Such as could not procure funds from their relations or friends, equal to the valuation, to become debtors, and serve the creditors, as now practised, under the following simple regulations:—

The lender to find the borrower, in lieu of his services, meat, clothes and lodging, good and sufficient.

If in chastising a borrower for any fault (without the authority of the police) the lender bring blood, the debt to be cancelled.

If the lender cohabit with any of the female borrowers, the debt to be cancelled.

No idleness in the borrowers is to add to the debt; but if dissatisfied, the lender may demand his money. Should the emancipated slave be unable to procure the money, the master may apply to the police, where the necessary inquiries will be made, and correction given accordingly.

The foregoing regulations would ameliorate the condition of those now slaves, and in time liberate the whole from debt, and give us from four to five thousand good subjects in place of useless sufferers.

This is an object worthy of government's attention in every point of view.

(signed) *R. T. Farquhar*, late Lieut.-Governor.

Extract of a General Letter from the Court of Directors to the Governor in Council of Prince of Wales Island, dated 18th Feb. 1807.

Letter from Prince of Wales Island, dated 12th November 1805.

73.—Discouragement of Slavery.

Par. 43.—We find by a reference to your consultations of the 4th October 1805, a letter recorded from the supreme government, recommending the abolition of slavery at your presidency; and on your consultation of 17th December 1805, we observe a plan submitted by the late Lieutenant Governor for effecting that desirable object, under date the 8th November preceding, neither of which are noticed in your advices, although the last letters received from your government are dated 20th March last.

44.—As the toleration of slavery cannot be necessary at Prince of Wales Island, where the population is at present extensive and is daily increasing, we consider it a subject deserving of your serious notice, and direct that every means be resorted to for effecting its immediate abolition, provided the public interests of the settlement are not materially injured; but even in that case, we conceive an early period may be determined upon for the entire emancipation of slavery at your presidency, from the date of which it ought by no means to be tolerated.

A PLAN for the Abolition of Slavery on Prince of Wales Island, proposed by Governor Phillips in 1807.

Extract of a Letter from the Governor in council of Prince of Wales Island, to the Court of Directors, in the Public Department, dated 29th January 1808.

Letter from the Court, dated 18th February 1807, (Par. 43,) conceiving, that an early date should be fixed for the Abolition of Slavery.

41.—We have the honour to refer your Honourable Court to a minute recorded by Mr. Phillips on this important subject, and to the proclamation now under the consideration of government, intended to be published with the view of effectually abolishing slavery on this island; and as this important subject will be resumed by us at an early period, we hope to be enabled, by the next dispatch, to report to your Honourable Court, on the measure having been carried into execution, agreeably to your orders.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

Extract, Prince of Wales Island Consultations, 29th December 1807.

Mr. Phillips lays before the Board the following minute, viz.—

Minute by Mr. Phillips.—Although domestic slavery, as practised by the Malays, meliorates in a great degree the situation of the slave, as hitherto permitted on this island, when compared with that of the same class of people in other quarters of the globe, still slavery in its mildest form is degrading in the minds of Britons, and hitherto only tolerated as a means of drawing population to an infant colony, which from the now flourishing state of this island, is no longer necessary, therefore derogatory to our national character, and should in my opinion cease to exist; at the same time every reasonable consideration is due towards their proprietors, so as to remunerate the one without injustice to the other, or too suddenly interfering with ancient and authorized usages. This subject has, it appears, engaged the attention of the Honourable the Court of Directors, and they have more than once urged their government here to adopt the necessary measures for effecting so humane and honourable an object, as the personal freedom of a considerable proportion of their subjects; I have consequently felt interested in the cause, and made such inquiries as enable me to state, that there cannot be less than three thousand, men, women and children, in a state of bondage on this island, and that of this number, the families of Tunka, Pootry, Seied Hussein, the Pangavas Heirs, Maha Raja Stra, and Noqueda Byan, together possess nearly one-third of that number.

The gradations of local usages of slavery are various, and not minutely known at present to Europeans; it seems therefore eligible, that they should be developed by the cool investigations of an intelligent committee formed for the purpose, the result of whose inquiries into each particular class may be submitted to government, prior to the promulgation of any positive regulation, which, if hastily adopted, might, I apprehend, be too general to embrace the various shades of the existing evil, and engender alarm in the minds of the proprietors of slaves.

In this persuasion, I have drawn up and now submit a rough sketch of a proclamation, announcing in general terms the intentions of government with respect to emancipation, and directing masters to produce their claims on the persons of their alleged slaves within a twelvemonth, or to forfeit such claims in toto; these claims may be registered by the committee, who should be directed to class them for the information of government, to whom they may also be directed to submit their proposed means for freeing each class with the least pecuniary injury or domestic inconvenience to the proprietor.

My own ideas are, that the committee should place a value on each slave, as also a value on his annual labour, after deducting his maintenance, and having done so, that the slave should continue in bondage till the estimated value of his labour has reimbursed the master for his original cost. Should the slave deem himself ill treated, he may at any time sell the labour due to that master to one more mild, and who may be disposed to advance that sum to the original master. As the value of labour here is very high, and that of the slaves the reverse, I do not think I am sanguine in estimating that the greater part of these poor creatures would be free in two years from the date of their valuation.

(signed) *W. E. Phillips.*

Christmas day, 1807.

Whereas the Honourable the Governor and Council have taken into their most serious consideration the evils and oppressions attendant on slavery, as hitherto tolerated to some extent at this presidency and its dependencies, and have come to the resolution that no further importation of slaves shall be permitted after the ———, and that from and after the 1st of January 1809, slavery, as now practised, shall cease and be abolished; but in order that this desirable object may be effected with as little private distress to proprietors of slaves as practicable, a committee will be appointed, to take cognizance of the claims of all such proprietors, and to frame for the approbation of government, plans for commuting the same.

Notice is therefore now given, that the intermediate time, from the promulgation of the proclamation to the 1st January 1809, the committee will sit at ———, twice a week, for the hearing and ascertaining the claims that may be brought forward.

Further notice is hereby given, that either master or slave may state their case, and all such masters as neglect to bring forward their claims within the allowed period, shall not have any redress or claim whatever on the person of his alleged slave, who shall be virtually free from and after the date above specified, and any master

master, preventing by threats or restraint of any kind, his slave from laying his case before the committee, shall on proof of the same be fined in the value of the slave, such value being awarded by the committee, and paid into a general fund, to be applied to the object of general emancipation.

Agreed, That the recommendation of Mr. Phillips be adopted generally, but that the consideration of the subject do lie over for further consideration.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

PAPERS relative to Slavery on Prince of Wales Island, 1808, 1809; containing a Minute and Correspondence of the Governor, N. Macalister, Esq., together with the Regulations proposed by him in April 1808, the subsequent Proceedings of the Committee for the Abolition of Slavery, with the Minutes of Council thereon, and the Plan of Debtor Service, which was proposed as a Substitute for Slavery.

Extract of a Letter from the Governor in Council of Prince of Wales Island to the Court of Directors in the Public Department, dated 6th April 1808.

Par. 6.—We have the honour to forward to your Honourable Court, a number in the packet, copy of a minute recorded by the Governor, relative to the abolition of slavery on this island, and we trust, the measures taken in consequence will enable us, at an early opportunity, to report more fully to your Honourable Court on this desirable object.

Cons. 6 April.

Extract, Prince of Wales Island, Public Consultation, 6th April 1808.

The Honourable the Governor records the following Minute, viz.—

MINUTE by the Governor.—I have to call the Board's particular attention to the subject of the abolition of slavery on this island, and to the minute recorded by Mr. Phillips on the 29th December last. The Act of the Legislature of Great Britain, in abolishing the slave trade that has hitherto existed in the West Indies, and the positive orders of the Honourable Court of Directors, call so immediately, in my opinion, for active measures on our part, that no further delay should take place in carrying into effect this important measure here, where a single benefit cannot be stated as likely to arise from its continuance.

I entirely concur in the ideas of Mr. Phillips, with respect to the means proposed to be adopted for freeing each class of slaves with the least pecuniary injury or domestic inconvenience to the proprietor, and that the desirable measure may be effected, by prohibiting, after a certain date, the transfer of slaves by purchase, gift, or otherwise, and making each slave become a debtor to his master in a given sum, calculated on the value of his present services.

With this view, it was my intention to have proposed to the Board, certain resolutions for carrying the same into immediate effect; but as I have lately had an opportunity of obtaining the sentiments of the heads of the different casts here, who are the principal holders of slaves; I am induced to recommend, that previous to the Board's coming to a decision, and declaring all slaves free after a certain period, a committee should be appointed for the purpose of fully investigating the subject, and after hearing the arguments of the different proprietors of slaves, to submit such regulations for their emancipation, as may appear to them best calculated to effect the object in view.

The principal objection that appears to exist is among the higher classes of natives who have settled here with their slaves, under an assurance that their domestic arrangements would never be interfered with. Many of them have slaves in their zinanas, which I fear no measures taken at present, short of absolute coercion, would induce them to set free, more particularly as it is considered a degradation, if females, who may be once admitted, afterwards to enter into other alliances.

As I understand, that any regulations that can be made, leaving it to the proprietor to emancipate his slave, by making him his debtor to a certain amount, will be considered a more accommodating mode to the holders of slaves, and as the object may be alike effected, whether the act of giving freedom proceeds direct from the Government or the master, I subjoin the heads of certain regulations for the committee's consideration, which, as far as I have been able to ascertain, are approved of by the principal natives on the island.

Should the Honourable Board approve of the mode recommended in the proposed general regulations, and submit them as the ground work of the committee's deliberations,

Prince of Wales
Island Papers;
State of Slavery
in Company's
Territories.

deliberations, I am of opinion, that the sums proposed to be levied as duties, should be considered as set apart, to form a fund for the aged and young children, slaves, who may by their emancipation be otherwise left destitute, and for remunerating such persons whom the regulations may, from their general and extensive tendency, possibly injure in a pecuniary degree.

I have, lastly, to propose, that as there are several slaves belonging to the Company on this island, they be declared free from and after the 12th August next, and virtually, at liberty to go and come, and to apply their industry at pleasure; and that the secretary do lay before the Board at their next meeting, a draft of the instructions to the committee.

HEADS OF REGULATIONS.

1.—That the importation into Prince of Wales Island of slaves of every description, be prohibited from and after the date of the proclamation, and that all slaves (those the property of natives of Quedah, who have a right to retain the same by treaty, and slaves belonging to the masters of foreign vessels, casually touching at Prince of Wales Island, excepted) landed in Prince of Wales Island after that date, be considered as free men, and at liberty to apply their industry at pleasure, within Prince of Wales Island.

2.—That the masters of vessels arriving at this port, having on board slaves belonging to their respective vessels, or who may have been brought under an ignorance of the existing regulations, be required to send in to the collector's office, a list and description of such slaves, in order that they may be registered, and on the departure of the vessels permitted to depart in the same condition of slaves as they arrived; nothing in the proclamation tending to affect slaves who may be brought to this port under such circumstances, provided they are not transferred, and that they quit the place in the vessels in which they severally arrived within a given period; or to prevent the master of such vessels from reclaiming any slave or slaves who may have run away from them during their stay in the port of Prince of Wales Island.

3.—That from and after the date of the proclamation, the transfer of slaves within Prince of Wales Island, whether by purchase, gift or bequest, or otherwise, be prohibited; and that the proprietors of slaves now on this island, be required immediately to register their respective slaves (having regular slave papers) at the collector's office, where an exact description roll of such slaves will be kept. All slaves not so registered within two months from the date of the proclamation to be free, and at liberty to go and come without molestation from their former masters or mistresses.

4.—That a duty at the rate of five dollars for each male slave, and ten dollars for each female slave, be paid to the collector by the proprietor, previous to the registry of each slave, as above mentioned.

That an annual duty, at the rate of five dollars for each male slave, and ten for each female slave, be paid by the respective proprietors on or before the 1st day of January in every year, when a certificate (in which the slave will be described) will be given of the same having been paid; in failure of the payment of this duty within one month after such 1st day of January in every year, the slave or slaves for whom the said duty has been so omitted to be paid, to be free from that date, and at liberty to go and come without any molestation from their former masters or mistresses.

5.—All slaves that may from time to time become free under the proposed regulations, to be granted a certificate of the same on their application.

6.—All children that may be born within Prince of Wales Island after the date of the proclamation, of slave parents, shall be free from their birth; and the proprietors of the slave parents shall afford such children maintenance until they are capable of obtaining a livelihood for themselves, or their parents may become free.

7.—That from and after the 12th day of August 18—, slavery, whether originally by purchase, transfer, gift or descent, or by what other means so become, do cease and be abolished within Prince of Wales Island.

(signed) N. Macalister.

Ordered, That the same lie over for consideration.

Extract of a Letter from N. Macalister, Esq. to the Secret Committee of the Court of Directors, dated Fort Cornwallis, the 7th April 1808.

Para. 11.—I have also to refer your Honourable Committee to the general dispatch from this government, for the measures intended to be adopted by us, which will be actively followed up, and, I have every reason to believe, tend in a very short period to the total annihilation of this traffic of the human species, from the continuance of which there does not appear one solid advantage likely to arise.

Extract of a Letter from Colonel Macalister to the Chairman of the Court of Directors, dated Fort Cornwallis, 7th November 1808.

Para. 14.—By the China fleet we shall have the honour of transmitting to the Honourable Court of Directors, the regulations established for the abolition of slavery on this island, which are intended to be duly published and carried into effect, previous to the 1st of January next.

Extract of a Letter from the Governor in Council of Prince of Wales Island, to the Court of Directors in the Public Department, dated 4th February 1809.

Para. 10.—We have to refer your Honourable Court to the consultations noted in the margin, for our proceedings on the subject of the abolition of the system of domestic slavery hitherto existing on this island, which important and desirable object we at one time expected might have been fully accomplished, even so as to effect the emancipation of slaves now on the island. Cautious, however, of interfering in the domestic arrangements and customs of the various native inhabitants who have resorted to and settled on this island, on the faith that such should not be interfered with, and advertent to the measures taken by your other governments in India, towards the abolition of slavery at their respective presidencies, we have not at present deemed it advisable to proceed further than they have done. To have denied the native inhabitants here those domestic privileges that, though not openly allowed, are tacitly admitted elsewhere, would, in our opinion, have tended materially to affect the population of the island, by discouraging the general resort to this place.

11.—Whatever measures may become advisable at a future period, in following up the plan of totally abolishing slavery on the island, the present time, when the island, from the distress of the cultivators, and the general stagnation of trade, is suffering from temporary emigration, is by no means calculated for the adoption of any measures likely to affect the hitherto tolerated customs of the native inhabitants. We have, therefore, deemed it improper to adopt either of the plans recorded on our proceedings for the immediate abolition of slavery; and, confining our attention more particularly to the discouragement of the same in future, we have taken the most effectual measures in our power for preventing the further importation of slaves, as well as the transfer of those now on the island, by which means we have a confident hope, that the practice will be so far reduced as to render a more immediate interference on the part of government unnecessary, at least until the minds of the inhabitants shall be more prepared for the measure, and the population of the island sufficiently permanent not to be affected by its adoption.

12.—The slaves belonging to the Honourable Company were sent from Bencoolen on the first settlement of the island, and are at this time few in number, mostly old and infirm, and young children, incapable of maintaining themselves by their daily labour. These we have resolved to emancipate, continuing, however, to the old and infirm the maintenance hitherto allowed them by the Company, and subsisting the children till they respectively become enabled to maintain themselves.

Extract, Prince of Wales Island, Public Consultations, the 21st July 1808.

The Board, referring to their proceedings of the 29th December and 6th April last, on the subject of the emancipation of slaves, and the abolition of slavery at Prince of Wales Island,—

Resolved, That in conformity with the minutes submitted by the Honourable the Governor, and Mr. Phillips, that a committee be appointed, for the purpose of into their consideration the object in view, of emancipating, as far as possible, slavery as hitherto tolerated in Prince of Wales Island; that for this purpose the secretary be directed to prepare instructions for their guidance, grounded on the minutes recorded on their proceedings of the 29th Dec. 1807, and 6th April last.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories

Cons. 1807.
27th Dec. 1808.
6th April, 29th Sept.
13, 20, and
27th October.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

Resolved further, That the collector be prohibited (from and after this date) from registering the sale of slaves imported, and that the following European gentlemen and natives, as being the best informed on this island, be requested to form the above mentioned committee, viz.—

<i>George Caunter, Esq. Chairman,</i>	<i>David Browne,</i>	} Europeans,
<i>James Scott,</i>	<i>Tho. M'Quoid,</i>	
<i>Juan Sied Hussain Jelabdin,</i>	<i>Abdul Rahman, and</i>	} Natives.
<i>Caunder Maydeen,</i>	<i>Loze Ammee,</i>	

Extract, Prince of Wales Island, Public Consultations, 29th September 1808.

To J. C. Lawrence, Esq. Assistant Secretary to Government.

Sir:—Enclosed are the proceedings of the committee, appointed by the Honourable the Governor and Council to take into consideration the abolition of slavery on this island, which I request you will please to lay before the Board.

Prince of Wales Island, 17th September.

I have, &c.

(signed) *George Caunter.*

Proceedings of the Committee nominated by the Honourable the Governor and Council, for the purpose of considering the most eligible Mode of abolishing Slavery on this Island.

Present,—*George Caunter, James Scott, David Browne, and Thomas M'Quoid, Esquires.*

Juan Syed Hussain, Caunder Maydeen, Jelabdeen, and Ammee.

The undersigned, European members of the committee, beg leave to express the high pleasure and gratification they experienced in being called on by government to assist and co-operate with the Honourable Board, in effecting the benevolent object submitted to their consideration, and at the same time to assure the Honourable Board, that in deliberating on this important subject, the committee have not failed to give it that considerate and serious investigation which the interest it involves demands, and to be directed by a due regard to those circumstances of humanity and policy, which with so much propriety are adverted to, and discriminated in the letter of the secretary to government, under date the 21st July last, nominating this committee, and in the regulations suggested by the Honourable the Governor, transmitted inclosed therein.

After mature deliberation, the undersigned are of opinion, that the views of humanity, and of the British Legislature, signified in the late Acts respecting the abolition of slavery in the British West India Islands, may be extended and adopted here, consistent even with due attention to the political circumstances of this settlement; and with all deference, they beg leave to recommend to the Honourable Board, the immediate and positive emancipation of slaves, in preference to relying on the accomplishment of it by the establishment of an annual tax, which, while the richer masters would be able to meet it, might have the effect only to induce the poorer to insist with rigour and inhumanity on greater exertions of service from their slaves, in order to enable them also to meet it.

The undersigned are aware, that from the extreme low price of produce, combined with other circumstances, the population of the island has lately suffered a considerable diminution, by the emigration of chiefly Chinese inhabitants, and that at no period has it been more necessary to encourage and promote the resort and residence of Malays here, in order to replace those labourers who have emigrated; but the undersigned are of opinion, that the abolition of slavery by the emancipation of slaves, and the prohibition of the slave trade and purchase of slaves, will not tend in such degree to discourage the resort of the Malays, and consequent increase of the population, as ought to be allowed to stand in competition with the prevention of those cruelties, which there is too much reason to suppose are inflicted by inhuman masters on their slaves. Besides, the undersigned are of opinion, that even many of the people who are at present imported and sold, and purchased as slaves, will still continue to come here, though under other circumstances. These slaves are either persons who, in consequence of their own imprudence, have voluntarily sold themselves and families, or who have been forcibly seized and carried off from adjacent territories into slavery, or who have become slaves from other sources,

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recognized by the Malay laws, whom the distresses of their masters necessitating to dispose of, they bring here from being able to obtain a higher price for them than they can procure in their own countries; and so soon as they are prohibited from selling them here, they will most likely adopt the mode at present practised in regard to their more favoured slaves, of emancipating them, and allowing them, to endeavour, by mortgaging their labour, or by contracting to perform certain work or jobs, to procure in advance a sum to be paid in consideration of their emancipation, which though it may not amount to so much as the price they would obtain if sold here as slaves, the undersigned have no doubt, from the superior spirit of speculation, paucity of labourers, and high price of labour, which prevails here, comparatively with what exists in the Malay countries adjacent hereto, will even exceed the price they could procure at home or elsewhere. This practice cannot be considered as in any way encouraging slavery. On the other hand, as slavery is universally prevalent in all the adjacent countries over which the British government have no controul, were such an usage not sanctioned, the objects of it would continue slaves, so that recognizing it is in fact extending the operation of humanity, by not only rescuing them from being subject to inhuman treatment, but in fact effecting their emancipation.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

Allowing, however, that the abolition of slavery might have the effect to retard the increase of the population, it would benefit the island in another respect most essentially, by effectually and entirely putting a stop to the infamous practice still existing, notwithstanding every effort and regulation of government, of purchasing females for the purpose of hiring them, and compelling them to ply as public prostitutes, and enable many industrious Chinese and others, to obtain wives, whom this infamous practice has hitherto prevented. The great gain resulting from it, enabling the bawds to purchase these females at most extravagant prices, and consequently by connecting these Chinese and others more permanently, through the medium of families, with the settlement, will not only improve much the character of the community, but tend ultimately to afford a more certain source of increase of population than from casual residents.

Independent therefore of the calls of humanity, and of the distinguished example afforded to the world by the British Legislature, the undersigned must allow, that these considerations have also had much weight in inducing them to recommend the immediate and positive emancipation of slaves, though they at the same time are aware of the propriety and necessity of regarding, as far as is consistent with humanity, the *property* of the owner, and the prejudice of the natives of higher rank; but these they are hopeful may be nearly assimilated and combined, by adopting as the basis of emancipation, a custom and usage which has been immemorially sanctioned and prevalent in the Malay countries and on this island since the formation of the settlement, viz. that of mortgaging labour and services in consideration of a sum advanced, for which the person or persons become debtors. Originally in some degree resembling the feudal system which prevailed formerly in Europe, these services extended to accompanying their creditors or masters in all predatory expeditions, and obeying all their commands of whatever nature, the masters providing for their subsistence and clothing. In general the connection was formed voluntarily by the debtor, unimpelled by pernicious necessities, with the view thereby of securing the interest and protection of the master, and occasionally by his own imprudence having involved him in debt, which entitled his creditor to his services till it was liquidated. On this island, the engagement of course extends only to the use of his labour, and is generally made by a deed or bond in the Malay language, of the following tenour:—

“A, has come and solicited, and received from B. a debt to the extent of fifty dollars. All B.'s commands A. promises to obey, and to work long and short (*i. e.* at all hours); when working within (*i. e.* labouring for B.) be victualled and clothed within, and when working without (*i. e.* labouring for himself) to find subsistence and clothing himself.”

He is liable to repay the debt when demanded, and being merely a debtor, is nearly as much under the protection of the law as any other servant, the master being amenable for beating or treating him otherwise inhumanly; and he has also at all times an option of leaving his service, on giving proper intimation and paying the amount he owes. In this manner a very considerable proportion of the Malay population on this island have emigrated from their own countries and resorted here; for from the greater riches and superior spirit of adventure that exists here, those debtors, who from being badly treated, wish to pay off their debts, and leave

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

the families of their masters, or who are obliged to do so, in consequence of the request of the creditors, whose distresses probably necessitate them to demand payment of the debt, find little difficulty in procuring the amount here in bonds of the above nature; and the vicinity and previous settlement here of many of the most respectable of their countrymen, as well as the daily opportunities that occur of communication and intercourse with their former homes, readily reconcile them to this emigration. Besides the more opulent natives, the European planters, who experience the necessity of encouraging the settlement of Malays here, are also in the practice of making loans of this kind, but in general in place of taking bonds similar to the above, they contract for the performance of a certain specified service or job, and consider the sum paid or lent as an advance to account of it.

Having stated these observations with a view of developing as distinctly and minutely as possible to the Honourable Board, the various circumstances and motives which have presented themselves for the consideration, and influenced the opinion of the undersigned members, they now beg leave to suggest to the Honourable Board, the facility of adopting an arrangement founded on this usage, which they conceive would not only meet the wishes and acts of the British Legislature, by depriving inhuman masters of the power of treating cruelly their fellow creatures, but would also go much further, as it would positively emancipate even those that are at present slaves, and would at the same time secure to the owners nearly the value of the property. This the undersigned with deference submit, would be completely effected by simply declaring all slaves emancipated, and that in future they are to be considered only as debtors to their masters for a certain sum, which sum ought to be fixed as nearly as possible at the cost or value, but so moderate that a debtor, in the event of wishing to leave his master, would not be likely to have any difficulty in procuring a loan of the amount from another, either on the terms of the bond above cited in general use, or by contracting to perform some work, on account of which he might receive that amount in advance. As however it would be impossible, without an infinite deal of trouble, to go into an inquiry of the particular state, circumstance, and cost or value of each slave, the undersigned would therefore propose, that one general sum should be fixed for every individual slave; but previous to stating their opinion with regard to the sum to be fixed, the undersigned beg leave to premise, that all slaves on the island are, excepting a few Caffrees, Malays, Battahs or Chuliahs, the former much more valuable than the latter, whose labour in general is not equal to more than their subsistence and clothing; the undersigned therefore, with all due deference, beg leave to suggest, that each Malay, Battah or Chuliah slave, either male or female, and of whatever age, shall as a consideration for their emancipation, become a debtor each to his or her master or mistress in the sum of 50 Spanish dollars, providing however, that the consideration for a family of Malay, Battah or Chuliah slaves, composed of a father and mother, or either of them, and all the children under nine years of age, be rated at only 100 Spanish dollars; those above nine, in this case, to be rated at 50 dollars each, as other slaves, and that Caffree or Negro male slaves, of whatever age, shall become a debtor for 100 Spanish dollars; and all female Negro slaves, of whatever age, for 50 dollars to their masters or mistresses, as a consideration for their emancipation; of a family of Negro slaves, composed of a father and mother, or either, and children, shall, for both the parents or either of them, and all the children under nine years of age, be rated at only 150 dollars; those above nine, to be rated according to their sex, agreeably to the sum fixed as the consideration for the emancipation of other individual slaves of their caste.

By this plan, the undersigned have no doubt, that many slaves become debtors; would in consequence of the privilege they would possess of changing their masters, and undertaking different contracts and services, soon be enabled, by economy and industry, to liquidate their debts and liberate themselves entirely from every kind of bondage; yet the undersigned would also suggest, in order that entire emancipation might positively be in their view at a certain period, and more particularly in the view of those, who probably from attachment or other motives, might not wish to quit the family or relinquish the services of their masters, that a sum of half a dollar shall be credited to them monthly by their masters, and written off from the amount of their debt; this however to be allowed only to those who may have attained the age of 21 years, and the allowance of it to those under that age, to commence only on their attaining that age, and to be applicable only to the period those slaves or debtors continue with their original masters, as any subsequent engagement with another master must be regulated entirely by the terms of the agreement made
between

between them, nor ought it to preclude masters, who may find the services of their slaves become debtors not equal to this allowance, and their subsistence and clothing, to dispense with their services, and insist on the amount of their debt. Debtors, if of good character, will always be able to change their masters, and consequently there is little or no chance of their being inhumanly treated; yet it ought to be adverted to at the same time, that if they fail to serve their masters with fidelity, or by impropriety of conduct, occasion detriment or injury to their masters, they must be liable to be mulcted in the damages, to be added to their debt, as if they should obstinately refuse, or from notorious infamy of character, be unable to pay their debt when demanded, and at the same time refuse or decline doing their duties properly, that the master ought not to be precluded from chastising and punishing them with more severity than he would be allowed to do a monthly servant; neither should these debtors be at liberty, without giving the previous intimation which is customary with regard to other servants, to leave the employment of their master, who might otherwise be in consequence subjected to much inconvenience.

The undersigned European members having thus minutely detailed their sentiments on this important subject, feel it at the same time their duty to transmit herewith, for the information of the Honourable Board, a communication from the Mussulman members, stating objections on their part to the emancipation of slaves, founded on the injunctions of the prophet, which they state prohibit any others than slaves from attending on their women, and that therefore they cannot dispense with slaves for that purpose. In support of this they adduce a passage in their Koran, which, on reference to Sale's translation of it, volume 2, page 192, the committee find translated thus:—"And speak unto the believing women, that they restrain their eyes and preserve their modesty, and discover not their ornaments, except what necessarily appeareth thereof; and let them throw their veils over their bosoms, and not shew their ornaments unless to their husbands, or their fathers, or their husband's fathers, or their sons, or their husbands sons, or their brothers, or their brothers sons, or their sisters sons, or their women, or the captives which their right hand may possess, or unto such men as attend them and have no need of women, or unto children who distinguish not the nakedness of women; and let them not make a noise with their feet, that their ornaments which they hide may thereby be discovered."

The undersigned deem it unnecessary to state to the Honourable Board the import, in their opinion, of this passage, or to elucidate it by remarking how much the habits and manners of the Mahometan society, particularly of the poorer classes, are in opposition to the doctrine deduced from it; they beg leave only to call the attention of the Honourable Board to the following passage of the Koran, Sale's translation, volume 2, page 194:—"And unto such of your slaves as desire a written instrument, allowing them to redeem themselves on paying a certain sum, writes one, if you know good in them, and give them of the riches of God, which he hath given you." Which certainly not only directly enjoins the emancipation of slaves, but exactly in the manner suggested by the undersigned members.

The undersigned, however, are far from wishing to recommend or advise the adoption of any measure which might be generally disagreeable or offensive to the Mussulman community here, whether their objections to it originate in ignorant prejudice, or proceed from a regard to interest and convenience; but they have good reason to believe, that the opposition, even among the followers of the Mahometan religion here, to the emancipation of slaves, is very partial, and confined almost entirely to a few of the first rank. Should, however, the Governor and Council think it advisable and proper to pay attention to these objections, the undersigned beg leave to state, that they conceive they might be sufficiently obviated by permitting each of them to retain their concubines, who shall not be allowed to quit the families of their masters, except they may be badly or inhumanly treated, which *de facto*, and of having cohabited with their masters, should entitle them to absolute emancipation; and by allowing them further to select, for each of their wives, one slave as an attendant, to be rated at the sum of 200 Spanish dollars, which would make it unlikely that any one would pay that amount, and deprive their masters and mistresses of their services, subject however to the deduction of one-half dollar a month for redemption; and the masters and mistresses to be required to furnish a description of each individual concubine, and each slave so selected, to be inserted in the present registry of slaves, to prevent the possibility of substituting others hereafter in their room.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

The undersigned, along with these proceedings, beg leave also to transmit the information of the Honourable Board, the sentiments of Mr. M'Quoid, the other European member of the committee.

(signed) G. Counter. J. Scott. D. Brown.

Prince of Wales Island, 15th September 1808.

Minute of Mr. M'Quoid.—When the abolition of slavery on this island was first spoken of, the measure had not a more zealous or ardent supporter than myself, nor has it in its abstract sense at the present moment; but, until the subject came to be discussed, in consequence of government appointing this committee to deliberate upon, and recommend to them the best mode by which so very desirable an object would be carried into effect, without injustice to the proprietors of slaves, or too suddenly interfering with ancient and sanctioned usages, I confess I had not given it that consideration which, as a member of this committee, I have since felt it my duty to do; nor had I the most distant idea of the strong and very general opposition it would meet with from the respectable natives, or more strictly speaking, the free black inhabitants professing the Mahomedan religion on this island.

It is this opposition to the measure, that has induced me seriously to reflect on the policy of it. I am aware, that the majority of the European members with whom I have here the honour to be associated, are of opinion, that as we have not been called upon to do so, we have consequently no right to question or inquire into the policy of the measure; and although it is with extreme diffidence that I venture to dissent from the opinion of men of such experience and ability, yet I do notwithstanding conceive it to be the duty of this committee, or of any individual member in it, to whom a well-grounded objection as to its policy, should occur in the course of the investigation, freely to state such objection; and it is to be hoped, that the Honourable Board will impute the supererogation, if it may be so termed, to a zealous anxiety for the welfare and prosperity of the island; at least it is this motive alone which actuates me.

The native members of this committee, certainly ought to be considered as the voice of their sect on the island. I will first state, as they occur to me, the objections urged by them, which may be divided into three distinct heads. I will then state their arguments in support of those objections, with my own deductions therefrom, and will close this minute by submitting a plan, which appears to me calculated to remedy the evils to be apprehended from the immediate and unqualified abolition of slavery.

1st Objection.—That the abolition of slavery will interfere with their religious customs, particularly regarding their women, and that Mussulmen might as well be ordered to wear hats (their own words), as to be obliged to emancipate the slaves now in their possession.

2d Objection.—That it will interfere with the whole of their domestic arrangements, inasmuch as it is not customary among Mussulmen in Malay countries, to order or exact from a slave debtor, or from a person receiving daily or monthly wages, that kind of domestic labour which they can exact from a slave.

3d Objection.—That when they settled on this island, they did so on the faith and implied assurance, that their customs and usages would not be interfered with.

Argument on the first Objection.—By the law of their prophet, say they, a Mussulman may have four wives, if he can afford to maintain so many, and he is not restricted to any number of concubines. His wives are generally chosen from among the daughters of free men of an equal rank with himself; but his concubines can only be taken from among his slaves. Now, say they, if all slaves are emancipated or made simple debtors, our concubines will of course have it in their power to leave us, on paying the sum fixed upon as their value, which in most instances, they will themselves be able to do, from the fruits of their master's generosity, and in this infant and confined settlement, Musselmen will find it difficult to meet with suitable wives. It is considered by all Mussulmen, but particularly among the higher class of Malays, a very great disgrace for a woman, with whom he has once cohabited, to go with strange men, or leave his house without his consent and permission, which their emancipation will enable them to do, even while they are with child by their master.

Argument on the second Objection.—Domestic bondage has prevailed among their forefathers from time immemorial, and is now permitted, and even countenanced, in the

the other settlements of the Honourable Company in India. In Malay countries, that is, in countries governed by Malay princes, a master has, in certain cases, power over the life of his slave. Here, that power has never been exercised, and the master is in all cases equally liable to answer for an act of cruelty or any improper conduct towards his slave, as he would be for any act towards a person to whom he paid monthly wages. There are many natives, especially among the middling and lower classes, who, if their slaves are liberated, will not be able from their confined circumstances, and the higher price of labour, to hire servants to perform such menial offices as their slaves now perform, and who will therefore be put to the greatest possible inconvenience.

Argument on the third Objection.—So long as their customs and usages did not militate against any positive law or regulation of government, they settled upon this island on the faith that such customs should not be interfered with. They found slavery existing here, and sanctioned by the government, and the fees levied by government upon the sale or transfer of slaves, they considered as a guarantee to the purchaser or proprietor, that his property was sacred; and so strongly were the natives impressed with this idea, that they actually think, and do not hesitate to say, that the government might as well take the clothes off the back as emancipate the slaves now in their possession, under such circumstances.

To the mind of the liberal and enlightened Christian, these objections and the arguments thereon will doubtless appear weak indeed, when placed in opposition to the noble and humane object of liberating from bondage thousands of his fellow creatures! No member of this committee feels the force of the foregoing remark more sensibly than I do; but I am at the same time to consider, that this settlement is not composed of enlightened Christians only; that we are surrounded by nations who profess the Mussulman faith, and that it has ever been the policy of Europeans, but more particularly of Englishmen settling in this country, to interfere as little as possible with the religious tenets or prejudices of the natives. It has been urged, that the doctrines of Mahomed do not support the objections urged in the present instance, and that these objections originate in ignorance of the law of their prophet. Admitting this argument to be correct, which I much doubt, experience teaches us, that religious tenets, whether well or ill-founded, are equally difficult to remove, and that in either case an attempt to remove them will be attended with the same consequences. Now the question resolves itself to this;—What are the consequences likely to result from the abolition of domestic slavery, as it at present exists on this island? Though it may perhaps be difficult to foretell all the consequences of this, we may be assured, that the measure will occasion the highest degree of dissatisfaction and disgust against the government, among the whole body of Mussulmen, composing little less than one half of the inhabitants residing on the island; that there is every reason to fear it will occasion great numbers of them to emigrate, and that it will most certainly prevent any respectable native of that persuasion from settling upon it hereafter.

It is on this ground I venture to oppose the emancipation of slaves on the island, to the extent which has been proposed by one of the members of this committee, and because I feel convinced that the object may be ultimately attained by some other mode, the operation of which will not be less sure, though not so immediate in its effect.

Before I conclude, I wish to remark, that as the government have been pleased particularly to direct our attention to a plan proposed by the Honourable the Governor on this subject, wherein nothing like the immediate emancipation of slaves is mentioned, and where it is even recommended, that an annual tax should be levied upon slaves, with an intent, no doubt, to do away slavery by degrees, it must be evident (at least to me it is so), that the Honourable Board never meant to confine this committee to the simple consideration of the best mode by which the measure could be carried into immediate execution, but that they also expected our opinion as to the practicability and policy of doing so at once. If, however, I should be mistaken, and it shall prove to have been the determination of government, immediately to abolish slavery on the island, and that we are only called upon to recommend to them the best mode by which it can be so effected, I wish it to be understood, that I coincide in the outline of the plan proposed by Mr. Brown, and adopted by this committee, of making the slaves simple debtors to their present owners, which, with some little additions, is certainly the most just and humane mode that can be adopted under such circumstances.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

Prince of Wales
Island Papers :
State of Slavery
in Company's
Territories.

I will not at present trespass on the time of the committee, farther than by submitting the plan I have before alluded to (herewith annexed, marked A.) which may admit of many alterations and modifications for the better.

Prince of Wales Island, 15th Aug. 1808. (signed) *Thomas M'Quoid.*

(A.)

1st.—The importation and transfer of slaves prohibited under a severe penalty, from this date.

2d.—The children of slaves, who shall from the date hereof be born in bondage, to be free, and the owner of the mother of such child shall be obliged to maintain it (if the father of the child be not able to do so) until it is sixteen years of age, so that in this case the child is to be considered in the light of an apprentice to the owner of its mother, until it arrives at such an age, as by its labour or services it will have repaid the owner the expense he or she may have been at for its maintenance during its infancy.

3d.—Persons already in possession of slaves to whom they can make good their title as such, may hereafter transfer them, as *slave debtors*, at a certain rate to be fixed upon, as the case may be, according to the plan proposed on this head by the committee.

4th.—All reputed slaves, whose owners cannot produce a slave paper, or other positive evidence in proof of their right to them as slaves, but who at the same time can satisfactorily prove an implied right to them as such, in consequence of long residence in their families or otherwise, shall from the date hereof become *slave debtors*, for a sum to be fixed upon in conformity to the plan already recommended in the third regulation.

5th.—All slaves kept after the date hereof, for the purpose of prostitution, that is, hired out for prostitution, to be liberated; and if it shall appear on investigation that force has been used by the owner to oblige any slave to prostitute herself, the owner shall be further liable to fine or other punishment, at the discretion of the magistrate.

6th.—Whenever it shall be made appear to the satisfaction of the magistrate, that any slave has been treated with inhumanity or cruelty by his or her owner, such slave shall be immediately liberated.

At the end of a certain period, say ten years, by the operation of regulations similar to the above, there will be but few slaves on the island. The minds of the inhabitants will be accustomed to the measure, and if it is then found expedient to do so, the complete emancipation of the remaining slaves may be declared, without the owners considering it as any hardship.

(signed) *Thomas M'Quoid.*

Ordered, That the above report do lie for consideration.

Extract, Prince of Wales Island, Public Consultations, the 13th October 1808.

The Board referring to the committee's report on the emancipation of slavery, read on the 29th ult.

Mr. Pearson submits the following minute, viz.—

MINUTE of Mr. Pearson.—The intentions of the Board, when communicating their wishes and instructions to the committee, were, I conceived, that they should, as far as their local experience and acquaintance with the habits and ancient customs of the different descriptions of Asiatics, residents upon this island, would enable them to do, take into their consideration the measures best to be pursued for restraining and ultimately, as far as might be practicable, abolishing the system of slavery, as hitherto tolerated at this island. It does not, however, appear to me, that the committee, with the exception of one of its members, Mr. M'Quoid, have considered the Board's instructions in this point of view. The sentiments expressed by Mr. M'Quoid on the subject, in my opinion, are replete with good sense and policy, and appear to me to accord with the ideas entertained by the Board, when Colonel Macalister, on the 6th April, recorded some proposed regulations for emancipating, as I imagined, the slaves on this island by degrees, and to an extent only, that the prejudices of the natives of the higher order would politically admit of.

It never has been, and perhaps never will be found practicable to abolish slavery altogether, on the Continent of India; how then can it be expected to be done here, while

while our population is principally composed of natives of India, and others professing the Mahomedan religion, and who of course brought with them their customs and religious prejudices. I do therefore most strongly oppose, as fraught with incalculable mischief, the adoption of the measure recommended by the committee, and advise a far more just, wise, and politic proceeding, that of founding regulations upon part of those proposed by Colonel Macalister, and the suggestions of Mr. M'Quoid, which tend immediately to do away the most noxious parts of the practice of slavery, and ultimately to prohibit the system, as far as it has been found practicable in other parts of India.

(signed) *H. S. Pearson.*

Extract, Prince of Wales Island, Public Consultations, the 20th Oct. 1808.

The Board referring to the report from the committee appointed to investigate into the condition of slavery at Prince of Wales Island, read on the 29th ult.

The Honourable the Governor and Mr. Phillips recorded the following minutes, viz.—

MINUTE by the Governor.—Having maturely considered the subject of the emancipation of slaves, and the abolition of slavery at this island, as drawn to our notice by the report of the committee, read on the 29th ult. I am of opinion, that the measure proposed by the majority of the committee, of emancipating all slaves, and making them debtors, without reserve or limitation, with respect to time or other circumstances, is manifestly objectionable.

I have further to state, that in my opinion the suggestions contained in the minute by Mr. M'Quoid, the remaining member of the committee, which accompanies their report, and which coincide with those contained in my former minute on the subject, are equally likely to effect the desirable object proposed, without militating in a considerable degree against the customs, habits and prejudices of the Mussulmen, part of the population of this island.

I have therefore to propose, that the regulations contained in my minute, recorded on the 6th April last, together with the suggestions contained in the minute from Mr. M'Quoid, be taken as the ground-work of a regulation for the gradual and final emancipation of slaves, and the abolition of slavery on this island; and that the secretary be directed to prepare and lay before the Board, a draft of these regulations, for their approbation and amendment.

(signed) *N. Macalister.*

MINUTE by Mr. Phillips.—Although three of the four European members of this committee coincide with the opinions offered in the minute recorded by me at this Board on the 29th December last, yet I cannot but allow, that the arguments now brought forward by the dissenting European member, supported, as it would appear by all the Asiatics in the committee, against the immediate and positive emancipation of the slaves on this island, merit due consideration from the Board, so far as they may relate to the dissatisfaction apprehended by that portion of the committee, should a too sudden interference with ancient and authorized usages be adopted.

My original opinions on emancipation are however not materially changed, as I do not conceive the objections stated against them either of force sufficient to outweigh the object in view, nor that they possess the extreme influence apprehended; but as slavery is tolerated, though not avowedly authorized, among the Mahomedan subjects in British India, and as this island has lately from various causes suffered by emigrations, it may not at this moment be either advisable to risk a further reduction of the population, or to disregard the apprehended disgust that an immediate abolition of slavery might create in the minds of some of the most respectable and wealthy Asiatics, I therefore do not dissent to what my two seniors at this Board have recommended in their respective minutes.

As, however, the objections stated cannot in any way affect the honourable Company as owners of slaves, I trust there will arise no disunion of sentiment in declaring free all the male and female slaves, the property of the Company, even although such as are incapable of labour should be subsisted by government during the few years they may still live. Such an act will be a considerable pecuniary saving to the Honourable Company, an honourable example, one looked for by the community, and may ultimately extend its influence materially towards repressing the present stated disinclination to the measure of general emancipation.

(signed) *W. E. Phillips.*

Mr. Erskine

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

Mr. Erskine stated his intention of submitting his sentiments on the subject at the next meeting of the Board.

Ordered, That the same do lie over till the next meeting of the Board.

Extract, Prince of Wales Island, Public Consultations, the 27th October 1808.

The Board, referring to the minutes recorded by the Honourable the Governor, and Mr. Phillips, at their last meeting on the subject of slavery at Prince of Wales Island,—

Mr. Erskine submits the following minute:—

MINUTE by Mr. Erskine.—After anxiously weighing and considering the various matters connected with the subject of abolishing slavery on this island, and the sentiments expressed in the communications from the Honourable Court of Directors, as well as the supreme government of India, and from the minutes of the members of this Board, and the report of the committee referred to on this subject, appointed to propose the best and most eligible mode of carrying so desirable an object into execution,—

I am of opinion, that the observations submitted to the notice of the Board by Mr. M'Quoid, are the best digested, most plain, and practicable, but by no means to sanction or authorize the transfer of people in bondage, which would be a direct encouragement of this detested traffic.

I would from a certain day (say Christmas day next) declare all slaves emancipated within this jurisdiction, and am of opinion, that any difficulty that would accrue from such a circumstance as "general emancipation," would be temporary only, and that such unfortunate creatures as were not oppressed in servitude by the unkindness of their owners, would never desert them.

(signed) *J. J. Erskine.*

Ordered, That the secretary do prepare and lay before the Board a draft of the regulations, as proposed by the Honourable the Governor at their last meeting.

Extract, Prince of Wales Island, Public Consultations, 17th Nov. 1808.

The Board, referring to their proceedings on the subject of the abolition of slavery on this island,—

Resolved, That instructions be issued to the collector of customs, and to the police magistrate, to discourage by every possible means in their power the future importation of slaves into this island, as well as the transfer of those now on the island from their present proprietors.

Extract of a Letter from the Court of Directors to the Governor in Council of Prince of Wales Island, in the Public Department; dated 1st November 1809.

Letter from, dated 29th January 1808, (41.) adverting to measures adopted for the Abolition of Slavery on the island.

Par. 18.—As we find, by your letter of the 4th February 1809, that you have not deemed it advisable on more mature deliberation, to prosecute the measures which were in agitation when this paragraph was written, but have limited your present view to the adoption of such steps as may operate to discourage slavery on the island, and to prepare the way for the eventual discontinuance of that practice, under circumstances more favourable to its abolition, we shall postpone the consideration of this subject until we reply to that letter.

Extract of a public Letter from the Governor in Council of Prince of Wales Island, to the Court of Directors; dated the 7th of June 1810.

Letter from the Court, dated 1st November 1809, paragraph 18, relative to the Abolition of Slavery.

23.—In the 10th and 12th paragraphs of the general letter from this government, dated the 4th February 1809, your Honourable Court were advised of the measures adopted in pursuance of your further orders on this subject.

Extract, Letter from the Court of Directors to the Governor in Council of Prince of Wales Island, in the Public Department, dated 16th May 1810.

Prince of Wales
Island Papers:—
State of Slavery
in Company's
Territories.

Letter from Prince of Wales Island, dated 24th February, 1809, (10-12,) stating Reasons for suspending the immediate Abolition of Slavery; but that the most effectual measure had been adopted to prevent the further Importation of Slaves, as well as the transfer of those already on the island.

Par. 4.—We have perused the reports of the committee appointed by you for considering the expediency of abolishing slavery at Prince of Wales Island; we have also had under our view the separate observations of Mr. M'Quoid, a member of that committee, together with the several minutes recorded on your proceedings on this subject.

5.—The principles now generally recognized by the nation, strongly incline us to the immediate emancipation of slaves at your presidency; but as it appears to be objected to on the part of the native inhabitants (particularly those of the Mahomedan persuasion), who have settled with their slaves under our protection, upon the assurance that their domestic arrangements would not be interfered with; and as it is certainly highly politic to attend in every practicable instance to the prejudices of the natives, we concur with you, that the adoption of effectual measures to prevent the further importation of slaves at Prince of Wales Island, and the transfer of those already there from their present proprietors, are the most eligible means of discouraging this inhuman traffic at your settlement, particularly as they strike at the root of the evil, and if strictly enforced, may be expected finally (although gradually) to abolish slavery at your presidency. We accordingly approve the resolutions you have adopted upon this occasion.

Extract of a public Letter from the Governor in Council of Prince of Wales Island to the Court of Directors; dated the 1st January 1811.

Letter from the Court, 6th May 1810, (4 and 5,) approving the resolution of this government for the discouraging the importation of slaves on the island.

24.—We are much gratified by your Honourable Court's approbation of the measures adopted by us for discouraging slavery at this residency; and we have the satisfaction to acquaint you, that by the enforcement of the means framed for the prevention of the slave trade in general, the best possible effects have been experienced.

PAPERS relative to the publication of the Slave Trade Felony Act, in 1813.

Extract, Prince of Wales Island, Public Consultations, 7th January 1813.

Mr. Secretary Tucker, Fort William, to the Honourable Wm. Petrie, Governor in Council of Prince of Wales Island.

Honourable Sir and Gentlemen:—The Right honourable the Governor General in council having had under his consideration the measures which ought to be pursued by the governments of this country with respect to the Act of the 51st Geo. 3, c. 23, entitled, "An Act for rendering more effectual an Act made in the forty-seventh year of His Majesty's reign, entitled, 'An Act for the abolition of the "Slave Trade," I am directed to bring the subject under your immediate notice.

2.—The provisions of the Act being highly penal in their operation, and its object being highly important, the Governor General in council considered it proper to give it the utmost publicity at this presidency, and it has accordingly been published in the Calcutta Gazette. Copies of the Act so published, I have the honour to forward, by his Lordship's direction, for the information and use of your government. Copies of it will also be transmitted to the other governments in India, and to the magistrates stationed at the sea-ports immediately dependent on this presidency, in order that in their capacity of justices of peace, they may aid in enforcing the provisions of the statute.

3.—As no doubt can exist with respect to the construction to be given to the Act in question, as applying to the importation of slaves by sea, it appears to the Governor General in council only necessary to add, that he is of opinion that measures should be adopted by your government, for giving effect to the intentions of the legislature within the limits of your authority.

I have, &c.

(signed) H. St. G. Tucker, Sec^y to the Gov^r.

Fort William, 17th October 1812.

Prince of Wales
Island Papers :
State of Slavery
in Company's
Territories.

With the view of giving the fullest effect to the intentions of the legislature and the wishes of the supreme government, on the subject to which the present Act of Parliament relates,—

Ordered, That the same be published in The Government Gazette, and that copies of the Act be sent to the Honourable the Recorder, to the Magistrates, and the Commandant at Malacca.

[Note.—The Act was accordingly published in the Prince of Wales Island Gazette of the 9th January 1813.]

NEW ARRANGEMENT of the Company's Caffrees, in 1818.

Extract of a Letter from the Governor in Council of Prince of Wales Island, to the Court of Directors in the Public Department, dated 1 July 1819.

Cons. 17th Dec.
1818.

101.—On the recommendation of our superintendent of police, to whose report in our consultations we beg leave to refer you, we have determined to grant to the Caffrees (who still remain of the enfranchised slaves formerly belonging to the Company) the monthly sum of four dollars each, in lieu of the rations they have heretofore received. This judicious suggestion has enabled us to abolish the situation of overseer of these Caffrees, whose salary was ten dollars per month.

102.—The monthly stipend now granted to the Caffrees will be drawn for by the superintendent of police in future, and they will likewise be under better care by means of the police department, whose superintendent will have the charge of them.

Extract, Prince of Wales Island Public Consultations, 17th December 1818.

Superintendent of Police to W. A. Clubley, Esq. Secretary to Government.

Sir:—I take the liberty to report to you, for the information of the Honourable the Governor in Council, that many years ago a considerable number of Caffree slaves, a hundred and upwards, belonging to the Honourable Company, were sent here from Bencoolen to assist, as I have been informed, in clearing the level parts of this island from jungle. About the year 1809 or 1810, all the survivors among these people were emancipated; but a few, who were infirm and aged, ordered to be subsisted at the public expense. There are now only two men and four women of this description left, for whom rations of meat, rice, and liquor, besides a small monthly gratuity, is given, equal in all to about five dollars each person per month; also an overseer at ten dollars per month allowed to look after them. I therefore respectfully beg leave to suggest a monthly salary, say four dollars, to each, be given for their support, instead of the present rations and allowance; which, should the Honourable the Governor in Council approve of, might be drawn by me, and paid them, through this department, which would also save the expense to the Company of an overseer, whose services under the proposed plan would not be required. I have been induced to make this report, as the termination of the present year is approaching, and would recommend the new system, if adopted, to commence from the 1st of January 1819.

I have, &c. &c.

(signed) *Rich. Caunter*, Superintendent of Police.

Fort Cornwallis Police Office, 7th December 1818.

Resolved, That the arrangement proposed by the superintendent of police be adopted from the 1st proximo; from which date the salary of the overseer of Caffrees is to cease, and the allowances for the Caffrees men is to be drawn by the superintendent of police.

Extract of a public Letter from the Court of Directors to the Governor and Council of Prince of Wales Island; dated 23d January 1822.

Letter from Prince of Wales Island, 1st July 1819, (101 & 102). Government have determined to grant to the Caffrees (who still remain of the enfranchised slaves formerly belonging to the Company), the sum of four dollars per month each, in lieu of rations. The situation of overseer, whose salary was ten dollars per month, abolished; the Superintendent of Police is in future to have the charge of them.—Note; they are six in number only.

Par. 34.—The arrangement reported in these paragraphs, appears to be judicious and economical, and therefore has our approbation.

Prince of Wales
Island Papers,
State of Slavery
in Company's
Territories.

REGULATIONS passed in 1820 for the Protection and Government of Slave Debtors, with the Correspondence relative thereto.

Extract of a Letter from the Governor in Council of Prince of Wales Island, to the Court of Directors in the Public Department; dated 24th of August 1820.

165.—Our attention having been, by a petition of certain Mahomedan inhabitants of this settlement, drawn to a consideration of the customs relative to slaves and slave debtors, which had prevailed amongst them since the abolition of the slave trade in the year 1806, we considered it necessary to promulge a regulation, whereby the custom of debtors serving as slaves, in consequence of the sum due by them to their masters, might be restrained from giving cover to abuses, and to the perpetuation of a system of slavery, under a different name.

166.—It would be as vain as unjust to prevent entirely the custom above adverted to, being one which the natives have been for ages used to, and which has many advantages, as well to the servants as to the masters; but we beg to refer your Honourable Court to a minute recorded by our president on the proceedings of the 4th May, containing regulations, which were registered in the usual form in the Court of Judicature, and have since been enforced on all occasions to which they apply.

167.—We hope for your Honourable Court's approbation of the rules we have laid down, which previously to their adoption were communicated by our president to the honourable the recorder, and by the aid of his legal advice, have been so framed as to adapt them alike to the forms of British jurisprudence, and to the peculiar habits of the people, whose observance of them is to be required.

Extract, Prince of Wales Island Consultations; 6th April 1820.

The honourable the governor records the following petition from certain Mahomedan inhabitants, with the reply, which he directed the Malay translator to transmit thereto.

PETITION from certain Mahomedans.

Translation of a Letter from several Mahomedan Inhabitants of Prince of Wales Island, to the Honourable the Governor; dated the 25th Jemadialawal 1235, 11th March 1820.

Compliments.—We the principal persons among the Arabs, Malays, Chaleahs, and other Mahomedan inhabitants, represent the subject of debtors and slaves to your honor; that lately many slave debtors have run away, and on their masters applying to the police and the supreme court, and producing their ransoming bonds, certified by the seal of former governors, no examination of the case has been held, but they have been released by the magistrate in the police, or the honourable the recorder in the court. All the Mahomedan inhabitants of Penang have been in consequence much distressed, and have no where to apply for redress. Formerly, in the time of governor Macalister, the subject of the release of slave debtors was discussed, and we of the Mussulman religion consulted on the subject, because, according to that faith, slaves are allowed, and the governor was made acquainted with it, and he agreed, that those who were at that time slaves should remain so, but that no more should be bought or made slaves of in future. The orders of governor Macalister in council were, that those who were debtors should, when they pleased it, pay their debts, and orders were given against selling or buying slaves. We of the Mussulman religion represent the case to your honor, and request that the former orders on the subject may be confirmed, for all your honor's subjects in Penang are much distressed, and have no where else to apply for redress but to your honor; for very great numbers of slaves have been released by the magistrate at the police, and the honourable the recorder at the court. And the law of the Mussulman religion about marriages is, that no slaves or children of slaves shall be able to contract a valid marriage without the permission of their masters; the Mussulman religion is therefore in danger of being destroyed; we

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

therefore, the Mahomedan inhabitants, request your honor to support the Mussulman religion; if your honor does not assist us, all our slaves will run away, and your subjects in Penang will be much distressed.

(signed)

Syed Hussain.

Syed Ahmed.

Haju Cassim.

Haju Abduhahmun.

Haju Abdulkhadir.

Noqueda Kitchee.

Tuan Maharaja.

Khadir Mydeen.

(Khatub) Jema Saib.

(Imaum) Nena Mahomed.

Sheek Hossain.

Haju Ahmed.

(A true translation.)

(signed)

W. S. Cracroft, Malay Translator to Government.

To the Mahomedan Inhabitants.

Draft of the Governor's Reply to Syed Hussain and other Mahomedan Inhabitants, by the Malay translator; dated 16th Jemadilakhir 1235, 1st April 1820.

I have the directions of the Governor to acknowledge his receipt of your joint address, dated the 25th of the past month of Jemadialawal, and to inform you, that its contents have obtained his most serious and considerate attention, as well as inquiry; the result of which satisfies him, that the high authorities to which it refers, in respect to the liberation of debtors and slaves, have neither disallowed debts or emancipated from servitude; but in two or three instances, wherein, after an attentive and patient investigation, satisfactory evidence has appeared either of gross and unjustifiable abuse of the power of the master, or that the debt claimed was on the authority of papers fraudulently obtained, or on such as were executed by children of an age incompetent to give validity to any contract whatever. It is therefore the opinion of the Governor, that the respectable Mahomedans who have addressed him on this interesting subject have prematurely and unnecessarily taken alarm. At the same time he desires me to assure you, that the honourable the recorder, as well as the magistrates, are with himself fully disposed, and do give every consistent consideration to the religious usages and even prejudices of the various classes of the inhabitants on this island, that they are aware of the policy of preserving due subordination from the inferior to their superiors, and will enforce such whenever the claims of the superior are manifest and his conduct humane; and that, as the covenants existing between master and debtor are at present in many instances misapprehended, new and appropriate regulations shall be framed and promulgated, with due consideration to local usage and the mutual advantage to those who sell their labour in prospective, as well as to that of the master, and that the drafts of such regulations will be made known to Syed Hussain and others, before their being made public.

(signed)

W. S. Cracroft, Acting Malay Translator.

Extract, Prince of Wales Island, Public Consultations, 4th May 1820.

The Honourable the President records the following minute on the subject of slave debtors, and the state of persons of that description in general, on this island.

MINUTE by the President.—I need not acquaint the Board that a custom obtains at this settlement which has always prevailed in every Asiatic country, and indeed sometimes extensively in Europe, of persons mortgaging their labour and services in consideration of a sum advanced, for which they become debtors to persons advancing the sum; but some recent instances which have come to my knowledge, of abuse on the part of the masters of such debtor servants, render me desirous of proposing certain regulations for the purpose of protecting and ameliorating the condition of this class of people, and of preventing an usage which we have sanctioned, from becoming a means of perpetuating and extending all the evils and horrors of slavery only under a different appellation.

That a person may dispose of his services prospectively to another, no one ever doubted; but by the voluntary servitude to which he subjects himself, he forfeits no rights but such as are necessarily included in that servitude, and is obnoxious to no punishment, but such as a voluntary failure in the service may be supposed reasonably to require. Those persons, however, who possess debtor servants on this island are often inclined to look upon them in a state of unconditional servitude, in which

which, of course, no person can put himself or be placed by others; they also consider mere maintenance as an equivalent for the labours of the servant, and seldom look upon the sum originally advanced as affected or reduced in any degree by his services, whatever may have been their fruits or their length. This is manifestly unjust.

The practice as now allowed is also liable to many other serious abuses. Children and minors may be transferred as debtor servants by people who have perhaps kidnapped them at the other islands. They may be transferred by their parents upon the payment of a trifling sum, without any compact as to the nature, degree, and duration of the servitude, and be thus placed in a state little short of absolute slavery. Further, the ends of the parents on such occasions may be directed to their own advantage, and not to the benefit of the children, which is of course unjustifiable; and young women may be thus delivered over to the absolute disposal and caprice of a private master, and their labours converted into the means of gratifying his lust or avarice.

Under these circumstances I would beg to propose, that from and after this date the following regulations be adopted and furnished to the magistrate, for his guidance in respect to debtor servants, and their masters or mistresses:—

1st.—All contracts or papers binding persons to serve in the capacity of debtor servants, shall be acknowledged by the contracting parties respectively, before the magistrate; shall be drawn out in English and Malayan languages; and after being regularly numbered and set down in a register, to be kept at the police office, shall be delivered to the master and servant, stamped with the official seal of the office.

2d.—The contracts or papers so registered, shall specify, as far as possible, the nature and degree of the service to be performed by the debtor, and always fix a definite term of servitude, with the sum, which shall tend towards the monthly liquidation of the money advanced to him or her. These articles to be determined by the contracting parties, before the magistrate, who will of course regulate and controul them according to reason and justice.

3d.—No youth of either sex under the age of 14 years, shall be deemed competent to enter into a compact for future services, unless with the consent of persons who prove that they are authorized by nature or law, to contract for him or her; and that they are engaging such youth with a view to his or her benefit, and not to that of their own; and no minor's term of servitude shall be engaged to extend, if a male, beyond the period of his attaining the age of 21 years; or if a female, beyond the age of her marriage, when such persons will be at liberty to renew their engagement, or otherwise provide for themselves.

4th.—In the case of females so bound or apprenticed, their contract or debt shall be immediately cancelled by the magistrate, in every instance of its being subsequently proved before him, that the master has cohabited with her, or that he or her mistress has been in any manner accessory to her prostitution, such master or mistress will of course be further punished according to law.

5th.—Whenever it shall be proved to the satisfaction of the magistrate, that any debtor servant has not been provided with proper food, clothing, or habitation, by the master or mistress, or has been otherwise treated with inhumanity or cruelty by him or her, the contract or debt of such servant shall be immediately cancelled, in addition to such other punishment as the magistrate may legally inflict on the master or mistress.

6th.—In case of the death of the master or mistress, the debtor servant shall have the option of repaying to the estate such sum as the magistrate may conceive equitable for unexpired services, or serve out the remaining period with the executor or legal representative; and no such debtor servant shall, without his or her own consent, be removed from the island, or be transferred to another person by his master or mistress, unless the terms of his contract included such condition.

7th.—The children of all female debtor servants are free; but if the father or mother be unable, and the master or mistress of the female debtor servants undertake formally before the magistrate to support such offspring, they shall be entitled to the gratuitous services of the children so supported, until they obtain the age of 16 years, as a recompense for the expense incurred in their maintenance.

8th.—If a debtor servant fails to serve his or her master or mistress with fidelity, or has become neglectful from improper and vicious habits, or if he or she occasions any detriment or injury to his or her mistress, the magistrate, on such being

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

proved to his satisfaction, shall punish him or her in the same manner as the law provides in the case of a common servant so offending.

9th.—The above regulations shall be translated into the different native languages; and shall be always read at the police office to all parties contracting for services; before the papers are signed and sealed.

Over all the Eastern countries with which we are acquainted, slavery has prevailed from time immemorial, and although the supreme government at a very early period, as may be seen by Sir William Jones's charge to the Grand Jury at Calcutta in 1785, denounced the traffic in slaves, and positively prohibited their sale, yet the system of slavery is found to be so interwoven with the manners, customs and usages of our Mahometan population, that the continuance of domestic bondage or slavery has never been abolished. When Soyod Hussain and Sayed Jaffer first came to reside at this settlement, in July 1792, Captain Light appointed hakims, or native notaries, to keep a register of slaves; and the supreme government aware that the above named persons were of Arab extraction, and of course possessed of a numerous band of slaves, approved of Captain Light's promise to them of not interfering with such followers, as well as of his appointment of hakims. A register of the sale and transfer of slaves was thenceforth always kept at this island by an officer of government, who collected a duty on the value paid for them until the year 1808, when the promulgation of the highly philanthropic laws of our European legislative authorities, induced the government to nominate in September of that year, a committee of European inhabitants, for the purpose of considering the most eligible mode of abolishing slavery. The report of that committee, from which the then police magistrate, Mr. M'Quoid, dissented, urged an immediate emancipation of all slaves, by rendering and denominating them debtor servants to their owners. As numerous difficulties opposed such an arrangement, the only measures then adopted, were to discontinue the registry of the sale and transfer, and to issue a positive order against the further importation of slaves into this island.

Abhorrent, and justly abhorrent, as is the very name of a slave to the feelings of a Briton, yet to promulgate an order directing the immediate emancipation of all slaves at this island, would assail the feelings, interest and peculiar prejudices, and would arouse the worst passions of the whole of the Mahometan inhabitants, which compose by far the greater portion of our population; nor would the ends of such a decree be attained, for its publication would either expel most of the Mahometans from the island, with their women and slaves, or set free a number of persons incapable of obtaining or labouring for their livelihood, who would be forced into every species of want, misery and vice. It can be hardly necessary to enter into long arguments to shew the difficulty of abolishing slavery, since the most able and strenuous advocates for the abolition of the slave trade in the British House of Commons, always deprecated the danger and impolicy of thinking to emancipate slaves before their moral condition was so far improved as to render them capable of enjoying freedom. In India, where slaves, and particularly where female slaves are joined to all Mahometans on the most intimate domestic connections, the difficulty is ten-fold enhanced, and has therefore always prevented our most enlightened Governors General from interfering in any degree with the system of domestic bondage, as it exists throughout the Company's territories in Hindostan.

Although however it be allowed, that it would be as inconsistent with true benevolence as with policy, to issue an order proclaiming an immediate emancipation of all slaves, yet it must be remembered, that a British court of justice, which has entire jurisdiction over this island and its dependencies, can never recognize such a being as a slave; and that this government has not the power of framing express regulations concerning slavery. This difficulty can be obviated only by our suggesting to the magistrate to regard persons brought before him as slaves, under the denomination of debtor servants, and to apply the foregoing regulations, and the principles on which they are founded, to such persons and their owners, as far as circumstances will admit. Of course, this arrangement cannot have operation on any person who was not actually registered as a slave before the publication of the order prohibiting their importation; and it should be a standing rule with the magistrate, to afford to all slaves brought before him the liberty of redeeming themselves, by paying to their owners a valuation regulated according to their relative age, condition, and length of service. The foregoing regulations should also be made applicable to all cases brought before the magistrate, concerning such persons as are now under the condition of debtor servants at this settlement.

I trust,

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

I trust, that by such an arrangement we shall not assault too abruptly the feelings and prejudices of our Mahometan inhabitants; while it will prevent the extension of slavery, secure to persons in that unfortunate state proper protection and an amelioration of their condition, and lead to a gradual emancipation of all slaves.

A general registry of slaves has been considered by eminent men in Europe, as the most effectual mode of preventing the further introduction of slaves into our settlements; this subject has been anxiously considered by me, and without reference even to what I have before stated, namely, the incompetence of this government to legislate at all on slavery, or to order any registry of slaves, my conviction is, that such a plan is incapable of effectual adoption among Mahometans, who would as soon murder as expose their women slaves to the officers we might appoint to register their names and description, while any return or account (could we even obtain such from them) which they might tender to the police office concerning their slaves, would be delusive and wholly inefficient towards attaining the ends proposed by a registry.

St. George's day. (signed) W. C. Phillips.

Resolved,—That the rules laid down in the above minute be formed into a regulation, and that regular indentures of apprenticeship and debtor service be on all occasions prepared at the police office, the registrar of such papers being authorized to levy a fee of one dollar on the former, and half a dollar on the latter.

Extract of a public Letter from the Court of Directors to the Governor and Council of Prince Wales Island, dated 23d April 1823.

Letter, from Prince of Wales Island, 24th August 1820, (165 a 167,) refer to regulations which have been passed in regard to the custom of debtors serving as slaves, which practice had prevailed amongst the Mahometan inhabitants of the settlement, since the abolition of the slave trade in the year 1806.

Par. 33.—These just and humane regulations have our cordial approbation.

PAPERS respecting the seizure of some persons from Malacca by the Malays, who carried them into slavery; and their subsequent emancipation from slavery at the request of the Prince of Wales Island government.

Extract of a Letter from the Governor in Council of Prince of Wales Island, to the Court of Directors in the Public Department, dated 6th May 1815.

209.—Having lately received from the resident at Malacca, a report of several persons belonging to that settlement having been seized in boats, by pirates belonging to the neighbouring country of Perah, and carried into slavery there, we thought it proper to dispatch the Hon. Company's cruiser Thetis, with a demand for their liberation. Cons. 11th March.

210.—We also warned the rajah against the practice of seizing individuals for the purpose of extorting a ransom for their liberation; and advised him that none would in the present case be allowed, and that we expected the immediate release of the parties.

211.—The Thetis returned from this service on the 8th April, and brought one of the persons who had been seized; but her detention at Perah having been limited to four days, the Jaxamana gave to the commander of the cruiser a promise that the remainder should be sent back without delay.

212.—This promise has been fulfilled; and we have given orders for sending the liberated individuals to Malacca without delay.

Extract, Prince of Wales Island, Public Consultations, 11th March 1815.

Resident at Malacca to W. A. Clublely, Esq. Secretary to Government, Prince of Wales Island.

Sir;—I have the honour to acquaint you, for the information of the Honourable the Governor in Council, that I received a few days ago a letter under date the 6th instant, from Mr. Caunter, the police magistrate at the presidency, intimating that two inhabitants of this settlement, viz. Abraham Fradick, a native Christian, and Cassim, a Malay, who had been lately captured by the pirates and carried to

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

Perah, had arrived at Penang, where the deposition of the former had been taken before W. E. Phillips, Esq. (of which he transmitted me a copy), and acquainting me that a passage had been taken for the deponent and the Malay man on board the brig Swan, for this place, where they have arrived safe, and prove to be two of the men mentioned in my letter of the 9th instant, as having been carried off from hence by the pirate prows with which the boats fitted out here had an action at the entrance of Lingey River, on the 14th of last month. The four other men, mentioned in the aforesaid deposition as being still detained as prisoners at Perah, are likewise inhabitants of Malacca, and were captured by the above pirates about the same time; their names are as follow: Carim, a Malay; Sie Adam, ditto; Sie Baman, a Malay lad; and Joaquim, a Portuguese boy.

Mr. Caunter likewise transmitted me a note in the Malay language, addressed to Mr. Koek, of this place, by the lacsemama of Perah, stating, that the pirates having brought there six Malacca people whom they had captured, he had redeemed them for the sum of 120 Spanish dollars, and was ready to restore the four remaining with him on the payment of that sum. It however appears but too evident, that the lacsemama himself must have either been directly concerned in the piracies which have been recently committed in this neighbourhood, or at least that he considers the conduct of the pirate Naquedah Kooloop, who captured the Malacca men, and who resides under his own immediate authority, as no punishment; but on the contrary agrees to pay him for the prisoners thus brought in. Under such circumstances, I conceive, that to pay the ransom required is quite out of the question, as it would prove the direct means of encouraging such acts of piracy in future; however, it will be for the Honourable the Governor in council to determine what further steps are proper to be taken on the present occasion.

Finding that I omitted to mention in my letter of the 9th instant the names of the three principal pirates who were killed during the action of the 14th ultimo, I now beg leave to insert them, viz. Pangalima, Gobar, Long Kagoo, and Boosoo.

Malacca, 25 February 1815.

I have, &c.

(signed)

Wm. Farquhar, Resident, &c.

The Board considers it proper, that a demand should be made without delay on the rajah, to ensure the liberation of these persons, and that for this purpose the Honourable Company's cruiser Thetis should be forthwith dispatched to Perah.

The demand of a ransom is, in the opinion of government, quite inadmissible, and in the letter which is to be written the same should be expressed in forcible terms, and the necessity of ensuring the release of the parties impressed on the rajah's attention.

Ordered, that the Malay translator do prepare the draft of the letter to the rajah, and submit it with the translation, to government as early as possible.

Extract, Prince of Wales Island, Public Consultations, 17th March 1815.

Approved the following letter to the rajah of Perah, on the subject of the reference ordered to be made to him last council, viz.—

To the Rajah of Perah.

After compliments;

It is with regret I find myself so soon again called upon to address my friend on the subject of fresh piracies committed by the bad men of Perah.

My friend professes his inability to controul the acts of his principal officers; but I cannot admit of this as a sufficient excuse, and unless unequivocal satisfaction be afforded to me of my friend's earnest desire to punish such, whensoever they are discovered, I shall be compelled to regard him as abetting their piracies, and must resent them accordingly.

I desire then, that without any delay, the four persons named Kareem, Sie Adam, Sie Baman (a lad), and Joakim, the three first Malays, and the last a Portuguese boy, all of Malacca, now in the possession of the lacsemama of Perah, may be forthwith delivered to the bearer of this, Captain Reynolds, of the Honourable Company's cruiser Thetis. I also desire, peremptorily, that Nakooda Kooloop may be delivered up to Captain Reynolds, in order that a judicial investigation may take place, how far he may be guilty of the seizure of those people, and that he may meet with the punishment which his audacious atrocities merit.

(signed) Wm. Petrie.

Ordered, That the *Thetis* be accordingly dispatched on the service, and that the following instructions be issued to the commander, viz.—

To the Commander of the *Thetis* Cruiser.

N^o 54.—To Lieutenant Reynolds, acting in command of the H. C. Cruiser, *Thetis*.

Sir:—Upon receipt hereof you are directed to weigh your anchor, and proceed through the South Channel, down the Straits, as far as the entrance of Perah river, where you will anchor the brig, and proceed in person up the river to the king's residence, with the letter to his address, which is inclosed, and of which for your more particular information I forward you a translation.

The object of your proceeding to Perah is pointed out in that letter; and as you will be at liberty to take with you an interpreter, you will explain to the rajah the necessity of his releasing the people without delay, and causing them to be given into your charge.

You are at liberty to take with you either a boat from hence fit for going up the river, or you will procure a suitable one on your arrival for that purpose, the expense of which will be defrayed by government. You will take care to go up well manned and armed, but on no account to exhibit any hostile intention; but on the contrary to be as civil as possible, and to endeavour by conciliation to persuade the rajah to the necessity of releasing the people in question. On receiving the men you will return with all practicable expedition, and report your proceedings; but in the contrary case, if the rajah or his ministers should decline to deliver them, you will merely ask in civil terms a reply to that effect, and return with the letter.

The 20th March.

I am, &c.

(signed)

W. A. Clibbey, Secretary to Government.

Extract, Prince of Wales Island, Public Consultations, 13th April 1815.

Commander of the Hon. Company's Cruiser *Thetis*, to *W. A. Clibbey*, Esq.
Secretary to the Government, Prince of Wales Island.

Sir:—I have the honour to acquaint you, for the information of the Honourable the Governor in council, with the return of the vessel under my command. Having weighed, agreeably to the general instructions received at this presidency on the 20th March 1815, under the same date, I proceeded through the southern channel, towards Pera river, with the government boat in company, where I arrived on the 24th; but having during the passage experienced heavy squalls, I thought it much better to moor the vessel under the shelter of Pulo Ding Ding, than to be exposed to the open sea in shoal water; and in consequence moored her between the island and the main; and during the vessel's stay there had experienced severe squalls from different points of the compass.

On the morning of the 25th, I left the ship in the above boat, with the Malay man and the interpreter, and proceeded up Pera river, and on the 28th, at sun-set, arrived at the residence of the rajah, when he came to the boat, and I presented him with the letter, which he declined taking until he had assembled the whole of his ministers, which took place on the morning of the 30th, when I presented him with the letter; and immediately on his receiving it, a salute was fired of five guns; and after perusing the letter, he informed me, that only a Portuguese boy was there at present, and the three Malays had been employed by some Chinamen to go into the country for paddy, and that Nakoda Kooloop and a Malay had been sent to Malacca.

I then told him the necessity of releasing those men, and to be delivered into my charge as soon as possible; but finding that they really were in the country, and I could not wait their return, in consequence was obliged to leave them behind.

The rajah then informed me, that none of them had yet been sold, but were all under the charge of the lacksamana; and if I could not stay until these three Malays returned, he would send them to Penang as soon as they did return.

On the 2d of April I received the Portuguese boy, and the inclosed letter from the rajah of Pera, those three Malays still being in the country, and my time being expired, I took my departure, and proceeded down the river with the boy and the interpreter, and on the 5th arrived on board. The weather being unfair, and the boat's crew, consisting of thirty men, being greatly exhausted, I waited till the

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

next morning at daylight, then weighed and proceeded towards Penang; and on the 7th, at sun-set, anchored four miles to the southward of Pulo Ramo, and at daylight next morning weighed with the ebb-tide, and a light northerly air, and proceeded up the southern channel, and at two P. M. anchored in Penang harbour.

I have, &c.

(signed) *R. Reynolds*, Lieutenant commanding.

H. C. C. Thetis, 8th April 1815.

Mr. Phillips lays before the Board the following translation of a letter from the Rajah of Perah, on the subject of the mission for which the Thetis was sent there.

RAJAH OF PERAH.

Translation of a letter from the Rajah of Perah, dated 23d of Rubee Oolakhir 1230, or 4th of April 1815.

After compliments;

I have received my friend's letter by Captain Reynolds, of the cruizer Thetis, in safety, and have understood its contents; my friend writes, that the Perah people are pirates, and receive bad people, and carried away four Malacca people, particulars which have greatly astonished me, as I had no knowledge whatever of such, and I myself never harboured any pirates. I have made inquiry regarding the four Malacca men, with the lacksamana, and find that they were not taken by Pera men, but by a Lanoon, named Palernabraheem, who brought them into Pera. The lacksamana, finding that these people belonged to Adreeng, of Malacca, took them from the Lanoon. Two men he sent by a Chinese boat, with a letter to Adreeng, intimating, that if he would send a trust-worthy person to receive the four, they would be delivered, but for as long a time as has since elapsed, no answer has been received; at present a letter arrives from my friend, demanding these four people. Three of them having gone in quest of a livelihood, I begged the captain of the vessel to give me five or six days in order to procure them, for I am now in the deepest affliction; but he would not consent to this. The Portuguese boy named Joakim, I have delivered to him, and if the others come, I shall send them also to my friend in the month of Joomadooluval (May). If I do not send them, the shahbunder and lacksamana assuredly will, at the farthest, before the end of the above month. I beg of my friend to send two vessels of war to Pera, to guard this neighbourhood, for nothing can be more abhorrent from my disposition than to join in such wickedness, though it were with my nearest relation or dearest friend. I have further now to add, that some time ago I sent to my friend a confidential messenger, Nakhoda Mohummud, bearing a letter and complimentary present of four pieces of tin, and five large bundles of rattans; have they reached my friend? At present I have nothing to offer him but two pieces of tin, and two large bundles of rattans, which though unsuitable, I hope my friend will accept, as a token of the purity of my mind, and sincerity of my friendship.

(A true translation.)

(signed) *J. M'Innes*, Acting Malay Translator to Government.

Ordered, That the necessary information be sent to the resident in Malacca, in reply to his reference on this subject, that the boy who has been released be sent to Malacca, and the others, in like manner, when they may be liberated.

Extract, Prince of Wales Island, Public Consultations, 21st April 1815.

The Honourable the Governor lays before the Board the following translation of a letter from the Lacksamana of Pera:

Lacksamana of Pera.—Translation of a Letter from the Lacksamana of Pera to the Governor, dated 5th Jumudooluval 1230.

After compliments;—The subject of this letter is the Malacca people who were taken by the Lanoon Pangleema Ibraheem, and brought by him into Pera. Having on inquiry found that these six people belonged to Peter Adrung, at Malacca, I received them, and dispatched two in a Chinese boat, with a letter to Peter Adrung, telling him that there still remained four people with me, and requesting that he might speedily send to Pera some trust-worthy person for the purpose of receiving

receiving them; but no answer has in all the time which has since elapsed reached me. In the mean time the governor sends a vessel of war, under Captain Reynolds, with a letter to his majesty the king of Pera, to demand these four people. Three of them being at that time in quest of food for themselves, the king sent by Captain Reynolds the Portuguese boy named Joakim, promising, in his letter to the governor, that the three remaining people should be sent to Penang in this month; accordingly, I now send the three men in question by the boat of a Chinese, named Booto.

(A true translation.) (signed) *J. M. Innes*,
Acting Malay Translator to Government.

The Board has much satisfaction in observing, that the persons for whose liberation from slavery the *Thetis* was lately sent to Pera, have been all released.

Agreed, That a copy of the above letter be sent to the resident at Malacca, and that he be informed, that the persons alluded to, with the boy Joakim, formerly released, will be sent to Malacca by an early opportunity.

Extract, Prince of Wales Island, Public Consultations, 27th May 1815.

Resident at Malacca to W. A. Clubleby, Esquire, Secretary to Government,
Prince of Wales Island.

Sir:—I have the honour to acknowledge the receipt of your letter, under date the 17th ultimo, relative to the measures the Honourable the Governor in council had deemed it advisable to pursue, for obtaining the liberation of the four remaining captives belonging to Malacca, detained by the lacksamana of Pera; and it affords me the greatest satisfaction to acquaint you, for the information of government, that these poor people all arrived here safe in the *Charlotte* brig the day before yesterday, and have been sent back to their afflicted families.

They all agree in affirming, that they were captured by people belonging to Pera, and not by Lanoons, as stated in the Rajah of Pera's letter to the Honourable the Governor in council.

I have, &c.
(signed) *W. Farquhar*, Resident, &c.

Malacca, 11th May 1815.

Extract of a Letter from the Court of Directors, to the Governor in council of Prince of Wales Island, in the General Department, dated 3d of July 1817.

Letter from Prince of Wales Island, dated 6th May 1815 (209 to 212).—The Company's cruiser *Thetis*, dispatched to Perah, to demand the liberation of several persons belonging to Malacca, seized in boats by pirates, and carried into slavery. The persons in question delivered up in consequence.

Par. 56.—We also approve of the measures you adopted for procuring the release of the several persons belonging to Malacca, who were piratically seized and carried to Perah.

57.—Malacca being now (as we conclude) restored to the King of the Netherlands, conformably to the treaty, the local government of that state will, of course, exercise its own right of interference with the neighbouring chiefs, in the event of any occurrence of a similar nature to that in question hereafter taking place there.

Extracts from the Prince of Wales Island Consultations of the Year 1806, relative to the provisioning and treatment of some Dutch Slaves found in Malacca.

Extract, Prince of Wales Island, Public Consultations, 27th February 1806.

A letter from Captain Farquhar, dated 14th instant, enclosing the following particular statement of the quantity of rice and provisions each individual receives in garrison at present, which is used to the European soldiers, being paid for by them at a fixed sum monthly, as appears in their pay abstracts; viz.—

Ratio of Provisions issued to one Man, Europeans and Natives, for one Day, in the Garrison of Malacca, made out conformable to General Orders:

Europeans.—To Serjeants, Drummers, Rank and File.
Rice, 4. Salt beef, 1 pound.
Arrack, 2 drams. Or fresh, 1½ d°.
Salt, ¼ measure. Firewood, 5 billets.

Natives.—Bengal M. Regiment, Madras V. Battalion.
Gun, Tent, and Store Lascars.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

To Commissioned, Non-commissioned, Drummers, Rank and Files, &c. &c.

Rice, 1 seer.	Pepper, $\frac{1}{2}$ ditto.
Salt, $\frac{1}{4}$ measure.	Chillies, $\frac{1}{2}$ ditto.
Dholl, $\frac{1}{2}$ ditto.	Turmaric, $\frac{1}{2}$ ditto.
Ghee, 1 $\frac{1}{2}$ pollam.	Garlic, $\frac{1}{2}$ ditto.
Tamarind, 1 $\frac{1}{2}$ ditto.	Onions, $\frac{1}{2}$ ditto.
Tobacco, 1 ditto.	Salt fish, 2 ditto.
Buttonutt, $\frac{1}{2}$ ditto.	

Dutch Slaves and Convicts.

Rice, 1 seer.	Salt, $\frac{1}{4}$ measure.
Pepper, $\frac{1}{2}$ pollam.	Lamp oil, $\frac{1}{2}$ pollam.

Puckallie attached Madras E. Regiment.

Rice, - - - 1 seer.

Puckallie attached Madras E. Artillery.

Rice, - - - 1 seer.

Malacca Native Infantry.

To Commissioned, Non-commissioned, Rank and File.

Rice, - - - 1 seer.

(signed) S. R. Brown, Lieut. and Commiss' of Provisions.

Resolved, That Captain Farquhar be informed, in reply to one of his letters of the 14th instant, that from the time of the intended relief of the garrison of Malacca, the Dutch slaves and convicts receive the same allowance as the people of that description at the presidency, a statement of which must be furnished to the commandant; and that Captain Farquhar be requested to transmit, as early as convenient, a list of the Dutch slaves and convicts, with their mode of employment.

Extract, Prince of Wales Island, Public Consultations; 10th April 1806.

Read the following Letter from the Commandant at Malacca, viz. to G. S. Pearson, esq. Secretary to Government, Prince of Wales Island.

Sir:—I have herewith the honour to transmit for the information of government, a list of the Dutch slaves and convicts at this place, specifying the manner in which they are at present employed, together with their monthly pay and daily allowance of provisions.

From the difficulty of procuring servants at Malacca, the officers of the garrison have been permitted to employ a proportion of the Bengal convicts, as particularized in the list.

The convicts condemned by the fiscal, are generally in heavy irons, and employed at the public works during the period of their sentence.

The Dutch slaves, of which by far the greatest part are women, children, or old and infirm men, are employed as set forth in the roll.

Mr. Beggle, who is in charge of the whole, and who does not draw any allowance for his trouble, has been permitted to employ such of the female slaves and others, not immediately fit for hard labour, on his own account in cutting grass, and supplying firewood, &c. for the use of the garrison.

The present pay and allowances of the Dutch slaves, being much less than what the honourable Company's Caffrees receive at the presidency, I have deferred issuing the orders of government, under date the 27th February, placing them upon a footing with that description of people, until the further pleasure of the honourable the governor and council shall be known. If it should be judged expedient to make any alteration in the present allowances, I would recommend, that they may be permitted to draw the same as directed for the Bengal convicts, only that they should be served with clothing once every six months, as at present.

I have the honour to be, Sir, your most obedient humble servant,
(signed) W^m Farquhar, Captain Commissioner, Malacca.

Malacca, 27th March 1806.

LIST of the Company's SLAVES and Fiscal's CONVICTS at Malacca.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

MEN.
Didu, } Black Mandoors.
Gany, }
Cumbang, }
Abim, }
Nama, }
Dingal, }
Moeda, }
Portlee, }
Cledde, }
Dappat,
Kinkum,
Sapty, very old and infirm,
Owanka,
Fingal,
Seeding,
Sallee,
Amat, } Little boys.
Lutus, }

18 men Slaves.
Talip, }
Maccao, }
Achmet Lebbi, }
Owanga, }
Sedding, } Fiscal's convicts.

FEMALE SLAVES.
Onjar, }
Cambang, }
Sanie, }
Mannis, }
Mayin, }
Malatte, }
Pangadowang, }
Salussee, }
Senning,
Bissee,
Sayda, a child,
Mulutte, blind,
Crissi, } Very old and infirm,
Biba, }
Cammis, }
Berray, Fiscal's convict,
16 female slaves.
39 men and women.

The three black mandoors receive seven fanams six doits; the other men and convicts, four fanams seven doits, and the women, one fanam and nine doits each per month, together with one seer of rice, one fourth Pollam pepper, one fourth Pollam oil, and one sixteenth measure of salt each per day; clothing once in six months, at the rate of one Spanish dollar and two fanams for each man, and one Spanish dollar ten fanams and eight doits for each woman.

The men under charge of a European mandoor are employed in cleaning the fort, government house, barracks, sinks and sewers, and other public places, repairing the streets, &c.; and the women in cutting grass for the Company's buffaloes, attending in the scavengers carts, dressing the victuals for the people, and attending the old and infirm slaves, &c.

Malacca, 22d March 1806.

(signed) J. L. Beggle.

LIST of Bengal Convicts.

Madomette, }
Goor Chan, } Employed about the
Sappal Ram, } Government House,
Nilla Dass, }
Mudan Gass, }
Badirnat Bagdy, }
Hingam Ray, } D^r Lieutenant Brown,
Iagodas, }
Ragonat, d^r Lieutenant Hadwen,
Annos Gass, d^r Lieutenant Yates,
Coodie Ram, with Lieutenant Steiner,
Chandu Tagoor, } Mr. Surgeon Loftie,
Madan Serkar, }
Palla Ram, with Mr. Beggle,
Badinat,
Rumsay,
Soenuttan, at the Public Works,
Gole Targoor,
Dookoo,
Bano women.

20.—Bengal convicts receive eighteen fanams each per month, and one seer of rice, one fourth Pollam pepper, one fourth Pollam oil, and one sixteenth measure of salt each per day; clothing every six months to the value of five Spanish dollars each; those who are not employed by the above gentlemen, attend the scavengers carts, and do duty together with the Company's slaves, under the direction of the European mandoor.

(signed) J. L. Beggle, in charge of the convicts.

Malacca, 22d March 1806.

Ordered, That the commandant be directed to make such issue of clothing and provisions to the slaves and convicts, as he may seem conducive to their comfort, not exceeding in expense that granted the same description of people at the presidency.

Prince of Wales
Island Papers:
State of Slavery
in Company's
Territories.

OPINION of the Recorder in 1821, as to the legality of apprehending and sending back to Malacca a runaway slave.

Extract, Prince of Wales Island, Public Consultations; 29th Nov. 1821.

Read a letter, with its enclosure, from the governor of Malacca, requesting that a runaway slave from thence, brought away by the commander of the ship Gloucester, may be apprehended.

Resolved, That the honourable the recorder be requested to give his opinion, whether the slave in question can legally be secured, and sent back to Malacca.

Extract, Prince of Wales Island, Public Consultations, 13th December 1821.

Honourable the Recorder to W. A. Clubley, Esq. Secretary to Government.

Sir:—I have the honour to acknowledge the receipt of yours of the 30th November, with a copy of a dispatch from the governor of Malacca. I am not acquainted with the Dutch language, and therefore if there should be any circumstance in that part of the dispatch which varies the question submitted to me, from the governor of Malacca's letter in French, I should wish to have a translation of it; but as it is not probable, I do not delay my request, that you will communicate to the Honourable the Governor in council, that in the absence of any treaty, I am of opinion that the slave in question cannot be legally secured and sent back to Malacca.

I have, &c.

(signed) *Ralph Rice.*

Prince of Wales Island, 2d December 1821:

The Secretary reports that the governor of Malacca was advised of the above.

FORT ST. GEORGE PAPERS.

PAPERS relative to a Slave Girl, the property of John Clapen Bolt, an inhabitant of Bimlipatam, 1787.

Extract, Fort St. George, Public Consultations, the 9th March 1787.

Read the following letter from the acting resident at Bimlipatam, with the papers accompanying it.

Charles Nicholas White, Esq. Secretary.

Sir:—I have been favoured with a letter from Mr. Deputy Secretary Clerk, enclosing the orders of the honourable the President in Council for registering vessels at the port of Bimlipatam.

Herewith I enclose copy of a letter to me from Mr. Dormieux, provincial Dutch chief at Bimlipatam, with copies of papers relating to the subject of it, and have to request, that you will lay them before the governor at a convenient opportunity.

Bimlipatam, 24th February 1787.

I am, &c.

(signed) *John Snow.*

To John Snow, Esq. Resident on behalf of the Honourable English Company at Bimlipatam.

Sir:—I am sorry that I am drove to the necessity of addressing you in this public manner, in order to represent to you the danger for the community here in keeping any longer at this place the person of John Clapen Bolt, who wrote me about one o'clock a letter, and on my declining to receive it, he sent the enclosed chit to Captain Kingsmill. I do not know his intentions in it; but as he is known to be of a very bad character, as well from what happened before as his conduct ever since, I think it necessary to acquaint you of it, as being in a public character here; and since the said Bolt, though a prisoner under the rajah's amaldars, is so improperly guarded, I request that you will be pleased, for the common safety, to have him secured and sent to a place where he may be taken care of.

Bimlipatam, 23d Feb. 1787.

I am, &c.

(signed) *John Marks Dormieux.*

To Captain Kingsmill.

Sir:—If you have those pistols that I saw this morning to dispose of, pray let me know, as there was a person yesterday in my house who wanted a pair very much.

Yours, &c.
(signed) Bolt.

Fort St. George
Paper:
State of Slavery
in Company's
Territories.

To Claud Russell, Esq. Chief and Council at Vizagapatam.

Gentlemen:—I have taken the liberty of ordering two sepoys, belonging to the guard put over Doctor Martin's effects, to conduct John Clapen Bolt to Vizagapatam, who it appears caused the death of a slave girl by cruel and improper correction.

Herewith you will receive the declaration of a surgeon who examined the corpse, also the deposition of a person in the Dutch service, who was called upon by the prisoner's wife to intercede for the deceased. Two other persons will give depositions when you are pleased to require their attendance. One saw the prisoner beat the deceased at nine o'clock in the morning, and the other at three in the afternoon.

I also send to you, under charge of the sepoys, two coolies employed by the prisoner to beat the deceased with a stick, which the sepoys will deliver to you.

I am, &c.
(signed) John Snow.

Mr. John Snow.

Sir:—I am ordered by the chief and council to acquaint you, that they have received your letter of the 1st instant, accompanied with a prisoner, who had caused the death of a slave girl by cruel and improper correction; but as he belongs to the Dutch factory, and is under their protection, the prisoner is now returned to you, that he may be delivered over to the Dutch government, to whose authority he is amenable.

Vizagapatam, 2d Sept. 1787.

I am, &c.
(signed) F. H. Drake, Secretary.

Dirk Wrymoet, Esq. &c. &c. &c.

Sir:—In conformity to the orders of the chief and council of Vizagapatam, communicated to me by a letter from their secretary, of which a copy is enclosed, I send you, under charge of two sepoys, John Clapen Bolt.

A deposition and a declaration respecting the prisoner are inclosed.

Bimlipatam, 4th Sept. 1786.

I am, &c.
(signed) John Snow.

To Claud Russell, Esq. Chief and Council at Vizagapatam.

Gentlemen:—We have the honour to transmit to you a copy of the letters we received yesterday from Mr. Snow, with the person of John Clapen Bolt, whom we have immediately delivered over into the custody of the amuldar of this place, with the declaration and deposition to his charge, to act further with him as the rajah may think proper, since the said Bolt is neither a subject of the Netherlands, nor has now or ever been, for what we know, in our Company's service; neither can he be considered under our protection at present, as he latterly came from Calcutta, by chance here, with an intention to proceed to Madras; and as the act laying to his charge was committed out of our jurisdiction, the only thing we could do for the peace and safety of the community here was, to have the corpse examined by a surgeon, and to give cognizance of the whole affair to Mr. Snow, the only one of your Company's civil servants, to whom also the declaration of the surgeon, was delivered, with a deposition of one of our Company's servants.

As we do not think ourselves authorized to interfere any further than we have already done in this disagreeable business, we esteem it incumbent on us to acquaint you of it, in order to avoid all responsibility respecting it.

Bimlipatam, 5th Sept. 1787.

We have, &c.
(signed) Dyk. Wrymoet.
John Marks Dormieus.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

It appearing that John Clapen Bolt, who is charged with having caused the death of a slave girl by cruel and improper correction, is not a subject of the Netherlands, and from a wish that an offence of so flagrant a nature should not pass unregarded;

Resolved, That the chief and council be directed to secure the person of Bolt, and to inform this government, where the death of the slave girl was occasioned, and whether the man is a British subject, or has ever been employed in the service of His Majesty, or the English East India Company.

Diary, 11 March.

Sent the following letter to Vizagapatam:—

To Claud Russell, Esq. Chief and Council at Vizagapatam.

Gentlemen:—We have received a letter from Mr. Snow, with copies of other papers, on the subject of an European named John Clapen Bolt, who, from the depositions taken, had, it appeared, caused the death of a slave girl by cruel and improper correction. By your secretary's letter to Mr. Snow, dated 2d September last, you considered him, we perceive, to belong to the Dutch factory at Bimlipatam, and that he was under their protection; but the chief and council declare to you, that he is not a subject of the Netherlands, and had never been, to their knowledge, in the Dutch Company's service, neither could he be considered under their protection, and that the act laid to his charge was committed without their jurisdiction.

Under these circumstances, and from a wish that an offence of so flagrant a nature should not pass unregarded, and, if possible, to bring the offender to justice, we desire you will have the person of Bolt properly secured, and inform us where the death of the slave girl was occasioned, and whether he is a British subject, or has ever been employed in the service of His Majesty, or the English East India Company.

We have, &c.

(signed) Archibald Campbell and Council.

Fort St. George, 11th March 1787.

Extract, Fort St. George, Public Consultations, 24th April 1787.

Extract, Letter from the Chief and Council of Vizagapatam, to the President and Council of Fort St. George, 6th April 1787.

We have the honour of acquainting you, that in consequence of your orders of the 11th inst. Jasper Bolt, accused of murdering his slave girl, and who has been in confinement under the rajah, (the crime having been committed within his jurisdiction, and the late Act of Parliament extending the English criminal jurisdiction not then existing), is now brought to Vizagapatam, and closely kept in the cutwal's choultry. By his own account it appears, that he was about eleven years in the Bombay marine service until the year 81; is a native of Hamburg, and has been about two years married to a Dutch woman, the widow of a Dutch officer at Pulicat.

Minute,—Agreed, that the chief and council be desired to inform the Board what evidence there is of the guilt of Jasper Bolt, now under confinement at Vizagapatam.

Extract, Letter from the President and Council, to the Chief and Council at Vizagapatam, 28th April 1787.

Diary 18.

We have received your letter of the 6th inst. and desire you will inform us particularly, what evidence there is of the guilt of Jasper Bolt, now under confinement at Vizagapatam, on suspicion of murder.

Extract, Fort St. George, Consultations, 5th May 1787.

Extract of a Letter to the Governor General in council; dated 5th May 1787.

One Jasper Bolt, a native of Hamburg, and not in the service of His Majesty, or the Company, was lately put under confinement by the chief and council at Vizagapatam, on suspicion of having murdered his slave girl at Bimlipatam. As this district has come into the possession of the Company since the year 1753, it appears he cannot be brought to a trial at the quarter sessions here under the charter jurisdiction; and we therefore request, that you will do us the favour of obtaining for us the opinion of the judges of the supreme court of judicature at Calcutta, whether he can be tried under the late Act of Parliament.

Extract, Fort St. George Consultations, 3d July 1787.

Read the following letter from Vizagapatam.

To the Honourable Sir Archibald Campbell, K. B. Governor in Council
of Fort St. George.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Honourable Sir:—Enclosed we have the honour to send three depositions concerning the death of the slave girl, attributed to Jasper Bolt, at Bimlipatam. Mons. Robert, one of the declarants, it seems had left Bimlipatam long since, but the other, a Dutchman, is an inhabitant there, as well as Yelloo, the cooley. There was another cooley who could have given testimony, but having gone to Coriga before the late storm, it is feared he has shared the same fate with the unhappy inhabitants.

We have the honour to be, with great respect, Honourable Sir, your most obedient and humble servants,

(signed) *Claud. Russell.*
Charles Martone.
Joseph Baker.

Vizagapatam, 20th June 1787.

I, Frans Casperez, do declare, That on the 30th of August, about five o'clock in the afternoon, when I was at Mr. Pleyt's upon a visit, and was sitting in his bed-chamber, I have been called by Captain Bolt's spouse; I went to her; she told me that one of her husband's fingers was got out of joint, and desired me that I would come and look at it; I asked her how it happened; she answered me, that it was the fault of the slave girl, who (she further said) therefore was punishing. I went to her husband to look at the accident, when I then saw into his yard that his slave girl was held fast by somebody at a tree, and had been struck by a cooley with a thin firewood, and he was standing by. After I looked at Mr. Bolt's finger, I would return back, but his spouse desired me to stay there, and to induce her husband to cease the striking, which I did; but Mr. Bolt gave no audience to it, and said to me, that she had been struck before much worse, and could also easily endure that punishment; upon which saying, I did not stay there three minutes longer, went out of his house to Mr. Pleyt, and while I was sitting there with a society, Mr. Bolt came likewise, after a quarter of an hour to Mr. Pleyt's, and a short while after, about half an hour after six, I quitted the company, and went to my house.

This declaration I do testify to be the truth.

(signed) *Frans Casperez.*

This first day of September 1786, appeared before us, Dirk Vymoet, chief, and Johannes Markus Dormieux, second, of this counting board, both committee members of the Honourable Council of Justice, at the coast of Coromandel, upon desire of the commissary of the English troops, Mr. John Snow, inhabitant here, the deponent mentioned in the declaration herebefore, which being here distinctly read before and explained word for word, he fully persists by his sayings, without any further alteration, and confirms the same with solemn oath, by lifting up his two fore fingers of his right hand, and uttering these following words, "As true, help me God Almighty."

This done, re-examined, and sworn in the united counting board, Bimlipatam, aforesaid date, in the presence of Messrs. Dirk Vrymoet and Johannes Markus Dormieux, committee justifical Members,

(signed) *F. Casperez, in witness of O' Hokens,*
by indisposition of the Secretary empowered to this.

Our presence committees,

(signed) *Dirk Vrymoet, J. M. Dormieux.*

The Declaration of Yelloo, a fisherman, and inhabitant of Bimlipatam.

That he was a servant to Mr. Plate, the secretary to the government of Bimlipatam; that one day after dinner he was employed in fanning his master, who had laid down to sleep; that the wife of J. Bolt came to the house, and desired the said Yelloo to go over the way to her house, which he refused to do without his master's permission, on which the said Bolt's wife asked his master's leave for the said Yelloo to go to her house, and obtained it; that he went to the house of the said Bolt with the wife of Bolt, and was conducted to a place, where he found Bolt and a slave girl, the latter tied up to a tree, and saw the said Bolt beat the girl with a stick; that having tired himself, he ordered this declarant Yelloo, to beat the slave girl,

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

girl, which he refused to do, but on Bolt's threatening to beat him, he complied, and taking a stick did give the girl several blows; that Bolt told him he did not strike her hard enough, and was going to beat him, but seeing an opportunity of getting away, he availed himself of it and escaped.

John Baker.

This day, 31st day of August 1786, at nine o'clock in the morning, Mr. Ormond Torbert, surgeon at Bimlipatam, having received an order from Mr. Vrymoet, governor of that place, and from Mr. Dormieux, his second, to come to the house of the Sieur Bolt, to inspect the body of a caffree, who had died in the night; after opening it, I certify the following to be the cause of her death: That the negro having been tied up to a tree, the knees and breast bearing against it, received in that position a blow from a piece of wood upon her reins, which having unfortunately disjoined the third vertebre of the loins, and otherwise injured the kidneys, &c. was the cause of her death.

In witness whereof, I certify this to be the truth, at Bimlipatam.

31st August 1786.

(signed) *Torbert.*

(A true translation.) (signed) *Thomas Chase, French Translator.*

Ordered, That the above letter do lie on the table.

Extract, Fort St. George, Public Consultations, 21st July 1787.

Sent in circulation, the following General Letter from Bengal.

The Honourable Sir Archibald Campbell, K. B. President, &c. Council
of Fort St. George.

Gentlemen:—We have the pleasure to enclose extract of a letter from the judges of the supreme court of judicature, in reply to the reference made to them, at your request, regarding the murder committed at Bimlipatam, by Jasper Bolt, a native of Hamburg.

We have, &c. (signed) *Cornwallis.*

Fort William, 22d June 1787.

Charles Stuart.

Extract of a Letter from the Judges of the Supreme Court of Judicature to the Right Honourable the Governor General in council; dated 21st June 1787.

We are of opinion, that the statute of the 24th of His present Majesty, ad 44, (which we presume is meant by the president and council of Fort St. George), does not extend to the crime of which Jasper Bolt is accused, even if he were one of His Majesty's subjects within the meaning of the clause; and you will permit us to suggest, that if an extension of jurisdiction, both in respect of capital crimes, and of the persons who may commit them, can be obtained from the legislature, it may be the means of preventing the perpetration of such offences, as cannot now be punished in due course of law.

(A true extract.)

(signed) *John White, Sub-Secretary.*

Extract Letter from the Governor in Council to the Right honourable the Governor General; dated 21st July 1787.

We have had the honour to receive your letter of the 22d ultimo, enclosing the reply of the judges of the supreme court at Calcutta in regard to Jasper Bolt; but as they have inferred, that we alluded in our letter of 5th May to the 44th section of an Act of the 24th of the present reign, we take leave to request you will be pleased to explain to the judges, that our allusion was to the 29th clause of a subsequent Act, passed in the 26th of His present Majesty, and which appears to extend in a very great degree the jurisdiction of our court of justice here. As an early communication of their sentiments is of material consequence, we particularly entreat that you will obtain us a further explanation on the subject as soon as possible.

Extract, Fort St. George, Public Consultations, 21st September 1787.

Read the following letter from Bengal:—

The Honourable Sir Archibald Campbell, K. B. President, and Council of
Fort St. George.

Gentlemen,—We have the pleasure to enclose you copy of a second letter which we have received from the judges of the Supreme Court of Judicature, in consequence

consequence of your further reference to them regarding the murder committed at Bimlipatam, by Jasper Bolt, a native of Hamburgh.

We have the honour to be, gentlemen, &c.

(signed) *Charles Stuart. John Shore.*

Fort William, 27th August 1787.

To the Right honourable Charles Earl Cornwallis, Knight of the Most noble Order of the Garter, Governor General, &c. &c. and the Gentlemen of the Council.

My Lord, and Honourable Sirs:—We have had the honour to receive your letter of the 6th instant, in which you inform us, that the president and council of Fort St. George, in a second reference respecting the case of Jasper Bolt, have explained to you, that their former allusion to a late Act of Parliament, under which they supposed that he might be tried, was not to the statute of 24th of George the Third, chap. 25th, section 44; as we had conceived, but to the 29th clause of one of the Acts of Parliament respecting India, which were passed in the 26th year of the present King, meaning, as we now find, that of the 26th George the Third, chap. 57th, section 29.

Of that last mentioned statute, we had not received any authentic information, neither in fact had any of us seen a copy when we answered your letter of the 28th May last; we have now perused the clause referred to, and agree with the president and council of Fort St. George, that it does in a great degree extend their authority with regard to the cognizance of crimes committed beyond the limits of their charter jurisdiction, inasmuch as it plainly includes murder and other felonies, which were not comprized in the former statute of the 24th year of his Majesty's reign. But with regard to persons, there is not the like extension of judicial authority: The persons who by this new law are declared to be amenable to the Courts of Oyer and Terminer in India, are "as well the servants of the said United Company as well as other of his Majesty's subjects, resident or to be resident in India." Now, it has been expressly stated to us by your Honourable Board, that Jasper Bolt is a native of Hamburgh, and that he was not in the service of his Majesty or the Company, at the time when the crime was committed of which he is accused. We must therefore remain of opinion, that he is not liable to be tried by the Court of Oyer and Terminer at Madras, for the murder committed at Bimlipatam, whether he would have been amenable to that court, if not being a British subject, he had been actually in the service of the Company at the time when the crime was perpetrated, we have not thought it necessary to consider, because that is not the event which has happened, and on which the doubt has arisen.

We have the honour to be, my Lord and Honourable Sirs,

your most obedient and most humble servants,

(signed) *Robert Chambers. John Hyde. William Jones.*

Fort William, 14th August 1787.

The judges of the Supreme Court of Judicature at Calcutta, being of opinion, that Jasper Bolt is not liable to be tried by the Court of Oyer and Terminer at Madras, under the late Act of Parliament, as he is a native of Hamburgh, and was not in the service of his Majesty or the Company, when the crime of which he is accused was committed.

Resolved, therefore, that the chief and council at Vizagapatam be directed to release him from his present confinement; but the Board conceiving him, and likewise John Martin, who was lately brought to trial here, to be unfit persons to reside any where under this government, it is agreed that immediate notice be given them by the chief and council, to depart the Company's limits; and that Martin do not henceforth receive either pay or allowance from the Company.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

PAPERS relative to Mr. Andrew Perry, and others, who were detected in the year 1790, in carrying off, for the purpose of selling them into slavery, a number of Children who had been kidnapped in the neighbourhood of Ganjam, and other places in the northern Circars; and to the publication of a Proclamation, prohibitory of the Traffic in Slaves.

Extract of a Letter from the Governor and Council of Fort St. George to the Court of Directors in the Public Department; dated the 18th September 1790.

24.—It being reported to us, that a number of persons intended for sale, had been brought hither from the northern settlements in several country vessels, we resolved, that they should be landed and maintained at the Company's expense, until they could be sent back to their former places of residence, or such of them as were capable of gaining a livelihood, should have it in their option to be liberated at this place.

25.—We likewise issued a proclamation throughout the districts dependent on this presidency, prohibiting any traffic in the sale or purchase of slaves; and with a view more effectually to prevent a practice so detrimental to the country, and injurious to the rights of humanity, we offered a reward of 30 pagodas for the discovery of every offender, to be paid on conviction, and of ten pagodas, for each person of either sex, who should be delivered from slavery in consequence of such discovery.

Extract of Fort St. George Public Consultations, the 5th March 1790.

Mr. Taylor, the acting justice, acquaints the Board, that it having come to his knowledge, that several children had been brought hither from the northern settlements in country vessels now in the roads, for the purpose of traffic, he ordered them to be landed, and being now under charge of the cutwal, to the number stated in the following list, Mr. Taylor requests the sentiments of the Board in regard to the future disposal of them.

LIST of the PAROZZAS and CHILDREN in the custody of the Cutwal (Choulisay) 5th March 1790.

Brought from	By whom	Girls	Boys
Ganjam	Nagoor Sheck Meeralubby	4	3
Cullingapatam	D ^o Cathur Modein	1	—
Chicacole	D ^o — d ^o	1	—
Poondey	Caruckaul Murapillay	1	—
D ^o	Nagoor Modein Bava, b ^o by his brother-in-law	4	—
Soimapaoram	Meeralubby Malamy, sent by d ^o	2	—
Apprehended from the different houses of Coyalar or Lubby cast at Maratta town		11	7
		9	14
TOTAL		20	21

41 children.

Read the following petition on the subject:—

To the Worshipful James Taylor, Esq. the humble Representation of Merchants, &c. of foreign Countries of Southward.

We went upon our vessels to the northward to carry on traffic, and touched at several ports, such as Ganjam, Soornaporam, Cullingapatam, Comandoo and Beemoodeapatnam, where we landed the goods that were brought in our twenty vessels, and continued selling them. While the case being thus, that thirty leagues distant from the ports where we are, a famine arose at Jaggernautporam, by the providence of God, when every one disposed of their children for want of food to live on; that the inhabitants of that country brought and sold the said children at the ports where we being landed, and the said children were purchased by several sorts of tribes. Amongst them we bought each one and two children, whom we maintained and nourished as our own sons; and we have substantial proofs to it, that at the time we shipped them in our said vessels, we did pay duty and custom at the rate

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

of two rupees to the devaunum in that place; and then we brought each one in their respective vessels, and arrived in this port. Thereupon we disembarked the paddy, rice and grain, &c., and also cloth and different sorts of goods from our said vessels, which we lodged in banksals and godowns; then continue selling the said premises; a lascar re-sold here of the said child aforesaid, which that the cutwal of this place understanding, did apprehend the said lascar and boy, and confined them; on account of this, he the said cutwal sent some sepoys, who came and seized upon the boys, whom we kept and maintained as our sons, that were sitting without the houses, and playing in the streets, and carried them away, to the great amazement of us, who never imagined and conceived such ill proceeding should be acted under the jurisdiction of his Britannic Majesty's flag. And on the night following a sepoy belonging to the cutwal, and a telliar came, and not only entered our houses, tried and searched, and also carried away boys and girls. Besides this, the above mentioned sepoy went to our said vessels, seized the children aforesaid, and lascars; after they landed them, they were put into confinement, upon which we, the whole multitude, went to and asked him, the cutwal, how he dared to do such bad conduct, to which he answered and said, that he did not do this but by the order and direction of your worship.

Notwithstanding this, if your worship send for those that are under confinement, and examine into the matter, then your worship will understand every circumstance plainly. During the time they were with us, had the happiness of enjoying and eating good bread, and now they were destined to live on light food.

Therefore we humbly and submissively implore your worship to take this our deplorable case into your serious consideration, and be so kind and gracious on us, who are poor and foreign merchants, and deliver our said children up to us; and also to restore the things and goods that were pillaged from our said vessels, for which act of humanity we, as in duty bound, shall ever pray.

T. Chase, Clerk to the Justices. (Signature.)

Resolved, That any traffic in the sale or purchase of slaves be prohibited by public proclamation throughout the Company's districts dependent on this presidency.

Ordered, That the secretary do accordingly draw out a proclamation for the consideration of the board.

Resolved, That the children mentioned by Mr. Taylor be maintained by the cutwal at the Company's expense, until they can be returned to the places from whence they were brought; and that if any of them are able to work for their livelihood, that it be left in their option to remain at this place.

Extract of Fort St. George Public Consultations; 6th March 1799

In consequence of resolutions passed at yesterday's consultation, sent in circulation the following proclamation:

PROCLAMATION.

Whereas several vessels belonging to native merchants at some of the southern ports, have lately arrived here; and it being discovered that there were on board a number of slaves intended for sale, who had been purchased at Ganjam, and other ports or places in the circars, government have ordered them to be landed from the said vessels, and to be maintained at the Company's expense, until they can be sent back to their former places of residence; or that such of them as are capable of gaining a livelihood, shall have it in their option to be liberated at this place; and the governor in council being determined to exert to the utmost extent the power and authority vested in him, to prevent a practice so detrimental to the country and injurious to the rights of humanity, it is hereby publicly declared, that all and every person residing within the districts and places dependent on this presidency, or in any respect subject to its authority, or to the jurisdiction of the courts here, who shall hereafter be concerned directly or indirectly in carrying on a traffic in the purchase or sale of the natives as slaves, will be prosecuted with the utmost rigour at the Company's expense; and if British born subjects, will be considered as unworthy of the Company's protection, and be forthwith ordered to Europe; or if such person or persons be not subject to the jurisdiction of the courts, he or they will be apprehended and kept in confinement; to be dealt with according to the laws of the country.

And that no one may plead ignorance hereof, the committee of regulation for the town of Madraspatnam, and the chiefs and councils, residents and collectors in the

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

several parts of the country, are hereby required to give immediate notice of this proclamation, in such manner as shall render the knowledge of it universal to persons of all descriptions, and to repeat the same in the first week of January in every year. They are further required to pay the strictest attention to the regulations contained in it, and to take the most active steps in their power to enforce them.

And in order more effectually to prevent so detestable a practice, and that the unhappy sufferers may be rescued from misery, a reward of twenty pagodas is hereby offered for the discovery of every such offender, to be paid on conviction, and of ten pagodas for each person of either sex who shall be delivered from slavery in consequence of such discovery.

The Governor in council recommends to all commercial houses and private merchants to assist, as far as depends on them, in carrying these regulations into effect, by taking the most effectual means in their power to prevent the commanders of their vessels, or those consigned to them, or otherwise placed under their directions, from carrying away natives of this country in order to sell them for slaves.

The master attendant of this port, as well as the several beach masters at other ports on this coast, are hereby prohibited from granting in future a port-clearance to any ship or vessel, until the commander shall have previously declared that there are not then on board, and that he will not receive on board, any natives as slaves, with an intent to dispose of them, or whom he (the commander) has any reason to suppose will be disposed of as such after they leave this country. And that no one may plead ignorance of this proclamation, it is hereby directed that it be placed constantly in view at the sea-gate of Fort St. George, and at the most public places at the other ports on this coast, in the English and country languages.

By order of the Governor in council,

Chas. N. White, Secretary.

Fort St. George, 6th March 1790.

[*Note.*—The receipt of the foregoing proclamation was acknowledged by the several subordinate councils, who promised that it should be translated into the country languages, and published, and every attention on their part given to carry it into effect.]

Extract of Fort St. George Public Consultations, 24th March 1790.

Received the following Letter from the Clerk to the Justices:

To the Honourable Major General William Medows, President and Governor, &c. in council, Fort St. George.

Honourable Sir and Sirs:—There are now in the road several vessels bound to the northward; and as the change of the monsoon will soon prevent any intercourse by sea with the northern settlements, I beg leave to suggest the propriety of returning to their several stations the unfortunate children who were lately brought to Madras for sale.

I have the honour to be, &c.

Honourable Sir and Sirs, your very obedient servant,

23d March 1790.

(signed) *Thomas Chase, Clerk to the Justices.*

Received the following Letter from the Commander of the country vessel the Experiment:

To Charles Nicholas White, Esq. Secretary.

Sir:—Hearing that there are forty-one children wanted to be sent to Ganjam, and as I expect to sail for there in a few days, I will take them at one pagoda a head, provided the Company lay in their provisions.

I am, &c. Sir, &c. &c.

(signed) *John Fergusson, Commander of the snow Experiment.*

24th March 1790.

Sent the following Letters in consequence:

To Captain John Fergusson, Commander of the Snow Experiment.

Sir:—I have to acknowledge the receipt of your letter of the 24th instant, offering to convey on board the Experiment to Ganjam a number of children, on receiving one pagoda for each person, and the Company being at the expense of victualling them; and am directed to inform you, that the Governor in council has been pleased

Diary 25th
March 1790.

pleased to accept of your proposal, and the garrison storekeeper has in consequence been intrusted to ship provisions on board your vessel for their maintenance, during the passage to Ganjam.

I am, Sir, your most obedient servant,
(signed) *Robert Clerk*, Deputy Secretary.

Fort St. George, 25th March 1790.

To Mr. Vincentio Corbett, Garrison Storekeeper.

Sir:—It being the intention of government to send to Ganjam, on the snow Experiment, about forty natives, who were lately released from slavery at this place, I am directed to desire you will put on board that vessel such articles as may be requisite for their subsistence on the passage thither.

I am, Sir, your most obedient servant,
(signed) *Charles N. White*, Secretary.

Fort St. George, 25th March 1790.

Extract of Fort St. George Public Consultations, 8th April 1790.

Sent the following letter to Ganjam, by the country vessel Experiment.

To Morgan Williams, Esq. Chief, &c. Council at Ganjam.

Gentlemen,—I am directed to inform you, about 32 natives, lately released from slavery at this place, have been put on board the snow Experiment, bound for Ganjam, and it is recommended by government, that you will procure service, or afford a present subsistence for such of them as may be unable to gain a livelihood, or have not friends to support them.

I have the honour to be, &c. &c.

Fort St. George, 8th April 1790. (signed) *C. N. White*, Secretary.

Extract of Fort St. George Public Consultations, 13th April 1790.

Read the following letter from the captain of the country snow, Experiment.

Sir,—Having received an order from you to receive on board a number of children for Ganjam, and as I sail to-morrow, request you will give me an order on the chief and council of Ganjam for the payment of their passage on my delivering them there.

I am, Sir, your most obedient servant,
(signed) *John Fergusson*,
Commander of the snow Experiment.

Agreed, That the chief and council at Ganjam do pay to the captain of the snow Experiment, for passage money, on account of the children lately released from slavery, at the rate of one pagoda a head for each person landed at Ganjam.

Extract of Fort St. George Public Consultations, 1st June 1790.

Extract of a Letter from Ganjam, dated 19th May 1790.

The full number of the natives who had been redeemed from slavery, as mentioned in your secretary's letter of the 7th April, were landed here from the snow Experiment, to the master of which we paid the passage allowance which you desired.

They were in so sickly a condition when landed, that we found it expedient to place them under the charge of our surgeon in the public hospital, and when they recover, we shall attend to your directions respecting the mode of their future subsistence.

Extract of Fort St. George Public Consultations, 7th May 1790.

Read the following letter from Masulipatam, with the papers accompanying it.

To the Honourable Major General William Medows, Governor in council,
Fort St. George.

Honourable Sir and Sirs,—A doney having lately arrived at this port, with a number of people on board, supposed to have been procured by some means or other by the master of the vessel, about Ganjam, and in the Cutack country, with an intention to dispose of them again as slaves; it became necessary more particularly in consequence of your orders, communicated to us under date the

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

F. 1. St. George
Papers
State of Slavery
in Company's
Territories.

9th ultimo, to inquire by what means the said master of the vessel, Andrew Perry, procured those people, and for what purpose. We have the honour of inclosing a copy of his declaration, delivered in writing, wherein he has stated his motives for procuring those unfortunate people, who must otherwise, as he alleges, have starved by reason of the scarcity that prevailed in the Cattack country, and avows it to have been his intention to have disposed of them again, as the only means he had of being reimbursed the expense he had been at; we also inclose copy of the information given by John Berry, the only other European belonging to the vessel, giving an account of the manner of his first coming out to this country. Besides the above, the other persons belonging to the vessel have been examined, and we inclose a copy of the information given by Loll Chund, tindal, as being the fullest, and containing the purport of all the others; although the master, Andrew Perry, affirms it to be a fabrication, as he says he did not meet with this man until his arrival at Vizagapatam, where he first entertained him; and we must in justice allow, that the answers given by the tindal to the questions put to him regarding his knowledge of Vizagapatam, seeming to be equivocal, supports, in some degree, what the master has said in this respect. The people deemed slaves, all agree in one and the same story, namely, that a great scarcity having prevailed about Juggernaut, in the Cattack country, they were prevailed on at different times by a native, who belonged to the master of the vessel, to proceed with him to Ganjam, under promise that they should be supplied with rice, clothes, &c.; and that after being there a few days, they were severally, and at different times asked, to go on board his doney, which lay at some distance from the town along the beach, and upon refusal were forcibly carried on board. Their information of what passed after their being put on board, agrees with that given by the tindal. These seem to be all the particulars worth communicating, except that the master appears to have sailed from Ganjam with 38 people, whom he considered as slaves, of whom seven died during the passage; seven had been disposed of before he reached this place, and the remainder are landed.

We think it highly probable that the master, Andrew Perry, did not know of the proclamation you had published, until his arrival at Masulipatam, and so far his conduct, how improper soever it may be deemed in other respects, cannot, we think, be ascribed to a disregard or contempt of the authority of government. He likewise adds several other circumstances in extenuation of his fault, and mentions people who are acquainted with his having before bore a good character, which we need not enumerate, as his own declaration is inclosed. We shall in the mean time detain both him and the other European, until we are honoured with your directions for their disposal, as well as whether the people considered as slaves, and who are now maintained at the Company's expense, are to be dismissed here, or sent on the first vessel that may proceed from hence to Ganjam, where they will have but a short distance to travel before they reach their native country.

We have the honour to be, very respectfully, Honourable Sir and Sirs, your most obedient humble servants,

(signed) *Antony Sadlier* *William Dobbyn*

Masulipatam, 27th April 1790. *Samuel Statham*.

To Antony Sadlier, Esq. Chief, &c. Council of Masulipatam.

The humble Petition of Andrew Perry,

Sheweth:—That your petitioner having unhappily fallen under the cognizance of your Board, for offences understood to be committed by him, which appearances may render but too strongly to be suspected, such as to justify cause for his present confinement, and the consequent inquiries into his conduct, presumes to appeal to the principles that ever actuate a British administration, the known justice and generosity of your Board; flattering himself, when it shall be known, that such his conduct, however irregular it may unfortunately have been in some particulars, still has had humanity as its original and sole motive, and not the horrid principles cruelly imputed to him; that your petitioner, on a candid hearing, will do away the unfavourable impression, misrepresentation, may too successfully have formed against him.

Your petitioner, as he is informed, stands accused of having violently seized on and carried away from Ganjam a number of women, boys and children, said to be the natives of Juggernaut; that these unfortunate wretches, having been clandestinely decoyed away from their families and parents, had secretly been conveyed on board a doney of your petitioner, at Ganjam, under all the circumstances of force

on their inclinations, added to ill treatment, so far even as to the denying them proper food; and the purpose of your petitioner declared to be, that of disposing of these miserable creatures as slaves, to your petitioner's advantage and certain gain.

That your petitioner did procure a number of unhappy beings at Ganjam, and actually brought them away with him from that place by sea, he does freely confess; nay, by those who have arrived with him at this place, there need no question be made of it; but the manner of acquiring them, the motives which first induced him to a wish of bringing them away, and his treatment of them, after they had once embarked with him, is what your petitioner has to answer to and to confute; and this he trusts he can do with a clear and good conscience, and with a confidence of giving satisfaction to your Board.

Your petitioner arrived at Ganjam the 7th of October last, in a small vessel of his own, having a quantity of wine on board, which he continued to sell off to different gentlemen of the place, by himself and through the means of a dubash he employed for that purpose. It was during this period that your petitioner fell sick of a fever and ague, somewhat recovering of which, your petitioner was advised by the doctor who attended him, to take an airing on a lake adjoining to Manacapatam, as the change might be of benefit to your petitioner's health. Juggernaut being not far distant, curiosity led your petitioner, in one of these jaunts, to walk towards the village, and the scene that then presented itself to your petitioner, soon arrested your petitioner's whole attention and compassion. A famine had raged in this particular spot with uncommon fury, the dreadful effects of which were but too visible; humanity shuddered at the sight; nor could the most unfeeling have refused the strong impulse your petitioner certainly felt on this occasion, of affording all the assistance in his power to distress so truly pitiable; with this view, and not from the sordid principles attributed to your petitioner, did he return to Manacapatam, where he had met his dubash; and your petitioner directed him to repair to Juggernaut, with money which your petitioner gave him, in order to contribute to the necessities of those who most needed it.

Your petitioner's dubash soon returned with some of the natives, whom he said he had purchased of their parents, who prayed to part with them, as no subsistence remained sufficient for themselves and children too; your petitioner was well satisfied with what had been done, as your petitioner's wish was to convey them to other parts where they might procure a livelihood, and your petitioner knew that this means of bettering their situations, had been a practice perfectly congenial to their own customs and wishes, and always adopted on such occasions; these seven people were therefore brought by your petitioner to Ganjam, where your petitioner found that many others had already arrived under the same circumstances, and who were then preparing to go to other countries on various vessels then laying there; the people holding charge of them, expecting their reimbursement for their care of them, on delivering them over to such as might take them into service. Your petitioner being about to leave Ganjam at this time, with some sugar he had purchased from the sale of the wine, he did not scruple to take more of those unhappy wretches under his protection, who willingly engaged to embark with your petitioner, and seek that subsistence elsewhere, which their native country denied them. Your petitioner's design, in common with others, who had taken these starved wretches, being, as he solemnly avows, no other than to carry them to Madras, whither he was then bound, and then to part with them to such persons as might reimburse him in the expenses he had been at in procuring them, and afterwards in subsisting them. Nor could your petitioner expect even this reimbursement; for many of those he had taken with him were very old, and not likely to be received on any terms; others again were young children, and could not for many years be capable of any service.

Thus has your petitioner related the facts, at least by which means, and from what motives, the people whom he is accused of having procured for the purpose of selling as slaves, have been found with him. It is needless to relate the misfortune of your petitioner since he left Ganjam, of losing his vessel and little property he possessed; and how contrary winds and current, and the badness of the vessel, on which he arrived in these roads, had drove his second vessel on shore, and been at length the cause of drawing on him the irksome circumstances under which he now labours.

Your petitioner being brought before the acting justice of this place, whose liberal manner of treating him your petitioner will ever remember with gratitude; the examinations of these people, brought here by your petitioner, having been then taken in his presence, leave your petitioner now only to add, that your Board will certainly be aware on perusing them, how much pains has been taken to fabricate a story by

Fort St. George
Papery:
State of Slavery
in Company's
Territories.

Fact St. George
Papers:
State of Slavery
in Company's
Territories.

which the natural antipathy and vicious inclination of a native may be gratified, when an unfortunate European is brought forward to suffer by his malignity. The same taunting tale comes from the mouth of twelve years with as much facility as from ripened age, nor is a single point differed from in a relation which must have been industriously fabricated to effect your petitioner's destruction; but should this be doubted, when your petitioner solemnly declares that the tindal "Mahomed," who now calls himself "Loll Chund," only first became known to your petitioner at Vizagapatam, long after your petitioner had left Ganjam, which was the first of your petitioner having ever seen him. It may be wondered, how then he could speak to the facts, which he says happened at Ganjam, where he was not present with your petitioner, and his story being the same with all the rest, must prove the fabrication of the whole. And should there unfortunately still exist a doubt in the breast of your Board, after saying thus much to controvert the infamous assertions set on foot against your petitioner, may the letter of a respectable gentleman in the Honourable Company's service at Vizagapatam, which your petitioner has the honour on this occasion to submit to your perusal, may this letter, "as your petitioner cannot possibly doubt," serve more fully to expose some part at least of the cruel falsities so apparent on the face of the examinations.

That tale of suffering which appears on the face of those examinations, the depriving these unhappy people of their food, and the compulsive measures talked of for bringing them away from Ganjam, your petitioner must beg totally to disavow; he could not indeed have imagined such matter to be brought forward as part of the accusations against him, but that he reflects how this story has been dictated to them by that malignant spirit of ingratitude so natural to a native of this country. On inquiry at Vizagapatam, where your petitioner's name is well known, it may be found that far different was the fact in this respect; by particular orders, these unfortunate wretches were brought on shore and publicly examined, and they were found to have voluntarily engaged, and that their treatment was such as at that time perfectly satisfied them. The untruth brought forward in this respect, your petitioner cannot therefore better refute, than by a reference so open and so undoubted.

It is now time your petitioner should call on the pardon of your Board for having so long detained your attention to this explanation of himself, which he humbly hopes will acquire to him your indulgent consideration of his case, and such alleviating arguments in his favour, when his situation is represented to the Honourable Governor in council, as may procure him a releasement under easy circumstances; and when the Honourable Governor in particular shall learn that your petitioner was totally and in every respect ignorant of the orders published, to prevent the disposing of natives in any manner and under any circumstances whatever, "your petitioner having only heard of these orders on his arrival here, and which his intention to sail direct for Madras may, indeed, prove." Your petitioner trusts, that in such case, your Board will easily effect his being excused this, his first and last offence against the orders and directions of a government under which he hopes still to continue; on the endeavours that have ever actuated him of gaining an honest and respectable livelihood.

In granting which, your petitioner, as in duty bound, shall ever pray.

Masulipatam, 13th April 1790.

(signed) Andrew Perry.

John Berry, seaman, being called, says, that he came out to this country in a Sardinian vessel, called the Duke of Ostend, which he left at Coringa, with an intention to return from thence to Europe; that he met with Captain Perry at Muddapollam, and understanding he was in want of an European to go with him, he agreed, and got leave from Captain Beek, with whom he then was, to engage with Captain Perry accordingly.

Question. Do you remember what particular allowance was served to the people whom the captain had procured at Ganjam?—*Answer.* I do not know of any particular allowance, but understood that the tindal had directions in general to give them as much as they should want.

Q. Do you remember ever hearing the people complain of not having enough?—*A.* I never heard them once complain.

Q. Were there any particular restrictions kept over these people, in respect to their being obliged to stay constantly below deck, or how?—*A.* I never heard any thing of this sort, but suppose when the weather blew, they would always be sent below to be out of the way.

(signed) W. Brown.

Loll Chund, tindal, aged 30, deposes as follows:—That he had come to Jaggernaut to pray to the pagoda, and from thence had gone to Ganjam, where he met with Captain Perry, who engaged him to his service, and promised to give him rice, and his monthly pay to be six rupees, which the captain, as well as another person who went away since, both promised him; that he had agreed to go on board the captain's vessel then laying at Ganjam, but only wished to get his clothes, which were at the washerman's. That the captain had told him to go on board, and never mind his clothes, that he would give him plenty of clothes himself; that he had then gone on board, and the doney set sail. That having arrived near Jaggernautporam to take in water, the weather had become violent, and the vessel at length went on shore near there. That the captain had there landed the stores, and the people out of the vessel, and delivered them over to the care of this deponent on the spot; the captain had afterwards gone himself to Jaggernautporam village to procure another doney. That the captain had brought another doney with him from the village, and finding her not large enough to contain the stores as well as the people that the captain had engaged, with some people for another doney, in one of which he had embarked the said stores, and taken the command of her himself; that on the other doney the people, meaning the boys and girls he had procured at Ganjam and Jaggernaut, had been embarked, and the charge of them given to this deponent, with strict orders not to touch at any port, but to accompany the captain's doney, and to anchor out at sea whenever they should be obliged to stop any where; that they had gone to Jagganaporam village with the doney, and landed the people there; that the people had been on shore with him, and that the captain had come to him about nine o'clock at night, and asked him what news; that he told the captain, for want of rice and water, two of the people had died, one girl and one boy; that the girls and boys had been all this time in a house belonging to an arrack farmer, where they were kept close; that they staid some time there, for about 20 or 30 days, being all along under this deponent's charge. That during their stay there, the captain had sold one boy and four girls; that the captain had then told him he would go to Coringa and return immediately; mean time, he gave him one rupee for expenses, which went the first day, and as the captain did not return for five days, he was obliged to beg for their subsistence. That the captain had soon after returned, and that they had sailed there on a large doney which the captain bought, and coming near Nursapore, they had fallen in with another vessel, to the captain of which the two girls had been sold. That they had come away, and anchored off Hamsaldever. That the captain had engaged three fishermen to pilot the vessel out, and after keeping them three days without victuals, endeavouring in vain to get the vessel out, the captain had threatened and drawn a sword against and struck them with the back side of it, which alarmed them, and made them jump into the sea; that the captain had then taken a fuzee, and threatened to fire on them, which made them sink themselves under water, and then swim away. That the captain had afterwards put to sea again, but considering that they had no water on board, the tindal persuaded them to draw near shore, and in doing so, the wind had taken the vessel, and drove her into the road of Masulipatam; that the vessel had parted her cable, and drove on shore; that the captain had then landed as well as all the people; that the captain had told this deponent to go on board again, and to take the boys and girls with him, but the Company's peons coming, laid hold of them all, and carried them to the cutwal's choultry.

(*Question by the captain*.)—*Q.* Where was the vessel you left, previous to going to Jaggernaut; how long had you left her?—*Answer.* I left the ship at Ganjam, and had been away ten days, when I arrived at Jaggernaut.

Q. How long did you stay at Jaggernaut?—*A.* About two days, on my way home.

Q. Did you return to Ganjam, to go on board the vessel you had left before, or what other reason induced you to return?—*A.* I met a relation at Jaggernaut, who told me there was a person at Ganjam, who would be glad of my service, and I accordingly agreed to go back with him.

Q. How many days after you arrived at Jaggernaut, did you meet with your relation, as you mentioned above?—*A.* About two days.

Q. Where did you first meet with me?—*A.* I first saw you at Ganjam.

Q. Where was the doney laying, and how did you get on board?—*A.* The doney was laying close in shore, and I stept on board from the land.

Q. How many vessels were laying there at that time?—*A.* Only yours.

Q. Who was the person that agreed with you for me?—*A.* He was a native belonging to that country.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

- Q. Did that man go on board with me?—A. No, he went away.
 Q. What agreement did he make with you, to engage you into my service?—
 A. I was to have rice, and six rupees per month.
 Q. How many did the ships consist of?—A. Four in all.
 Q. Did the doney sail immediately as we all went on board?—Yes; we went out
 by means of bamboos.
 Q. Did we stop any where before we came to Jagganautpooram?—A. We got
 a cask of water in at Ganjam, and we stopt at some places when the wind failed us.
 Q. What was the name of the place we stopt at, and what did we do there?—
 A. I do not know the name of the place, but remember we took in some fish and
 water there.
 Q. How long did the vessel stop at this place?—Two days.
 Q. In how many days did we come from that place to Jagganautporam?—
 A. About five days.
 Q. What sort of weather was it, when the doney went on shore?—A. Strong con-
 trary winds.
 Q. Were you ever at Vizagapatam, or do you know the place?—A. I have been
 off shore, and then was told the place was Vizagapatam.
 Q. What vessel were you on board of when you were off Vizagapatam, as you
 say?—A. On board yours, when you stopt there.
 Q. What did we get there?—A. We took in water.
 Q. How much rice was allowed to be served out to the people?—A. I gave all
 that you allowed, about nine sears at Jagganautporam, and less out at sea.

Copied 5th July.

Loll X Chund,
mark.

(signed) W. Browne, Clerk to the Committee.

The Board having taken the above papers into consideration, express their wish, that the examinations of the parties had been taken in a more full and particular manner.

There appears too much reason for supposing that compulsive measures were used in carrying the unfortunate natives on board the doney near Ganjam, and from the numbers who afterwards died, that they were improperly treated during the passage; but as the Board suppose Andrew Perry did not know of the late proclamation, and as the nature of the evidence might not induce a jury to find a verdict against him, in case he were brought to trial here, it is resolved, that he, with the other Europeans, be released; and that the chief and council do endeavour to make them sensible of the lenity observed towards them, as also of the heinousness of the allegations against Perry; and that in committing a second offence, he will be punished to the utmost rigour of the law, and sent by the first conveyance to England.

Agreed,—That such of the people as are able to procure a subsistence, have liberty to remain at Masulipatam, or to proceed to Ganjam by the first conveyance, with those who cannot gain a livelihood.

Extract of Fort St. George Public Consultations, 8th May 1790.

Sent letters to the garrison storekeeper and Mr. Wilson, also the following, agreeable to orders at yesterday's consultation.

To Anthony Sadlier, Esq. Chief, &c. Council, at Masulipatam.

Gentlemen:—We have received your letter of the 27th ultimo, and cannot but express our wish, that the examinations of the parties had been taken in a more full and particular manner.

There appears too much reason for supposing that compulsive means were used in carrying the unfortunate natives on board the doney near Ganjam, and from the number who afterwards died, that they were improperly treated during the passage; but, as you suppose the commander, Andrew Perry, did not know of our late proclamation, and as the nature of the evidence might not induce a jury to find a verdict against him, in case he were brought to a trial, we desire that he, with the other European, may be released; at the same time, we request you will endeavour to make them sensible of the lenity observed towards them, as also of the heinousness of the allegations against Perry, and that on committing a second offence, he

will

will be punished to the utmost rigour of the law, and sent by the first conveyance to England.

Such of the people as are able to procure a subsistence may have liberty to remain at Masulipatam, or to proceed to Ganjam by the first conveyance, with those who cannot gain a livelihood.

Fort St. George, 8th May 1790.

We are, &c. &c.

(signed) W. Medows, &c. Council.

Extract of a Letter from the Court of Directors to the Governor General in council of Fort St. George, in the Public Department, dated 30th March 1791.

Par. 7.—Your conduct respect the persons who were brought from the northern settlements on several country vessels for the purpose of being sold as slaves, is entitled to our highest commendation. We hope the proclamation published on 6th March 1790, will effectually tend to put a stop to this inhuman traffic at the several settlements subject to your authority.

PAPERS relative to a Traffic in the Inhabitants of the Northern Circars, carried on by the French and Dutch; 1792-1794.

Extract of a Letter from the Governor in Council of Fort St. George, to the Court of Directors in the Public Department; dated 28th Jan. 1793.

15.—We have received further complaints from the northern settlements, of the traffic carried on by foreigners in the purchase of the inhabitants as slaves, whilst a severe famine prevailed, and the wretched inhabitants were equally anxious with the purchasers for the continuance of a commerce so disgraceful; we could hardly expect that our utmost endeavours to check such transactions would be effectual; but as this calamity became less grievous, our hopes of success were more flattering, and we doubted not, that the practice would very shortly cease altogether.

16.—It appears, however, by the correspondence of your resident at Ingeram, that the French are still uncommonly active in prosecuting this odious traffic; and by a late letter from that gentleman, we observe that their principal agents of Yanam are not ashamed to countenance it, if not to be individually concerned in it.

17.—We have made repeated and strong representations to the Governor of Pondicherry upon this subject; but though he professes, and we believe very sincerely, the same abhorrence with ourselves of these practices, and the same desire to restrain them, his authority appears altogether incompetent to that end, and we have judged it necessary, therefore, to report the subject to the Governor General in council, that we may receive the benefit of his advice and sanction, as to the measures further requisite to be pursued on this occasion.

Extract of a Letter from the Governor in council of Fort St. George, to the Court of Directors in the Public Department; dated 2d May 1793.

4.—You were advised, under date the 28th January, of our reference to the Governor General in council, with regard to the traffic carried on by the French in purchasing the natives as slaves.

5.—His Lordship forwarded to us, in consequence, copies of letters he had addressed to the governors of the Isle of France and Pondicherry, requesting us at the same time to instruct the chiefs and residents in the northern circars to seize all persons detected in this infamous pursuit; and if any of the French nation should be apprehended, that we would send them to Pondicherry.

6.—The proposed orders were accordingly transmitted, and the chief and council at Vizagapatam have since informed us, that upon receiving intelligence of some natives being secreted at Bimlipatam, they deputed an officer with a party of sepoys to search for them, and that he enlarged no less than five hundred and sixty-five young persons, whom it had been intended to export as slaves. The chief and council did not seize the proprietors of the houses in which the slaves were found, as they were doubtful how far our instructions might warrant their apprehending persons under the protection of a foreign flag.

7.—We much approved of the conduct of the chief and council in liberating so many unfortunate persons; but we directed them on all future occasions to apprehend the parties concerned in such criminal practice, without any distinction, agreeably to the spirit of our former orders; and for the further prevention of this traffic

Fort St. George
Papers
State of Slavery
in Company's
Territories.

traffic, we directed a party of sepoys to be stationed in the village of Bimlipatam, under a carial officer, with instructions to seize all persons attempting to export the natives from thence.

Extract, Fort St. George Military and Political Consultations, 14th
February 1792.

Read the following letter from the chief and council at Pulicat:

To the Honourable Sir Charles Oakeley, Bart. Governor and President, and
the Gentlemen the Members of the Council of Fort St. George.

Honourable Sir and Sirs:—We have received of our chief of Juggernaickpooram, a copy of a correspondence with the English residents at Ingeram and Narseepoor, item, the chief and council at Masulipatam, which we have the honour to send inclosed, and on which we feel ourselves obliged to address you, Honourable Sir and Sirs, with seriousness.

We are obliged to it, because the subject from which this correspondence originated is of a nature too insignificant and frivolous, than that it could have authorized the authors thereof to insolence and molestation; first, by writing letters to the above mentioned, our chief, in an offensive and imperious manner, than by sending an armed party, and by it to blockade our territory.

We say, that the subject is too insignificant for going to such a length. Surely we look upon the affair as far fetched. Quarrels on account of a slave trade, that is now commonly practised, and not easily to be prevented, because proceeding from such melancholy visitations as grievous famine prevailing almost over the whole coast, which, as it seems irremediable, causes the poor to run into such desperate extreme, as rather to give themselves over to slavery, or sell themselves, than for want of food to die a certain death.

It is very painful not only to be obliged to be a spectator of such afflicting misery, especially when it is not in one's power daily to provide a number of people with the necessaries of life, while for want of provision we ourselves suffer; but also, and what is much to be lamented, to experience such rude attacks and imperious precepts as the above-mentioned dependents of your Honour make use of, to bring our gentlemen of the first quality into a suspicion of such a vile practice; and as, if they were authorized to it, to put in force against them a prohibitory order, published by the British government against the selling of natives as slaves, just as if we or our chiefs were incapable of reasonable and equitable sentiments, of our ownelves to prevent such irregularities, in case we should find that by them is acted against humanity, or should be requested to join in the views of the English government to oppose them.

Sic. orig.

For, as to the order and prohibition which the British government has instituted, although we have not been made acquainted with it, yet we do acknowledge, that it is of a nature salutary and good to resist the disorder of making free men slaves, and that it also must be applicable with regard to all which government look upon as their subjects, or depending on their authority; but not to say, that the laws of Hindoostan allow that parents may sell their children and others, in case of necessity, themselves, or that they may hire themselves out as slaves for a time, which comes very near to, if it is not above the common course of man's life; we may ask, what authority has the law of an English government over the subjects of our nation, and where is it admitted and agreed to, that the English law with regard to the Dutch, shall have the right of execution too? All must shrink before superior force; but even as the gentlemen, your agents, endeavour to plead the cause of humanity, which ought to have place with regard to the natives, so ought they to know, that it is criminal when they insult and violate the rights and privileges of other people; and that the laws of their sovereign, or a government under him, are but of force against and applicable to their own subjects and dependents, and thus are they fully as punishable as when one wilfully takes up arms in order to make himself of consequence against others.

The first uncivil aggressors are the residents of Ingeram and Narseepoor, Messrs/ Yeats and Tudor. Their manner of writing includes all, except that politeness at which one is so easily offended with regard to others. The one demands haughtily an immediate subjection to the English law, and the other threatens, in case of failure, that he will apply the penalty to which it obliges, while the gentlemen of Masulipatam, judging according to the warm reports of these residents, true or false,
with

with English authority, pass over to charges and expressions, all of a nature injurious to one representing us, and who is alone to be corrected or reproved by us in case of conviction, of such low sentiments and practices as the gentlemen of Masulipatam suppose to be inherent in a person that is not an Englishman by birth, when the judgment of these gentlemen ought to make distinction between the character that one supports, and what may be supposed to be the sentiments of the crowd. And as if this was not enough to stretch the injuries to the highest pitch, and to shew how little regard they have for a Dutch government, the above Masulipatam gentlemen proceed to violence, sending armed people, violating by them not only the rights of our river, by falling violently upon and searching the vessels in it, but what is still more, the commanding officer of the detachment, Captain Stevenson, sends in the night armed people upon our territory of Jaggernaickpooram, who disturb the chief in his rest, and insist in the night on producing certain persons, of which they say, that they were hidden there; and this open violence, endeavours the above commanding officer to palliate, as if the sepoys had been too zealous in the execution of their orders, and as if the affront was to be done away by the correction of a corporal, when Captain Stevenson himself is to be reprimanded and corrected.

We cannot believe that these injurious acts are supported by any other authority, but a too high idea of the law here in question, and as if the Dutch were also subject to it. Surely we cannot imagine, that the above unwarrantable conduct, as with regard of the correspondence or the addresses, so with regard to the authority adopted to give weight to these ideas or notions, by open acts of hostilities, will, in any manner be approved of by you Honourable Sir and Sirs; but, on the contrary, that with regard to them, an order will be issued which shall better agree with that confidence which subsists between the two nations, in the bonds of unity and friendship, and shall set due bounds to contemptuous treatment, open violence, and interruption of such rights and privileges as belong to us, as by reason of treaties between our respective sovereigns, so also by the prerogatives and privileges which until now, guard us against usurpation and dependence.

To shew how willing we are to be beforehand in all things which may lead to what is least troublesome, we have already sent off the necessary orders to Jaggernaickpooram, relative to the prohibition of purchasing and selling slaves, by what foreigner soever it be done within our territory, with a declaration, that all sales and purchases which can be proved after the date of this our prohibition, to have been made by any foreigner, shall, when discovered, be considered as clandestine, and *ipso jure*, null and void, empowering and qualifying our chief to take out of the hands of the owner, such an object as may have happened to get into slavery, and to send it to one of the gentlemen the English residents, which is nearest, with the request, after the grant of a certificate of delivery, to guard its liberty thus obtained, and to prevent that it appear not again at Jaggernaickpooram; and in both cases, to take upon them the responsibility for, and settling of, all disputes and cavillations with the owner, who may happen in the purchase and exportation of slaves, to see himself thus disappointed, and also to direct the same, if necessary, with his action of damages, to the said resident or residents.

Moreover, we have ordered, that this our prohibition be published immediately, for the information of every one, and therefore request of you, Honourable Sir and Sirs, that you will issue a peremptory order for the time to come, preventing all molestation and unwarrantable suspicion, whilst on our side we pledge our word, that among us, there is no such thing as a slave trade for exportation, and that by virtue of the above-mentioned prohibition, it shall also be prevented, with regard to others.

We have the honour to remain, with high esteem, &c. &c. &c.

(signed)	<i>Jacob Eilbracht.</i>	<i>Jacob Van de Raeff.</i>
	<i>J. J. Wincklemans.</i>	<i>F^r William Bloeme.</i>
	<i>Louis Adrien de Brueys.</i>	<i>Jⁿ J^m Hasz.</i>

Pullicat, Fort Geldria, February 2d, 1792.

[Correspondence referred to in the foregoing letter.]

To Cas Leon Eilbracht, Chief, &c. Council at Jaggernautporam.

Gentlemen:—A report having prevailed at this place, that certain individuals residing at your factory, were concerned in purchasing the native inhabitants of the country,

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

country, and exporting them as slaves; and as this kind of traffic is strictly prohibited by our government, we wrote to the resident at Ingeram, and also to Mr. Tudor, on the subject, requesting their interposition to prevent it. By a letter, which we have just received from Mr. Tudor, we are concerned to find, that the information we have received by common report, has but too much foundation, and that contractors, reside openly at your factory, who furnish the commanders of vessels with slaves, by which means upwards of five hundred persons have lately been exported. We are also informed, that this traffic is openly countenanced by you, and written passes granted, in consideration of which, seven rupees per head is paid for each slave exported; that two subjects of France, named Burelle and La Touche, as also another, Portuguese, reside as slave contractors at your factory, by whom two vessels named L'Aimable Marie and La Baillie de Souffrein, have lately been dispatched, as also a sloop belonging to a Mr. Boulle, about three weeks ago; and that there is at this time a French ship, called Les Deux Amis Reunis, laying at your factory, for the express purpose of taking in slaves.

We need not, we are convinced, say much to you in regard to the horror that such a barbarous traffic must necessarily excite in all minds endowed with the common feelings of humanity; being willing to believe, that although there may be individuals of all nations so depraved as to take advantage of the famine that prevails, for enriching themselves, yet that no European government, notwithstanding reports to the contrary, can so far debase the character of the nation to which it belongs, as to give any countenance thereto any Europeans or natives that may be found within the limits of the Company's authority, either engaged themselves or concerned with others, in buying up the inhabitants, thereby subject themselves to the penalties set forth in a proclamation published some time ago by our government; and wherever the persons of native inhabitants so obtained may be found, they will be seized and liberated, for which purpose directions will be sent without delay to the officer commanding at Samulcotah; and we also trust to your doing every thing that may be necessary for preventing and discouraging a traffic so shocking in itself, and so repugnant to the dictates of human nature, from being carried on either openly or privately, within the limits of your factory.

We have the honour to be, Gentlemen, your most obedient humble servants,

(signed) Anthony Sadler. W. Dobbins.

Masulipatam, 16th January 1792. Samuel Statham. Andrew Scott.

To Captain T. Stevenson, Commander at Samulcotah.

Sir:—As I presume that the guard placed at the opposite side of the river, who stopped and visited the boat of my servant, which I permitted to go on board of the French ship, to release two of his nephews carried away by force at Talroel being dispatched on account of the slave trade, I find myself obliged to acquaint you, that a transportation of men is practised every where; and as the said, my servant, returned without having been capable to release his family, I now send him to you with his complaint, which I request of you to lay before your government, that they may know that barbarious actions of such a kind as they complain of, happen also at places under their own resort, and to insist for the poor man, if possible, upon every assistance.

I also send a child, which was probably in danger to be carried off yesterday; and I will send you every poor person which I can imagine to run such a risk, as I find it impossible to keep them all here for want of victuals.

I have the honour to be, Sir, your most obedient servant,

Jaggernauthporan, 20th January 1792. (signed) C. L. Eilbraert.

C. L. Eilbraert, Esq. Chief, &c. at Jaggernauthporan.

Sir:—I have received your letter of the 19th, and have only to say, that the government of Masulipatam having had information of the most infamous traffic (the purchasing of slaves) being carried on by some person or persons at Jaggernauthporan, and willing to guard against and prevent a practice so inhuman and so detrimental to the country, have ordered me to post a guard at Cockenada to put a stop to any further exportation of those poor wretches, who may from the present distress of the times, be drove to the desperate course of selling themselves and children.

The stopping of the boat last night has been, I suppose, owing to the zeal of the sepoys to prevent perhaps the slavery of some of their own kindred.

Your

Your servant was not seen in the boat, and I shall caution them to be more particular in future; but I trust to the goodness of your heart and your known humane disposition, for any assistance to oppose so diabolical a practice.

I have the honour to be, &c.
 (signed) *T. Stevenson.*

Samulcotah, 20th January 1792.

Captain Stevenson, Commander of Samulcotah, at present the Cockanara.

Sir:—I find it very hostile and insulted attack to you, sending sepoys with their arms into the limits of Jaggernauthporam, who did oblige me to lose my rest this afternoon. I cannot imagine that your government has ordered such extravagancies; I declare hereby that I will consider them as public hostilities.

The man who the sending armed sepoys would oblige me to be delivered to here, I have confined, and I shall wait upon you to-morrow morning, to shew you that I am capable enough to punish delinquents into the limits of my factory.

I am, Sir, your most obedient servant,
 (signed) *C. L. Eilbract.*

Jaggernauthporam, 20th January 1792.

C. L. Eilbract, Esq. Chief, Jaggernauthporam.

Sir:—I do not know what you mean by open hostilities; but if you mean, that the naig with the guard presumed to attempt to pass to your town without your permission, I am sorry that he should be so ignorant of his duty, and have accordingly broke him for so doing.

I shall be happy to meet you to-morrow, and hope by such measure to prevent any future misunderstanding; and by our mutual endeavours prevent a traffic which must strike horror into any feeling mind, and which I am sorry to say is in great practice by some persons in your town.

I am, Sir, your most obedient servant,
 (signed) *T. Stevenson.*

Cockinada, 20th January 1792.

To Anthony Sadlier, Esq. Chief, and Council at Masulipatam.

Gentlemen:—I received your favour of the 16th instant, and learn thereby, that prohibition was made by your government to purchase and export country natives as slaves, which you say has been countenanced here by me, by granting written passes, in consideration of which seven rupees were paid every head, and that you did trust, that I would prevent and discourage this traffic, as being of a nature too debasing for an European government. I have been informed, gentlemen, of this kind of trade for many months past, and I endeavoured to make it as difficult as possible, even by putting taxes upon exportation, which you please wrongly to term rewards for the written passes; but I could not gain the point, and to impede it by constraint, I am in the first place not qualified by my government, but moreover not provided with a sufficient force to put guards at every part of the shore, and to resist the several kinds of transgressions. In the mean time, I beg leave, gentlemen, to observe, that the said prohibition of your government would be more efficacious, in case they did provide the natives all over the country with victuals, for the obtaining of which a number of natives choose slavery rather than a certain death; and, indeed, I cannot see that their choice is much to be blamed. The persons distinguished in your letter did not reside here, except only Burette; La Touche is an inhabitant of Tamam, and Borell a traveller, who provided himself with a vessel at Coringa. At last, I beg leave to conclude in observing, that the emphatical expressions used in your letter, viz. that to countenance such a trade much debased the character of a nation, do not flatter much the governments in Europe themselves, amongst which those of your own nation grant exclusive privileges to provide certain parts of the West Indies with slaves; or is human nature the less to be pitied and commiserated than here in the East? But to shew, gentlemen, how ready I am to shew my regard for you, and your government here, I will lay the case without delay before my government, with such an earnestness as the nature of the business requires, and request their positive orders for the future.

I have the honour to be, gentlemen,
 Your most obedient humble servant,
 (signed) *C. L. Eilbract.*

Jaggernautporam, 19th Jan. 1792.

P. S.—This moment I receive report, that two nephews of one of my own servants, being employed to bring some cloths to Tanam, are carried off from Tollyroy

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

by force, to be transported as slaves from here with the ship now in the roads; so that I believe my request for your interference will be more useful to me than it is in my power to resist such kidnapping for robbery of men.

To the Honourable Anthony Sadlier, Esquire, Chief, and Council at
Masulipatam.

Gentlemen:—Just after having wrote postscriptum under the annexed translated letter of yesterday, I received information, that at Cockanard, laying on the other side of the river, was arrived a detachment of some sepoys, with orders to search all Masuli boats that want to go out from Jaggernautporam; in consequence of which order, such became at first the share of my servant, mentioned by the aforesaid postscriptum, whom I permitted to go on board of the French ship in order to look out for his nephews, and, if possible, to bring them back.

As now an impediment for the carrying out of native individuals, instituted by your government, cannot with convenience be executed but in the public sea, which is free, and lets every one maintain his right, without hindering the passage on a river which belongs to this territory, or to stopping vessels sent from this place to the public sea; because such cannot but cause a direct infringement of the rights of nations, and public violation of our flag, to an _____ of my nation, and apparent loss and prejudice for the Honourable the Dutch Company, my lords and master.

Thus is it, that I, as for them being placed at this place, and not knowing of any rupture whatever between the two nations, most solemnly protest, as I do protest by this, against the infraction that by the aforesaid visitation on their lawful right is attempted, as well as against the _____ this caused violation on the right of nations and their flag, all loss and prejudices that may result thereof, be it now or for the future; leaving you accountable and responsible for the lawful government of my country, the Dutch Company, specially reserving to them to procure satisfaction where and when they shall find proper.

I have the honour to be, Gentlemen,

Your most obedient and very humble servant,

Jaggernautporam, 20th Jan. 1792. (signed) *C. L. Eilbraect.*

P. S.—Enclosed I send you a copy of a letter written this morning to the commanding officer at Samulcotah.

To Captain T. Stevenson, Commander of Samulcotah.

Sir:—Being informed that a detachment of sepoys, which posted themselves at Cokunara, the opposite side of this place, are dispatched to search and examine any boat whatsoever going from this place, and that effectually one boat, with my own servant, was obliged to stop and to be searched, I must declare my astonishment at such a public infraction upon the liberty of the rights of my nation, and even of our privileges, not being informed of any rupture between the nations; I request you to give me true information of such a singular event, or a copy of the orders devolved upon you, which occasioned such a strange behaviour.

I have the honour to be, Sir,

Your most obedient humble servant,

Jaggernautporam, 19th Jan. 1792. (signed) *Cas Leon Eilbraect.*

To Cas Leon Eilbraect, Esq. Chief at Jaggernautporam.

Sir:—The English government in India was pleased long since to prohibit the purchasing of inhabitants in the countries under its authority, and transporting them to foreign parts. There are at this time a considerable number of inhabitants, subjects of England, in Jaggernautporam, who, I am well informed, are shortly to be shipped and sent away, in violation of that prohibition, and many have already been sent away. I call upon you, Sir, as chief at that settlement, to restore those people to me, and to put an immediate stop to a traffic so disgraceful to humanity.

I have the honour to be, Sir,

Your most obedient servant,

Ingeram, 7 Jan. 1792.

(signed) *Matthew Yeats.*

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

To M. Yeates, Esq. Chief at Ingeram.

Sir:—The orders published by your government, to prohibit the purchase and export of black country people, mentioned by your letter of the day before yesterday, are only relative to the places directly under their commands, where it is a duty to be careful that no infraction be made on their orders, by exporting any native from thence; but the intention of your government has never been to charge chiefs of foreign nations with the execution of their commandments; and if I even would please you herein, I must confess I do not know by what means it would be possible, as I am unacquainted with any black country people, and still more so with the places of their habitation. I will lay your letter before my government, whose orders I can only expect.

I have the honour to be, Sir, your most obedient servant,

Jaggernautporam, 9th January 1792. (signed) C. L. Eilbract.

To C. L. Eilbract, Chief of Jaggernautporam.

Sir:—In consequence of a report prevailing, that some individuals of the Dutch nation are buying up natives and exporting them as slaves from Jaggernautporam and its neighbourhood, I think it necessary to inform you, that the purchasing or disposing of the natives as slaves, is positively prohibited by our government, as set forth in a proclamation published for that purpose, which subjects the dealers in such inhuman traffic to punishment, if detected within the limits of the Company's authority.

I have the honour to be, with consideration, Sir, your most obedient servant,
Narsapore, 10th January 1792. (signed) M. Tuder.

To M. Tuder, Esq. Chief at Narsapore.

Sir:—I had the honour to receive your letter of the 10th instant, respecting the prohibition made by your government in purchasing and exporting black country people. I heard something of it since eight months past, and that some Frenchmen were very busy in this sort of trade; but I never believe that any of the Dutch, or Dutch extraction, at this place, have made any use of it; in the mean time, I took measures since July last, to make this trade as difficult as possible, by setting an interdiction on the exportation of every black not legally transferred conformable to the laws of Hindostan; and to increase this difficulty, I put lately a tax on every person, although legally transferred. I will lay your letter before my government, and as soon as they shall order me, I shall stop directly every purchase for exportation.

I have the honour to be, &c.

Jaggernautporam, 13th January 1792. (signed) C. L. Eilbract.

Minute.—Resolved that the following answer be returned.

To the Honourable Jacob Eilbract, Esq. Governor, and Council at Pulicat.

Honourable Sir and Sirs:—We have had the honour to receive your letter of the 2d instant, with the several papers enclosed.

We trust you will do us the justice to believe, that in the orders issued from time to time by this government, relative to the exportation of the inhabitants as slaves, our intention has been directed to the object of checking this practice by such means only as are strictly lawful and consistent with the relation in which we stand to foreign settlements on the coast. We esteem it our duty to exert every endeavour for this purpose within our own territory, and to recommend a similar conduct to those over whom we have no controul, but who are equally interested with ourselves in the cause of humanity.

We disapprove of the style in which some of our officers have written to your Chief at Jaggernautporam, and shall give particular cautions upon this head; but we confess to you, our apprehension that the traffic in slaves for exportation, though not carried on by the gentlemen of your nation, may have received great encouragement by the permission given to foreign contractors to purchase and transport them from your factories.

We are sorry you should think this subject too insignificant to engage so much of our attention, and you will permit us to say, that we cannot agree with you in

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

the reasoning you adduce in favour of this trade. The laws of the country do not allow any such practice as the purchase of slaves for exportation. Under the pressure of famine even, they only say that " whoever having received victuals from a person during the time of such calamity, hath become his slave; on giving two head of cattle to the provider, may become free from his servitude." With regard to the relief afforded by this practice, it must be considered, at best as feeble, partial, and of the most miserable kind; it may prolong the existence of wretchedness for some time, but not without aggravating that misery which it affects to remove. The only relief we apprehend that can be applied with any success, is that which endeavours by every possible means to introduce food into the country, and to regulate its distribution so as to extend the benefit to all classes of the inhabitants. This relief we have given to the utmost extent of our means.

We shall send strict orders to our officers to execute the instructions they have received, with every possible attention to the rights of your nation, and to the harmony and good understanding which subsists between us, and we assure ourselves, that you will join heartily with us in restraining a practice so injurious to the feelings of humanity.

We have the honour, &c.

(signed) Charles Oakeley, and Council.

Fort St. George, 14th February 1792.

MINUTE.—Agreed that letters be written to Masulipatam, to Mr. Yeats and Mr. Tudor, approving the exertions which they have made use of, to put a stop to a practice so injurious to the feelings of humanity, as the exportation of the inhabitants as slaves; and recommending that every possible attention be paid to the right of the foreign nations on the coast, and to the harmony and good understanding which subsists between them and the Company.

Agreed also, That the chief and council at Masulipatam be directed, to satisfy the chief of Juggernaickpooram, that no insult was meant to his authority, by posting a guard at Cokenada, and that if any of the Company's sepoys passed beyond the proper bounds, they exceeded their orders, and will be punished.

Read the following letter from Mr. Yeats.

To the Honourable Major General William Medows, President and Governor in council, at Fort St. George.

Honourable Sir and Sirs:—Upon certain information that a trade in slaves was carried on to a great extent in Yanam, I wrote to Mr. Sonnerat, the chief at that settlement, on the 7th past, requesting him to put a stop to so disgraceful a traffic, and demanded of him such slaves as were in the place. Mr. Sonnerat favoured me with an answer the same day; he expressed astonishment at my saying there were slaves in Yanam, assured me he would make enquiry, and if any who had belonged to the English territory were found, he would readily send them to me. On the 9th, Mr. Eilbrack, chief at Juggernaickpooram, answered a letter I had written to him on the same subject, in a manner somewhat similar and equally uncandid.

Knowing that I could depend on the information I had received, and suspecting Mr. Sonnerat of having private reasons, not to be very solicitous to put a stop to the trade, I stationed a peon in Yanam, secretly to observe what passed there. On the 3d inst. he gave me notice that he had seen and counted sixty-five slaves, who were confined in one house. I lost no time in waiting on Mr. Sonnerat. I acquainted him, that slaves were confined in Yanam, and offered to conduct him to the place (only a few yards distant from his house), and urged him to fulfil the promise he had made to me; he seemed at a loss; he said I had embarrassed him, and desired to defer the enquiry until the next morning. Apprehensive lest the slaves should be removed during the night, I objected to this delay, again pressed him to comply with his engagement, and demanded the slaves in the name of the English government. He then told me, that my demand must be made in writing; that it was derogatory to his character to visit such a house, and that he must wait for orders from Pondicherry before he took any step in the business. Evasive as his arguments were, and well convinced private considerations would render ineffectual any further application I might make, yet in compliance with his desire, and to remove so far as depended upon me the objections he had made, I demanded the slaves by letter. The letter was delivered to him by Mr. Scobie, acting

assistant

assistant at this factory, who was told, that when it was translated, it should be replied to.

From these circumstances, your Honourable Board will be convinced how little credit is due to the public assurances given by that gentleman, to those in subordinate stations in the English service.

Mr. Sonnerat has been pleased to reply to my letter. His arguments are futile and trifling, unworthy of comment. The slaves, I understand, were removed on the night of the 3d, and dispersed among the inhabitants.

Enclosed, I have the honour to transmit to you, Mr. Sonnerat's two letters, mentioned above (not having a correct translation of them), and copy of my letter to him of the 3d instant.

I have the honour to be, with great respect, &c. &c. &c.

Ingeram, 5th February 1792. (signed) Matthew Yeats.

ENCLOSURES.

To Mr. Yeats, Chief at Ingeram.

Sir:—I have received the letter you did me the honour to write me, and by which you inform me, that two French vessels have left Coringa for Juggernaick-pooram, for the purpose of selling a great number of slaves. It appears, that within these few days, two of our vessels did sail, but I am ignorant for what intention they have stopped at Juggernaick-pooram, that being a strange port. I have no power over French vessels which anchor there. I am sensible with yourself how this traffic is repugnant to humanity, though it is yet authorized with us, exclusive of my opinion and others, in consequence of what you do me the honour to remark, that most part of the Indians transported from the country, are taken on your territories. I shall be very much inclined to oppose it every time it may be in my power; what you say of those shut up in Yenam, astonishes me much more, as I have never given a single slavery bond; and the gentlemen inhabitants of Yenam and its establishment have put a stop thereto, by engaging not to purchase blacks for an article of traffic. I am about to-day to make every search, and if I find any who have been purchased from your territory, I shall hasten to send them back.

I am about sending copy of the letter you have written me to Mr. De Fresne, the governor of Pondicherry, that he may adopt measures to put a stop in the country to so vile a commerce; and I doubt not, that he will give such orders as will prove satisfactory to the English government.

I have the honour to be, with most perfect consideration, &c. &c.

Yanam, 7th January 1792. (signed) Sonnerat.

(A true translation.) (signed) T. Chase, (French Translator.)

To Sonnerat, Esq. Chief at Yanam.

Sir:—In the letter you did me the honour to write to me on the 7th of last month, you expressed surprize at my having intimated, in my letter of the same date, that there were any slaves concealed in Yanam; and declared your readiness to give them up, if any such were found.

I now have the honour, Sir, to wait upon you, in order to point to you the house where sixty-five are confined, and in the name of the English nation, I demand of you to deliver them up to me.

I have, &c.

Ingeram, 3d Feb. 1792. (signed) Matthew Yeats.

To Mr. Yeats, Chief at Yanam.

Sir:—I have received the letter you did me the honour to write me yesterday evening, at the house of Mr. Bell; after the conversation that had passed between us, though you have always taken fifteen days or a month to reply to all the letters on service which I have had the honour to write you, I nevertheless reply immediately to your letter. You demand from me, Sir, black slaves, that you say are confined in a house you will point out to me; the citizens of Yanam, after their declaration of the 20th of last month, cannot be supposed to be engaged in the purchase of slaves for an article of traffic; and after the sentiments I expressed this morning, I fancy you have been misinformed, and that, had you been better acquainted, you would not have undertaken the journey after me, which you made last night; what you desired, for us to go together, to search a house for me to see blacks which were confined in it, would have injured my character, and no doubt

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

doubt your own also; you have not in the least alarmed me, by saying you would write the whole conversation we had together to the council of Madras. I shall always respect the council of Madras, but I command at Yanam the same as it commands at Madras, and it has no right to interfere with my actions. I am responsible to my nation only, and it shall never have to reproach me for humiliating my station; what you told me through the interpretation of Mr. Scobie, that you would write to the council at Madras, that the blacks you demanded were no doubt with me, I was desirous to believe, that Mr. Scobie misinterpreted what you said to me; my sentiments are well known, and if you write them, the council will not credit you.

In fine, Sir, your laws do not admit of the traffic; ours permit it, and I have no right to establish one to prohibit it; as I have not received any orders, all I can do is, not to grant protection to this shameful commerce, and I shall only admit in Yanam such slaves as are really so by the bonds of slavery; all others are free. I have thought it unnecessary to send you copy of the declaration of the inhabitants of Yanam, not to purchase slaves as an article of traffic, having already sent it to the council at Masulipatam.

I have, &c.

Yanam, 4th February 1792.

(signed) *Sonnerat.*

(A true translation.) (signed) *T. Chase*, French Translator.

Resolved, That the following letter be written to Colonel De Fresne.

To Colonel De Fresne, Knight of the Royal and Military Order of St. Louis, Commandant of the French Settlements in India, and Governor of Pondicherry, &c. &c.

Sir:—I have the honour to enclose, for your information, copy of a correspondence which has passed between Monsieur Sonnerat, Chief of the French settlement at Yanam, and Mr. Yeats, the English resident at Ingeram, relative to the exportation of the inhabitants as slaves.

In the orders issued from time to time by this government on the above subject, my attention has been solely directed to the object of checking a pernicious practice by such means as were strictly lawful and consistent with the relation in which the English Company stands to foreign settlements on the coast. I esteem it my duty to exert every endeavour for this purpose within the territory under my authority, and strenuously to recommend a similar conduct to those over whom this government have no controul, but who are equally interested in the cause of humanity.

I shall send strict orders to the resident at Ingeram, to execute the instructions he has received with every possible attention to the rights of the French nation, and to the harmony and good understanding which subsist between us; and I assure myself, that you will join heartily with me in restraining a practice so injurious to the feelings of humanity.

I have the honour to be, &c. &c.

Fort St. George, 14th Feb. 1792.

(signed) *Charles Oakeley.*

Extract, Fort St. George Military and Political Consultations, the 15th February 1792.

Sent the following letter to Mr. Mathew Tuder, collector in northern and southern division of the Masulipatam Havelly.

Sir:—The chief and council at Pulicat, having transmitted to the Board a copy of your letter to the chief of Jaggernaikpooram, dated the 10th ultimo, on the subject of the slave trade, I am directed by the Honourable the President in council to express his approbation of the remonstrance which you judged it necessary to make on this occasion. But in order to prevent unpleasant discussion between the Board and foreign governments, it is particularly recommended to you to use the most guarded expressions in such letters as you may deem it proper to write to the Dutch chief at Jaggernaikpooram, on this subject. The gentlemen at Pulicat will be written to, requesting they will co-operate with the Board in restraining a practice so injurious to the feelings of humanity; and the President in council relies upon the continued exertion of your best endeavours, to put an effectual stop, as far as your authority extends, to a barbarous traffic, so pernicious to the welfare of the country, as the exportation of its inhabitants as slaves.

I am, &c. &c.

Fort St. George, 15th Feb. 1792.

(signed) *W. C. Jackson*, Secretary.

To Anthony Sadler, Esq. Chief, and Council at Masulipatam.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Gentlemen:—We have received from the chief and council at Pulicat, a copy of your correspondence with the chief of Jaggernaickpooram on the subject of the slave trade; and they have also submitted to us copies of letters which have passed between that chief and the commandant at Samulcottah, regarding an armed force which have been sent by the latter within the limits of the territory belonging to the Dutch.

The gentlemen at Pulicat loudly complain of this infringement, and insinuate also in their letter to us, that the chief of Jaggernaickpooram has not been treated by you with that respect which his character and station demand. While we approve the exertions which you have made use of to put a stop to a practice so injurious to the feelings of humanity, we cannot too strongly recommend, that every possible attention be paid to the rights of the French and Dutch governments on the coast, and to the harmony and good understanding which subsists between them and us. We would have you, therefore, satisfy Mr. Eilbracht that no insult was meant to his authority by posting a guard at Cokenada; and that, if any of our sepoys passed beyond our bounds, they exceeded their orders, and will be punished.

We have written to the governments of Pondicherry and Pulicat, earnestly requesting, that they will co-operate with us in checking this cruel practice; and we rely upon the continued exertion of your best endeavours to put an effectual stop, as far as your authority extends, to a barbarous traffic, so pernicious to the welfare of the country as the exportation of its inhabitants as slaves.

Fort St. George, 15th Feb. 1792.

We are, &c. &c.

(signed) Charles Oakeley, &c. Council.

To Mathew Yeats, Esq. Resident at Ingeram.

Sir:—I am directed by the Honourable the President in council, to acknowledge the receipt of your letter, dated the 5th instant, and to inform you, that he approves the representation you made, to Monsieur Sonnerat on the subject of the slave trade; but, in order to prevent unpleasant discussion between the Board and foreign governments, it is particularly recommended to you, to use the most guarded expressions in such letters as you may have occasion to write to the French chief at Yanam, or to the Dutch chief at Jaggernaickpooram, on this subject. The governor of Pondicherry will be written to, requesting he will co-operate with the Board in restraining a practice so injurious to the feelings of humanity; and the President in council relies upon the continued exertion of your best endeavours to put an effectual stop, as far as your authority extends, to a barbarous traffic, so pernicious to the welfare of the country as the exportation of its inhabitants as slaves.

Fort St. George, 15th Feb. 1792.

I am, &c. &c.

(signed) W. C. Jackson, Secretary.

Extract, Fort St. George, Military and Political Consultations, 24th Feb. 1792.

Read the following Letter from the Governor of Pondicherry.

To Sir Charles Oakeley, Bart. Governor of Madras, &c. &c. &c.

Fort St. George,

Sir:—I have received the letter with which you honoured me, of the 19th instant, and copy of the correspondence between Mr. Yeats and Mr. Sonnerat, which accompanied it.

For a long time past, Sir, I have been impressed with a similar indignation as yourself at the traffic of slaves, and I had ordered Mr. Sonnerat not to countenance it. I believe that it has been principally encouraged by the facility with which these unfortunate people have been embarked at Coringa, and their purchasers have found of procuring at Jaggernaickpooram bonds of slavery. Whatever has been the cause of this detestable commerce, be persuaded, Sir, I shall adopt every means in my power, that it shall neither be continued nor renewed in the French establishments in India.

Mr. Sonnerat arrived here two days ago, and I have repeated to him my orders, to be as strict as possible in preventing any of these unfortunate people being admitted into Yanam.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

I assure you I should feel infinite pain, if the harmony which reigns between our two nations should be disturbed by a motive of this nature.

Pondicherry, 22d Feb. 1792.

I have, &c. &c.
(signed) *De Fresne.*

(A true translation.) (signed) *T. Chase*, French Translator.

MINUTE.—The Board hope, that from the orders given by themselves and by Colouel De Fresne, the slave trade will in future be entirely discontinued.

Extract, Fort St. George, Military and Political Consultations, 2d March 1792.

Received the following Letter.

To the Honourable Sir Charles Oakeley, Governor and President; and the Gentlemen the Members of the Council of Fort St. George.

Honourable Sir and Sirs:—Honoured by your answer of the 14th instant, to our representation of what happened at Jaggernaickpooram, may it be permitted us to engage your attention again on the subject; for, as we trust that justice and equity are the rules of the acts of your government of country and people, so and not less do we hope, Honourable Sir and Sirs, that you are pleased to acknowledge it in us a duty to speak for and defend our dependents against all wrongs, which they with reason complain of to us.

For this reason, Honourable Sir and Sirs, you will be pleased not to take it amiss, that we farther clear our chief of Jaggernaickpooram of the suspicion under which, Honourable Sir and Sirs, he seems to have fallen with you too, by the supposition, as if the trade in slaves for exportation had received too great encouragement by the permission given to foreign contractors, for the sale and transportation of them from our factories.

This supposition we conceive to be founded in the wrong notion and relation of things given by the gentlemen of Masulipatam. We believe that the enclosed advertisements to render the purchase of free men as slaves, in the transportation of the same out of their native country so difficult as it was possible to invent by one, as our chief, not qualified to stop the transportation by forcible means, will convince you, Honourable Sir and Sirs, that since July 1791, it has been the meditation of the above-mentioned chief to oppose this indelicate practice by such means as he was allowed to use, and which he thought would obstruct and stop the avidity of the purchasers of mankind, though the penalties set upon it were not found sufficient to stop the evil; and what is still more, we have, since our late letter, received from Jaggernaickpooram a declaration, of which a copy goes enclosed, of two persons, which, out of your own territory Corenga, deprived of their liberty, were brought as slaves on board of a ship that lay at anchor near the river of Solengy, which, however, on the arrival of that vessel in the roads of Jaggernaickpooram, by the care of our chief, or by sending his servant, the uncle of the two stolen men, on board of that ship, were liberated, and sent to one of your agents to give information of that incident.

By this one and the other, we trust that we have removed the suspicion, as if so low a business as that of trading in mankind, was favoured by the above mentioned, our chief. To shew our aversion to such a detestable trade, and the sincere desire which prompts us, in all which with equity may be required of us, and by virtue of our public authority is practicable, Honourable Sir and Sirs, to join your endeavours to the refranation of this unlawful trade, we have extended our late orders for Jaggernaickpooram to all our factories in the north; and we have, besides, ordered to take the necessary measures against our navigators on board of our sloops in the purchase of free people, and not to permit the commanders to export or lawfully to purchase any more, than one one or two for their own service, and not to carry them out of the country, or alienate them when our ships arrive, we shall extend the same to the commanders of such a ship, and all such as belong to it.

More tokens of our good-will, to work together to the execution of this good design, we are not able to give; for finding it ourselves difficult to get what each family may want for food, on account of the great scarcity of rice, the charity of communicating it to the poor cannot find place to that extent, than when there is less scarcity

scarcity of such an article as this, which alone is able to lay the pinching hunger of the poor, by a hand so liberal and so able as that of the English.

We have, &c. &c.

(signed)

Jacob Eilbracht.

F^r W^m Bloeme.

Jacob Sam^l de Raeff.

Louis Adrien de Brueys.

J. J. Winckelmans.

J^r J^m Hasz.

Fort St. George
Papers.
State of Slavery
in Company's
Territories.

Pulicat, in Fort Geldria, 19th February 1792.

ADVERTISEMENT.

As it has happened more than once, that transfers about slaves were asked to be made out on cajans, which were granted elsewhere, without knowing assuredly how such a transfer happened to be made, to be herein precautions, and also to oppose the evils of kidnapping children, for which there is reason of forming a suspicion, there being at present carried on a great trade in it by various unknown people, it is found expedient to institute.

That hereafter no slaves, whether male or female, shall be allowed to be sold, but by personal appearance before the scribe of those, who by the law of the land may have a right thereto.

That such a person being unknown, shall be held to shew a certificate, signed by the zemindar, thanadar, or any other authorized person, of the place or village to which he belongs, that he there has his fixed habitations, before any transfer be done or made out.

That by this certificate it shall be necessary to appear that a child which the man or woman that appears desirous to sell, is of such relation to them, that the sale of it may be made by him or her.

That it shall be necessary that the scriba, in the bill of transfer, mention that all such evidence is produced and examined by the interpreter and bramin, which both are hereby charged each time to give their vote thereto.

That if any thing be wanting in this evidence, no transfer of slaves shall be made subpoena of nullity.

That each transfer, which is to be made after previous examination, shall be written upon stamped paper, of twelve stivers, to be registered among the original papers, and a copy upon stamped paper, of six stivers.

That for the original copy thus written upon stamped paper, shall be paid by the purchaser to the scriba, four rupees, and one rupee to the interpreter and bramin, for the examination.

Every one is hereby cautioned, that whosoever after the affixion of this shall continue, contrary to the contents of the same, to trade in male or female slaves, shall be corrected according to circumstances.

And that every one may be enabled to avoid all damages, and may have no ignorance to plead, these shall be published and affixed, both in the Dutch and country languages, by the chiefs of this factory, who have signed the same, and confirmed it with the Company's usual seal.

Done at Jaggernaickpooram, on the 16th of July 1791. (was signed) Cas. Leon Eilbracht and P. E. Van Hogendoup; (in the spatium stood) upon order of the Chiefs, published and affixed 18th July 1791, (signed) A. F. Van Holt; (farther below stood) Agreed to, (signed) C. L. Eilbracht.

ADVERTISEMENT.

As the precautions which we have endeavoured to use on the 16th July last already with regard to the manifold dealing in slaves and the making of transfers, seem not to answer the intended purpose, this trade being still carried on with as much avidity as ever, by purchases which are made both here in this place and elsewhere, confining the exportation of them, as it seems, most here at Jaggernaickpooram, where they imagined to have discovered that Company's peons are used as guards of these dealers.

Therefore it is again ordered and regulated, by these, that for each male or female slave which shall be transported from hence, Jaggernaickpooram, the purchase may have been made here or elsewhere, shall be paid two rupees for the exportation, exclusive of the expenses of the transfer of all such slaves as be purchased at Jaggernaickpooram itself, and which two rupees shall be collected and enjoyed by the renter, one half to find his expenses out of it, and the other half to account

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

account for it to the poor's box of this place, for the benefit of indigent people while Company's peons are earnestly cautioned not to suffer themselves to be employed by any one to watch these purchased male or female slaves, under pain of corporal punishment, and dismissal from the service in case of transgression.

And that every one may be notified of the same, this shall be publised in the Dutch and country languages, affixed at the cutwall's cutcherry, confirmed by the Company's seal, and countersigned by the scriba.

(signed) C. L. Eilbracht, (lower) agreed to.
Cas. Leon. Eilbracht, agreed to.

Jaggernaickpooram, 6th January 1792.

(signed) John Oldham,
First sworn Clerk for the Honourable Company, (L. s.)

This 23d day of January 1792.—Appeared before me, Albertus Francis Van Holt, bookkeeper, and sworn scriba of this factory, in the presence of the witnesses hereafter to be named, Casili Enkoo Winkay, 23 years old, and Moomedy Neezeloo 20, both inhabitants of Carpa, which upon the request of the gentleman the chief, Mr. Carparus Leonardus Eilbracht, declared to be true and nothing but the truth.

That now nine days ago they went together from the place Candrenn to Yanam, each with a cauwer or cooley load of cloth, for the account of Copool Gangeloo, which the appearers having delivered at Yanam, and being about to go back, met there in the bazar a servant named Soobay, who gave them some mats to be forwarded to one Rajah Gopal at Coringa; the servant having left them, the appearers, half way from Coringa, and having given them a boy to go with them to Coringa, they the appearers, having reached Coringa, delivered the mats to Rajah Gopal, who told them, that he had some cajan leaves which were to be carried to the river side, for which, besides the seven dabbooses each the cooly, from Yanam to Coringa, there should still be given to each of them seven dabbooses.

That they had asked some dabbooses to buy rice, but that they had received nothing, Rajah Gopal saying that it was too late to cook.

That they, the appearers, being called up about twelve at night, were obliged to go to the river side, and upon the question which they made to Gopal, where the cajan leaves were, received for answer, that they lay on the river side.

That they, the appearers, being come to the river side, were ordered by the oft mentioned servant Gopal, to go into the boat which was there.

That, having no inclination to it, and asking what they had to do in the boat, they were forced into it by the boat people with threatenings and blows; and that the boat, as soon as they were come into it, sailed and went to the ship that lay at anchor close to the river Solengy, and which some days after came into this road. Chelengas being come on board with ballast, they told their case to the Chelenga people, and desired them to give notice thereof to their uncle Casiredy Siltana, in the service of the Chief of Jaggernaickpooram, that they might be released, which also was effected to their satisfaction on the 21st instant.

Concluding herewith, they, the attestators, declared what they had attested for the reason of giving information, to be the clear truth, being ready to confirm the same farther with an oath, if required.

This done, and attested in the Dutch factory of Jaggernaickpooram, dated as above, in the province of Adrianus Mattheus da Silva, and Christian Bernardus Dirksz, as witnesses.

The minute of this is written upon *loose seal* for the Honourable Company, and properly signed (below stood) quod attestor (was signed) A. F. Van Holt, sworn scriba.

Agreed to. Jn. Oldam, First Sworn Clerk.

Extract, Fort St. George, Military and Political Consultations, 20th March 1792.

Read the following letter to the Honourable Major General William Medows, President and Governor in council, Fort St. George:—

Honourable Sir and Sirs:—A French peon having been seized with some slaves he was escorting to Pondicherry, he delivered to me the enclosed letter. I have not taken upon me to open it, not being convinced of the propriety of my doing so, but have the honour to transmit it enclosed, in the hope it may afford some information to your Honourable Board, respecting that unworthy traffic.

The

The French at Yanam I find now send off their slaves in small parties by night, to avoid detection, which, when they have passed the English settlements in this part, unite and proceed by land to Pondicherry; some small parties, consisting of about 30 slaves, have escaped me, and are now upon the road to Pondicherry, and three other parties, consisting of 19 slaves, (being part of those I wrote to Mr. Sonnerat concerning on the 3d of last month), have fallen into my hands.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Ingeram, 12th March 1792.

I have, &c.

(signed) *Matthew Yeats.*

Diary.—Sent the following Letter to Colonel De Fresne, Knight of the Royal and Military Order of St. Louis, Commandant of the French Settlements in India, Governor of Pondicherry, &c. &c.

Sir:—I have the honour to enclose, for your information, copy of a letter from the resident at Ingeram, on the subject of the slave trade.

I am convinced, Sir, from your letter of the 22d ultimo, that you are very sincerely desirous of uniting your endeavours with this government to put a stop to so disgraceful a traffic, and under that conviction I have deemed it proper to send you the letter to Mr. Bonnefoy unopened, assuring myself that you will cause due inquiry to be made into the circumstances represented by Mr. Yeats.

Fort St. George, 20th March 1792.

I have, &c.

(signed) *Charles Oakeley.*

Extract, Fort St. George Military and Political Consultations,
26th March 1792.

Read the following letter from the Governor of Pondicherry.

To Sir Charles Oakeley, Bart. Governor of Madras, &c. &c. &c.

Sir:—I have received the letter with which you honoured me, dated 20th of this month, and the papers which accompanied it; I shall immediately order Mr. Bonnefoy to come to me, that I may deliver him the letter addressed to him, which you had the goodness to send me unopened, which I consider as a very particular attention to myself, and for which I pray you will accept my most sincere thanks.

I read the letter, Sir, which confirmed to me the contents of that from Mr. Yeats; the sending of slaves has been really carried on in small parcels and by land. I am very glad that Mr. Yeats has had it in his power to detain a great many.

I have given to Mr. Sonnerat, who takes his departure in a few days for Yanam, the most positive orders, that he does not admit into that factory any of these slaves; it is the only precaution that I can take to stop so scandalous a commerce. I must observe to you, that it is out of my power to prohibit it; but I will use every means that rests with me to raise obstacles in opposition to its continuance. None are received here; the captains of vessels who have brought them, are obliged to keep them on board their vessels in the road; I can assure you, that I most sincerely regret, that the extent of my authority does not accord with the indignation I have always felt at this inhuman traffic; on this head my sentiments are well known; I have never suffered any occasion to escape of manifesting them. In justice to Mr. Bonnefoy, I inform you he had no interest whatever in the slaves which were stopped by Mr. Yeats, and that he has never even been concerned in this commerce, directly or indirectly; the letter to his address, which you so obligingly sent me, was from the commanding officer of a little vessel, which announced that his correspondent sent the said slaves. I beg of you to be persuaded, that I shall not neglect any effort in my power to second those of your government, against the continuation of this commerce.

I have, &c.

(signed) *De Fresne.*

(A true translation.)

T. Chase, French Translator.

The Board hope and trust, from the precautions taken by them, that the slave trade will no longer meet encouragement at the foreign settlements on this coast.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract of Fort St. George Public Consultations, 11th September 1792.

Read the following letter from Ganjam, with papers accompanying it.

To the Honourable Sir Charles Oakeley, Bart. Governor in Council,
at Fort St. George.

Honourable Sir:—An inhabitant of this town having complained to me, that Guilliard, the commander of a small French schooner, at anchor in this roadstead, had inveigled his son on board, and was carrying him off for a slave; I caused the vessel to be searched immediately, and had the pleasure to restore the child to his parent.

Besides him were discovered four female slaves and one other male slave, inhabitants of Bimlipatam, whom it appeared, upon examination, Guilliard had kidnapped and forced on board his vessel in the night at that place; these were also manumitted, and have been forwarded by me to Mr. Michael Keating, with the enclosed letter.

I have acquainted Guilliard, that I shall detain him here (suffering, however, his vessel to depart), until I am honoured with a communication of your orders, which I have accordingly to request.

Ganjam, 26th August 1792.

I have, &c.
(signed) Thomas Snodgrass.

To Mr. Michael Keating, Manager and Collector of the Chicacole Havelly,
at Chicacole.

Sir:—I have the pleasure to forward to Bimlipatam, the place of their nativity recommended to your care, four female and one male slave, as per enclosed list, whom I have taken upon me to manumit from a French schooner, Guilliard, commander, who, by the evidence I have taken here, appears to have used compulsion to ship them from thence.

They are attended by a cutwal peon, and have each been advanced ten rupees, to bear their expenses until re-established by your means with their relations and connections.

Ganjam, 26th August 1792.

I have, &c.
(signed) Thomas Snodgrass.

LIST OF PERSONS.

Wassipilly Paupah	-	-	-	-	Female.
Milupilly Ankah	-	-	-	-	Do.
Sunka Malee	-	-	-	-	Do.
Cumadee Gonoy	-	-	-	-	Do.
Sunka Rupanah	-	-	-	-	Male.

Ganjam, 26th August 1792. (signed) Thomas Snodgrass, Resident.

Resolved, That a copy of the above letter be sent to the Governor of Pondicherry, and that he be acquainted, it is the Board's intention to direct the resident to permit the person complained of to proceed to Pondicherry, forwarding to us the particulars of the examinations taken on the occasion, which will be transmitted to Major General De Fresne, for his further information.

The Board are convinced, that it is unnecessary for them to urge any arguments to induce the Governor of Pondicherry to take effectual steps for bringing the offender to justice, or for co-operating with the Board in the discouragement of such improper practices.

To Major General De Fresne, Commandant of the French Settlements in India,
Governor of Pondicherry, &c. &c. &c.

Cons. 12th Sept.

Sir:—I have the honour to transmit you, copy of a letter from the resident at Ganjam, respecting the conduct of the commander of a small French vessel, in carrying off by force, several natives for slaves, belonging to districts under this government.

The resident has been directed to allow the person complained of to proceed to Pondicherry, and to forward to us the particulars of the examinations taken on the occasion, which I shall transmit for your further information. I am convinced that it is unnecessary for us to urge any arguments to induce you to take effectual steps for bringing the offender to justice, or for co-operating with us in the discouragement of such improper practices.

Fort St. George, 12th Sept. 1792.

I have, &c.
(signed) Cha. Oakeley.

Extract of a Letter to Ganjam; dated Fort St. George, 12th Sept. 1792.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

The Board approve of the steps taken by you, in liberating the natives forced on board the French schooner for slaves, and they desire the commander be allowed to proceed to Pondicherry, and that you will forward to them the particulars of the examinations taken on the occasion.

To Sir, Charles Oakeley, Bart. Governor of Madras.

Sir:—I have received the letter with which you honoured me, dated 12th instant, and the papers annexed therewith; I cannot express to you how much indignation and displeasure I feel at the just subjects of complaint, that some French give your government against them. I have hitherto done whatever depends upon me to oppose the continuance of a traffic, which is an offence to justice and humanity. No slaves are received at Pondicherry. I have ordered the chief at Yanam to issue a proclamation to prevent every person from buying or introducing them into that factory. I will take the best precaution that my orders be executed; but, Sir, I must confess to you, that, in the present circumstances, my power is inadequate to give you all the satisfaction that I am desirous of in this business. I believe, then, that the most efficacious method of preventing the traffic, of which you have so just a cause to complain, will be, to judge those according to the rigour of your own laws, who shall be detected trespassing; an example will infallibly produce the salutary effect, which, I assure you, I am as desirous of as yourself.

Cons. 25th Sept.

I have, &c.

Pondicherry, 19th Sept. 1792. (signed) *Corniel R. De Fresne.*

(A true translation.) (signed) *Tho. Chase, French Translator.*

ORDERED, to lie on the table.

Extract of Fort St. George Public Consultations, the 16th October 1792.

Read the following letter from Ganjam, with the paper accompanying.

To the Honourable Sir C. Oakeley, Bart. Governor in Council
at Fort St. George.

Honourable Sir:—I have received your secretary's letter of the 12th instant, and, agreeably to your requisition, have now the honour to transmit to you, the depositions of the persons whom I released from Captain Guilliard's vessel, to which, I have annexed, for your fuller information, all subsequent occurrences.

Ganjam, 30th Sept. 1792.

I have, &c.

(signed) *Thomas Snodgrass.*

On the 21st August 1792, appeared before me, Thomas Snodgrass, resident at Ganjam, a bird-catcher, named Locanaut, to complain that his son Caovenaut had been betrayed on board a French vessel in the roads, which was then sailing away; it falling calm, and the vessel coming to anchor, but a small distance to the southward of the roads, afforded me an opportunity, which I immediately embraced, of sending the father with my peons on board the vessel to search for and recover his son, with orders to bring the vessel back into the roads, until it might be ascertained, whether or not any other persons were detained on board of her against their will. At the same time I gave directions to the cutwal to detain Captain Guilliard, who had remained on shore, for the purpose of proceeding by land to Bimlipatam.

The vessel was brought back into the roads, and the boat returned with the bird-catcher and his son, when the latter, named Caovenaut, deposed, that he had carried a large bird to Captain Guilliard for sale, for which he had asked half a rupee, and that Captain Guilliard promised to give him a whole rupee for it, provided he would carry it down to the beach for him, at which he, Caovenaut, was very happy, but that when he got there, Captain Guilliard told him he must go on board the vessel for payment, which he reluctantly consented to, and when there, was neither paid nor allowed to return on shore, until his father and peons came to release him. On Caovenaut's being asked, if he knew of any other person being on board the vessel under similar circumstances, he answered, that there were three women, a girl, and a boy,

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

a boy, on which I immediately sent orders that they also should be brought on shore; they came on shore 22d of August, and were named as follows:

Wassipilly Paupah, female.	Milupilly Ankah, female.
Sunka Malie - - d°	Cumadee Golay - d°
Sunka Rupanah, male.	

The two last being very young, and the children near relatives of the women first mentioned.

The three women unanimously deposed before me, that they, the two children being in company, had offered some mats for sale to Captain Guilliard, at Bimlipatam, that he called them into his compound to bargain for the mats, where he detained them until dark, and then sent them to the beach to deliver the mats to the boats; that when there, he forced the whole five into the boat, and sent them on board his vessel, where, by compulsion, he made the women submit to his desires, and eat of his food, until released by my interposition as above recited.

Ganjam, 22d August 1792. (signed) *Thomas Snodgrass.*

On the 27th August I received a letter from Captain Guilliard, pleading ill-health, and desiring permission to proceed to Bimlipatam; in answer to which I informed him, that his vessel might proceed on her voyage, and that himself, upon the production of the surgeon's certificate that his health required it, might also proceed to Bimlipatam; but that, unless he could offer bail for his appearance, I should in such case provide a guard of sepoy, or peons, that his person should be made amenable to the laws, on the receipt of instructions from the Honourable the Governor in Council at Fort St. George.

Ganjam, 27th Sept. 1792. (signed) *Tho' Snodgrass, Resident.*

If Mr. Guilliard shall not have proceeded to Pondicherry, conformable to the orders of the 12th ultimo, it is—

Resolved, That he be detained at Ganjam, and, in consequence of the testimony given of the trespasses he has committed, that he be fined in the sum of 200 rupees, (to be distributed among the natives liberated from the vessel under his command,) imprisoned for three months, and until he pays the fine, and that he be then publicly expelled the district.

Extract of Fort St. George Public Consultations, the 17th October 1792.

Sent the following letter:

To Mr. Thomas Snodgrass, Resident at Ganjam.

Sir:—Since the date of our letter of the 12th ultimo, the governor of Pondicherry has expressed his request, that we would take upon ourselves the punishment of such individuals of the French nation as are detected in carrying off the natives as slaves. If, therefore, Mr. Guilliard has not proceeded to Pondicherry, conformable to our orders of the 12th, we direct that you detain him at Ganjam; and in consequence of the testimony given in the paper which accompanied your address of the 30th ultimo, of the trespasses he has committed, we direct that he be fined the sum of 200 rupees, (to be distributed amongst the natives liberated from the vessel under his command,) imprisoned for three months, and until he pays the fine, and that he then be publicly expelled the district.

We are, &c. (signed) *Cha. Oakeley, &c. Council.*

Fort St. George, 17th October 1792.

Extract of Fort St. George Public Consultations, the 21st December 1792.

Read the following letter from Ingeram:

To the Honourable Sir Charles Oakeley, Bart, President and Governor in Council at Fort St. George.

Honourable Sir, and Sirs:—The Sultan Favourite, Captain Gambo, and another French vessel, now in Coringa Roads, have received on board a considerable number of the inhabitants of this country, with a view of transporting them to the French islands as slaves. As these vessels will most probably touch at Pondicherry; I think it my duty to offer this information to your Honourable Board, that such measures may be pursued as appear fittest to you for the recovery of the inhabitants.

The

The particulars of this shameful transaction I will have the honour of transmitting to you in a few days; in the mean time, I have pledged myself to the inhabitants, that every exertion shall be made on my part to restore their children and friends to them.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

I have, &c. (signed) *Matthew Yeats.*

Ingeram, 15th Dec. 1792.

As the governor of Pondicherry has declared his authority insufficient to restrain the conduct of French subjects in regard to the purchase of slaves, it will be necessary for the resident at Ingeram to exert himself by all prudent means to restrain the practice. If he suspects any French vessel of having inhabitants on board as slaves, he should demand the privilege of searching them; and if it be refused, he should deny such vessels all means of communication or supply from the shore. In the event of any Frenchman being on shore within the limits of Ingeram factory, and detected in bargaining for slaves, it is resolved, that the resident be directed to seize the person of such offender, and keep him in confinement until instructions can be received from the presidency.

Extract of Fort St. George Public Consultations, the 22d December 1792.

Sent the following letter of this date:

To Mr. Matthew Yeats, Resident at Ingeram.

Sir:—We have received your letter of the 15th instant, and have to observe in reply, that the governor at Pondicherry has declared his authority insufficient to restrain the conduct of French subjects in regard to the purchase of slaves; and it will therefore be necessary for you to exert yourself, by all prudent means, to restrain the practice. If any French vessel in your port should be suspected of having slaves on board, you are to demand the privilege of searching them; and if that be refused, you are to deny such vessels all means of communication or supply from the shore; and in the event of any Frenchman being on shore within your limits, and detected in bargaining for slaves, we would have you seize the person of such offender, and keep him in confinement, until you can receive instructions from the presidency.

We are, &c. (signed) *Cha. Oakeley.*

Fort St. George, 22d December 1792.

Extract of Fort St. George Public Consultations, the 4th January 1793.

Read the following letter from Ingeram, with the papers accompanying it:

To the Honourable Sir Charles Oakeley, Bart. President and Governor in Council at Fort St. George.

Honourable Sir, and Sirs:—I had the honour of addressing you on the 15th instant, respecting the shameful traffic of human beings still persevered in by the French traders at Yanam. I have now the honour of submitting to you my conduct on that occasion, with every information I have been able to acquire.

It seems that the French ship Mars, Captain Gambo, (formerly the Sultan Favourite,) sailed from Coringa Bay about the 18th of last month, on the pretence of transporting grain to Bimlipatam, but that her real destination was Wotaroah, and other parts of the northern coast, at a distance from the English factories, for the express purpose of purchasing slaves. She returned to this bay early in the present month, with a considerable number of slaves on board, though insufficient to the purpose of her owner, Mr. Lewis De Mars, who, retiring with his fortune from this part of India, was procuring a cargo of slaves for her.

The French ship Courier de Yanam, Captain La Blanche, was also at that time in Coringa Roads, employed in the same trade; a circumstance then not known to me.

As the season of departure approached, every means were deemed justifiable to complete the number of slaves required for those vessels: the long famine which has prevailed in this country had hitherto enabled the French to procure any number of slaves without proceeding to acts of violence; but rice being now in some degree of plenty, they could not be had on the easy terms, or in such numbers as they formerly were; less cautious measures than had hitherto been pursued became necessary to procure them, and were openly practised. Not only such beggars as were to be found in Yanam were picked up, but country people, who had come there

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

there to purchase rice, were either forcibly carried or decoyed by their emissaries to places of confinement.

On the 13th some boats were sent off to the ships with slaves, and a Brahmin boy, about nine years of age, having been lost, it was concluded he was among the number; the ferment which had already begun among the inhabitants and country people in the place, now broke forth; they assembled in considerable numbers about the chief's house, and clamorously demanded their children and friends of him. I passed through Yanam late that night; they surrounded my palanquin, the sides of which being nearly closed, I did not perceive their motive, but concluded from the noise I heard, that it was a drunken riot in the bazar, in which idea I was confirmed by hearing my boys encourage each other to pass on. On my arrival at the factory I was again surrounded by a considerable number of people, who entreated me in a most urgent manner to interfere, and be the means of restoring their children and friends to them. I lost no more time in repairing to the French chief than was necessary to prepare a letter to leave with his servants, in case the unseasonable hour of my visit had been made a plea for not receiving me. After some time, Mr. Sonnerat came to me; I acquainted him of what had passed, and demanded in the name of the English government an immediate release of their inhabitants. He did not pretend ignorance; he gave me his solemn assurance, that the clamour had been without foundation; that during the evening he had himself examined every godown in the place, and not one slave was to be found. At that moment a Gentoo pointed to a godown on the opposite side of the street, not 20 yards distant from his house, and without one object intervening to obstruct the sight, and told one of my servants there were slaves confined in it. I insisted upon searching the godown; Mr. Sonnerat reluctantly complied; and six women and one child were found confined in it. They told me in his presence, that two nights past two boats had been sent away with slaves, and as more could not be crowded into them, they had been reserved for another opportunity. One house suspected by some of the inhabitants, was also searched, but to no purpose; the people it had contained, had either been sent to the vessel or otherwise secreted. In the guard-room five men were confined, who Mr. Sonnerat told me in exulting terms, were to be punished for having purchased slaves.

Finding it useless to remain longer in Yanam, I delivered to Mr. Sonnerat the letter I had prepared, claiming the release of the inhabitants, and proceeded to Nella-pillee, at which place I had previously ordered the few sepoy at the factory to assemble; I gave them in charge to Mr. Robert Scobie, acting assistant at this factory, to whom I delivered a letter, to be addressed to any commander he might find at Coringa, whose vessel was of sufficient strength, to release the inhabitants confined on board of the Mars. He found no one there willing to undertake it, and having gone on board the ship Bombay, Captain Frayor, then in the roads, he was also refused by him. It seems to have been the opinion of the commanders, that not any force they could collect at Coringa would afford a reasonable hope of success in attempting to rescue slaves from a vessel manned by Europeans, and having by report 18 guns mounted.

On the 15th I received a letter from Mr. Sonnerat, who informed me, that he had sent an order on board of the two vessels, to deliver up all children who were claimed. Little as I was induced to expect any benefit from such a measure, yet disappointed of releasing them by other means, I in answer, required of him to allow Mr. Scobie to attend on that occasion, and to direct, that all slaves found on board of them should be delivered to him. An order was given to that purpose, and Mr. Scobie and Mr. Du Cimetere went on board of both vessels; they produced the order, and were informed it could not be complied with. Mr. Scobie assures me he saw many slaves on both vessels, and distinctly heard the cries of those confined below.

On the 16th I applied to Major Wynch, commanding at Samulcottah, for 100 sepoy, with their officers, hoping by that means to encourage the commanders of vessels to give their assistance, but the express had not been gone many hours, when the French ships left the port. They went off in such haste as to leave two boats of water behind; and I think it probable they may from that cause be obliged to call at Pondicherry, or some other port to the southward, or if they apprehend danger there, they may be obliged to go to the east coast of the bay for water, as they can scarce have a sufficient supply on board to serve them to the Isle of France, the place of their destination. The Mars is said to have 600; the Courier de Yanam 300, inhabitants, on board as slaves. The cruelty of tearing those people from their families,

families is not a little aggravated by the reflection, that Mr. De Mars, the owner of the former vessel, was only a few years past chief of the settlement from whence they were transported.

The suppression of a trade so inimical to human happiness, and so destructive to the interests of a country already deprived of one moiety of its inhabitants by famine, is a subject which claims the most serious attention. A few moments of reflection sufficiently points out, that it cannot be effected by the exertion of an individual, unpossessed of the means of enforcing the orders of government, or of putting any vigorous measure, however necessary, into execution. The allurements of large profit, is, in almost all situations, too great to be withstood by the bulk of mankind; but when a person in public trust, either silently permits, or covertly engages in a traffic disgraceful in its nature, the odium attending it is soon lost in the example, and even those of better inclinations find a ready excuse for the pursuit; such I take to be the present state of the slave trade at Yanam.

It is in vain that Mr. Sonnerat prohibits by proclamation a slave trade in that settlement; it is in vain that he selects a few offenders (made so by those whose duty it was to restrain them by example), for the ostentatious purpose of public punishment; something more than appearance is necessary to conviction; mankind will not believe, that in a village not one mile in length, and yet less in breadth, many hundreds of human beings can be confined and shipped off to slavery without the knowledge of the chief residing in it, nor will they admit that knowledge can be neglected but from motives not to be avowed.

I take liberty to submit to you, Honourable Sir and gentlemen, if it might not be useful to station a subaltern officer of some experience, with a company of sebondy sepoy's at Coringa. The increasing of the guard now there could not be attended by much expense, if by any; and the knowledge of such a force, would doubtless, in some degree lessen, if not wholly prevent, this shameful and ruinous trade, and at the same time restrain the licentiousness of sailors and lascars who frequent the port.

I have applied to Mr. Sonnerat, to point out to me the English commanders, who he says, in his letter of the 14th instant, are accused of being concerned in the slave trade; but as yet I have not been favoured with his answer; my utmost endeavour shall be exerted to discover the truth or otherwise of this charge, and the name of the offenders, if such there be, shall be immediately transmitted to you.

In further explanation of this business, I have the honour to send inclosed, twelve papers relative to it. The declaration of the inhabitants being extremely similar, has induced me to transmit only five of them; but should your Honourable Board deem it necessary, any number may be taken, every man in this country being in possession of the facts.

I have, &c.

(signed) *Mathew Yeats.*

List of Papers inclosed.

- N^o 1.—Mr. Yeats to Mr. Sonnerat, 14th December 1792, $\frac{1}{2}$ A. M.
- 2.—Mr. Yeats to Captains of Vessels, 14th December 1792, 3 P. M.
- 3.—Captain J. Frayor to Mr. Yeats, 14th December 1792.
- 4.—Mr. Sonnerat to Mr. Yeats, 14th December 1792.
- 5.—Mr. Yeats to Mr. Sonnerat, 15th December 1792.
- 6.—Mr. Sonnerat to Mr. Yeats, 15th December 1792.
- 7.—Mr. Sonnerat's order to the captains of French vessels, 15th Dec. 1792.
- 8.—Mr. Yeats to Major Alex' Wynch, 16th December 1792.
- 9.—Major Alex' Wynch to Mr. Yeats, 17th December 1792.
- 10.—Mr. Yeats to Mr. Sonnerat, 18th December 1792.
- 11.—Declarations, 20th December 1792.
- 12.—Mr. Yeats to Mr. Corsar, 15th December 1792.

(11.)—Five declarations, made by the inhabitants residing in the vicinity of the English factory at Ingeram, in the presence of Messrs. Mathew Yeats, Patrick Bowie, Charles Carpenter, Francis Archibald Savage and Robert Scobie. Ingeram, 20th December 1792.

(1.)—*Bundada Vencataroyaloo*, inhabitant of Yanam, says he is a banyan, and was formerly a merchant employed by the French East India Company, in the provision of their investment; but has for some time past resided at Vizinagarum, and other places in the north. That he returned to Yanam about ten days ago, and found that the poor of the adjacent countries had come to this part to benefit by the charity distributed by the English Company. That Mr. De Mars, Mr. Le Blanche, and

Fort St. George
Papers:
State of Slavery
in Company's
Territories

and Mr. Ellardine, at that time employed people to purchase, or take by violence, not only the poor who were begging in the streets, but also such of the inhabitants of Yanam, and strangers frequenting the place, as they could conveniently lay hold on, whom they confined and sent on board of ships in Coringa bay, to be exported as slaves. The names of the principal people employed in this business are as follow:

La Guarie, baker,	Mignel, a Portuguese,
Ellardine, cook,	Pedro, ditto,
Tournier, writer to Mr. Andel,	Bonta Vencanab, dubash to Mr. Sonnerat,
Collendon, writer to Mr. De Mars,	

GENTOO MEN.

Dansary Lingadoo,	Jungum Chinniah,
Endra Ven Catashum,	Jungum Sabadoo,
Tomboory Tombadoo,	Bogum Vencatasha,
Tomboory Vencadoo,	

MOOR MEN.

Hussain Saib,	Hussen Saib,
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That they also sent people to some of the neighbouring villages to propose work to tailors, coolies, &c., who being brought to Yanam, were confined until an opportunity offered of sending them by night to the ships; that some of those who were refractory were gagged, and a stupifying liquor given to others, who were sent off in that condition; that a Bramin boy belonging to the village of Autere, in the Mugultore district, was seized in Yanam, when not far distant from his parents; that a Bramin girl was also seized, but he knows not to what village she belonged; that a woman and boy of the dancing caste, were decoyed from Nellapille to Yanam, and sent off to the ships, but that Mr. Sonnerat, at the intercession of their friends, sent an order to the captain, who released them, that upon their return, they reported that the vessel they had been in had on board of her many slaves, among whom were some family women, whom they knew to be such by their toys and dress, and some Bramins; that the French preparing to send off some boats with slaves on the 13th, was the reason of the inhabitants assembling; that they applied to Mr. Sonnerat the chief, who refused to give them any redress, and that they then went to the English resident, by whose means some few were released.

(2.)—Declaration of *Mootala and Muddala Ammiah*, a woman and boy belonging to a house of dancers.

The woman says, that a man called Veerasha, a washerman, came to her at Nellapillee, and desired her to go with him to a gentleman in Yanam, that she accordingly went with him, accompanied by the boy, that the gentleman gave her arrack to drink, and when she was in a state of intoxication, they put her and the boy into a boat, where there were about ten other people, and carried them on board of a vessel in the roads. That while the boat was in the river, the boy leaped overboard, but being pursued, was taken and put into the boat again. That she saw many people in the vessel, who by their dress and toys, seemed to be of caste, and some women with children at their breasts; that they were confined some days, and then sent on shore.

(3.)—Declaration of *Muddala Paupee and Muddala Barma*, inhabitants of Nellapille:

That Mootaloo and Muddala Ammiah (the people last examined), belonging to their house, that they went to Yanam, and not returning in four days, the declarants went in search of them. That being told many people were in confinement in Yanam, they applied to Mr. Sonnerat the chief, to release the woman and boy if among the number, that Mr. Sonnerat told them not to make a noise and they should be returned to them; that he sent them to a godown where forty or fifty people were confined, but the woman and boy not being there, they returned to Mr. Sonnerat, who desired them not to mention the circumstance, and again assured them the woman and boy should be returned. That they remained in Yanam some days, and again applied to Mr. Sonnerat, who then gave a letter to a French gentleman, with whom he sent a peon, desiring the declarants to wait their return; that on the following day the woman and boy were landed at Yanam, and carried to a choultry near to Mr. Sonnerat's house; that Mr. Sonnerat sent word to them to take the woman and boy away, which they accordingly did.

(4.)—Declaration of *Soorumpoody Mootanah*, of the village of Autere, in the district of Mugultore:

That

Fort St. George
Papers.
State of Slavery
in Company's
Territories.

That he is a Bramin, and came with his family to Yanam to beg of his caste; that they gave him some charity, but not sufficient; that his son, a boy of about nine years of age, went again to beg, but did not return; that he went in search of him, and being much affected, was told by two fisherwomen that it was needless to make any more noise, for that the French had confined the boy to send on board of ship; That he then went to the French chief, who desired him to be quiet, and said he should have his boy in the morning; that soon afterwards he went with many others to the English resident, to ask for redress, but that the boy has not been returned to him.

(5.)—Declaration of *Survoo*, a Gentoo woman, inhabitant of Gollapolam:

That about the 10th of this month, hearing rice was cheap at Yanam, she went there to purchase two rupees worth; that she met a man named Jungum Scoobacloo, who offered to supply her the next morning, and said he would give her victuals if she would follow him and purchase of him; that she went with him to a godown, and on her asking him for rice, he beat her and left there in confinement; that there were many others confined in the same godown; that the same night, two gentlemen, accompanied by some more peons, came to the godown and carried them to the water-side, where two boats were loaded with people and sent off, but not being able to contain the whole, ten of them were returned to the godown, she being one of the number; that two of those who were returned being sick were separately confined, and the other eight were released two nights afterwards by the English resident. The above five declarations were made in our presence at Ingeram, the 20th December 1792.

(signed) *Matthew Yeats*, *Cha. Carpenter*,
F. A. Savage, *Robt Scobie*.

(1.)—To *Pierre Sonnerat*, Esq. Chief of the French Factory at Yanam.

Sir,—In passing through your settlement about an hour ago, my palanquin was surrounded by a multitude of people screaming in the most hideous manner; supposing them to be only a drunken mob I passed on, but to my surprise, on arriving at this factory, I found the court yard filled with people venting their execrations on the conduct of the citizens of Yanam, who, they inform me, have stolen upwards of three hundred of their friends and children, and confined them in a godown belonging to a man named Pedro, who resides in the very heart of your settlement, and not far distant from your house, with an intent of embarking them during the darkness of the morning on a vessel belonging to Mr. De Mars, and transporting them into slavery.

I had the honour, Sir, of writing to you not many days ago, requiring the release of some children said to be confined on board of that vessel, when you assured me, that if any such were to be found, they should be released; you have also, Sir, given repeated assurances to the English government, that no such traffic should exist at Yanam.

I now, Sir, call upon you in the name of the English government, to release those people, all, or at least the greater part of whom are English subjects, and to bring to justice, according to your laws, those concerned in this shameful traffic.

Ingeram, 14th Dec. 1792. I have, &c.
(signed) *Matthew Yeats*.

(2.)—To Captain _____ commanding the ship _____ Coringa Bay.

Sir,—The captain of a French ship in Coringa Bay, having, I am informed, embarked a considerable number of the inhabitants of this country on board of his vessel, for the purpose of carrying them into slavery, I apply to you, Sir, in the name of government, to assist with your vessel in searching her, and releasing such of the inhabitants as you may find on board of her; and I hereby declare myself responsible and solely answerable to government for this measure, and to you, for all losses and damages you may sustain by carrying it into execution.

Nellapille, 14 Dec. 1792. I am, &c.
(signed) *Matthew Yeats*, Resident, Ingeram.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(3.)—Mathew Yeats, Esq. Resident at Ingeram.

Sir:—Was the ship under my command in a state of defence, I would use every endeavour to liberate the unhappy natives on board of the French ship now in the roads, but I have not a gun mounted, or one to mount; and it would be exposing my ship's crew to little purpose, to send them unarmed against a crew of Europeans.

I am, &c.

Ship Bombay, 14th Dec. 1792.

(signed) J. Frayor.

(4.)—Mathew Yeats, Esq. Chief at Ingeram.

Original.

Monsieur:—J'ai été extrêmement peiné des plaintes que quelques Indiens vous ont portées hier, relativement à quelques enfans qu'on avoit enlevés à leur famille pour les envoyer comme esclaves. La même plainte m'avoit déjà été faite sur les neuf à dix heures du soir; et comme je suis loin de tolérer des infamies pareilles, j'avois arrêté et fait mettre en prison tous ceux soupçonnés de faire le trape des noirs, pour les interroger aujourd'hui, et punir ceux qui sont en faute comme ils le méritent. Ceux qui se sont adressés à vous, Monsieur, ont inculpés, mal-à-propos, tous les citoyens à Yanam. Il ne s'en suit pas d'ici qu'un individu s'est exposé au blâme même de ses concitoyens que les autres soient capables de se dégrader au point d'être accusés d'avoir enlevés des enfans. Je suis garant de leur honnêteté: je leurs tirai donc la phrase qui a rapport à eux dans la lettre que vous m'avez fait l'honneur de me remettre hier, parcequ'ils ne pourroient s'empêcher de demander justice de ceux qui ont osé les attaquer dans leur honneur.

Le rapport qu'on vous a fait que plusieurs esclaves étoient confinés dans une maison d'un Ne Pedre étoit sans fondement. Aussitôt qu'on m'a dit qu'on soupçonnoit qu'il y'en avoit dans cette maison je m'y suis transporté, et j'ai fait une fouille exacte: avec les denonciateurs même nous en avons fait de même ensemble sans avoir rien trouvé. Cette maison est habitée par Mr. Hippolite, et je ne puis croire qu'il ait jamais eu l'intention de transporter des noirs comme esclaves, son vaisseau dans ce moment chargeant de balles pour Pondicherry, ou il seroit mal reçu s'il en avoit a son bord, l'assemblée coloniale des établissemens François dans l'Inde, a faite une proclamation qui défend à tous François d'en acheter un seul, c'est d'après cette proclamation que j'ai mis la plus grande rigueur d'empêcher ce commerce tentes les fois que j'ai pu être instruit ou on en rassembloit; je les ai fait saisir; en votre absence j'en ai fait transporté cent-dix à Nellipelle, et la je leurs ai rendu leur liberté le deux du mois dernier j'ai eu l'honneur de sous en envoyer dix-huit et seize le huit du même mois. J'en avois arrêté douze d'un capitaine Anglois, mais d'après une lettre que m'écrivit M. Scobie en votre absence je me suis vu forcé de les relâcher. Je sous en ai remis sept hier, que je devois vous envoyer ce matin, un moment après on en a conduit chez vous quatorze que j'avois fait prendre dans un godon.

Il n'a pas été en mon pouvoir, Monsieur, d'empêcher que Mr. De Mars n'emmena sur son vaisseau des Indiens pour les porter sans doute comme esclaves à l'Isle de France. Mr. De Mars connoissoit la proclamation de l'assemblée coloniale des établissemens François dans l'Inde, et le seroit bien gardé d'en traiter un seul dans Yanam: s'il en à il les a traité à Jaggenapoor, à Bimlipatam, et dans quelq' autres des dépendantes du gouvernement Anglois, sans être aucunement inquiet, mais peut-être les plaintes ne portent elles pas seulement sur Mr. de Mars. On m'a reporté que trois vaisseaux Anglois viennent de partir pour l'Isle de France avec quantité d'esclaves; si cela est (ce qui nous saurons sous peu de tems avec certitude), il seroit étonnant que les Anglois soient les premiers a enfreindre une loi que leur gouvernement a promulgué.

Au reste, Monsieur, les limites de Yanam et mes moyens, sont trop restrains pour pouvoir faire plus que je n'ai fait, tant que le gouvernement Anglois ne mettra pas des forces a Coringue pour empêcher ces exportations. On vena toujours quelques particuliers sens délicatesse, avides et attirés par l'appât du gain, entreprendre cet honteux trafic. Persuadés que je m'ai aucun droit sur eux lorsqu'ils sont en rade de Coringue, et que les Anglois n'ont pas de force pour leurs empêcher de le faire, ils sont surs de l'impunité.

Je viens d'envoyer un ordre à bord des deux vaisseaux, que sont en rade de Coringue, pour qu'ils rendent tous les enfans réclamés.

J'ai l'honneur d'être avec une parfaite considération, Monsieur,

votre tres humble et tres obeissant serviteur,

Yanam, le 14 Dec. 1792.

(signé) Sonnerat.

Je vous envoie trois enfans que j'ai fait saisir.

Y:492.5.2.M3

A 227.1.2

(5).—To Pierre Sonnerat, Esq. Chief at Yanam.

Sir:—I have received your letter of yesterday's date, informing me, that you have sent people to search Mr. De Mars's vessel for some of the inhabitants of this country concealed on board of her. I now, Sir, send Mr. Robert Scobie to you, on the part of the English government, to assist on that occasion, and require of you to direct, that such of the inhabitants as may be found on board of her shall be delivered up to him.

I also request, that you will order the other French vessel, now in Coringa roads, to be searched for the same purpose, being well informed she has slaves on board.

I have, &c.

Ingeram, 15th Dec. 1792.

(signed) *Mathew Yeats.*

6.—M^r Yeats, Ecuyer, Chef à Ingeram.

Monsieur:—Je viens de recevoir la lettre que vous m'avez fait remettre par Mr. Scobie, pour correspondre aux vœux du gouvernement. J'ai remis à M. Ducimterre un ordre à tous les capitaines François mouillés en rade de Coringue, qu'ils aient à rendre à M. Scobie, qui accompagnera M. Ducimterre, tous les naturels de ce pais s'ils en ont abord.

J'ai l'honneur d'être, &c.

Yanam, 19 Decembre 1792.

(signé) *Sonnerat.*

7.—Au nom de le Nation, de la Loi, et du Roi.

Il est ordonné à tous les capitaines commandants les vaisseaux François mouillés presentement en rade de Coringue, de rendre au porteur du present ordre, les naturels de pais qu'en les taxe d'avoir à leur bords.

Donné à Yanam, en l'hotel du gouvernement, le 15 Decembre 1792.

(signé) *Sonnerat.*

Nous sous-signés, proposés par le resident Anglois à Ingeram, et le commandant François à Yanam, declaron nous être transporter à bord des vaisseaux François le Marr et le Courier d'Yanam; avons communique le present ordre aux capitaines de ces deux vaisseaux, qui nous ayant refusé de faire aucun reponse, et de l'écriture, nous ont contraint à nous retirer, en foi le quoi nous avons signé à present, à bord du Courier d'Yanam, le 19th Decembre 1792, à onze heures de la nuit.

(signé) *Du Cimiterre.* *Robert Scobie.*

8.—To Major Alexander Wynch, commanding at Samulcottah.

Sir:—I require of you to supply me with 100 sepoy's, commanded by one or more European officers, to endeavour to rescue a very considerable number of the inhabitants of this country, who have been seized upon and forcibly sent on board of two French vessels, now laying in Coringa bay. I request that the sepoy's may be sent, without loss of time, to Cacanada, where boats and guides shall be provided for them; and I am not without hopes of being able to fit out a vessel for the more speedily effecting so desirable a purpose.

It is necessary to inform you, that the seizing of those people is contrary to the established orders both of the English and French government in India, and that the French chief at Yanam has in vain sent an order to the captains of the vessels to deliver them up.

I am, &c.

Nellapille, 16th December 1792.

(signed) *Mathew Yeats.*

N.B.—If you have any gun lascars, be so good as to send them.

(A true copy.)

(signed) *Robert Scobie, Acting Assistant.*

Mathew Yeats, Esq. Resident, Ingeram.

Sir:—I have the honour to acknowledge the receipt of yours of yesterday's date, requesting military aid to rescue some inhabitants, who had been seized upon, and forcibly sent on board two French ships, laying in Coringa road. As I was giving the necessary orders for a party, under the command of an European officer, to march immediately for Cacanada, I received a letter from Mr. Scobie, acting assistant, written by your directions, acquainting me that the vessels had sailed, and that there was no occasion for the party to march. The French chief's conduct

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

duct appears to be very reprehensible indeed; had he executed his authority as chief, he no doubt could have prevented the vessels sailing with the inhabitants on board. I hope you will represent his conduct in its proper light to government.

Samulcottah, 17th December 1792.

I have, &c.

(signed) *Alexander Wynch, Major.*

10.—To Pierre Sonnerat, Esq. Chief of the French Factory, at Yanam.

Sir:—In the letter you did me the honour to write to me on the 14th instant, you tell me you have been informed that three English vessels have sailed from Coringa for the Isle of France, with slaves on board.

Permit me, Sir, to request of you to be so obliging as to acquaint me with the names of the captains and the vessels they command.

I have, &c.

Ingeram, 18th December 1792.

(signed) *Mathew Yeats.*

12.—To Frederick Corsair, Master Attendant at Coringa.

Sir:—If Captain Gambo, of the ship Sultan Favourite, or any of his officers of the other French vessels now in Coringa roads, or Mr. Lewis de Mars, of Yanam, are to be found in Coringa, you are hereby directed to arrest their persons, and keep them in confinement until further orders.

I am, &c.

Ingeram, 15th December 1792.

(signed) *Mathew Yeats.*

Minute.—The Board approve of the steps taken by Mr. Yeats to liberate the natives from slavery.

Resolved, To refer the above papers to the Governor of Pondicherry, requesting he will issue such orders, as will effectually prevent this improper traffic amongst those who are under his authority.

Agreed, That the chief and council at Masulipatam be desired to station at Coringa, the guard applied for by the resident at Ingeram, provided they are of opinion the measures will not be attended with inconvenience.

Extract of Fort St. George Public Consultations, the 5th January 1793.

Extract of a Letter to Masulipatam.

The resident at Ingeram being of opinion, that if a guard were stationed at Coringa, it would lessen, if not prevent, the traffic in slaves, which he represents to have been carried on by the French at Yanam; we desire you will order thither a company of sibbundies under a subaltern officer, provided you are of opinion that the measure will not be attended with inconvenience.

Sent the following letters.

To the Honourable Major General De Fresne, Commandant of the French Settlements in India, Governor of Pondicherry, &c. &c. &c.

Sir:—I feel much concern in forwarding to you the enclosed papers, received from the English resident at Ingeram, accusing some individuals of the French factory at Yanam, of purchasing the natives as slaves. These papers speak so forcibly, that I am convinced no other argument is necessary to induce you to send such orders on the occasion, as will effectually prevent this improper traffic amongst those who are under your authority.

I have, &c.

Fort St. George, 5th January 1793.

(signed) *Charles Oakeley.*

To Mr. Mathew Yeats, Resident at Ingeram.

Sir:—We have received your letter of the 22d ult. and approve the steps you took to liberate the natives from slavery.

We have referred the papers received from you on the subject to the Governor of Pondicherry, and upon receiving his reply, shall be able to determine on the measures necessary to be adopted; in the mean time, you will attend to our instructions, under date the 22d ult., observing to communicate any future occurrences of a similar nature to the chief and council at Masulipatam.

We have directed, that the guard you applied for, should be stationed at Coringa, provided the chief and council are of opinion the measure will not be attended with an inconvenience.

We are, &c.

(signed) *Charles Oakeley, &c. Council.*

Fort St. George, 5th January 1793.

Extract of Fort St. George Public Consultations, the 18th January 1793.

Read the following letter from Pondicherry.

To Sir Charles Oakeley, Bart, Governor of Madras, &c, Fort St. George.

Sir:—I have received the letter which you have done me the honour to write me of the 5th inst. and the papers which were enclosed. I am at a loss for words to express to you how much I am affected at what still passes at Yanam. They have published at that factory a proclamation, to entirely put a stop to the trade in slaves; I have caused one to be published here, by which this shameful traffic is prohibited, directly or indirectly, to every Frenchman in India. I am going, Sir, to furnish Mr. Sonnerat with fresh instructions on this subject; they are very strict. I venture to assure you, they shall be enforced with the utmost rigour; and that the persons made mention of by Mr. Yeats for having been concerned in this disgraceful traffic, shall scrupulously be taken notice of.

I have, &c.

Pondicherry, 14th January 1793. (signed) *Cornelle Lellere Defresne.*

Resolved, to inform the Governor General, that several complaints have been received from the Northern settlements; of the traffic carried on by the French in the purchase of the inhabitants as slaves, and to state the steps which have been in consequence taken.

As the Board however apprehend, that the authority of Mons. Defresne is too weak to remove the cause of complaint, and that it may become necessary to redress the grievance by the exertions of our own government, they wish to receive the sentiments and instructions of the Governor General upon this delicate point, as the measures requisite to be taken may involve national considerations of too much importance for them to decide upon.

Ordered, That copies of the late dispatch from the resident at Ingeram, and of Mons. Defresne's letter, be sent to Bengal, for the information of the Governor General in council.

Extract of Fort St. George Public Consultations, the 19th January 1793.

Sent the following Letters of this date to the Right Honourable Earl Cornwallis, K. G. Governor General in council at Fort William.

My Lord:—We are much concerned to inform your Lordship, that we have received several complaints from the northern settlements, of a traffic carried on by the French in the purchase of the inhabitants as slaves.

We have made repeated and strong representations to the Governor of Pondicherry upon this subject, and he has expressed himself equally earnest with ourselves to restrain the practice; but from a dispatch lately transmitted by our resident at Ingeram, of which we do ourselves the honour to enclose a copy for your Lordship's information, we perceive not only that the trade continues, but that it is countenanced, if not carried on, by persons in authority at the French settlement at Yanam; we transmitted copies of the papers received from the resident to Mr. Defresne, and have received his answer (which is herewith forwarded), professing his extreme displeasure at the conduct of the French subjects, and assuring us that he should take the most effectual measures in his power to remove the cause of complaint; we apprehend, however, that his authority is too weak for this purpose, and that it may become necessary to redress the grievance by the exertions of our own government; upon this delicate point, however, we wish to receive your Lordship's sentiments and instructions, as the measures requisite to be taken may involve national considerations of too much importance for us to decide upon.

We have, &c.

Fort St. George, 19th January 1793.

(signed) *Charles Oakeley.*

Extract of Fort St. George Public Consultations, the 25th January 1793.

Extract Letter from Anthony Sadleir, Esq. Chief, and Council at Masulipatam, to the Honourable Sir Charles Oakeley, Bart, dated 13th January 1793.

In consequence of the orders contained in the last paragraph of your letter, and of the discretion apparently left with us, we think it necessary that a prudent and vigilant officer should be selected for the purpose of being stationed at Coringa, more particularly as we know from good authority, that reports of the traffic carried

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

on by foreigners in slaves has reached Calcutta; having a confidence in the circum-
spection and conduct of Lieutenant Thomas Reddell, we have accordingly selected
him for the service in question, which may require to be conducted with some degree
of delicacy, and we shall require the officer commanding the troops in garrison to
order him to proceed to Coringa without delay, where he will be stationed with
one company of revenue sepoys, or as many as can at present be spared from the
garrison of Samulcotah, from whence he may easily be reinforced afterwards by
Major Wynch, as circumstances may render necessary. Colonel Fraser shall like-
wise be advised of your orders to us, and of our reasons for having selected a parti-
cular officer for this duty, as likewise Mr. Yeats, for every purpose of co-operation
necessary.

Extract of Fort St. George Public Consultations, the 1st February 1793.

Read the following Letter from Masulipatam, with the papers accompanying it.

To the Hon. Sir Charles Oakeley Bart. Governor in council, Fort St. George.

Honourable Sir and Sirs:—We have already had the honour in acknowledging
the receipt of your letter of the 5th instant, of informing you that an officer had been
nominated to proceed to Coringa, and to remain stationed there, for the purpose of
preventing the trade in slaves carried on in that neighbourhood, by foreign Euro-
peans, and we herewith enclose copy of a letter of instructions, with which we
furnished Lieutenant Reddell for his guidance, marked N° 1.

About the time that your above mentioned letter reached us, we understood that
reports were circulating, and that they had even reached Calcutta, of numbers of
natives of the country having been made slaves of, by the most unwarrantable
means, and transported by sea from Yanam, in vessels bound for the French islands;
and having ourselves received no official information upon which we could act, we
thought it necessary to apply to the resident of Ingeram for such as he might be
able to furnish. Mr. Yeats accordingly transmitted to us copies of two letters
which he had addressed to your Honour, &c., of date the 15th and 22d ultimo,
together with copies of the enclosures which had accompanied them. By these
papers we were concerned to observe, that the traffic in slaves had been carried on
to an extent and in a manner that we could not have imagined Europeans of
whatever nation would have been guilty of, or even have in the smallest degree
countenanced.

We are not in knowledge of the answer, or any instructions you may have trans-
mitted to Mr. Yeats in reply to his above mentioned letters; but with such official
information in our possession, and considering the proclamation published during
the government of General Medows, and the orders which we have from time to time
received, we have thought it our duty to take all the measures in our power for pre-
venting a species of traffic so ruinous in its consequences, and so repugnant to huma-
nity, as appears to have been carrying on at Yanam. We have accordingly
circulated a taukeed, of which a copy is herewith enclosed, marked N° 2, and written
letters to the resident of Ingeram and Lieutenant Reddell, marked, N° 3 and 4.
We are in hopes that the chief of Yanam, Mr. Sonnerat, will, after these have been
communicated to him, take measures for effectually preventing a trade which he
never has avowed; and in our own opinion the French factory at Yanam may at
this time be considered in a state of anarchy, the authority of their chief having
little influence on the conduct of his countrymen; for it appears, that the proclama-
tion which he published, for preventing any trade in slaves being carried on had no
effect, more than the order which he dispatched at Mr. Yeats's request for the release
of those who had been put on board of ship; and under these circumstances, we
think the natives of the country have a right to look up for protection to that
government, which only has the power of securing them and their families against
the barbarous rapacity of individuals, which we are persuaded the French as a
nation will by no means countenance or oppose under the present circumstances of
their government abroad.

We have, &c.

(signed) *Anth. Sadleir.* *Wm. Dobbyn.* *Andw. Scott.*

Masulipatam, 27th January 1793.

To Lieutenant Thomas Reddell.

N° 1. Sir:—Government having thought proper to order a subaltern officer, with a
detachment of revenue sepoys, to be stationed at Coringa, for the purpose of pre-
venting the traffic in slaves, said to be carried on in that neighbourhood by foreigners,
and

and as we think it necessary that this service be conducted with a considerable degree of circumspection, we have in consequence of the opinion which we entertain of your vigilance and prudence selected you for this particular duty.

You will accordingly, on being detached from this garrison, proceed to Coringa, and on your arrival there, take upon yourself the command of a jemadar's guard of revenue sepoy, which Major Wynch has been required to order thither from Samulcotah.

We cannot suppose that the traffic in slaves is carried on with the concurrence of the French and Dutch governments, more particularly as the representative of those nations at Yanam and Juggernaickporam disavow it; but notwithstanding this, we can have no doubt of many natives of this country having been carried into slavery by individuals, and of their having been exported by sea from the above mentioned factories. To prevent this traffic, so disgraceful to those concerned in it, is the present intention of government, by stationing a detachment at Coringa, and which you will of course vigilantly attend to. On the event of your being informed of any individual residing at Yanam or Juggernaickporam being engaged in purchasing slaves, it will be proper for you to acquaint the chief of such factory thereof, as also of your being ordered to prevent their exportation; if this notification should not produce the desired effect, you are to proceed accordingly to employ such means as circumstances may require, for preventing any of the natives of the Company's districts being exported as slaves, which the French and Dutch have both been informed is positively prohibited by our government.

Your operations on such occasions must however be confined to the Company's territories and the river, as it would be improper for a military force to enter upon the territories belonging to either the French or Dutch.

We have not heard, neither can we suppose, that any British subject would disgrace his character so exceedingly as to be concerned, either as a principal or agent, in a trade so shameful; but in case of any instance to the contrary coming within your knowledge, we desire that the person so concerned may be apprehended and kept in confinement until the pleasure of government be known. All natives or others who may be employed within the Company's districts, in buying up the inhabitants with a view of their being afterwards exported as slaves, are in like manner to be apprehended, and the circumstances of the case reported by you.

If upon any occasion it should happen, that the force under your command should be insufficient for the execution of the duties with which you are entrusted, an immediate application may be made for a reinforcement to the officer commanding at Samulcotah, who has been required to comply therewith.

You will communicate all occurrences as they may arise to us, and as the port of Coringa has been placed by government under the resident at Ingeram, he will be informed of your being stationed there, as well as for what purpose; and that there may be that co-operation between you and the resident which the service requires, you will be pleased to shew your instructions to Mr. Yeats, as also to act in communication with him, and to be attentive to such communication and applications as he may make to you.

Mr. Sonnerat, chief of the French factory at Yanam, having some time ago acquainted the resident at Ingeram with his having issued a proclamation, forbidding the exportation of the natives of the country as slaves, we herewith enclose a translation of the communication which we received from Mr. Yeats on that occasion, as it may be a proper authority for you to refer to, in case of your having any intercourse with the subjects of France.

We are, &c.

Masulipatam, 14th January 1793.

(signed) *Anthony Sadlier*, Council.

TAUKEED to all zemindars, tanadars, muzamadars, despondias, choudries and other inhabitants belonging to the districts dependent upon the chiefship of Masulipatam.—Dated 20th January 1793.

Whereas it has come to the knowledge of the chief and council, that in defiance of the proclamation issued by the Honourable the Governor in Council of Fort St. George, and the measures since taken in consequence thereof, many natives of this country, of both sexes, have been made slaves of by purchase, kidnapping, seduction and otherwise, and afterwards shipped on board of foreign vessels for the purpose of being transported beyond sea, the Board find themselves deeply interested by every principle of justice and humanity, to put an effectual stop to this scandalous and disgraceful traffic.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Notice is accordingly hereby given to all persons residing under the authority of the chief and council, that they are to use their utmost endeavours to prevent the purchasing, kidnapping and decoying away any of the native inhabitants of this country as slaves, for the purpose of their being sent out of the country either by sea or land; that all persons who may be found in the interior parts of the country, or in the neighbourhood of the sea ports, engaged in the business of procuring slaves; by any means whatsoever, whether such persons may be Europeans or natives, and whether they may be employed as principals or agents, such persons are in every case to be secured and delivered up to the officer stationed at Coringa, or to the nearest military station, in order that they may be punished in such manner as government may, from the circumstances of the case, determine upon.

It affords the greatest satisfaction to the chief and council to reflect, that hitherto no information has been received of any British subject, of any description, having been so regardless of their characters as to be concerned directly or indirectly in procuring or transporting the native inhabitants of the country as slaves, and they trust no instance of such depravity will occur among them; but it becomes necessary nevertheless to publish, that on the event of any instance appearing of any British subject degrading himself so far as to be concerned in this shameful species of commerce, he will not only be treated in the same manner with others, but his conduct be publicly represented to government.

Finally, the Chief and Council hereby signify their determination to reclaim, rescue and release, by such means as may be in their power, whatever natives of this country they may be informed are detained on shore or on board of ships as slaves, and to secure the persons of those by whom such natives may be detained; and they in like manner authorize and require all persons depending on their authority, to act conformably to this notice with respect to men of whatever nation or country the offenders may be.

(A true copy.) (signed) *R. Malcolm*, Assistant Secretary.

To Mr. Mathew Yeats, Resident at Ingeram.

N^o 3-

Sir:—A report prevailing of a disturbance having been occasioned at Coringa and Yanam, owing to a number of native inhabitants having been carried away and put on board French ships in defiance of the orders of our government, and contrary to assurances given by Mr. Sonnerat, chief of the factory at Yanam, the chief and council have directed me to request of you to communicate to them such information as you possess on the subject.

It is mentioned, that on the night of the 15th ultimo, many natives of the superior castes lost their children, who were by violence carried away from them at Yanam, houses having been forced open; that, soon afterwards, two French ships got under way from Coringa Roads, bound to the Mauritius, and having on board, it was said, not less than eight hundred of the native inhabitants. Further, that Monsieur De Mars, owner of one of the ships, being himself a passenger on board, was conceived by the populace to be a party concerned in this traffic; and his house demolished by them after his departure.

These accounts may probably have been exaggerated, which in the present instance the chief and council hope may have been the case; but, as it appears by a letter just received here, that the report is current in a distant settlement, they deem it incumbent on them to endeavour to obtain the best information on the subject which it may be in their power to procure.

Masulipatam, 11th Jan. 1793.

I am, &c.

(signed) *Robert Malcolm*, Assistant Secretary.

To Mr. Mathew Yeats, Resident at Ingeram.

Sir:—I am directed by the chief and council to acknowledge the receipt of your letter of the 5th instant, with its enclosures, which communication has impressed them with deep concern, and exhibits a conduct which they could not have conceived or expected; after the positive assurances received from the chief of Yanam in his public capacity, after the agreement entered into by the European inhabitants of Yanam not to trade in slaves, and after the proclamation issued by Mr. Sonnerat, prohibiting this traffic; the information communicated by you has induced the chief and council to write a letter to the officer stationed at Coringa, inclosing a taukeed, which they have thought it necessary to circulate; this letter is herein inclosed, and left open for your perusal previous to its being delivered. The

Board

Fort St. George
Papers:
State of Slavery
in Company's
Territories:

Board think it proper that their determination should be communicated through you to Mr. Sonnerat, which they request you will do accordingly, in hopes it may induce him effectually to prevent the barbarous trade that has but too evidently been carried on with his knowledge, or that he may be warned at least of the consequences which may result from a contrary conduct. The chief and council, in their original instructions to Lieutenant Reddell, thought it proper to restrict him from employing a military force within the limits of the Dutch and French factories; but the circumstances which you have communicated will now, they think, warrant a less delicate conduct, in case of any thing similar being repeated; you will observe, that they have accordingly authorized Lieutenant Reddell to support such measures as you may deem it necessary to adopt for rescuing such unfortunate natives as you may hereafter be in knowledge of being confined as slaves at Yanam, in case of your finding it necessary to require his assistance.

Masulipatam, 21st Jan. 1793.

I am, &c.

(signed) *R. Malcolm*, Assistant Secretary.

To Lieutenant Thomas Reddell, commanding a Detachment at Coringa.

Sir:—I am directed by the chief and council to inform you, that since writing you on the 14th instant, they have received a letter from the resident at Ingeram, inclosing several papers, by which they observe, with much concern, that the traffic in slaves has been carried on of late in a manner and to an extent which they could have formed no conception of.

N° 4.

With a view of putting an effectual stop to this barbarous and shameful species of commerce, the Board have thought it necessary to circulate a taukeed, of which a copy is herewith inclosed, for the purpose of being published by you by beat of tom-tom, and pasted up in some public place for the information of the native inhabitants and others.

It will rest with Mr. Yeats, through whom the chief and council have usually corresponded with the chief of the French factory at Yanam, to communicate their determinations to Mr. Sonnerat; and as the Board consider it to be their indispensable duty to protect the native inhabitants of these districts in their persons and in their property, against all attempts to injure them, Mr. Yeats will be acquainted, that, in case of his receiving information upon which he can depend, and which he may think will warrant the entering the village of Yanam for the purpose of rescuing and releasing any of the native inhabitants who may be detained there as slaves, the Board will authorize him to give you the necessary support, which you are to do accordingly, notwithstanding any thing to the contrary contained in the letter written you, under date the 14th instant.

Masulipatam, 21st Jan. 1793.

I am, &c.

(signed) *Robert Malcolm*, Assistant Secretary.

MINUTE.—The Board trust, that the measures taken to prevent any further attempts to carry away the natives, will be attended with the desired effect.

The Board observe, that the resident at Ingeram was acquainted that his late communication on this subject should have been made to the chief and council at Masulipatam, and directed in future to address them upon all occurrences of a similar nature.

Extract Fort St. George Public Consultations, 2d February 1793.

Sent the following letter.

To Anthony Sadleir, Esq. Chief and Council at Masulipatam.

Gentlemen:—We have received your letter of the 27th instant, with its inclosures, and trust that the measures taken to prevent any further attempts to carry away the natives, will be attended with the desired effect. We have acquainted the resident at Ingeram, that his late communication on this subject should have been made to you, and in future to address you upon all occurrences of a similar nature.

Fort St. George, 2d Feb. 1793.

We are, &c.

(signed) *Charles Oakeley* & Council.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract of Fort St. George Public Consultations, 8th February 1793.

Read the following Letter from the French Chief at Yanam :

To the Gentlemen in Council at Madras.

Gentlemen:—After the letter which I received yesterday from the governor of Pondicherry, respecting complaints made to you by your resident at Ingeram concerning the natives, that some individuals have been transported from their country, no doubt as slaves, it behoves me to justify myself to you; I have the esteem of my chief and fellow citizens, and I have merited it; I have ambition likewise to obtain yours, and shall be concerned that there should be the smallest foundation for being unworthy of it.

I perceive, gentlemen, that what has been written has been extremely exaggerated. A child supposed to have been taken away, is a story fabricated to establish a pretext to write. The journey of your resident to our settlement, at the moment complaints were brought to me, was designed; but nothing can excuse the indecent proceeding he was guilty of, in coming at three o'clock in the morning into our settlement, with a crowd of people, to force me to visit with him some particular houses; a proceeding disgraceful to his character, and which I would not have suffered in any other instance, and to which I have appeared ignorant, to convince the English government that I was far from countenancing the traffic. I know, gentlemen, that he has written a very strong and very ungentle letter about me, without entering into the reasons which engaged him to do it; it is true, however, that it is not becoming a man of integrity to calumniate his equal, and much less the chief of a foreign nation.

My conduct, gentlemen, will convince you, that I have done every thing in my power to prevent this disgraceful traffic, and that I have myself declared the same in my works, published twelve years ago.

Shocked to see some French profit from the misery which prevailed in the north, by carrying away the unfortunate from their country and their families, (our laws at that time not prohibiting the trade,) I prevailed on the citizens of Yanam, at a general meeting, to authorize me to prevent it. I sent at the time to the council at Masulipatam, and to the chief at Ingeram, a copy of the declaration and resolution of the citizens of Yanam, and of the proclamation I made. Since that proclamation, which was published the 14th July, ten persons, who were convicted of having sold natives of the country, were publicly chabucked; which I can prove, by the same having been recorded in the police register of this settlement. Every time that I have been informed that a Frenchman has had any slaves at Yanam, I have had them seized, and sent to the English resident. I sent him eighteen the 2d November, sixteen the 8th following, twenty-one the 13th December, and three the 14th. I set at liberty likewise (the English resident being absent) one hundred and ten, which I caused to be sent to Nellapilla, to the English territory; I took twelve from an English captain, but, from a letter which was written me during the absence of the English resident, I was forced to release them. I could, gentlemen, expose to your view a circumstance which would astonish you; but my project is only to remove any unfavourable impression against me, and not to give pain to any one.

In every instance, it is true, that if there is any who can be responsible, it is the resident at Ingeram, who alone has every means. You are not ignorant, gentlemen, that Yanam is surrounded by your possessions; nothing can leave it without the knowledge of the English chief, and it would be impossible, even if he wished it, to send from Coringa one black as a slave.

I annex herewith copy of two letters, which I have written to Mr. Yeats, which contain my sentiments, and come in support of what I have advanced. If, after what I have now told you, I am happy enough to convince you of the zeal I have manifested to prevent the French from degrading themselves by so shameful a traffic, at which humanity shudders, I am satisfied.

The accusation that your resident here has made against Vencana, one of my dubashes, as being concerned in the trade of slaves, is unjust; his enemies have, in order to injure him, accused him to the English resident. I can assure you, gentlemen, that he never entertained an idea of buying or selling a single one.

At the request of Mr. Yeats, I have sent to Mr. Cemitere an order for all French captains

captains at anchor in the road of Coringa to give up to Mr. Scobie, who accompanied Mr. Cemitere, all the natives of the country they had on board. I have claimed the return of this order, as you will perceive by copy of my letter to Mr. Scobie, herewith annexed. I am willing to believe what Mr. Scobie wrote in reply, that Mr. Yeats, not knowing it was necessary for me to have, sent it to you; I will be obliged to you to return it to me.

I have, &c. (signed) Sonnerat.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

To Mr. Yeats, Chief at Yanam.

Sir:—I have been extremely hurt at the complaints some Indians made to you yesterday, respecting an infant which had been taken from its family, to be sent to slavery. The same complaint had already been sent to me about nine or ten o'clock at night; and as I am far from tolerating such infamy, I had all those suspected of being concerned in the trade of blacks taken up, and put into prison, for the purpose of interrogating them to-day, to punish those who were found in fault. Those who applied to you, Sir, have very improperly made a general charge against all the citizens of Yanam: it does not follow, that because one individual being more to blame than his fellow citizens, that the others are capable of degrading themselves so low as to be accused of kidnapping children; and I will be answerable for their integrity. I shall therefore conceal the paragraph which mentions it, in the letter which you did me the honour to write me yesterday, or else they must demand redress against those who have dared to make such an attack on their honour.

The report made to you, that several slaves were confined in the house of one Pedro was without foundation. As soon as I was told that it was conjectured that he had some in that house, I went there, and made the most strict search with the informers themselves, and could find none. That house is inhabited by Mr. Hopoleter, and I cannot believe that he ever had an intention to transport blacks as slaves: his vessel is at this moment loading with bales for Pondicherry, where he would meet with a very indifferent reception if he had blacks on board.

The colonial assembly of the French settlements in India has published a proclamation, which prohibits the French from purchasing a single person; and after that proclamation, and the positive orders I have received from the governor of Pondicherry, to take the most effectual measures to prevent this commerce every time that I have it in my power, and I have done so; and in your absence I had transported one hundred and ten to Nellapilla, where I gave them liberty; the 2d of last month I had the honour to send you eighteen; the 8th of the same month I took away twelve from an English captain, but, after the receipt of a letter from Mr. Scobie, written in your absence, I was obliged to restore them; I sent you seven yesterday, which I had intended to have sent you this morning: a moment after they conducted to you fourteen, which I had taken from a godown.

It has not been in my power, Sir, to prevent Mr. De Mars from sending on his vessel Indians to be transported, without doubt, as slaves, to the Isle of France. Mr. De Mars knows the proclamation of the colonial assemblies for the French establishments in India, and he will be very careful not to take one from Yanam. If he has any, he has procured them at Jagganaporam, Bimlipatam, and other districts dependant on the English government, without being molested.

But perhaps this complaint does not merely allude to Mr. De Mars; I am told that three English vessels are about to sail for the Isle of France, with a number of slaves; if it is so, we shall know it for a certainty soon. It is surprizing that the English are the first to infringe a law that their government promulgated.

In fine, Sir, the limits of Yanam, and my means, are too restrained to do more than I have done; while the English government do not employ force at Coringa to prevent the exportation, they will always find some individuals without delicacy, greedy, and led away with the hope of gain, continue this vile commerce; convinced that I have no power over them in the road of Coringa, and while the English have not force to prevent them, they can act with impunity.

I am going to send an order on board two French vessels in the road of Coringa, to restore all the children which are claimed.

I have, &c. (signed) Sonnerat.

P. S.—I send you three children, which I caused to be seized.

Fort St. George
T. 1793
State of Slavery
in Coorpar's
Territories.

Mr. Yeats, Chief at Ingeram.

Sir:—I have just received the letter you sent me by Mr. Scobie; to accord with the views of the English government, I have given to Mr. Cimiterre an order to all French captains at anchor in Coringa road, to give up to Mr. Scobie (who will accompany Mr. Cimiterre) every native of this country they may have on board.

I have, &c.

(signed) Sonnerat.

Mr. Scobie.

Sir:—Conformable to the order of the service, Mr. Yeats absolutely cannot send to the council at Madras the original of the order that I have sent to Mr. Cemiterre, and which he has entrusted to you; not that you should leave it with Mr. Yeats, but that he should merely sign it; he cannot, therefore, keep it without subjecting you to censure. Mr Yeats may as well send a copy signed by me; and if he does not restore it, it will compel me to claim it from the council of Madras, because it cannot go out of my hands; and I shall therefore be obliged to you to ask for it, and send it me by the bearer.

I have, &c.

Yanam, 28th January 1793.

(signed) Sonnerat.

Mr. Yeats, Chief at Ingeram.

Sir:—I have received the letter you did me the honour to write to me the 24th instant, with the proclamation from the chief and council, relative to the commerce in slaves. I am delighted that that council have at last interfered. It is to be hoped, that the spirit of that proclamation, of the one I published at Yanam, and the measure you will adopt, neither English or French can any longer carry on this shameful traffic.

I have, &c.

(signed) Sonnerat.

LIST of BOYS and GIRLS brought to Madras, to be sold as Slaves,

N ^o	NAMES.	VILLAGES.	Age.	Height.		CASTE.	PARENTS NAMES.
				Feet.	Inches.		
MALE							
	Ramasam	Gunpate	16	4	4	Gentoo	Sidog Leclime
	Balagooovah	Poondy	15	4	4		Ramoodoo Pudnachelm
	Naregandoo	Ragoonadapuram	6	3	-	Reddy	Jatah Ackee
	Casee	Larumpoor	10	4	6	Abbot	Baaviyah Govourinmma
5	Juniyah	Sutanum	7	3	6	Wood people	Woopunnah Acummah
	Sunnasee	Ambalum	13	4	4	Inhabitant	Ramoodoo Accovloo
	Joage	Pantaloo	11	4	4	Weaver	Multoo Panree
	Appiah	Coanadoo	10	4	-	Fisherman	Junniyah Panpan
	Rammasamy	Sevasulum	13	4	4	Weaver	Appiah Appalumnah
10	Achianah	Anunda Gimdanum	12	4	4	Goldsmith	Luchmodoo Pawpumma
	Rajumah	Kindannum	6	3	-		
	Mulliah	Kanoocanpulloo	12	4	4	Weaver	Mullah Gowroo
	Baliado	Amliapooram	12	4	4	Oilman	Appiah Buchmmah
	Pealooandoo	Narasam Pitah	11	4	-	Weaver	Appiah Luchmu
15	Vencataramdoo	Tummacoodoo	9	3	4	Paria	Paupoodoah Luchmu
	Vencataramdoo	Dasooraseepulla	10	4	-		Pooliah Moosulee
	Ramoodoo	Coanadoo	9	3	6	Labourer	Rawmoodoo Luchmmah
	Pawpah		9	3	6	Commavar	
	Tychosh		7	3	6	Gentoo	Casavoodoo Ancummah
20	Srapoonah	Gyputinagarum	12	4	3	Abbot	Mulliah Nagoo
	Sidapah	Joomapalum	12	4	3	Labourer	Goapawlos Venias
	Veeruntah	Corala Billia	13	6	-	Goldsmith	Pawpah Pawrummah
	Chilapah	Itamah Varam	13	4	6	Cowkeeper	Yenkiah Appooloo
	Appunnah	Visia Nagarum	12	4	3	Oilman	Ramoodoo Chinna Papaw
25	Potah	Dama la Chiina	8	3	4	Gentoo	Ramoodoo Chetummah
	Panapah	Navaspelah	11	4	3	Fisherman	Naradoo Narummah
	Nagiah	Vultoor	11	4	3	Reddy	Yeneah Uncummah
	Pawmoodoo	Jagunnadam	10	4	-	Woodcar	Madina Saheb
	Luchmoodoo	Vizia Nagarum	6	3	4	Fisherman	Guroovandoo Asalumnah

Agreed, That the chief and council of Masulipatam be directed to endeavour to ascertain the truth of the assertion of Monsieur Sonnerat, that an English captain had some concern in the slave trade lately carried on from the northern ports.

Extract of Fort St. George Public Consultations, 9th February 1793.

Extract of a Letter to the Chief and Council at Masulipatam.

We transmit to you copy of a letter from the Chief of Yanam, with the papers therein mentioned, and desire you will endeavour to ascertain the truth of his assertion, that an English captain had some concern in the slave trade lately carried on from the northern ports.

Extract Fort St. George Public Consultations, 22d February 1793.

Read the following letter from the Town Major, with the papers accompanying it:—

To the Honourable Sir Charles Oakeley, Bart. President in Council, &c. &c. &c.
Fort St. George.

Honourable Sir:—In consequence of information that was given of the arrival of children in the Black Town, and in vessels in the roads, to be sold as slaves, I sent two parties to secure such as could be found; one to the Black Town, which brought in forty boys and girls; and the other to vessels in the roads, in which were found twenty-two of both sexes. Lists of each description, I have now the honour to lay before you, together with the affidavit of Quarter Master Serjeant Clemons, who went to the vessels in the roads.

I have, &c.

Fort St. George, 21st February 1793. (signed) A. Beatson, Town Major.

and found in the Black Town the 13th February 1793.

OCCUPATION.	By whom Purchased.	Where Embarked.	Vessel, and Captain's Name.	REMARKS.
		Poondy	Pauroo	Wishes to go home!
	Puramamoody	D°	D°	Wishes to stay here!
Peon	Putagooroo Tyah	D°	D°	D°
Merchant	Jamal Sail	D°	Abdul Cawdur	D°
Bird-catcher		Cealingapatam		Wishes to go home!
Labourer	Murlaw Murgaw	Poondy		D°
		D°		D°
		Bumanapatam		D°
		D°		D°
Goldsmith	Chinnatambe Turdul	D°		D°
		D°		D°
	Chuckrah	Vumrapatam		D°
	D°	D°		D°
Weaver	Nutther Saib	Coanadoo		D°
Toty	Tundull	Coalapatam	Mahomed Deen	D°
Weaver	Murah Sail	Came by land		D°
	Came Chitty	Candoo		D°
Labourer	Agamadeen	Came by land		Wishes to stay here!
Tyler				D°
Peon		D°		Wishes to go home!
		D°		D°
Peon	Ismiah	Poondy		D°
Peon	Muncandoo	Coandoo		D°
Oilman	Amootumby	D°		D°
Labourer		D°		D°
Fisherman	Seddamusahpuat	D°		D°
		Pandusty		D°
Merchant		By land road		D°
Fisherman	Rumjanees	Beimlapotam		Wishes to stay here.

LIST of Boys and Girls brought to Madras, to be sold as Slaves,

N ^o	NAMES	VILLAGES	Age	Height		CASTE	PARENTS NAMES
				Feet	Inches		
MALE—continued.							
30	Tamaul	Nagoore	10	4	4	Moor	
	Cachapella	D ^o	10	4	-		Conchabunnee Patum Neckar
	Vencatramdoe	Dornala Guntah	5	3	3		
	Appiah	Yonna Vasantah	11	4	2	Inhabitant	
	Veerasah	Masaram	8	3	4	Labourer	Nagasah Mungah
35	Saracorandoe	Virigapatam	11	4	6	Cowkeeper	Gooroo Annah Pyee Ammah
	Chacuites	Nagoor	10	4	-	Moor	Abdul Cawder Beeben
FEMALE.							
36	Goorveete	Vernapatam	10	4	-	Fisherman	Ramdoo Luchee
	Patmah	Cundels	11	4	3	Moor	Chuckravooth Pawpau
	Cawmee	Coringee	12	5	-	Fisherman	Appiah Luchmee
	Paros	Jungtoor	8	4	-	Paria	Josiah Buckee
40	TOTAL						

Fort St. George,

13th February 1793.

LIST of Boys and Girls brought to Madras, to be sold as Slaves,

N ^o	NAMES	VILLAGES	Age	Height		CASTE	PARENTS NAMES	
				Feet	Inches			
MALE.								
5	Ebraim Saib	Vesanagor	13	4	6	Moor	Maeln Saib	
	Sedder Atake	Chicacole	12	4	3	D ^o	Kalnater Nambo	
	Bodenah	Chambornore	12	4	-	Weaver	Hussain Abuk	
	Sunnee	Jabbuntarah	15	5	-	Gentoo	Lingiah Jaajamra	
	David Cawn	Marady Cotar	10	4	3	Labourer	Lutchnopoto Chinam	
	Madas	Ventapalam	8	3	4	Moor	Toogue Tauspaw	
	Naidor	Bagoosalah	16	5	-	Weaver	Ebraim Boornama	
	Balaramoodoo	Chasnam	9	3	6	Barber	Candoo	
	Necladree	Mundecotah	10	4	3	Woodear	Ramoodoo Luch	
	Tammoo	D ^o	14	5	-	Tody man	Boochandoo Gungo	
10	Coollador	Eroovadat	10	4	-	D ^o	Luchee Gande Tallee	
	Pollendoo	Coalore	7	3	3	Gentoo	Verapah Chinnaos	
	Chirmah	Bendriotah	6	3	2	Weaver	Mautee	
	Ramsam	Ambalem	7	3	6	Fisherman	Narsunna Nutteoma	
	Narrapah	Deckla	5	3	-	Pullee	Keetunnum Paule	
	Chinniah	Vesanagarum	10	4	-	Cowkeeper	Kamidh Chitah	
	Chawlee	Nagore	13	4	6	Moor	Hevoodabee Putoom	
	FEMALE.							
	17	Panper	Muschew Neler	10	4	4	Fisherman	Kistnum Ackee
		Maweremah	Cotah	8	3	-	Cowkeeper	Ramdoo Achee
20	Cateo	Pawwoodum	8	3	-	Woodear	Jampunnah	
	Mullad	Mundawash Coalat	8	3	4	Oilman	Buchannah Pap	
	Bungee	Cuddapalem	6	3	3	Bramne	Luchmidas Goorachop	
21	TOTAL							

Fort St. George,

13th February 1793.

OF DIRECTORS and the GOVERNMENTS IN INDIA.

513

and found in the Black Town, the 13th February 1793—continued.

OCCUPATION.	By whom Purchased.	Where Embarked.	Vessel, and Captain's Name.	REMARKS.
Merchant	Madras Cawdur			Wishes to stay with the owner. Wishes to go home. D°
	Cooty Naickoo	Masulipatam		Wishes to stay here. D°
	Cawkaw	D°		D°
Fisherman	Sepoy	Veemalapatam		D°
	Chuckrah			Wishes to go home.
Cotton merchant.	Chuckrah	Veemalapatam		Wishes to go home.
Fisherman	Salsar	Coringa		D°
Toty		Came by land		D°

James Clemons,
Qr M^r Serjeant.

found on board of Boats in Madras Roads, 13th February 1793.

OCCUPATION.	By whom Purchased.	Where Embarked.	Vessel, and Captain's Name.	REMARKS.
Sepoy	Janipar	Poondy	Paolor	Wishes to go home.
D°	D°	D°	D°	D°
Weaver	Puckermoomadoo	D°	D°	D°
Sepoy	Allemangan	D°	D°	Wishes to stay here.
Labourer	D°	D°	Pauroo	Wishes to go home.
D°	Puckrusaib	D°	D°	D°
Weaver	Chacury	D°	D°	D°
Labourer	Rautum	D°	D°	D°
Peon	D°	D°	D°	D°
Toddyman	Chacauru	D°	D°	D°
D°	Worramuttoo Moo- cacandoo	Bimaanapatam	D°	D°
Labourer		Masulipatam	D°	D°
D°	D°	Calingapatam	D°	D°
Fisherman	D°	D°	D°	D°
Peon	D°	D°	D°	D°
D°	D°	D°	D°	D°
Sepoy	Tendul	Coandoo	D°	Wishes to stay here.
Fisherman	Ravostum	Poondy	Pauroo	Wishes to go home.
Cowkeeper	D°	D°	D°	Wishes to stay here.
Peon	D°	D°	D°	Wishes to go home.
Oilman	D°	D°	D°	D°
D°	D°	D°	D°	D°

James Clemons,
Qr Master Serjeant.

DESCRIPTION of the BOATS seized by order of Government for having imported for Sale the Natives of this Coast.

Date.	Description.	Vessels Names.	Commanders Names.	From whence.	To whom consigned.	Cargoes.
1793: Jan. 25th	Boat	- - -	Saib Hoosseein	Poondy - -	Sakoo Paredoo	Grain, Ghee, & Mustard Seed.
- 29th	D ^o	- - -	Cashmeea	Calingapatam	D ^o - - -	Rice, Paddy & Tamarind.
Feb. 1st	D ^o	- - -	Anth ^o Mooko	Masulipatam -	Chinny Setty -	Piece Goods & Japan Copper.

Also a boat, the Syrang Moota Augmed, from Coringa, and consigned to Augamea; this boat is not entered on the books of the office, having no cargo, for which the Commander delivered in a manifest, and was probably laden with slaves only.

The above description of the three boats taken from the books of the sea-side office.

(signed) *Hugh Jones, D^r Master Attendant.*

Fort St. George, 16th Feb. 1793.

James Clemons, Quarter Master Serjeant of the garrison of Fort St. George, maketh oath, That on the 13th day of February, one thousand seven hundred and ninety-three, he received orders from the Town Major, Captain Alexander Beatson, to proceed with four European soldiers on board some boats or vessels in the roads, to search for children, who (according to information that had been given) were brought to Madras to be sold as slaves; that accordingly he the deponent proceeded with Aranatchelun, a native who gave the information, and found on board three boats or vessels within mentioned (whose sails were delivered in charge of Mr. Hugh Jones, Deputy Master Attendant) in all seventeen boys and five girls.

(signed) *James Clemons, Quarter Master Serjeant.*

Sworn at Fort St. George, this 20th day of February 1793,

before me,

(signed) *E. W. Fallofield, Justice.*

Read also the petition of Southern Cholia merchants.

To the Honourable Sir Charles Oakeley, Bart. President and Governor of
Fort St. George.

The humble representation of Southern Cholia merchants, now at Madras.

When we made a voyage to the northward lately in purpose of trade, several people of that part of the country have perished by the extremity of the famine, some of those who were victims offered their children, entreating us to be so merciful as to maintain them, so as to save them from the threatening destruction, some of us have been under the necessity of accepting them from motives of regard to the relief of their poverty, and with an intention of preserving them.

We beg leave to assure your Honour, that those children have been brought here with that certain idea, and not for sale; on our arrival in this road, a serjeant, with some sepoy, came by your Honour's order, not only took those children, but also the tindals as prisoners, together with the steersman and sails of our boats, and our boats have been put under peons custody. We declare solemnly, that those children have not been brought here for sale, but only with a view of maintaining them against the dearth; we are ready to give them up.

We humbly submit this matter to your Honour's candid judgment, most earnestly entreating your Honour will be pleased to order the release of their boats and tindals, and restore the steersman and sails, so as we may proceed on our voyage without losing the favourable wind in this season.

For which indulgence, we, as in duty bound, shall ever pray.

The President acquaints the Board, that on receiving intelligence of the above transactions, he directed that the vessels on board which the natives were found, should be seized, and now proposes that they be confiscated, sold by public outcry, and their produce applied to the maintenance of the children rescued from slavery, until they can be returned to their parents.

Approved, and ordered accordingly.

To

To deter others from engaging in this improper pursuit, it is resolved, That the boat owners be publicly flogged, and the Justice is requested to cause this order to be enforced.

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

Extract of Fort St. George Public Consultations, 25th February 1793.

Read the following Letter from Bengal, with the Papers accompanying it :

To the Honourable Sir Charles Oakeley, Bart. Governor in Council at Fort St. George.

Honourable Sir :—We have to acknowledge the receipt of your letter, dated the 19th ultimo, relative to a most unwarrantable traffic carried on by the French in the northern settlements, in the purchase of the inhabitants as slaves.

Towards the end of December, accounts arrived here of a disturbance at Coringa and Yanam, in pursuing this trade, and we desired our secretary to write a private letter to Mr. Sadleir, the chief at Masulipatam, in order to ascertain how far the facts stated in the report were correct. Mr. Sadleir having in consequence applied to the resident at Ingeram for official information concerning them, was furnished with, and transmitted to Mr. Hay, a copy of the papers that you have sent to us, and letters, of which the inclosed are copies, were immediately written on the subject to Lieutenant General Mulartie, at the Isle of France, and Major General De Fresne, at Pondicherry.

According to the intention expressed in the letter to Mr. De Fresne, we think it proper to request, that you will send directions to the chiefs and residents in the northern circars, to seize all persons who shall be detected in carrying on this infamous traffic, and that if any of the French nation should be apprehended in consequence of those instructions, you will give orders for their being sent to the commandant at Pondicherry, to receive such punishment as he may think that they deserve.

We have, &c.

(signed) Cornwallis. William Cowper. Thos. Graham.

Honourable Sir :—I have the honour to transmit to your Excellency, a copy of a letter which I have written to Monsieur De Fresne, and copies of some papers which I have received from the English chief at Masulipatam.

Your Excellency will, I am sure, be as anxious as myself to bring the offenders to punishment, and to put a stop to so scandalous a traffic ; and I trust, that you will likewise have the goodness to restore as many of the unfortunate wretches as you can rescue from slavery to their families and friends, from whom they have been so inhumanly separated.

I have, &c.

Fort St. George, 2d February 1793.

(signed) Cornwallis.

To his Excellency Lieutenant General Marlartie, Governor General of the Isles of France and Bourbon, and Commandant of the French Establishments to the Eastward of the Cape of Good Hope.

Honourable Sir :—In the month of December last, I received information, that several persons of your nation at Yanam, were engaged in the scandalous traffic of transporting the inhabitants of the neighbouring country to the French islands, to be sold as slaves.

I sent orders immediately to the English chief at Masulipatam, to make the strictest inquiries into the truth of the report, and I am much concerned to find, from the enclosed papers, that it was too well founded.

It is, I am convinced, unnecessary for me to expatiate on the inhumanity of the transactions therein described, or to urge you to call the offenders to a severe account, and I shall therefore only request, that you will order all vessels that now are, or that may hereafter arrive at Pondicherry from the northern circar, to be searched, and if any of the wretches intended for slavery should be found on board, will have the goodness to send them back to the place from whence they came, or to have them conveyed to Madras.

I have written on the above subject to his Excellency Mons. de Marlartie, and instructions will be given to the servants of our Company in the northern circars, to seize all persons who shall be detected in carrying on that infamous traffic ; and

should

Fort St. George
Papers:
Setts of Slavery
in Company's
Territories.

should any of your nation be apprehended in consequence of those instructions, they shall be sent to you to receive such punishment as you may think they deserve.

I have, &c. (signed) *Cornwallis*.

Fort William, 2d Feb. 1793.

To the Honourable Major General De Fresne, Commandant at Pondicherry.

Ordered, that letters be written to the subordinancies.

Extract of Fort St. George Public Consultations, 28th Feb. 1793.

Read the following letter.

To the Honourable Sir Charles Oakeley, Bart. Governor in Council,
Fort St. George.

Honourable Sir and Sirs:—We have the honour of acknowledging the receipt of your letters of the 2d and 9th instant, with the several papers enclosed in the last. We likewise lately received a letter from Mr. Sonnerat, chief of the French factory at Yanam, enclosing a copy of his address to your Honor, &c.; as also copies of the several papers which he had therewith transmitted to you, which we find to be the same with those which you have now sent to us. We think it necessary, however, to enclose a copy of the letter written to us by Mr. Sonnerat, as well as of our answer; and you will thereby observe, that we applied to him for such information as he might be able to furnish, in regard to any British subjects having engaged in the traffic in slaves. To this he has not yet returned any answer, and for our own part, we can give no credit to this report, however Mr. Sonnerat may have heard it, as the circumstance has never reached us through any other channel; and as Mr. Sonnerat has also apparently declined furnishing Mr. Yeats with any information in regard to the names of the English vessels and their commanders, by whom he insinuates a trade in slaves to have been carried on.

Masulipatam, 18th Feb. 1793.

We have, &c.

(signed) *Anthony Sadler*, *Wm. Dobbyn*, *Andrew Scott*.

To the Gentlemen of the Masulipatam Council.

Gentlemen:—Observing by the proclamation you have published on the 20th of this month, a copy of which was sent me by the resident of Ingeram, that he has complained of the slave trade that has been carried on by some individuals, notwithstanding the prohibition formerly made by the English and French governments; and as I also know that he has made complaints against me, I am happy in having an opportunity of showing you how groundless they are. I therefore send you duplicate of the letter I sent the Madras council, and of those that accompanied, hoping that when you shall be made acquainted with every thing, you will no longer entertain any suspicion on the conduct that I have followed in all these circumstances, and I will be content, if I can induce you to entertain the best opinion of me, having nothing more at heart than to merit your esteem.

Yanam, 28th January 1793.

I am, &c.

(signed) *Sonnerat*.

To Piere Sonnerat, Esq. Chief of the Factory at Yanam.

Sir:—We have the honour of acknowledging the receipt of your letter of the 28th ult., previous to which, we had been furnished by Mr. Yeats with copies of a correspondence which had taken place between you and himself, on the subject of the traffic in slaves which had lately been carried on. We were concerned to observe, by the perusal of the papers in question, that this scandalous trade had lately been carried on to an extent, and in a manner that no circumstances can palliate, and which we are persuaded no European nation will tolerate in its subjects.

The measures we have been compelled to take for preventing the continuance of this barbarous traffic, have been communicated to you by Mr. Yeats; and it is a satisfaction to us to observe by your letter to that gentleman, of the 28th ultimo, that you concur in what has been done in this respect.

As we observe you make mention of three English ships having sailed with slaves for the Isle of France, and as we have not ourselves either known or heard of any
British

British subject having taken any concern, directly or indirectly in this trade, we are desirous of receiving whatever information you may be able to furnish us with on this subject, when, on the event of the fact being proved, the commanders of the ships in question will certainly be punished by our government in the manner that their crimes may appear to deserve.

Fort St. George
Papers of
State of Slavery
of the Company's
Territories.

We have, &c.
(signed) *Anth^o Sadleir. W^m A. Dobbyn. And^o Scott.*

Masulipatam, 6th February 1793.

Extract from Fort St. George Public Consultations, 18th March 1793.

Minute.—As the syrans of the above mentioned * vessels have already received corporal punishment, and as it is possible the owners were not privy to their improper conduct, it is resolved to remit so much of the former decision of the Board, that instead of confiscating the property of the boats, a fine of 100 star pagodas be levied on each syrang, to be appropriated to the maintenance of the children until they can be returned their families.

* Four small boats seized by order of government.

Ordered, That the boats be delivered up to the syrans on payment of their respective fines.

Extract Fort St. George Public Consultations, 15th March 1793.

Read the following letter from Mr. Popham to the Honourable Sir Charles Oakeley, Bart. President in Council, Fort St. George.

Honourable Sir:—Having heard that some northern boatmen have lately been detected in the purchase of children, with a view of selling them as slaves, and that the children are now a charge to government, I offer to take them as apprentices for three, five or seven years, in order to assist in the cotton establishment, and will undertake to clothe and feed them, and restore them to their parents whenever they apply for them.

If the dealers in this illicit trade have been fined by government, I hope your Honour in council will have no objection to appropriate the amount of the fine in the purchase of clothing for the children.

I have, &c.
(signed) *S. Popham.*

Madras, 11th March 1793.
The Board cannot comply with the above request, consistently with their determination of returning the children to their families at a fit opportunity; but if it suits Mr. Popham to employ them, and provide for their subsistence until they can be sent back, it is agreed, that he be permitted to do so, upon his promise that they shall be returned whenever government may deem it expedient to call for them.

Sent the following letter:—To Mr. Stephen Popham.

Sir:—I am directed by the Honourable the Governor in council to acquaint you, that he cannot comply with your request, to receive, as apprentices, the children lately redeemed from slavery, as it is intended to return them to their families at a fit opportunity; but if it suits you to employ and provide for their subsistence until they can be sent back, you will have permission to do so, upon your promise that they shall be returned whenever government may deem it expedient to call for them.

Diary, 16th March.

Fort St. George, 16th March 1793.
(signed) *Robert Cleyk, Secretary.*

Extract from Fort St. George Public Consultations, 22d March 1793.
Read the following letter from Masulipatam, with the papers accompanying it.

To the Honourable Sir C. Oakeley, Bart. Governor, &c. Fort St. George.
Honourable Sir and Sirs:—We have the honour of acknowledging the receipt of your letter of 23d ultimo, with its enclosures, copies of which were sent to the officer stationed at Coringa, as a rule for his own conduct, and that they might likewise be communicated to the resident at Ingeram, and chief of the French factory at Yanam; we herewith enclose copy of the answer received from Lieutenant Reddell, together with a translation of the letter from Mr. Sonnerat, therewith transmitted.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

mitted to us, by which your Honour, &c. will observe, that the latter expresses himself as being much satisfied with the measures adopted for putting a stop to all future traffic in slaves.

We likewise take this opportunity of transmitting copy of a letter from the resident at Ingeram, inclosing a protest made before the chief of Yanam by the commander of a French vessel, named the *La Constance*; as Mr. Yeats has recited the circumstances that gave rise to the detention of the person whom he calls the captain, but whom Lieutenant Riddell calls an officer of the French ship *La Constance*, we need not recapitulate them, and have only to observe, that immediately upon our receiving information from Lieutenant Reddell, of his having secured the person in question, directions were sent for delivering him up to the chief of Yanam, which had according been done before the receipt of your orders of the 23d ultimo.

We have, &c.

(signed) *Anth^r Sadlier.* *W. R. Dobbyn.* *And^r Scott.*

Masulipatam, 16th March 1793.

To Robert Malcolm, Esq. Assistant Secretary.

Sir:—I request you will inform the chief and council, that agreeably to their directions, I transmitted to the French chief at Yanam, copies of the letters from the governments of Bengal and Madras, which accompanied your letter to me of the 4th instant. Mr. Sonnerat wrote me a letter in answer, of which the inclosed is a translation, he having desired that a copy of it might be transmitted to Mr. Sadlier.

I am, Sir, your very obedient servant,

Coringa, 8th March, 1793. (signed) *Thomas Reddell, Lieutenant.*

(A true copy.) (signed) *Rob^t Malcolm, Assist^t Secretary.*

To Thomas Reddell, Esq. commanding the Detachment at Coringa.

Sir:—I have received the letter which you did me the honour to write to me to-day, addressing to me the copies of letters which were written to you relative to the infamous traffic which some private persons have carried on, by taking away the natives of this country, born free, to transport them as slaves. I have seen, with pleasure, the means which the English government have at length taken on their part to prevent the exportation; I have myself done for a year past all that was in my power to prevent any Frenchmen from degrading themselves, by carrying on that trade, but by no means seconded by the English government, I was not able to prevent many people at the time from searching and taking advantage of the misery which reigned to the northward, to carry away the unfortunate from their country, and from their families.

The particular orders which I have given, and the severe punishment denounced against those who shall sell a single slave, will certainly prevent any exportation for the future; but if the English government do not take the measures at Bimlipatam, and in other places, which they have adopted at Coringa, there will always be found some private people, without delicacy, greedy, and allured by the prospect of gain, who will go into the country to carry on that disgraceful traffic; it would therefore be necessary that you send a copy of this letter to the Governor of Masulipatam, in order that it may be understood, that he may at Bimlipatam, and the other ports adjacent, take the necessary means to prevent any exportation from those places.

I have, &c.

Yanam, 7th March 1793. (signed) *Sonnerat.*

To Anthony Sadleir, Esq. Chief, and Council at Masulipatam.

Gentlemen:—Inclosed I transmit to you a protest made by Captain John Colin, of the French ship *La Constance*, against the English resident at Ingeram, and the officer commanding the sepoy's at Coringa, for having detained an officer belonging to his vessel.

It seems the officer of the vessel was carrying off in his boat a boy who had been seized and confined the night before in Yanam; the boy observing some people on the shore near the village of Tabroo, called for assistance; the manager's tannadar or head servant, who resides there, stopped the boat with some sepoy's under his orders, and sent the officer, some sailors, and the boy, under a guard, to Lieut. Reddell,

Reddell, at Coringa; that gentleman confined the officer, and reported the circumstance to your Board; the tannadar at the same time sent to acquaint me with what he had done, and fearing a rescue, to request assistance, I directed him to apply to the officer commanding the sepoy at Coringa.

Suspecting from what had happened, that there might be slaves on board of the *La Constance*, I applied to the French chief to search the vessel; this was granted, and done, and no slaves were found on board of her; the French chief, in complying with my demand, requested of me to release the officer, as the business of the vessel was stopped by his confinement. I recommended to Lieutenant Reddell to release him, but he having reported to your Board, thought it necessary to wait your orders, and on the receipt of them sent the officer to the French chief at Yanam.

Such, gentlemen, is the real state of the case; the French officer knew perfectly well that no one was allowed to carry away the inhabitants of the country, and as he chose to transgress, he deserves in my opinion what he has suffered. I cannot suppose he was used ill, nor can I find that any property was detained. On the contrary, the tannadar assures me, an account was taken of every thing in the boat at the time she was seized, in the presence of one of the sailors, who counted them out; and that on the boat's being returned, every thing was delivered up by the same list.

It is to be hoped this example will put an end to the seizing of children in Yanam, in future; the boy told me they attempted to seize one other boy at the same time they seized him, but that he escaped.

I am, gentlemen, your most obedient servant,

Ingeram, 2d March 1793.

(signed) *Mathew Yeats.*

The Board approve of the rescue of the native seized by an officer of the French ship *La Constance*, and of the measures taken in consequence by the resident at Ingeram, and the officer commanding at Coringa.

Read the following letter from Vizagapatam, with the paper accompanying it.

To the Honourable Sir Charles Oakeley, Bart. Governor in council,
Fort St. George.

Honourable Sir:—We have the honour to acknowledge the receipt of the letter from government, under date the 23d ultimo, directing us to seize all persons whom we might detect in the act of purchasing the natives as slaves, &c.

Previous to the receipt of this letter, frequent applications had been made to the Rajah Vezearamarauze, on the subject of giving the most positive orders to his amildar at Bimlipatam, to prevent the exportation of slaves; but it appearing that these orders, if given, were little attended to, we determined to take a step which would have an immediate good effect, and perhaps discourage persons concerned in this illicit traffic from continuing it.

Having heard that a considerable number of young persons were collected and secreted in some houses at Bimlipatam, we sent an officer with a party of sepoy, and ordered him to search the houses, and liberate the slaves; he proceeded accordingly, and enlarged five hundred and sixty-five (565) young persons, whom we immediately sent to Chicacole.

We were aware that the measure of liberating these poor people would be an act of cruelty, unless we provided for their support; and we have therefore sent them to the collector in the Havelly, directing him to distribute them in equitable proportions among the renters under him, with orders that the young people shall be employed in the operations of agriculture; and that we may be assured that they are properly provided for, we have desired Mr. Keating to cause monthly reports to be made from each renter, specifying the mode in which the persons under his charge are employed, and noting any casualty that may occur.

We inclose a paper, giving an account of the names of the persons in whose godown and houses the slaves were taken; we did not think it necessary to seize the proprietors of these places, for as this business has been transacted in what may perhaps be deemed a Dutch settlement, we should have been apprehensive, had we made a seizure of the persons above alluded to, of going further than the Honourable Board might have intended.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Our chief has written to the Rajah Vezearamrauze, acquainting him with the conduct of his amildar and cutwall at Bimlipatam, who connived in the infamous traffic of slaves, and requiring him instantly to expel them from their offices, and to punish them in an exemplary manner.

Vizagapatam, 12th March 1793.

We have the honour, &c.
(signed) *John Chamier.*
John Snow.

Names of the persons at Bimlipatam, in whose houses and godowns five hundred and sixty-five slaves were found:—Mr. Lavelly, Mr. Briton, Dr. Marten, Mr. Zancher.

(signed) *John Kennett*, Lieutenant Fort Adjutant.

The Board much approve of the conduct of the chief and council of Vizagapatam, in liberating the natives secreted at Bimlipatam, and of the measures adopted for employing them usefully to gain a subsistence.

Resolved, That the government at Pulicat be informed of the existing orders for preventing a traffic in the natives as slaves, and that they be desired to deliver up such of the persons mentioned in the above list as are not of the Dutch nation. Those under their own immediate authority the Board have no doubt will receive that punishment they so justly merit.

Ordered, That the chief and council do in future apprehend the parties concerned in selling the natives, and act with them conformable to the instructions of the 23d ultimo. With a view, however, of preventing this criminal practice, it is resolved, that a party of sepoy's be stationed in the village of Bimlipatam under a careful officer, with orders to rescue any natives whom the inhabitants may attempt to export as slaves, and to secure the persons of those who may be detected in this shameful traffic.

1198.

Read the following letter from Mr. Stephen Popham.

To Robert Clark, Esq. Secretary to the Public Department, Fort St. George.

Sir:—In reply to your letter of the 16th instant, I request you will inform the Honourable the Governor in council, that I agree to employ and provide for the children lately redeemed from slavery, and to return them whenever government require. I hope, however, that the Honourable Board will be pleased to order that the children be provided with sufficient clothing before they are handed over to my charge.

Madras, 19th March 1793.

I am, &c.
(signed) *S. Popham.*

Resolved, That the town major be informed of the Board's permission to Mr. Popham to employ the natives above-mentioned, until a fit opportunity offers of returning them to their families, and that he be directed, after clothing them, to deliver them over to Mr. Popham.

Ordered, That Mr. Popham be furnished with a register of the children, he giving an acknowledgment that they are delivered to his charge, and that he will clothe and feed them at his own expense, until the Board require them to be returned to their families.

Extract of a Letter from the Governor of Pondicherry, to Sir Charles Oakeley, Bart. Governor of Madras, &c. Fort St. George; dated 3d March 1793.

I have taken notice of complaints made by you to my predecessor, respecting the continuance of the illicit traffic in slaves, notwithstanding the orders of your government and of our own; my Lord Cornwallis has likewise addressed to me new complaints on this subject. I can only assure you, that I will give fresh orders on the occasion, with an assurance, that those who deviate therefrom shall be arrested, and prosecuted according to law. If your government, which I do not doubt, will readily second ours in that laudable intention, it will be difficult for the guilty to escape this double precaution. I am too desirous to see a stop put to so shameful a traffic, not to assure you of our efforts on that occasion, and to supplicate you to unite those of your government.

Read

Fort St. George
Papers,
State of Slavery
in Company's
Territories.

Read the following letter from Yanam.

To the Honourable Sir Charles Oakeley, Bart. Governor of Madras.

Sir:—I had the honour to address to you, at the close of the month of January, a packet for the council of Madras; I have not as yet received a reply.

This packet contained my justification of some erroneous representations that had been made against me respecting the trading in slaves, which some individuals have carried on in the country. It is very interesting for me to know if you have received it, being very desirous that you and the council should know the justness of my conduct. I must, therefore, request of you, Sir, to have the goodness to signify if you have received it or not.

I am, &c.

(signed) Sonnerat, Agent for the French Nation at Yanam.

Yanam, 15th March 1793.

Agreed, That Mr. Sonnerat be informed, that his letters cannot be taken into consideration on account of the irregularity of his making any representation to this government, (except through the governor of Pondicherry).

Extract Fort St. George Public Consultations, 23d March 1793.

Sent the following letter,

To the Honourable Jacob Edbracht, Esq. Governor of Pullicat.

Honourable Sir:—The chief and council at Vizagapatam have informed this government, that they had liberated five hundred and sixty-five natives, who had been secreted at Bimlipatam for the purpose of being exported as slaves.

It has been judged proper, in consequence of such transactions, to send instructions to the agents of the English Company in the Northern Circar, to seize all persons who shall be detected in carrying on a traffic so inhuman; and if any of your nation should be apprehended, they shall be sent to you to receive such punishment as you may think they deserve.

I have the honour to enclose a list of the persons concerned in secreting the natives above-mentioned, and request the favour of you to send such of them as are not of your nation to the chief and council at Vizagapatam. Those under your immediate authority, I have no doubt, will receive that punishment they so justly merit.

I have the honour to be with esteem, &c.

Fort St. George, 23d March 1793.

(signed) Charles Oakeley.

To John Chamier, Esq. Chief and Council at Vizagapatam.

Gentlemen:—We have received your letter of the 12th instant.

We much approve of your liberating the natives secreted at Bimlipatam, and of the measures you adopted for employing them usefully to gain a subsistence.

Upon the present occasion, we have applied to the Dutch government at Pullicat to surrender the four offenders mentioned in the list which accompanied your letter; but would have you in future, upon such discoveries, apprehend the parties concerned, and act with them conformable to the orders of the 23d ultimo. With a view, however, of preventing this criminal practice, we desire you will station a party of sepoys in the village of Bimlipatam, under a careful officer, with instructions to rescue any natives whom the inhabitants may attempt to export as slaves, and to secure the persons of those who may be detected in this shameful traffic.

We are, &c.

Fort St. George, 23d March 1793. (signed) Charles Oakeley, &c. Council.

Extract of a Letter to the Honourable Colonel Chermont, Commandant of the French Settlements in India, and Governor of Pondicherry, from the Governor of Madras; dated 23d March 1793.

Honourable Sir:—I had the honour to receive your letter of the 3d instant, and feel much satisfaction in your assurances of co-operation, to prevent a continuance of the traffic in the natives as slaves.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Sent the following letters.

To Mr. Stephen Popham.

Sir:—I am directed by the Governor in council to acquaint you, that, in consequence of your letter of the 19th instant, the town major has been instructed, after clothing the natives redeemed from slavery, to deliver them to your charge, that they may be employed and maintained by you, until a fit opportunity offers of returning them to their families.

Fort St. George, 23d March 1793. (signed) *Robert Clerk*, Secretary.

To Captain Alexander Beatson, Town Major.

Sir:—The Governor in council having permitted Mr. Stephen Popham to employ the natives lately redeemed from slavery, until a fit opportunity offers of returning them to their families, I am directed to desire, after clothing them, that they may be delivered to his charge.

You are to give Mr. Popham a register of the children, taking from him an acknowledgment that they are delivered to his charge, and that he will clothe and feed them at his own expense, until government requires them to be returned to their families.

Fort St. George, 23d March 1793. (signed) *Robert Clerk*, Secretary.

Extract, Proceedings of the Board of Revenue at Fort St. George, 4th April 1793.

Read the following letter from the chief and council at Vizagapatam.

To David Haliburton, Esq. Acting President, and Members of the Board of Revenue.

Gentlemen:—We received a letter from the Honourable the Governor in council, under date 23d ult. directing us to seize all persons whom we might detect in the act of purchasing the natives as slaves, &c. &c.

In consequence of these orders, five hundred and sixty-five young persons are liberated at Bimlipatam, and, as we had taken them from those who fed them, we were obliged for the present to make provision for their support.

We accordingly ordered them to be sent to the collector in the Havelly, and we directed him to distribute them in equitable proportions among the renters under him, with injunctions that the young people should be employed in the operations of agriculture, and that we might be assured of their being properly provided for. We desired Mr. Keating to cause monthly reports to be made from each renter, specifying the mode in which the persons under his charge were employed, and noting any casualty that might occur.

In reply to the above mentioned letter to Mr. Keating, we received an answer, of which we beg leave to enclose a copy for your information, together with the copy of a letter which we have this day written to the collector.

We request to be favoured with your instructions as to the disposal of the poor people who have been rescued from slavery; as this is a period when no cultivation is going on, they cannot, if sent adrift, find the means of supporting themselves, and would therefore in all probability court slavery, from whence they have just been relieved. We conceive, therefore, that it will be most eligible to maintain them until the season of cultivation arrives, when they may, being strong and in good health, find the means of earning a subsistence.

We are, &c. (signed) *John Chamier. John Snow.*

John Chamier, Esq. Chief and Council of Vizagapatam.

Gentlemen:—I have the honour to acquaint you of the arrival of Ensign Brice, with the slaves who were delivered over to him by Mr. Snow of Bimlipatam; enclosed is his bill for expenses incurred on the road, as also a statement of their daily subsistence here.

In consequence of your letter of the 10th inst. I summoned what renters were then at Chicacole, and had the contents explained to them. I also endeavoured to persuade them to take these poor people, I am sorry to add without effect, as they seem

seem totally averse to receive them, unless the Company will defray the expense of their maintenance; they have requested me to forward the accompanying representation; upwards of 200 of them are too much enfeebled to be able to work. I shall therefore thank you, gentlemen, to inform me how you would have them disposed of, as the present expenditure on their account is considerable, amounting to near a thousand rupees per month.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

I have, &c.
(signed) Michael Keating

(A true copy)
(signed) Robert Alexander, Secretary.

The Honourable Company

	Dr.
To contingent charges for the subsistence of 566 slaves released from Bimlipatam, and put under my charge by order of the chief and council of Vizagapatam, brought up to Chicacole, for six days at three fanams each man per day	242 24
To thirty coolies here, conveying rice for the subsistence of the above for six days, at three fanams per day	12 36
	255 18
Received from John Snow, Esq. 303 rupees, being pagodas	83 -
	172 18
	Star Pagodas

(signed) Robert Brice, Ensign 27th Battalion, N. I.

Chicacole, 16th March 1793.

(A true copy.) (signed) Robert Alexander, Secretary.

To Michael Keating Esq. Collector of the Havelly.

An Account of daily Disbursements made on account of the poor people sent by the chief and council from Bamlipatam.

	Surs.
166 men at 1 sur, per each	166
240 women at ½ do.	150
3 do. sick, at 1 do.	3
115 boys and girls, at ½ do.	57½
2 do. sick, ½ do.	1½
	Total Surs
	378 M. Surs.
Per rupees, is	23 9 3
Fire wood	2 - -
Pots	1 12 -
	Rupees
	27 5 3

(A true copy.) (signed) Robert Alexander, Secretary.

From the principal Renters in the Vizagapatam Havelly, to Mr. Keating;
dated 16th March 1793.

You were pleased to direct us to distribute the people sent from Bimlipatam by the chief and council of Vizagapatam, among our tallooks, and employ them in the agriculture, and have them properly fed and clothed, and have a report of them made to you monthly; you are sensible of the heavy loss we suffered this year by the Cassimcottah Havelly, and the Chicacole Havelly, by the effect of famine which had caused a failure of half the usual crop, by which the loss being still greater, we were disabled to pay the whole of Company's money, and consequently we thought to implore a remittance in our jummabundy; in this interval you desire us to take these poor people under our care; it is well known we can reap no good by them, as we can get nothing done by them, but we will only be at great expenses in having them fed and clothed. We here, for the foregoing reasons, beg to leave this to your consideration.

(signed) Ramavadantoo Chindrapp.
Ambercanah Vincalroydo.

(A true translation.)

(signed) Geo. Lavale, Gentoo translator.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

To Michael Keating, Esq. Collector in the Chicacole Havelly.

Sir:—We have received your letter of the 19th inst. with the enclosures.

We think the conduct of the renters, with respect to the requisition made regarding the poor people rescued from slavery highly reprehensible, and we desire you will notify these sentiments to them, in sending these people to Chicacole; we had the benefit of the country in view, and of course the advantage of the renters, to whom, in the depopulated state of the district, an accession of hands could not but be highly acceptable; but since we find they are solely intent on their own immediate interests, it becomes us to be equally attentive to our rights over them, and we accordingly desire you will instantly and peremptorily demand the payment of what is due from them on account of current kists.

As the renters have declined receiving the poor people upon the proposed terms, we do not intend for the present to urge the matter further; you will therefore be pleased to select those who are able to work, and employ some to cut fire-wood, others to repair tanks and roads, and to perform such public works as may be useful. The produce of their labour, as in the case of the fire-wood, must be applied towards the discharge of the expense which their maintenance will occasion.

We desire, as soon as the above arrangements are made, that you will report to us the manner in which the people are employed; those who are too weak, must be excused from labour for the present, but are to be compelled to work as soon as they may be enabled so to do.

We have to observe, on the inspection of Ensign Brice's bill, that the price of rice when he left Bimlipatam, was 12 seer per rupee, and must, it is presumed have been cheaper, as he advanced towards Chicacole. We therefore conceive, that fifty rupees per day must have been abundantly sufficient for the maintenance of the poor people from Bimlipatam; we wish to have further information on this subject, before the bill be discharged.

We are, &c.

(signed) John Chamier and Council.

Resolved, to lay before government the above papers, and to recommend the proposition therein submitted, at the same time remarking, that should it meet with their approval, particular instructions will be furnished the chief and council, to observe the strictest regard to economy in providing a subsistence for these poor people.

Extract, Proceedings of the Board of Revenue at Fort St. George, 8th April 1793.

Extract, Letter from the Board of Revenue, dated 8th April 1793.

We have the honour to lay before you, a letter with its inclosures, from the chief and council at Vizagapatam, relative to a considerable number of persons rescued from slavery in consequence of your late orders. Should you approve of their proposition, which we cannot hesitate in recommending, we shall give them particular instructions to observe the strictest regard to economy in providing a subsistence for these poor people.

Extract of Proceedings of the Board of Revenue, at Fort St. George,
18th April 1793.

Extract, Letter from Government, dated 13th April 1793.

We approve of the mode proposed by the Chief and Council at Vizagapatam, for the maintenance of the natives redeemed from slavery.

Extract of Fort St. George Public Consultations, 19th April 1793.

Extract, Letter from Messrs. J. Eilbracht, F. W. Bloeme, J. J. Winckelmann, J. J. Haiz, and I. J. Cantervischer, the Danish Council at Pullicat; dated 3d April 1793.

Immediately upon the receipt of the letter which the Honourable the Governor has been pleased to write, to the first underwritten, the 23d of last month, we have sent copies thereof to the chiefs of our comptoirs in the north.

We have at the same time, not only repeated our former strict prohibiting orders against the practice of making free men slaves in our districts, but have sent special orders to Bimlipatam to search after the poor objects thus deprived of their liberty, to demand those that are discovered, and to send them to the chief and council of Vizagapatam;

Vizagapatam; also to inform them that are found guilty of having purchased men, and hid them from us, that they are to quit Bimlipatam in 48 hours, and to go to their own nation, and that notice thereof is given to the said chief and council, and that in case they refuse to depart, they are left to the consequences without any claim to our protection.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract, Fort St. George Public Consultations, the 25th April 1793.

Read the following letter:

To the Honourable Sir Charles Oakeley, Bart. President and Governor in Council,
at Fort St. George.

Honourable Sir and Gentlemen:—I have been informed that Captain Gambo, of the ship Mars, and Captain La Blanche, of the ship Courier de Yanam, who sailed from Coringa in December last, with a considerable number of the natives of this country on board of their vessels, as mentioned in my letter to you of the 22d December last, are arrived at the Isle of France, and that Captain La Blanche means to return to Yanam, probably for the shameful purpose of carrying away more of the inhabitants.

I request, Honourable Sir and gentlemen, to be furnished with your instructions, whether I am to arrest his person, in case he should be found on the English territory. I have, &c.

Ingeram, 11th April 1793. (signed) *Mathew Yeats.*

To the Honourable Sir Charles Oakeley, Bart. Governor in Council,
Fort St. George.

Honourable Sir:—We have had the honour to receive the letter from government, under date the 23d ult. and shall carefully attend to the directions therein contained, in the event of our detecting any persons engaged in the traffic of slaves.

Agreeably to your orders, we have appointed Lieutenant James Cranston, a steady and active officer, to reside in the village of Bimlipatam, and we have furnished him with a jemidar's guard of sepoy, in order to enable him to fulfil the objects of his appointment. We have, &c.

(signed) *John Chamier. John Snow.*

Vizagapatam, 4th April 1793.

Extract of a Letter from the Court of Directors, to the Governor and Council of Fort St. George, dated 23d April 1794.

Letter, dated 28th January 1793, (15 and 17) Slave Trade carried on by Foreigners from the Northern Circars.

Par. 11.—We cannot too highly commend your conduct in endeavouring to put a stop to the cruel traffic carried on by the French and Dutch, in the purchase of the inhabitants of the northern circars as slaves. The zeal and activity manifested by the chief and council of Vizagapatam, and by Mr. Yeats, the resident at Ingeram, in procuring the release of a number of these unhappy people, is very praiseworthy. The measures pointed out in your subsequent dispatch of the 2d May last, will, we trust, put an effectual end to a commerce so inhuman.

Letter, dated 2d May 1793, (4 and 7) Slave Trade carried on by the French and Dutch in the Northern Circars.

Par. 50.—Already replied to.

Extract of a Letter in the Political Department, from the Governor and Council of Fort St. George, to the Court of Directors, dated 2d May 1793.

41.—In the month of February last we received a letter from Mr. Light, the Governor of Prince of Wales Island, containing a circumstantial detail of the piratical seizure of a French brig, and the means by which she had been retaken. It appeared, that the commander of the vessel (Captain Gaudron) in the disposal of a part of a cargo of rice in the Northern Circars, some time last year, had received in exchange 180 natives, all of whom had been clandestinely embarked at the Dutch settlement of Bimlipatam, through the agency of Messrs. Martins and Benvit, residents

Cons. 19th Feb. 1793.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

residents of that place, and were destined for slavery at the Isle of France, when the want of provisions, and the sufferings of those unhappy people, compelled Gaudron to take relief on the Malay coast, where he was treacherously murdered by the inhabitants, and the vessel seized and sold to the noqueda of a Surat ship, sailing under English colours.

42.—Mr. Light, deeming it necessary to take notice of this transaction, dispatched Captain Jervis, of the Scorpion cruizer, with orders to retake the brig, which having been effected, the vessel was sent to this port, under the command of Lieutenant Lowes, of the Bombay Marine, to be disposed of as we might think proper. We accordingly sent her to the government of Pondicherry, and transmitted copies of all the papers we had received from Mr. Light, together with a man named Abdullah, who appeared to have been very principally concerned in the murder of the captain, and in the act of cutting off the vessels.

43.—We wrote to the Government of Bombay at the same time, explaining the conduct of the commander and noqueda of the Surat ship, the former of whom had been accessory to the purchase of the brig, though acquainted with the circumstances by which she fell into the hands of the Malays.

44.—We wrote also to the chief and council of Vizagapatam, directing them to withhold the pension which had hitherto been granted to Mr. Martins, who had been formerly an assistant surgeon in the Company's service, and to apprehend his person, in case he should ever appear within the limits of our authority.

45.—To the council of Pulicat we complained of the conduct of Messrs. Martins and Benvit, and urged the necessity of an exemplary punishment for so flagrant and unjustifiable a breach of the proclamation which had been repeatedly issued in the C cars, positively interdicting a traffic so disgraceful and repugnant to the feelings of humanity.

Cons. 19th March.

46.—Colonel Chermont, the governor of Pondicherry, expressed in very handsome terms his acknowledgments for the measures we had taken in the recovery of the vessel, and with great cheerfulness reimbursed the expense which had been sustained by the Company. He informed us, that the severe example which would be made of the persons concerned in the piracy, would, he hoped, deter others from the commission of similar crimes, and that he should not fail of embracing every occasion that offered, of testifying the sense he entertained of the liberality which had marked the conduct of the Company's government in the instance in question.

Extract, Fort St. George Military and Political Consultations,
19th February 1793.

Read the following letter from the Governor of Prince of Wales Island.

To Sir Charles Oakeley, Bart. Governor in council, Fort St. George.

Honourable Sir:—Having in November last received information from Captain Butler, of the snow Bridget, that a French brig had been piratically cut off at Pedir, the captain, mate and part of the crew put to death in a cruel manner; but that the surgeon, with a few of the Europeans, was still alive on shore in the hands of the Malays, and that the noqueda of a Surat ship, sailing under English colours, and with an English pass, had purchased the French brig immediately after she was taken, had hoisted English colours upon her, and proposed to proceed with a cargo of rice to Muscat, where he would be out of the reach of any European power. I deemed it necessary to take notice of this transaction, and to attempt to recover the vessel; humanity required also, that I should endeavour to relieve the surviving Europeans, who, in confinement at Pedir, I understood, were in daily apprehension of being put to death.

Par. 2.—Accordingly, on the 23d November last, I dispatched Captain Hugh Stephenson Jervis, in the Scorpion cruizer, upon this service; and on the 8th ultimo he returned with the French brig in company.

N^o 1.

Par. 3.—By Captain Jervis's report, which goes a number in this letter, it appears, that on the 3d December he found the French brig lying at Aierlabee, on the coast of Pedir, in company with the ship Fuddy Islaum, Captain Wass, and manned by an officer (a Mr. Leslie) and lascars from that ship. Captain Jervis, conformably to the instructions I had given him, immediately took possession of the French brig, and received from the Surat ship a French surgeon, one seaman much wounded, the French captain's servant, a little boy, and a Calfree; he also received from

from Captain Wass sundry articles belonging to the French captain, which he discovered were on board the Fuddy Islaum, together with a Portuguese secunny and a renegado Frenchman, called Abdullah, who was particularly charged with cutting off the brig. It appears from Captain Jervis's report, that Captain Wass secreted this latter man, and that it was by accident Captain Jervis heard he was on board.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Par. 4.—The noqueda of the Surat ship, Fuddy Islaum, whose name is Nana Cassim, and whom it appears purchased the brig in the name of Captain Wass, requested a passage from Captain Jervis to this place, that he might justify his conduct in making the purchase. Soon after his arrival, I examined him on the subject, and transmit his narrative herewith, together with the narratives of the surviving Frenchmen, and the bill of sale of the vessel, which the noqueda procured at Pedir, and on which he founds his claim to the vessel.

N^{os} 2, 3, 4, 5, 6, 7,
8, 9, 10.

Original Bill of
Sale sent to Pondi-
cherry.

Par. 5.—That your Honourable Board may have at one view before you the circumstances which led to the brig being cut off, and which materially interests your government, inasmuch as the vessel was loaded with slaves, inhabitants of the circars, I shall relate the material parts of the information I have been able to procure.

Par. 6.—It appears that the French brig, the Jean Bass, Captain Goudron, sailed from Bengal in August last with a cargo of rice, bound to Coringa; that meeting with bad weather, Captain Goudron put into Ganjam, and sold a part of his rice at that place; from thence proceeding to Bimlipatam, he sold the remainder of his rice to a Mr. Martin and a Mr. Bexoit, from whom he received in exchange, 180 natives of the place; these people were sent off by stealth at night, and the vessel immediately sailed for the Isle of France. Soon after leaving Bimlipatam, all their cooking utensils being broken, they had no method of boiling rice for so many people, and were reduced to great distress; it is said that they subsisted the slaves upon raw rice, and this the sweepings of the hold; at length Captain Goudron resolved to proceed to the Nicobars, where not meeting with what he wanted, he proceeded to Achin, and from Achin to Pedir; for by this time he was in want of rice as well as utensils to boil it in. The people of Pedir, a great many of whom are natives of the coast of Coromandel, but long settled there, hearing from the slaves on board the sufferings that they had undergone, and some of them perhaps relating that they had been decoyed on board, resolved to take revenge on the French captain; and for this purpose they employed the renegado Abdullah, who being a Frenchman, soon insinuated himself into the good opinion of the French captain, and acted in the capacity of his interpreter. The French captain was persuaded to sell the few guns he had on board, by their offering a high price for them, and when he went on shore one morning, in company with Abdullah, to receive the rice he had bargained for, Abdullah led the captain to a house where a great many Malays were assembled; they fell upon him and wounded him desperately with their creeses, put him into irons, and made prisoners of the boat's crew; then Abdullah, with a party of Malays, went on board the brig, killed the mate, and took possession of the vessel, for the remainder of the crew having no arms to defend themselves with, were forced to jump overboard, or such as resisted, were either killed or disabled.

Abdullah and the Malays being in possession of the vessel, the slaves were sold by the Pedir rajahs or chiefs, and distributed all along the coast. Abdullah sold the vessel's stores to a Captain Macalister and a Captain Caird, who happened to come into the port with their vessels about the time; and Nana Cassim, the noqueda of the Surat ship, at last purchased the brig herself of the Pedir rajah for four cattiees of gold, deducting five buncats, on account of an anchor that was sold.

Par. 8.—The noqueda of the Surat ship mentions in his narrative, that he stipulated for the release of the Frenchmen who were confined in irons on shore, when he agreed to purchase the vessel, and took much merit to himself on this account, when examined by me; but by the narrative of the surgeon, it would appear that the noqueda went to the Frenchmen, and seeing them in a miserable situation, told them that he would procure their liberty, in case they would put their names to the bill of sale of the vessel, otherwise they might remain as they were until they died; if this be true, his interests and his humanity were very nearly allied.

I now send the French brig under charge of Lieutenant Lowes, of the Bombay Marine, to your presidency, that it may be determined there to whom she is to be restored; I should imagine that the original owners have never lost the property in her, and the purchaser of the vessel, as well as the purchasers of the stores, appear

Fort St George
 Papers
 State of Slavery
 in Company's
 Territories

to me to merit the censure of government, for if the Malays could always so readily meet with purchasers of vessels, it would be a great inducement to attempt to cut them off; and for an English ship (I believe actually in sight of the brig when cut off) to purchase her in the course of a few days after the accident, appears to me to be giving ground of complaint to the French nation.

10.—At all events, my taking charge of this vessel, will have one good effect, that of pointing out to your government, the people who traffic in slaves in the Circars, though from their being foreigners I am unacquainted, if it may be in your power to punish them.

N^o 11.

Accompanying I transmit a list of people on board the brig, and an account of the expenses incurred in fitting her out for the passage to Madras, amounting to sp. drs. 512: 05, which has been advanced by me, for account of the Honourable Company, and which I apprehend, you will have no difficulty in procuring payment of, from the person to whom she may be rendered up.

N^o 12.

I have, &c.

Fort Cornwallis, 2d February 1793.

(signed) Francis Light.

Enclosures.—N^o 1.

Agreeable to orders from Francis Light, Esq. superintendent of Prince of Wales Island, to weigh anchor and proceed with the Honourable Company's cruiser, the Scorpion, to the coast of Peder, to retake a French brig that had been cut off there, and to return with her to Prince of Wales Island.

Saturday, November 24th, 1792, at six P. M. weighed, and stood out of the harbour.

Monday, December 3d, 1792, at two P. M. came to anchor off Aierlabee; found riding here the ship Fuddy Isslaum, belonging to Surat; a ketch from Nagore, and the French brig that was cut off at Peder on the 31st October; sent Lieutenant Edward Lowes, with a midshipman and a party of sepoy, and took possession of the French brig; received from on board the Surat ship, a French surgeon, one seaman much wounded, the French captain's servant, a small boy, and a caffree; also sundry articles from Captain Francis Wass, commander of the ship, Fuddy Isslaum, and two renegadoes, one of them particularly charged with being a principal in cutting the French brig off.

Tuesday, December 4th, 1792, at five A. M. weighed, to return to Prince of Wales Island, with the French brig; when getting under weigh, Naula Cossaum Noqueda, of the Surat ship, came on board the Scorpion, and after repeatedly requesting to have a passage to Prince of Wales Island, it was granted to him.

Tuesday, January 8th, 1793, arrived at Prince of Wales Island, in company with the French brig, and came to anchor.

(signed) Hugh Stephenson Jervis.

Prince of Wales Island, January 10, 1793.

To Francis Light, Esq.

Sir:—In addition to the report I have already made to you respecting my taking possession of the French brig, I think it of consequence to relate the conduct of Captain Francis Wass, commander of the Surat ship Fuddy Isslaum, and of Nanly Cossam, that ship's noqueda; on the Scorpion's arrival at Aierlabee, and after I had sent and taken possession of the brig, I sent to Captain Wass, and requested to see him on board the Scorpion; when he came on board, I inquired how he came in possession of the French brig, as part of his crew were then in charge of her; he informed me that his noqueda had bought her of the people at Peder, the place where the brig was cut off, and where the French captain was murdered in a very cruel manner on shore; on my representing to him, how atrocious it would appear, and how liable his noqueda was to be punished by the French nation, should they ever be informed that he had bought a vessel under such circumstances, and more particularly so, as he, Captain Wass, had informed me that the noqueda was in Peder at the very time that the French captain was murdered, and the brig cut off; at this time, Captain Wass seemed to defend the conduct of his noqueda, and returned on board his ship again, informing me that he had the French surgeon, a seaman, much wounded, and the captain's servant, a small boy, on board of his ship; I immediately sent and brought them on board the Scorpion; when the surgeon came on board, he began to relate how cruelly he had been treated at Peder, with the circumstances of his captain being murdered, and how the vessel had been cut off by the people of Peder, headed

by a renegado European, whose Mahometan name was Abdullah, and who was then on board of the *Petty Isllaum*, going as a passenger; on this information, I sent and desired Captain Wass would deliver immediately to me this renegado, which he did, after making several excuses; after I had got this renegado on board the *Scorpion*, I desired to speak with Captain Wass again; when he came on board, I asked him how he could think of taking as a passenger, such a person as the renegado was, and why he had not informed me that he had such a person on board; he then declared that he did not know that the renegado had been concerned in cutting off the brig, nor any thing about him, as it was the noqueda who had sent the renegado on board, and who had granted him a passage; I then desired that Captain Wass would deliver up any thing he might have belonging to the French brig, on board of his ship; he said he had already given up every thing; I then asked him where his noqueda was; he said on shore, a great way up the country; I desired that he would immediately send and tell him that I wanted to see him; he said he would, but did not believe he would come. Captain Wass then returned on board his own ship again; in the course of the evening, the French surgeon informed me, that the captain had detained a Caffree belonging to the French captain; on the Caffree's being sent for, he was immediately delivered up, Captain Wass giving a curious reason for not sending him with the other people, viz. because he was not asked for; the Caffree was given up in the evening, and the next morning I was informed that Abdullah, the renegado, had said that he had given in charge of Captain Wass, a sum of money for stores belonging to the French brig, that he Abdullah, had sold to various persons, and that Captain Wass had several articles belonging to the brig, and her captain, that had been murdered; in consequence of this information, I sent to Captain Wass, who delivered twelve gold mohurs, eight Spanish dollars, and ten rupees, saying that he had then given up every thing; but the renegado still persisting that he had a number of articles remaining, I sent to him again, mentioning the several articles that I understood he had not delivered; he then sent me the French captain's book of charts and directions, with a number of other French books, also the articles, as mentioned in the list of stores that were sent on board the brig; in the afternoon, about two o'clock, the noqueda came on board the *Scorpion* from the shore; the first thing I asked the noqueda was, how he came to buy a vessel, that he had been almost an eye-witness to her being cut off, and when he so well knew, that her captain and officers had been murdered in so cruel and unjust a manner, he replied, that he had been absolutely forced to take her in lieu of a debt that was owing to him by some great men at Pedir, and produced the deed of purchase, which I have already given to you, made in the name of Captain Francis Wass. I then requested to see Captain Wass on board the *Scorpion*; when he came I shewed him the deed of purchase of the French brig, and asked him if he had authorized the noqueda to buy the brig in his name, he declared that he had not; after some altercation between the noqueda and Captain Wass, the noqueda said, I will tell you the whole of the circumstances respecting the purchase of the brig; although she was purchased in the name of Captain Wass, she was not solely to belong to him, but to four of us, naming himself, Captain Wass, a man whose name I forgot, but who the noqueda said, was part owner of the ship, and was then at Surat; the fourth part, he said, was to belong to his carannu, or black writer; all this the noqueda told me, with evident signs of fear, and Captain Wass still insisted that he had made use of his name in the business, without his consent or permission; after some conversation between me and Captain Wass, in which he, Captain Wass, seemed to be under great trepidation, and often prevaricating, he returned on board the ship again; when he was gone, the noqueda began, by asking me what I thought he had better do, I told him that I really could not give him any advice in so bad a business, particularly as he appeared to me to be so very culpable in purchasing the brig, when he must have been so well acquainted with the manner of her being cut off, from his being in Pedir at the very time; nay, he even confessed to me, that he heard the French captain call out, when they were murdering of him. I told him that I should carry the brig to Prince of Wales island with me, agreeable to my orders; but he might rest assured, that if he ever went near a French settlement, and they knew that he had bought the brig, in the manner he had done, with the suspicious circumstances attending it, such as his having given a passage to the renegado, who had headed the party who cut off the brig, and who had killed one of the officers with his own hand, with the many other circumstances already related, that he, the noqueda, might be certain of meeting exemplary punishment; the noqueda then appeared to be so much alarmed, that he asked several times if I

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Part St. George
Papers:
State of Slavery
in Company's
Territories.

thought he was in danger of being hanged; he then went on board of his own vessel; in the morning, when we were getting under weigh to sail for Prince of Wales Island, the noqueda came on board in the Surat's ship's boat, and requested I would grant him a passage to Prince of Wales Island in the Scorpion, saying he was under great apprehension of what might happen to him, should a representation be made to Bombay respecting him; he said, he therefore wished to go to Prince of Wales Island, to know what punishment he was liable to; after telling him, in the presence of Lieutenant Fortescue, that he must remember that it was by his own repeated desire, I granted him the passage he asked; I have thought it the more necessary to relate all these circumstances to you, as the noqueda used prevarication when examined before you, and seemed to think that his conduct was by no means very reprehensible.

I am, &c.

(signed) *Hugh Stephenson Jervis.*

Prince of Wales Island, 12th January 1793.

* He means the
Nicobars.

N^o 3.—I attest, and certify, that Captain Goudron, commander of the brig the Jean Bass, sailed from Bengal for Coringa, but meeting with contrary winds, the vessel being leaky under the bowsprit, and deep laden with rice, the captain resolved to put into Ganjam, where he sold a part of his rice to the governor; from thence we sailed for Bamlipatam, where he sold the remainder of the rice to Mr. Martins and Mr. Benvit, and for payment thereof, they gave 180 slaves, from thence we sailed for the Isle of France; but at the end of 15 days, all our cooking pots failing us, we knew not how to cook the rice. The captain sailed for Tranquebar,* but could not procure there what he wanted; he then sailed for Acheen, where he got a cooking pot, and at the same time met with an English captain, who advised him to go to Pedir, where he would find every thing cheap. The captain seeing that the weather was very bad, resolved to go to Pedir, and being arrived, went on shore to the king, to ask for what he wanted. He there met with a Frenchman, who asked him what he had need of; the king gave him whatever he asked for, and offered him the French Malay for an interpreter. The captain being satisfied, came on board with the noqueda of the king, who was to purchase the Bengal goods. The noqueda was some time without coming on board again; but the white man remained on board to purchase the provisions which came along side. At length the noqueda came on board with the rice, the rogue of a white man betrayed the captain; when the noqueda told him to tell the captain one thing, he said another; the noqueda asked the captain to sell him four guns, and two blunderbusses, which he had; he asked him how much he would give, and he answered, through the white man, eighty dollars. The captain, who had no shot and very little powder, seeing that he offered a good price, let him take them; the white man was well acquainted with the plot that was going on. Some time after, the captain and me, the white malay, three sailors, and a caffree, went on shore to the noqueda; the captain spoke to him about settling accounts, he caused the captain to be told that he would settle immediately; he gave us a breakfast, after which, we went out for a minute, after which we asked him when he would send off the rice, he answered, presently; at the same time, the white Malay said to the captain, come and see the rice taken away, but quite the contrary, the wretch led him into the hands of the Bouron people, a great many Malays assembled around him, and fell upon him with their creeses; when he was fallen and almost dead, they put irons on his feet, and stripped him of every thing he had on, even cut his ears to get his ear-rings. The wretch of a renegado, after that the captain was almost dead, went to the boat and told the sailors that the captain was dead, and that the Malays would seize upon the ship; they began to seize upon us, and carry us to the king; they tied us together like criminals, took away every thing we had on, except our breeches and stockings, and every moment we expected to be put to death. Then the renegado went on board the vessel with two Malays well armed. The second mate asked him what he came for; he said, he came to get an account of their provisions; the mate asked him, if the rice was coming; he answered, it was coming a-stern of him; but it was not rice, it was two large boats was coming full of people; the second apprehended that they came to take the vessel, and recommended the crew to procure whatever weapons they could to defend themselves with; the little boy tells me, that the renegado drew his sword, and made a blow at the second mate; he asked him why he did so; the white man said, I took you for a Malay; from the blow he had received he fell into the sea, but got hold of the rudder rope; the wretched renegado then took from the little boy all the keys, but the crew to prevent this came on deck.

When

When the renegado saw this, he said to the Malays in their language, come on board to defend me; which they did, and began by cutting a Caffree into pieces, and with a sailor they threw him into the sea; only one man was then lost; and this was the Caffree, for the others seeing this jumped overboard, and saved themselves by swimming on shore; the white Malay caused the two others who were sinking to be taken up; and he had them put into a small canoe, where they lost much blood, and afterwards carried on shore, where they were thrown like dogs upon the beach, and when they had taken every thing out of the vessel, they considered us as slaves, keeping us confined; the noqueda desired me to follow him to see the two wounded men. The second hearing me, called me to his assistance, and begged me give him some water: I gave him some, and he told me that it was the white Malay who had thus cruelly used him; he died the next day. The captain desired to see me; I thought that he had been dead, but being carried to him, I could not refrain from weeping on seeing him in the saddest situation possible. The first word he said to me was, that he was a dead man, and that the white man had caused his death by putting him into the hands of the Bouron people. He desired me not to abandon the little boy; I told him he might remain easy on that head: he enquired after the officer; I told him he was dead; I dressed him as well as I could with salt water, and was very ill myself on leaving him; he died the next day; a sailor and myself buried him. At length we were all ill from our miseries, which we still feel; we were all kept together like so many dogs, and every day they gave each of us a small ball of rice; in fact, we were dying by inches. Some time after, the noqueda* came to see us, and he saw us in a terrible situation. He told us that he was going to buy the vessel, and if we would sign, that he would get us released from slavery, that otherwise we would die by inches; and having agreed among ourselves, that we could not support our existence much longer, we resolved to sign without much hesitation; for having done so we cannot be blamed, seeing what a terrible situation we were in. I certify that in this relation there is nothing but the truth. In witness whereof, we have hereunto signed our names.

J. Julliant.

Bernard not knowing how to sign his name, has put X

Frunchays.

N^o 4.—Narrative of Pierre Marjee, taken the 10th of January 1793.

I embarked at Bordeaux, in the brig Jean Bass, Captain Goudron; the owner of the vessel is named Monsieur Voitrin; we went to Bengal; from Bengal we sailed in August, loaded with rice, for Yanam, but the vessel making water under the bowsprit, we put into Ganjam, and sold 500 or 550 bags of rice to the governor; from Ganjam we went to Bimlipatam, where we sold 150 bags more. One evening, the captain came on board with a boat of water, and three chillingas full of people; the same night, we got under sail for Mauritius; after being at sea seven or eight days, we were much distressed for a boiler to boil rice for the Indians; the maiter advised the captain to go to the Nicobars, where he would get a large boiler and fresh provision. We went to the Nicobars, remained three days there, could only procure a few fowls; from the Nicobars we went to Acheen, where the captain procured a large copper boiler; remained two and a half days at Acheen, and then went to Pedir. The captain anchored very close to the shore; an English captain came on board, and advised him to go farther off, for it was not safe to lay so near the land; the captain did so. At Pedir, the captain got acquainted with Abdullah, a renegado, who promised to procure rice, and assisted the captain in selling four small guns and two blunderbusses, at a great price; this renegado had the confidence of the captain, and deceived him in every thing. After being twelve days at Pedir, the captain went ashore with the doctor, myself, Pierre le Pierre, and Azor, the caffree; the captain and doctor, with the renegado, went to breakfast with a noqueda; after breakfast, the captain asked Abdullah where the rice was; Abdulla said, come with me, and I will shew you the rice. He went with the captain to the house of a Malay, where they cut and wounded the captain; the renegado Abdullah then told the rajah what had happened, and went off to the brig in a small boat, armed. I remained on shore in a house for the space of an hour, when the Malays came, stripped and bound us; in this condition we remained until eight o'clock; they then shut us up in a small yard, where we remained eighteen days; they gave us rice and water, and sometimes a little fish, and once or twice some spirits they had taken out of the vessel, wanting us to turn Moor-

Fort St. George
P. 1793.
State of Slavery
in Company's
Territories.

men; afterwards we were sent on board the Surat vessel, the noquedar, of which had bought our brig; the next day, the noquedar sent us on board our brig to work.

Taken before me, (signed) *F. Light.*

N^o 5.—Narrative of Bernarde Sanguny, taken the 10th January 1793.

"I embarked in the French brig in Bengal, and was on board when the Malays attacked her at Pedir. The renegado Abdullah came on board in a small canoe, with a native of Bombay and three Malays; Abdullah had a pistol, a sword, and a creese; three prows were following after. On seeing him come on board in this manner, I called up the officer, and recommended him for us to be on our guard; but as the captain and officers placed great confidence in this Abdullah, he said there was no occasion, and Abdullah said, the boats coming on board were loaded with rice; when the boats came along-side, this Abdullah told the Malays to come on board, and kill away; they accordingly did so, and I saw this Abdullah draw his cutlass, but whether he stabbed the officer himself or not, I cannot say, I thought only of my own safety; and as we had no arms but what knives or axes we could lay hold of at the moment, I soon saw all defence was vain; I then jumped over board along with the cooper, and after being four hours in the water, we reached the shore. When we got on shore, the Malays seized us, and carried us to the village, and tied us to a log of wood. We remained prisoners twelve days, during which time we saw the body of the captain thrown into the river. The Malabar slaves, by order of the Malays, buried the body by the river side; the Malays would not allow any of us that had escaped to see the captain previous to his death. The same day I swam on shore, I saw the renegado Abdullah on shore. At the instance of Captain Caird, the Malays released us on board the Surat ship. I think that Jean Irvor, the former boatswain of the ship, was concerned with the renegado Abdullah, because the Malays spared him, and he remained in the vessel until he went away with Captain Caird. I heard that Abdullah sold the stores of the vessel to Capain Caird, viz. a mainsail, foresail, topsail, sheet anchor, six coils of rope, two tow lines, one large tow line, and one cable; other stores were taken away, I suppose, by the Malays. I cannot say if any other English captain bought any of the stores. The Surat noqueda sent me on board the French brig, where I found Mr. Leslie in command; the reason of our putting our names to the bill of sale was, that the Malays would not release us until the vessel was sold, and we would have put our names to any paper to have got out of their hands; there was only the captain, the mate, and one Caffree killed, and one man very much wounded, who is now in the hospital here; the captain had not much money on board when the vessel was taken, he having expended the most of it in purchasing the natives of the Circars; he had on board three or four bales of white cloth. The captain had sold all his rice at Bimlipatam to Dr. Martins, who paid for it in the inhabitants of the Circars; 140 were on board when the vessel was taken.

Taken before me, (signed) *F. Light.*

N^o 6.—Narrative of Chivalear, a boy taken the 10th January, 1793.

"I was on board when the Malays came to take the vessel. I saw Abdullah, renegado, kill the officer with a sword and creese. It happened thus: Abdullah came on board with three Malays, and told the officer he was sent by the captain to count the fowls; the officer gave him something to drink; then a boat full of people came on board, and attacked the crew; I saw Abdullah cut the officer in the face and back with the sword; Abdullah led the Malays on; I ran into Abdullah's arms, and begged he would not kill me; Abdullah spared my life; I remained fifteen days on board with Abdullah, who had charge of the vessel; Abdullah took and destroyed every thing. I went on shore before all the stores were sold; I lived with the Rajah, and the Malays wanted to detain me; but at length they released me on board the Surat ship, along with the others.

Taken before me, (signed) *F. Light.*

N^o 7.—Narrative of Pierre la Piere, Seaman, and Azor or Caffree, taken 10th January 1793.

We were on shore, along with the captain, but remained in the boat when he was attacked; we were confined and released the same as the others.

Taken before me, (signed) *F. Light.*

No 8.—Narrative of Andrew de Dias, taken 16th January 1793.

I went passenger in the Futtah-Islam, noqueda Nana Cassim, from this port to Acheen. The noqueda went to Boorou, three miles from Pedir; I was a-shore, and saw several boats full of men, with arms, going from the shore; I ran towards Pedir, to see what was the matter; in going along, I met with a Frenchman, swimming to the shore; I asked him what was the matter; he told me the Malays were taking the vessel; I was then afraid, and returned to Boorou; our vessel remained one day at Boorou; from thence went to Ganjam, where she staid two days, and then went to Pedir. Noqueda Nana Cassim said to me, the Malays will not pay me my money; I will buy this French vessel; you must make out a paper for me. I said, I cannot do this, it will bring me into trouble. The noqueda said, I will take care no harm shall happen; when we get over the coast, I will get a proper passport. I then made out the paper for the sale of the vessel, just as the noqueda told me. Three days after, I went to see the French captain, but the Malays stopped me; the next day I succeeded, and spoke with him; he was in irons, with only a pair of Malay drawers on; had a large wound in his belly, another in his head, and one through his hand. The captain said, if you go to Pondicherry, or any English port, tell them that these Malays have taken my vessel and killed me; I heard he died that night. The noqueda of the Futtah-Islam bought the vessel about fourteen days after the Malays had taken her; Captain Caird bought several stores belonging to the French vessel, from Abdullah, the renegado; the Malays took all the slaves, who, with the wearing apparel of the Frenchmen, were sold to various people; I heard that Hadjee, Mahomed, a Cheljar Malay, first stabbed the captain.

Taken before me, (signed) F. Light.

No 9.—Narrative of Laurant Severin, alias Abdullah, taken 10th Jan. 1793. I am a Frenchman; went from hence with Captain Haggy; was turned on shore, by him at Pedir. From Captain Haggy's bad report of me, no person would take me away; had nothing to subsist upon; the Malays would give me nothing, unless I changed my religion; I became a Mussulman, and had been a month at Pedir, when the French brig came there; I asked a passage from the French captain to the Mauritius, and in consequence of the captain's compliance, I had been five or six days on board, before the accident happened. I had been with the captain on shore to shew him his rice; the Malays carried the captain from house to house, till at length they came to Tunkee, Campoon, Pooka's house, where near two hundred Malays were assembled. The captain asked for a cocoa-nut to drink; they brought two; one being broken, they opened the other, and while the captain was drinking it, a Malay stabbed him; the captain attempted to draw his dagger, when another Malay stabbed him in the belly, and disabled him. I heard that the man who stabbed him in the belly was one Hadjee, a Chulian. The captain thus wounded, was put in irons, and I heard four days afterwards, died. The Malays, after wounding the captain, ran to the house of Tunkee Patree, and they then all got into boats; Tunkee Patree then wanted me to go along with them, but I refused. I then went on board the brig in a small canoe, with one Allick, a native of Bombay, and two Chullians; I was obliged to go on board, fearing, if I refused, that the Malays would put me to death; I was also afraid that the Malays would kill me, had I mentioned, when on board, the circumstance of the captain attacked on shore. Then the other Malay boats came up, and boarded the vessel, killed the mate, and wounded the man now in the hospital; but I deny having any hand in the business. Captain Macalister bought a cable and tow-line for ten gold mohurs, and Captain Caird a variety of stores, for which he paid me two gold mohurs; and the rajah, I believe, about one hundred dollars. Eight days after the vessel was taken, Captain Butler came in, and took a great many stores from her, a chest full of books, &c. without paying any thing for them; then the rajah sent me on board to sell all the stores that remained on board, and to bring the vessel into the river. The Surat noqueda agreed to purchase the vessel for four catty of gold; but when the cable and anchor was sold to Captain Caird, he deducted five buncals. The Malays wanting to kill me, I begged a passage from the Surat noqueda, and went on board the Surat ship.

Taken before me, (signed) F. Light.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Fort St. George
Papers
State of Slavery
in Company's
Territories

N^o 10.—Narrative of Nuna Cassim, noqueda of the ship Sataislam of Surat, taken 10th January 1793.

I was trading on the coast of Pedir when the French brig came there; I heard the Malays and Chulians had an intention of cutting her off, on account of their having the people from the Circars on board. Of this I gave twice information to the French captain, but he credited me so little, that he went to the rajah, and informed him that I had given him this notice. When the captain was wounded on shore, I was at Pedir, and was told by several people, that previous to his death, he acknowledged he would have saved his life, had he paid attention to the information I gave him. When the Malays had got the vessel, they proposed to me to take her in part payment of their debts to me, which amounted to betwixt seven and eight cattys; this I then refused, but afterwards seeing little probability of recovering my debts, I was induced to take the vessel in part payment, at the recommendation of Captain Wass; and I was the more induced to do this from seeing other English captains buying the stores. I bought the snow for four cattys, but deducted five buncals on account of an anchor that was sold, and I stipulated that the Frenchmen remaining on shore should be released. My intention was to make the circumstance of the purchase public when I got to Bombay, and to restore her to the French, on their paying me what I had given. My reason for taking Abdallah on board my ship was, in case I should meet with any difficulty in getting a pass. On my arrival at an English port, it was my intention to bring him forward, as the person who was concerned in cutting the vessel off.

Taken before me, (signed) F. Light.

N^o 11.—List of people on board the French brig the Jean Bass:

- Lieutenant Edward Lowes, in command.
- John Smith, secunny.
- William Barrett, d^r
- Charles Leslie, belonging to the Futta Islam.
- 7 Lascars, belonging to d^r
- Andrew Dias, belonging to d^r and writer of the bill of sale.
- Frenchmen belonging to the brig:
 - J. Julian, surgeon. Pierre le Pierre, seaman.
 - Bernares, seaman. Chevaliar, boy.
 - Franchoys, d^r Azon, Caffree.
 - Du Verrez, d^r

Laurant Severin, alias Abdulla, charged with the murder of captain and mate.

Prince of Wales Island, 5th Jan. 1793. (signed) F. Light.

N^o 12.

French Brig	To the Honourable Company, Dr
1793: 16th Jan.—To Messrs. Scott and Co. for the amount of their bills	340 5 5
— 18th — To Captain Lindsay, for the amount of his bill	15 — —
— 25th — To Mr. Waun d ^r	11 4 —
— 28th — To Mr. James Gardine d ^r	85 2 4
To Mr. Perkins d ^r	8 — —
To Mr. G. Raban d ^r	58 — —
To Mr. Layton d ^r	17 8 5
To James Hutton, Esq. d ^r	17 2 —
To Lieutenant E. Lowes d ^r	14 5 —
Spanish dollars	567 7 4

Prince of Wales Island, 31st Jan. 1793. (signed) F. Light.

The vouchers are delivered to Mr. Lowes.

Amount of the several bills	657	7	4
Dr. Hutton's bill	47	6	4
	<hr/>		
	615	3	8
Deduct received from Capt. Jarvis, who re- ceived from Capt. Wass the amount sale of stores belonging to the French brig	103	3	3
	<hr/>		
Spanish dollars	512	-	5

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

Francis Light, Esq.

Dr.
To sundry Charges.

For subsistence of 4 European Frenchmen, 26 days, at 3 copings per day each	31	2	-
1 Caffree, 26 days, at $\frac{1}{2}$ coping per day	3	9	-
Paid a washerman for washing 27 pieces, at 2 pize per piece	-	5	4
The tailor's bill for making clothes	12	-	-
	<hr/>		
Spanish dollars	47	6	4

Prince of Wales Island, 4 Feb. 1793.

(signed) F. Light.

MINUTE.—Resolved, That all the papers received from Mr. Light, with a copy of his letter, be sent to the governor of Pondicherry; and that Lieutenant Lowe be directed to proceed thither with the French brig, and deliver her up to the authority of the French government.

Resolved also, That the renegado Frenchman, called Abdullah, be delivered up a prisoner to the government of Pondicherry, and that Lieutenant Lowe be directed to apply to Monsieur Fonfreville, the governor, for payment of the sum incurred by the Company in fitting out the brig for the passage to Madras.

The Board remark, on the perusal of Mr. Light's letter, that Captain Gaudron, in the disposal of part of a cargo of rice in the northern Circars, some time last year, had received in exchange one hundred and eighty natives, all of whom had been clandestinely embarked, and were destined for slavery at the Isle of France, when the want of provisions, and the sufferings of those unhappy people, led to the fatal consequence which happened at Pedir. It were much to be wished, that some effectual steps could be fallen upon to put an end to the barbarous and inhuman traffic of slaves, and to check it if possible; it is resolved to draw the attention of the French governor to the above circumstances, and to express the confidence the Board have in his hearty co-operation to discourage, by every possible means, a commerce so repugnant to the feelings of humanity.

As it appears that the slaves were embarked at Bimlipatam, through the agency of Mr. Martins, a resident at that place, it is resolved to direct the chief and council at Vizagapatam, to discontinue the monthly allowance granted to him by the Company, and to apprehend his person, in case he should at any time be found within the limits of the Company's possessions under their authority.

Agreed, That copies of the paper be sent to Bombay, and that the attention of the Governor in council be drawn to the conduct of Captain Wass, commanding the Futtah Isslaum, and of Naully Cossam, the noquedah, who appears to have been concerned in the purchase of the brig, though acquainted with the circumstances by which she fell into the hands of the Malays.

Dispatched the following letters from Sir Charles Oakeley, Baronet, Governor in council, to the Honourable Major General Abercromby, Governor in council at Bombay, 19th February 1793.

Honourable Sir:—Having received from the Governor of the Company's possessions on the Prince of Wales Island, a circumstantial detail of the piratical seizure of a French brig on the coast of Pedir, and the means by which she was retaken, we do ourselves the honour of forwarding for your information, copies of the papers transmitted to us by Mr. Light.

Diary 19th.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

We have directed Lieutenant Lowes, who is in charge of the brig, to proceed with her to Pondicherry, and deliver her up to the governor of that settlement.

We beg leave to draw your attention to the conduct of Captain Wass, commanding the Fattah Isslaum, and of Naully Cossam, the naquedah, who appears to have been concerned in the purchase of the brig, though acquainted with the circumstances by which she fell into the hands of the Malays.

We have, &c.

(signed) Charles Oakeley, &c. Council,

Fort St. George, 19th February 1793.

From Sir Charles Oakeley, Bart. Governor in council at Fort St. George, to the Honourable Lieutenant Colonel De Fonsville, Commandant of the French Settlements in India, Governor of Pondicherry, &c. &c. &c.
19th February 1793.

Honourable Sir:—Having received from the Governor of the Company's possessions in the Prince of Wales Island, a circumstantial detail of the piratical seizure of a French brig on the coast of Pedir, and the means by which she was retaken, I deem it essential to put you in possession of the facts which have come to my knowledge, and to this end have the honour to enclose the papers which have been transmitted to me.

I have directed Lieutenant Lowes, the officer in charge of the brig, to proceed with her to Pondicherry, and to deliver her up to the authority of your government, together with the renegado Frenchman, called Abdullah, who seems to have been very principally concerned, both in the murder of Captain Goudron and his mate, and in the act of cutting off the vessel.

I have also directed Lieutenant Lowe to lay before you, an account of the expenses incurred by the Company in fitting out the brig for the passage to Madras, and I request you will be so good as to give the necessary orders for the repayment of the amount.

You will perceive, Sir, on the perusal of Mr. Light's letter, that Captain Gaudron, in the disposal of part of a cargo of rice in the Northern Circars some time last year, had received in exchange 180 natives, all of whom had been clandestinely embarked, and were destined for slavery at the Isle of France, when the want of provisions, and the sufferings of those unhappy people, led to the fatal consequences which happened at Pedir. It were much to be wished, that some effectual steps could be fallen upon to put an end to the barbarous and inhuman traffic of slaves; and I rely with confidence, that you will most heartily co-operate with me, in discouraging by every possible means, a commerce so repugnant to the feelings of humanity.

I shall write to the government of Bombay, and explain the conduct of Captain Wass, commanding the Fattah Isslaum, and of Naully Cossam, the naquedah, who appear to have been concerned in the purchase of the French brig, though acquainted with the circumstances by which she fell into the hands of the Malays.

I have, &c. (signed) C. Oakeley.

Fort St. George, 19th February 1793.

From W. C. Jackson, Esq. Secretary to Government, to Lieutenant Lowes, of the Bombay Marines, in charge of the French Brig, Jean Bass,
15th February 1793.

Sir:—I am directed by the Honourable the President in council, to desire you will proceed with the French brig, Jean Bass, to Pondicherry, and deliver her up to the order of that government. I enclose a Letter for the governor, which you are desired to deliver on your arrival at Pondicherry.

The French renegado, called Abdullah, is to be surrendered a prisoner.

I transmit herewith an account of the expenses incurred in fitting out the French brig for the passage to Madras, and am directed to desire you will present the bills to the governor for the time being, and make application for the payment of the amount.

As soon as you have executed the above orders, you will return to Fort St. George.

I am, &c.

Fort St. George, 15th Feb. 1793. (signed) W. C. Jackson, Secretary.

From Sir Charles Oakeley, Baronet, to John Chamier, Esq. Chief, &c.
Council at Vizagapatam, 19th February 1793.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Gentlemen:—We herewith transmit copies of a deposition of the surgeon of a French brig that left Bimlipatam some time last year, with 180 natives on board as slaves, and it appearing thereby that those unfortunate persons were clandestinely embarked through the agency of Mr. Martins, resident at that place, we desire you will immediately discontinue the monthly allowance granted to him, and apprehend his person, in case he should at any time be found within the limits of the Company's possessions under your authority.

We are, &c.

(signed) Charles Oakeley, Council, &c.

Fort St. George, 19th February 1793.

Memorandum.—The French commandant expressed his most grateful acknowledgments for the interference of the British government in recovering the French brig, and directed the pirates to be brought to trial at Pondicherry.

An enquiry was also ordered into the conduct of Captain Wass, at Bombay.

Extract, Fort St. George Military and Political Consultations,
28th February 1793.

Dispatched the following letter to the Honourable Jacob Eilbracht, Esq.
Governor, &c. &c. Council at Pulicat.

Honourable Sir and Sirs:—We have the honour to transmit copy of a deposition of the surgeon of a French brig, that left Bimlipatam some time last year, with 180 natives on board as slaves; and it appearing thereby, that those unfortunate persons were embarked through the agency of Messrs. Martins and Benvit, residents at that place, we submit to you the propriety of marking your displeasure at a conduct so flagrant and unjustifiable, after the repeated orders issued by your government, as well as by us, positively interdicting so disgraceful a traffic.

For our own parts, we have resolved upon all occasions to discourage, by every means in our power, a commerce so repugnant to the feelings of humanity, and we rely with confidence that you are inspired with similar sentiments. We cannot indeed entertain the least doubt of your readiness to co-operate with us in putting an end to this evil, and nothing, in our opinion, can more effectually check it, than an exemplary punishment of those detected in the practice of it.

We have withdrawn the pension which had been hitherto granted by the Company to Mr. Martins, who was formerly in their service, and have directed that his person should be apprehended in case he should ever appear within the limits of our authority.

We have the honour to be, &c. &c.

Fort St. George,
26th February 1793.

(signed) Charles Oakeley, Council, &c.

Extract, Fort St. George Military and Political Consultations, 8th March 1793.

Received the following letter.

To the Honourable Sir Charles Oakeley, Bart. Governor in Council of
Fort St. George.

Honourable Sir and Sirs:—Favoured with your Honour's letter of the 26th inst., we cannot indeed emphatically enough express our indignation and aversion, with regard to so horrible an event as the exportation of 180 natives from Bimlipatam, as slaves, in a French brigantine bound to the French islands; which, however, according to the declaration that came inclosed, was surprized and taken at Pedir by the Malays, who killed all those that were on board of her, and did not escape out of their hands.

It shew how much the exportation of unhappy creatures merits our disgrace, we shall renew, in the strongest manner, our orders to our northern factories, to oppose such inhuman practice, not only in our subjects, but also with all possible diligence in strangers, in case they should think our territory a safe place for it, with a charge to deliver the unhappy creatures out of the hands of those who will not desist, but are refractory, either by good or forcible means, and to send them to one of your agents there, for the protection of their liberty, and the benefit of their support.

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

We feel the propriety of your Honour's resolution, that such kidnapping may be prevented, to check it with exemplary punishment, and in case any of our subjects transgress the orders instituted against it, they shall be seized and delivered over to the justice, to be punished according to the exigency of the case.

We have the honour to be, with the profoundest respect, &c.

(signed) *Jacob Eilbracht. Jm. Jm. Hasz.
J. J. Winkelman. Js. Fs. Cantervischer.
Fk. Wm. Bloeme.*

Extract, Fort St. George Public Consultations, 25th September 1793.

To the Honourable Sir Charles Oakeley, Bart. Governor in Council, Fort St. George.

Honourable Sir:—We beg leave to lay before you an address from Mr. Martin, at Bimlipatam, which he forwarded under cover to our chief, with a request that it might be transmitted to government.

We have the honour to be, with the greatest respect, Honourable Sir, your most obedient humble servants,

(signed) *John Chamier. A. W. Gregory. John Snow.*

Vizagapatam, 15th Sept. 1793.

To the Honourable Sir Charles Oakeley, Bart., President, Governor of Madras, &c. Council.

Honourable Sir and Sirs:—When every people bless the English government, shall I be the alone unhappy under it; I who exposed my life and fortune to favour its success, viz. the records of 1766 and 1767, &c.; your Honour may see, by the inclosed order, that I have never been disgraced since that time. Ten certificates in my possession will prove my character; your Honour punished me for a crime I never committed; if my son contracted for slaves with other Frenchmen, the faults are personal, why shall I suffer for it; besides, there were no prohibition here for that commerce, and no law can have a retrospective power.

I am starving; confined in this village, where I cannot put my talents in exertion, how can I live? Even criminals are entitled to a daily subsistence. I humbly beg your honour to consider my case; it should be very hard, at sixty years of age, and twenty-five into the service, if I was compelled to go in foreign country to beg a bit of bread with a surgeon's commission in my pocket; yet I have no other way to live, if your Honour gives me no remedy; however, if I am doomed to do so, after ten years of every kind of misfortunes, it shall be the complement. Then, if your Honour's charity forget me, I beg to have a passport to go where I can get bread; I really cannot remain longer confined without a subsistence.

I have the honour to be, with the most profound respect, Honourable Sir and Sirs, your most obedient and most humble servant,

Bimlipatam, 13th Sept. 1793.

(signed) *J. Martin.*

(Enclosure.)

The Honourable the President and select committee, having directed Mr. Martin, the surgeon at Asker, shall remove, and remain at Bimlipatam during the present war with France, you are therefore required to signify to him their pleasure respecting such removal; and that it is an act of necessity, and not meant to reflect disgrace upon his character; his pay will be continued to him, and he is accordingly authorized to draw it in future from the factory of Vizagapatam.

(A true copy.)

(signed) *M. Williams. R. Maunsell. T. Oakes.*

29th August 1778.

[No Minute on the foregoing papers.]

Extract of a Letter in the Political Department, from the Court of Directors to the Governor and Council of Fort St. George, dated 19th Feb. 1794.

Letter from, dated 2d May 1793 (41 a 46.). Recovery of a French Brig that had been piratically seized.

42.—We approve of your proceedings relative to the piratical seizure of the French brig. The circumstances respecting the natives of Ganjam, to the number of 180, being clandestinely embarked at the Dutch settlement of Bimlipatam, destined

destined for slavery at the Isle of France, has filled us with the deepest concern. We rely upon the continuance of your exertions for putting an end to a practice which is so repugnant to every feeling of humanity and justice. We observe, by your consultations of the 1st. of April last, that the government of Bombay have ordered an inquiry to be made into the conduct of the commander and noqueda of the Surat ship, Fuddy Islam, who appear to have been the purchasers of the French brig, though they were previously acquainted with the circumstances by which she fell into the hands of the Malays, but we have not yet been advised of the result. We likewise observe upon the proceedings the names of Captain Macalister and Captain Caird, as being the purchasers from the Malays of the stores belonging to the French brig. We know not to what presidency these persons belong, but the strictest inquiry must be made into their conduct, for having made such purchases under circumstances which no plea can possibly justify.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

An EXTRACT from the Fort St. George Public Consultations, the 29th August 1794, relative to a charge of Pagodas 124. 32. defrayed by the Company, for the maintenance, &c. of Seven Girls, who were released from Slavery by the Sitting Magistrate of Fort St. George, and returned to their families at Ongole.

Extract Fort St. George Public Consultations; 29th August 1794.

The secretary lays before the board an account of the maintenance, clothing, &c. of seven girls, whom the sitting magistrate had ordered, upon their being offered for sale, to be returned to their families at Ongole.

Ordered, That the amount, being 124. 32. Pagodas, be discharged by the civil paymaster general.

PAPERS relative to a Claim upon the East India Company, preferred by the Captors of the Molucca Islands, for the value of certain Government Slaves; found attached to the Parks of Nutmegs, when those Islands were conquered in the year 1801.

Extract of a Letter in the Public Department, from the Governor in Council of Fort St. George to the Court of Directors; dated 15th October 1801.

Cons. 9th Sept.
Diary to Cons.
11th Sept.

Par. 256.—The agents for the captors of the Molucca Islands having presented an unexpected demand on the Company, for the value of the slaves found to be attached to the Parks of Nutmegs; at the time of the conquest of those Islands, we have appointed the accountant general and the deputy military auditor general, to be a committee for the investigation of the claim.

Extract Fort St. George Military Consultations; 8th September 1801.

Read the following Letter from the agents and substituted attorney of Lord Keith.

To the Right honourable Lord Clive, Governor in Council, &c. &c. &c.

My Lord:—The property and papers belonging to the prize concerns of Amboyna and Banda, having been placed under our charge by Lord Keith, and as we are, in consequence, extremely anxious to bring all the accounts of those islands to a conclusion, we have the honour to furnish you with Mr. Farquhar's return, No. 1. of the Park slaves belonging to the captors of the island of Banda, on each respective Park, on the 8th March 1796, being males and females 1713, and No. 2. a return of those on the island of Amboyna, 17th February 1796, also the property of the captors.

No. 3.—Is our account against the honourable Company on behalf of the captors for these claims, and which we trust your Lordship will order to be discharged; the slaves being estimated at the same price the Company paid for those found in the Fort of Bandernira. We have, &c. &c.

(signed) Thomas Chase, } Agents and substituted attorneys to
John Chinnery, } Lord Keith.

Madras, 28th August 1801.

Resolved, That the accountant general and deputy military auditor general, be appointed a committee for the purpose of examining the above demand on the Company, and that a copy of the letter, with its enclosures, be transmitted to them accordingly.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Diary.

Extract Fort St. George Military Consultations; 10th September 1801.

Sent the following letters to Robert Woolf, Esq. Accountant General, and Captain P. Bruce, Deputy Military Auditor General.

Gentlemen:—I am directed to acquaint you, the Right honourable the Governor in Council has been pleased to appoint you to be a committee for the purpose of examining the demand made in the enclosed letter, and its enclosures, on the Honourable Company, by the agent and substituted attorney of Lord Keith, on account of certain articles said to be purchased for the use of this government from the captors of the Molucca Islands.

I am, &c.

(signed) *J. Webbe*, Chief Sec^y to Gov^y.

Fort St. George, 10th Sept. 1801.

Extract Fort St. George Military Consultations; 22d December 1801.

Read the following report of the Committee appointed to investigate the claims preferred on the behalf of the captors of the Molucca Islands.

(Extract.)

Sir:—We have had the honour to receive your letter of 27th November, communicating to us the opinion of the Right honourable the Governor in Council, that he considers the slaves employed on the island of Banda are the property of the parkholders on that island, and that the captors of the Molucca Islands, cannot consequently, have any claim against the Company on that account.

We have accordingly proceeded to examine into the other demands. The second preferred by the constituted attorneys of Lord Keith, is for the price of 63 quarter slaves at Amboyna (as specified in the paper marked A.), charged at the rate of 50 rix-dollars each, amounting to 3,150 rix-dollars, or 1,575 star Pagodas; upon which we have to observe, that as this claim is not supported by any voucher or acknowledgment whatsoever, to shew that these slaves were the public property of the Dutch at the time of the capitulation, and had been delivered over by the captors or their agents to any of the Honourable Company's servants, warranted to receive them; we cannot, therefore, in consequence of this material point being unsubstantiated, take upon ourselves to recommend the discharging it.

We do ourselves the honour to return enclosed, the papers which accompanied the Chief Secretary's letter to us of 10th September last.

We have, &c.

(signed) *Rob. Wood* *P. Bruce*.

Fort St. George, 15 Dec. 1801.

The following draft of a reply to Messrs. Chase and Co. is read and approved.

To Messrs. Chase, Chinnery and M^r Douall,

(Extract.)

The Right honourable the Governor in council having taken into consideration the report of a Committee, appointed by his Lordship in council to investigate the claims stated in your letter of the 28th August last, on the behalf of the captors of the Molucca Islands, I am directed to communicate to you his Lordship's determination on the different points.

As it appears from the information which has been stated to the Governor in council, with regard to the consideration of the slaves employed on the Island of Banda, that those slaves were the property of the individual parkholders on that island, his Lordship in council does not consider the captors to have any claim against the British Government on that account.

With respect to the claim for the value of slaves on the Island of Amboyna, amounting to 1,575 pagodas, as no documents have been produced to establish the fact of those slaves having been the property of the Dutch government, or of their having been transferred on the surrender of Amboyna to the charge of the representatives of the honourable Company, it is impossible for the Governor in council to pass a final decision on that claim, until it shall be established by more sufficient proof.

Fort St. George, 23d December 1801.

I am, &c.

(signed) *G. Buchan*, Sec^y to Gov^y.

Ordered, that Mr. Woolfe and Captain Bruce be informed that their proceedings have been approved.

Extract of a Letter from the Governor in Council of Fort St. George to the Court of Directors in the Military Department; dated 17th February 1802.

Fort St. George
Papers:
State of Slave
in Company
Territories.

Par. 60.—Your Honourable Court was informed, in our last dispatch, of the claim which had been preferred against the Company, on the behalf of the captors of the Molucca Islands, for property stated to have been captured on those Islands.

Par. 61.—At our consultation of the 22d December last, we took into consideration the report of the Committee, (consisting of the Accountant General and Deputy Military Auditor General), which we had appointed for the purpose of investigating the grounds of the demand, and we beg leave to refer your Honourable Court to our minutes, for the resolutions which we passed on the charges inserted in the account, amounting to the total sum of 46,582 : 21. star pagodas.

Par. 62.—The most material of those charges, was for the value of slaves employed on the island at Banda, estimated at 44,400 pagodas. But as it appeared from the information which we were enabled to obtain regarding the condition of those slaves, that they were considered not to be the property of the Dutch Government, but of the individual parkholders on Banda, we informed the agents for the captors, that we could not, under those circumstances, consider them to have any claim against the British Government on that account.

Extract of a Letter in the Military Department, from the Governor in Council of Fort St. George, to the Court of Directors; dated 17th October 1804.

Par. 370.—We had the honour of reporting in our letter from the Military Department, of the 17th February 1802, the result of an inquiry which had been instituted on the subject of a claim which had been preferred on behalf of the captors of the Molucca Islands, for the value of slaves employed in the spice plantations on the Island of Banda.

Par. 371.—Having received from the agent for the prize property taken at the Moluccas, a further representation on that subject, it has become necessary for us to re-assemble the committee formerly appointed for the investigation of the claim, and we have nominated the present Accountant General to be a member of the committee, in lieu of his predecessor in office.

Par. 372.—Your Honourable Court will observe, on referring to the agent's letter recorded in our minutes, that the revival of the application is founded on additional proof which he had not before produced, as it will rest with the committee which has been appointed, to report the extent to which they may consider that proof to be satisfactory; but you may be assured, that our decision on a case which will be liable to involve a considerable public expenditure, will be regulated with every practicable degree of caution.

Cons. 28th Aug.

Extract Fort St. George Military Consultations, 28th August 1804.

Read the following Letter from J. Chase, Esq. Agent for the prize property taken at the Moluccas, to the Right honourable Lord William Bentinck, Governor in Council, &c. &c., 20th August 1804.

My Lord:—The subject of my present address was submitted to government, by desire of Lord Keith, the trustee to the Crown for the prize booty of Amboyna and Banda, so far back as August 1801, since which period I have been endeavouring to obtain the most substantial documents in support of the claim I then instituted on behalf of the captors of those islands.

In order that your Lordship may not have the trouble of referring to your own proceedings on this occasion, I annex a copy of my first letter, with your secretary's answer, a copy of my letter of recent date, to his Excellency Admiral Rainier, and his answer thereto.

I solicit your Lordship's attention to my letter to Admiral Rainier, upon the subject of the slaves found on those islands, and as the arguments there stated are, in the Admiral's opinion (*vide* his letter) not to be disputed, and with the hope they will make the same impression upon your Lordship, I inclose the returns of the slaves, countersigned by the resident, accompanied with my bill for the value of them, which in behalf of the captors, I trust your Lordship will order to be discharged, with interest from the period the islands were taken from the Dutch; I have included

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

cluded in the bill a small sum for brass weights, the property of the Dutch company at the time of capture, and delivered up by the captors to the Honourable Company's servants at the four stations at which they were found.

I have the honour to be, &c.

(signed) T. Chase.

Agent for Lord Keith for the capture of the Moluccas.

Madras, 20th August 1804.

From Messrs. Thomas Chase and John Chinnery, agents and substituted attorneys to Lord Keith:

To the Right honourable Lord Clive, Governor in Council, &c. &c.

28th August 1801.

My Lord:—The property and papers belonging to the prize concerns of Amboyna and Banda having been placed under our charge by Lord Keith, and as we are in consequence extremely anxious to bring all the accounts of those islands to a conclusion, we have the honour to furnish you with Mr. Farquhar's return, N^o 1. of the park slaves, belonging to the captors of the island of Banda, on each respective park, on the 8th March 1796, being males and females, 1,713, and N^o 2. a return of those on the island of Amboyna, 17th February 1796, also the property of the captors.

N^o 8.—Is our account against the Honourable Company, on behalf of the captors for these claims, and which we trust your Lordship will order to be discharged, the slaves being estimated at the same price the Company paid for those found in the Fort of Baudenna.

We have the honour to be, &c. &c.

(signed) Thomas Chase, John Chinnery,

Agents and substituted attorneys to Lord Keith.

Madras, 28th August 1801.

From G. Buchan, Esq. Secretary to Government, to Messrs. Chase, Chinnery and M^o Douall, dated 23d December 1804.

Gentlemen:—The Right honourable the Governor in council having taken into consideration the report of a committee appointed by his Lordship in council, to investigate the claims stated in your letter of the 28th August last, on the behalf of the captors of the Molucca Islands, I am directed to communicate to you his Lordship's determination on the different points.

As it appears from the information which has been stated to the Governor in council, with regard to the condition of the slaves employed on the island of Banda, that those slaves were the property of the individual parkholders on that island, his Lordship in council does not consider the captors to have any claim against the British government on that account.

With respect to the claim for the value of slaves on the Island of Amboyna, amounting to 1,575 Pagodas, as no documents have been produced to establish the fact of those slaves having been the property of the Dutch government, or of their having been transferred, on the surrender of Amboyna, to the charge of the representatives of the Honourable Company, it is impossible for the Governor in council to pass a final decision on that claim until it shall be established by more sufficient proof; and as the same doubt exists in regard to the claim for brass weights in store at Amboyna, valued at 1,036. 21. Star Pagodas, the Governor in council is also under the necessity of postponing a determination on that point.

I am, &c. &c.

(signed) G. Buchan, Secretary to Government.

Fort St. George, 23d December 1804.

(A true copy.)

(signed) T. Chase.

From Thomas Chase, Esq. to His Excellency Vice Admiral Rainier, &c. &c. dated 5th July 1804.

Sir:—On Monday last I had the honour to converse with you upon the correspondence I have had with this government upon my claims on behalf of the captors of Amboyna and Banda, for payment for the slaves that were found upon those two islands when they were taken by the forces under your Excellency's command.

From

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

From every information I can obtain, it appears that the committee appointed by government to investigate into my claims for the captors, did not seek for that communication it was in their power to obtain, or they never would have reported that the slaves at Banda were the property of the individual parkholders, and that in consequence of that report the government deemed the captors claim inadmissible.

I request your Excellency will honour me with your sentiments on that point, as I perceive in the 3d article between the English commissioners and those of the Batavian republic for giving up Banda, under date the 12th March 1803, that in conformity to the 13th article of the convention agreed upon by Colonel James Oliver, commanding the British forces at the Moluccas, and the commissioners on the part of the Batavian republic, as far as they are applicable to Banda and its dependencies, expressly stipulated to deliver over to the commissioners of the Batavian republic all the slaves that are in the "Honourable Company's quarters and parks at Nura, Great Banda and Pulecay, at the rate of 25 rix-dollars per head, that the park-keepers shall be called upon to declare, that the slaves mentioned in the lists they have given in, belong to their individual parks, and are the property of the Honourable English East India Company."

A stronger circumstance cannot be produced, to substantiate the captors claims for payment for the slaves the English East India Company have sold and been paid for these slaves; and on my applying to Colonel Oliver to know why they were sold so cheap, his answer was, that two-thirds of the slaves at Banda were deemed by a committee worn out and superannuated, and children, and that from that circumstance Captain Kearsbury, one of the commissaries on behalf of the English, as given up at Banda, had reported to him, they could not fetch a higher price than 25 rix-dollars per head.

From the time of taking Banda to its restitution, these slaves were worn out in the service of the English Company, and it is but reasonable they should pay the captors what in my claim was deemed at the time a reasonable charge, 50 rix-dollars per head; and as I possess Mr. Farquhar's official acknowledgment and receipt for 1,713 slaves at Banda, and 63 at Amboyna, I shall, on being favoured with your sentiments about the property of the slaves, apply again to government for payment.

I have the honour to be, &c.

Madras, 5th July 1804.

(signed) *Thos. Chase.*

(A true copy.)

(signed) *T. Chase.*

From Peter Rainier, Esq. to Thomas Chase, Esq. 27th July, 1804.

Sir:—In answer to your letter of 5th instant, respecting claims of the captors at the value of the Banda slaves at the capture of that island, I am of opinion it is incontestible, as they were actually the property of the Dutch company, and not the parkiniers, I have no documents to refer to concerning it, that I know of, having never conceived the captors claims could have been disputed; no stronger proof, however, could be adduced than the circumstance you have quoted of Colonel Oliver having received payment for all that were serviceable from the Dutch commissaries appointed to receive the island from that officer, in consequence of the Treaty of Amiens, who would have paid no regard to his demand of payment of the value of the slaves, if they had not been well assured they were the property of the Dutch company, and not the parkiniers, at the surrender of that island, and its dependencies, of His Majesty's arms.

Should the Right honourable the President in council of Fort St. George still dispute the claims of the captors to the property in question, which is hardly to be credited, but from the inadvertence you have noticed, they may acquire the fullest information on the subject from Mr. Farquhar, one of their servants, at present Lieutenant Governor of Prince of Wales Island, a gentleman, who, during his residence at Banda as the Honourable Company's principal civil servant, and being well versed in the Dutch language, indefatigably exerted himself to become acquainted with all the regulations of the Dutch company at that island, and the rest of the Moluccas, as well from an attentive perusal of the records, as from conversing with the principal Dutch East India Company's servants on those points, then on the spot.

I remain, &c.

(signed) *Peter Rainier.*

Trident, Backbay, Trincomalee, 27th July 1804.

Ordered, in consequence, That the committee formerly appointed for the investigation of claims connected with the capture of the Molucca Islands, be re-assembled, and that they be furnished with the following instructions:—

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

From G. Strachey, Esq. Secretary to Government, to Cecil Smith, Esq.
and Captain P. Bruce, 29th August 1804.

Gentlemen:—The Right honourable the Governor in council having received from the agent of the prize property, taken at the Moluccas, a further representation on the subject of the slaves captured at Amboyna and Banda, it has become necessary for his Lordship in council to re-assemble the committee formerly appointed for the investigation of claims connected with the conquest of those islands, and to nominate the present accountant general to be a member of the committee, in lieu of his predecessor in office.

I am directed to transmit to you a copy of the application which has been received, and to desire that you will state your opinion, how far the claim advanced by Mr. Chase on behalf of his constituent, to the property in question, has been strengthened by the additional arguments adduced in support of it by that gentleman.

I am, &c.

(signed) G. Strachey, Secretary to Government.

Fort St. George, 29th August 1804.

Extract Fort St. George Military Consultations, 5th December 1804.

Read the following letter from the prize agents for the captors of the Molucca Islands.

To the Right honourable Lord William Bentinck, &c. &c. &c.

My Lord:—We had the honour of submitting to your Lordship's consideration, on the 20th August, the renewal of a claim upon government on behalf of the captors of the Molucca Islands, for the value of a number of slaves, the public property of the Dutch Company, when Banda last surrendered to the British forces, and which were subsequently considered and employed as such by the English resident there, although we have hitherto been unsuccessful in establishing this fact to the satisfaction of your Lordship in council, whereby the captors might be enabled to realize their proportion of the prize booty.

Our last appeal to your Lordship conveyed the opinion of his Excellency Vice Admiral Rainier on the subject, in whose apprehension there appeared to exist no doubt whatever, as to the fair pretensions of the captors, agreeably to the statement we had the honour of laying before government; but his Excellency, in his letter now in your Lordship's possession, has considered, if any uncertainty should be at all attached to the question, that Mr. Farquhar might be called upon for further elucidation of it, as being perfectly conversant with the circumstances of our application.

The arrival of Mr. Farquhar at Madras, has given us an opportunity of adding to the testimony of Admiral Rainier, and we take the liberty of inclosing (N° 1.) the copy of a letter we have addressed to that gentleman; with his original letter in reply to it (N° 2.), which we hope will be satisfactory to your Lordship in council, and that the claim, agreeably to the documents which are, we understand, now before a committee appointed to examine and report upon them, may have your Lordship's concurrence for liquidation.

We have, &c.

(signed) Thomas Chase, } Prize Agents, and substituted
John Chinnery, } Attornies to Lord Keith.

Madras, 26th November 1804.

To R. T. Farquhar, Esq. &c. &c. &c.

Sir:—In the year 1801 we had occasion to prefer a claim on the Right honourable the Governor in council, for the value of a considerable number of slaves remaining on the Island of Banda, when the Moluccas came into the possession of the British Government, and for which, being the acknowledged public property of the Dutch Company, the captors have thought themselves entitled to remuneration.

Since that period, we have repeated our application to the government for payment of the demand, under what we have considered the best documents towards an identification of these slaves as public property. Among them now before government is your own official return of their numbers received into the Company's employ.

Our last reference was accompanied by the copy of a letter we received from Admiral Rainier on the subject, of which we take leave to submit the original for your

your inspection; and we apprehend, without your further opinion upon it, we shall not be enabled to realize the claim, to which the captors appear to have the fairest pretension.

We request the favour of you, under these circumstances, to state to us for the further information of the Right honourable the Governor in council, whether, from the observations of your government to the eastward, you do not consider the claim in question to be supported with propriety by the captors, and if in the affirmative, (in order that it be brought before the Right honourable the Governor in council in the most correct manner), whether, in your apprehension, the sum at which the slaves are rated, viz. 50 rix dollars each, is not a fair and moderate valuation for them.

We have, &c.

Madras, 23d Nov. 1804.

(signed) *Tho' Chase, Jr Chinnery,*
Prize Agents and substituted Att^r to Lord Keith.

To John Chinnery, Esq.

Sir:—I have to acknowledge the receipt of your letter of yesterday's date, together with its enclosure.

The Banda slaves alluded to in that letter were the Dutch company's property, and were employed by the Dutch, and subsequently by the English government, in cultivating and curing the nutmeg trees and their produce.

The Dutch company would not have consented to pay for the slaves at the restitution of the islands, if there had existed a shadow of doubt even on the subject of their being public property.

I consider 50 rix-dollars a head for the Banda slaves, whom I frequently saw, and mustered while deputy resident at Banda, to be a very moderate valuation, and far below the expense of the purchase and transportation of those people from the different islands in the eastern seas to Banda.

Madras, 24th Nov. 1804.

I have, &c.

(signed) *R. T. Farquhar.*

Resolved and ordered in consequence, that the following letter be dispatched.

To Cecil Smith, Esq. and Captain Bruce.

Gentlemen:—I am directed by the Right honourable the Governor in council to furnish, for your information and guidance, the enclosed copy of a letter from the agents for the captors of the Molucca Islands, containing a further representation in support of the claim already referred to your consideration, respecting the slaves taken at Banda.

Fort St. George, 6th Dec. 1804.

I am, &c.

(signed) *G. Strachey, Sec^r to Gov^r.*

Extract, Fort St. George, Military Consultations; the 21st Dec. 1804.

Read the following letter from the Committee for investigating the claims of the captors of the Molucca Islands.

To the Chief Secretary to Government.

Sir:—We have the honour to acknowledge the receipt of your two letters of the 29th August and 6th December 1804, with their several enclosures, respecting the claims preferred by the agent of Lord Keith, &c.

2.—We delayed making our report upon the subject referred to us, as the arrival of Mr. Farquhar was daily looked for, from whom we have reason to expect the most accurate information upon this point.

3.—Upon the arrival of that gentleman, application was made to him, when he mentioned having received a similar application from the agents for the prize money, to whom he had given a written reply containing his opinion.

4.—The letter Mr. Farquhar alluded to was that (copy) which accompanied your letter of the 6th instant, and in which Mr. Farquhar unequivocally states it, as his opinion, that the slaves were considered as public property; thereby confirming the strong argument before used by the prize agent (and adverted to in Admiral Rainier's letter) of the Dutch commissary having accounted for them as public property when the islands were delivered up.

5.—The circumstance of their being considered as public or private property appeared to be the only question for discussion, previous to reporting upon the claim;

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

and as that point appears to us now clearly proved by the best information that can at present be obtained, we shall proceed to give our sentiments upon the other points.

6.—Mr. Farquhar's receipt appears for 1,713 slaves at Banda, specifying their sex, age, &c. and for 63 at Amboyna, all stated to be middle-aged.

7.—Upon reference to the former account current of the prize agents, it appears that slaves upon two of the parks included in the present charge, viz. those of Everts and Lauyang, were paid for by government in the sum of 3,250 rix dollars, which must in consequence be deducted from the present demand.

8.—The same account exhibits a difference of rate in charging for the slaves who had arrived at what might be termed a middle age, and the children; the former being charged at 50 and the latter at 20 rix dollars only; we are of opinion a similar distinction should be observed in the present charge.

9.—In estimating what should be termed children, we have taken the age of ten and under, considering that slaves arrived at that age were likely to be, upon an average, as valuable a property as any which could be purchased.

10.—We are of opinion, that a further distinction should be made in price, viz. for those who were beyond a certain age; and that to allow for them the same as children, will be an equitable arrangement.

11.—In considering this point, we have thought the age of 50 and upwards, as a fair period of division between middle-aged and old.

12.—The slaves thus divided, should, we are of opinion, be classed under the denomination of young, middle-aged, and old.

13.—The division applies only to the slaves of Banda; those at Amboyna having, as we have before stated, all of them been acknowledged by Mr. Farquhar as middle-aged.

14.—We have a further objection to offer to the agents bill, viz. the rate of exchange, which they have made at 15 Spanish dollars per 10 pagodas, an exchange, which might have been allowable to the eastward, where it was an object to procure money almost upon any terms, but which does not appear to us to have any foundation here, where the value of the Spanish dollar is 16 $\frac{1}{4}$ per 10 star pagodas, at which rate, we are of opinion, the present charge should be made.

15.—Receipts for brass weights appear only to the extent of 1,973 $\frac{1}{2}$ lbs. instead of 2,073 lbs. making a difference of 99 $\frac{1}{2}$ lbs.; we are of opinion, that the 1,973 $\frac{1}{2}$ should be admitted, but as to the rate at which they are charged, we have no means of judging; the whole charge of weights however being but a trifle, it is not perhaps of much importance.

16.—Should the Right honourable the Governor in council approve of our suggestions, the amount due to the agent will stand as follows:

For 1,382 middle-aged Banda slaves, at 50 rix dollars each	R. D ^s	69,100
150 old Banda d ^s , - - - - - a' 20 d ^s		3,000
181 young d ^s - - - - - a' d ^s		3,620
Total - - - Rix dollars		75,720

Deduct for 77 slaves in the parks of Evert and Lautang at Banda, who have been paid for by the Honourable Company in the year 1798		3,250
		<u>72,470</u>

1,636 slaves, amounting to rix dollars, at four rix dollars for three Spanish, are 54,352 $\frac{1}{2}$ Spanish dollars, at 16. 8. per 10 pagodas, are	star pagodas	33,192 15 31
63 middle-aged Amboyna slaves, at 50 rix dollars each, are 3,150 rix dollars at d ^s , are 2,632 $\frac{1}{2}$ Spanish dollars at d ^s , are	star pagodas	1,442 31 33
1,973 $\frac{1}{2}$ lbs. of brass weights, at 1 rix dollar each, are 1,973 $\frac{1}{2}$ rix dollars at d ^s , 1,480 $\frac{1}{4}$ Spanish dollars at d ^s		903 37 40
Star pagodas		<u>35,539 24</u>

17.—The sum charged by the agent was 45,436.21 pagodas, making a difference with the above, of 9,897.20.56.

18.—We

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

18.—We cannot close this report without noticing the remark in Mr. Chase's letter to Admiral Rainier, when, in stating the report of the former committee, he asserts, "that they did not seek for that communication it was in their power to obtain, or they never would have reported that the slaves upon the Island of Banda were the property of the individual park holders."

19.—On reference to the report of the former committee, under date 26 September 1801, we doubt not that it will appear evident to his Lordship in council, that they, in order to obtain information, availed themselves not only of every document furnished by the agent and constituted attorney of Lord Keith, but also examined Mr. Brounker, formerly secretary to Admiral Rainier, the person whom they considered as best able to give information on the point respecting the slaves at Banda being public or private property; and that upon mature consideration, they gave it as their opinion, that the former was not satisfactorily substantiated; but they did not report, as the constituted attorney has stated, that "the slaves upon the Island of Banda were the property of the individual park holders."

20.—We are of opinion if there were other sources of information tending to corroborate the claims of the agents, it was their duty to have produced them, and not that of the former committee to search after them. We are, &c.

Fort St. George, 15th Dec. 1804. (signed) Cecil Smith. P. Bruce.

Ordered in consequence, That the following letters be dispatched.

To the Accountant General and Civil Auditor.

Sir:—The committee appointed to investigate the claims preferred on the behalf of the captors of the Molucca Islands, having submitted their final report on the subject of the slaves, &c. captured at Amboyna and Banda; I am directed by the Governor in council to transmit to you, a copy of their report, and to desire that you will give authority for the payment to Messrs. Chase and Chinnery of the sum of star pags. 35,539. 0. 24 being the amount to which his Lordship considers the captors to be entitled.

I have, &c.

Fort St. George, 22d. Dec. 1804: G. Buchan, Chief Sec. to Govt.

To Messrs. Chase and Chianery; Prize Agents, and substituted Attorney to Lord Keith.

Gentlemen:—The committee to whom it was deemed to be proper to refer the claim preferred by you, in your letters of the 20th August and 26th Nov. last, on account of the captors of the Molucca Islands, having submitted their final report; I have been directed by the Right honourable the Governor in council, to enclose a copy of that report for your information, to acquaint you, that his Lordship in council has been pleased to resolve, That the sum of star pagodas 35,539. 0. 24. shall be paid on the account of the captors, agreeably to the recommendation of the committee.

I am, &c.

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

Fort St. George, 22d December 1804.

Extract, Fort St. George Military Consultations, the 22d January 1805.

Read the following letter from the agents for the captors of the Molucca Islands.

To the Chief Secretary to Government.

Sir:—We are favoured with your letter, enclosing the report of the committee upon our claim for payment on account of the captors for the slaves and brass weights taken at Amboyna and Banda; and informing us an issue of cash to the amount of their statement, pagodas 35,539. 0. 44. would be made accordingly, on application at the treasury.

We beg the favour of you, to represent to the Right honourable the Governor in council, that as the sum is acknowledged to be the property of the captors, we hope his Lordship will deem it equitable and reasonable to allow an interest upon that money from the date of our first application, 28th August 1801, to the day of payment; particularly as the delay that has interviened did not arise from our want of

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

documents to substantiate the claim; but from the wish of the gentlemen forming the committee to examine into the justness of it, to have a personal interview with Mr. Farquhar, the Governor for the time being of the Moluccas.

Madras, 5th January 1805. (signed) *Chase, Chinnery, & M'Dowal.*

Ordered, That the following reply be dispatched,

To Messrs. Chase & Co.

Gentlemen:—The Right honourable the Governor in council has taken into consideration your letter of the 5th instant, and having resolved that you are entitled to the claim which you have advanced for interest on the sum of star pagodas 35,539. 0. 44. acknowledged to be due to you on account of slaves and other public property captured at Amboyna and Banda; I am directed to inform you, that orders have been given to the accountant general, for authorizing interest on that sum, to be paid to you at the rate of 8 per cent. from the date of your application to the Governor in council, in the year 1801, to the present period. I am, &c.

(signed) *G. Strachey, Sec. to Gov.*

Fort St. George, 23d January 1805.

An Extract from a Letter addressed by R. Richards, Esq. Principal Collector at Tellicherry, to the Board of Revenue; dated the 31st August 1803, relative to the means of preventing a revival of the Slave Trade.

Extract from the Proceedings of the Board of Revenue at Fort St. George, dated 22d September 1803.

Extract of a Letter from R. Richards, Esq. Principal Collector at Tellicherry, to the Resident and Members of the Board of Revenue; dated 31st August 1803.

* See the Bombay Papers.

16.—Seventhly.—In the Custom-house regulations,* prepared by the joint Bengal and Bombay Commissioners, there is a "strict prohibition against the exportation of slaves." The penalty annexed to it, is a fine of 250 rupees for each offence, and the parties concerned prohibited carrying on any trade whatsoever, or the ship or vessel to which the said offenders belong, trading or obtaining a clearance until the fine be paid."

17.—The export slave trade, in former times, was principally encouraged and supported by the French and Dutch. If they ever return it will be revived, unless the most active and vigilant exertions are made to prevent it. Children were frequently stolen, and full grown persons carried off by force to be ultimately sold to the foreign traders above mentioned. The rights of humanity require that the punishment of such offences be always exemplary.

PAPERS relative to the Daerds, a description of slaves in Canara, and to their enlisting into the Company's military service; 1801.

Extract, Proceedings of the Board of Revenue at Fort St. George, the 20th August 1801.

Extract, Letter from J. G. Ravenshaw, Esq. Collector in the Southern Division of Canara, to W. Petrie, Esq. President, and Members of the Board of Revenue; dated 7th August 1801.

15th.—By far the greatest part of the slaves employed in agriculture are the Daerds, of and in the whole of whom there are various descriptions and properties; no order was ever given for their being included in the registers; the whole number of them, by the population statement, is 52,022, men, women, and children; of which number there are in the Baincoor talook, 5,894; the number belonging to every landlord shall hereafter, as desired, be entered in the registers. As the property of these people may be known to few, from there being few of the same caste in any other part of India, and as their customs may be deemed worthy of record, I shall here mention them. There are three distinctions; the Moon-

daul,

daul, Mogare or Magor, and Mavey Daerd; the two former differ from the latter in the way of food, thus,—neither of them will eat the flesh of a cow or bullock; or go near the place where one has died or been killed; till the carcase is removed; the Mavey Daerd, though he will not kill the animal, will eat its flesh after it is dead. If one dies at the house of a Moondaul or Mogare, a Mavey is sent for to remove the carcase. In the Moondaul and Mayer sects, property descends from uncle to nephew; a father gives up his children to their uncle. In the Mogare sects, property descends from father to son. A Mogare and Moondaul will eat together, though it is not common; if, however, they do, the form of taking away the dishes or pans they eat out of, washing and returning them clean to the party who gives the repast, is invariably observed. They never intermarry by consent; but if a Moondaul runs away with a Mogare, and marries or defiles her, the latter sect assemble, call on the Moondaul, and after reprimanding him for the crime he has committed, make him pay a fine for the offence, and give a repast to the whole party; when they have eat of which, the Mogare is considered as having relinquished her caste, and being made over to the Moondaul by it, to become a member of her husband's sect. Neither of these sects associate with the Mavey Daerd.

Of the Moondaul Daerd, in respect of service:—If a man goes to a landlord or other person, and says he wants to marry through his interests; if the person consents, he gives him from three to four pagodas to pay the expense of the ceremony; the Daerd, as soon as married, brings his wife to his landlord's house, and both are bound to serve him and his heirs as long as the husband lives. The landlord is considered as bound to give the man two cloths, each five cubits in length; and the woman two, each of eight cubits length, one to cover the lower and one the upper part of their frame, per annum; the estimated expense of which is one and a half rupees; the man is to receive one and a half, and the woman one hami of rice per diem, besides one mora of rice per annum between them; this last allowance is called "mogu." This couple have no claim over any children they may have born; they are the exclusive property of their uncle, but if he agrees to their remaining with their father till they are grown up, and their father consents to keep them, this may be done; and if, when grown up, their father's owners give the males money to marry, they are bound to serve him and his heirs as long as they live. If, however, their uncle does not agree to their remaining with their father when young, he takes them, and his master pays them according to the work they do. As to the daughters, if their uncle agrees they may remain with their father till some person comes with their uncle's consent to ask them in marriage, they are then given up, and bound to serve their husband's owner. In the event of the husband's death, his master has no right whatever over the mother and children, who become the property of, or for whom the children's uncle is bound to provide; and they are bound to serve his master if he has work for them. If a man wants to marry a second time, his master supplies him with money; in consideration, however, of this extra expense, he stops the "moger," or allowance of one mora of rice per annum. A man receives no daily allowance for himself and family during his master's harvest, but in lieu thereof, he gets an eleventh part of as much grain as is cut, threshed, and stacked, by the whole of them; when this work is done, they receive their daily subsistence as usual. This sect may be called a life property on the male side; they are never sold, though they sometimes mortgage themselves. If a man who has no owner is distressed for money, he will borrow of some person, whom he will agree to serve till he repays the amount; their owners may also mortgage them in the same way.

16.—Of the Mogare or Magor Daerds, in respect to service:—They are bought and sold, and thence they and their male heirs are bound to serve their master and his heirs for ever. Females remain with their fathers till married, after which his owner has no claim on them; they become the property of their husband's master. The average price of a man and his wife, if purchased together, is from four to five pagodas. The ceremony of purchasing them is this;—the bayee gives the buyer some water in a cocoa-nut, or some vessel, which, if the buyer is of an equal caste with him, he drinks off, and gives to the Daerd the rest; if not, he puts a small piece of earth in the water, and gives it the Daerd, who drinks a little, and pours the rest on two trees, a cocoa-nut, and a jack, or ^{situated on a} small piece of land, which is pointed out to him at the time, and which he is assured is to be his property; thus the bargain is concluded. These Mogairs receive the same daily allowance of rice and cloth the Moondauls do, but they get no annual allowance, or "mogu;" the piece of land and the two trees they get is

Fort St. George
Papers:

State of Slavery
in Company's
Territories.

Sic. orig.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

supposed more than to equal this; and in addition to this, if their master can afford it, he frequently gives them a bullock. The owner pays only as many of the family as work for him. This sect are sometimes mortgaged, as well as sold.

16.—Of the Mauray Daerd, in respect to service:—If a person purchases a man and woman of this sect, and marries them together, they and their male heirs are bound to serve him and his heirs for ever; the purchaser pays the expense of the marriage. If the man dies, and the woman marries again, the children she may have by her new husband are all the property of her owner, by reason of his having purchased the woman; but he has no claim whatever on the new husband. In cases when these people are not purchased, but merely bind themselves to service, on account of some person having paid the expense of their marriages, as the Moondauls do, the same rules are observed as with them; but there are many of these sects, who belonging, or being as it were an appurtenant to an estate, are bought and sold therewith; they enjoy the same privileges and allowances as those of the same sects who are purchased without an estate. The landlord can neither sell or mortgage them, or can they, without the landlord's consent, mortgage themselves or children.

17.—Many of the foregoing cases, an owner is only bound to give daily subsistence to as many of the family of his Daerds as he employs; if he has more than he requires, he may lend them out to other people, who pay him the mogu; or annual allowance of one mora of rice, as a sort of quit-rent or acknowledgment that the Daerd he employs belongs to him. Daerds cannot go to work for another person without their owner's consent, and they are bound to return whenever he may have work for them. This, Gentlemen, is the result of an inquiry I was induced to make into the customs of the people, in consequence of many complaints having come before me, of Daerds being ill-treated by their masters. The little labour has been amply repaid, from a conscientiousness of my having done justice to many of them, which I should not have considered myself competent of doing, without a knowledge of their manners and services.

18.—Exclusive of the Daerds, there were another sect of slaves in Canara, though, I believe, many of them are now free. Under the Biddnore government, all illegitimate children, save those by dancing girls, were considered the property of the circar, which took possession of, and sold them as slaves, to any person who would purchase them; the number of this sort now is about 722; there are also many slaves imported from Arabia.

Extract Proceedings of the Board of Revenue, at Fort St. George,
31st August 1801.

Read the following letter from the Collector in the Southern Division of Canara.

Mr. George Garrow, Acting Secretary to the Board of Revenue.

Sir:—An evil is taking root in Canara, if the growth of which is not very soon checked, it will most materially affect the value of landed property, and the cultivation of the country.

2.—In my letter of the 8th instant to the Board, I had occasion to remark on and detail the several sects of, and services performed by the Daerds; by whom, and slaves of other sorts, nearly the whole cultivation of the country is carried on. An estate, indeed, without a property in some of these people, would be of little value, because day-labourers are not to be procured in this as in other countries.

3.—The questions I wish to submit to the Board, are, 1st. Whether it be politic to allow the Daerds, whom I shall call "conditional servants for life, or for ever," to enlist in any of the Company's corps; 2d. Whether there exists a right to recruit them; 3d. Whether it be politic to allow any description of slaves to enlist, without the consent of, or their owners getting some remuneration for the loss of their services.

4.—Several landlords of Canara having suffered considerable loss from their Daerds and slaves having enlisted without their consent, it is in their behalf I bring this subject to the notice of the Board. Slavery has been defined to be, "an obligation to labour for the benefit of the master, without the contract or consent of the servant, the master at the same time having the right to dispose of him by sale, or in any other way to make him the property of a third person." That sect of the Daerds, who are bought and sold, and who come nearest to the description of slaves, differ from them in the following respects: 1st. Their service is *conditional*; a master, at the time of purchase, agrees to give them the usual allowance of rice, cloth,

cloth, &c.; if he fails, and refuses to do which, the Daerds are no longer bound to serve him, and can recover the balances of allowance due to them and their children. If the purchaser agrees to give the established allowances, the Daerds cannot refuse to enter his service; but if from any real cause, they have a dread of their man, the old master will generally, on being asked, keep them until he can get another purchaser. A master cannot make a traffic of them; that is, he cannot put them up to public sale, or transport them either by sea or land, to any place where there are not people of their own caste, as which is confined to Canara; they can never be sent out of the province; they can even refuse to be sold out of the man-ganny in which they are born and bred. Such is their strong and rooted attachment to the place of their nativity known, that no person ever thinks of purchasing and taking one away to a distant place, even in the country; it seldom indeed happens that they are ever bought or sold at more than twenty or thirty miles distance from the place of their birth. This sect of Daerds, therefore, and their children may, I conceive, be truly called "conditional servants for ever." Those of the Maurey Daerds, who are attached to estates, have the same privilege as those just mentioned, except, that in case of their landlord omitting to give them their regular allowance of rice, &c. they cannot quit his lands; but on making a complaint, they can recover their right, with damages. All other descriptions of Daerds are "conditional servants on the male side for life;" and in no case have they, so long as their master feeds and clothes them according to usage, a right to leave his service. Slavery is objected to, as being contrary to the fundamental principles of morality, because both men and women, in that state it is said, are tempted to commit and excite others to crimes they would not do in a free state. Supposing even that the service of the Daerds could be construed slavery, which in my opinion it cannot, the same objection does not apply to it, because, with them, it is merely the custom of their caste; and they are in general more constant and attached to their wives and family, who live with them, than most other sects. So far, therefore, from conceiving there can be any radical objection made to this kind of service, I am of opinion it is productive of very important and political as well as moral good, and especially so, because it is one of the soundest and most necessary props to the support and even existence of that meritorious spirit of industry and agriculture, which the natives of Canara are so peculiarly possessed of.

5.—Concluding, therefore, that their right to the service of these people is good and legal, what would be the consequence of depriving them of it? Have we the right to do so? or, would it be politic if we had? Daerds being naturally petulant, and somewhat indolent, frequently quarrel with their masters on most trifling occurrences, and leave them for a few days; in this state, and in the height of resentment, several of them have enlisted, and their owners been unable to recover them. Unless some orders on this subject are given, when once they have entered the military service, they are gone, I may say, lost for ever; in that line they are of no real use whatever, and it spoils them for any other; because I am convinced, that people attached to their place of nativity as they are, will never leave the province, and scarce ever the place they enlisted at, with any corps, or on any account whatever, if they can possibly escape; though they may enlist, their wives and family still remain with their owners; and a certainty of all the prize money a soldier ever gained, would not, in my opinion, tempt them to leave them. A recent instance of the Bombay grenadier battalion, on its march hence to Sedashgur, losing, I believe, nearly all the recruits it got here, who were very numerous, confirms me in opinion, that no persons whatever, who have either land, or any property in land, or any other concern in the country, whether as a servant bound for life to a landlord, or as a slave, should ever be allowed to enlist; the only persons, indeed, on whom any dependence whatever, as soldiers, is to be placed, are the few remaining condacha and other peons, who were in Tippoo Sultan's service.

6.—If the recruiting of the Daerds or slaves, the property of the landlords, is allowed to be continued, it will be the cause of every possible mischief towards checking the prosperity of the country; it will afford those descriptions of people an asylum to fly to, whenever caprice or any trifling cause may tempt them to leave their master, who, as in that case they will never be able to command, to a certainty, hands to cultivate their estates, will foresee a train of new calamities coming upon them, which they were not even labouring under in the late government, and which all the advantages they have, or can gain by the present, will not recompense. The very fabric of their agricultural system will be undermined; if

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

which be the case, their attachment cannot longer be depended on any more, than can the troops raised by the property thus wrested from them.

7.—These reasons render the measure, in my humble opinion, in every respect impolitic, supposing even we have the right to follow it, which I very much doubt; and if that be the case, I conceive that every Daerd or other service person who has already enlisted, should be discharged; or if that should not be thought proper, that they should be legally purchased of their owners, and that no more hereafter should be allowed to enlist; but as they may do this under false titles, and their masters not know of it till some time afterwards, they should also, on the case being proved to me, be released.

8.—If this evil is to be checked at all, no time should be lost in so doing; for as there is an officer sent here from Bombay, purposely for recruiting, unless some orders are given to prevent it, I expect every landlord in Canara will be a loser in a very short time.

I am, Sir,

Your obedient servant,

Mangalore, 12th August 1801. (signed) J. G. Ravenshaw, Collector.

MINUTE.—The circumstances stated by the collector of the southern division of Canara, require, in the Board's opinion, particular consideration, he has represented that serious injury will be sustained by the landholders of Canara, if their slaves are permitted to enter the sepoy corps, and desert the lands which they and their progenitors had cultivated for many generations.

It is observed by Mr. Ravenshaw, that where these people do enlist, they seldom continue in the service, but almost invariably desert; in this point of view, it appears ineligible that they should be allowed to enter the corps; but as it may be considered beyond the province of the Board to discuss the propriety of this measure in a military point of view, or the policy of emancipating this class of people, they will only observe, that the encouraging these slaves thus to desert their masters, would be disturbing a property sanctioned to them by the usages of the country; and the ordinances of their law; and whilst it would be of no advantage to the army, it would be of considerable detriment to the revenue, for not only in Canara, but in several parts of India, it is this class of people who cultivate the soil, and on whose industry the landholder depends for the payment of the dues of the Sirkar, and for the means of his own support.

Agreed, therefore, to submit to government the propriety of interdicting those who are employed in Canara in engaging recruits, from taking these people into the sepoy corps; at present, the Board conclude, considerable numbers of men may be enlisted in the Carnatic, from among those employed by the late nabob.

1851.

Extract, Fort St. George Revenue Consultations, 18th September 1801.

Extract of a Letter from the Board of Revenue, to the Right honourable Edward Lord Clive, Governor in Council, dated 9th September 1801.

6.—The collector of the southern division of Canara, has called our attention to a circumstance, which in our minds, requires particular consideration; he has represented, that serious injury will be sustained by the landholders of Canara, if their slaves are permitted to enter the sepoy corps, and desert the lands which they and their progenitors had cultivated for many generations.

7.—It is observed by Mr. Ravenshaw, that when these people do enlist, they seldom continue in the service, but almost invariably desert; in this point of view, it appears to us, ineligible, that they should be allowed to enter the corps; but as it may be considered beyond our province to discuss the propriety of this measure in a military point of view, or the policy of emancipating this class of people; we shall only observe, that the encouraging these slaves thus to desert their masters, would be disturbing a property sanctioned to them by the usages of the country, and the ordinances of their law; and whilst it would be of no advantage, as we imagine, to the army, it would be of considerable detriment to the revenue; for not only in Canara, but in several parts of India, it is this class of people who cultivate the soil, and on whose industry the landholder depends for the payment of the dues of the Sirkar, and for the means of his own support.

8.—We therefore submit to your Lordship, the propriety of interdicting those who are employed in Canara in engaging recruits, from taking these people into the sepoy corps; at present we conclude, considerable numbers of men may be enlisted in the Carnatic from among those employed by the late nabob.

Resolved

Resolved to inform the Board of Revenue, that the Board will hereafter take into consideration the question of the policy of permitting the slaves in Canara to enlist in the sepoy corps.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract, Fort St. George Revenue Consultations, 19th September 1801.

Diary.

Extract of a Letter from the Governor in Council at Fort St. George, to William Petrie, Esq. President, &c. Members of the Board of Revenue; dated 19th September 1801.

7.—We shall take into consideration the question of the policy of permitting the slaves in Canara to enlist in the sepoy corps.

1866.

A. D. 1802.—Regulation II.

Extract from a Regulation for establishing and defining the jurisdiction of the Courts of Adawlut, or Courts of Judicature, for the trial of Civil Suits in the first instance, in the British Territories, immediately subject to the Presidency of Fort St. George.

Section 4.—All natives and other persons, not British subjects, are amenable to the jurisdiction of the Zillah courts.

Sec. 5.—The Zillah courts are empowered to take cognizance of all suits and complaints respecting the succession or right to real or personal property, land, rents, revenues, debts, accounts, contracts, partnerships, marriage, caste, claims to damages for injuries, and generally of all suits and complaints of a civil nature, in which the defendant may come within any of the descriptions of persons mentioned in Section 4; provided the landed or other real property to which the suit or complaint may relate shall be situated, or in all other cases, the cause of action shall have arisen, or the defendant, at the time when the suit may be commenced, shall reside, as a fixed inhabitant, within the limits of the Zillah over which their jurisdiction may extend.

A. D. 1802.—Regulation III.

Extract of a Regulation for receiving, trying and deciding Suits or Complaints, declared cognizable in the Courts of Adawlut established in the several Zillahs, immediately subject to the Presidency of Fort St. George.

Sec. 16.—First. 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 as the general rules by which the judges are to form their decisions. The Mahomedan and Hindoo law officers of the courts, are to attend to expound the law of their respective persuasions, in cases in which recourse may be required to be had to it.

A Regulation for modifying certain parts of the existing Regulations respecting the Duties leviable on imports and exports by sea, at the Port of Madras, and at the several Ports in the Provinces subject to the authority of the Government of Fort St. George. Passed by the Governor in council of Fort St. George, on the 14th April 1812.

Fort St. George, Regulation II. of 1812.

Sec. 18, clause 14.—The exportation of slaves from Malabar is hereby strictly prohibited. Persons by whom this rule may be infringed shall be liable to a fine of 250 rupees for each offence; and the parties concerned therein shall not be allowed to carry on any trade whatever, nor shall the ship or vessel to which the offenders may belong obtain a port clearance until the fine be paid.

Sec. 19.—The provisions of this regulation, as applicable to Malabar, shall be extended to the port and settlement of Cochin and its dependencies.

PAPERS relative to four Slaves imported at Calicut in 1810, and detained by the Acting Collector of Customs at that place.

Extract, Proceedings of the Board of Trade at Fort St. George, in the Custom Department; dated 8th November 1810.

Read the following letter from the Collector of Customs in Malabar.

To the President and Members of the Board of Trade.

Gentlemen:—I beg leave to submit for your information and instructions, the following statement:

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

2.—On the night of 12th or 13th Kanny, Malabar month, five mapillas, by name, Obiccandal Amod Cutty, Amod Parrakandel Badduen, Carridden, Cunky Amod and Baneyambalata Moiden Cutty, inhabitants of Tellicherry, attempted at Parperangaddy to embark some goods from a place where no goods are allowed to be either exported or imported. Under the orders of the sheristadar of Tanore, under whose direction the customs of Parperangaddy also fall, the custom house kalkars stopped, and brought the smuggled merchandize to Tanore.

3.—On their arrival at Tanore, four persons who were with the mapillas, complained that they had been taken away against their consent, and that they were slaves to those mapillas, who had bought them and brought them from Quilon. A letter was written to that place, but no information could be procured respecting these people. The merchandize which was seized is of course confiscated, as by their being clandestinely embarked at an illegal hour, they fall under the head of smuggled goods.

4.—The chief object of this reference regards the unfortunate people who have been brought away from their country against their will, and wish to return to it. The importation of slaves into the province of Malabar has not been prohibited by any specific regulation; but as from the general spirit of the regulations of government, this species of traffic seems to be prohibited, I have refrained from delivering them up, and have to request the orders of your Board as to their final disposal. The depositions of the markans and peon, of the four slaves, of the mapillas themselves, and copies of letters from the sheristadar of Tanore accompany this (in N^o 7.)

Calicut, 30th October 1810.

I have, &c.

(signed) T. Warden, Collector.

To the Assistant Custom Collector, E. R. Sullivan, Esq. Calicut.

Sir:—Agreeably to your orders of the 21st Kanny instant, (I received on the 22d d^o) I have made inquiries of the four slaves stopped at the custom house, which were brought from Ceylon, by the Moplas of Tellicherry, whether they were formerly slaves or free; to which they have particularly answered, which I now beg leave to enclose for your information.

But, Sir, I most humbly beg leave to say, that since the day that these four persons have been stopped here, their owners have not given them expenses; I understand that they have gone to Calicut. It has obliged me to assist these four persons with expenses for these ten days together; therefore, Sir, I hope you will take into consideration, and permit me your leave, that I may send to Calicut these four persons, as also the markans and peon (if required) that stopped and brought to me these four persons.

I am, &c.

(signed) M. Rodrigues, Sheristadar.

Tanore, Sea Custom House, 7th October, 1810.

To the Assistant Custom Collector, E. R. Sullivan, Esq. Calicut.

Sir:—I now send in the markans, Poomy and Thumber, and Shack Amod. Respecting the information of the mapillas, I have inquired of the merchants here, but none of them have any knowledge of those people; and that neither they are related or concerned to those merchants correspondents at Tellicherry. Further, the merchants here suspect that those mapillas must have had some clandestine traffic, otherwise they should not have landed their things and the four persons, none are stopped here, at an open place very little distant from the custom house, and there to have hired another toney to come at midnight at the other end to take them; therefore the merchants suspect that those four persons and the things must have been intended for sale to the Arabs, whose vessels are about this time on this side, for the Arabs would set any price on those four persons. This is the information I have now collected from the merchants of this place.

I am, &c.

(signed) M. Rodrigues, Sheristadar.

Tannore, Sea Custom House, 11th October 1810.

Deposition of Shack Mahomed and Tumba, sepoy and marcan of the Custom House at Tannore, dated 4th Tulam Malabar, year 986.

In the Malabar month 12 or 13 of Kanny, we do not recollect perfectly the day, the Kōma markan, under the pretext of going to Quilandy for the purpose of fishing, brought his toney to the custom house for examination, and to be searched as usual;

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

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4.—The chief object of this reference regards the unfortunate people who have been brought away from their country against their will, and wish to return to it. The importation of slaves into the province of Malabar has not been prohibited by any specific regulation; but as from the general spirit of the regulations of government, this species of traffic seems to be prohibited, I have refrained from delivering them up, and have to request the orders of your Board as to their final disposal. The depositions of the markans and peon, of the four slaves, of the mapillas themselves, and copies of letters from the sheristadar of Tanore accompany this (in N^o 7.)

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Fort St. George
Papers:
State of Slavery
in Company's
Territories.

ported; when this notice reached me, I thought that it must be some smuggling business, otherwise the koma markan could have no reason for keeping his toney at that place; I therefore reported this circumstance to the sheristadar, who ordered me, Thumba, markan and Shack Mahomed, sepoy, to proceed immediately to Perperangaddy to the place where the toney was, and to see whether any goods were being smuggled, and that if there should be any, that they were to be seized and brought to Tannore; therefore, we three persons together went to some distance from the place where the toney was kept, and after midnight, a little after 12 o'clock, we observed that four trunks were brought down to the beach, as also one bundle of mats and four slaves from the east, and were put into the said toney; they then launched the toney into the sea; at this time we approached them, and seized the toney with these things, and put Thumba, markan, on board, and ordered him to proceed to Tannore; and the remaining two of us, with the mapillas (owners of these goods) went by land to Tannore, and in our way, these mapillas offered us a present to leave their toney and the goods; and they put into our hands two Surat rupees and ten silver fanams, and we, instead of refusing, received this money, and carried them to Tannore, and informed the sheristadar of the circumstances, who ordered that we should keep all these things, and the mapillas (owners of the goods) at the custom house; and that I should keep the said four rupees as a deposit until further orders. I did not know on that day the contents of these trunks.

(signed) Poomy, Markan.

(A true translation.) (signed) E. R. Sullivan, Assistant Collector.

To E. R. Sullivan, Esq, Assistant Collector of Customs.

The humble Petition of Alucandel Amod Cutty, Amod Parrakandel Badduen, Cariadden Cunky Amod, and Bancambalata Moiden Cutty, inhabitants of Tellicherry

Most humbly sheweth,—Your Petitioners beg leave to represent to your Honour, that in the Malabar year 984, by order of Mr. Baber, your petitioners, with the troops that were going to Quilon with merchandize to sell in the camp, and now our fast days were approaching, and most of your petitioners were sick; on coming to your petitioners to take leave, the brother of Amod sent with your petitioners, a woman of his own house, to accompany his wife from Tellicherry to Quilon, under the protection of Amod Cutty. Secondly, a woman was at Quilon, with two children who happened to have the small pox, but as she had no person to maintain her, and to assist her in her dangerous distemper, she sent for one of your petitioners, viz. Amod, and desired him to expend some money, and to cure her of her disorder, and that she would repay the expenses incurred during her sickness, and that if she should happen to die, that he was to take her child in recompense, to be supported by the said Amod, one of your petitioners; therefore this family-child of the deceased, became the slave of Amod, and the other two male children were slaves of one of your petitioners, viz. Parrakandel Badduen. These two male children and the above-mentioned people, arrived together at Cochim; and all your petitioners goods were inspected at the custom house, and they paid the Honourable Company's customs for the following articles; viz. 36 China Chatty, one pot of Jagree, and one of the trunks of your petitioners; all these goods were embarked on board a Mangalese vessel, and delivered to the care of Aypen Chetty, who was desired to deliver them safe at the Tellicherry custom house, but as the bad weather came on, and as the vessel had not sufficient room, your petitioners, together with others, and with four trunks, embarked on another vessel; but the sickness of your petitioners being increased on the voyage, obliged your petitioners to land at the north side of the Ponang river. From thence your petitioners, with the other people, and the trunks, came by land to Parperangaddy, and there your petitioners stopped, as they could not procure coolies. At this time, a boatman came, and was asked by your petitioners, where he was going; he answered, that he was going to Cannanore; at this reply, your petitioners inquired if he would agree to take on board of his toney those goods, and the sick persons to be landed at the Tellicherry custom house, which proposal he accepted with great pleasure, and of his own consent; your Petitioners embarked on board with all their goods and people, and when about to sail, the custom house kalkars of Tannore, with some mucquas, came to your petitioners, and asked by what means these things were embarked on board the toney; to whom your petitioners replied, the goods were embarked on board the toney,

toney, with the consent of the markan, and that they were to be landed at the Telli-cherry custom house; at this answer, the kalkars and mucquas approached to your petitioners, and told your petitioners that they were thieves, and that the goods were smuggled, and struck your petitioners and the boat people, and pushed the two above-mentioned women and the two male children into the same toney, under the guard of one kalkar, and dispatched the toney to Tannore custom house. The remaining kalkars and mucquas, in conveying three of your petitioners by land to Tannore, also struck your petitioners in the road, and when asked the reasons for so doing, they prepared to bind your petitioners, and one of them came near and said to your petitioners, if you will now give us four pagodas, we six persons assure you, that we will not beat you, and will not tie you as we intended; as your petitioners therefore were unable to support their beatings and injuries longer, your petitioners were obliged to deliver them two star pagodas, two surat rupees, and ten silver fanams; on receiving this money, they put a stop to their design, and without further molestation in the road, they conveyed your petitioners to Tannore, and two of them directed your petitioners to stop at a house belonging to a murgna at Tannore, under the guard of the remainder kalkars, and then went away; but as they did not return soon, after we had staid two hours there, the remaining kalkars conveyed your petitioners to the house of the canakapilla or to the sheristadar of the custom house at Tannore, who ordered that your petitioners should be put into confinement, which the kalkars accordingly did. The next morning, about seven o'clock, the kanakapella or sheristadar came to the custom house, and called your petitioners from their confinement, and questioned your petitioners, how your petitioners had found these women, children, and the trunks, when your petitioners, informed of all the circumstances; he then desired the trunks to be opened, that they might be inspected; but your petitioners replied, that the trunks belonged to some other people who were coming behind; and that the key of these trunks was with them; when he heard this, he sent for a blacksmith, and desired him to break open the locks of these trunks, and accordingly this was done, and the contents therein were inspected. He ordered, that your petitioners should again be put into confinement, but your petitioners on hearing this second order, begged immediately for money, stating that most of your petitioners were sick, and requesting that they might be permitted to go and eat; this was not allowed, and as one of your petitioners, namely Amod Cutty, was very ill, and in a bad situation, we requested again very much that it might be permitted him to go and take some refreshment; but he, the sheristadar, instead of complying with the request of your petitioners, said, that all your petitioners were thieves, and that he should not permit your petitioners to go, and preferred that your petitioners should again be beat, and put into confinement. After some time, he directed two kalkars to carry your petitioners to the cutwal's cutchery. The cutwal ordered some other kalkars to convey your petitioners to the daroga of Betul Puddiangaddy, to ask his permission for your petitioners to go and take their victuals, but the daroga, instead of doing so, ordered your petitioners to go away, and would not put your petitioners into confinement, without a regular complaint being preferred against your petitioners. Therefore now your petitioners request your Honor's mercy, and beg to send for these people and goods, that they may attest the case, and by doing this, your petitioners will be greatly obliged.

(A true translation.) (signed) E. R. Sullivan, Assistant Collector.

Translation of a Letter from Salvador Vaz, the Custom House Moopah at Quilon, dated 17th October 1810, to Julian Martins Boss, Revenue Clerk at Cochin, in reply to his Letter, dated 11th October 1810.

I have received your letter, with the inclosures, from Tannore custom house sheristadar, and, according to your desire, I have inquired in the district of Quilon about the particulars therein mentioned, but no one has any knowledge of the circumstance; but should you wish to know properly on this subject, you should write to the head minister of Travancore rajah, and in the mean time I beg to say, that the Karyernapatty Derham lies four leagues north, and the Kaycollim Derham lies six leagues north from Quilon; also return you herewith the two enclosed papers.

(signed) Salvador Vaz, Custom Moopah.

(A true translation.) (signed) E. R. Sullivan.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
Scene of Slavery
in Company's
Territories.

Information given by Birah, woman, brought over from Ceylon by Moplas of
Tellicherry.

Tannore Custom House, 25th Oct. 1810.

When the northern moplas brought me away from Ceylon in a toney, four trunks were also put on board of that toney; after six days we arrived at Cochin, and there landed; after our arrival there, stayed four days; from thence the northern moplas hired a toney, in which the four trunks, the three children that are now here with me, and myself, were put on board that toney, and we came and landed at Jarrathinkel, and performed the Nerrach ceremony. After mid-day, we were put in another toney of Tannore; in that we came here, and landed at the markan's house in Tannore that day, and the next we stayed; and on the third day we were taken by land to Parparangaddy; went to a house, and after supper we had a nap. Afterwards, about midnight, we were called and roused, and all of us went to go in the toney. These four trunks were put in the toney, but at the time when we were to go in the toney, Company's people came and seized those four trunks that were shipped in the toney, and they stopped us also under the Company's oath, and then we were brought away here. Further, I beg that I may be protected, and sent to my parents in my country.

(A true translation.) (signed) *E. R. Sullivan*, Assistant Collector.

Information given by Eddakaddawatha Ussen's son, Kootyamoo, markan of
the toney belonging to Manaportho Pahy, Tannore Custom House, 14 Kany
986 M. S. or 28th September 1810.

When the aforesaid toney was returning from Cochin to Tannore, on the south side of Cochin, at the beach of Pathia Jarra, came there mopillas of Tellicherry, named Buddoon and Amod, and four more persons with four slaves and four trunks to put on board of my toney, and to come here; but the four persons proceeded on by land. The four trunks and the slaves were put in my toney, which Buddoon and Amod have freighted, and they came also in it. On the 12th Kany, 26th September, in the evening before sun-set, we arrived at the south side of Pakoatparony, when the aforesaid persons desired and pressed me to land them on that open spot, which I have done, and they paid me four rupees freight. Afterwards, I informed this news to the custom house markam Poomy.

(A true copy.) (signed) *E. R. Sullivan*, Assistant Collector.

Ordered, That the following letter be in consequence dispatched to the acting chief secretary to government.

To the Acting Chief Secretary to Government, Fort St. George.

Sir:—I am directed by the president and members of the Board of Trade to request that you will lay before the Honourable the Governor in council the accompanying original letter, with its enclosures, from the acting collector of customs in the province of Malabar, reporting the seizure of four trunks of goods belonging to certain merchants of Tellicherry, which they had attempted to smuggle, and which have in consequence been confiscated by the collector.

It further appears, that four slaves were taken at the same time; the slaves have been detained by Mr. Warden, and as they have stated that they were taken away from Quilon by force, and wish to be sent back, the Board beg leave to recommend that the collector may be authorized to comply with their wishes.

Fort St. George, 9th Nov. 1810.

I have, &c.

(signed) *J. Gwatkin*, Secretary.

Extract Fort St. George Public Consultations, 13th Nov. 1810.

Read the following Letter from the Secretary to the Board of Trade.

To the Acting Chief Secretary to Government at Fort St. George:

Sir:—I am directed by the president and members of the Board of Trade to request, that you will lay before the Honourable the Governor in council the accompanying original letter, with its enclosures, from the acting collector of customs in the province of Malabar, reporting the seizure of four trunks of goods belonging

to certain merchants of Tellicherry, which they had attempted to smuggle, and which have in consequence been confiscated by the collector.

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(signed) J. Gwatkin, Secretary.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract of a Letter from Mr. Secretary Thackeray, to the President and Members of the Board of Trade; dated 13th Nov. 1810.

I am directed to acknowledge the receipt of your secretary's letter of the 9th instant, and to acquaint you, that the collector of Malabar has no authority to interfere between the slaves and their masters. The collector should be desired to refer them to the magistrates, if they have any complaints against the persons who call themselves their masters.

Although the exportation and importation of slaves as a traffic be prohibited, domestic slavery is recognized by the usage of the country, and the Mahomedan and Hindoo laws; and has never been abolished by the British government.

ORDERS issued by the Court of Directors in 1811, for an Inquiry respecting some Slaves, who had been found concealed on board one of the Company's Ships, with the proceedings of the Governor in Council of Fort St. George thereupon.

Extract of a Letter from the Court of Directors to the Governor in Council of Fort St. George, in the Public Department, dated 18th Dec. 1811.

5.—Two slaves having been found on board the Sir Stephen Lushington, on the day after her departure from the Isle of France, who the commander has stated were thence carried to your presidency, and left there, we have to desire, as Captain Hay has not furnished us with any document to shew they were delivered to any officer of government, and as the circumstance is not noticed to us by you, that you will acquaint us, by the earliest opportunity, whether these persons were returned to the Isle of France, or in what way they were disposed of; and further, that you will state, if any, and what expense was incurred on their account, with a view to our charging the amount to Captain Hay.

Extract of a Letter from the Governor in Council of Fort St. George, to the Court of Directors, in the Public Department, dated 17th Oct 1812.

46.—The endeavours made to obtain intelligence respecting the two slaves, stated to have been landed from the Honourable Company's extra ship Sir Stephen Lushington, as will be seen from the letter from the Marine Board, noted in the margin, did not prove successful; but it was ascertained that no expense had been incurred by the Company on their account.

Letter from the Court, dated 18th December 1811.

5. Information to be furnished respecting two slaves brought from the Isle of France on the Lushington.

Extract Fort St. George Public Consultations, 23d June 1812.

The Board now proceed to pass orders upon the general letter from England, dated the 16th December 1811.

(Extract.)

5th.—Information to be furnished respecting two slaves brought from the Isle of France, on the Lushington.

Resolved, That the Marine Board be instructed to furnish the information called for by the Honourable Court.

Extract Fort St. George Public Consultations, 17th July 1812.

Read the following letter from the Secretary to the Marine Board.

To the Chief Secretary to Government at Fort St. George.

Sir:—I am directed by the president and members of the Marine Board to report, for the information of the Honourable the Governor in council, that the master attendant has not been able to obtain intelligence of the two slaves, stated in the 5th paragraph of the general letter from England, under date 18th December 1811, to

Fort St. George
Papers
State of Slavery
in Company's
Territories.

have been landed at this presidency, from the Honourable Company's extra ship Sir Stephen Lushington.

Par. 2.—I am directed to inclose copy of a letter from the master attendant, observing that no expense has been incurred by the Honourable Company on account of those slaves.

Fort St. George, 15th July 1812.

I have the honour to be, &c.
(signed) J. Gwatkin, Secretary.

To Thomas Oakes, Esq. President, and Members of the Board of Trade.

Gentlemen:—In reply to your orders, 3d instant, I cannot by any means discover tidings of the two slaves, landed from the Sir Stephen Lushington on her return from the Mauritius; and since Captain Hay did not report them, it would now be impossible, for want of some clue, to trace them. All that I can observe is, that no expense whatever has been entailed on the Honourable Company on account of any such persons.

I am, &c.
(signed) R. Anderson, Master Attendant.

Fort St. George, 6th July 1812.

(A true copy.) (signed) J. Gwatkin, Secretary.

Resolved, That the foregoing communication be brought to the notice of the Court of Directors.

PAPERS relative to a Traffic in kidnapped Children from Tellicherry and Cochin, reported by the Magistrate of North Malabar (Mr. Baber), to have been carried on for the Supply of a Pepper Plantation, at Rhandattera, with Slaves; and to the Means employed for the Suppression of the said Traffic, and Punishment of the Parties concerned in it: 1811—1814.

Extract of a Letter from the Governor in Council of Fort St. George to the Court of Directors in the Judicial Department, dated 5th March 1813.

Cons.	31 March	1,296 a'	1,877.
	29 May	2,672 a'	2,851.
	31 July	3,962 a'	3,971.
Dr to Cons.	14 Aug.		
Lieut. Brown's	11 Sept.	4,378 a'	88.
conduct towards	23 Oct.	4,873 a'	4,912.
Mr. Baber.	30 Oct.	5,188 a'	93.
	20 Nov.	5,509 a'	5,519.
	1 Dec.	5,613 a'	47.
Dr - "	4 Dec.	5,693 a'	6.
Mr Cons -	8 Dec.	16,436 a'	52.
About Brown	22 Dec.	5.	
& Co.	22 Jan.	1813.	

92.—A traffic in slaves from Travancore into Malabar, having been discovered to have been carried on to a considerable extent, the judge and magistrate in Zillah North Malabar adopted such measures as seemed proper under the existing laws and regulations for giving freedom to or restoring to their proper owners, such of the persons found in slavery as had been stolen, and for bringing to punishment the persons concerned in carrying on that nefarious traffic; and we beg leave to refer your Honourable Court to our proceedings noted in the margin, for particular information with regard to the proceedings of the judge and magistratè.

93.—The advocate general, on the occasion of stating his opinion on a reference made to him on the subject of some slaves found on the plantation of Mr. Brown at Anjaracandy in Malabar, having observed that he thought it a proper measure for the government to publish throughout the provinces under its authority, the substance of the statute 51 Geo. 3. c. 23. passed on the 14th May 1811, for rendering more effectual an Act made in the forty-seventh year of his Majesty's reign, entitled, an Act for the Abolition of the Slave Trade, which, in the opinion of the advocate general, applies in 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, we requested to be favoured with the directions of the Right Honourable the Governor General in council, as to the propriety of giving full effect to the statute, and the manner in which it should be made public.

94.—As it had not been considered necessary to state to the supreme government the exact nature of the traffic in slaves carried on from Travancore, the Governor General in council was of course precluded from forming a judgment, whether the traffic carried on from Travancore fell within the purview of the Act. With respect, therefore, to that particular point, his Lordship in council could only observe, that he did not consider the provisions of the Act in question applicable to the importation or removal of slaves by land. It having been deemed proper, however, to consider maturely the course of measures which should be pursued by the local governments

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

of this country, with respect to the above-mentioned statute, we were informed, that the Governor General in council had adopted certain resolutions on that subject to the following purport:

95.—The provisions of the Act being highly penal in their operation, and its object highly important, the Governor General in council had considered it proper to order a copy of it to be published in the Calcutta Gazette for general information.

96.—In like manner, we were informed, that his Lordship in council had directed copies of the Act to be forwarded to the local governments of Bombay, Java, of Prince of Wales Island, of Mauritius, of Ceylon, and the residents at the Moluccas, and at Fort Marlbro.

97.—On the same principle, we were informed, that copies of the statute would be forwarded to the magistrates of Chittagong and Cuttack (the only sea-ports excepting Calcutta, in Bengal), in order, that in their capacity of justices of the peace, under the law of England, they might aid in enforcing the provisions of the statute. We were also informed, that inquiries would be made, with a view of ascertaining whether the provisions of the regulation which we were aware had some time ago been passed by the Governor General in council, for preventing the importation of slaves from foreign countries, had been effectual in preventing that species of traffic; and if not, that a further regulation would be passed without loss of time, establishing severer penalties for the infringement of the prohibition of the importation of slaves from foreign countries, in conformity to the spirit of the statute, to which the foregoing remarks alluded. In like manner the Governor General in council recommended, that a regulation should be passed at Fort St. George, for preventing the importation of slaves by land into the territories subject to this presidency, under such penalties as we might deem fully adequate to the prevention of that traffic.

98.—The foregoing remarks would, it was presumed, inform us sufficiently of the construction annexed by the Governor General in council to the Act of the 51st Geo. 3. c. 23. and of the measures which it had been judged necessary to adopt at Fort William. It was considered scarcely necessary to add, that his Lordship in council was of opinion, that similar measures should be adopted by this government, with such modifications as local circumstances might suggest, without, of course, departing from the principle on which the measures above detailed were founded.

99.—Having called upon the advocate general to state what measures it might appear to him incumbent on us to adopt, in consequence of the provisions of the statute, and the orders of the supreme government, Mr. Anstruther stated, that the statute 51 Geo. 3. c. 23. expressly extends to all persons residing within the Company's territories, against all of whom the penalties of felony are enacted for bringing slaves into these territories; if, therefore, the courts of judicature here had led the provincial courts to notice and act upon British statutes (as they are bound to do, in strictness of law, where these statutes apply to them); and if the natives had also been accustomed to look to the British Parliament for legislation, nothing would be requisite to be done by any local authority, the law being already in force.

100.—But as the provincial courts and the suitors are accustomed to laws published by the authority of this government, the advocate general thought it would be advisable and proper, for the sake of uniformity, to publish this also, either stating it to be the promulgation of a law already in force by the authority of the King in Parliament, or merely enacting the same provisions in the form of a regulation of this government, which by the same authority of the legislature, had already been invested with the power of framing regulations for the guidance of the provincial courts.

101.—As the Governor General in council had declared, that the statute only extends to the importation of slaves by sea, and as the objection equally applied to the introduction of slaves by land, and ought to be guarded against by similar precautions, the advocate general advised, that a regulation to the same effect in other respects, applicable to the introduction of slaves by land, should be published with the former; or if the purport of the statute should be published here as a regulation of this government, in the same form with other regulations, the regulation might, he observed, at once be extended to all introduction of slaves by land or sea, which he thought the more advisable shape to give it.

102.—The advocate general further informed us in a subsequent report, that his attention had been again called to this subject, by noticing the address of the recorder of Bombay to the grand jury, as published in the government Gazette here:

103.—There seemed to the advocate general to be no doubt of the correctness of the observation contained in the above publication, that under the strict interpretation

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

tation of the statute of 1811, the commander of an Arab or other foreign Asiatic vessel carrying slaves for sale, or even only navigating partly by the slaves of the owner or commander, and entering any British port in India, would become liable to the penalties of felony. But he observed, the consequences of the same interpretation would go much further; for although the legislature had expressly provided (s. 4.) that the Act shall not extend to the removal of slaves from one British settlement to another, in the West Indies, no such exemption from punishment is allowed to the same conduct in the East Indies. Accordingly, the temporary removal of a native with his family and slaves in the ordinary course of business, from Bombay to the coast of Malabar, from either of these places to Ceylon, from Ceylon to the coast of Coromandel, or from hence to Bengal or Penang, would incur the penalties of felony. It might even be questioned, the advocate general observed, whether the importation of a slave at one port (as Masulipatam) of the same territory from another port of which (as Madras) he has been brought, is not felony within the Act; and it seemed clear to the advocate general, that if a merchant of Malabar should go over to the opposite islands, or if a cholar of the coast of Coromandel, should pursue the accustomed traffic to Achin and Pegue, in a vessel navigated by his slaves, his return with them to the British territories to be therein dealt with as slaves, would be felony under the letter of the statute.

104.—If the importation of slaves by land was to be made liable to the same penalties as the importation by sea, which in his former report he had recommended, the advocate general further stated, that the consequences of the above interpretation of the statute, would include in the penalties of felony, every native, who travelling with his family and slaves, should enter the British territories. The position of these territories, the advocate general observed, would render this peculiarly inconvenient; until the assumption of the Carnatic in the year 1801, almost every native inhabitant of Madras was in the habit of spending a part of his time in almost every year in the Nabob's territories; the advocate general presumed, that a similar intercourse must exist between the natives of the British dominions and the neighbouring allies upon every side, some parts of our possessions being surrounded by allied states, while other states being enclosed within the British, and a considerable portion of the traffic of the east having always been carried on by merchants travelling from one country to another with their goods, and with their attendants and slaves to take care of those goods. To make this felony, the advocate general thought would be inconsistent with every principle that has hitherto regulated the British legislation in the east, the basis of which is to preserve and support the existing usages.

105.—In considering the Act, the advocate general thought it impossible to mistake the origin of the omission to adopt its provisions to the circumstances existing in India. The whole purview of the Act, he observed, points out the trade in African slaves to the West Indies as the evil intended to be remedied; and apparently more for the sake of uniformity and of principle, than to remedy any existing evil; the general clause of prohibition and penalty had been made to include the territories of the East India Company. But the precautions against the importation of slaves, are calculated only for islands, and the advocate general noticed, that in the exception in favour of removals of slaves from one settlement to another, the East Indies, and all other places, except the West India islands, are wholly overlooked.

106.—The advocate general thought the object of the legislature in the Act, was not to interfere with the existing rights of masters over their slaves, but merely to destroy the inhuman traffic in the procurement of new slaves; and as that, like other traffic, depends upon the market open to the dealers, the evident design of the legislature in establishing severe penalties upon the importation of new slaves was, that of preventing all temptation to the traffic, by leaving no market open for it.

107.—The imperfections in the statute could not, the advocate general observed, be remedied by any Act of the governments, in India, so far as the Act is to be applied by the King's courts, or to operate by his own force; but where the intervention of the local authority becomes requisite from its general legislative power, to promulgate the intentions of the supreme legislature, it appeared to the advocate general, that the local government would discharge its duty more correctly, by rectifying the mistakes which the legislature had evidently fallen into, whether from inadvertence, or from not being acquainted with local circumstances, than by enforcing the letter of the statute, in particulars inconsistent with its general spirit.

108.—Under this opinion, the advocate general stated, that he had advised in his former report, that the introduction of slaves by land should be expressly prohibited,

Fort St. George
Papers:
State of Slavery
in Company's
Territories

hibited; under the same penalties which apply to their importation by sea. It was manifest, he observed, that if their importation by land were permitted in India, the whole Act would be nugatory here, being liable to evasion by the simple expedient of landing the slaves first in a neighbouring state; and in the only instance of this traffic which had come to his knowledge, (by the late reports of the judge and magistrate in North Malabar,) it might, the advocate general observed, continue to be carried on with impunity; the slaves having been introduced into Malabar from the adjoining country of Travancore, where they were procured.

109.—The advocate general had no doubt in also recommending, that in any regulation which the government might issue on the subject, the exception contained in the 4th clause of the statute, in favour of the removal of the slaves from one British settlement in the West Indies to another, should be extended to similar removal from any one to any other place, in the same or any other settlement or possession of the King, or of the East India Company, within the Company's exclusive limits of trade. This exemption, he thought, should include all removals and bringing back of slaves, whether direct and immediate, or after touching or staying at any intermediate foreign places, so as such slaves had before been slaves in the British territories.

110.—The advocate general also thought it would be proper to restrict the penalty to the introduction of new slaves, procured for that purpose, or introduced for the purpose of sale; In framing a regulation for this purpose, there would be danger, he observed, of leaving means of evading the law, which must be guarded against. The advocate general suggested, that a provision might be framed, at once sufficiently comprehensive and sufficiently precise, by excepting from the penalties of the Act all persons who, not being subjects of the British possessions, should enter the British territories with slaves not intended to be sold, assigned, or transferred therein, and who should not sell, nor offer for sale, such slaves, while they remained in these territories, declaring any subsequent sale, transfer, or assignment, in the said territories, of slaves so introduced, to be conclusive proof of their having been brought for that purpose.

111.—We informed the supreme government, that as the Slave Trade Felony Act was of course to constitute the ground-work of the proposed regulation for preventing the importation of slaves into the territories subject to this government, we had deemed it expedient to take the opinion of the advocate general with regard to the provisions which such a regulation ought to contain, and that it was originally our intention to have caused a regulation for this presidency to be framed, in conformity to the sentiments which might be expressed by the advocate general, in his reply to the reference made to him on the subject; but that in consideration of the necessity of promulgating the statute 51 Geo. 3. c. 23, throughout the country in the accustomed manner, and the expediency of modifying certain of its provisions, being common to all the governments of the East India Company, it had since seemed more correct to furnish the supreme government with copies of the two reports which the advocate general had submitted, to the end, that should the Governor General in Council concur in the opinions therein stated, a general regulation for India might be framed, and hereafter incorporated in the separate code for this presidency; and we expressed our request to be furnished with the further instructions of the supreme government.

112.—We have lately received from the supreme government a copy of a letter, from the provincial court for the division of Bareilly, and of the reports of the magistrates in that division, on the result of the inquiries made with the view of ascertaining, whether the provisions of the regulation for preventing the traffic in slaves had been effectual; and have been informed, that the Governor General in Council had already expressed his opinion, that the provisions of the Act passed in the 51st year of His Majesty's reign, c. 23, could only be considered applicable to the importation and removal of slaves by sea; and that from the documents received from the provincial court for the division of Bareilly, it appeared, that the rules contained in Regulation X, 1811, had proved fully effectual in preventing the importation of slaves by land into the territories immediately dependent on the presidency of Fort William. The Governor General in council, in consequence, recommended, that a regulation, corresponding in substance with the provisions of Regulation X, 1811, of the Bengal code, should be passed by us, with a view to the accomplishment of the same important object at Fort St. George. The provisions of the Act of Parliament, it was observed, would effectually restrain the importation of slaves into the British territories generally by sea.

Cons. 26th January 1813.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Cons. 5th Jan. 1813,
Vide Cons. 22d d^o

113.—The Governor General in council, we were informed, was fully aware in offering these suggestions and observations, that the provisions of that Act are subject to considerable difficulties in their application to this country, but it was thought scarcely necessary to observe, that no legal means could be adopted by the authorities in this country for dispensing with the observance of them, and we were informed, that it was the intention of his Lordship in council, to draw the attention of your Honourable Court to the subject, by the first convenient opportunity.

114.—The advocate general was led in a subsequent report, to make some further observations on the general question of the right of British subjects to exercise the power of master over slaves. The advocate general adverted to the papers of Mr. Brown, and observed, that his claim to the rights of a master over slaves, as a part of the Mahomedan law, under which Mr. Brown considered these provinces to be governed, ought not to be passed unnoticed, and had again called his attention to the subject, which he had before slightly considered in his letter of the 14th April. He could not agree to the proposition, that these provinces are, so far as relates to British subjects, governed by the Mahomedan law. In questions of civil right, they are governed, the advocate general observed, by the different laws of the different nations to whom justice is to be dispensed; and in criminal prosecutions, the Mahomedan law is established over all the natives in the provinces, but not over the British. They retain the rights of their birth, and ought also, the advocate general thought, to retain all the relations connected with the British character, to which it is equally abhorrent to be the master of slaves as to endure slavery. Indeed, the advocate general did not know whether we should not rather say, from experience in another quarter of the world, as well as from reasoning, that the habitual exercise of the authority of a master over slaves, is peculiarly destructive to the national honour and character. The advocate general could see nothing in our situation in India, nor in the statutes, which authorizes a departure from the law of England, in the relation between a British subject and his servants. It is expressly provided in the several statutes, the advocate general observed, that our law shall not interfere with the authority exercised by the heads of families among the natives, who from local residence at the presidencies, are made subject in general to the British law. But no such provision is made for British subjects, as the masters of slaves; on the contrary, the distinction as to the natives, points out the intention of the legislature, that the British should hold only their own rights and customs. If any Moorman in Madras were indicted for the exercise of violence upon his slave, which our law would punish, if committed by a master over his servant, but which the law and custom of his nation sanction as to their slaves, the defence would be sustained, and the legislature has specially provided for it. But if a similar complaint were preferred against Mr. Brown, for violence against his slaves in Malabar, the advocate general was confident that he could not justify it; but the civil right to the perpetual service of the persons held by him in slavery might, he observed, possibly be distinguished from the right of punishment of them as slaves, and the advocate general thought the question of right might well be tried, and ought to be tried in that shape. If any one of the persons now working upon the estate of Mr. Brown, as slaves, should be advised to instruct the attorney for paupers to bring an action against Mr. Brown for false imprisonment, in detaining him upon his plantation, the admission of the fact by Mr. Brown would, the advocate general observed, bring before the court the simple question of the capacity of a British subject to have a slave in India. The advocate general by no means wished to be understood to say, that it is a clear point, but he thought it very proper to be settled. The same object, the advocate general suggested, might be attained, by directing Mr. Baber publicly to offer freedom to any one slave who chuses to leave Mr. Brown's plantation for the avowed purpose of trying the question. From the importance of the point being settled, the advocate general also proposed, that by mutual consent, whatever might be the decision, it should be carried before the King in council, as otherwise different decisions might be given at the different presidencies, and the question be set afloat, instead of being finally settled.

115.—Supposing it to be ascertained, the advocate general observed, by the highest judicial authority, that British subjects can have property in slaves in India, it would remain to be considered, whether the law ought to be left in that state, or rather, if the government should think that it ought not, a regulation of government might, as to the provinces, remove the necessity of any trial or enquiry as to what is now the law on the subject, by prohibiting the practice in future.

116.—In addition to the motives for such a regulation, arising from the general character

character of Britons; and the propriety of preserving it, it appeared to the advocate general, from the papers before him, that there was a danger of British subjects in the situation of gentlemen, being enabled in fact, (although he hoped more frequently from the force of imaginary than of real connection and influence,) to exercise around them an authority scarcely admitting of limit or question.

117.—On the other hand, the advocate general was sensible that there might be objections to such a measure, upon the force of which he was not competent to offer, nor indeed to form any opinion; he therefore mentioned it rather as a suggestion for consideration, than as an advice.

118.—We transmitted to Bengal an extract from the report of the advocate general, containing these observations, and requested of the supreme government to furnish us with any further instructions that might be considered necessary.

Extract Fort St. George Judicial Consultations, 31st March 1812.

Read the following Letter from the Judge and Magistrate, North Malabar.

To the Secretary to Government.

Sir:—I have the honour to report, to be laid before the Honourable the Governor in council, the following narrative of some proceedings held before me, in consequence of my discovery in this zillah of a considerable number of persons free-born 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 Mahommedanism, and others associated with and made to eat the food of Pooliars, and thereby irretrievably excluded from their caste.

1.—My discovery of this inhuman traffic originated in a report brought me by some of the inhabitants of Travancore, (who had come to me for my permission to go and pay their respects to the late Ellea-rajah of Travancore,) who mentioned that the practice of kidnapping had been exceedingly common; that this was not confined to bondsmen, but in many instances free-born children, and some even of the superior caste, had been stolen, and sent to Malabar, and there enslaved.

2.—However improbable such a report was, I did not wholly discredit it, because I knew, that formerly in Malabar the traffic was by no means uncommon; and during the last quarter sessions, I had committed some moplas on the complaint of a Pooliar native of Cherical, whose three daughters, the eldest twelve years, had been carried off, and sold to moplas in Cananore, who had put on them the mopla dress.

3.—But, under any other circumstances, a report so injurious to the name and character of the British government, made it a paramount duty in me, to set on foot an inquiry to know, whether there were any natives of Travancore in the districts composing this zillah, under the unfortunate circumstances represented; and in the course of a few days, the darogah of Mahe and Iruvanad came and informed me, that he had reason to suppose there were several children in the former place, who had been sent up from Travancore by Wallapagata Assen Ally, native of Mahé, but residing at Aleppi.

4.—No time was lost in following up this information, and the result of the measures adopted was, the discovery in the house of Wallapagata Assin Ally and his relations at Mahé, of nine free-born children, viz.—one Nairajee girl, about twelve years old; five Tear boys; two Teatee girls, and one Corawan boy, the eldest about eight; all of whom, when brought before me, said they had been stolen from their relations in the night-time, cloths thrust into their mouths, and in this state carried to Aleppi, and thence sent off by water to Mahé. They were all disguised as Mopla children, the girls being dressed in the Mopla coopai, their ears pierced, and ornamented with rings, and the boys had been deprived of their kooodeema, or lock of hair (the distinguishing mark of caste,) and all had Mopla names given to them.

5.—The persons on whom the children were found were also apprehended, and all committed to take their trial before the quarter sessions, at the suit of government, on the grounds of the depositions given by the children, and the declarations of the prisoners.

6.—I lost no time in writing off to the resident at the Court of Travancore, informing him of what has transpired, and requesting he would take means to secure the person of Wallapagata Assin Ally to Aleppi, the principal in this inhuman commerce; I also wrote to the collector, to request he would give the most positive orders

Fort St. George.
Papers:
State of Slavery
in Company's
Territories.

A.

B. 1.

C. 1.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

to the whole of the officers employed in the customs, not to allow of any person importing slaves, but to give instant information to the police officers whenever they might detect any person in the attempt.

8.—One of the Tear children found at Mahé, named Coon Yangarea, had stated in his deposition, that "his brother Nestha was one of the four children who had a few days before been sent to the Anjarakandy plantation." I cannot say, this information was unexpected, knowing that Wallapagata Assin Ally, the person who sent up these children, was the agent of Mr. Brown, the owner of that plantation; before, however, I acted upon this information, I sent for some of the Ellea Raja's attendants best acquainted with those parts of Travancore whence these children alleged they had come, when after interrogating them on a variety of local points, which I could have known little or nothing of, they declared their conviction of the correctness of their account, and further assured me, that not even bondsmen, much less free-born children, could under the existing laws and usages in Travancore, be legally sold, and sent out of that country.

9.—The necessity of adopting measures to recover the four children alluded to by the boy Coon Yangara, and any others that might be on Mr. Brown's plantation under similar unhappy circumstances, was no longer a question; but anxious that Mr. Brown should have no cause of complaint, in regard to the manner in which my orders were carried into execution, instead of leaving the duty to the darogah exclusively, I ordered the commissioner in that neighbourhood and one of the court gomastahs to accompany the darogah to Anjarakandy, whom I furnished with written instructions for their guidance; I also sent by them a letter to Mr. Brown, advising him of the information I had received, and calling upon him to send me a list of his recent purchases of persons as slaves, and the names of the persons from whom he bought them, and concluded with apprizing him of the duty upon which my officers had been ordered.

10.—The darogah had the day before proceeded to make the tour of the eastern mountains; my officers notwithstanding went to Anjarakandy, taking with them the menon of pyche, the officer next to the darogah, and having delivered my letter to Mr. Brown, they proceeded on their duty, and on the first day discovered about 20 persons, eight of whom had been imported from Aleppi, and 12 from Cochin, very recently.

11.—Mr. Brown informed me "he had purchased many Pooliar families, and some even very lately, under the sanction of government, but declined furnishing me with the list I had called for, until I sent him copy of the regulation, authorizing this inquest into his private concerns."

12.—On this, I called upon Mr. Brown to produce the sanction he alluded to, and informed him, that my requisition had been made in virtue of the powers vested in me as the Zillah magistrate, and my commission as one of his Majesty's justices of the peace.

13.—This letter was no sooner delivered by my officers to Mr. Brown, than he got into a most violent rage, told them to take away his slaves at their peril, that he had consulted his friends at Tellicherry, and had that day received a letter from Mr. Stevens, telling him the magistrate was acting illegally; but it would be disgusting to relate all that he uttered; finding all his efforts to intimidate my officers ineffectual, he wrote me a letter, protesting against my proceedings, on the grounds that "there was no regulation existing to authorize this oppressive interference with his property, and still less the cruelty committed on nearly 200 men, women and children, excepting a formal complaint against the persons themselves, or a claim being made by some person to them in consequence of some invalidity in the sale;" again "protesting against the violence I had caused to be committed on those innocent persons, without any reason being assigned for such barbarous usage; protesting also, against the loss it had already and must continue to make him suffer, by putting a stop to his extensive labours, where upwards of 350 persons are daily employed, but of whose services I had deprived him."

14.—In one part of his letter Mr. Brown had justified his conduct, by saying, "the sale of slaves was not only authorized by the custom of Malabar, but was expressly permitted by the Mahomedan laws, under which this country was governed, and that for 13 years no question had been ever put to him on the subject of his purchases, nor any complaint from any person claiming the Pooliar so purchased, and that in answer to a reference made by the collector, on a complaint of a slave being brought from Travancore to Malabar, he had been told, that the trade being authorized by the law, he had no business to interfere in it."

15.—Mr. Brown,

15.—Mr. Brown, in his P. S. to the same letter, tells me, that the copy of the authority granted to him by the Bombay government is not forthcoming, it having been destroyed by fire. I applied, however, to the collector, who sent me several letters; but the only one like a sanction was the following paragraph of a letter from the government of Bombay to the commissioners, dated 31st July 1798; "you have already received our approbation of Mr. Brown's proposed purchase of Pooliars, in a letter to you of the 26th ult. on the grounds of its not being incompatible with the subsisting regulations for the province;" and in Mr. Warden's letter, forwarding these documents, he says, the letter dated the 26th June 1798, from the Bombay government, does not appear upon record. In answer to my reference to Mr. Warden, on Mr. Brown's allusion to some orders he had received, wherein he was told that the trade in slaves imported from Travancore to Malabar, being authorized by the law, he had no business to interfere in it; Mr. Warden forwarded extract of the acting chief secretary's letter to the Board of Trade, dated 13th November 1810, as follows:—

"I am directed to acknowledge the receipt of your secretary's letter of the 9th instant, and to acquaint you, that the collector of Malabar has no authority to interfere between the slaves in question and their masters; the collector should be desired to refer them to the magistrate, if they have any complaints against the persons who call themselves their masters."

"Although the exportation and importation of slaves as a traffic be prohibited, domestic slavery is recognized by the usage of the country and the Mahomedan and Hindoo laws, and has never been abolished by the British government."

16.—The utmost to which the sale of slaves is tolerated in Malabar, is domestic slavery, and this exclusively to those born in a state of bondage; formerly this degraded race of men were the exclusive property of the Hindoos of Malabar, but in course of time, from necessity and other causes, they were transferred and sold to the Mopillas, but never was it bargained that they were to be made proselytes; a Pooliar sold or transferred could not be removed out of the district, his place of nativity; in consequence the social tie among them was still preserved; even the women, though sold, are never separated from their husbands, whom they still follow, however often they may change their masters; the owner of the female, however, still maintaining his claim to her and to her offspring, whose right is thus perpetuated from generation to generation. In some districts the offspring are divided between the owners of the father and the mother, but they are never separated from their parents until adults.

17.—But I apprehend, that neither the usage of Malabar nor the Mahomedan law could apply to Mr. Brown, after the enactment of the British legislature; abolishing the slave trade, he being, in common with every other British subject, prohibited from purchasing slaves; independent of which consideration the question was totally irrelevant to the present investigation, the sole intent and object of which was to emancipate certain free-born children who had been stolen and banished from their country, defiled, and reduced to a state of slavery, and also to restore to their country and proprietors, certain bondsmen who had represented they had been stolen or forcibly carried out of their own to the Company's dominions.

18.—To return to Mr. Brown's letter of the 21st, I did not, of course, allow his abusive language to have the smallest effect upon my conduct, but directed my officers to go on with their duty, cautioning them against entering into any kind of controversy with him; but in consequence of Mr. Brown having told my officers, Mr. Stevens and his friends at Tellicherry had given their opinion, that I was not acting legally, I determined upon referring the subject to the judges of the provincial court, and for that purpose wrote, that I was desirous of availing myself of their experience and knowledge on this question. Thinking it probable, however, the judges would, as they had on former occasions, refuse to give me their sentiments, I requested, in the event of that being attended with any inconvenience, they would so far assist my inquiries as to direct me to those periods of the former administrations when I might, by a reference to the records here and at Calicut, inform myself thereon. I further solicited the loan of Mr. Duncan's report, knowing that therein the subject of this traffic was treated, and that there was a copy of that excellent work in the possession of the judges of the provincial court.

19.—In the mean time the commissioners proceeded, and having fulfilled the object of their deputation, returned on the 24th to Tellicherry, bringing with them 76 men, women and children (including ten infants), found on Mr. Brown's plantation, all of whom had declared they had been stolen or forcibly carried away by

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Fort St. George
Papers:
State of Slavery
in Company's
Territories.

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Vide par. 91.

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Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Moplas and others, from the districts of South Malabar Cochin and Travancore, and transported to Mr. Brown's plantation at Anjarakandy; six of the children were free born, and natives of Travancore, viz. two Nair boys, aged about eight; two Tear boys, a Teaty about twelve, and a Mopla girl about six, and had been, within the last six months, stolen from their friends and sent by sea, by Wallagapata Assin Ally, to Mr. Brown at Anjarakandy, and there associated with and made to eat the food of Pooliar.

20.—Coon Yangara, the boy referred to in the 8th paragraph, whom I had sent with the police officers to Anjarakandy, and his brother Natha, recognized each other, notwithstanding both had lost their koodima (lock of hair), and their appearance in other respects disfigured; the rest were of the Pooliar and Wetterwar caste, liable to domestic slavery in their respective places of nativity; fourteen of them had been imported from the districts of Cootennad Travancore, since yedawour or eight months ago; two more were brought so lately as methoorium, last from Cheral district in this zillah; the remainder were imported from Chetwa, the southern extremity of South Malabar, some eight, ten, and twelve years ago.

21.—When the whole of these seventy-six unfortunate persons were brought before me, the cases of the free-born children were the first that attracted my attention; the first thing I did was to again write to Mr. Brown, when, after telling him of what had transpired, I called upon him, in the most earnest manner, to afford me every information that would lead to the apprehension and punishment of the persons who had supplied him with the children, and at the same time advised him, that I was ready to receive and investigate any evidence or document he might have to adduce, in support of any claim he might have upon the persons found on his plantation.

22.—On the following day, Mr. Brown acknowledged my letter, but declined giving any reply, because, he said, such reply would be a virtual admission of the legality of my conduct, which he positively denied, and had publicly protested against; that I had, without any cause assigned, or information lodged, violently possessed myself of his labourers, and of a valuable portion of his implements of agriculture; that if any person appeared to dispute his possession, the courts were open to him, and the regulations pointed out the course to be pursued.

23.—And on the same day, 28th; I received a precept from the provincial court, acknowledging the receipt of my communication of the 23d; but instead of replying to it, they forwarded copy of a petition presented to them by Mr. Brown, praying their interference in protecting him in his property; on which the judges remark, that before they reply to the magistrate's queries, or take cognizance of the facts stated in Mr. Brown's petition, it is requisite they should be in possession of the whole of the magistrate's proceedings, commencing with the information on which he had set on foot the inquiry into the circumstances of Mr. Brown's slaves and labourers, and detailing the proceedings he may have held, and on the grounds on which he pronounces to have ascertained, that part of the children lately imported into this zillah as slaves are of free parents, and even of the superior castes; and to state at length the grounds on which he may have detained the persons taken from Mr. Brown's plantation.

24.—In Mr. Brown's petition, he complained of the unlawful and highly oppressive acts of the magistrate, in having detained 113 of his servants, of all ages; that the major part of the children were born on his plantation, bred up, and taught different useful occupations, at his expense; that the magistrate had issued a proclamation, stating that the darogha had orders to seize his people; and that this extraordinary production, prescribing about 350 innocent persons, against whom no complaint whatever existed, he was refused a copy of. He also states, that he knew from experience to what length the magistrate was capable of going, he having some years ago forcibly taken from him and his partner, Mr. Dincur, elephants and timber to the amount of 2,000 rupees, and upwards, and that an inquiry was made, by the orders of government, by the principal collector, before whom it was proved, on oath, that Mr. Thomas Baber's people caused his, Mr. Brown's, mark to be cut out from the timber; but for which he had, as yet, received no redress. Mr. Brown concludes this his calumnious address by adding, that one of the Pooliar children had died in consequence of the treatment it had received; and that as the death had been caused by an illegal act, praying that the magistrate's officer might be secured, to the end that he may be brought to trial for the same.

25.—I shall offer no comment on the orders issued by the provincial judges, on their

their admitting on the records of their court this libellous petition, or on their withholding their sentiments on the points I referred to them in my letter of the 23d; satisfied that the government will see, in the whole of these proceedings, the strongest indications of a determination to support Mr. Brown. I shall therefore proceed to observe, that neither in this petition, nor in Mr. Brown's letters to me, does he deny that persons who had been stolen, and free-born children reduced to a state of bondage, were found on his plantation; this he could not do, and having no defence to make, he resorts to the old expedient of calumniating and vilifying his accuser; and all this in a petition to a court of justice. The circumstances Mr. Brown alludes to, of his elephants and timber, will be found fully explained in my reports, dated the 28th May and 15th July 1806, to the principal collector; it will be therefore unnecessary to say more, than that neither the elephants nor the timber belonged to Mr. Brown. One of the elephants, and the teak forests, were the property of the Company (and as such taken possession of) from the period of the rebellion of their proprietors, viz. the Cotiote rajah, who is now a prisoner for life, and the Canute and Parawul Nambears, who suffered death in 1805. The other elephant was restored to the owners, the overseers of the Montana Pagoda, from whom it had been unlawfully obtained, and mortgaged to Mr. Brown by the above-mentioned rajah, while in rebellion; and the teak trees had been forcibly felled by Mr. Brown's agents from the paramba or garden of the proprietor.

26.—But as it is foreign from this address to answer the assertions of mere malice and falsehood, satisfied that public indignation must sooner or later pursue the author and his abettors, I shall, in reference to that part of Mr. Brown's petition, wherein he says, "that 113 of his people had been detained, that the major part of the children had been bred up and taught useful occupations at his expense, and that they had carried away their working tools," merely state, that 76 was the total number of persons brought away; 22 of whom, viz. 6 free-born children, 12 grown up, and 4 children of the Pooliar tribe, had been only a few months in his possession; of the remaining number, 10 were born on his plantation, but the eldest was only seven years; and not a single tool or implement of any description was brought away. In regard to Mr. Brown's assertion, that the death of a Pooliar child had been occasioned by the treatment it received from the police officers, it is a gross calumny; no kind of compulsion was made use of by the police servants; the parents of the child repaired, in common with the rest of the Pooliars who had been stolen, to the police officers, to represent their grievances. It so happened, the infant (one year and a half old) died during the investigation; but it has been satisfactorily proved, by the evidence of its parents and others, taken before the police officers, and also by myself, that it died a natural death; it had been ill ever since Meenom in Meethooram; it lost its sight in both eyes, and a whole month before its death, its recovery was so hopeless, that medicine was no longer found of any service.

27.—From the 24th till the 3d January, I was taken up in examining the persons brought from Anjarakandy; and having satisfied my own mind that they had been sent to Anjarakandy by means the most unjustifiable, I wrote to Mr. Brown, informing him it was my intention to make a full report of what had transpired to government, and enjoining him to give up the names of the persons who supplied him with the free-born children, as well as those of the Pooliars who asserted they had been stolen, and that I was still ready to hear and receive any evidence he had to adduce. I also told him, that as there could be no objection to the employing the Pooliars during the interval of my reference to government, I should order them to be delivered over to his agents, but that the free-born children would remain under my charge.

28.—On the 4th I made my return to the provincial court's precept of the 27th, forwarding every paper that could elucidate the points upon which I had been called to give information; and after giving a summary of what had transpired, I observe, "I had afforded Mr. Brown every opportunity of vindicating his conduct, and nothing could have been more easy than for him to have satisfied me of his innocence; by a prompt disavowal of all knowledge that these children were of free-born parents, and been kidnapped, and of all participation in the guilt of the principals in that inhuman traffic, by giving up the names of the individuals who supplied him with them, and affording me his assistance in bringing them to condign punishment. Such ought and would have been the conduct of every honourable man; but, instead of this, Mr. Brown has resisted my requisitions, and treated me and my officers in terms of the highest contumely and disrespect."

29.—On 4 D

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

G.

D.

E. 7.

F. 4.

29.—On

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

E. 8.

29.—On the evening of the following day, 5th January, I received a letter from Mr. Brown, dated the 4th, though written from Tellicherry, wherein, for the first time, he gives up the name of the person who sent up to Anjarakandy the six free-born children; and in regard to the others, denies that they were stolen. I will quote his own words: "Since my letter to you of the 28th ultimo, having sent to Anjarakandy for particular information relative to the six persons who, you say, are free people, I have now to inform you, that they were sent there by Banian Belle Assen Ally to work on the plantation, until his return from Travancore; whether he got them from their parents or relatives, or purchased them as slaves, I know not; but having no claim over them, I can have no objection to your detaining them, as I conclude a complaint had been lodged before you on their account, with regard to the persons who were forcibly driven from the plantation, without the smallest reason being assigned for that violent proceeding; it is totally false that they were stolen or kidnapped, nor did any of them assert such a thing when questioned by your menon at Anjarakandy."

30.—Eighteen days had transpired since I acquainted Mr. Brown that I had received information, that a considerable traffic in children was carrying on between Malabar and the adjoining districts, and that several of the children had been sent to his plantation, and requested he would inform me, whether he had made any such purchases; and if so, that he would send me a list thereof, their caste, age and sex, and the names of the persons from whom he had purchased them, and of the agents he had employed; and Mr. Brown had also been told by me, ten days before this letter, dated 4th, that my officers had returned and brought with them 76 men, women and children, who had asserted they were all stolen or forcibly carried away; that six of them had stated they were of free-born parents, and within the last six months had been stolen from their relations in Travancore, and sent by Wallapagata Assen Ally to him; that I had been most particular in questioning these children, and had no doubt in my own mind they had been kidnapped, and calling upon him to afford me every information in his power to enable me to discover the principals in this inhuman traffic.

31.—After such a peremptory call, respect to the constituted authorities as well to his own character, ought to have pointed out to Mr. Brown the necessity of sending to Anjarakandy for particular information the instant he received my requisitions. Mr. Brown was positively at Anjarakandy the greatest part of the time, from the 18th December to 5th January; but even had he been at Tellicherry, there was nothing to prevent him from ascertaining and communicating in 24 hours the information he gives me in his letter dated the 4th.

32.—But confining myself to the six free-born children, it never can be believed, that Mr. Brown could now have only known that there were six persons of that description in his possession; in the first place, it is highly improbable that any man would have sent six free-born children to work on the Anjarakandy plantation without the owners previous permission; and in the second, still more so, that children of that description could have been employed on his plantation a period of six months without his knowledge. The children themselves say, that when they were first carried to Anjarakandy, they refused to eat the food of the Pooliars, but the Wallia and Cheria Achan (the names Mr. Brown and his son go by in the plantation) made them do so.

E. 9.

33.—These, combined with other causes, convince me that Mr. Brown was well aware of the purport of my return to the provincial court's precept, and that finding there was no possibility of getting over the business of the six free-born children, he resorts to this shallow device of antedating his letter, and pretending that he had then only ascertained, that Banian Bette Assen Ally had sent these six children to work on the plantation. Before, however, I drew this conclusion, I wrote and informed Mr. Brown of the precise hour of my receiving his letter, and that the bearer of it had told me he had that moment come from Mr. Douglas's house, where Mr. Brown was residing.

E. 10.

34.—This however was not the only deception practised in Mr. Brown's letter; he had mentioned Banian Bette Assen Ally as the person who had sent up these free-born children. Now, of the thousands of moplas in Malabar of the name of Assen Ally, there was not one known by the name of Banian Bette, I was therefore under the necessity, not that I was ignorant who this person was, but to prevent any disputes on this head hereafter, of requesting he would inform me, whether Wallapilagata Assen Ally, former head sheristadar, employed by him in the custom house, was the person he alluded to by Baniana Bette Assen Ally.

35.—This

35.—This answer came stating he was the same I had described, and who it will be recollected, the free-born children, and part of the Pooliars had said, had sent them from Alleppi to Anjarakandy. Mr. Brown assigns no reason for giving this man a name that did not belong to him, for it is very unlikely his doing so could have proceeded from accident, when it is known that this man, both while he was the custom house head sheristadar, and since he was dismissed from that situation, has been employed in the most confidential of Mr. Brown's concerns.

36.—I have already in my paragraph 7 stated, that I had on the very first commencement of the inquiry, requested the resident at the court of Travancore to take measures to secure Wallapagata Assen Ally, but what he did I know not; but on the 8th January Assen Ally himself appeared before me, with a letter from Mr. Brown, stating that "the bearer was the person who sent him the six children."

37.—I took the earliest opportunity to examine this person; he said that Mr. Brown had sent him down to Travancore to purchase 500 candies of pepper for him; that when he went away, Mr. Brown desired him to endeavour to purchase 10 and 15 children; that in pursuance of this commission, he purchased 25; that, of these 25, 17 were on Mr. Brown's, the rest on his own account; and that he had paid for them out of Mr. Brown's money; that the nine found by the police officers at Mathé were his property; and of the 17 for Mr. Brown, six are the identical children found by my officers at Anjarakandy; that the other 11 had also been dispatched to Mr. Brown, but had been stopped by the officers of the Travancore government, who had taken him up and carried him to theutcherry at Mawilakara, where he had been imprisoned and amerced in the sum of 1,000 rupees. He acknowledged that it was unknown by the Travancore authorities; that he had already succeeded in having actually transported some children out of Travancore; in corroboration of all which, he produced a Malabar paper, called a turp or order passed by the tribunal of Mawilakara, wherein it fully appeared that he had been fined 1,000 rupees. This order stated, that the children had been illegally come by, and that they had, in their examinations, stated they had been stolen during the night time while asleep by moplas of Travancore, and sold to Kadakan moplas or persons from the northward, which is precisely the same account the children I had discovered at Mathé and Anjarakandy had given before me. The 11 stopped by the Travancore officers had been more fortunate than their unhappy brethren up here, in having been restored to their friends and relations before they had been defiled.

38.—The only defence put up by Wallapagata Assen Ally was, that he had been desired by his employer to purchase children, and that others had been doing the same at Alleppi; he said that about 400 had been transported from Travancore to Malabar during his stay at Alleppi, although he admitted that before and during the life-time of the rajah such a traffic was not allowed of; he also produced pramanums or deeds of sale for all the children recovered here and in Travancore, to prove that he had purchased them from moplas in Travancore; the price is stated to have been from seven to nine rupees, and some in the name of *Brown Sahib Awarakul Kairium Mahe Wallapalagatta Assen Ally*, and others simply in the name of Wallapalagatta Assen Ally.

39.—On the same day I apprized the resident of Travancore of the arrival of Wallapalagatta Assen Ally, who, I had every reason to suppose had fled from Travancore, and forwarded a copy of his deposition, as also a list of the free-born children and Pooliars who had been stolen from Cochin and Travancore. I called his attention in particular to that part of Assen Ally's deposition, wherein he said, that about 400 children had been exported from Travancore under similar circumstances during his short residence at Alleppi, about seven months, and also to the assertion made by the Pooliars brought from Cochin, that when first stolen, they were carried to and confined in the houses of Wellakara (Europeans) in Cochin; I added, that as they were European foreigners or Jews, he would, no doubt, take effectual measures to put a stop to such practices in that quarter.

40.—I have already stated, that on the 3d I wrote to Mr. Brown, that I should order the Pooliars to be delivered over to any person he would send to receive them, as there could be no objection to their performing their daily occupations during the interval of my reference to government; Mr. Brown accordingly, on the 8th, wrote, that the provincial court had signified, that there was no objection to his receiving them back, and, therefore, that he had, in conformity to that injunction, directed them to be received at his plantation whenever I might be pleased to send them. I immediately replied, that they should be delivered over to any person he would send

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

11.

E. 12.

H. 1.

H. 2.

H. 3.

B. 2.

E. 12.

E. 13.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

send for that purpose, with the exception of the sixteen Pooliars who said they had been stolen from their owners within the last few months; as their presence was still required at the court; and on the 10th, one Baubee Chitty, former custom-house sheristader of Cananore, but dismissed for dishonesty, came in the capacity of Mr. Brown's servant, and received charge of them:

14.
F. 5. 41.—In consequence of Mr. Brown's allusion to the provincial court in his letter of the 8th, I concluded they had passed their orders on Mr. Brown's petition, and not having received any answer to my reference of the 23d December, on the 10th I informed the judges of what Mr. Brown had written to me, and requested that the whole of the papers I had forwarded on the 4th for their inspection might be returned, in order that I might forward the whole up to the Presidency without loss of time.

F. 6. 42.—In answer to this, the judges inform me that "it is their intention so soon as certain explanations which Mr. Brown had been invited to afford had been received from that gentleman, to refer the whole of the proceedings held, including the documents forwarded by the magistrate up to the Sudder Adawlut, to which court they conceive that they are the proper channel of reference. That as they were not aware the magistrate had not retained copies of such papers as he had transmitted, and as this would appear to be the case, such of them as the magistrate might wish to copy should be returned to him on his specification thereof." Again, on the 13th I received a precept, stating, that "the judges observed from Mr. Brown's statement, that Wallapatagala Assen Ally, the person who is represented as having sent from the Travancore country the six children found on Mr. Brown's plantation, as well as the nine discovered in the possession of certain persons, inhabitants of Mahe, is now within his jurisdiction. Ordered, that the magistrate be called upon to report to the court, whether he has examined the said person, and if so, to furnish copy of his examination for the court."

F. 7. "The magistrate must also be called upon to state the measures he may have taken, either by communication with the resident at the court of Travancore, or through any other channel, in order to follow up the clue afforded by the declarations of the children, who represent themselves as of free parents or relations, for the purpose of verifying the account they have given of themselves, in view to their eventual restoration to their parents or relations."

F. 8. 43.—And on the same day, before I could possibly make a return to the first, I received a second precept from the provincial court, stating, "that Mr. Brown had informed them, the magistrate had only delivered to him 55 out of the 71 bondsmen, exclusive of the six children from Travancore; that they had refrained from issuing their orders after the receipt of the magistrate's return and perusal of all the documents accompanying it, for the restoration to their present and only ostensible proprietor of the whole of them, with the exception of the Travancore children, from having supposed that the offer contained in the magistrate's letter to Mr. Brown of the 3d, referred to the whole of the persons of the first description; and as they are opinion the magistrate has acted totally illegally in ever having removed the said persons from Mr. Brown's premises, they now direct the magistrate will immediately cause those now detained by him (with the above exception) to be sent to Mr. Brown's plantation without delay; desiring the magistrate to conform to these orders, making this return in twenty-four hours."

L. 1. 44.—The reason of my detention of the 16 Pooliars was, that I might follow up the information contained in their depositions, in order to secure the persons who had stolen and carried them to Anjarakandy. Wappen and Country Pany were the persons who had brought to Anjarakandy those who were stolen from Cochin, and Coomba Moideen, native of Cheral, the person who had stolen the two Pooliars, the property of the Cheral rajah, and carried them to Anjarakandy. The two former I had issued a warrant against, but by the nazzir's return, it was reported the two first persons, both in the employ of Messrs. Brown and Dincur, had been sent out of this zillah the very day after Mr. Brown was informed I had taken up this investigation wherein they were concerned, one to South Malabar, and the other in one of Mr. Dincur's salt boats, to Goa; not satisfied with the nazzir's report, I issued an order to the darogah of Mahe and Iruvenaad, who confirmed his report by declarations to that effect, under the signatures of the families of these two persons.

L. 2.
L. 3. 45.—It would have been idle to have expected that any representation that I could make would be of any avail, after the provincial court had informed me they perused my return, "and the documents accompanying," (the examinations of the Pooliars,

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Pooliars, wherein they had declared on oath, that they had been stolen from their proprietors, and some torn from their husbands, wives, and parents), and declared their opinion, that "Mr. Brown was their present and only ostensible proprietor," and that I "had acted totally illegal in removing them." Still, as the judges of the provincial court were ignorant of the circumstances set forth in the foregoing paragraph, I deemed it my bounden duty, before I complied with the exigence of their orders, to represent my objections thereto; but that I might still carry them into execution before the expiration of the twenty-four hours, I lost not a moment in answering it. I told them "that in consequence of the inquiry I had set on foot into the circumstances under which that portion of the Pooliars, who had set forth that they had been stolen, and banished to Anjara Kandy within the last few months, it was my intention to make a full report to the government; for the purpose of being submitted, together with the proceedings held in the case of the free-born children, for the opinion of the Honourable Company's advocate general, as far as related to Mr. Murdoch Brown, and to commit or hold to bail, as the case might seem to require, such persons as were amenable to the jurisdiction of the Honourable Company's local courts, as might appear to have committed the crime of kidnapping the six free-born, and sixteen bondsmen, and enslaving the former." I also informed them of the disappearance of Mr. Brown's two agents, on the very day succeeding that Mr. Brown was aware of the inquiry I had instituted. I also concluded with observing, that it would be impossible for me to prosecute the investigation, if the judges insisted upon my sending back these sixteen Pooliars before I had brought the inquiry to a conclusion; and again requested that the original proceedings forwarded for their inspection, with my return to their precept, dated the 27th December, might be returned to me.

F. 9.

46.—On the 14th evening, I received an order to furnish the judges with a list of the Pooliars I had detained, "that reference may be made to the depositions sent along with the magistrate's return to their precept of the 27th, for the purpose of ascertaining the particular circumstances stated to have attended their having become Mr. Brown's property, and also to transmit any further depositions the magistrate might have taken in these cases." In pursuance of the above, I forwarded, on the succeeding day, the list called for, and told them, that notwithstanding the opposition I had met with in Mr. Brown's silence, and the departure of his two agents out of the zillah, I would still use every means to follow up the information given by these Pooliars, if the judges would allow me to go on with the inquiry; and also informed them, that I had apprehended the mopla, Coomba Moideen, who had been charged by one of the female Poolai, by name Waltachee, with having stolen her and her daughter Waltachee; and that though I had not taken the deposition of that person, it would appear from the examination sent with him, the account Waltachee had given of the mode in which she came into Mr. Brown's possession had not been exaggerated.

F. 10.

F. 11.

47.—I beg to call the attention of the government to that point of the provincial court's precept, dated the 13th, wherein they acknowledged they had perused my return, and the documents accompanying it, and give their opinion, that I had acted wholly illegally in removing the Pooliars from Mr. Brown's premises, and ordering me to restore them without delay and that part of their orders, dated the following day, wherein they desire me to direct them to those of the documents above alluded to, for the purpose of ascertaining the circumstances under which these Pooliars came into Mr. Brown's possession. To the best of my judgment, this is a full confession of their having condemned my proceedings without an adequate knowledge and consideration of the subject.

48.—Notwithstanding, however, my communication of the 14th, and the additional ground, in the evidence of Coomba Moideen, for the belief in the assertions of the Pooliars, that they had been stolen, on the following day I received an order to comply forthwith with the exigence of the provincial court's precept, dated the 13th; the following is the order: "The judges of the court have already expressed their opinion of the illegality of the act on the part of the magistrate, in having, in the first instance, without any information before him, or claim preferred thereon, removed from Mr. Brown's premises, and deprived him of the services of the bondsmen, his property; and in consistence with this opinion, they deem it their duty to lessen as much as possible the injury to which Mr. Brown's undertaking must have been subjected by their long and continued detention." "The judges do not even perceive, on the grounds of expediency, any valid reason for the further detention of the twelve Pooliars and their children. They have already

F. 12.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

already given all the information they are capable of imparting, and should the persons to whom they represent themselves as having belonged, and from whom they were stolen, appear for the purpose of establishing their claim, or prosecuting the perpetrators of the theft, their accomplices or accessaries, under the provisions of Regulation XI. A. D. 1809, may, by the usual process observed in respect to evidence, be forthcoming when required. The judges do therefore direct, that with the exception (for the present, until the magistrate shall have sent in the report of his examination of the mopilla, whom she charges with having stolen her) of the female, named Waltachee, the magistrate do forthwith obey the exigence of their precept of the 13th. In regard to this person, as well as the others in general, the judges must remark, that in their opinion, the magistrate is following a course which does not seem either the most direct or efficacious towards the ascertainment of the fact, and which seems to be an indispensable preliminary to the prosecution of the persons mentioned in their deposition as principals or accessaries in the theft of these persons, viz. whether or not they have been actually stolen; this at present rests solely on the declarations of the slaves themselves, and unless a charge of this nature shall have been previously preferred by the person, the proprietors of the bondsmen, and other evidence adduced thereof, the judges do not see that either under the provisions of Regulation XI. A. D. 1809, or any other regulation, can be supported against the persons charged in their declarations as accessaries only, and that in many of the instances in a very remote degree.

F. 13.

49.—I immediately complied with the above, by sending back the whole of the remaining Pooliars, and in my return, informed them that I had done so. I suspended all further proceedings, on the grounds of the opinions they had expressed in the concluding paragraph of these orders.

50.—I cannot pass over this precept, without stating my objections to the reasonings therein contained; and, first, the assertion that I had in the first instance, without any information before me, removed from Mr. Brown's premises his bondsmen, is not true; and the judges knew that the origin of the investigation was the accidental information given by the boy Coon Yangara, "of his brother Natta having been one of the four children who had a few days before been sent to Anjara Kandy;" and that it was in the search for these children, that others, free-born and bondsmen, came forward and alleged they also had been stolen. It was in consequence of this information I ordered them to Tellicherry, but not until Mr. Brown had refused compliance with my requisitions; and it is very certain, that had I not pursued the measures I did, Mr. Brown would have remained to this day in undisturbed possession of both free-born and bondsmen; and so far from acting illegally in detaining sixteen of the Pooliars, I conceive I had sufficient information to justify my summoning before me every person on Mr. Brown's plantation.

Vide F. 8.

51.—The judges have not censured my detaining those who alleged they were of free parents, although no claim was preferred on their account; it is to be presumed, therefore, there was nothing objectionable in that measure. They and the Pooliars had been carried to Anjara Kandy under similar circumstances, and after their arrival there, had been associated with and made to eat the food of Pooliars, and their appearance in every respect that of slaves; it was only then by confronting them with each other, that I could expect to elicit the truth of the assertion they had made in regard to their country, caste, and circumstances under which they came into Mr. Brown's possession. This was only to be satisfactorily done by a personal examination; and as I could not go to Anjara Kandy, it was unavoidable my calling them to Tellicherry; and had I not examined them personally, would not that very omission have been immediately turned to my disadvantage; would it not have been said (as I had been already unjustly accused by the judges of the provincial court,) that I was deceived and cajoled by my native servants. Even as it is, Mr. Brown has declared, "that not one of the Pooliars asserted, when questioned by the menon, they had been stolen or kidnapped," although their depositions were taken, signed, and witnessed in the presence of the commissioner, the darogah's menon, the court gomasta, and several of the inhabitants; and although Mr. Brown has since confessed that he has no claim upon ten of them, viz. six free-born and four bondsmen.

52.—I know not what better "information" I could have had for instituting this inquiry. What more "valid reasons, on the grounds of expediency, for prosecuting it;" what course "more direct or efficacious to ascertain the fact of their having been actually stolen;" and, finally, what stronger ground for commencing,

or by which a prosecution could be supported against principals and accessaries than are contained in the depositions taken before my officers, and examinations held before me of all these unfortunate persons, made as they were under a solemn declaration, and under a full conviction of the obligations imposed on them to tell the truth, (and indeed a much greater than on the generality of the natives), every one of whom had asserted they had been stolen, and carried out of their countries against their will to Anjara Kandy. Two instances (Ponama and Corumbee) indeed, amongst those imported within the last few months, were two mothers and their children, had been torn from their husbands and parents, and had never seen or heard of them since.

53.—I should now have proceeded to report the circumstances of the case to the government, but I was in hopes the judges would yet see the necessity of recalling their orders, when they saw my return to the yet unanswered second precept of the 13th January. In my 42d paragraph I have inserted copy of that precept, the purport of which was to send up the examination of Wallajagata Assem Ally, and to report what further measures I had pursued, &c. Anxious to gratify the judges with the most minute particulars that had transpired during this investigation, on the 21st, I forwarded the document called for, also every subsequent communication to and from Mr. Brown; also the investigation I had made into the charge preferred by Wattachee against Coomba Moideen for stealing and carrying away her and her daughter to Anjara Kandy, viz. the deposition taken by commission of the rajah of Cherical, the owner of Wattachee and her daughter; of Wattachee's brother, Poliar Wellan; and of Coomba Moideen himself, who had made a full confession that he had committed the theft laid to his charge; and I concluded with telling the judges, that if they now thought that a prosecution could be supported without a complaint being preferred by the proprietors of either free-born or bondsmen, I would instruct the government vakeel to prosecute them in the same way I had done on the 28th of December in case (N^o 15.) on the first calendar, when I committed the moplas of Mahe, on whom, as I have noticed in my 5th paragraph, I found nine of the unfortunate exiled and enslaved free-born children.

54.—I have already informed the government in the 6th paragraph that I had committed, to take their trial before the court of quarter sessions, at the suit of government, these moplas; accordingly they were brought to trial in case N^o 15 on the calendar; but on the 22d, I received a warrant from the judge of sessions, "that the court had declined proceeding to the trial of the case."

55.—The following is copy of that court's "orders." "The law officer objecting to the legality of the circar vakeel being appointed as prosecutor in case N^o 15, wherein three persons, inhabitants of Mahe, and subjects of the government, are charged with being accessaries to the kidnapping or theft, and selling as slaves of nine non adults, said to be of free parents, natives of Travancore, whilst it appears that these children have parents and other relatives now existing; and the judge being further of opinion, that the case falls under the provisions of Regulation XI. A. N. 1809, whereby it is enacted, that the orders of government are specially required to bring persons, subjects of the Honourable Company's territories, to trial for offences committed by them in the dominions of a foreign state, which do not appear to have been issued in the case in question, the court has declined proceeding to the trial of the case. The judge deems it further necessary to give it as his opinion, that on the evidence as it now stands, and facts stated, the conviction of the persons whom the magistrate has brought forward, is absolutely hopeless, since, even was the fact of the stealth of the children substantiated by legal evidence, it seems impossible to prove that the prisoners residing at Mahe, could have been privy or accessory to a crime committed in Travancore. Should the magistrate however determine to refer the case for the orders of the Honourable the Governor in council, pursuant to the provisions of Regulation XI. of 1809, above quoted, he may still keep the parties held to bail, otherwise he will be pleased to discharge them therefrom."

56.—On the 24th, I received a precept from the provincial court, informing me, that in expressing the opinion, viz. that the parents or relatives of free born, and masters or proprietors of bondsmen, children, or adults, should come forward with the charge as contained in their orders of the 13th; they "had in view the provisions of Regulation XI. of 1809, which seems to consider this indispensable, and which further reserves the determination as to the bringing to trial of the persons who may be thus charged, to the Honourable the Governor in council. That the above opinion had no reference to the case of the theft of the female Poolia Waltachee,

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

F. 7.

F. 14.

K. 1.

L. 1.

F. 15.

Case of George
Peters.
Slave of Slavery
in Cochin
Territories.

by the mopla Coomba moideen, which, in common with other crimes committed within the limits of the Honourable Company's territories, is directly cognizable by the courts established thereon; as however the law officer objects to the government being prosecutors where they are owners of the property stolen, it seems to be expedient that the Clerical Rajah should appoint a person to carry on the prosecution in his name, and on his behalf."

57.—On the provincial court's precept I have to observe, that in the orders received in their second precept, dated 15th January, desiring me forthwith to return the 16 Pooliars I had detained, they certainly say, with the exception of Waltachee, but immediately afterwards they tell me, "in regard to this person, as well as the others, I was not taking the most direct or efficacious means to ascertain whether they had been actually stolen, which at present rests solely on the declarations of the slaves themselves, and that unless a charge of this kind shall have been previously preferred by the proprietors of the bondsmen, and other evidence adduced thereof, they did not see that under Regulation XI. of 1809, or any other regulation, a prosecution can be supported."

58.—Admitting, however, that this opinion did not refer to Waltachee, and that a prosecution could be supported against Coomba Moideen, on the grounds of the declarations of the slaves themselves, the same arguments would apply to the whole of the Pooliars stolen from South Malabar, and even to 14 out of the 16 Pooliars lately imported from Cochin; in the depositions of the latter, two stated they were taken from Clerical, and carried to Anjara Kandy by the mopilla Coomba Moideen, twelve, that Wappen and Country Parry, had brought them from Cochin; all three of these mopillas were natives of Malabar, and the offences committed by them, were in places within the limits of the Company's districts.

59.—In the provincial court's orders, dated 10th January, they say it was "their intention, so soon as certain explanations, Mr. Brown has been invited to afford, had been received from that gentleman, to refer the whole of the proceedings to the Sudder Adawlut, to which court they conceive they were the proper channel of reference. This was in answer to where I stated my intention of forwarding the whole of the papers up to the presidency." Uncertain what object the judges had in view, by saying the Sudder Adawlut was the proper channel of reference, I explained on the 13th, that it was my intention "to make a full report to the government for the purpose of being submitted for the opinion of the Company's law officer, as far as related to Mr. Brown, and to commit those persons who were amenable to the Company's local courts for trial." This however did not produce the wished for explanation; nothing more is said of Mr. Brown, or of a reference to the Sudder Adawlut; but on the 22d January, I received a precept from the court of sessions, declining to try the natives, on the ground, "that the orders of government are specially required to bring persons, subjects of the Honourable Company's territories, to trial for offences committed by them in the dominions of a foreign state; that if I should determine to refer the case for the orders of the Honourable the Governor in council, pursuant to Regulation XI. 1809, I might still keep the parties held to bail, otherwise I must discharge them therefrom. Another reason for not trying the prisoners was, that the law officer objected to the legality of the sirkar vakeel being appointed as prosecutor, whilst the parents or relations of the freeborn children, who had been kidnapped and sold as slaves, were existing." And the provincial court, in a precept dated 24th January, communicate their orders to the same effect.

L. 1.

See A. proceedings
of Muzumbar.

60.—In answer to the first of these objections, it will be sufficient to state, that the three persons committed in Case 15, were charged with strong suspicion of having been privy to the kidnapping nine free-born children, natives of Travancore; depriving them of their koodema (lock of hair), putting the mopla dress on them, in having secreted them at Mahe. The grounds of commitment were, the nine children had been found in their houses after a good deal of difficulty, and even denial at first on the part of the prisoners; but all of them afterwards, when the children were found, confessed they had been sent to them from Aleppi by Wallapatagate Assen Ally; one of them in his defence said that Wallapatagate Assen Ally had been already punished by order of the resident of Travancore, while the whole of the children declared they had been stolen; some, while asleep, others while out tending cattle, cloths thrust in their mouths, and in this manner carried off to Wallapaligata Assen Ally, at Aleppi, and by him sent off by water to Mahe; as far therefore as related to these three moplas, I don't see how they could come within the intendment of the enactment of Regulation XI. A. D. 1809, because they were all three natives of
Malac,

Mahe, and subjects of the Company's government; the crime they were accused of, they had committed at Mahe, which place was in the Company's dominions; they had received and secreted these children in their houses at Mahe, and every day's, every hour's detention of them was a fresh injury done them; there was not a day that they did not cry and entreat they might be restored to liberty; the mopillas did not actually steal those children in the first instance; but unless it can for a moment be supposed, they could have unknowingly received and held in slavery free-born children who had been stolen, they must be considered as liable to the same penalties as the principals. When the children were brought before me, a more afflicting spectacle cannot be conceived; their appearance was wretched in the extreme; the boys had been deprived of their koodima (lock of hair), the girls dressed in a dirty mopla koopai, and all cried at their having lost their caste, and were not pacified until I took off the mopla dress, and assured them they should not go back to the moppilas, but that I would restore them to their country and their parents.

Fort St. George
Papers.
State of Slavery
in Company's
Territories.

61.—In answer to the second cause for not trying these moplas on the ground of the illegality of the sirkar vakeel prosecuting, I can only say, the objection has never before been made, although many prosecutions have been carried on at the suit of government, from the absence, accidental, unavoidable or intentional, of the complainant to prosecute, and if this had not been done, the ends of justice would, and may still be defeated, by every offender who has money, influence or address sufficient to bribe, intimidate or prevent their accusers coming forward; in the present instance, it is impossible to conceive, either on the score of expediency, justice or humanity, a case where the appointment of a person in that capacity is so necessary, because the best laws will not execute themselves; and it is very improbable, that the parents or relations of the free-born children, stolen as they were from the most remote parts of Travancore, ever will know where their children were carried, or even admitting that they do know of their having been transported to Malabar, and that part of them were in the possession of a European, in the state of ignorance and dread the people of Travancore are of British subjects and British laws, it is hardly likely that any one of them would have the courage to come before a British court of justice in the character of a prosecutor of a European in Malabar; there is a local (painful as it is to me to say it) and more powerful obstacle to deter individuals from prosecuting Mr. Brown, or any one of that party, before the provincial court; but though the Travancorians may not be aware of this bias in favour of individuals, if they do chance to hear where their children and slaves are, they will also hear the protection that has been given to Mr. Brown, by the provincial court, in these his unlawful acquisitions.

62.—I now return to the provincial court's modified orders of the 24th January, relative to the female slave, the property of the raja of Chericul, who with her daughter had been found in Mr. Brown's possession at Anjarakandy, whither she had been carried by Coomba Moideen. On the receipt of these orders, I sent a peon to Anjarakandy, to bring Waltachee and her daughter, as also Coomba Moideen (whom I had admitted to bail), and the several persons he had implicated in his confession; about this time Wallapatagata Assen Ally had appeared before me, and stated, that he had omitted in his examination on the 8th, two pooliar children, that instead of six he had sent eight persons from Alleppi, to Mr. Brown. I wrote to Mr. Brown to deliver them up, which he did accordingly, and at the same time informed me, that the eight children mentioned by Assen Ally were all taken to Tellicherry by my own people, and two of them sent back by my own orders, with other pooliar, for what purpose he knew not; Mr. Brown could not have forgotten that in his ante-dated letter of the 4th January, he had informed me, Assen Ally had sent him six persons to work on his plantation until his return from Travancore, and that he (Mr. Brown) had no claim on them; and in regard to the other persons I had forcibly deprived him of, it was totally and in regard to the other persons I had forcibly deprived him of, it was totally false that they were stolen or kidnaped, nor did any one of them assert any such thing. This surely is conclusive, that Mr. Brown then insisted upon his right to all the pooliar on his plantation, with the exception of these six persons; the judges of the provincial court understood him in that light, and accordingly ordered me to restore, with the exception of these six, all the persons brought to Tellicherry to Anjarakandy; they were accordingly sent back; and amongst them (I now find from Mr. Brown's letter), the two additional children Assen Ally had on the 20th January informed me, were amongst those he had supplied to Mr. Brown, and yet Mr. Brown, when they are sent back, receives them as if they were his own property, and

Vide F. 15.

H. 4.

E. 15.

Vide E. 8.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

K. 2.

and not a word does he say about them, nor in all probability would he ever, but for the accidental communication made by Assen Ally, and my demand on Mr. Brown in consequence thereof.

63.—To return to the case of Waltachee and her daughter Waltachee, they both came, as did Coomba Moideen and his accomplices, as also the brother of Waltachee, and finding all their depositions agreeing in the principal points, and corroborative of what Waltachee and her daughter had stated, I wrote to the Chericul raja, and desired him to send some person to see these two pooliars, and if his, to take charge of them, and appoint a person to carry on the prosecution in his behalf; the raja did so, and his vakeel having recognized Waltachee, preferred a complaint against Coomba Moideen and his accomplices.

64.—I immediately issued a warrant to Mr. Brown, stating that Waltachee and her daughter had been claimed by the raja of Chericul as his rightful (jelm) property; that in the proceedings held before me, there were the strongest grounds to suppose they were, and that they had been stolen from him; but that as he, Mr. Brown, had in his letter dated the 4th, declared he was perfectly prepared to support his right to all the pooliars and persons (with exception of the six free-born children sent by Assen Ally), brought from his plantation, who had alledged they had been kidnapped, of which number were Waltachee and her daughter; I desired him to attend either in person, or by vakeel, on the 3rd February, to account for the manner in which Waltachee and her daughter had come into his possession, and to make good his right to them.

K. 4.

65.—On the 3d, a peon came to the court, and called one of the court vakeels to Mr. Douglas's house, and when he returned, he brought a vakeelutnama, signed by Mr. Brown, and witnessed by Mr. Douglas and Captain Ravenshaw, and with it a paper, in the vakeel's name, which were delivered into the court, by which Mr. Brown acknowledges that he had no claim whatever to Waltachee and her daughter, that one day in 987 (no month) he heard that Koomba Moideen, of Anjarakandy, had brought them with mopla hoossais on them; that he ordered Moideen to be called to him, but he was not to be found; that four days afterwards, he sent his servant Bawa to call Moideen's brother Perry, who came with the two poolies; when he asked Perry how these poolies came there, that Perry answered, his brother Moideen had brought them; but how he had got them he knew not, and then said until Moideen's arrival, let them remain with Saib; in consequence of which, they were put with his Mr. Brown's pooliars until Moideen's return, and the truth could be ascertained; but that before Moideen came, and the truth could be ascertained, an order came from the court to carry away all the pooliars, at which time he told Chatoo Menon (one of those who came with the court's order) that these two pooliars were not his.

66.—The accounts given by Moideen Perry and Brawa differ widely from the above. This is certain, that Waltachee and her daughter were stolen by Coomba Moideen, from the rajah of Chericul, and carried to Anjarakandy, and there taken possession of by Mr. Brown, and placed amongst the slaves on his plantation, where they had been ever since Kartladakeen, 986.

67.—Mr. Brown has said, that he told Chatoo Menon that these two did not belong to him; this is denied by Chatoo Menon and the whole of the persons who were present during the search on Mr. Brown's plantation; and the presumption certainly is in favour of the veracity of the latter, when Mr. Brown is totally silent on this point in all his letters to me, and even unqualifiedly declares as false, that the pooliars (with the exception of six sent by Assin Ally) were stolen or kidnapped, or that any of them said so to Chatoo Menon, when questioned by him at Anjarakandy; and further, that he was perfectly prepared to support his right to them, so soon as his property is impeached. But, in my opinion, no further proof is requisite, than the simple fact of these two poolies having been found in Mr. Brown's possession. He acknowledges they were brought before him; he must then have known by the same means that I did; viz. from their own mouths, that they were the property of the raja of Chericul, and had been carried off against their will; Bursa, Mr. Brown's servant, declares he heard them tell Mr. Brown they had been stolen by Coomba Moideen; I fear, therefore, Mr. Brown will be considered in the eye of the law, as having incurred the same penalties as the principal. I have sentenced Coomba Moideen to receive the full extent of the punishment I am empowered to inflict, for the robbery in the first instance. His brother Parry, Pakroo Toopra and Bowa, being accessaries after the fact, I have sentenced to three months imprisonment; the former I did not commit for trial before the court

Vide E. 8.

K. 2.

K. 5.

of

of quarter sessions, because I viewed his offence as admitting of some alteration in the countenance he met with in Mr. Brown, whose orders are considered as law within the five deohms of Anjarakandy, since they were leased to him by government.

68.—The necessity for some example to deter others from this abominable traffic, is becoming daily more obvious; I have now a complaint before me, preferred by Changara Ooni Tiri of Koltatnaad, against three moplas for coming during the night time of the 3d of this month, and taking off his estate his poolie (female slave) and her three children; I have not got through the case, but should from the aggravated nature of the case, I have no other alternative than to commit them for trial; I shall be prepared to expect that some ground will be found for their acquittal, and the government will see abundance of reason for such apprehensions in the sentiments expressed in the precepts from the provincial court and court of sessions, more especially on the following paragraph of their orders, declining to proceed to the trial of the Mahe mapillas, in whose houses were found secreted the nine kidnapped free-born children. "The judge deems it farther necessary, to give it as his opinion, that on the evidence as it now stands, and facts stated, the conviction of the persons whom the magistrate has brought forward, is absolutely hopeless. Since even, was the fact of the stealth of the children substantiated by legal evidence, it seems impossible to prove that the prisoners, residing at Mahe, could have been privy or accessory to a crime committed in Travancore." There is, however, a case still more in point, that has happened within the last few days, and which, as having excited a good deal of attention, I here relate.

69.—Seven moplas, natives of Cherichal and Canincore, were charged on the 8th of November last, by poolian Chakane Kantryan, for kidnapping his three children, the eldest twelve, the second nine, and the third seven, and putting on them the mopilla koopoi, and afterwards selling them. The children were, at the time, living under the protection of the father, and never had been separated from each other, the mother was dead. The two first prisoners acknowledged that they had gone with two others, and carried away the children, without their father's knowledge, but had been ordered by one Wingaden Pally to do so, on the plea that he had purchased the freehold right of them from one Oonicha Koorass. Third and fourth prisoners, said Wingaden Pally had desired them, after the children were brought by two first prisoners to take them to Cananore for sale, that they accordingly sold one to fifth prisoner for 20 rupees, one to sixth prisoner for 15 rupees, and the other to seventh prisoner for 13 rupees, out of which they received each six rupees for their trouble; the three last prisoners corroborated the above. The children declared they were seized by the first and second prisoners while tending cattle, and that when they cried out they were beat, when brought into court they were dressed as moplas. They intreated that they might be returned to their father, and the moppilla koossagima taken off from them. The prisoners were accordingly committed on the above grounds, on the 21st November, to take their trial in case N° 8, on the calendar.

70.—On the 3d January I received a precept from the court of quarter sessions, stating that the law officer had objected to the right of the person whose name appears as prosecutor to be acknowledged in that capacity, that he was of the poolian caste, and slave of Eleadatil Namboodry, consequently his children (the stealing of whom forms the grounds of the charge against the prisoners) are the property of the said Namboodry; also, that the Namboodry should have been called upon, and have had an option to prosecute the prisoners for stealing or unlawfully obtaining possession of his property, the three pooliers, the children in question, and concluded with desiring this might be done without delay.

71.—On the following day I informed the judge of sessions that the Namboodry should be sent for, but it would be of no use, as it did not appear that he had any claim on the children, who by the usages of North Malabar were the property of the owner of the mother and not the father; that the owner of the mother was Waraperata Asseem Cooty, who had remonstrated with the prisoners for having stolen the children and put on the mopla koopai, but that, not succeeding in obtaining restitution, he it was who had advised the father to bring the present prosecution.

72.—On the 17th January the judge replied, that as it would appear, that the attendance of the Namboodry was unnecessary, still as there appears much confusion whether Waraperata Assen Cooty was the proprietor, or one Oomiha Koorup, of these three children, desired me to investigate this point. On the 20th I made my return to this order, and forwarded the further proceedings I had held.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

M.

Original.

L. 1.

N.

L. 2.

L. 3.

L. 4.

L. 5.

73.—On

Fort St. George
Papers.
State of Slavery
in Company's
Territories.

6. 73.—On the 21st I received the following official memorandum from the judge of sessions: "Let the prosecutor and witnesses be released from their recognizances; the prisoners Oomchan Koorupo, Kooman Kalenden, Pallen Mamoo, Iram Moideen, and Koonamporate Pakroo Cooty, may be delivered up to their bail; Mungaden Pally, who has been arraigned and tried with the others, may be admitted to bail; and the following prisoners, who were not tried, as the prosecutor preferred no charge against them, may be released from their bail and discharged, viz. Pally Candy, Moossa Checoonen, Coonry Panicys and Awerande Cuntry Pakin."

7. 74.—I immediately wrote to request the judge would inform me, whether the children who had alledged they had been stolen, and had the mopla koopayum, were to be delivered to the persons on whom they were found, or restored to their father. The following is his answer: "In reply to his reference of the 21st the magistrate is directed to deliver over the three poolia children to Waiporate Cheria, Assen Cooty, the prosecutor in case N° VIII. and who, as far as yet appears, is their jemmi or proprietor." And, finally, on the 18th February I received a warrant acquitting all the aforesaid prisoners of the charges laid against them respectively, and desiring me to release their bail from their recognizances and discharge the prisoners.

O. 75.—The court's objections to the father being acknowledged as the prosecutor are unprecedented. In a case tried, 1st sessions 1808, for the murder of a poolian, his poolie or wife appeared as prosecutrix; the trial went on, and the prisoners were sentenced to and suffered death. But no objection was then made to her right of being acknowledged in that capacity, although the poolian who had been put to death was lost to the owner much more effectually than the children were in the present case, and agreeable to the opinion of the law officer, as contained in the court's precept, he was the person aggrieved, and in Mr. Clephane's words "should have been called to prosecute the prisoners."

76.—It will, however, be found by the usages of Malabar, the owner of the mother of the kidnapped children had no legal claim to them because they were not adults, until when they cannot be separated from their parents. It was this consideration that induced the owner of the mother, Assen Cooty, to send for and instruct the father (the mother being dead) to prosecute the moplas who had robbed him of his children. He was then lawful as well as natural guardian during their minority, and surely a fit object for redress in a British court of justice. Assen Cooty, to whom the court of sessions ordered the children to be given, has waived his right on the grounds of that order in favour of the father, who in consequence has required possession of his daughters. But whatever difference of opinion there may be on this question, the restitution of these children to Assen Cooty at all events establishes the fact, that the prisoners had no claim to them, who therefore must have stolen or unlawfully obtained possession of them.

P. 1. 77.—And in regard to the penalties attached to the stealing of children or other persons, the following clause appears in the 60th section of Mr. Duncan's observations: "As far as I have been able to trace the laws which are provided against this crime by the Mahomedan code, they are as follows: 1st. From the book called Room Ullatabur (as pointed out by the Cawzee of Calicut), if any one hath from a place of security stolen away a slave, who is not capable to discriminate and is young, and a stranger, or from another land, such thief's hand shall be cut off, and the same also, if the party stolen be capable of discrimination, but inebriated or asleep, or taken by compulsion. 2d. If any one steal a free child his hand is to be cut off, which is the ordination for such thefts or stealing committed from a place of security, and that term is taken for a house and the like."

Q. 78.—The prisoners, it would then appear, had done what by law they were not warranted to do, and their offence was considerably aggravated in their having clothed the children in the mopla koopayum, which in Malabar is held equivalent to proselytism. This offence has always been punished, even under our own government; so late as 2d sessions 1807, a mopla was tried for enticing a koorchan's and (mountaineer's) child, and cutting off the koodima (lock of hair), the distinguishing mark of caste; he was found guilty, and sentenced to three years imprisonment and hard labour and 24 stripes.

P. 2. 79.—But from the earliest period of the administration in Malabar, kidnapping, because involving a loss of caste as well as liberty, has been considered as a most heinous offence. So early as April 1793, there are two instances on record, of two natives of Tellicherry, who had been charged with decoying children and selling them as slaves, having been sentenced to be flogged through the bazar of Tellicherry, then to be sent to Bombay, for the purpose of being transported to the Andamans.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

80.—The commissioners, Messrs. Duncan, Page and Boddam, in a letter, dated 15th June 1793, wrote to the chief and factors of Tellicherry, as follows: "Finding it asserted by Shampath, that the practice of shipping kidnapped and other natives as slaves from the several ports on this coast, is still more or less continued, notwithstanding the various prohibitions which have been issued against a practice so nefarious, so destructive and so inhuman, in whatever light considered, we do think it our duty to require your most unremitting attention to prevent any such transaction in time to come."

81.—And in a letter from the Honourable Company to the government of Bombay, dated 5th August 1796, is the following, paragraph 3, "we are pleased to find, that from the measures pursued by the Malabar commissioners, so much to their honour, and the orders issued in consequence thereof, an entire stop has been put to this inhuman traffic in the province of Malabar."

82.—There is one case to which I beg to call the particular attention of government, because all the present three judges of the provincial court had some share in the decision. A Tean boy went before Mr. Stevens, the present first judge, in 1799, and stated he had been stolen at the age of six years by some mopplas; brought to Tellicherry, and sold to a serjeant, who had transferred him, till he at last came into the possession of a Mr. Robinson, and in this manner was possessed for 10 years, not as a slave exposed to hard labour, but an attendant on the daughter of the owner. Mr. Stevens referred the subject to the commissioners then of Malabar, for their orders; at the same time informing them, "he had made inquiry regarding the regulations that existed in Tellicherry during the time of the chief and factors, relative to the purchase of slaves, and found that it was a standing order, that no person could buy or transfer a slave without both parties coming before the chief, and proving how the vender became possessed of him, when, if the proofs were satisfactory, the sale was registered, otherwise the slave was liberated; that he had found a letter from the government of Bombay to the chief and factors on the subject; and that he had examined the Register of Slaves from 1779 to 92, but could not find any registry of the slave in question."

83.—In answer to this, the commissioners gave their opinion, "That the orders of government addressed to the chief and factors of Tellicherry, do undoubtedly cancel any claim that Mr. Robinson may have possessed to the boy in question; exclusive of which, the Commissioners observe, by a voucher to the general report from the chief and factors of Tellicherry, wherein "they declare that the utmost vigilance and pains have been constantly exerted by them to put a stop to so nefarious a practice; and that they had, in numerous instances, been successful in discovering persons in a state of slavery who had been kidnapped and sold, even as far as Bombay, and had the satisfaction of returning them to their families." The commissioners then remark, "if such was the practice when we had no political interest in the welfare of the country, they would, independent of the first stated reason, have, without hesitation, directed the emancipation of the boy in question." Accordingly the boy is emancipated, and a certificate given him under the seal and signature of Mr. Stevens, declaring the boy perfectly free, and that no person has any right or title to claim him as a slave. Mr. Stevens also writes to Mr. Robinson, advising him of the same, or to use his own words, "I have given him a certificate of his freedom under my official seal and signature, of which I hereby give you notice, and warn you at your peril from giving him any molestation."

84.—On this occasion, it does not appear that a "charge had been previously preferred by the parents or relatives, or proprietor of the boy, and evidence adduced thereof," while, on the other hand, Mr. Robinson offered to prove his right by adducing proof of the registry of the boy at Bombay; this, he is not allowed to do, though so necessary to the vindication of his own character against the suspicion of having in his possession a slave unlawfully come by; and yet do the judges of the provincial court, in direct opposition to their former official acts, notwithstanding the "various prohibitions which have been issued against a practice so nefarious, so destructive, and so inhuman, in whatever light considered," and above all, in violation of a positive Act of Parliament, pronounce, as totally illegal, my calling to Tellicherry 76 individuals who had stated they had been stolen and exiled; order me peremptorily to immediately send them back to Mr. Brown, and for what? "in order to lessen as much as possible the injury to which Mr. Brown's interests have been exposed, by their long and continued detention. They further express their deliberate opinion, that they did not see that a prosecution could be supported against the persons charged in the declarations of those 76 persons (free-born and

P. 4.

R. 1.

R. 2.

R. 3.

R. 4.

R. 5.

Par. 80.

Par. 48.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

bondsmen), unless a charge shall have been previously preferred by the owners of the bondsmen, parents and relations of the freeborn children."

85.—Why the declarations, and above all, concurrent testimonies of so many individuals, are to go to naught on the present occasion, I cannot comprehend. Evidence of slaves never has been rejected in a British court of justice; and there are instances of persons who have been tried and convicted of murder before the judges of the provincial court upon the complaint and testimony of Pooliars; and others again where slaves, and even one of Mr. Brown's, had been tried and sentenced to banishment for life. If these people are not, then, disqualified from giving evidence, if they are amenable in their own persons to the laws, it would be inconsistent in reason or justice to deny them the full benefit of, and protection afforded by those laws. The servitude they are doomed to by the usages of their country, is sufficiently deplorable and humiliating without our adding to their degradation.

Par. 15.

86.—The government of Madras, "in any of their orders, have never made any such distinction; and even the very letter upon which Mr. Brown founds a claim to immunity, makes against him. The part I allude to is as follows:—"The collector should be ordered to refer the slaves to the magistrate, if they have any complaints against the persons who call themselves their masters."

Secretary's Letter,
15th May 1810.

87.—But there is a very recent order still more applicable, because it refers immediately to Mr. Brown; it was issued on the occasion of the severe punishments he inflicted on some of his slaves. "It is the desire of the Honourable the Governor in council that the misconduct of Mr. Brown, in this instance, be prosecuted to such legal issue as may be proper."

88.—The learned translator of the Hedaya, in his preliminary discourse under the head of manumission, says, "The law in many instances affords them (slaves) protection against injustice, and declares them to be claimants of right. In some particulars moreover provides an alleviation to this otherwise most hopeless and degraded state of man, unknown to the more polished inhabitants of Europe, as may be perceived in perusing the laws with respect to Am Walits Mekâhbs Modalbris and Mazooms."

Original.

90.—I trust I may be permitted to make a few observations on the authority exercised by the judges of the provincial court over me, as far as this inquiry extends to Mr. Brown. I cannot find in any of the regulations that the judges of the provincial court possess jurisdiction in criminal matters relating to British subjects; it is, therefore, extremely doubtful whether they are vested with the power they have exercised on the present occasion, in taking cognizance of the facts set forth in a petition from Mr. Brown against me, while discharging my duty as one of His Majesty's justices of the peace, (laying aside the scandalous purport of it, which alone was a sufficient ground for its rejection,) and issuing the orders they have to me. To my humble judgment, the more direct course would have been to have told Mr. Brown, if he felt himself aggrieved, to seek redress by petition to the government, or to the supreme court of judicature; both of which there is no doubt of his disposition to have done, if he really doubted "the legality of my conduct" towards him, or considered my requisitions in the light of undue exertions of authority.

Par. 23.

91.—But, admitting that the judges of the provincial court were authorized to receive and take cognizance of the facts set forth in Mr. Brown's petition, and to controul my acts, I affirm they are as strictly bound by the spirit, intent, and meaning of the legislature as the justice of the peace is; and whatever doubts were, in their opinion, to be entertained as to the fact of the children and adults found on Mr. Brown's plantation having been kidnapped, there was no mistaking the laws which have been enacted abolishing the slave trade, which do not admit of an exemption in favour of Mr. Brown, or any other natural born British subject; their operation, therefore, must be considered as extending to countries where domestic slavery is recognized by the local usages and the Musselman law. By the Act of Parliament, the prohibition extends "to all subjects of Great Britain residing here, or in our foreign countries; to all the natural born subjects of His Majesty, wherever they may reside, or residing in any part of His Majesty's dominions, whatever may have been their native country, either directly or indirectly carrying or assisting in carrying on a traffic in slaves;" and every method by which British subjects may be conceived to aid the slave trade is anxiously enumerated, all are declared unlawful; and all slaves imported subsequent to 1st January 1808 are entitled to their freedom; while the convicted slave trader is subjected to transportation for fourteen years, or to imprisonment and hard labour for five years.

92.—Mr. Brown

92.—Mr. Brown admits, that he has purchased several Pooliar children, and imported some even very lately from Cochin. Confining myself, therefore, to this fact, Mr. Brown has done what by law he was not warranted to do; and in this view of the subject, laying aside the consideration of enslaved free-born children and bondsmen having been found in his possession, who had been stolen, I conceive I should have been fully justified in all that I have done, and perhaps much more. If, however, contrary to my own opinion, I am in error, it is an error in favour of humanity; but I will not for a moment anticipate the possibility that any thing like a vindication of my conduct will be required; on the contrary, I am willing to believe the Honourable the Governor in council will view the transactions I have here brought to light, as involving the reputation of the British government for justice, humanity, and sound policy, and as such requiring the interposition of their authority, in such way as shall prevent unprincipled individuals from embarking in this traffic in future.

93.—And in regard to Mr. Murdock Brown, his accomplices Wallapagate Assen Ally, Bawa country, Perny and the three moplas of Máhe, I beg to submit to the consideration of government, the expediency of referring to their law officer the proceedings held before me, as far as they relate to Mr. Brown, that I may have the benefit of his legal opinion as to the steps proper, to be taken against that person; and in regard to the natives, I trust the government will issue special orders under the provisions of regulation XI. A. D. 1809, without which the provincial court of circuit will not proceed to their trial.

94.—I have now to report, that the two Poolies, Wallachee and Wattachee, have been restored to the Cherical Raja, their lawful owner; that the six free-born children and two Pooliar children, found on Mr. Brown's plantation, and the nine free-born children found at Mahe, have been sent down to Travancore, that the resident may cause them to be restored to their parents or relations in the same way as the 11 already recovered by the Travancore officers were by the authorities at Marvilakana. I would also have sent back the 12 Pooliards who had been brought from Cochin to the resident of Travancore, to be restored to their proprietors, subjects of the Rajah of Cochin, but for the injunctions contained in the provincial court's precepts, dated 13th and 15th January; they are in consequence still with Mr. Brown, as well as the Pooliards and Wettoowars, natives of south Malabar, who declare they were stolen. The government, will, no doubt, issue immediate orders for their restoration to their proprietors, as well as the enfranchisement of free-born children, natives of Travancore, who there is too much reason to believe have been recently imported into, and reduced to state of bondage, in various parts of Malabar.

95.—Before I conclude, I may be permitted to call the attention of the Honourable the Governor in council, to the great contrast shewn by the provincial court, in the extreme delicacy observed to Mr. Brown, and their unqualified disapprobation of, and opposition to, whatever I engage in; a disposition so far systemized, that it forms the characteristic feature of all their proceedings wherein I am concerned, either as judge or party. Of this the government have a striking instance in their decree, in the prosecution instituted against the pundit of this zillah, for gross treachery, bribery and corruption; in fact it would seem, when I look back to the eventful period of the last four years, as if all the channels of justice were stopped in the case of delinquents; while all their severity and rigour were reserved for those who have the boldness to expose their crimes.

96.—Annexed I send, in an appendix, copies of all the documents referred to in this report; and have the honour to be,

Sir, your most obedient servant,
(signed) *Thomas Harvey Baber*, Judge and Magistrate.

Zalla, N. Malabar, 29th February 1812.

(A.)—Examination of first witness, Koroomba, daughter of Mooudden, Hindoo, of Teen caste, inhabitant of Poodecherry Cotta to the southward, aged 11 years; taken before the magistrate in the Zillah North Malabar, 6th Danoo 987, or 19 December 1811.

Question.—What is your name and caste?

Answer.—My former name was Koroomba, and now I am called Amina*; * Not liable to slavery.
I am of the Tien caste.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

• Travancore.

† Appellation given
to Mopias.

Which is your country, and who brought you to this place?

My country is Poddicherry * Cotta Kagata, to the southward. My house name is Parrayer Yellaill. I was sent by Assan Ally Mopella from Allope to this place.

Did you come to Allepii with the consent of your parents?

When I was asleep in the kottool (verandah) a choan came, without my family or mother's knowledge, snatched me up, and thrust a cloth into my mouth so that I could not cry out; carried and delivered me to a Kaka †, who bored my ears and put in alakata, and sent me to Mahe.

How was you brought to Mahi?

I was brought in a manchoo that was bringing pepper, with two other children.

What are the names and castes of the two other children that were brought with you?

Their names are, Cockeddy Kally and Coche Munddon; they are of the Tien caste.

In what house were you kept at Mahi?

In tahlil, with a umah; I don't know her name.

Where do you wish now to live?

I wish to return to my country, to live with my mother.

(signed.)

Examination of second witness, Kochedy Kally, daughter of Changrou, Hindoo of Chovan caste, inhabitant of Allepii, aged 12 years; taken before the magistrate in the Zillah North Malabar, 6 Danoo 987, or 19th December 1811.

Question.—What is your name?

Answer.—My former name is Kochidy Kally, and now I am called Allynea.

What is your caste?

My caste of Chowammar, not liable to slavery.

From what place did you come to Mahi?

I was sent from Allepi by Assen Ally Kaka to Mahi.

How were you brought to Mahi?

I was brought by sea on board a manchoo that was bringing pepper to Mahi.

Were you given by your relations that you were brought to this place?

My relations neither gave me nor did they know of it; at night, when I was asleep in the varandah, a choan came, stopt my mouth, carried and delivered me to a mopella, who afterwards delivered me to Assen Ally.

Who was the person that put on you this koopay mopella dress?

It was Cockymanny, the mopella to whom I was first brought, that put on koopay; the alykata, &c. were made and given to me by Assen Ally Kaka.

Where do you now wish to live?

I wish to return to my country and live with my parents.

Where was you kept after you was brought to Mahi?

I was kept in the house of Assen Ally's uma.

Were there any other children brought with you when you were brought to this place?

There were a girl and a boy brought in the same manchoo with me.

What are the names and caste of these children?

The girl is called Korrumba, and she is of my caste, and now she is called Amina; the boy is of Corowar caste; his name is Cochy Moonddan, and he is called Ally.

Where were they kept at Mahi?

They were not kept in the same house where I was kept; they were kept in other houses.

(signed.)

Vide examination
of Koroomba.

Examination of third witness, Edda Nuce, of Ambelly Poolla, aged 18 years, Hindoo Shuder, inhabitant of Alleppi, taken before the magistrate, in the Zillah North Malabar. 6 Danoo 987, or 19th December 1811.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Question.—What is your name and caste?

Answer. My name is Eddittes, and by caste I am a Shuder*.

Which is your country, and who brought you to this place?

My country is Allepii; and when I was asleep in the viranda of my house at night, I was stolen and embarked on board a manchoo, landed at Panang, and delivered to Assan Aly, with whom I lived upwards of a year. He got my ears bored, and put in alckata and a kupaya (mopella dress); and then I was embarked from Penang on board a manchoo and sent to Mahé, to Assen Aly's house, where I was kept for three or four days, and afterwards I was brought to this place.

* The appellation
by which the Naise
of Malabar are dis-
tinguished from all
castes inferior to
them.

Who was the person that stole you at night-time from your country, and gave you to Assen Ally?

I think it was Assen Ally's man who stole and gave me to Assen Ally.

Were you carried away with the consent of your parents?

No, my parents gave no consent.

Were there any other children brought with you?

No.

Where do you wish to live now?

I wish to be sent to my country, and live with my sister.

(signed)

Examination of fourth witness, Ayapen Rendoo Chowan, son of Cannen, about eleven years of age, inhabitant of Karomapally southward, taken before the magistrate, in the Zillah North Malabar, on the 6th Danoo, or 19th December 1811.

Question.—What is your name?

Answer.—Before my name was Ayapen, but now I am called Kambaroo.

What is your caste?

Chowan.

From what country was it that you came to Mahé?

I was brought to Mahé from Allepii; Assen Ally Kaka sent me.

How were you brought to Mahé?

I was brought on board a manchoo, that was bringing pepper, and landed at Mahé.

Were you given by your parents to be brought to this place?

No, my father and mother did not know of my coming to this place; one day, at night, when I was asleep in the viranda of my house, a mopilla came, thrust a cloth in my mouth, carried me to his house, and kept me there for two or three days, and from thence he took me to Allippi, and gave me to Assen Ally; there I lived two days, after which I was sent to Mahé.

Who deprived you of your koodoma? †

The mopilla that seized me.

Where do you wish to live?

I wish to live with my mother.

After you were brought to Mahé, where were you kept?

In Coonhypaly Moselliar's house.

Were there any other children brought with you?

No, there were none.

(signed)

† Lock of hair on
the top or front part
of the head, the dis-
tinguishing mark of
the Malabar Hin-
doos.

Examination of fifth witness, Coon Yangara, of Tekkakamapally, nephew of Tien Kartan Ayapen, aged about twelve years, taken on the 14th Danoo 987, or 27th December 1811, before the magistrate of Zillah North Malabar.

Question.—What is your caste and name?

Answer.—My caste is Tein; my former name was Coon Yangaran, and I am now called Amod.

Fort St. George
Papers:

State of Slavery
in Company's
Territories.

• Travancore.

What is your country, and in what manner were you brought from thence to Mahé?

My country is Tekkakaranapally; * my house name is Kartilly; about four or five months ago, while a nair was tending Kaya Kandin's cattle, near my house, my brother was also with him, tending that of a nair and teen; I went thither for the purpose of seeing my brother; when on the road, a mopla seized me and carried me off, shut me up in a room, and took me the same night to Kayangollata, deprived me of my roddina, and sold me to a mopla at Allepii, and he gave me to Assen Ally, who kept me a short time, and afterwards put me on board a manchoo, and sent me to another mopla, with whom I staid a few days; after which I was again embarked in a manchoo, and sent to Toltan Baba, at Mahé.

How many months is it since you have been brought to Mahé?

Above one month.

Were any other children brought with you?

One Kellen was brought with me to Mahé; my brother, a child, was embarked on board a ship at Allepii; after my arrival at Mahé, Nadan † (my mother's eldest sister's son) and three other children were brought thither, and they were thence carried to Anjarakandy.

By whom was your brother sent on board a ship?

The very mopla who seized me seized him, and sold him to a mopla at Allapy, and he embarked him in the ship.

Who sent Nadan (your mother's eldest sister's son) and the other three children, to Ayarakandy?

After my arrival at Mahé, Assen Ally sent them to Ayarakandy.

Did either Assen Ally or Tolle Baba ask you of what caste you were?

Assen Ally Kaka asked me of what caste I was; I said that I was of Teen caste; no other person ever asked me the question.

(signed)

Examination of sixth witness, Chowa Cocka Mondru, late of Tekkaporokaloo, nephew of Chown Christnan, aged nine years, taken on the 6th Danvo 987, or 19th December 1811, before the magistrate of Zillah North Malabar.

Question.—What is your name?

Answer.—My name is Cocka Mondden; I am now called Aly.

What is your caste?

My caste is Chown.

From what place did you come to Mahé?

Assen Ally Kaka sent me from Allépii to Mahé.

In what manner were you brought?

I was embarked on board a manchoo that was bringing pepper, and landed at Mahé.

Were you given by your relations to be brought to Mahé?

My relations neither gave me, nor did they know of my having been thither; one night, while I was asleep in the viranda of my house, a Chowa (whose name I do not know) came, seized me, took me to Allepii, and sold me to one Pathooma, who sold me to Assen Ally.

Who deprived you of your koodima?

Pathooma, who first brought me from the cowa.

Where do you wish to live now?

I wish to live in my country, if I can be protected from being again stolen.

At what place were you kept after you came to Mahé?

I was kept in Assen Ally's mother's house.

Were any other children brought with you?

These two young girls were brought with me, pointing to Cockady Rally and Koroomba.

† The boy gave the same information in his examination before the darogah of Mahé, and it was in consequence of that information a search was made at Anjarakandy.

Of

Of what caste are those young girls, and what are their names?
 They are both of Chowa caste; the former name of one is Coroomba, and she is now called Amina, and that of the other is Cockeddy Rally*, and she is now called Allima.

Fort St. George
 Papers:
 State of Slavery
 in Company's
 Territories.

At what place were they kept at Mahé?
 Coroomba was kept in the same house I lived in, and the other one was carried to a house in the northern side; and I do not know that house.
 (signed)

* Vide Examinations of Coroomba and Cocheddy Rally.

Examination of seventh witness, Tarrapedekel Changaram, of Tekkakalaloo, son of Corawen Candru, aged about twelve years, taken on the 6th Danoo 987, or 19th December 1811, before the magistrate of North Malabar.

Question.—What is your caste and name?

Answer.—My caste is Corawan; name, Changaran, and am now called Sallimy.

From what place were you brought to Mahé?

I was carried from Quilon to Allapy, from whence Assen Ally sent me to Mahé in a boat.

Were you given by the people whom you belong to, to be brought to that place?

The people to whom I belong did not know of my having been brought thither; while I was tending cattle Teen Moplas came, seized me, thrust a cloth in my mouth, and took me to a jungle, and at night-time they put me on board a manchoo; caused me to be carried to Allapy, and gave me to Assen Ally Mopla.

How many months is it since you have been seized?

I was detained one month in Allepy, one in month Pamanywith Tolla Baka; it is two months since I have been brought to Mahé.

In what manner were you brought to all those places?

I was taken both to Pamany, and from thence to Mahé, in a manchoo.

In whose house were you placed at Mahé?

At Assen Aly Kaka's.

Were any other children brought at the same time with you?

I was alone sent to Pamany; and after my arrival, two children were brought there, one of which was sent along with me to Mahé, and the one (a young boy) was kept there.

What are the names of those two children, and of what caste are they?

They told me they were both of Chowa caste; the former name of one was Kellen, and he is now called Yarajipp, and the former name of the other, who was at Mahé, is Coon Yangaran, and he is now called Amod.

Do you know in what manner these children were brought?

They told me that they had both been brought away without the knowledge of the people whom they belong to.

Where do you wish to live now?

I wish to go to my country, to my mother and sisters.

(signed)

Examination of eighth witness, Oorepara Kellen Pendoo Wadon, son of Kengadam, aged about ten years, made before the magistrate in the Zillah North Malabar, in the 6th Danoo 987, or 19th December 1811.

Question. What is your name and caste?

Answer.—My name is Kellen; caste, Wadan.

Where is your country, and who brought you here?

My country is Wayacattanaad; my elder brother, Chenan, sold me to a mopla at Allapii; but I do not know for how many fanams; the mopla put me in a manchoo, and brought me to Allapy, and sold me to Assen Ally; I staid there two or three days, and then was put in a manchoo; I landed at Mahé, and made to stay with Assen Cotty, brother to Assen Ally; and thence I was brought here.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Did not any other of your family know that your brother had sold you, as you have stated?

Nobody else of my house knew of my brother having sold me.

Where do you wish to stay now?

I wish to go to the place where my sister is; I pray I may be sent there.

(signed)

Examination of ninth witness, Coona Anda Hind, nephew of Canda Coran, aged twelve years, native of Cayamcollom, made before the magistrate, on the 6th Danoo 987, or 19th December 1811.

Question.—What is your name and caste?

Answer.—My name is Coony Anda, and cast Tier.

Where is your country, and who brought you here?

About twenty days ago, while sleeping outside in the viranda of my house in my country at Cayam Colton, three or four moplas came, thrust cloths into my mouth to prevent my crying out, stole and took me in a manchoo to Allapy, and sold me to Assen Ally, who sent me to Ponany; from thence I was put in a manchoo by Tollan Babe, and sent to Mahé, and made to stay with Assen Ally's wife, whence I was brought to this place.

Was it with the consent of your relations you were brought away?

They did not give their permission.

At what place was your koddima shaved off, and who did it?

At Allapy, by Assen Ally mopla.

Were any other children brought with you to this place?

No.

Where do you wish to stay now?

I wish to be sent to my country.

(signed)

Examination of prisoner Wallapagata Assen Cooty, brother to Assen Ally, inhabitant of Truvenaad Talook, Mahi Hobely and Tara, Mr. Dinem's servant, aged twenty-six years, made before the magistrate, 5th Danoo 987, or 18th December 1811.

What is your name?

Wallapagata Assen Cooty.

How many children were found in your house when the Delayet Coony Amboo was sent from this court to make a search in it?

These three children whom I now point out were found in my house.

Where did you get these three children?

The eldest one, now called Salamaty, was brought by my elder brother Assene Ally, when he came from the southward, about a year and a half ago; the little boy, now called Cambarn, was brought about four months, by Carriaden Baba, a boatman, who said Assene Ally had sent him to me; the girl now called Allyama, was sent about twenty days ago from the southward, by Assen Ally; a moonchoo man brought her here.

What is the caste of these three children?

I have not inquired about it.

You said your elder brother, Assen Ally, brought the girl Salamaty from southward; from what district was she brought?

She was brought when he, Assen Ally, came from Aléppi, in Travancore.

What business has your brother to the southward?

He went there as Mr. Brown's agent.

You said Assen Ally sent the boy named Cambi, and the girl named Alima, from the southward; from what particular district were they sent?

From Aleppi.

Do you know how your brother got these children?

I heard they were bought of their owners.

Mem.—The

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Mem.—The prisoner here states, that besides these three children, a girl and boy were found in Assen Ally's house, where he (deponent) resides, which two were brought away by the delayet, and are also now present (showing them.)

What are the names of these two children?
The girl is named Amina, and the boy Aly.

What was their caste?
I never made an inquiry.

Mem.—Prisoner here says, another of the boys, now present, was sent up by Assen Ally, and brought by Tolan Baba, who has been kept in the house where he is married.

What is the name of that boy?
Yarajah.

Mem.—Prisoner here says, another of these boys was sent up by Assen Ally, and brought by Kanadan Baba from Panany, and kept in the house where Assen Ally is married; he is also present here.

What is the name of that boy?
Salamy.

What was his former caste?
I never asked.

From whence were the children named Amina, Aly, Yarajah, and Salamy?
The person who brought them up said they had been sent by Assen Ally from Alleppi.

How were the seven children, mentioned by you, brought to this place?
Some of them were brought in moonchoos to Mahé, and others by land.

Specify those children who were brought by moonchoos, also those children who came by land, and the people who brought them?

Cambara, Arajapan, and Salamy, were sent by Assen Ally, and brought by manchob people, by order of Kairaden Baba; Salamaty was brought by land by Assen Ally himself; the other three also were brought to Mahé by moonchoos, but I do not know the names of the moonchoo people who brought them.

From whence did the moonchoo come?

It was a moonchoo that came from Panany, laden with merchandize.

The children say, the one you call Salamy, is a Nair girl; her former name was Idaty; and the others are Tier children, kidnapped and brought away without the knowledge of their parents and relations; did they tell you this?

I did not ask them; they did not tell me of it, nor did I know it.

Who was it that put these kopais on the girls, and caused their ears to be bored and put alikit in them?

I did nothing of the kind, they were so when they were brought.

Besides the seven children you have mentioned, how many were sent up by your brother since he went to Aleppi?

I have heard one was sent to Tolan Baba, and one to Country Pacroo Mossaliar.

Mem.—Prisoner here says, I heard my brother was taken to Marvilakara, and there inquired into, and the circumstances represented in writing to Colonel Munro, which had since been settled, because several people had been doing the same; but orders had been passed, that no one was to do so in future.

Have you any documents to prove the purchase of the children found in your possession?

They were brought to my house because Assen Ally sent them; I have no documents or writings.

(signed)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Examination of Prisoner Mayel Moideen Cooty, Musselman' Mopla, nephew of Calendar, aged 54, shopkeeper, inhabitant of Jevenaud Talook Mahi Hovely, and Tara, made before the Magistrate, 5 Danoo 987, 18th December 1811.

Question.—What is your name; where do you reside?

Answer.—Manayel Moideen Cooty; I reside at Mahi.

How many children were found in your house when the Delayet Coony Amboo was sent from the court to Mahi to search in it?
A boy only has been found in my house.

Where did you get that boy; what is his name and caste?
Wallapagata; Assen Ally sent him up; I do not know his caste and name; I do not live in that house.

From whence and why did Assen Ally send him?
Assen Ally is married to my niece, to whom he sent the boy from Alleppi.

How was the boy conveyed to Mahé?
I do not know whether by land or by water; it is three or four months since I went to that house.

How many months is it since the boy was brought; did you see him after his arrival?
About two months I saw him since his arrival, but said nothing to him.

Point out the boy who has been brought from your house?

Mem.—The prisoner points out a boy whose former name was Changaren, and present one Salaney.

(signed)

Examination of Prisoner Kaidallah Moideen Cooty, 7th Danoo 987, 20th December 1810, Inhabitant of Iveneenaad Talook Mahi Hobely and Tara, made before the Magistrate, aged about 25 years, by trade a merchant.

Question.—What is your name, and where do you reside?

Answer.—My name is Kardalla Moideen Cooty; I reside at Mahé.

How many children were found in your house when the delayet of this court, named Coony Amboo, was sent to make a search in it?
I was not there at that time; when I returned, the people of my house told me, that a person had come and taken away a child.

Where did you get that child; what is its caste and name?
I do not live in that house, and I do not know its caste or name.

How long is it since that child lived in your house?
I do not know.

How did the child come into your house?
I do not know.

How many months is it since the child was in your house?
I do not know.

Will you be able to recognize the child which has been brought from your house?

A child was pointed out to me in the Daraga Chovey as taken from my house, which I should know again were I to see it.

(signed)

(B. 11)—To the Resident of Travancore.

Sir:—There being too much reason to suspect that a considerable traffic is going on between Travancore and this province, in slaves, and that Walapetagata Assen Ally, now resident at Allapi, is the principal agent therein, I hasten to apprise you of the same, that you may take such measures as appear to you proper to secure that person, and will forward, in the course of to-morrow, some particulars which will not only confirm the fact, but that many of the unfortunate objects are children of Nairs,

Nairs, Teans, and other castes, which never have at any period of the natural government of the country been considered in the light of slaves. I shall be obliged by you communicating at an early period, whether you have any reason to suppose this traffic is common, and if so, through what channels, and the names of the individuals concerned directly or indirectly in this Zillah.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

I have the honour to be, &c. &c. &c.
Zillah N. Malabar, 18th Dec. 1811. (signed) T. H. Baber, Magistrate.

(B. 2.)—To the Resident of Travancore,

Sir:—I have the honour to forward a list of children who have been discovered at Mahi, chiefly at the house of Wallapillagata Assen Ally, the person referred to in my letter of the 18th, with a summary of account they have given of their parents, their place of nativity, and mode in which they were stolen and sent up here, with the names of the agents concerned in this inhuman traffic. One of the children having stated, that his brother and three others were at Anjarakandy, I lost no time in taking measures to rescue them also, and have received information from my servants, that they had discovered them and several other children who had been taken and banished from their relations and country under similar circumstances; a list of whom shall also be sent as soon as these unfortunates have been brought before me.

I shall not determine in regard to the disposal of these children, until I am favoured with your sentiments; they dread the idea of being delivered up to the moplas, and it appears proper in every consideration, that they should be emancipated, and restored to their friends; for, with the exception of Idiety, the niece of Ambilla Pilla, none of them I imagine will be considered as having forfeited their caste; and in regard to the girl Idiety, adverting to her age, and the circumstances under which she was associated with moplas, I should not think her case so desperate as to preclude her also being admitted to the privileges of her caste.

I have, &c.
(signed) T. H. Baber, Magistrate.

Zillah N. Malabar, 22d December 1811.

(B. 3.)—To the Resident in Travancore.

Sir:—I had the honour to address you, under date the 18th and 22d ultimo, on the subject of a recent extensive importation of children from Travancore, and forwarded a list of as many as I had then traced; since then, six more free-born children, and sixteen of the Pooliar caste, have been discovered at Anjarakandy, who say they were, within the last six months, stolen from their relations or owners, and sent up to Mr. Brown. A list of them also, with the names of their relations or owners, is herewith transmitted. There were a considerable number more of Pooliar and Bettoowars, who stated they had been kidnapped some years ago, but none from Travancore.

I have already apprized you, that Wellapakata Assen Ally sent the free-born children from Aleppo; that person's brother, and the other, Mahi Moplas, on whose possession they were found, had been committed for trial before the court of quarterly sessions; since which, Wellapakata Assen Ally himself has appeared before me, I conclude in consequence of the measures set on foot by you to apprehend him, and made a full confession, that he sent from Aleppé the children I before sent you a list of, six of those, viz. the free-born children found at Anjarakandy; that there were eleven more, but that they were stopped in Travancore while on their way to the northward; and that he, in consequence, had been sentenced by one of the local tribunals to pay a fine of 7,000 kallyan parmam, and to restore the children; in proof of which he has produced the order passed on that occasion.

In his deposition he also has stated, that during his short residence at Alleppé, since Methoonam, about 400 children have been exported from Travancore under similar circumstances. A copy, however, of that document is sent with this letter, in order that you may possess the fullest information on the channels through which this odious traffic has been conducted.

The Pooliar found on Mr. Brown's plantation say, they were seized, and carried to some *willakar* at Cochin; they did not know their names; but I am inclined to suppose they must allude to the European foreigners, or perhaps Jews, at that

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

place; Mr. Brown having refused to give me any information whatever as to the manner in which he came by them, I am prevented from giving you any further clue at present; but the mention of Willaker will be sufficient for you to take immediate and effectual measures to put a stop to such nefarious practices in that quarter.

I have, &c.

(signed) *T. H. Baber*, Magistrate.

Zillah North Malabar, 9th Jan. 1812.

(B. 4.)—To the Resident of Travancore.

Sir:—I have the honour to send by the bearer, Camy Amboo, one of the dulayats of this court, fifteen free-born children and two of the Pooliar tribe, sent up from Travancore by Wallapatagata Assem Ally, in order that they may be restored to their parents or proprietors, in the same way as the eleven have been, (as appears by the tearp of the tribunal of Manulakara), whom Assem Ally had also dispatched for Malabar, but in which he was prevented through the vigilance of the Travancore officers.

2d.—I have already, in my letters dated 18th and 22d December, and 9th January, and their accompaniments, communicated all the material circumstances relative to the mode in which these unfortunates were originally obtained, and afterwards sent up here; since then, Wallapatagata Assem Ally, in proof of his assertion, that he had purchased them, has produced pramanums or deeds of sales; from the dates, however, of them, and other circumstances, I am inclined to suppose these documents have been made for the occasion, and that the persons mentioned therein will be found to be the servants or dependants of Assem Ally, as every one of the Travancore children allege they were stolen by Wallapatagata Assem Ally's people.

3.—As it is of importance to clear up this point, I have sent the originals to you, and will thank you to send for the persons mentioned therein, and having confronted them with the children now sent, cause them to point out the identical child sold or transferred by them to Assem Ally, and also give a writing, stating how and by what means they got possession of them.

4.—In consequence of some objections made by the provincial court of sessions here, to try the principals or accessaries in this nefarious traffic, on the ground that the court cannot take cognizance of crimes committed in places out of the limits of the British provinces, without the special orders of government, and also because of the law officer objecting to acknowledge, in the capacity of prosecutor, either the government vakeel, the free-born or bondsmen, so long as the parents or relations of the former, and proprietors of the latter, are existing. I have found it necessary to report the whole of the circumstances of the case to government for their final orders; and in consequence of these objections, Wallapatagata Assem Ally has been admitted to bail; since which, he has presented a petition, complaining of his people in Travancore having been seized and confined, copy of which I send; at the same time that I beg to be understood, without meaning in the remotest degree to interfere in the execution of the laws, which I am of opinion cannot be too rigidly enforced to all concerned in this inhuman traffic.

I have, &c.

(signed) *T. H. Baber*, Magistrate.

Zillah North Malabar, 29th Feb. 1812.

(C. 1.)—To the Collector of Malabar, Calicut.

Sir:—I hasten to report to you, that in a search made yesterday at Mahi, nine children, the eldest about twelve, a Nair girl, the rest of the Chowa or Tears caste; were discovered in the house of Wallapelagata Assen Cooty, who in his examination has stated, that they were sent from Aleppé by his brother, Assen Ally (the former custom house sheristadar); the account the children give makes it too obvious that they and many others have been kidnapped, and barbarously banished from their relations and country. In order therefore to put a stop, as effectually and speedily as possible to these nefarious practices, I have to request you will issue the most positive orders to the whole of the officers under your authority, not to allow, on any pretence whatever, of any person importing slaves, and to give instant information to the police officers, whenever they may detect any person being concerned in that inhuman traffic.

I have

I have further to request, that you will do me the favour of furnishing me with copies of any orders or proclamation on the records of your office, which may have been issued, prohibiting of this traffick, while this province was subordinate to the presidency of Bombay, or since its annexation to that of Fort St. George.

Zillah, N. Malabar,
18th Dec. 1811.

I have, &c.
(signed) *T. H. Baber*, Magistrate.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

To the Judge and Magistrate of the Zillah North Malabar, Tellicherry.

Sir:—I have to acknowledge the receipt of your letter, dated the 18th instant, and inclose, for your information, a copy of the orders of government on the subject of a reference made by me regarding slaves imported into Malabar, under circumstances similar to those described in your letter, by which order you will perceive it is not in my power to issue the instructions requested in your letter.

Calicut, 21st Dec. 1811.

I have, &c.
(signed) *Thomas Warden*, Collector.

To the President and Members of the Board of Trade, Fort St. George.

Gentlemen:—I beg leave to submit, for your information and instruction, the following statement:—

2.—On the night of 12th or 13th Kanny, Malabar month, five mopilas, by name Olichandel Omad Cooty and Amod, Parra Vandel, Buddun Cariadden, Cunhy Amod, and Baneyambalate Meidun Cooty, inhabitants of Tellicherry, attempted at Parperangaddy to embark some goods from a place where no goods are allowed to be either exported or imported, under the orders of the sheristadar of Tanore, under whose direction the customs of Parperangaddy also fall; the custom house halkars stopped and brought the smuggled merchandize to Tanore.

3.—On their arrival at Tanore, four persons who were with the moplas complained that they had been taken away against their consent, and that they were slaves to those moplas, who had bought them, and brought them from Quilon. A letter was written to that place, but no information could be procured respecting those people. The merchandize which was seized, was of course confiscated, as by their being clandestinely embarked at an illegal hour, they fall under the head of smuggled goods.

4.—The chief object of this reference regards the unfortunate people who have been brought away from the country against their will, and wish to return to it. The importation of slaves into the province of Malabar has not been prohibited by any specific regulation, but as, from the general spirit of the regulations of government this species of traffic seems to be prohibited, I have refrained from delivering them up, and have to request the orders of the Board of Trade as to their final disposal. The depositions of the markans and peons, of the four slaves of the moplas themselves, and copies of letters from the sheristadar Tanore, accompany this, in N^o 7.

I have, &c.
(signed) *T. Warden*, Collector and Magistrate, Custom Department.

Calicut, 30th Oct, 1810.

To the Collector of Sea Customs at Malabar.

Sir:—I am directed by the President and Members of the Board of Trade to acknowledge the receipt of your letter, dated 30th ultimo, with its inclosures, and to furnish you with the resolution of government respecting the slaves who were taken charge of by you, and to desire that you will explain to them, that any complaint they may have to make against their masters, should be laid before the magistrate.

I am, &c.
(signed) *J. G. Walkin*, Secretary.

(C. 5).—Extract of a Letter from the acting Chief Secretary to Government, to the Board of Trade, dated 13th November 1810.

1.—I am directed to acknowledge the receipt of your secretary's letter of the 9th instant, and to acquaint you, that the collector of Malabar has no authority to interfere between the slaves in question and their masters; the collector should be desired to refer them to the magistrate, if they have any complaints against the persons who call themselves their masters.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

2.—Although the exportation and importation of slaves as a traffic be prohibited, domestic slavery is recognized by the usage of the country, and the Mahomedan and Hindoo laws, and has never been abolished by the British government.

(A true extract.)

(signed) *J. G. Wathen*, Secretary.

(A true copy.)

(signed) *T. Warden*, Collector.

To the Collector of Malabar.

Sir:—I have the honour to send extract of a letter from Mr. Murdock Brown, of yesterday's date, and have to request you will send me, with as little delay as possible, copies of the orders of the Bombay government, giving Mr. Brown authority to purchase pooliars and betovas, and of your reference to the Board of Revenue, and their orders on the subject of slaves, imported into Malabar from Travancore, as referred to by Mr. Brown.

I have, &c.

(signed) *T. H. Baber*, Judge and Magistrate.

Zilla, N. Malabar, 22d December 1811.

To the Judge and Magistrate of the Zillah, North Malabar.

Sir:—I have the honour to acknowledge the receipt of your letter, dated the 22d instant, with an extract annexed, from a letter from Mr. Murdock Brown.

Enclosed is a copy of the authority alluded to by Mr. Brown, as having been given him by the Bombay government, to purchase pooliars and betovas, and the orders of the government of Fort St. George, through the Board of Trade, a copy of which were transmitted in my answer to your letter, dated 21st instant, must be those to which Mr. Brown refers in the latter part of the second paragraph.

I have, &c.

Calicut, 23d December 1811.

(signed) *T. Warden*, Collector.

To the Collector of Malabar.

Sir:—The writers of the court having mislaid the accompaniment to your letter of the 23d ult. viz. the permission to Mr. Brown to purchase slaves, I have to request you will do me the favour of sending me a copy of the whole of that dispatch, as well as of the reference to which it was an answer; I request also to be informed, whether you have met with any order or proclamation to the purport referred to in my letter of the 18th ult.

I have, &c.

(signed) *T. H. Baber*, Judge and Magistrate.

Zilla, N. Malabar, 9th January 1812.

(C. 4.)—To the Judge and Magistrate in the Zilla, North Malabar, Tillicherry.

Sir:—I forward herewith copies of the correspondence requested in your letter of the 9th inst. The letter from the Bombay government, dated 26th June 1798, and referred to in the letter from the commissioners to Mr. Brown, dated 10th August of that year, does not appear upon record.

The records of the first commissioners being with the Court of Appeals, I must refer you to them for the proclamation prohibiting the traffic in slaves.

I have, &c.

Calicut, 13th January 1812.

(signed) *T. Warden*, Collector.

To John Spencer, Esq. President, and Commissioners, &c.

Gentlemen:—It is with much concern that I feel myself under the necessity of reporting to you the extreme backwardness of Paya Beetil Chandoo, tehsildar of this district, in furnishing me with labourers for the plantation, notwithstanding the very particular injunctions which the honourable the governor, in my presence, gave him, to render me every assistance, in labourers or otherwise, that the district afforded. During the first month I was here, it was with great difficulty I procured a small number of labourers, and I was under the necessity of bringing people from Mahé to clear the ground requisite for the nurseries of coffee and pepper. The few labourers that Chandoo did send me came to work between nine and ten, and went away at four; so that they only worked in the heat of the sun, and of course did but

but little. Knowing that every change and innovation to people of that kind is at first irksome, though it be even for the better with respect to them, I have thus patiently permitted them to go and come at the hours above-mentioned, though I paid them for a full day's work, in the hope that a short time would accustom them to the labour of the plantation, and the regularity and goodness of the pay not only engage others to come, but enable me to fix their hours of labour as most advantageous to the plantation and to themselves; since labouring as they did in the sun, during all the heat of the day, must be hurtful even to the strongest natives. The next month the number of coolies from the district was increased by a few, but they still continued to go and come at the same time as before, under pretence of their houses being at such a distance that they could not do otherwise. I repeatedly represented to Chandoo, both verbally and in writing, how very inadequate the number of labourers he sent me was, to the work I had to perform, as to the number contained in Randaterra, that could be well spared from the agriculture of the district. Having now acquired some information as to the population of it, I found the number of tiers to be very considerable, there being forty-two parrahs in it; I requested he would order five, or even four, from each parrah, to come to the plantation. He always promised five, but his promises were never attended with any effect. The third month, finding the nullity of Chandoo's promises, and having by this time acquired some knowledge of the district where the labourers were to be found, &c. I sent peons, and called them myself, without depending any more on Chandoo, and during that month I often had nearly double the number I had ever had before; and I even prevailed upon many of them to remain for eight days at the plantation, without going home, and to work early and late with the labourers I have brought from other quarters, and who reside entirely here. I went on thus until the beginning of April, that the Malabar feast of Beshoo obliged me to give five days leave to every person employed. The feast expired; I sent for the labourers of Randaterra (all the others came back of their own accord), but the people I sent were abused and threatened by different people, and five of my peons were even beaten. They spoke of the plantation with much contempt; said they had no orders to come, nor would come; and since that time I have not been able to get a single labourer of the district. Having no authority myself in the district, I have not since sent any of my people to call them, for fear of some affray ensuing; but I informed Chandoo of it about eight days ago, and again earnestly desired he would do as I had before mentioned, and appoint four or five tiers from each tarrah to labour at the plantation. He promised as usual, and as usual has done nothing; I have not yet had a single man, neither do I see any prospect of getting any, unless he is positively ordered to furnish, as I have said, a certain number from each tarrah, or that I be empowered to send and take an account of the number of labouring people in the district, and to take at the rate of one in ten from amongst them. Chandoo has sometimes given, as a reason for his backwardness, that nobody can be spared from the cultivation of the lands which pay negady, without the revenue falling short; but this I find, upon inquiry, to be by no means the case, there being a great number of tiers who have no rice field to cultivate, and the labour bestowed upon onits does not amount to one month in the year of those who form them. The real reason is, that the nairs and moplas, in whose grounds the tiers in general live, oppose their coming here, and many of them, as I have heard, express great displeasure at the plantation, though I am convinced they could assign no reason; and it therefore can be only attributed to their ignorance and dislike to innovation, since, in fact, the whole district must be greatly enriched by the money expended on the plantation, and the inhabitants about here begin already to find the beneficial effects of it.

Hitherto I have been able to go on, though slowly, with the number of coolies I was able to procure, because, during the latter end of the dry season, the ground is so exceedingly hard, as not to admit of its being worked but at a very great expense; but now that the rains may be soon expected, it is absolutely necessary that I should be able to command a certain number of labourers here, so that I could no longer be silent on the subject without being very deficient in the duty I owe to my honourable employers. If they could be procured, I should be able to employ 2,000 coolies and 800 women, during the four ensuing months; but I see little prospect of getting near that number, though I have made every possible exertion, and sent people to every quarter where I thought there was a possibility of procuring any, from Cannanow and Tellicherry; I have not been able to procure one. There are a great many who would come, on condition of receiving five rupees

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

wages and two rupees batta, as they were paid at Cottiangarry; but this I of course could not agree to, it being much beyond what I am authorized to give, and in my opinion more than is reasonable in this country for a labouring man. From Mangalore I have procured a few good men, and have reason to hope for a considerable number more from the same quarter, having sent people there for the purpose of engaging them. I have also purchased, according to the custom of the country, about forty-five Pooliars, men, women and children, whom I find very useful. Of those, two men and two women lately absconded from hence. They were purchased from Haraiakar Moopa, the darogha of Chowghaut, and I have traced them beyond Beypoor, so that there is no doubt of their having returned to their old master; I therefore solicit your assistance, gentlemen, and request, that an order be sent to the assistant in charge there to direct the daroga to send them here, and I will pay any charge that he may thereby incur.

I should not have presumed to have troubled you, gentlemen, on so trifling a matter, were it not necessary to shew those people that they cannot escape from hence; because I expect to be able to get some hundreds of them, as I find them by far the fittest and best people for the plantation, who, being once settled on it, will remain there, and all their posterity be, according to the rules of their caste, bred up to the same occupation as their progenitors.

I have, &c.

Hon. Company's Plantation, (signed) *Murdock Brown*, Overseer.
Anjarakandy, 5th May 1798.

Murdock Brown, Esq. Overseer of the Honourable Company's
Plantation in Rhadatarrah.

Sir:—We have received your letter of the 5th instant, relative to the difficulty experienced in procuring an adequate number of labourers for the plantation, arising from the indifference of the teshuldar of Rhadatarrah, Baya Veetil Chandoo, to assist you with the number you require.

Desirous as we are of promoting the success of your endeavours to render the plantation hereafter of those solid advantages to our employers, they must naturally expect to derive, in compensation for the considerable expenses that must previously be incurred, still, as we are not correctly informed of the local habit and avocations of the inhabitants in Rhadatarrah, we have forwarded a copy of your representation to the northern superintendent, with instructions to provide you with labourers wherever they may be procurable within his division, which mode we trust will have the desired effect; whenever, therefore, the business of the plantation may be impeded for want of them, you will apply to that gentleman, who we doubt not will readily afford you every assistance in his power, and we shall not fail, if necessary, to use our endeavours to prevail upon this description of people, residing at this place and in its vicinity, to proceed to Rhadatarrah for the purpose in question.

The price demanded, of five rupees wages, and two rupees batta per man, by those who have offered their services, we suppose are Carnatic people; the rate demanded is certainly high, but should the Teers or other natives of the province, either from the novelty of the undertaking, or from being principally obliged to reside on the plantation, or perhaps from interfering with their accustomed avocations, be disinclined to work on the plantation at a more moderate rate, which probably it might be advisable to employ Carnatics, or other men not natives of the province, at seven rupees each per month, as the former in either case would abscond, which would operate very detrimentally to the regular progress of rendering the plantation productive; we shall therefore take the sentiments of government on this point, and communicate to you the result thereof, as also respecting your purchases of Pooliar men, women, and children; since, although we are well persuaded, under your superintendence, that none of the evils could arise which the first Malabar commissioners proclamation, prohibiting the trade of slaves, is well calculated to prevent, yet we are fully aware, that it may encourage the vicious part of the community to plunder from the weaker class of Ryots, and in such case a distressing loss will be felt by those who may remain ignorant where the cultivators of their estates may be taken to; and in these instances, where the proprietors may derive a knowledge of their residence, and identify their persons, they of course must be restored to them, thus again subjecting yourself to an irretrievable loss when the renter is not to be found to refund the purchase money. Considering, therefore, this mode of procuring labourers, especially in the present state of the country, as impolitic, consequently

we cannot authorize your making any further purchases of Pooliars till we are favoured with government's determination in this particular.

On the 8th inst. the assistant at Chawghant was directed to endeavour to recover and restore to you the two men and two women Pooliars, who have absconded, and we have now the pleasure to enclose you a copy of his reply.

We are, &c.

(signed) *John Spencer.* *James Hartley.*
Calicut, 16th May 1798. *Joshua Uthhoff.* *John Smee.*

To the Honourable Jonathan Duncan, President and Governor in Council,
Bombay.

Honourable Sir:—Enclosed, we have the honour to forward a copy of a letter lately received from the overseer of the Honourable Company's plantation in Rhandattarrab, with a transcript of our reply, on the subject of which, we have only to solicit the favour of your determination.

We have, &c.

(signed) *John Spencer.* *James Hartley.*
Calicut, 25th May, 1798. *Joshua Uthhoff.* *John Smee.*

To John Spencer, Esq. President and Commissioner.

Gentlemen:—I have to acknowledge the receipt of your commands, under date the 16th instant, on the subject of which I must beg leave to say a few words.

2.—No person has a greater repugnance to the traffic of human beings as slaves, than myself, neither am I ignorant of the orders that were issued by the joint commissioners of Malabar in 93, in prohibition of it, as far as regards the natives being sold to and exported by the Europeans, Arabs or others; but these orders were not, as far as I can judge, meant to interfere with the ancient established customs and rights of the natives amongst themselves.

3.—The Hindoo laws and religion have fixed the stations, occupations and rank of the different classes of mankind, beyond the power of man to alter, excepting by their total ejection from the community. By these laws, Pooliars, Porrears, Parmues, and in many instances, Betwas, are born slaves, the property of a superior, who is authorized by the laws of Malabar to dispose of his right in favour of another person, so that the sale of them is as common as that of a bond; nor are the sales confined to the Hindoos one amongst another, but are equally common between them and Mopillas; the Pooliar then born in a state of bondage, must remain so, as well as his posterity; for I never heard of any example of manumission, neither do I believe, that agreeable to the Hindoo system, it is in the power of those to whom they belong, in any way to alter their relative station in society.

4.—The caste I have mentioned, being therefore condemned without alternative, to cultivate the earth for the benefit of others, I concluded, that by acquiring them in the mode authorized by the customs of the country, and transferring their labour to the Company, from those who were willing to dispose of it, I was likely to better their situation, and to render a very essential service to my employers, by assembling on the plantation, labourers who will be for ever fixed there, and who by being taught and constantly employed, each in their separate branches, will do more labour and better than double the number of daily hired men, for even the simple labours of agriculture require to be practised before they can be executed with precision and celerity.

5.—These, gentlemen, are the reasons which induced me to endeavour to collect Pooliars, by paying those masters who are willing to dispose of their labour, but no change, excepting for the better, is thereby made in their condition. Instead of being paid as Pooliars, they now receive the same pay as other workmen, and many indulgences that other workmen have not; it is true they are not at liberty to go where they please, but they did not possess that liberty before they came here, nor would they now were they any where else.

I have deemed it necessary to say thus much on the subject, in explanation of my own conduct, and in consequence of a letter lately received from the darogha of Choughaut, informing me that he has procured five men and women, whom he is ready to send here by land, provided he has your permission, and two peons to accompany them.

7.—I have the pleasure of saying, that your injunctions to Paya Behil Chandoo have been so far attended with effect, that since the 23d I have had from 50 to 60

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Coolies of this district, and the person in charge under Chandoo says, he has the order of the superior to furnish 80; but this number is so very inadequate to what I now want, that unless I can procure at least 250 men from other quarters, I shall be able to do but little during these rains.

I have, &c.

Anjarakandy, 24th May 1798. (signed) *Murdock Brown*, Overseer.

To the Honourable Jonathan Duncan, President, and Governor in Council, Bombay.

Honourable Sir:—On the 25th instant we had the honour of addressing you in this department, requesting to be favoured with your determination as to the propriety of Mr. Murdock Brown's being permitted to continue his purchases of Pooliars for the use of the plantation in Rhandatarrah, since when we have received a further letter on the subject from Mr. Brown, a copy of which we have now the pleasure to enclose.

We are, &c.

(signed) *John Spencer.* *James Hartley.*
Joshua Uthhoff. *John Smee.*

Calicut, 29th May 1798.

To John Spencer, Esq. President, and Commissioners, &c.

Gentlemen:—I am directed by the Honourable the President in council to acknowledge the receipt of your letter of the 29th May, and have to inform you, that the Board have already expressed their sentiments on this subject, in concurrence with those communicated from the overseer, whom you will advise accordingly.

Bombay Castle, 6th July 1798. I have, &c.

(signed) *P. L. Messurier*, Sub-Secretary.

(C. 3).—To John Spencer, Esq. President, and Commissioners, in the Province of Malabar.

Gentlemen:—We have received your letter of the 22d of June, with its several inclosures, and have, on the grounds of Mr. Brown's alleged discovery of the real cinqnamon tree, made application to the Madras government, to be supplied with as many more skilful Bangalese as can be prevailed upon to leave Ceylon, and settle under that gentleman, on the same terms as at present enjoyed by their countrymen. It will therefore be very agreeable to us to find, that Mr. Brown's hopes, as to this discovery, shall, upon trial, prove to be fully realized, or otherwise that he will, at all events, hold in readiness a quantity of the Malabar cassia, to be transmitted to Europe on the first ship of this season, in order that the Court of Directors may determine on the advantage, if any, of admitting this article into their future commerce.

2.—You have already received our approbation of Mr. Brown's proposed purchase of Pooliars, in our letter to you of the 26th ultimo, on the grounds of its not being incompatible with the subsisting regulations for the province, which will serve as a sufficient answer to this part of your reference.

We are, &c.

(signed) *Jonathan Duncan.* *James Revett.*
J. Stuart. *William Page.*

Bombay Castle, 31st July 1798.

Murdock Brown, Esq. Overseer of the Honourable Company's Plantation.

Sir:—We have the pleasure to inclose for your information, the accompanying copies of two letters lately received from government; and although their commands of the 26th June, therein referred to, respecting your proposed purchases of Pooliars, have not as yet reached us, yet it is evident that the measure has met with their sanction and approbation; we can therefore have no hesitation in authorizing you to continue your endeavours to procure as many of these people as you may require for the use of the plantation.

We are, &c.

(signed) *John Spencer.* *Joshua Uthhoff.*
James Hartley. *John Smee.*

Calicut, 10th August 1798.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Instructions to the Commissioners deputed to Anjarakandy, and their Reports.

To Marvila Cannen, Darogla of Coliote.

Having received information that some children have been lately imported from the north and south, and disposed of by sale, and that some of them have been taken to Anjarakandy, you are therefore directed, on the receipt of this order, to proceed to Mr. Brown, at Anjarakandy, and having delivered the letter herewith sent to that gentleman, bring away all persons who have been taken to and employed at Anjarakandy to your cutcheries, and there put the questions to them contained in the accompanying paper; when which is done, you will send to the court all those that are not adiares (of the tribe of slaves), and even those adiares who may say they have been brought there against their will. I have ordered a menan (chattoo) and two delagets from the court to assist you in taking down the examinations, as above directed, and have dispatched orders to the commissioner Marian Chandoo to afford his assistance also.

5th Danoo 987, 18th December 1811.

P. S.—Coan Yangara, a boy, when examined here, having stated that his brother Natha is at Anjarakandy, he is therefore sent to that place, in order point out his said brother.

Date ut supra.

To Marvila Cannen, Darogha of Cotiote; ditto die.

A notification on the subject of adiares is herewith forwarded, which you are to publish to all the inhabitants of Anjarakandy, after which, should any of them, in defiance thereof, conceal any person, and should not deliver him or them up, on your shewing them the orders, you are hereby empowered to make a search in the regular mode, but on no account use violence or abusive language.

5th Danoo 987.

To the Commissioner of Randatarrah, &c.

Orders have been sent to Marvila Cannen, the darogha, to proceed to Anjarakandy, and send for and examine persons of various castes, who have been carried to Anjarakandy; you will therefore go with the darogha, and afford him your assistance in carrying into execution the court's order.

5th Danoo 987.

To all the Inhabitants of Anjarakandy, and the neighbouring Places.

Whereas it has transpired in proceedings held before me, that children of the Shobdree, Tean, and other castes, have been seized from different countries, reduced to slavery, and secreted; and whereas orders have been issued to the darogha to find out and ascertain what children are so circumstanced; this is, therefore to give notice to all persons who have children of that description, to send them to the darogha on his arrival at Anjarakandy, and that those who do not do so, but continue to hold in captivity and secrete them, the darogah is empowered to search all places where he has information of their being secreted, and bring them away and examine them.

To Thomas H. Baber, Esq. Judge and Magistrate in the Zillah,
North Malabar.

The report of Ramkantil Chahoo, Gomastah of the Zillah court:—

On my arrival at Cotaparamton, agreeably to your orders, I wrote you on the 5th inst. at 12 o'clock at night, and informed you of the absence of the darogha; and that I had at the same time forwarded a letter to him, and went myself to Pichy, where after I staid all yesterday, the darogha sent me a letter at night from Bellrot, saying, that hunting had began, and that he could not leave it for two days more, as a great number of people had assembled there, and the appointed day for the hunt was at hand, and to proceed therefore with his menon and others, and to enter upon the inquiry, and that he would without delay, agreeably to the orders, follow me, I accordingly proceeded this morning in obedience to the orders I had

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18 Dec 1811

132 11

Fort St George
Papers:
State of Slavery
in Company's
Territories

received, with the men and others to Anjarakandy; the reason of my delaying yesterday, was, because I had not received an answer to my letter, and as soon as I arrive at Anjarakandy, I will inform you of the same, and I wait for your further orders.

Dated, 7th Danoo 987. (signed)

N. B. The darogha had been ordered to the Belliote mountains, with a party of armed men, to assemble the inhabitants for the purpose of putting to death a royal tiger which had destroyed 23 men, women, and children; after four days hunting the tiger was shot.

To Chathoo Menon, Gomastah of the Zillah Court, North Malabar.

As the darogah of Cotcote is absent on duty, you will, in concert with the commissioner of Randaterrah, carry on the business conformably to my orders.

7 Danoo 987.

To Thomas H. Baber, Esq. Judge and Magistrate in the Zillah, North Malabar.

The report of Panikaritul Chattoo, gomastah of the Zillah court, dated 7th Danoo 987, at 12 o'clock, A. M.

I went to Anjarakandy, to Mr. Brown's house, and delivered him the letter, and when I informed him of the duty I had come upon, he sent for all his work-people, and set them in a row; on my examining them, I found three females and five males who had been imported from Aleppi, and six females and six males from Cochin, in a manchoo; I have kept these people separate. There are several others from different countries, who, it appears, had been here for some years. Mr. Brown has refused to permit me to take these people to the catcherry to be questioned, saying, he had not received an order, but that if I have orders to take them away by force, that I of course might do so; thus the matter stands. I do not think it will be of any use to question them here, therefore I pray that your orders may be sent without delay, how I am to act about this business.

(signed)

To Chattoo Menon, Gomastah of the Zillah Court, North Malabar.

• Read twenty.

Your writing has reached me, and have understood the contents thereof; you will send immediately to the magistrate's court, the fourteen* adramar you have discovered to have been brought from the southward. You will then take all the other adramar to the commissioners catcherry at Randatarrah, as being the nearest to Anjarakandy; and after you have examined them, should you find any person, who may have been enslaved, or any slave who may have been stolen or brought away forcibly, you will immediately send him or them to the magistrate's court, together with the papers of daily examinations. But all those that may be found not to have been forcibly brought away, and who are of the slave tribe, send back immediately to their work; and should there be any occasion to call them hereafter to the court, special orders will be sent to that effect. I herewith send 20 rupees, to defray the expenses for subsisting the adiams, whom you will accordingly subsist until the examinations are closed.

7 Danoo 987.

(signed)

To Thomas H. Baber, Esq. Magistrate in the Zillah, North Malabar.

Your dispatch reached this place at 10 o'clock this morning. I perused the letter to my address, and delivered the other, in English, to Mr. Brown, who after perusal, said as follows: "I will not send one of my workmen, nor give my consent, I protested against their being taken away; if, notwithstanding you do, I will without delay make you answer for it. It is thus, that on various occasions, Mr. Baber has tried through malice to injure me, but he has succeeded in nothing; he did his best endeavours to deprive me of my salary in the Custom department, in order to obtain it to himself, but he could not succeed; on the contrary, I have lately been paid the sum of 8,000 rupees, and thus will *this* terminate. He may do all in his power, but in nothing will he succeed; what he is doing, is not agreeably to the regulations; he writes they are his orders only. I have written on this subject to my friends at Tellicherry, in answer to which, Mr. Steven and others have answered, that there is nothing

nothing of this kind in the regulations; that what he, Mr. Baber, is doing, is not authorized by the regulations, and that he has received no special order to act in this manner. I have obtained full permission from government and Mr. Warden to purchase, agreeably to the established rules, as many workmen as I want; besides the above, he (Mr. Brown) said many other things, to which we observed, Maha Raja, Sir, Mr. Baber, has no doubt done what is proper; that we must at all events carry into immediate execution his orders, on which we assembled, and took to the commissioners cutcherry at Envars, agreeably to your orders, all the Tears, Whitvars and Pooliers whom we found there, and having counted them, found to the number of 251 persons, inclusive of children; we separated all those that had been purchased, or who had come to work with their free will, and sent them (to the number of 147 persons) in the charge of two mookistanmar and kolkars, to deliver them over to Mr. Brown; the examination of the others not being completed to-day, we provided them with expenses, and detained them here; many of them, we observe, were seized and brought from different countries, but as soon as their examinations are taken down, they will be sent without delay, with their examinations, to the court.

8th Danoo 987.

To Chatoo Menon Gomastah, Zilla Court, North Malabar.

Your writing has reached here, and I have understood its contents.

You must, in concert with the commissioner, duly execute the orders I have sent you, gently and without violence. Mr. Brown, in a letter I have received from him, says, that you, accompanied by armed men, have forcibly brought away children in the mid-day, kept them in the sun, and caused their grievance; do not allow any thing of the kind, and be careful, that if Mr. Brown says any thing to you, not to make any other answer than what is perfectly respectful.

9th Danoo 987, 10 o'clock A. M.

P. S.—You will be most careful not to send to this place any Adians but what may have been forcibly taken thither, and those that are not of the Adiana caste, and on no account delay a moment in dismissing all the rest.

To Thomas H. Baber, Esq. Judge and Magistrate in the Zillah, North Malabar.

The report of Pannikawittul Chatoo Gomastah, of the Zilla Court, dated 9th Danoo, 987, at 9 P. M.

Your order of to-day, dated 10 o'clock, reached me at six this evening, and in consequence of what Mr. Brown has written you, I deem it proper to state, that nothing of the kind took place; I neither took an armed man, nor even a kolkat with me to Mr. Brown's house, neither was a child seized, carried and exposed to the sun; nor was an improper question put, or any other conduct than the most gentle observed. The following is a faithful report of what actually transpired; first, at 10 o'clock on the 7th of this month, I went direct to Mr. Brown, at Anjarakandy, and left the kolkars at a considerable distance, when I, the commissioner, Menun, and two delayants, repaired to Mr. Brown's residence; where, waiting a short time outside, and not seeing the sahib, we heard he was where the cocoa was being ground; we went there and delivered him the letter; when he went to his house up-stairs, and said to me, do you follow me up, but order the others to remain below; I went up stairs accordingly, when Mr. Brown said, I will order all the adiamar (slaves) to be assembled, but you must examine them in my presence; I said, that was not in our orders. In consequence, I wrote to you, and deferred any further proceedings until the next morning, when your orders came, and we then took them (the slaves) to the Iruwary cutcherry; when the Poolies (female slaves) came, they brought with them the children who were at the breast. When we asked in the most respectful manner, for the work people to be sent with us, Mr. Brown answered, he would not send them; that it was impossible to offer him a greater insult than make such a request; it was in consequence of this answer, that we took away all the servants, which we did in the mildest manner; when brought to the cutcherry; they were all placed under cover, in the shade of the cutcherry and neighbouring ala, (banyan trees), and every one was questioned in the mildest manner, their answers recorded, and as we got through the examinations, we returned them, under charge of the mookistanmar and kolkar, to go to their work; and whatever working tools they brought with them, we carefully saw they carried back; the rest we detained, with

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

25 Dec 1811

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Fort St. George
Papers:
State of Slavery
in Company's
Territories:

due considerations to their comfort. There were a great number to be examined, and we laboured night and day to get through their examinations. The Pooliars too being poor ignorant and uncivilized creatures, it was attended with great difficulty to distinguish what they said. This day we have got through the examinations of 36, who having said they were sold, or came with their free-will, they were immediately sent back with the mookistanmar, but when they were carried to Mr. Brown, he got in a great rage, and told the kolkars he would not receive them; that he had not sent them, that they might leave them where they chose; that he had suffered loss in nelly, pepper, cocoa-nut plants, and various articles, on this account; that he will do all in his power to get remunerated. The mookistanmar and kolkars then took and left them at the places where they were found; finding upwards of twenty who had been seized and brought from Tellicherry, they, with the proceedings held, shall be sent to the court. The reason of the delay is, that the fullest particulars may be obtained. Two of the Pooliars who were brought, and sent back to Anjarakandy; stated in their examinations, that they had been flogged, one had received 25, the other 24 stripes, and that therefore they were aggrieved. I request, therefore, your orders; Mr. Brown has also secreted in his apartment, a Parry and Poolie, who were brought from the southward; I accordingly await your orders for my future conduct. Dated 9th Danoo, at night.

To Thomas H. Baber, Esq. Judge and Magistrate.
The writing of Pannickawittie Chatoo Menon, court gomastah, in pursuance of your orders, to send to Anjarakandy, and bring away to the commissioners cutcherry at Jerwary (being nearest to Anjarakandy) all persons of various castes, who had been brought from different countries, made slaves of, and employed by Mr. Brown; and to take down their examinations, and send those who it appeared had been seized, with their examinations, to the court, and to return the rest to Mr. Brown with all haste, in order that his work may not be stopped. We made accordingly a full inquiry, and as far as we have gone, we have found two Shooder (Nair) children, a Tean child, a Seaty girl, and a Mopla child, also fifteen Pooliars children, who it is clearly ascertained, were stolen and brought up here; all these nineteen, with their examinations, are now sent with this letter to the court; the rest shall be sent as fast as their examinations are gone through; we await your orders.

Dated Danoo, 10th.

The boy Yangara sent from the court is now also sent.

To Chatoo Menon, Gomastah, Zillah Court, N. Malabar.

I have understood the contents of the letter you wrote me; you have no order whatever to enquire into the circumstances therein reported, of Mr. Brown having inflicted punishments; if Mr. Brown has concealed any person who has been enslaved, you will ask that sahib in a becoming manner to send them; and should he not do so, you are not to make further search; you will, however, bring with you one of those who have told you that other persons are concealed. You have already been longer than there was any necessity for in completing the business; you will, therefore, on the receipt of this, bring it to a close, and proceed to this place. In my former orders, I directed you to send immediately to this court the children you had discovered, instead of which, you have delayed doing so.

Dated Danoo, 10th, 987.

P. S.—You will not let them have the least opening to suppose, if they in their examinations say they were stolen or forcibly brought away, or that they are not slaves, but of high caste, that they will be set at liberty.

To Thomas H. Baber, Esq. Magistrate in the Zillah, N. Malabar.

The Report of Ramkawittil Chatoo, Menon Gamastah, of the Zillah Court; Marcan Chandoo, Commissioner of Randatarra Adowacatil Ramin, Menon Gomastah, to the Darogha of Cotiati.

In pursuance of the orders of the court to proceed to Anjarakandy, in consequence of several persons of different castes having been seized and carried away from different countries as slaves to Mr. Brown, and being furnished with an English letter to that sahib, also the necessary orders and proclamation, we, agreeably

to our instructions, proceeded to Mr. Brown, at Anjarakandy, and arrived there, at ten o'clock of the 7th Danoo; and having placed the kolkars at a great distance, went to Mr. Brown's house, and waited outside; when, after some time, not seeing the sahib, we enquired where he was, and were informed he was at the place where cocoa was preparing. We then went there, and delivered the letter to the sahib, when he returned to his house, and we followed on. The sahib ascending the stairs, he said, "Let Chatoo Menon come up, but all the rest stay below." Chatoo Menon accordingly followed the sahib, who went to the western apartment, opened the letter, put on his spectacles, and read it; after which he said he would assemble the Adeans there, and that we should take down their examinations before him; on which he was told we had no orders to that effect. After this the work people were called, when we found twenty persons, including children, who had been lately brought away from the southward; these were separated, and Chatoo Menon made a report thereof to the court, and a list of the Adeans that were present. In answer to which orders were received from the court on the 8th instant, at ten in the morning, (accompanied by an English letter to the sahib,) to take the whole of Mr. Brown's workmen to the cutcherry at Ivery, it being the nearest to Anjarakandy, and there take their examinations duly and formally; but to return immediately to prevent interruption to the sahib's work, all those who should be found not to have been seized and forcibly brought away. Chatoo Menon, the moment he received the dispatch, took the English letter to Mr. Brown, who was up stairs, and told him he had received orders to take with us his workmen. Mr. Brown having read the letter, told Chatoo Menon, "He would not send any of his workmen, nor consent to it, and that we should not carry them away; that he protested against it; but if we should notwithstanding carry them away, he would in four days make us answer for it." That on several occasions, and upon various affairs, Mr. Baber has tried through malice to injure him, but had succeeded in nothing; that he had endeavoured to make him lose his pay in the custom department, and to obtain it to himself, but without success; that, with the assistance of his friends, he lately had been paid the sum of 8,000 rupees; that the present affair would terminate the same way, as there was nothing wherein he could be injured; that all this was not agreeably to the regulations; that he, Mr. Baber, had wrote him it was his order only, and that he had wrote on the subject to his friends at Tellicherry, viz. Mr. Stevens and others, who in answer had written to him there was nothing of this in the regulations; that he, Mr. Baber, did not act agreeably thereto, nor had he received any special orders to act in this manner. Besides which, Mr. Brown said he had obtained orders from the Madras government and Mr. Warden to purchase, agreeably to the established rules, as many workmen as he wanted, and made use of many other expressions; when Etatoo said, that all this was not fit conversation to those who were sent on duty; that we knew nothing of it, and could not delay carrying into immediate execution the orders sent us by you. We then assembled all the workmen we could find there, and set out at twelve o'clock, (the Poolies taking their children with them), and took them to the cutcherry at Ivery, kept them in the apartments below, and under the banian trees contiguous thereto; gave each of them a green cocoa-nut; counted and found the number of 260, including children; of these, 147 persons were of those who had been purchased, or gone to serve there with their own will. Before we sent them back, we asked them, before the mookistanmar, whether they had brought away any working tools, and if so, whether they were all right; they answered they brought a few, and they were in their possession, and would carry them back. We then sent them back in charge of two mookistanmar and kolkars to Mr. Brown, provided the others with necessary expenses, and kept them there that day; and having gone through their examinations, as many more persons of the above description as were found, viz. twenty-three in number, were sent back at one o'clock, likewise in charge of mookistanmar and kolkars; and again, at four o'clock in the same day, thirteen more were sent, making a total number of thirty-six, including children, after having questioned them before the mookistanmar about their working tools, as had been done with those returned the preceding day. When they were carried to Mr. Brown, he said he had not sent one person with his consent; that if we had carried any away, we might leave them there; that it was impossible to offer him a greater indignity; that on this account he had incurred a loss of a great number of rupees in nelly, pepper, cocoa-nut trees, and various articles; that he would do his best to get remunerated; that he would immediately write against Mr. Baber in all directions; and having thus exhausted his rage, the mookistanmars and kolkars

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

left him, took and left the slaves where they had found them, and came back and reported all the above. We then continued the investigation, and the result was, that seventy-seven persons of various descriptions had been stolen, or forcibly carried away from various countries, and deprived of their caste, all of whom we questioned in the presence of mookistanmar, took, drawn in writing their examinations, and while making their third report to the court, one Chakys (who had been brought from Odaloor to the south) infant at the breast, not two years old, who had been for a long time ill, and lost its sight in both eyes, died on the night of the 10th in the catchery of the disease with which it was afflicted. The reason of the infant being brought there was, that Chaky said that it would be a great grievance not to be allowed to go with the rest to make her complaint before the court, that she had been stolen, in consequence of which she was detained there. This is precisely what passed.

Dated Danoo 12th, 987, or 25th Dec. 1811.
Translated by T. H. Baber, Magistrate.

Examinations held before the Magistrate and his officers of the free-born children found on Mr. Brown's possession at Anjarakandy, who had been imported since Yedaram last, or June 1811.

N^o 1.—Examination of Nair, Kristnan, taken on the 8th Danoo 987, or 20th December 1811, about eight years old.

Question.—What is your country, what caste are you, and how old are you?
Answer.—My country is Paumba, I am of Shuder caste, and am about eight years old.

Who brought you to this place?
Kayen Kolkaren Matrah Mopilla, seized and sold me to Assen Ally Kakah, and he delivered me to the manchoo's people, and they embarked me in a manchoo and landed me at Mahé, from whence a mopilla carried and delivered me to the pandishala of Anjarakandy.

What caste are you now?
I am now a Poolian.

When was you placed amongst the Poolians?
I was put amongst the Poolians at Anjarakandy pandishala.

What are the names of your father, mother, and carnawar (uncle)?
My father is called Cuntry, my mother Jettima; I do not know the name of my uncle, (he is dead.)

Did the people of your house know of your having been carried away?
No, they did not.

Is there amongst these people any of your relations; how many months is it since you were brought to Anjarakandy?

No, there is none here; my relations are in my country; I think about four or five months ago.

Witnessed by Hootiatoor Number Manallil Preker.
(signed)

After the above examination was read in the presence of the magistrate, Kristnan deposed as follows:—

My former name was Kristnan, and now I am called Changra; two or three months ago, when my mother sent me to fetch some fire, a mopilla, named Chokora Matra, seized me on the road at mid-day, and kept me in his house, shut up in a room for three days; afterwards, at night, he carried me thence to Allappi and sold me to Assen Ally Kaka, who sent me to Mahé, from whence I was carried to Anjarakandy, and there I was put amongst the Poolians. I entreat that I may be sent to my country, and be again admitted to my caste.

(signed)

N^o 2.—Examination of Nair Ramin, about eight years old, taken on the 8th Danoo 987, or 20th December 1811.

Question.—What is your country, what caste are you, and how old are you?
Answer.—My country is Kaymkalan to the southward; I am of the Shuder caste, and eight years old; I think

Who

Fort St. George
Papers:
State of Slavery
in Company's
Territories:

Who brought you to this place? I do not know the names of the persons, but mopillas, seized and put me in a toney, and brought me to this place; I think it is about two months ago.

What are the names of your father, mother, and uncle (carnawan)? My father is called Kristian, my mother Eddichayy, and my uncle Kochy Coayyan.

Did the people of your house know of your being carried away? No, they did not.

Are any of the persons now present related to you? No, none; my relations are in my country.

What caste are you now; who put you amongst the Pooliars? I am now a Poolian; after that I was brought to Anjarakandy, Pandishala Cheria Achan (Mr. Brown's son) ordered me to eat Pooliars rice, and which I said I would not; but he told me that it would do me no harm to eat, therefore I did eat.

(signed)

After the above examination was read in the presence of the magistrate, Ranfen deposed as follows:—

I was with five children who were tending cattle, and while at play, two mopillas seized me and took me that very night to Aloppli, where they gave me to Assen Ally, who sent me in a moonchoo to Mahé; from thence I was sent to Anjarakandy, where they made me eat Pooliars food; before, if I should be defiled by Pooliars, I must wash myself; I am not willing to return to Anjarakandy, if I can be admitted again to my caste; I wish to go to my country. My house name is Tekkadati.

(signed)

N^o 3. Examination of Maplajée Pelamachee (female), about six years old, taken on the 8th Danoo 987, or 20th December 1811.

Question.—What is your country, what is your caste, and how old are you?

Answer.—I do not know the name of my country; I am of a Mopilla caste, and now I am Pooly; I think I am six years old.

What are the names of your father, mother, and carnawar (uncle)? My father is called Oopah, my mother Umah; I do not know my carnawar.

When did you come here, for what purpose, and with whom did you come here? That I do not know; I was stolen and brought in a toney.

Have you any relations? I have house and family; I was stolen at night, without any one of my family knowing it.

Who put you amongst the Pooliars? I was told at Anjarakandy to eat rice, and as I am a child, I did eat.

Witnesses, Cootiattor Number, Manalil Pocker, (signed)

(signed)

After the above examination was read in the presence of the magistrate, Pelamachee deposed as follows:—

My former name is Salamaty, and now I am called Choichy; my country is Kaykolom; Two or three months ago, when I was in my house, mopillas seized me at night-time and took me away, and embarked me in a manchoo and sent me to Mahé; from thence I was carried and delivered to the Aelin (Mr. Brown) at Anjarakandy, where I was put amongst the Pooliars; I do not know the names of the mopillas who stole or sent me here.

(signed)

N^o 4. Examination of Tien Nathan, about eight years old, taken on the 8th Danoo 987, or 20th December 1811.

Question.—Where is your country, what is your caste, your house name, and how old are you?

Answer.—My country is Karroonapally; my name is Nathan; my house name is Karatail. I am of the Tien caste; about eight years old I think.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

What are the names of your father, mother, and amaman (uncle)?

My father is called Coonjan, my mother Manikam, and my amaman Cochanthan.

When you came to this place, with whom and what for, did you come?

While I was tending cattle mopillas came, seized and thrust a cloth in my mouth, and took me to Assen Ally, who embarked me at night in a toney at Alappi, and sent me to Mahé, and from thence I was embarked again in a toney to Anjarakandy.

Did your family know of your having been seized?

No, they did not know; it is impossible for them to know, when I was stolen and brought so far; they have changed my caste, and made me a Poolian.

How many people were embarked and sent with you?

Two Ayapens and one Cally were embarked and sent with me; it is two months ago.

At what place was you made a Poolian?

At Anjarakandy's pandishala, it was Cheria Achin (Mr. Brown's son), who made me a Poolian.

Witnesses, Cootialoor Mamboor, Manallel Pocker.

(signed)

Mem.—After the deponent was examined in the presence of the magistrate; Tien Nathan stated precisely as is here written; and when he was questioned about the names of the mopillas that had seized him, he answered as follows:—

The name of one of the mopillas who seized me is Cocha Bapoo; the names of the others I don't know. I and my brother Coanyangara, wish to return to my country; my brother was seized in the same manner as I was; and I saw him at Mahé.

(signed)

N° 5.—Examination of Tiety Kally, about 12 years old, taken on the 8th Danoo 987, or 20th December 1811.

Question.—What is your country, what is your caste, your house name, whose slave are you, and how old are you?

Answer.—My country is Parawoor, to the southward; I am of a Tiety caste, and not a slave; I am about 12 years old.

What are the names of your father, mother, and amamon (uncle)?

My father is called Ananden; my mother, Kally; and my amamon, Cuntry Chody.

When did you come to this place; why, and with whom did you come?

Two months ago, two mopillas came at night time, seized and took me to Alappi, where they embarked me in a manchoo, and landed me at Mahé, and from thence I was embarked in a toney, and landed at Anjarakandy, where I was kept in the pandishala.

Where were you placed amongst the Pooliars?

At Anjarakandy pandishala; it was Cheria Achen (Mr. Brown's son), who placed me amongst the Pooliars.

Have you any relations in your country?

I have in my country; but none of them know that I was stolen and brought to this place.

Witnesses, Cootialoor Number, Manalil Pocker.

(signed)

When the girl was examined in the presence of the magistrate, she stated precisely as is here written, and said further, that her father's name was Tairvan.

(signed)

N° 6.—Examination of Tean Ayapen, aged about eight, taken on the 8th Danoo 987, or 20th December 1811.

Question.—Which is your country; what is your caste; your house name; whose slave are you; and how old are you?

Answer.—My country is Paiamena, to the southward; I am of the Tean caste; my house-name I don't know; I am not a slave, but now I am a Poolian; am about 8 years old I think.

What

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

What are the names of your father, mother, and amaman (uncle)?
My father's name is Mootan; my mother, Cally; I have no amaman.

When did you come to this place; why, and with whom did you come?
I think it is about 10 or 20 days ago that I came to this place; I don't know why I did come, and as it was in the night I don't know who brought me here; two or three persons embarked me in a manchoo, and landed me at Mahé, and from thence they embarked me in a toney, and took me to Anjarakandy.

Why was you placed amongst the Pooliar?
Pandishalas Valia Achan (Mr. Brown), desired me to eat Pooliar's rice, therefore I eat their rice.

Have you family; if so, did they know when you was brought to this place?

I have family in my country, southward; I was seized and brought here without their knowledge.

Witnesses, Areatoo Kannen, Marakandy Parrey.
(signed)

When the boy Arapan was examined in the presence of the magistrate, he stated precisely as is above deposed, and said that he did not know the names of the mopillas that seized him, or sent him up here, and the place from whence he was sent; he was seized while he was playing in the compound of his house, when his father and mother were not at home.
(signed)

Examinations held before the Magistrate and his officers, of the bondsmen found on Mr. Brown's possession, in importer, since June 1811.

Sic. Orig.

N° 7.—Examination of Poolean Ayapen, taken on the 8th Danoo 987, or 20th December 1811; aged about 7.

Question.—What is your country and caste?
Answer.—My country is Pattonb, in Travancore; caste Poolean.

In what manner did you come to this place?
Some mopillas came at night in my house, seized and took me to Aleppi; thence embarked me on board a manchoo, and carried me to Mahé; from whence some Tears put me in a toney, and took me to the pondishala of Anjarakandy.

Whose Adean are you? Are there any of your family amongst these Pooliar?

I am Kedakat Menon's Adean. There is none.

What are the names of your father, mother, and carnawor?
My father's name Chunhamben; mother, Maily; I have no carnawor.

Are your father and mother alive?

No; they are both dead.

What relations have you in your country?

I have an elder brother, by name, Javing.

Did your tambooran and brother know of your having been seized and brought to this place?

No, they did not.

Witnesses, Koteatbor Namber. Manalil Pocker.
(signed)

N° 7.—Examination of Ayapen, taken before the Magistrate in the Zilla, North Malabar, on the 17th Danoo 987, or 30th December 1811; about 7 years of age.

Question.—What is your country, caste, and name?

Answer.—My country is Pottoly, to the southward; caste, Poolean; name Ayapen.

How many years is it since you were brought to this place, and who is your tambooran?

It is about two months ago that I was seized and brought to this place, my tambooran is Kedakat Menow.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

How was you brought to this place?

At night when I was sleeping in my house, two mopillas came, seized and carried me to Aleppi, whence they brought me to Mahé on board a manchoo, and from thence I was sent to Anjarakandy, and placed amongst Achimes, Mr. Brown's Pooliars, when they brought me from Aleppi, there were in the same manchob Kally Nathan and Ayapen, three Tier boys, they were also sent to Anjarakandy, and they are now here.

(signed)

N^o 8.—Examination of Tavan taken, on the 8th Danoo 987, aged about 35, 20th December 1811.

Question.—Where is your country; what is your caste?

Answer.—My country is Nettoo, to the southward of Cochin; my caste Poolean.

What are the names of your father and mother?

My father's name is Kary Vallian, mother Panaba.

When, why, and with whom did you come here?

In Eddavom last, when I was at work, Nettoor Ayeesita Woodun, by order of Assen Ally, at Mahé, came and seized, and putting me in a manchoo, conveyed me by night from Cochin, and landed me at Chiteva, from whence Coony Paray and Bappen brought us, twelve in number, by land to this place.

Have you any house and family, if so, did they know of your having been seized?

I have a house and family; they did not know of my having been stolen away.

Was it with your consent that they brought you here?

It was not with consent.

Do you wish to return to your country?

Yes; I wish to return to my country.

Do you know the name of your tambooran?

Arakat Manotty is my tambooran; he did not know of the circumstances.

Witness,

(signed)

N^o 8.—Examination of Tavan, taken before the Magistrate on the 17th Danoo 987, or 30th December 1811, aged about 35.

Question.—Where is your country; what is your caste and your house names?

Answer.—My country is Nittoor, the south-eastward of Cochin; my caste Poolian, name Tarvans.

How many years is it since you were brought here?

I was brought here last Eadarom.

Who is your tambooran?

My tambooran is Arakat Mamatty Mopla.

How were you brought here?

I was going to my tambooran's work, when Eddaeata Moidun, a mopla, seized and took me to the river side, where there was a ballon (boat) and some Bellacar in that boat, in which there were ten or twelve other Pooliars; I was also put in it and taken to Cochin, shut up twelve days; on the 13th day was put in a toney, and brought to Chitua, whence I was brought by land to Mr. Brown, at Anjarakandy; the twelve persons that came with me are now here.

Deposed on oath.

(signed)

N^o 9.—Examination of Poolian Tavan, taken on the 8th Danoo 987, aged about 11; 20th December 1811.

Question.—Where is your country; what is your caste.

Answer.—My country is Poombatate, to the southward of Cochin; my caste Poolian.

What are the names of your father, mother, and uncle.

My mother's name is Panana, father Chody, of Wodambata Tarra.

When,

When, why, and with whom did you come here?

A mopa, by name Shackmadar, seized and took me to Cochin, put me in a moonchoo, and brought me by night to Chetwa, whence Assen Ally's people, Cunhy Pareay and Bappen brought me by land last Eddavom, to Anjarakandy.

Have you any house and family?
I have a house and family, but none of them knew of this.

Then how was you brought?

I was stolen, put in a moonchoo, and brought away.

Were you brought with your consent?

Not with my consent, they stopped my mouth with their hands.

What is the name of your tambooran, and did he know of this?

My tambooran's name is Penimbalata Panakedda Kanden; he did not know of this.

Witness,—Kootecaloor, number a Manalil Paker. (signed.)

N^o 9.—Examination of Tavan, before the Magistrate, on the 17th Danoo 987, or 30th December 1811; aged about 11 years.

Question.—Where is your country, what is your caste, and house name?

Answer.—My country is Perumballat, to the southward of Cochin, caste Poolian, name, Tarvan.

How many years is it since you were brought, and who is your tambooran?

My tambooran is Panakada Canden; I was asleep at night when Panaparambil Pamikaree seized and brought me away, and gave me to Ayecagata Shuk Moidun, who gave me to a Sahib at Cochin; thence, I was put in a moonchoo and landed at Chetwa; whence Coony Pareay and Bappen brought me by land to the sahib, at the Bangsaul of Anjarakandy; twelve other poliars were also brought with me, are now here. (signed.)

N^o 10.—Examination of Poolian Ittinady, 8th Danoo 987; aged about 24; (20th December 1811.)

Question.—Where is your country, and what is your caste?

Answer.—My country is Nettoor, to the eastward of Cochin, caste Poolian.

What are the names of your father, mother and uncle?

My father's name is Chowely; mother, Taware, of Mata Tara.

When, why, and with whom did you come here?

I was at work, when Nettoor Arkagate Moidun came there, seized and took and put me in a moonchoo, and landed me at Chitwa, whence Assen Ally's people, viz. Coony Pary and Bappen brought me by land, and delivered me at Anjarakandy.

Have you any house and family?

I have house and family, but they did not know of this.

Then how was you brought?

I was stolen.

Were you brought with your consent, or not?

Not with my consent; they stole me away; since which I have not had the means to make a complaint of my grievances.

What is the name of your tambooran; did he know of this?

Pudianjary Goonyan Menow is my tambooran; he did not know of it.

How many others were brought with you?

Twelve persons.

(Witnesses.)

(signed.)

N^o 10.—Examination of Poolian Ittinardy, before the Magistrate, on the 17th Danoo 987, or 30th December 1811; aged about 24.

Question.—Where is your country; what is your caste and name?

Answer.—Nettoor to the southward; caste, Poolian; name Ittinady.

How many years is it since you were brought; who is your tambooran; how were you brought?

I was

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fd St. George
Papers:
State of Slavery
in Company's
Territories.

Orig.

I was brought last Eddawom; my tambooran is Pudianjary Coony Menon; I had gone to work, when in the evening Akagata Moidun, mopla, seized and gave me to Willavara; I was kept ten or twelve days at Cochlin, whence, besides myself and my chiermy, ten others were embarked in a manchoo, brought to Chitwa; thence Coony Parry and Bappen of Mahé, took us to Anjarakandy, and employed us in the saib's service; my relations and parents being in my country; I request Jaramy Chiermy may be sent there. Of what place are those? They are of Cochlin; I do not know them.

Willavara.

(signed.)

N° 11.—Examination of Nully, 8th Danoo 987, or 20th December 1811; aged about 15.

Question.—Where is your country, what caste, and whose slave are you?

Answer.—Rowana, to the southward; my caste is Parrey; and I am the slave of Kojaraporata Kristria Pilla, of Kavaperata Tara.

What are the names of your father, mother and uncle?

My father is Ayapen; mother, Manny; and uncle, Coran.

When, why, and with whom did you come here?

In Kany last; three or four moplas came to my hut at the time the other people were gone to work, seized and took me to Caengolam, thence to Aloppi, where they put me in a manchoo, landed me at Mahé, and thence took me to Anjarakandy, and there kept me.

What are the names of those who brought you?

They are moplas of Caengolam; their names I do not know.

Did your relations know of your having been brought here?

I was stolen away, therefore they did not know of it; I have a family.

Witnesses, Cootiatoo Namber. Manalil Pokee.

(signed)

N° 11.—Examination of Nully, before the Magistrate, aged about 15 years, on the 17th Danoo 987, or 30th December 1811.

Question.—Where is your country; what is your caste and name?

Answer.—Chodana, to the southward; my caste is Parrachy; name, Nully.

How many years is it since you were brought here, and who is your tambooran?

I was brought four months ago, and am the slave of Kojaporata Kristna Pilla.

How were you brought here?

Two moplas and two sooda tamborans called me to them, on pretence of doing some work; and having taken me a little way, they seized and brought me to Car-jamgolate, where I was kept in the mopla's house one month; his name I do not know; thence he took me in a manchoo to Poracata; detained me there two days and brought me by land to Allippi; detained me there four days, and thence brought me in a manchoo and landed me at Mahé; whence I was taken by land again to Anjarakandy, and made to stay there with the saib.

Do you know the moplas names?

I do not know them.

(signed)

N° 12.—Examination of Kally, taken on the 8th Danoo 987; aged about 38; (20th December 1811.)

Question.—Where is your country, what is your caste, and whose slave are you?

Answer.—Wadataala, to the southward; caste Poolian. I am the slave of Parambata Eeatil Eddy Kellen.

What are the names of your father, mother, and uncle?

My fathers name is Cochala; mother, Anena; uncle, Ittenady.

When, why, and with whom did you come here?

In last Eddawom, Shak Madai, a mopla, and seven or eight others, came while my tambooran was at Wa, seized and took me to Wadataala Wadaka Mooockan; there I was put in a manchoo, landed at Nettoor, thence was again embarked in a manchoo,

manchoo, and landed at Cochin; detained there twelve days, and thence I was put in a manchoo, and landed at Chetwa, and whence I was brought by land to Anjarakandy.

Did your relations know of your coming up here?

I was stolen away, therefore my relations did not know of it.

Witnesses. (signed)

N^o 12.—Examination of Kally, before the Magistrate, aged about 38 years, on the 17th Danoo 987, or 30th December 1811.

Question.—Where is your country, what is your caste and name?

Answer.—Wadatalla, to the southward; caste, Polleay; name, Kally.

How many years is it since you were brought here, and who is your tambooran?

I was brought about eight months ago; I am the slave of Paramtate Eddatil Edecoil.

How were you brought here?

Beadenchara Atten Ally seized me without the knowledge of my tambooran, and put me, with twelve others, in a manchoo; brought me to Cochin, where I was detained ten or twelve days, and given to the Wallacara, who put us in a manchoo, and landed us at Chetwa, whence we were brought by land to Anjarakandy. I beg I may be sent back to my tambooran and country.

(signed)

N^o 13.—Examination of Poonama Poolay, aged about 28, on the 8th Danoo 987, or 20th December 1811.

Question.—Where is your country, why did you come here?

Answer.—Perimbalata, to the southward of Cochin. Panamparambil Panikare seized me and my three children, and gave to Netail Aycagata Moideen Cooty, who put us in a manchoo, and brought us to Chetwa; thence we were brought by land. At nights we were shut up in shops, and thus were we secured until we arrived at Anjarakandy.

What is your caste?

Poolay.

Whose slaves are you?

Nediaparamba Panakada Kanden, nair of Perumbalata to the southward.

What are the names of your father, mother, and uncle?

My father's name is Cocha Anymare; mother, Anadara; uncle, Arachana.

Did your tambooran and family know of your having been brought here?

I was seized and carried away at night; they did not therefore know of it. I have now a child.

Witnesses. (signed)

N^o 13.—Examination of Panama Polay before the Magistrate, aged about 28 years, 17th Danoo 987, (30th December 1811.)

Question.—Where is your country, what is your caste and name?

Answer.—Perimbalata to the southward; my caste is Poolay, name Poonama.

How many years is it since you were brought here, and who is your tambooran?

I was brought last Eddawom, my tambooran is Nedamparamba Chanden.

How were you brought?

Panaparambil Pamkare Tier, and five or eight sooder tamboorans came to my chala at night, without the knowledge of my tambooran, and seized me. I cried out, when they thrust cloths into my mouth, and took me and my children, viz. Tavan, Cochalla, and Jarra, besides eight others, to Cochin; and thence put me in a manchoo, and brought to Chetwa, and thence by land to Anjarakandy; my tambooran and the father of these children being in my country, I request I may be sent back to them.

(signed.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 14.—Examination of Ithanga, aged about 20, 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, and what is your house name?

Answer.—Coombalata, to the southward; caste, Poolean; there is no name of my house, it being a chala.

What are the names of your father, mother, and uncle?

My father is dead, his name I don't know; mother, Manny; uncle, Cheja.

When, why, and with whom did you come here?

It is eight months since I came to Anjarakandy; people seized me, put me in a manchoo, and brought to Chetwa; thence one Bappen Mapilla and another, Coony Pareay, brought to the Anjarakandy Banksaul.

Did your tamburan and relations know of your having been seized and brought here?

They did not.

Whose slave are you?

I am the slave of Marapatty Kaymanmar.

Did Bappen and Coony Pareay sell you to any body?

I don't know.

Witnesses.

(signed.)

N^o 14.—Examination of Ithanga before the Magistrate on the 17th Danoo 987, or 30th December 1811; aged about 20.

Question.—Where is your country, what is your caste and name?

Answer.—Combalata, to the southward, westward of Nettoor; caste, Pooliay; name, Ithanga.

How many years is it since you were brought here?

I was brought in Eddavain last; my tamburan is Koombalata.

Who is your tamburan?

And Pally Kristnen tamburan.

How were you brought here?

I was at work in the evening, when two or three moplas called, and took me to the river side, where there was a manchoo, and ten or twelve wallacara. I was then given to them, who took me to Cochin, where we arrived about eight Narighas, at night. Besides myself and my chirman, Ittinadan, there were ten others put in a manchoo, and brought to Chitwa, whence Cooney Parrey and Bappen, two moplas of Mahi, came and brought us by land to Anjarakandy, and there employed in the saib's work. All my relations being in my country, I beg I may be sent back.

(signed.)

N^o 15.—Examination of Eschalla, aged about 11, 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, what is your caste and name, and whose slave are you?

Answer.—Perumballata, to the southward; caste, Poolean; house, Odarabota; my tamburan is Panakada Kanden.

What are the names of your father, mother, and uncle?

Father, Chody; mother, Panava; I don't know my uncle.

When, why, and with whom did you come here?

I don't know when exactly; but Wanaparambil Panikad and many people came to a place called Chimbil, surrounded the house at night, seized and brought us away; as we were being brought, we cried out, when they seized us by the neck, stopped our mouths, and put us in a manchoo, and sent us off to Anjarakandy.

Have you any family?

I have in my country; I was seized and brought away at night without their knowledge.

Witnesses.

(signed.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 15.—Examination of Cochala before the Magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811; aged about 11.

Question.—Where is your country, what is your caste, and house name?

Answer.—Perimballata, to the southward; caste, Poolian; name, Cochala.

How many years is it since you were brought here; who is your tamburan?

I was brought in Eddawam last; my tamburan is Panakada Kanden Nair.

How were you brought here?

Panaparambil Panikare came at night, while I was sleeping, seized and gave me to Shaik Maideen, who sent me to Cochin; whence, besides myself, eleven others were put in a manchoo, and brought to Chetwa, where Coony Pariey and Bappen brought us by land, and gave us to a saib at Anjarakandy; the saib made us stay there; the Poolians that were brought with me are now here.

(signed.)

N^o 16.—Examination of Corumba, aged about 30; 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, what is your and your house name?

Answer.—Wadatalla, to the southward, name Corumba, house name Pottata.

What is your caste?

Pooliay.

What are the names of your father, mother and uncle?

My father's name is Ayan; mother, Cally; uncle, Cochala, he is dead.

Where, why and with whom did you come here?

In Eddawam last; moplas seized me my infant child and twelve others, and brought us away.

What are the names of those moplas?

I don't know.

Whose adeaty are you?

The adeaty of Mara Pally Kananmar.

Did your tamburan and relations know of your having been seized and brought away?

They did not.

Witnesses.

(signed.)

N^o 16.—Examination of Corumba before the Magistrate, 17th Danoo 987, (30th December 1811); aged about 30 years.

Question.—Where is your country, what is your caste and name?

Answer.—Wadatalla, to the southward; my caste is Poolay and name Carumba.

How many years is it since you were brought here, and who is your tambooran.

About eight months ago; my tambooran is Itty Kanin.

How were you brought away?

I was at work, when, without the knowledge of my tambooran and poolian (husband), myself and two of my children, viz. Dampan and Kanda, were seized by Eddacatta Vudeen; mopla and some others, and brought to Cochin, detained there eleven days, and then given to Walladara, who brought us in a manchoo and landed us at Chitwa; besides myself there were eleven others, whence two moplas of Mahé, named Coony Parrey and Bappen, brought us to Anjarakandy, and made us stay with a saib; those eleven that were brought with me are present here.

Of what place are those Wallacara (Europeans)?

They are of Cochin; I don't know their names.

(signed)

N^o 17.—Examination of Anima, aged about 16, 8th Danoo 987, (30th December 1811.)

Question.—Where is your country, what is your caste and house name, and whose adeama are you?

Answer.—Cootanard, to the southward; my caste, Poolay; house name, none; I am the adeama of Koisara Mator Nair.

What are the names of your father, mother and uncle?

My father is Conder; mother, Choruda; I don't know my uncle's name.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 14.—Examination of Ithanga, aged about 20, 8th Danoo 987; (20th December 1811.)

Question.—Where is your country, and what is your house name?

Answer.—Coombalata, to the southward; caste, Poolean; there is no name of my house, it being a chala.

What are the names of your father, mother, and uncle?

My father is dead, his name I don't know; mother, Manny; uncle, Cheda.

When, why, and with whom did you come here?

It is eight months since I came to Anjarakandy; people seized me, put me in a manchoo, and brought to Chetwa; thence one Bappen Mapilla and another, Coony Pareay, brought to the Anjarakandy Banksaul.

Did your tamburan and relations know of your having been seized and brought here?

They did not.

Whose slave are you?

I am the slave of Marapatty Kaymanmar.

Did Bappen and Coony Parey sell you to any body?

I don't know.

Witnesses.

(signed.)

N^o 14.—Examination of Ithanga before the Magistrate on the 17th Danoo 987, or 30th December 1811; aged about 20.

Question.—Where is your country, what is your caste and name?

Answer.—Combalata, to the southward, westward of Nettoor; caste, Pooliy; name, Ithanga.

How many years is it since you were brought here?

I was brought in Eddavam last; my tamburan is Koombalata.

Who is your tamburan?

And Pally Kristnen tamburan.

How were you brought here?

I was at work in the evening, when two or three moplas called, and took me to the river side, where there was a manchoo, and ten or twelve wallacara. I was then given to them, who took me to Cochin, where we arrived about eight Narighas, at night. Besides myself and my chirman, Ittinadan, there were ten others put in a manchoo, and brought to Chitwa, whence Cooney Parrey and Bappen, two moplas of Mahi, came and brought us by land to Anjarakandy, and there employed in the saib's work. All my relations being in my country, I beg I may be sent back.

(signed.)

N^o 15.—Examination of Eschalla, aged about 11, 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, what is your caste and name, and whose slave are you?

Answer.—Perumballata, to the southward; caste, Poolean; house, Odarabota; my tamburan is Panakada Kanden.

What are the names of your father, mother, and uncle?

Father, Chody; mother, Panava; I don't know my uncle.

When, why, and with whom did you come here?

I don't know when exactly; but Wanaparambil Panikad and many people came to a place called Chimbil, surrounded the house at night, seized and brought us away; as we were being brought, we cried out, when they seized us by the neck, stopped our mouths, and put us in a manchoo, and sent us off to Anjarakandy.

Have you any family?

I have in my country; I was seized and brought away at night without their knowledge.

Witnesses.

(signed.)

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

N^o 15.—Examination of Cochala before the Magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811; aged about 11.

Question.—Where is your country, what is your caste, and house name?

Answer.—Perimballata, to the southward; caste, Poolian; name, Cochala.

How many years is it since you were brought here; who is your tamburan? I was brought in Eddawam last; my tamburan is Panakada Kanden Nair.

How were you brought here?

Panaparambil Panikare came at night, while I was sleeping, seized and gave me to Shaik Maideen, who sent me to Cochin; whence, besides myself, eleven others were put in a manchoo, and brought to Chetwa, where Coony Pariey and Bappen brought us by land, and gave us to a saib at Anjarakandy; the saib made us stay there; the Poolians that were brought with me are now here.

(signed.)

N^o 16.—Examination of Corumba, aged about 30; 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, what is your and your house name?

Answer.—Wadatalla, to the southward, name Corumba, house name Pottata.

What is your caste?

Pooliy.

What are the names of your father, mother and uncle?

My father's name is Ayan; mother, Cally; uncle, Cochala, he is dead.

Where, why and with whom did you come here?

In Eddawam last; moplas seized me my infant child and twelve others, and brought us away.

What are the names of those moplas?

I don't know.

Whose adeaty are you?

The adeaty of Mara Pally Kananmar.

Did your tamburan and relations know of your having been seized and brought away?

They did not.

Witnesses.

(signed.)

N^o 16.—Examination of Corumba before the Magistrate, 17th Danoo 987, (30th December 1811); aged about 30 years.

Question.—Where is your country, what is your caste and name?

Answer.—Wadatalla, to the southward; my caste is Poolay and name Carumba.

How many years is it since you were brought here, and who is your tambooran.

About eight months ago; my tambooran is Itty Kanin.

How were you brought away?

I was at work, when, without the knowledge of my tambooran and poolian (husband), myself and two of my children, viz. Dampan and Kanda, were seized by Eddacatta Vudeen; mopla and some others, and brought to Cochin, detained there eleven days, and then given to Walladara, who brought us in a manchoo and landed us at Chitwa; besides myself there were eleven others, whence two moplas of Mahé, named Coony Parray and Bappen, brought us to Anjarakandy, and made us stay with a saib; those eleven that were brought with me are present here.

Of what place are those Wallacara (Europeans)?

They are of Cochin; I don't know their names.

(signed)

N^o 17.—Examination of Anima, aged about 16, 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, what is your caste and house name, and whose adeama are you?

Answer.—Cootanard, to the southward; my caste, Poolay; house name, none; I am the adeama of Koisara Mator Nair.

What are the names of your father, mother and uncle?

My father is Conder; mother, Choruda; I don't know my uncle's name.

Port St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 14.—Examination of Ithanga, aged about 20, 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, and what is your house name?

Answer.—Coombalata, to the southward; caste, Poolean; there is no name of my house, it being a chala.

What are the names of your father, mother, and uncle?

My father is dead, his name I don't know; mother, Manny; uncle, Cheda.

When, why, and with whom did you come here?

It is eight months since I came to Anjarakandy; people seized me, put me in a manchoo, and brought to Chetwa; thence one Bappen Mapilla and another, Coony Parey, brought to the Anjarakandy Banksaul.

Did your tamburan and relations know of your having been seized and brought here?

They did not.

Whose slave are you?

I am the slave of Marapatty Kaymanmar.

Did Bappen and Coony Parey sell you to any body?

I don't know.

Witnesses.

(signed.)

N^o 14.—Examination of Ithanga before the Magistrate on the 17th Danoo 987, or 30th December 1811; aged about 20.

Question.—Where is your country, what is your caste and name?

Answer.—Combalata, to the southward, westward of Nettoor; caste, Pooliay; name, Ithanga.

How many years is it since you were brought here?

I was brought in Eddavam last; my tamburan is Koombalata.

Who is your tamburan?

And Pally Kristnen tamburan.

How were you brought here?

I was at work in the evening, when two or three moplas called, and took me to the river side, where there was a manchoo, and ten or twelve wallacara. I was then given to them, who took me to Cochin, where we arrived about eight Narighas, at night. Besides myself and my chirman, Itinadan, there were ten others put in a manchoo, and brought to Chitwa, whence Cooney Parrey and Bappen, two moplas of Mahi, came and brought us by land to Anjarakandy, and there employed in the saib's work. All my relations being in my country, I beg I may be sent back.

(signed.)

N^o 15.—Examination of Eschalla, aged about 11, 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, what is your caste and name, and whose slave are you?

Answer.—Perumballata, to the southward; caste, Poolean; house, Odarabota; my tamburan is Panakada Kanden.

What are the names of your father, mother, and uncle?

Father, Chody; mother, Panava; I don't know my uncle.

When, why, and with whom did you come here?

I don't know when exactly; but Wanaparambil Panikad and many people came to a place called Chimbil, surrounded the house at night, seized and brought us away; as we were being brought, we cried out, when they seized us by the neck, stopped our mouths, and put us in a manchoo, and sent us off to Anjarakandy.

Have you any family?

I have in my country; I was seized and brought away at night without their knowledge.

Witnesses.

(signed.)

N° 15.—Examination of Cochala before the Magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811; aged about 11.

Question.—Where is your country, what is your caste, and house name?

Answer.—Perimballata, to the southward; caste, Poolian; name, Cochala.

How many years is it since you were brought here; who is your tamburan?
I was brought in Eddawam last; my tamburan is Panakada Kanden Nair.

How were you brought here?

Panaparambil Panikare came at night, while I was sleeping, seized and gave me to Shaik Maideen, who sent me to Cochin; whence, besides myself, eleven others were put in a manchoo, and brought to Chetwa, where Coony Pariey and Bappen brought us by land, and gave us to a saib at Anjarakandy; the saib made us stay there; the Poolians that were brought with me are now here.

(signed.)

N° 16.—Examination of Corumba, aged about 30; 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, what is your and your house name?

Answer.—Wadatalla, to the southward, name Corumba; house name Pottata.

What is your caste?

Pooliay.

What are the names of your father, mother and uncle?

My father's name is Ayan; mother, Cally; uncle, Cochala, he is dead.

Where, why and with whom did you come here?

In Eddawam last; moplas seized me my infant child and twelve others, and brought us away.

What are the names of those moplas?

I don't know.

Whose adeaty are you?

The adeaty of Mara Pally Kananmar.

Did your tamburan and relations know of your having been seized and brought away?

They did not.

Witnesses.

(signed.)

N° 16.—Examination of Corumba before the Magistrate, 17th Danoo 987, (30th December 1811); aged about 30 years.

Question.—Where is your country, what is your caste and name?

Answer.—Wadatalla, to the southward; my caste is Poolay and name Carumba.

How many years is it since you were brought here, and who is your tambooran.

About eight months ago; my tambooran is Itty Kanin.

How were you brought away?

I was at work, when, without the knowledge of my tambooran and poolian (husband), myself and two of my children, viz. Dampan and Kanda, were seized by Eddacatta Vudeen; mopla and some others, and brought to Cochin, detained there eleven days, and then given to Walladara, who brought us in a manchoo and landed us at Chitwa; besides myself there were eleven others, whence two moplas of Mahé, named Coony Parrey and Bappen, brought us to Anjarakandy, and made us stay with a saib; those eleven that were brought with me are present here.

Of what place are those Wallacara (Europeans)?

They are of Cochin; I don't know their names.

(signed)

N° 17.—Examination of Anima, aged about 16, 8th Danoo 987, (20th December 1811.)

Question.—Where is your country, what is your caste and house name, and whose adeama are you?

Answer.—Cootanard, to the southward; my caste, Poolay; house name, none; I am the adeama of Koisara Matoor Nair.

What are the names of your father, mother and uncle?

My father is Conder; mother, Choruda; I don't know my uncle's name.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

When, why, and with whom did you come here?
In last Eddawan, moplas seized and gave me to the wellacara at Cochín, thence they put me and eleven others in a manchoo, and landed me at Chitwa, whence moplas brought us away; on the road at nights they shut us up in shops, and thus they brought us to Anjarakandy.

Have you any family?

I have a father, mother, sister, brother and others; they did not know of my having been stolen away at night.

Witnesses.

(signed.)

N° 17.—Examination of Anama before the Magistrate, on the 17th Danoo 987, or 30th December 1811; aged about 16.

Question.—Where is your country, what is your caste and name?

Answer.—Cootanaad, to the southward; my caste is Poolay; name, Anema.

How many years is it since you were brought here, and who is your tamburan?

I was brought seven or eight months ago; I heard Mootoo Taragan is my tamburan.

How were you brought away?

I was sleeping in my hut when a poolian stole me away and sold me to a wallacaran at Cochín, whence, when ten or twelve others were being brought away in a manchoo, I was also put in it and brought to Chitwa, and thence two moplas brought us to Anjarakandy by land.

Do you know the names of the wallacaran and moplas?

The moplas are Coony Pareay and Bappen; wallacaren is Margo.

(signed.)

N° 18.—Examination of Wattachy, aged about 31, taken on the 10th Danoo 987, or 23d December 1811.

Question.—Where is your country, what is your name and caste, and house name, and whose adeama are you?

Answer.—Kaleashary; my caste Pooleay; house, Erechatta. I am the adeama of the Chirical Raja.

What are the names of your father, mother and uncle?

My father's name is Pottin; mother, Carta; I know not my uncle.

When, why, and with whom did you come here?

In Eddavam last; Madacaracaren Kumba Moidun told me there was some work for me in the field, and took me to Madakara, where I performed the work. On my return in the evening from the work, I found the Terry Taney had been taken away, and when I went into the water, intending to cross the river (by swimming), the mopla Maidun came and prevented me; he then took me to a shop; the next morning he carried me and my child to Manjan Parreay's shop, and got a koopai put on me, and detained me two months in Cottotail Pockar's shop, when last Chingan, it coming to the knowledge of Brown Saib, he sent for me to Anjarakandy, took off the koopai, and put me amongst the Pooliars.

Have you any house and family?

I have no house at present of my own, but have a family in my country; they did not know what had become of me.

What is the name of your daughter?

Wettachy, (pointing out to her.)

Witness.

(signed.)

N° 18.—Examination of Wattachy, aged about 31, before the Magistrate, 17th Danoo 987, or 30th December 1811.

Question.—Where is your country, what is your name and caste?

Answer.—Kaliasherry to the northward; my caste Poolay, and name Wattachy.

How many years is it since you were brought away, and who is your tambooran?

I was brought here last Eddavam; my tamburan is the Raja of Chirical.

How

—How were you brought here?

I was at work in the field, when Cumba Maideen seized me and my child; made us stay in a mopla's shop at Madacara; the next day crossed the Capa Cadawa (Terry), and kept in Manyan Parreay's shop at night, where he got me washed, and put a coopay upon me, and then I was sold to a mopla, by name Pokar, of Anjarakandy. The Anjarakandy áchin (Mr. Brown), knowing of this, took me forcibly away, and taking off the koopar, placed me amongst the Pooliars.

(signed.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Examinations held before the Magistrate and his Officers, of the Bondsmen found in Mr. Brown's possession, imported at different periods between 1799 and 1810.

N^o 1.—Examination of Ramen Wettoowan, aged about 22, taken on the 23d December 1811, or 10 Danoo 987.

Question.—Which is your country, what is your caste, your house name, and whose slave are you?

Answer.—My country is Chetoway Manaporum; my caste is Wettoowan; my house name is Kadollapara, slave of Arayemparomba Kanden.

What are the names of your father, mother and amamon (uncle)?

My father's name is Oonicoram; my mother, Chakky; and my amamon, Changuram.

When did you come to this place; why, and with whom did you come?

Ten years ago, one day Karoukaren Moideen Cooty, mopas man Willaly, mopilla Cooty Ally mopilla, and several other people, came at night time, surrounded our house, seized and tied us, nine persons in number, embarked us in a manchoo on that very night; landed us at Kootinguel, and from thence we were embarked again, and landed at Anjarakandy; five of the number died at Anjarakandy, and we four only remain; one of the women has had one child, which is still alive.

You said, besides yourself, there are three persons and a female child, what are their names?

One of those who died left a child named Koroomba, and the others are Chakky, Kally and Chakapen.

Have you a house and family?

Yes, I have a house and family in my country; my father, mother, and some of the children were seized, tied, and brought to this place.

(signed.)

Witnesses,—Ariatoo Kamen, Murkandy Puroy.

N^o 1.—Examination of Wittowan Ramen, aged about 22, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, what is your name and caste?

Answer.—My country is Chittooway, Manaporum, caste Wattoowan, and name Kaida Kaparambatoo Ramen.

How many years is it since you have been brought here, and who is your tambooran?

It is about ten years since I have been brought here; my tambooran is Aumparambil Camen.

In what manner were you brought here?

One night while I was sleeping, Villaly and Cootially, two mopilas, came, seized and carried me to Chittooway, and kept me at Koolonguel, whence they embarked me on board a manchoo, and landed me at Anjarakandy, and made me stay in Brown Saibs Pandishalla; my father Oonichoren, my mother Chakly, my four sisters and one brother were also brought to Anjarakandy; my sisters Chakky and Kally, my brother Chakapan, and a child by name Karoomba, the daughter of my deceased sister now remain, the rest are dead.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

How old are you now?
I am not certain; about 22 years I think.

Did your tambooran Kannen know of your having been carried away?
No, he did not. (signed.)

N° 2.—Examination of Wittowan Cherookoran, aged about 32, taken on the 10th Danoo 987, or 23d December 1811.

Question.—Which is your country, what is the name of your house, what caste are you, and whose slave are you?

Answer.—My country is Chawakaat, my house name is Walatadato Paramba; caste Wittowan; slave of Virran Cooty Kanakapilla.

When did you come here, why and with whom did you come here?

Ten years ago, one day in the night, Carawakaran, Moideer Cooty, Moopas, Brother and another man, came to the house of a tien when I was drinking toddy, seized, carried, and delivered me bound to Carooakaran Moidun, mopa of Chawakat, who embarked me on board a manchoo, and landed me at Anjarakandy.

What are the names of your father, mother, and anamon (uncle)?

My father's name is Chorakoran; my mother, Ara, and my anamon, Kai.

Have you a house and family?

I have a house and family in my country, but they did not know when I was seized and brought to this place. (signed.)

Witnesses, Areata Kannen. Makankandy Purry.

N° 3.—Examination of Wettoowan Cherookoran, aged about 32, taken on the 17th Danoo 987, or 30th December 1811; before the Magistrate in the Zillah, North Malabar.

Question.—Which is your country, what is your caste and name?

Answer.—My country is Chawakat, to the southward caste Wittowan, name Cherookora.

How many years is it now since you was brought to this place, and who is your tambooran?

I was brought to this place 10 years ago, and my tambooran is Nuran Kanakapilla.

How did he bring you to this place?

Karooakar, Moopas, Brother, Koovil Cunby Markar, came at night, called me to go with him to work, and carried my wittoaly and a child to Karooakar Moopa; at that time there were three others amongst them, when a sepoy came from Anjarakandy; Moopa gave him a writing, and embarked us, six persons, on board a manchoo, and sent us to Mr. Brown. While at Anjarakandy, my child and three other persons died; I have now only a son, he is eight years old; his name is Ramen.

Did any body know of your having been brought as you have stated?

Yellaly Mopilla was the person who put us in the stocks, and came with us to Anjarakandy; my tamburan and my family did not know of it.

Do you know the name of the sepoy that came with you?

No, I do not.

What are the names of your (uncle) carnawer, father, mother, and your house name?

The name of my uncle is Kai; father, Cheroon Koran; mother and the house name is Wallaladala Parambo. (sworn and signed)

N° 3.—Examination of Wittowam Ayapan, aged about 18, taken on the 11th Danoo 987, or 24th December 1811.

Question.—What is country, what is your caste, your house name, and whose slave you are?

Answer.—My country is Chawakut, caste Willowan, my house name is Moondarawilapil, and I am the slave of Kakat Menson Kambil.

What

What are the names of your father, mother, and amamon (uncle)?

My father's name is Coran; mother, Chakey; amamon, Candapore.

When did you come to this place; why and with whom did you come?

Ten years ago, when I was a child, and while I was tending cattle, Karoakaren Moideen Cooty Moopa's men came and seized me; on the road, when the passengers looked at me, he covered me with his shield, and thus took me to Willenlout, where I was kept shut up in a room; and on that very night I was embarked on board a manchoo to Anjarakandy, and there he landed me.

Have you a house and family; if so, did they know when he brought you to this place?

Yes, I have a house and family; but before I was brought to this place, my father was dead; all the others were alive, but they did not know of where I had gone.

(signed.)

Witness, Arratoo Kannen. Markankandy Parry.

N^o 3.—Examination of Wattoowam Ayapen, about 18, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—Which is your country, what is your caste and name, how many years is it now since you was brought to this place, and who is your tamburan?

Answer.—My country is Chawakaat; caste, Wittoowan; my name is Ayapen; I was brought to this place about ten years ago; I think my tamburan is Kakat Menon.

How did he bring you to this place?

While I was playing with some children that were tending cattle in the day time, Karoakaran Moopa's man, a mopilla, came, seized me, and covered me with a shield, to prevent people taking notice of me, and carried me to Williancote, and kept me in a room where others were confined; from thence we were all put on board a manchoo, and landed at Anjarakandy, and placed in Mr. Brown's pandshall; one Karaky, one Vitoowan, and one Vitoolvaty, who were brought with me, are here now.

What are the present names of Kanaky and Wittoowans, that were brought with you?

Kanaky is called Coucky; Wittoowan, Kandah Koran, and Witoowaty, Chaky; Wittoowan and Vitooaty are here, and Karaky is at Anjarakandy.

How old are you; what are the names of your father, mother, and karawor?

I am about 18 years old; my father is called Karen; my mother, Chaky; my karnawar, Kandapen.

Did any body know of your having been seized and brought to this place?

No.

What is your house name?

Mondor Wallapa.

(sworn and signed.)

N^o 4.—Examination of Wittoowan Kanden, aged about 30, taken on the 11 Danoo 987, or 24th December 1811.

Question.—Which is your country, what is your caste, house name, and whose slave are you?

Answer.—My country is Armbur; caste, Wittoowan; house name, Kollery; and am the slave of Arimbur Karikar.

When did you come to this place; why, and with whom did you come?

Ten years ago, when I was a child, when my mother was taking me to her eldest sister's house, Karoakar, Moideen, Cooty, Moopa's people, came, seized and took us to Chawakut; I don't know their names; they kept us there a month, and afterwards they embarked us on board a manchoo, and landed me and my mother at Anjarakandy; my mother is now with me here.

Port St. George
Papers:

State of Slavery
in Company's
Territories.

What are the names of your father, mother, and amamon?

My father's name is Changaran; mother, Chaky; amamon, Kai.

Have you a house and family; if so, did they know of your having been brought to this place?

I have a house and family; but they did not know of their bringing me and my mother away.

(signed.)

Witness, Areatoo Kannen. Markakandy Parry.

N^o 4.—Examination of Wittoowan Kanden, about 30 years old, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, your name and caste?

Answer.—My country is Tuchartoo, to the southward; caste, Wittoowan; my name is Kanden.

How many years is it since you were brought to this place, and who is your tamburan?

I was brought ten years ago; my tamburan is Arembara Kariakara.

In what manner was you brought to this place?

At night, Wallaly Mopla, one of Karooakaram Moopa's men, came, seized me and my sister, and took us to the Moopa; two days after, we were embarked in a toney to Anjarakandy, and delivered over to Mr. Brown.

How old are you, and what are the names of your father, mother, and karnawor?

I am not certain how old I am; my father's name is Changaram; my mother's, Chaky; and karnawar, Kai.

Who carried you to Anjarakandy, to Mr. Brown?

Willaly Mopilla.

(sworn and signed.)

N^o 5.—Examination of Wittoowan Ramen, aged about 18, taken on the 11th Danoo 987, or 24th December 1811.

Question.—What is your country, your caste, your house name, and whose adiam are you?

My country is Chawakat; caste, Wittoowan; my house name, and whose adiam I am, I don't know.

What are the names of your father, mother, and amamon?

I don't know their names.

When did you come here, for what purpose, and with whom did you come here?

When I was young, and having no sense at that time, the mopillas seized and put me on board a manchoo, and landed me at Anjarakandy; I don't recollect any thing more.

(signed.)

Witnesses, Areata Kannen. Markon Kady Parrey.

N^o 5.—Examination of Wittoowan Ramen, aged about 18, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and your name?

Answers.—My country is Chawakat; caste, Wittoowan, and my name is Ramen.

How many years is it now since you was brought to this place, and who is your tamburan?

I was brought to this place ten years ago; I don't recollect my tamburan.

How was you brought to this place?

When I was asleep at night, two mopillas came, seized and carried me to Karooakar Moopa's pundeshall, from whence I was embarked on board a manchoo, and sent to Anjarakandy, to Mr. Brown's plantation; five persons that were sent with me, three are dead, and two are here; their names are Velloven Changran and Nelly.

How

How old are you, and what are the names of your father, mother, and amamon?

I don't know how old I am, or what are the names of my father and mother.

(sworn and signed.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N° 6.—Examination of Wittowan Candan Coran, aged about 25, taken on the 10th Danoo 987, or 21st December 1811.

Question.—Which is your country, what is your caste, your house name, and whose adima are you?

Answer.—My country is Kadangaloor; caste, Wittoowan; my house name, Peyoo Patty, and I am the adima of Koudakut Tapen.

What are the names of your father, mother and amamon?

My father's name is Parum; mother, Chakky, and my amamon, Erry.

When did you come here, for what purpose, and with whom did you come here?

Ten years ago, when I was young, Karookaran, Moideen Cooty Moopa's men came, seized me while I was tending cattle, and shut me up in a room at Moideen Cooty Moopa's house; the next day at night they embarked me on board a manchoo and landed me at Anjarakandy.

Have you a house and parents?

I have in my country a house, mother, sisters and brothers, and several other relations; they did not know of their bringing me away.

Witness, Arcatoo Kannen. Markankandy Parry. (signed.)

N° 6.—Examination of Wittowan Candan Coram, aged about 25, taken before the Magistrate on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, your caste and name?

Answer.—My country is Kadangaloor; caste, Wittowan, and name, Kanden Koram.

How many years is it since you was brought here, and who is your tamburan?

I was brought ten years ago; my tamburan is Kandakat Tapan.

How were you brought to this place?

When I was tending cattle, Karookar Moopa's man came, seized and carried me to Chawakat, and shut me up in a room; on the third day he embarked me in a tooney and delivered me to Mr. Brown; at that time there were in that tooney with me one Wetoaty and a Wittoan.

What are the names of your karnawar, father, mother, and how old are you?

The name of my karnawar is Erry; father, Parun; mother, Chakky; I don't know how old I am.

What is the name of your house?

Kaidawalapel.

Do you know the names of the mopillas that seized and brought you to this place?

No, I do not; I saw there the moopas. (sworn and signed.)

N° 7.—Examination of Wittoowan Chekapen, aged about 15, taken on the 11th Danoo 987, or 24th December 1811.

Question.—What is your country, caste, your house name, and whose adima are you?

Answer.—I heard my country is Clohmay Manaporon; caste, Netoowm; the house name I don't know.

What are the names of your father, mother and amamon?

My father is called Oony Coran; my mother, Chaky; I don't know my amamon.

When did you come here, for what purpose, and with whom did you come here?

I heard the mopillas had seized and brought us to this place; at that time I had no sense.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Is there now any of your parents with you, if so, state their names?

I have now with me my eldest brother, Ramen; my eldest sister, Chaky, and her sister, Kally, and a child of the deceased sister, by name Coroomba.

Witness, Areyata Kaknin. Markakandy Parry. (signed.)

N^o 7.—Examination of Wettoowan Chakappen, aged about 15, taken before the Magistrate in the Zillah North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste and name?

Answer.—My country is Chitoway Manaforam; caste, Wittoowan; my name, Chakapen Kaidakam; Paramba is the name of my house.

How many years is it since you have been brought to this place, and who is your tamburan?

It is about ten years ago since I have been brought here; I am the adiam of Arayan Parambil Canacham.

In what manner were you brought here?

I was seized and carried to Anjarakandy while a child, and made to stay at Brown Sahib's Pandishall.

What are the names of your father, mother and karnawar?

My father's name is Coran; mother's, Chakky; and karnawar's I don't know.

Have you been to your country since you came to this place?

No.

How came you to know the names of your house, father and mother?

My father and mother died at Anjarakandy; I was seized and brought along with them.

Are there now any of your relations left?

There are here now my eldest brother, Ramen; my sisters, Chakky and Kally.

Is it not better for you to live at Anjarakandy when you have your parents there?

No, I wish to go to my country.

N^o 8.—Examination of Wittowan Kai, aged about 25, taken on the 11th Danoo 987, or 20th December 1811.

Question.—What is your country, caste, house-name, and whose adima are you?

Answer.—My country is Kottapadys, to the southward; caste, Wittoowan; house name, Vattakat; I am the adima of Poomatoor Keroomenon.

What are the names of your father, mother and amamon?

My father's name is Cockin; mother's Aia; amamon, Kai.

When did you come here, for what purpose, and with whom did you come here?

Ten or thirteen years ago, when I was a child, Karooakar, Moideen, Moopa's men, Willaly Mopilla, Cunhamoo Mopilla and a tean came in the jungle where I was tending cattle; seized and carried me to the house of Chawakat Moideen Moopa, and kept me there for ten days; afterwards one day at night they laid hold of me, tied and embarked me on board a manchoo, and landed me at Anjarakandy.

Have you a house and parents, and did they know of your having been seized and brought to this place?

I have a house and parents in my country; they did not know my being seized and brought away.

Witnesses. (signed.)

N^o 8.—Examination of Wuttakat Wittoan Kai, aged about 25, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and your name?

Answer.—My country is Kottapadikel, to the southward, in Ponatoor; caste, Wittoowan; and my name is Wattakat Kai.

How

How many years is it since you have been brought to this place, and who is your tambooran?

Five or ten years ago; I think I am the adima of Corumenon Tambooren.

How did they bring you here?

When I was tending cattle in the jungle, Willaly Mopilla and a tean seized me and carried me to Caraoakara Moopa, when one day at night I was embarked on board a manchoo and sent to Mr. Brown at Anjarakandy.

What are the names of your father, mother, and karnawar?

My father's name is Cochen; my mother's, Aia; and karnawar, Kar.

Who seized and brought you to Anjarakandy; did your parents know of your having been seized and carried away?

Caotially Mopilla seized and brought me to Anjarakandy; my parents did not know of their bringing me away.

(sworn and signed.)

N^o 9.—Examination of Wittoowen Aipen, aged about 30, taken on the 11th Danoo 987, or 24th December 1811.

Question.—What is your country, caste, house name, and whose adima are you?

Answer.—My country is Tokay in Cherrykallil, to the southward; caste, Wittowan; house name, Andikatoo; I am the adima of Karkat Moideen.

What are the names of your father, mother, and amamon?

My father's name is Ayapen; mother's, Neely; amamon, Copen.

When did you come here, for what purpose, and with whom did you come here?

I don't know when I came here. When I was tending cattle, two mopillas came, seized and carried me to Chawakat, and shut me up there in a room; their names I don't know; whence I was embarked on board a manchoo, and landed me at Anjarakandy.

Have you a house and parents?

Yes, I have in my country; my mother and three sisters, one brother, and a house; they did not know of their bringing me away.

What are their names?

My mother is called Nuly; brother, Changran; sisters, Coda, Ponny, and Nuly.

(signed)

Witnesses. Arcata Kannen. Markankandy Parry.

N^o 9.—Examination of Wittoowan Aipen, aged about 30, taken before the Magistrate in the Zillah, North Malabar, on 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Chetoway Tokay in Cherykalil, to the southward; caste, Wittoowan; name, Aipen; my house name, Andicatus.

How many years is it since you have been brought to this place, and who is your tamburan?

Ten years ago I was brought to this place; I am the adiam of Karakat Moideen Mopilla.

How did they bring you here?

When I was tending cattle, Karoaker Moopa's men came, seized and carried me to Chavakat to Karoaker Moopa, who embarked me on board a manchoo, and sent me to Mr. Brown at Anjarakandy. Cadden Wittoowan was also sent with me, but he made his escape from the pundishall.

What are the names of your father, mother, amamon; and how old are you?

My father's name is Aipen; mother's, Nuly; amamon, Komapan. I don't know how old I am.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Who were the persons that brought you to Anjarakandy?
I don't know their names. The manchoo's muequas brought me to Anjarakandy.
(sworn and signed.)

N^o 10.—Examination of Wittoowan Changran, aged about 40, taken on the 10th Danoo 987, or 23d December 1811.

Question.—What is your country, caste, and whose adima are you?

Answer.—My country is in Chawakat Maidery, to the southward; caste, Wittoowan; my house name, Chakattatel. I am the adima of Yarata Ainally Mopilla.

What are the names of your father, mother, and amamon?

My father's name is Aiapan; mother's, Nulee; amamon, Kanden.

When did you come here; for what purpose, and with whom did you come here?

Eight years ago, one day, Chanden Parambil Cunhy, Moideen and Willaly Mopilla, came to Choonatta salt pan, where I was working; seized, and took me to Tuttaipil, where they embarked me on board a manchoo, and landed me at Anjarakandy.

Have you a house and parents?

Yes, I have a house and parents in my country; they did not know of my being brought to this place.

(signed.)

Witnesses. Arcatao Kannen. Markarkandy Parry.

N^o 10.—Examination of Wettoowan Changran, aged about 40, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Maridary, to the southward; caste, Wittoowan; name, Changren.

How many years is it since you have been brought to this place, and who is your tamburan?

Ten years ago I have been brought to this place; my tambouran is Yarata Ainally Mopilla.

How were you brought to this place?

When I was working in the salt pan, Wellaly Mopilla and Chanaporata Coony Moideen Mopilla came, seized me, my wetooty, and my three children, and carried us by land to Karoakur Moopas, where they shut us up in a room, and kept us there two days; on the third day they embarked us on board a manchoo, and sent us to Mahi, where the Anjarakandy saib was living; that day they kept us there; the next day we were again embarked in a manchoo, and sent to Anjarakandy; my wetooty and two children died at Anjarakandy, and now myself and one child remain.

What are the names of your karawan, father and mother?

My karawan's name is Canden; father's Aiapen; and mother's Neelee; my house name is Chakatatila Paramba.

Who brought you to this place?

The macquas; I do not know their name.

(sworn and signed.)

N^o 11.—Examination of Wettoowaty Neely, aged about 25, taken on 11th Danoo 987, or 24th December 1811.

Question.—What is your country, caste, your house name, and whose adima are you?

Answer.—My country is Cankanny, to the southward; I do not know my house name; caste is Wetooty; am the adima of Tendil Christna Camul.

What are the names of your father, mother, and amamon?

My father's name is Aiapen, mother's Pony; karnawor, Chanan.

When

When, did you come here; why, and with whom did you come here?

Ten or fifteen years ago; one day, Karoakur Moopa's men, Nair Cunhy, Amad and Willaly Mopilla came, seized me and my wettoowan, and took us to Karoakur Moopa, where they put my wettoowan in the stocks, and me they shut up in a room; after three days they embarked us on board a manchoo, with other wettoowans and pooliars, and landed us at Anjarakandy; my wettoowan is dead; I have one daughter.

Have you a house and parents; if so, did they know of your having been seized, and carried away?

I have a house and parents in my country; they did not know of my being carried away.

(signed.)

Witnesses, Araryata Kannen. Markarkandy Parry.

N^o 11.—Examination of Wettovaty Neelee, aged about 25, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Peroompaddapa Cankanny, to the southward; caste, Wettooaty; name Neelee.

How many years is it since you were brought to this place; and who is your tamburan?

I think it is about ten years ago since I was brought to this place; my tamburan is Tendil Christna Camul.

How did they bring you to this place?

One day at night, Karoowakur Moopa's men, Wellaly Mopilla and Nair Cunhy Amad, came in my house, seized me and my wettoowan, embarked us in a toney and took us to Karoakur Moopa, where they shut us up in a room for three days, and on the fourth day, they embarked us again on board a manchoo, and took us to the sahib of Anjarakandy; two wettoowans, two wettoowatus, two or three pooliars, were brought with me; the latter are still alive, and the others are dead. I have now a child, by the name of Chaky.

How many children have you now?

I have only one child, born at Anjarakandy.

What are the names of your father, mother, and amamon?

My father's name is Aiapin; mother's, Pony; karnawur, Chanan.

Who was the person who brought you to Anjarakandy?

Wellaly Mopilla embarked me on board a manchoo, he and mucqwas took me to Anjarakandy.

(sworn and signed.)

N^o 12.—Examination of Wettooaty, aged about 35, taken on 24th December 1811, or 11th Danoo 987.

Question.—What is your country, caste, your house name, and whose adima are you?

Answer.—My country is Parawar, to the southward; caste, Wettooaty; the house name I do not recollect; I am the adima of Parawar Tamburan.

What are the names of your father, mother, and amamon?

My father's name is Kadden; mother's, Korumba; amamon, Chungran.

When did you come here, why, and with whom did you come here?

Ten years ago; one day Karoakur Moopas men, Willaly Mopilla and Nair Cunhy Amod, came at the time my people went to work, seized, took and kept me in the Chawakat Fort, and from thence they carried me to Tottanpilly; embarked me with some wettoowans and pooliars on board a manchoo, and landed us at Anjarakandy.

Have you a house and parents; if so, did they know of your having been seized and brought to this place?

I have a house and parents in my country; they did not know of their seizing and bringing me to this place.

(signed.)

Witnesses, Arcatoo Kannen. Markarkandy Parry.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

N^o 12.—Examination of Wettoowaty Aya, aged about 35, taken before the Magistrate in the Zillah, North Malabar, on 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Chenna Mangalom; to the southward of Kodungaloor; caste, Willpooty, and name Aya.

How many years is it since you were brought to this place, and who is your tambooran?

I think it is about ten years ago that I was brought to this place; my tambooran is Parawoor Tambooran, of Chena Mangalom.

How was you brought to this place?

One day, when I was sitting in my house, at day time, Karoowakar Moopa's followers, Wellaly Moopilly, Nair Cunhy Amod, with several other moppilas, came, seized and embarked me in a toney, and carried me to Karoakker Moopa's house, where they kept me two days; afterwards they embarked me again with two wettoowans in a toney, and sent us to Anjarakandy, to Mr. Brown's pundishall; the two wettoowans died at Anjarakandy.

What are the names of your father, mother, and amamon?

My father's name is Camden; mother's Corumba; and amamon, Chalfan.

Have you now any children?

No, I have none.

Who brought you to this place?

Wellaly Mopilla and Nair Cunhy Amod.

What is your house name?

I do not know.

(sworn and signed.)

N^o 13.—Examination of Wittooty Neelee, aged about 30, taken the 11th Danoo 987, or 24th December 1811.

Question.—What is your country, caste, and house name, and whose adima are you?

Answer.—My country is Maroodarod; caste, Willooty; house name I am not certain of; and I am the adima of Erratah.

What are the names of your father, mother and amamon?

My father's name is Chahgrati; mother's Aya; and amamon Ayapen.

When did you come here, for what purpose, and with whom did you come?

Ten years ago, one day Karoowakar Moopa's men, Willaly Mopilla, Chandamporambil, Cunhy Moideen, mopilla, with several other moppilas, came at the time that my father and mother went to work, seized, carried me to Chawakat, and kept me there; they then went a second time, seized my father, mother, and their children, and brought them also to the place where I was; and kept us all there for a few days; afterwards, one day at night, they took us, to Fottapil, where they embarked us on board a manchoo, and landed us at Mahé, from whence we were embarked again in a toney, and landed at Anjarakandy.

Of those seized, how many remain and are now with you?

My father, mother, my youngest sister, my younger brother were seized, and now only my father and myself remain; I have now two children with me, and they are these.

Witness.

(signed)

N^o 13.—Examination of Neelee, aged about 30 years, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste and name?

Answer.—My country is Maroodary, to the southward; caste, Willooty; my name, Neelee.

How was you brought to this place?

How many years is it since you have been brought to this place, and who is your tamburan?

Ten years ago I was brought to this place, and my tamburan is Erratah Ayanany Mopilla.

How did they bring you to this place?

When my father and mother went to work, Willaly Mopilla and Chandanapovato Cunhy Ammod Mopilla came, seized me, and took me away to a short distance, and asked me if I had father and mother; I replied, that I had; and they returned a second time, and brought my father and mother, and my younger brother and sister, and we all were afterwards carried to Moopa's house, where we were kept for a month; afterwards they told us that they were going to take us to Tottapel (another house of the moopa's, but afterwards, we five persons, together with a wittoowan boy, were embarked on board a manchoo, and delivered to Mr. Brown at Anjarakandy; a few days after, my mother, brother, and sister died; my father, myself, and the two children that I had since I came to this place, still remain.

How old are you, and what is your house name?

I am about thirty years old, and my house name is Chakatatel Wallapil.

What are the names of your father, mother, and karnawor?

My father's name is Changran; mother's, Ayah; karnawor, Ayapen.

How old are the children that you had since you came to Anjarakandy?

They are females, one five years old, the youngest two.

(sworn and signed)

N^o 14.—Examination of Kalee, aged about 35 years, taken on the 11th Danoo 987, or 24th December 1811.

Question.—What is your country, caste, house name, and whose adima are you?

Answer.—My country is Chawakat, caste Wellooty, house name Manote. I am the adima of Chawacot Cotta Moopah.

What are the names of your father, mother, and amamon?

My father's name is Arapen; mother's Cotta; amamon, Conda.

When did you come here, why, and with whom did you come here?

Ten years ago; one day, Karooakar Moopa's man, Willaly Moopilla came, called me to go with him to work; but he took me to Karooakar Moopa's house, and shut me up in a room, and that night he embarked me, my son (a child), and some Wittooars and Pooliars on board a manchoo, and landed us at Anjarakandy. My son fell into the river, and was drowned. I have now one boy, he is this.

Have you a house and parents, if so, did they know that you have been seized and carried away?

I have a house and parents in my country; they did not know of my being seized and brought away.

(signed)

Witnesses, Arcata Kannen, Markarkandy Parry.

N^o 14.—Examination of Kalee, aged about 35 years, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Chawakut; caste, Wattoowaly; name, Kallee; my house name Chakundda.

How many years is it since you were brought to this place, and who is your tambooran?

I was brought about ten years ago, and my tambooran is Kotta Moopah.

How was you brought to this place?

Willaly Mopilla came at night, seized me and my child, and carried us on board a manchoo to Anjarakandy, and placed us there at Mr. Brown's pandishala; my son Ayapen fell into the river one day while looking after the Saheb's cattle, and was drowned.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

drowned. I did not know where to tell my grievances, therefore I did not complain; now I have this boy, his name is Chamen.

What are the names of your father, mother, amamon, and your house name?

My father's name is Aipen; mother's, Cotta; amamon, Conda; house name is Manote.

How old are you?

About 35 years of age.

How many children had you since you came to Anjarakandy?

I had five children since I came to Anjarakandy; one boy, by the name of Chamen, aged about fourteen years, only remains.

(signed)

N^o 15.—Examination of Chakky, about 30 years of age, taken on the 11th Danoo 987, or December 23d, 1811.

Question.—What is your country, caste, why, and with whom did you come here?

Answer.—My country is Perempadapoo Kankaroo Tarah; caste, Wettooaty. I will state how I came to this place: about ten years ago, I think, one day, at night, three mopillas came in my house, seized, and carried me to Tottapy, and shut me up there for a month; from thence they embarked me on board a manchoo, the people of the manchoo landed me at Anjarakandy; afterwards, the Wallia Achen (Mr. Brown), of Anjarakandy pundishall, kept me at Anjarakandy, where I had two children; they are young, and here they are.

Did the people of your house know that you had been seized and carried away?

No, they did not.

Whose wettooaty are you?

I don't know whose wettooaty I am.

Have you father, mother, and amamon (uncle), if so, what are their names?

My father's name is Cherooken; mother's, Aga; they both are dead, my amamon is called Arapen; he was alive when they seized and brought me away.

(signed)

Witnesses,—Areatoo Kannen, Markankandy Parry.

N^o 15.—Examination of Chakky, aged about 30; taken before the magistrate on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Perimpadapookanhanoo Tarrah; caste, Wettooaty; and name Chaky.

How many years is it since you were brought to this place, and who is your tamburan?

I was brought about eight years; I think my tamburan is Poonatoor Tamburan.

How did they bring you to this place?

One day, at day-time, when I was sitting in my house, Karoowakaran, moopas people, Wilbaly Mopilla and Nair Cuntty Amod, come, seized and took me to the moopa's house, and shut me up there for three days; on the fourth day, at night, they embarked me. Two Wettoowans and one Witoowan that was sent with me is dead, and a Witooan and a Witoowaty are here. I have two children now, Ramen and Diapan; one is five, and another six years old.

At what time was you seized?

At night-time, when I was eating rice.

What are the names of your father, mother, karnawor, and your house name?

My father is called Cherooken; mother, Aga; karnawor, Aiapen; my house name is Pookatoo Porah;

(sworn and signed)

Fort St. George; Papers: State of Slavery in Company's Territories.

N^o 16.—Examination of Chakky, aged about 30 years, taken on the 11th Danoo 987, or 24th December 1811.

Question.—What is your country, caste, house name, and whose adima are you?

Answer.—My country is Kakany to the southward; caste, Namboodry; my house name is Perineoori.

What are the names of your father, mother, and amamon?

My father's name is Ayapen; mother, Kally; and amamon, Ramen.

When did you come here, for what purpose, and with whom did you come to this place?

Fifteen years ago Karooakar's people came, seized me, my mother, and my daughter (a child), and carried us to Chawakat Moopa; took away my child, and embarked me and mother, and other Wittoowars, on board a manchoo at night, and landed us at Anjarakandy. The son that I have now, he is this (an infant at the breast.)

Have you a house and relations; if so, did they know that you had been seized and carried away?

I have a house and relations in my country, but they did not know of our being stolen and carried away.

(signed) Witnesses, Areatoo Kanner, Markarkandy Parry.

N^o 16.—Examination of Chakky, about 30 years of age, taken before the magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Chawakat; caste, Weetooaty; and name, Chakky.

How many years is it since you were brought to this place, and who is your tamburan?

I think about 10 years ago I was brought to this place; my tamburan is Chennally Namboorg.

How was you brought to this place?

One day, at night, Karooakar Moopa's man, came, seized me, my mother, and my daughter (a child), and took us to the place where several others had been seized, and shut us up amongst them; when we all were about embarking in a toney, my child was left behind, I therefore cried, on which they laid hold of me, tied me to a cocoa-nut tree, beat, and then embarked me in a toney, and covered us with a mat, and took us to Anjarakandy Sahib, where my mother died; my child was not sent with me here. Since my arrival at Anjarakandy I had four children, one only is alive, aged four years.

How old are you?

About 30 years of age.

What are the names of your house, father, mother, and karnawor?

My house name is Carunoon; father, Aiapan; mother, Cally; and karnawor, Ramen.

Have you had any child since you came to Anjarakandy?

From the four that I had brought forth, one only is alive. (signed and sworn)

N^o 17.—Examination of Wiltooty Neely, about 25 years of age, taken on the 10th Danoo 987, or 23d December 1811.

Question.—What is your country, caste, why, and with whom did you come to this place?

Answer.—My country is Chawakat in Paloor Tarrah; caste, Willooty. The reason of my coming hither is, that Cunhy Omod Mopilla seized me one day, at day-time, from my house; and in the same day took me to Ponary, and embarked me on board a manchoo; the people of the manchoo landed me at Mahé, where they detained me one day, and the next day they put me again on board the same manchoo, carried me to Anjarakandy, where the Wallia Achan (Mr. Brown) made me stay at the pandishhall; since then I have brought forth a girl, which is this.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Did the people of your house know of your having been seized and brought to this place?
No, they did not.

Whose Wetooaty are you?
Mopilla Seydayen Moopa.

Are your father, mother, and carnawar alive; if they are, what are their surnames?
My father's name is Chargran; mother, Aya; and carnawar, Changary; they all dead.

Have you any relations in your country?
Yes, I have three sisters and one brother.

Witnesses, Areatoo Kannen, Markankandy Parry (signed)

N^o 17.—Examination of Wetooaty Neely, aged about 125; taken before the magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?
Answer.—My country is Chawairat; caste, Wittooaty; and name, Nelly.

How many years is it since you have been brought to this place; and who is your tamburan?
I think it is 10 years since I have been brought to this place; my tamburan is Seidan Moopa Mopella.

In what manner were you brought here?
One night, about day-break, Cunhy Amod, Mopila of Chawakat, came and told me to go and weed the paddy field; but instead of that, he took me by land to Penang, from whence he embarked me in a toney, landed me at Mahé; there he detained me one day, and the next day took me to Anjarakandy; after my arrival at that place, I brought forth two children, one of which died, and the other one is five years old: his name is Coromba.

How old are you?
I think I am about 23 years old.

What are the names of your house, father, mother, and carnawar?
My house name is Payakut; father, Changram; mother, Aya; and carnawar, Changry. (sworn and signed)

N^o 18.—Examination of Bhaky, aged about 22, taken on the 11th Danoo 987, or 20th December 1811.

Question.—What is your country, caste, house name, and whose adima are you?
Answer.—My country is Chawakat, caste, Wittooaty; I am not certain of my house name; am the adima of Onatooor Koroo Nair.

What are the names of your father, mother, and carnawar?
My father's name is Cochin, mother's, Moonddy, and caranawen's, Ayapen.

When, for what purpose, and with whom, did you come to this place?
About ten years ago, when I was going to work, Williat Mopilla, Nair Cunhy, Amod, and Cunhy Amod, called and desired me to carry some cadjans, took me to Chawakat Carookaren, Cunhy Moidun Moopen's house, where they shut me up in a room, and afterwards they took me to Welliangattoo, and shut me up there also in a room with some Pooliars, and embarked us all on board a manchoo, and carried us to Anjarakandy.

Have you a house and parents, if you have, did your parents know of your having been seized and brought to this place?
I have a house and parents, but they did know of my having been seized and brought to this place. (signed)

THREE DIRECTORS AND THE GOVERNMENTS IN INDIA. 629

No. 18. Examination of Chaky, aged about 22, before the Magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Chawakat, caste Wetooaty, and name Chaky.

How long is it since you have been brought to this place, and who is your father?

It is ten years since I have been brought to this place; I am the adima of Poonatooon Tamburan.

In what manner were you brought here?

While I was pulling up grass from the paddy field, three persons of Karooakar Moopar came there, and told me that there was a bundle of cadjins to be carried; seized me and took me to Welliankote, and shut me up in a room, in which there were two Pooliars, two Wettoowars, and two Kana Kannar, from whence we were all put on board a manchoo, and taken to Anjarakandy; I made a stay at Brown Saib's banksaul. The two Pooliars and Wettoowars that were brought with me, are now present, and the two others died at Anjarakandy.

What are the names of Karooakaran's people who seized you?

Willaly Amod is the name of one, and Nair Cunha Amod and Country Amod are those of the two others.

How old are you?

I am about 22 years old.

What are the names of your house, father, mother, and carnawor?

My house name is Pallapoo, father's Cochen, mother's Moonddy, and carnawor Ayapen.

How many children have you brought forth since your arrival at Anjarakandy?

None. (signed)

No. 9. Examination of Chaky, aged about 30, taken on the 11th Danoo 987, or 24th December 1811.

Question.—What is your country, caste, and house name, and whose adima are you?

Answer.—My country is Witalancotta, caste, Wettooty, house name I do not know; I am the adima of Kariantala Panikamar.

What are the names of your father, mother, and carnawor?

My father's name is Changran, mother Aya, and carnawan Changran.

When, for what purpose, and with whom did you come here?

Karokaren Moopa's people, Wittaly Mopilla, and Nair Cunha Amod, came about ten years ago, seized me and my wittoowan at night time, and shut us up in a room, and afterwards put us on board a manchoo, and carried us to Anjarakandy; my wittoowan died at that place.

Have you a house and family; if you have, did they know of your having been seized and brought here?

I have a house and relations; they did not know of my having been seized and brought to this place. (signed)

No. 10. Examination of Chaky, aged about 30, taken before the Magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th Decr. 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Welleargotto, caste Wittooaty, and name Chaky.

How many years is it since you have been brought to this place?

It is about ten years since I have been brought here, and my tamburan is Karooantala Werayen Panikar.

In what manner were you brought here?

Wittaly Mopla was sent by Karooakar Moopa to my house, and he seized me, took me to Chawakat, and detained me there one day, afterwards embarked me in a manchoo, took me to Anjarakandy, and made me stay at Brown Saib's banksaul.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

How old are you?
I am about 30 years old.

What are the names of your house, father, mother, and carnawor?
My father's name Changaran, mother's, Aya, carnawor, Changian, and house Tyatoo.

Did your tambooran know of your being seized and brought to this place?
No, he did not.

Have you had any child since your arrival at Anjarakandy?
I had two, but both died.

Was any other person brought with you?
My husband and about ten or twelve Pooliars and Wittowors were brought with me, all of which died, excepting two Witooattys. (signed)

N^o 20.—Examination of Chaky, aged about 20, taken on [the 11th] Dáhoos 987, or 24th December 1811.

Question.—Which is your country, of what caste are you, what is your house name, and whose slave are you?
Answer.—My country is Chetooway Maraporam; caste Wittooaty; I do not know any thing else; my brother Ramen is now present, and he knows every thing.

Why, when, and with whom did you come here?
I am not certain of the time and manner I came here; one day, several mopas came, surrounded my house, seized us all, put us on board a manchoo, and took us to Anjarakandy; we are now four in number, and all the rest died; my deceased sister had a daughter, by name Corumba, and this is her.

What is the name of you four?
Ramen is the name of my eldest brother, Kally that of my younger sister, and Chakapen that of my younger brother. (signed)

Witnesses, Areatoo Kannen, Markkandy Parry.

N^o 20.—Examination of Chaky, aged about 20, taken before the magistrate of Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—Which is your country, and what is your caste and name?
Answer.—My country is Manukaram, caste Wittooaty, and name Chaky.

How many years is it since you have been brought here, and who is your tamburan.
It is about ten years since I have been brought here; my tamburan is Aremparátúbit Canner.

In what manner were you brought here?
One night, Carouaker Moopar people, Cooly Alla and Wellaly mopillas, and some other mopillas came, surrounded our house, seized me, my father, my mother, and seven children; took us near a nulla, embarked us all on board a manchoo, carried us to Anjarakandy, and gave us to Brown Saib, and since our arrival there, my father, mother, two eldest sisters, and one child, died, and we four now remain.

How old are you, and what is the name of your house?
I am about 20 years old; Cardattil Parambar is the name of my house.

What are the names of your father, mother, Carnawen and Wittoowan?
My father's name is Oonikoroó, mother's Chaky, Carnawan's Gonden Canen, and Wittoowan's Ayaper.

How many children have you brought forth since your arrival at Anjarakandy.
One, which is not alive.

Did your tamburan know of your having been seized and brought to this place?
He did not; we were forcibly seized and embarked on board a manchoo. (signed)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 21.—Examination of Kally, aged about 18, taken on the 11th Danoo 987, or 24th December 1811.

Question.—Which is your country, of what caste are you, and what is the name of your residence, and whose slave are you?

Answer.—My country is Chettooway Panapooram; I am of Wittooaty caste; the name of my residence and whose slave I am, I am not certain of.

What are the names of your father, mother, and carnawan?

My father's name is Conikaroo, mother Chaky; carnawans I do not know.

When, why, and with whom did you come to this place?

I am unacquainted of the time and manner I came here; my friends told me that I was seized with them by moplas, put on board a manchoo, and taken to Anjarakandy; my brother Ramen, who is now present, knows of all the particulars.

How many of your relations are now present?

My eldest brother Ramen, eldest sister Chaky, younger brother Chakapin; and eldest sister's daughter, Caroomba, this infant.

(signed)

Witnesses, Areatoo-Kannen. Marakandy Parry.

N^o 21.—Examination of Chaky, about aged 20, taken before the magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—Which is your country, of what caste are you, and what is your name?

Answer.—I do not know which is my country; am of the Wittooaty's caste; my name is Kally; if you ask my eldest brother, he will tell you the name of my country.

How many years is it since you have been brought here, and who is your tamburan?

It is about ten years I have been brought here; and I do not know the name of my tamburan; as I was then a child; you will know of all the particulars if you ask of my brother.

In what manner were you brought to this place?

I am wholly unacquainted with the manner in which I was brought, as I was then a child; my eldest brother will tell you about this subject if you ask him.

How old are you?

I am about ten years old.

What are the names of your father, mother, and carnawan?

My father's name is Onikoroo, brother's Chaky, and carnawan's I do not know.

What is your house name?

My house name is Toopootao.

Have you had any child since your arrival at Anjarakandy?

No, I had not.

(signed)

N^o 22.—Examination of Neely, aged about 50, taken on the 11th Danoo 987, or 24th December 1811.

Question.—What is your country, and what is your caste and house name, and whose slave are you?

My country is Arempoore, caste Wittooaty, name of my residence Callery, and an Arimpare Karickais adian.

What are the names of your father, mother, and carnawan?

My father's name is Callery Changran; mother's, Chakky; and carnawan's, Khy.

When did you come here, and why, and with whom did you come?

Some years ago; while I was going with my son to Chawakara, Moideen Cutty Moopen seized and took us to his shop, where he detained us; after one month, he embarked me and my child in a manchoo, and landed us at Anjarakandy.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Have you a house and family; if you have, did the latter know of your having been seized?
Yes, I have; my family did not know of the circumstance of my having been seized.

Witnesses.

(signed)

N^o 22.—Examination of Neely, aged about 50, taken before the Magistrate on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, and what is your caste and name?

Answer.—My country is Arimboor, in Perimpadah; caste, wettooty; name, Nully.

How many years is it since you have been brought here, and who is your tamburan?

I think it is ten years since; my tamburan is Amboor Kariakar tamburan.

In what manner were you brought?

On my going to Chawacat with my younger brother Kandin (an infant), to see my sister, who was living there, Karoakaren Moopa seized me and the said child, and shut us in a room at his house, and, at night time, without any one seeing, he embarked us in a toney, covered with mats; and, whenever I lifted up my head to see where I was, he beat me and did not allow me to look out, and in this manner he took me, two children, two Wittowaties, and two or three Pooliars, to Anjarakandy, and made us all stay at Brown Saib's, where some Pooliars died, some ran away, and two Wittowaties now remain.

How old are you; and what is the name of your house?

I am about 50 years old; my house name is Collery.

What are the names of your father, mother, and carnawor?

My father's is Changran; mother's, Cheky; and carnawan's, Kahy.

(signed)

N^o 23.—Examination of Nuly, aged about 28, taken on the 11th Danoo 987, or 24th December 1811.

Question.—Which is your country; what is your caste and house name; and whose slave are you?

Answer.—My country is Khanhary; caste, Wittooty; and house name I don't know; I am the slave of Moolapally Kristnee Kamatoo.

What are the names of your father, mother, and carnawan?

My father's name is Ayapen; mother's, Coda; and carnawan's, Kanady.

When did you come here; for what did you come; and with whom did you come?

One night, about 10 years ago, while I was watching in the paddy field, Karoakkar Moideen Cooty Moopa's people, Willaly Mopilla and some Teens came there, seized and took me to the beach, embarked me in a manchoo, and landed at Anjarakandy.

Original.

Have you a house and family; if you have, did your family know that you had been seized?

I am not certain of the people that were in my house; I have a daughter, whose name is Chaky.

Witnesses.

(signed)

N^o 23.—Examination of Nuly, aged about 28, before the Magistrate of Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—Which is your country, and what is your caste and name?

Answer.—My country is Kanhanny, in Perimpadapa; caste, Wittooty, and name, Nuly.

How many years is it since you were brought here, and who is your tamburan?

It is five or six years since I have been brought here; my tamburan is Moolapilly Kritna Kamaloo.

In

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

In what manner were you brought?
While I was sitting in the paddy field at dusk, Karoakara Moopa's people and some mopillas and teans came, there, and seized me, and took me to the Moopa's house at Chawkat, where there were at that time three Pooliars, one Kittooty, and Wittoans. The next day, we were all embarked in a manchoo, and sent to Brown Saib, at Anjarakandy; the Wittoans and Wittoaties are all dead.

How old are you; what are the names of your father, mother, and carnawor?
About 28 years; my father's name is Ayapen; mother's, Coda; and carnawar's, Kanady; and the house name, I don't know.

(signed)

N° 24.—Examination of Chattan, taken on the 8th Danoo 987, or 21st December 1811.

Question.—What is your country; and what is your caste and house-name; and whose slave are you?

Answer.—My country is Wittatocare, in Anegadoo; caste, Enooleroq; house-name, Potrambittoo; and am the slave of Cherambittoo Awaran, mopilla.

What are the names of your father, mother, and carnawor?
My father's name is Chatta; mother's, Neely; carnawor's, Moondaten.

When, for what purpose, and with whom did you come here?
It is some years since I came here; Poothowan Paniker seized me, my wife, and four children, and took us to Palghantcherry Fort, and sent us to Mahé, with some moplas and sepoys, whence we were taken, to Anjarakandy; my wife, and two children are dead, and two children are still alive.

State the names of your children?
The name of one is Kandy, and the other Chattan, and they are here.

Have you a house and family?
Yes, I have; my family did not know of our having been seized and brought here.

(signed)

(Witnesses)

Examination of Chattan, taken before the Magistrate of Zilli, North Malabar, on the 17th Danoo 987, or 30th December, 1811.

Question.—What is your country; of what caste are you; what is your house-name?

Answer.—My country is Willatara, in Anangattoo; caste, Erraban; name of residence, Challen.

How many years is it since you were brought here, and who is your tamburan?

It is 10 or 12 years since I was brought here; my tamburan is Challamtatte Awaran, mopilla.

In what manner were you brought here?
While I was working at Poothoomani, Panikare Paniker Embran told me that my tamburan had come to Palghat Fort, and called me and took me to the fort, and made me stay there; afterwards one mopilla and one sepoy took me, my wife, and four children, by land, to Anjarakandy, three of whom are dead, and myself and two children still remain.

(signed)

N° 25.—Examination of Wellayen, on the 8th Danoo 987, or 20th December 1811, aged about 30.

Question.—Which is your country, what is your caste, and your house-name?

Answer.—My country is Jollanaad; I am of Pooliars caste; I don't recollect the name of my house.

What are the names of your father, mother, and uncle?
The name of my father is Chattan; my mother having died while I was a child, I don't know her name, and am not certain of my uncle's name.

125. 4 M

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

When, with whom, and for what purpose did you come here, and whose slave are you?

It is a long time since I came here, I don't recollect in what year it was; the mopillas came in the night time, seized and carried me away; who the mopillas were I don't know; I am the slave of Allengal Rama Koobroop.

Have you a house and family?

I have my house and family in Palnaad; they did not know of my having been brought here.

State the particulars how you were brought here?

One night some mopillas came and surrounded my house, and seized us six persons, and embarked us in a toney from Mollankadsta, and brought us to Mahé, three of whom died, and I and the other two still remain.

What are their names?

The name of one is Omalla, and the other Villary.

Witnessess, Wahil Hoossen Cooty, Wittoo Landy Pacroomar.

(signed)

N^o 25.—Examination of Wellayen, aged about 30, before the Magistrate of the Zillah, of North Malabar, on the 17th Danoo 987; or 30th December.

Question.—Which is your country, what is your caste and name?

Answer.—My country is Caicotte Palnaad; my caste is Pooliar; and name Wellayen.

How many years is it since you were brought here; and who is your tamburan.

It is about 8 years since I was brought here; Coorongate Chinkandin is my tamburan.

How old are you?

I am about 30 years old.

How were you brought here?

At night, while I was sleeping in my house, five or six mopillas came, surrounded my chala, seized and brought me in a toney to Calicut, from whence I was embarked and sent in a manchoo to Mahé, and thence to Anjarakandy; besides me, three Pooliar and two Pooliars, were also seized and sent; three of whom died; the other two, Vittary and Omalla, are now here.

(signed)

N^o 26.—Examination of Poolian Arapen, taken on the 10th of Danoo 987, or 23d December 1811.

Question.—Which is your country, and for what did you come here?

Answer.—My country is Anatala in Tikke Perampadapa; I think it is about 12 years ago, when one day I was tending cattle, a mopla came, seized me and carried me to Carookara Moopa's shop, where I was kept one day in the stocks, and the next day, I and 8 or 10 other persons were embarked in a manchoo; the manjakar landed us in the Anjarakandy banksaul; I don't know the manjakar's name.

Whose slave are you?

I am the slave of Aralattoo Tandan.

Are your father, mother and uncle alive? If so, what are their names?

My father's is Coran, who is still alive; my mother, Kally, died; and my uncle, he (Arapen), is also alive

Did your tamburan and family know of your being seized and brought here? No, they did not.

The persons who were brought with you, are they still alive?

There are now two or three Wittowais, and the other died.

Witnesses, Watil Hoossen Cooty, Willootandy Pacroomar.

(signed)

N° 26.—Examination of Aiapen, taken before the Magistrate of the Zillah of North Malabar, on the 17th Danoo 987, or 30th December 1811.

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

Question.—Which is your country, what is your caste and name?

Answer.—My country is Axalato, in Perampadapa; my caste is Pooliar, and name Aipen.

How many years is it since you were brought here, and who is your tamburan?

I was brought here about twelve years ago, and am the slave of Aralato Tandan.

In what manner were you brought here?

While I was tending cattle, a mopla came and seized me, and carried me to Carooakar Moopas, who kept me one day in the stocks, and the next day Karooakar Moopa sent me in a manchoo to Anjarakandy, and I was then put amongst the other charmans; when I was brought, ten Pooliars were also brought with me, five of whom died, and the other five are now here; they are Wittowans, therefore, I am not certain of their names.

How old are you?

I don't know.

N° 27.—Examination of Poolian Rama, taken on the 10th Danoo 987, or 23d December 1811.

Question.—What is your country, caste, house name, and whose adima are you?

Answer.—My country is Cawalapara; caste, Erralan; house-name, Madatoor Connatoo; and I am the adima of Cowalapara Nair.

What are the names of your father, mother, and carnawor?

My father's name I am not certain of; my mother is called Neely; and carnawor, Chatten.

When, for what purpose, and with whom did you come here?

It is about ten years since I came to this place; one night two mopillas seized me from my house, took me to Tehabatoo Moopen, in a forest named Katy Parety, from whence I was taken to Penang, embarked on board a manchoo, and carried to Anjarakandy.

Have you a house and relations?

I have a house and relations in my country; they did not know of my having been seized and brought here.

Witnesses.

(signed)

N° 27.—Examination of Poolian Rama, taken before the Magistrate of Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Cowalapara, to the southward; caste, Erralan; and name is Rama.

How many years is it since you have been brought to this place, and who is your tamburan?

It is about ten years since I was brought here; my tamburan is Kawalapara Nair.

In what manner were you brought to this place?

One night while I was asleep, two mopillas came, seized me and my younger brother, and made us stay with Takum Paraty Tekampat Amad Moopen, and afterwards sent us to a tamburan in Tellicherry, who sent us to Penang by four nairs, where we were detained two days in an upstairs house, and afterwards embarked in a manchoo, taken to Anjarakandy and given to Brown Saib; after a few days my brother attempted to state an umma (a moplady) for which purpose he was brought to this court, and I understood he died here.

Original.

(signed)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N° 28.—Examination of Chatten and Kandy, taken on the 10th Danoo 987, or 23d December 1811.

Question.—Which is your country, of what caste are you, what is your house-name, and whose adimas (slaves) are you?

Answer.—Our country is Willatocara Arinaod; caste, Erralan; we are the slaves of Charambata Awaran; the name of our residence is Charambata.

What are the names of your father, mother, and uncle?

Our father's name is Chatta; he is now with us; my mother's name is Cally; uncle, Moondatan; he is dead.

When, why, and with whom did you come to this place?

Poodeanoo Panikar seized us and our father and uncle, and we were brought to Mahé, and thence to Anjarakandy; our two brothers are dead.

Did your other relations know the circumstances of your being seized and brought to this place?

They did not.

(signed)

N° 28.—Examination of Kandy, taken before the Magistrate, on the 17th Danoo 987, or 30th December 1811.

Question.—Which is your country, of what caste are you, what is the name of your house?

I don't know which is my country; my caste is Erralan; name, Kandy; and I don't know the name of my chala or house.

How many years is it since you were brought to Anjarakandy?

I was brought when a child along with my father Chatter.

Do you know how you were brought here?

I don't know.

(signed)

N° 29.—Examination of Wallatacara Anacotta Erralan Chattan, taken before the Magistrate, on the 17th Danoo 987, or 30th December 1811.

N.B.—This person and his brother were examined before the magistrate's officers, *vide* N° 28.

Question.—Which is your country, of what caste are you, and what is your name?

Answer.—My name is Waltatacara Erralan Chattan.

How many years is it since you were brought here, and who is your tamburan?

I was brought here two years ago; my tamburan is Cherambatta Aweran.

How were you brought here?

Pothawan Panikar Tamburan seized me from the place I was at work, and took me to the fort of Palghaut, and detained me there two days; at night, six persons, including myself and another Erralam, were taken by land to Anjarakandy, and made to stay with the Saib there; three persons of those brought with me to Anjarakandy are dead; Kandy, my younger brother, and my father, Chattan, are now here with me.

N° 30.—Examination of Coran, on the 8th Danoo 987, or 20th December 1811.

Question.—Which is your country; of what caste are you; and what is your house name?

Answer.—My country is Mookalla; caste, Pooliar; my house name is Coony Nairata.

What are the names of your father, mother, and uncle?

My father's is Carean; mother's, Omalla; and uncle's, Chattan.

When, why, and with whom did you come here, and whose slave are you?

It is five years since I came here; Totacatta Moideen, and four or five other moplas, seized seven of us, took us to Changhaut, and embarked us in a manchoo,

six

six of whom were landed at Mahé, and were again put in a toney, and taken to Anjarakandy; one was taken by the moonchoo man, he was Charotta Markerars Adean.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Have you any house or family?

I have a house and family at Mookatta.

What are the names of those who were embarked with you in a manchoo from Changhaut?

Omalla, Oony, Margee, Poara, a child, Cally and myself, seven persons; Poara is the one taken by the manchoo man; of the other six persons four are dead; myself and Cally are here.

Witnesses.

(signed)

N^o 30.—Examination of Poolcan Koran before the Magistrate of Zilla, North Malabar, on the 17th Danoo 987, aged about 25, 30th December 1811.

Question.—Which is your country, caste, and name?

Answer.—My country is Mokotta, to the southward; caste, Pooliar; name, Korian.

How many years is it since you were brought down; and who is your tamburan?

I was brought four or five years ago; my tamburan is Charotta Marear.

How were you brought?

While I was serving under my tamburan's son, Tottacatta Moideen, another mopla, by name Moidun, and two others, came, seized, took us to Changhaut, and thence put in a manchoo, and took us to Mr. Brown's bangsaul at Anjarakandy; at that time, besides myself there were one male and five females, one of whom the manchoo Mopla took away; four died; Kally, a woman is come here.

Mem.—Says six or seven years ago.

Sworn to, &c.

Do you know Kally? How and when did she come here?

Yes, I do; she is my niece. When we were at work, Mordum Mopha seized and took us to Changhat; thence put in a manchoo, and brought to Anjarakandy.

(signed)

N^o 31.—Examination of Pooban Ramen, taken on the 8th Danoo 987, or 21st December 1811.

Question.—Which is your country, what is your caste, and the name of the house?

Answer.—Kodarkal (to the southward); my caste is, Erralan; I was brought while a child, I therefore don't know the name of my house.

What are the names of your father, mother, and uncle?

My father is Ramen; mother, Cally; my uncle's name I don't know.

When, why, and with whom did you come here, and whose slave are you?

I came some years ago. One morning I took out the cattle to graze, when Chacooty and Anoo, two moplas, came, seized, and took me to Chawagat, put me in a manchoo, and carried me to Anjarakandy. I am the slave of Kodarakal Wengata Namboonpad.

Have you a house and family?

I have a house and family in my country; none of them know of the circumstance of my being here.

(signed)

Witnesses.—Wattandy Pacroomur, Wayil Hoossen Cooty.

N^o 31.—Examination of Poolcan Ramen, before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811; aged about 30.

Question.—Which is your country, what is your caste and name?

Answer.—My country is Codarakal (to the southward); caste, Erralan; and name, Rama.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

How many years is it since you was brought here, and who is your tamburan?

I was brought about thirty years ago, and am the slave of Wangatta Nambaupatt.

How were you brought?

When tending cattle, two moplas came, seized, took me to Changout, and gave me to Carookara Moopa, who sent me and ten other Pooliars and wittoowars, whose name I don't know, by sea to Mr. Brown's bangsaul at Anjarakandy; those that came with me died at Anjarakandy.

Mem.—On this deposition being read, deponent says he was aged 20 years when brought to the place, and now is 30 years old.

(signed)

N° 32.—Examination of Poolean Chatten, taken on the 8th Danoo 987, or 21st December 1811.

Question.—Where is your country; what is your caste, and the name of your house; and whose slave are you?

Answer.—My country is Territalla; caste, Poolian; house name, Coorapata; I am the slave of Ittirarachan.

What are the names of your father, mother, and uncle?

I don't know my father's name; my mother's is Chaky, and uncle, Koran.

When, why, and with whom did you come here?

I came some years ago. Two moplas, viz. Salamy and Anedarata, came at night, seized me, my mother, and sister Moonda, and gave us to Carookara Moidun Mopla of Changhaut, who put us in a moonchoo, sent us to Mahé, whence we were put in a toney, and taken to Anjarakandy. My mother and sister died at Anjarakandy.

Have you a house and family?

I have a house and family at Teritala; none of them knew of this.

(signed)

Witnesses.—Wyal Hoopen Cooty, Wallowotandy Pacrooman.

N° 32.—Examination of Poolean Chatten, taken before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811; aged about 25.

Question.—Where is your country; what is your caste and name?

Answer.—My country is Territala (to the southward); caste, Poolian; name, Chatten.

How many years is it since you were brought, and who is your tamburan?

I was brought about eight years ago; my tamburan, a Koorpata Itterarachen.

How were you brought?

While sleeping at night in the challa (hut), two moplas of Karnwakara Moopen came, seized me, my mother and sister, and took us to the Karnwakara Moopen at Chawghaut. We were kept there one year, and thence we three persons were put in a manchoo, and taken to the saib at Anjarakandy. My mother and sister died three years ago.

(signed)

N° 33.—Examination of Karyan, taken on the 10th Danoo 987, or 23d Dec. 1811.

Question.—Where is your country, what is your caste and name, and whose slave are you?

Answer.—My country is Kodarakad (to the southward); caste, Poolian; house name, Cootanaad; I am the slave of Vengat Nanbooupat.

What are the names of your father, mother, and uncle?

My father's name is Chakkan; mother, Aga; uncle, Coran.

When, why, and with whom did you come here?

I came some years ago. One night, moplas came and seized four of us, took us to Changhaut, embarked us in a manchoo, and landed us at Mahé; thence put us in a toney, and taken to Anjarakandy; the other three are dead.

What:

What are the names of those who died?
 One was my elder brother Koran, the other my sister Moondee, and one Emaya.

Fort St. George.
 Papers:
 State of Slavery
 in Company's
 Territories.

Have you a house and family?
 I have a house and family in my country; none of them knew of this.

(signed)

Witnesses.—Wahae Hoossen Cooty, Wallalands Pairoomar.

N^o 33.—Examination of Kanjan Poolian, taken before the Magistrate of the Zillah N. Malabar, on the 17th Danoo 987, or 30th December 1811; aged about 19.

Question.—Where is your country, what is your caste and name?

Answer.—My country, Cootunaed (to the southward); caste, Poolian; and name, Caryan.

How many years is it since you were brought; who is your tamburan?

I was brought about ten years ago; I am the slave of Vengat Mamkale Namboodre.

How were you brought?

While sleeping at night in the challa, four or five moplas came, surrounded the house, seized me, my mother, elder brother, and sister, and took us by land to Changhaut, whence we were put in a manchob, and taken to Achin (Mr. Brown) at Anjarakandy; after a few days, my brother, sister and mother died.

(signed)

N^o 34.—Examination of Chattan, taken on the 8th Danoo 987, or 20th December 1811.

Question.—Where is your country, what is your caste, and house name?

Answer.—My country is Pandaloor, to the southward, caste, Poolean; house name I do not know.

What are the names of your father, mother, and uncle?

My father's name is Chattan, mother's, Onalla; uncle's name I do not know.

When, why, and with whom did you come here; whose slave are you?

I came about twelve years ago; two moplas seized me at night, and gave me to Komwa Kaira Moideen mopla, who embarked in a manchob, and sent me to Anjarakandy; I am the adima of Pandaloor Cooliporata tamburan.

Have you a house and family?

My father, sister, and house are at Pandaloor; I was seized and brought without their knowledge.

(signed)

Witnesses, Wayul Hoossen Cooty, Wallootardy Pairooman.

N^o 34.—Examination of Chattan, before the Magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th Dec. 1811, aged about 25.

Question.—Where is your country, what is your caste, and name?

Answer.—My country is Chewanoor, in Perimpadapa to the southward; caste Poolean, name Chatten.

How many years is it since you were brought here?

I was brought ten or twelve years ago; Cootiporate Nair is my tamburan.

How were you brought?

I was watching cattle in the batty field, when two moplas came, seized, and took me to Changhaut, whence I was put in a manchob, in which there were four males, five females, and taken to Mr. Brown's bangsaul at Anjarakandy; two women and three men are now here; the others are dead.

(sworn to and signed)

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

Examination of Nuly, taken on the 10th Danoo 987, or 23d Dec. 1811?

Question.—Where is your country, what is your caste, and house name; and whose adima are you.

Answer.—My country is Cawalapara, caste Erralan, house name, Madatoora Badikal; I am the adima of Karakal Nair.

What are the names of your father, mother, and uncle?

My father's name is Changram, mother Mada, uncle Toomlan.

When, why, and with whom did you come here?

I have been here for these ten years; one day, several moplas came at night, seized me and my Poolian and his brother, and gave us to a moplal at Penang, whence we were put in a manchoo and landed; my Poolean is here, and I have an infant at my breast.

Have you any house and family?

I have a house and family in my country; they are not acquainted with the circumstances of my being here.

What is the name of your Poolean?

Ramen; he is here with me.

(signed)

Witnesses.

N^o 35.—Examination of Neely, before the Magistrate in the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811, aged about 27.

Question.—Where is your country?

Answer.—Cawallapara; my caste is Eralla.

What is your caste and name?

Chanry; name Neely.

How many years is it since you were brought here, and who is your tamburan?

I was brought here ten or twelve years ago; I am the adima of Karakat Tamburan.

How were you brought away?

Moplas came at night, seized and took me to Catty Paraly, whence two sooder tamburans brought me to Penang, thence I was put in a manchoo, and landed at Anjarakandy, and made to stay with the Saib at that place; I have a child, by name Coran.

How old is that child?

Two years; besides which I was delivered of three children, all of whom are dead.

(signed)

N^o 36.—Examination of Omalla, taken on the 10th Danoo 987, or 23d December 1811.

Question.—Where is your country; what is your caste and house name; and whose adima are you?

Answer.—Eranad Eravatil Jura; my caste is Poolay, house name, Walliatta Paramba, and I am the adima of Pooliara Namboodre.

What are the names of your father, mother, and uncle?

My father's name is Cheroowata Palen, mother Omulla, uncle Kelean Chatten and Kannen.

When, why, and with whom did you come?

I have been here some years; Pallikel Sultan Kooty, Kander Kooty, and seven others, surrounded my house at night, seized, and sold me to Tancoor Pootempediquil; Cooty Assen who sold me to Wadagaracurum Coran, at Penang, and while there, I was seized and put in a manchoo by Karookaren Moideen Cooty Moopers, and landed at Anjarakandy; I have an infant at my breast.

Did your owners know of your having been seized and brought away?

None of them knew of my being stolen.

Witnesses.

(signed)

N° 36.—Examination of Omalla before the Magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Question.—Where is your country, what is your caste and name?

Answer.—Eranaad, to the southward; my caste is Poolay; name, Omalla.

How many years is it since you were brought here, and who is your tamburan?

I was brought here ten or fourteen years ago; my tamburan is Pooleara Namboodie.

How were you brought away?

At night, Oonisom Mopla's people, by name Sultan Cooty, Kadry Cooty, seized me from my poolian's challah, and sold me to Pootemporial Kootty Attan Mopla, at Jancoor Angady, who sold me to Wadagaracaran Chokra, at Ponany; thence I set out with an intention of returning to my country, and on the road Karowa Karen Moopa's people seized me, put me in a manchoo, in which there were two other males and two females, all of whom were taken and given to the saib at Anjarakandy; they are dead. I have one child; this is it.

How old is the child?

About three years.

(signed.)

N° 37.—Examination of Chaky, taken on the 10th Danoo 987, or 23d December 1811.

Question.—Where is your country, what is your caste, house name, and whose slave are you?

Answer.—My country is Manjerry; caste, Poolian; house name, Pahpara Tawalapil, and the slave of Manjerry Tiroopatil.

What are the names of your parents and uncle?

My father is called Coran; mother, Chaky; and I have no uncle.

When, what for, and with whom did you come here?

Ten years have elapsed since I came here; one night, as I went out without the compound of my house, about five or six moplas came up, seized me, as well as my poolien, and conducted us both to Changhaut, whence my poolien died; they embarked me in a manchoo, and landed me at Anjarakandy.

Have you a house and relations?

I have neither house nor relations.

Did your master know of your having been seized and brought away?

No one knew I was stolen.

(signed.)

Witnesses.

N° 37.—Examination of Chaky, taken before the Magistrate on the 17th Danoo 987, or 30th December 1811, aged about 24 years.

Question.—Where is your country, of what caste are you, and what is your name?

Answer.—Manjerry, in southward; a Poolien by caste; name, Chaky.

How long is it since you have been brought, and who is your tamburan?

It is about ten years since I have been seized and brought away; my tamburan, Wahaoony Tamburan.

How were you brought away?

One day, having collected some wood, while returning to my hut on the road, three mopillas, belonging to the Karooakara Moopa of Changhaut, came up and seized and carried me to Chawacata Moopan; whence, after keeping me ten or fifteen days, I was brought to Anjarakandy in a manchoo, and delivered over to Mr. Brown.

(signed.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 38.—Examination of Kally, taken on the 8th Danoo 987, (21st December 1811.)

Question.—What is your country, house name, and caste?

Answer.—I know neither what is my country nor house name, as I was brought away while young; my caste is Poolay.

What are the names of your parents and uncle?

My father's name is Toloory; but that of my mother am not certain.

When, why, and with whom did you come up here, and whose slave are you?

I am not certain when or who brought me here, as I was brought when I was young, and as I grew old, I saw Coran with me, and knew him to be my uncle; therefore, on asking him, the particulars thereof will be ascertained.

Witnesses.

(signed.)

N^o 38.—Examination of Kally, taken before the Magistrate on the 17th Danoo 987, or 30th December 1811.

Question.—What is your country, caste, and name?

Answer.—My country is Mookote, in southward; caste, Poolien; name, Kally.

How long is it since you have been brought to Anjarakandy?

I had no sense at the time I was brought; therefore I am not certain.

How were you brought?

Both I and my mother were seized and brought away by some mopillas while I was a child; on asking Koran, the particulars thereof will be known, who is now present.

(signed.)

N^o 39.—Examination of Chaky, taken on the 10th Danoo 987, or 23d December 1811.

Question.—Where is your country, what is your caste, the name of your house, and whose slave are you?

Answer.—My country is Odelloor, to the southward; caste, Kamky; the name of my house, Walapil, and I am the slave of Poroor Nair.

What are the names of your parents and uncle?

My father's name is Coran; my mother's, Kally, and that of my uncle, Cha-koony.

When did you come up here, why, and with whom?

It is long ago that I have been here; one day, Wylat, Mamaly, and Many, seized and delivered me to Karawata Moideen Cooty, who embarked me in a man-choo from Changhaut, and transported me to Anjarakandy; I have at present an infant at breast.

Have you a house and relations?

Yes; I have in my country both house and relations, but they were unacquainted with the circumstances of my transportation to this country.

Witnesses.

(signed.)

N^o 39.—Examination of Kaniky Chaky, taken before the Magistrate on the 17th Danoo 987, or 30th December 1811.

Question.—Where is your country, and what is your caste and name?

Answer.—My country is Odelloor, to the southward; caste, Kariky; and name, Chaky.

How long is it since you were brought away, and who is your tamburan?

It is about ten or twelve years since I was brought away; my tamburan is Pooran Nair.

In what manner were you brought away?

While I was one day at work in the field, Wylat Many and Manilly seized me, and delivered me over to Karoonat Moideen Cooty, with whom I stayed some days;

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

days; afterwards I was embarked in a manchoo, and sent to Mt. Brown at Anjarakandy; five female and six male persons were also sent along with me, of whom two pooliar of the name of Chatten, and a woman named Chaky, are living still; the rest are dead.

Have you no children?

I had a child, which died, and since I have been at Anjarakandy I have had four children more, who are also dead.

(signed.)

N^o 40.—Examination of Zetary, taken on the 8th Danoo 987, (21st December 1811.)

Question.—Where is your country, what is your caste, and the name of your house?

Answer.—My country is Pollanud; caste, Poolian, and house name, Palaporata.

What are the names of your father, mother, and uncle?

The name of my father is Cana; of my mother, Chaky, and of my uncle, Cana.

When, what for, and with whom did you come here, and whose adima are you?

It is many years since I came here; I don't recollect the exact year; one night I was seized and brought away by some mopillas; I am the adima of Alingul Rama Kooroop.

Have you a house and family?

Yes, I have, at Pollanaad; but I was brought away without the knowledge of my family.

How were you brought?

One night, my house had been surrounded; I and six others therein were seized and then shut up in a shop for two days; afterwards put in a manchoo, and sent to Mahé; three of whom are dead, and three, including myself, are living still.

What are the names of those that are still alive?

One of them is called Oomala, and another Willa.

Witness. (signed.)

N^o 40.—Examination of Gettary, taken before the Magistrate, on the 17th Danoo 987, (30th December 1811.)

Question.—Where is your country, of what caste are you, and what is your name?

Answer.—My country is Polanaad; caste, Pooliar; and name, Illary.

How long is it since you have been brought away, and who is your tamburra or uncle?

It is about 10 or 12 years since I have been brought away; my tamburan is Kooringot Cherika.

How were you brought?

One night while I was asleep in my house, about eight mopillas came and stole me away; that night they kept me shut up in a shop, and the next day I was sent to Calicut by land, where again they shut me up in a room for five or six days; thence they sent me in a manchoo to Mahé, and from Mahé to Anjarakandy. Besides myself, six others were also sent along with me, of whom three have died, and three are now here.

Since your arrival here, how many children have you had?

Since my arrival here I have had none, but when I came I had two children; one of whom has since died, and the other, named Omanah, is alive.

(signed.)

N^o 41.—Examination of Omala, taken on the 8th Danoo 987, or 21st December 1811.

Question.—Where is your country, what is your caste, and the name of your house?

Answer.—My country is Polanaad; caste, Pooliar; house name, Parapara.

Fort St. George
Papers: 1
State of Slavery
in Company's
Territories

What are the names of your father, mother, and uncle; when, why, and with whom did you come here, and whose adean are you?
My father is called Grien; mother, Dutary; and uncle, Grain. It is many years since I came here, but I am not certain how many. One night I was seized by some mopillas and brought away; I am the adean of Aling ul Ramien Kooroop.

Have you a house and family?

Yes, I have both house and family at Polanaad, but they know not of my being brought here.

How were you brought here?

One night some mopillas came to my house, seized me and six others, embarked us in a manchoo, and brought us here, three of whom are since deceased, the other three are living still.

What are the names of those three persons?

One of them is called Nataya and another Wella.

Witness. (signed.)

N^o 41.—Examination of Oomalla, taken before the Magistrate on the 17th Danoo 987, or 30th December 1811, aged about 16 years.

Question.—Where is your country, what is your name and caste, how long is it since you have been brought to Anjarakandy?

Answer.—My country is Palanaad, to the southward; caste, Pooliar; and name Oomaalla. It is about 10 or 12 years.

How were you brought?

I was stolen, but by whom I know not; on asking my mother the particulars thereof will be known, because the former account I have given, was from the information I had from her.

Was any other person brought with you?

Of the persons that came along with me, three are dead; my mother, Gifary and Willan are living still.

Have you had any children since you came to this country?

Yes, I had one, but it is dead.

(signed.)

N^o 42.—Examination of Chaky, a female, taken on the 10th Danoo 987, or 23d December 1811.

Question.—Which is your country, what is your caste, house, name, and whose slave are you?

Answer.—I was seized by two moplas, while I was very young, and carried to Chanaeat; when they caused moopla coopay to be put on, and after staying there, five days, I was embarked in a manchoo, and sent to Anjarakandy; I do not therefore know my country and house.

When were you landed at Anjarakandy?

I am not certain when it was.

Did your family know of it?

No, they did not.

(signed.)

Witness, Wayel Hoossin.

N^o 42.—Examination of Chaky, female, taken on the 17th Danoo 987, or 30th December 1811, before the Magistrate in the Zillah, North Malabar, aged about 22.

Question.—Which is your country, what is your caste and name?

Answer.—I don't know which is my country; my caste is Errataty, and name, Chaky.

How many years ago were you brought here, and who is your tamburan?

I was brought to Anjarakandy about 10 years ago; I don't know my tamburan's name.

In what manner were you brought?

Two moplas came and seized me while asleep, and carried me to Parrarry, there I was sold to a mopla, who caused a coopay to be put on me, and after Carooa

Kara

Kara Mopla brought me to Chanacat, the coopay was then taken off, and I was put amongst the Pooliars, from thence I and eight others were sent by toney to Anjarakandy, five of whom are now here, the rest are dead.

(signed.)

Fort St. George
Papers
State of Slavery
in Company's
Territories.

N^o 43.—Examination of Erralian Chakon, taken on the 10th Danoo 987, or 23d December 1811.

Question.—Which is your country, what for, and with whom did you come here?

Answer.—My country is Tanoor, I think it is about three years ago, when one day I was in my chala, three moplas came, seized and carried me to a shop, and kept me there that night; the next day I was delivered over to a manjankar, who embarked me in a manchoo, and landed me at Mahé, where I was detained that day; and the following day I was again embarked in the manchoo, and landed in the Anjarakandy banks; and the manjerkar is unknown to me. The Wallia Achin, Mr. Brown, told me, that I should be put amongst the Pooliars, to which I said I wanted not to go among them on account of my being an Erraban; without listening to my request, I was put amongst the Pooliars, and even to eat the Pooliars food; my family and owner did not know of this circumstance.

Whose slave are you; are your father, mother, and uncle still alive; and if so, what are their names?

I don't know my tamburan, my father, mother, and uncle.

Have you any other persons your relations, if so, what are their names?

I have one brother and sister, their names I don't recollect.

(signed.)

Witness, Warjil Hoossin Cooty, Willootandy Parooman.

N^o 43.—Examination of the Chaky, before the Magistrate of the Zillah, North Malabar, on the 17th Danoo 987, or 30th December 1811, aged about 13.

Question.—What is your country, caste, and name?

Answer.—My country is Tanisore; caste, Erralin; and name Chaky.

How long is it since you have been brought to this place, and who is your tamburan?

It is five or six years since I was brought to this place; my tamburan's name I don't know; I was then a child.

In what manner were you brought here?

When all the people of my challa went to work for their tamburan about noon, I was standing at the door of the challa, when two moplas came, seized, carried me to Mahé, and delivered me up to a saib, who sent me to Anjarakandy on a manchoo, and I don't know the name of that saib.

(signed.)

(E. 1.)—To Mr. Murdock Brown.

Sir:—Having received information that a considerable traffic has been carrying on in children, between persons in this zillah and in the adjoining districts, and that several had been sent to your plantation at Anjarakandy, I have to request you will inform me whether you have made any purchases of that description; and in that event, that you will send me a list thereof, their caste, age and sex, with the names of the persons from whom you purchased them and of the agents employed by you. The darogah of Cotiote and Randatarra has received my orders to proceed to Anjarakandy and call before him the whole of the labourers on your plantation, and put certain questions to them with which he has been furnished.

Zillah, North Malabar, 18th Dec. 1811.

I am, &c.

(signed) T. H. Baber, Magistrate.

(E. 2.)—To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—I have to acknowledge the receipt of your letter of the 18th instant, and have accordingly ordered all my Pooliars to appear before the darogah of Cotiote and Randatarra to be by him questioned. In consequence of the permission and

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

sanction of government soon after I began this undertaking. I have purchased many Pooliar families, and some even very lately, from different quarters; as I am anxious on all occasions to conform to the established laws and regulations, it is at the same time my duty to avoid submitting in silence to any undue exertion of authority; and as I have now carried on this undertaking for thirteen years without any requisition having been made similar to that which your letter contains, I trust you will, previous to my sending you the list you require, be so good as to favour me with a copy of the regulation which authorizes this inquest into my private concerns.

Anjarakandy, 20th December 1811.

I have, &c. &c.

(signed) *M. Brown.*

(E. 3.)—To Mr. Murdock Brown.

Sir:—I have to acknowledge the receipt of your letter informing me you had purchased many Pooliar families, and some even very lately, from different quarters, in consequence of the permission and sanction of government, soon after you began your undertaking; I have to request you will furnish me with the permission or sanction referred to, that I may report the same for the orders of government. In answer to your last paragraph, I have to inform you that my requisition for the list of persons sold to you as slaves, was made in virtue of the powers vested in me by the regulations as the zillah magistrate, and my commission as one of His Majesty's justices of the peace.

I am, Sir, your most obedient servant,

(signed)

Tho. H. Baber, Magistrate.

Zillah, North Malabar, 20th December 1811.

(E. 4.)—To the Magistrate of the Zillah of North Malabar.

Sir:—I have to acknowledge the receipt of your letter of yesterday's date, and enclose copy of the authority of government under which I have purchased Pooliars for the labours of this undertaking; the original stands recorded in the proceedings of the commissioners at Calicut.

Agreeably to your letter of yesterday, the whole of my Pooliars, male and female, and their children, were brought before the person who delivered me your letter, when he, assisted by the minion from Pychy and the commissioner from Irevery, accompanied by a number of armed kolkars, to guard the Pooliars, called them one by one before him, and put such questions to him as he pleased. When this examination was over, he placed 20 men and women and children under a guard of kolkars, under which they remained all night and until eleven o'clock this morning, when he returned. When he went away last night he desired that all the other hired labourers that I employ, should be ready for a similar examination; this morning they were accordingly assembled at seven o'clock and remained until the executor of your orders appeared, when, instead of examining those that assembled, he sent his kolkars and by force brought together all my Pooliars that had been already examined yesterday; I told him I protested against all such violence, and against his removing them from the plantation, as being contrary to all the existing regulations that I am acquainted with, which require that some specific complaint shall be made against any person or persons, before they can be thus violently treated. My protestation was not listened to, and the whole were carried off by him and his guard of armed men, without allowing them to take their food or to feed their children, many of whom are at the breast, and only a few months old, so that it is very probable their being thus forced to go so far in the heat of the sun (it being exactly mid-day) will be the death of some of the children.

I have already noticed that I cannot believe there is any regulation existing to authorize this oppressive interference with my property, and still less the cruelty committed on nearly 200 men, women and children, excepting a formal complaint against the persons themselves, or a claim being made by some person to them in consequence of some invalidity in the sale. If either of these has been made to you, I imagine I ought to have been furnished with a copy of it, before this extraordinary violence was resorted to.

The sale of slaves is not only authorized by the custom of Malabar, but is expressly permitted by the Mahomedan laws, under which this country is governed; and for these thirteen years past no question has ever been put to me on the subject of my purchases, nor any complaint from any person claiming the Pooliars so purchased; and as I know of a reference from the principal collector of Malabar to the

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

the Board of Revenue, on a complaint of slaves being brought from Travancore to Malabar,—he was told that the trade being authorized by the law, he had no business to interfere in it; for all these reasons I now most solemnly protest against the violence you have caused to be committed on those innocent persons, many of whom were born on this plantation, from which they are now forced away, without any reason whatever being assigned for such barbarous usage. I also protest against it, for the loss that it has already and must continue to make me suffer, by putting a stop to my extensive labours here, where upwards of 1350 persons are daily employed, but of whose services you have deprived me.

I have, &c. &c.
(signed) M. Brown.

Anjarakandy, 21st Dec. 1811.

P. S.—The copy of the authority granted to me by the Bombay government for the purchase of Pooliars and Betwas, is not forthcoming here, having been destroyed when this house was burnt to the ground in 1803; but the collector of Malabar can furnish an attested copy of it; I obtained one from him some months ago to send to Cochin to a person, who, under that authority, purchased and sent twelve or thirteen Pooliars, men, women, and children, to me, that are amongst those whom your people have placed under a guard.

(signed) M. Brown.

(E. 5.)—To Mr. Murdock Brown.

Sir:—The officers whom I deputed to search for some kidnapped children, reported to be amongst the slaves on your plantation, have returned and brought with them seventy-six men, women, and children, who say they were all stolen or forcibly carried away from their relations and masters. Six of the children are not of the tribe even of unfortunate persons who are considered as slaves; two being nair boys, aged about 8; one a mopla girl, aged about 6; two tear boys, aged about 8; and a tear girl, about 12; who say they are natives of Travancore, and were within the last six months, stolen from their relations, and sent by Wallapelegala Assinally, from Allapy to you. I have been most particular, in questioning these unfortunates, and have no doubt in my own mind, that they were kidnapped; it becomes in consequence my duty to discover and bring to condign punishment those who have been concerned in this inhuman traffic. I therefore most earnestly call upon you to afford me every information in your power to that end; and in regard to the others, I am ready to receive and investigate any evidence or documents that you may have to adduce in support of any claims you may have upon them.

I am, Sir, your obedient servant,
(signed) T. H. Baber, Magistrate.

Zillah, North Malabar, 27th Dec. 1811.

(E. 6.)—To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—I have to acknowledge the receipt of your letter of yesterday's date, to which I must decline giving any reply, because such reply would be a virtual admission of what I positively deny, and have publicly protested against the legality of your conduct.

Without cause assigned or information lodged, at least not exhibited, you have violently possessed yourself of my labourers, and of a valuable portion of my implements of agriculture, and you now call upon me to prove my right to a possession that no one disputes with me. If such disputant does exist, the courts are open to him, and the regulations point out the course to be pursued; you might, I conceive, with equal legality, have seized any other part of my property, and made the restoration of it depend on similar terms.

To these reasons I have to add, that I have applied to a superior authority for protection and for redress of those (in one instance, already fatal) injuries, which my people and property have sustained and continue to suffer.

I have the honour to be, Sir, your most obedient servant,
(signed) M. Brown, Owner of the Randatarra Plantation.

Tellicherry, 28th December 1811.

(E. 7.)—To Mr. Murdock Brown.

Sir:—Expecting to be enabled to bring to a close, in the course of to-morrow, my examinations of the whole of the Pooliars found on your plantation, who asserted they had been stolen, I have now to inform you, that it is my intention to

make

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

make a full report of the subject to government, and that I am still ready to hold an enquiry into the points referred to in my letter to you, dated the 27th ultimo. I cannot too strongly repeat my recommendation that you give up the names of the persons who supplied you with the nair, tear, and mopla children, as well as those of the Pooliars, who insist they were kidnapped. I have further to inform you, that I shall order the latter to be delivered over to any persons you may send to receive charge of them, as whatever may be their final disposal, there does not appear to be any objection to employ, during the interval of the reference to government, the slaves in their daily occupations. The free children will remain under my charge.

I am, Sir, your most obedient servant,
(signed) *Tho' H. Baber*, Magistrate.

Zillah, North Malabar, 3d Jan. 1812.

(E. 8.)—To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—I have to acknowledge the receipt of your letter of yesterday's date, and in reply, have to state to you, that since my letter to you of the 28th ultimo, having sent to Anjarakandy for particular information relative to the six persons whom you say are free people; I have now to inform you, that they were sent there by Banier Belteassen Ally to work on the plantation until his return from Travancore; whether he got them from their parents or relations, or purchased them as slaves I know not; but having no claim over them, I can have no objection to your detaining them, as I conclude, complaint has been lodged before you on their account.

With regard to the other persons who were forcibly driven from the plantation, without the smallest reason being assigned for that violent proceeding, it is totally false that they were stolen or kidnapped, nor did any of them assert such a thing when questioned by your menon at Anjarakandy. The major part of them have been 10 or 12 years on the plantation; and the assertion that they are now said to have made, is not even attempted to be supported by the smallest proof; my right to them, I am perfectly prepared to support, as soon as my property in them is impeached, but until that is challenged, it would, as I have already observed in my letter of the 23th ultimo to you, be a virtual admission of the legality of your acts to prove my right to that property which no nobody disputes with me; and for the recovery of which, together with redress for the wrongs and losses I have suffered, I have already addressed a superior tribunal.

With regard to the case being submitted to government, I only waited for the decision of the court of circuit to bring the whole affair before the Honourable Governor in Council by petition, because it is impossible for me to carry on that extensive undertaking, on which so very large a sum has been expended, unless I am certain of protection from such hostile interruption and violence as that against which I now complain; your submitting the subject will, I doubt not, answer that purpose; provided the case is fully explained, to which end I hereby require that copies of my correspondence, and a copy of my petition to the court of circuit, with the proceedings held thereon, may accompany your reference to government.

I have, &c.

(signed) *M. Brown*, owner of the Randatarra Plantation.

Tellicherry, 4th January 1812.

(E. 9.)—To Mr. Murdock Brown.

Sir:—I have received your letter, dated yesterday, the bearer of it kotaly, a muskaqua, says that he came from Mr. Douglas's house at this place, where, he says you are, and that you have only just now given the letter to him; I think it proper to notice this to prevent any mistakes hereafter.

I am, &c.

(signed) *T. H. Baber*, Magistrate.

Sunday, 5th January, half-past five P. M.

(E. 9.)—To the Magistrate of the Zillah of North Malabar.

Sir:—I have this moment received your letter of this day (Sunday 5th January, 5 P. M.) informing me your kotaly then received my letter of yesterday's date, and that you deem it necessary to notice this circumstance. The only conclusion I can draw

draw from this is, that you have made your reference to government without the copies of the papers mentioned in my letter; I therefore now beg leave to repeat what I therein said, and to require of you, if they have not been sent, that they may be immediately forwarded. I have, &c.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(signed) *M. Brown*, Owner of the Randatarra Plantation.

Sunday, 45 minutes past five p. m. 5th January 1812.

(E. 10.)—To Mr. Murdock Brown.

Sir:—My information having stated that Wallapakata Assin Ally, formerly head sheristadar in the Custom House, was the principal in this traffic in children, between Travancore and this Zillah, I have to request you will inform me whether Bamen Assen Ally, who you informed me in your letter of the 4th, sent six children to work on your plantation, is the Assen Ally above noticed, and if not, that you will inform me of what place he is an inhabitant, and where he at present resides.

I take this opportunity of advising you, that every document connected with the subject of my late proceedings, will accompany my reference to government.

I am, &c.

(signed) *T. H. Baber*, Magistrate.
Zillah, North Malabar, 6th January 1812.

(E. 11.)—To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—In reply to your letter of this day's date, I have to inform you, that the person mentioned in my letter of the 4th, is the same you have described.

I have, &c.

(signed) *M. Brown*, Owner of the Randatarra Plantation.

Tellicherry, 6th January 1812.

(E. 12.)—To the Magistrate of the Zillah, North Malabar, Tellicherry.

Sir:—The bearer is the person who sent from Alappy the six children mentioned in your letter of the 3d instant.

The provincial court having signified to me, that there is no objection to my receiving back from you the other Pooliars and Betwas forcibly drawn from Anjarakandy on the 19th ultimo, I have, in conformity with that injunction, directed them to be moved there whenever you may be pleased to send them.

I have, &c.

(signed) *M. Brown*, Owner of the Randatarra Plantation.

Tellicherry, 8th January 1812.

(E. 13.)—To Mr. Murdock Brown.

Sir:—In answer to your letter of this day, by the hands of Wallapakata Assen Ally, I have to inform you, that I shall order the Welloowers and Pooliars to be delivered over to any person you may send to receive them, with the exception of sixteen men, women and children, of the Pooliars tribe, who say they have been within the last five months stole from their owners and sent to Anjarakandy, their presence being required at the court for some time longer.

I have, &c.

(signed) *T. H. Baber*, Magistrate.

Zillah, North Malabar, 8th January 1812.

(E. 14.)—To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—The bearer will receive charge of the Pooliars and Betwas, which you may please to make over to him.

I have, &c.

(signed) *M. Brown*, Owner of the Randatarra Plantation.

Tellicherry, 9th January 1812.

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

(E. 15.)—To Mr. Murdock Brown.

Sir:—Wallapakata Assin Ally having stated to the court, that he had omitted two children in his examination on the 8th, and that instead of six he had sent eight to you at Anjarakandy, where, he adds, they at present are; you are hereby directed to deliver up forthwith the aforesaid two children to the bearer.

Given under my hand, and the seal of the court, this 24th day of January 1812.

(signed) *Thomas H. Baber*, Magistrate.

(E. 16.)—To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—The eight children mentioned by Assen Ally, were all taken to Tellicherry by your own people, and two of them were sent back by your own orders, with other Pooliars, some days ago, for what purpose I know not; they are now agreeable to your orders respecting them, delivered to the bearer hereof.

I am, Sir, your most obedient servant.

Anjarakandy, 24th January 1812.

(signed) *M. Brown*.

(F. 1.)—To the third Judge, in the absence of the Register.

Sir:—I have to request you will inform the judges, that it has transpired in some proceedings held before me, that a considerable number of children, for the most part kidnapped, have been lately imported in this zillah from adjoining districts, but principally from Travancore, from whence they have been sent by Wallapitagh Assen Ally, part to Mahé, and part to the Anjarakandy plantation, and that such of them as I have examined are children of Teans, and one even a Shoodrastree. In answer to a call upon Mr. Brown for a list of the slaves, and the names of the agents he employs to purchase them, he has refused compliance therewith, and has since informed me, that he has the authority of the Bombay government; and, further, that the sale of slaves is not only authorized by the custom of Malabar, but is expressly permitted by the Mahomedan laws, under which this country is governed; whatever may be the usage of Malabar or the Mahomedan law on this question, I should not suppose that it could apply to Mr. Brown, who, I apprehend, in common with every British subject, is prohibited from purchasing slaves from the period when the slave trade was abolished by an Act of Parliament. As, however, I am desirous of availing myself of the experience and knowledge of the judges on this question, and in regard to the rules which have been in force from the early part of the administration (when I am informed trafficking in slaves was very prevalent), until the transfer of Malabar to the presidency of Fort St. George, the extent to which the trade was tolerated by the government of Bombay, and the nature of the authority granted to Mr. Brown. I have taken the liberty to apply to you, and through you, to the judges, for any information you or they may be pleased to favour me with on these subjects; or if this would be attended with any inconvenience, that they would assist my inquiries, by directing me to those periods of the former administration, when I might, by a reference to the records here or at Calcutta, inform myself thereon.

There being no copy of Mr. Duncan's report in the records under my charge, I shall be obliged by the loan of the copy of the provincial court.

I have the honour to be, &c.

(signed) *T. H. Baber*,

Judge and Magistrate, Provincial Court, Western Division.

Zillah, North Malabar, 23d December 1811.

(F. 2.)—To the Magistrate in the Zillah, North Malabar.

Pursuant to an order of this court, you will hereby receive an extract from their proceedings under this date, together with the document therein referred to. You are hereby required to conform to the court's orders, making your return within five days from the receipt hereof.

Given under my hand, and seal of the court, this 27th day of December, in the year of our Lord 1811.

(signed) *William Clephane*, 3d Judge, for the Register.

Extract from the Proceedings of the Provincial Court, in the Western Division, under date the 27th December 1811.

The third judge, officiating for the register, lays before the judges a letter addressed to him by the magistrate in the Zillah North Malabar, stating, that from information obtained by him in the course of some proceedings held before him, it appeared that a considerable number of children (for the most part kidnapped) had been lately imported into the Zillah North Malabar from the contiguous districts, but principally from Travancore, sent from thence by a person named Wallapetagata Assen Ally, and that some thereof had been sent to Mr. Brown's plantation at Anjarakandy, and others to Mahé; the magistrate further states, that such of the said imported, kidnapped or enslaved children, as he had examined, proved to be the children of Teans, and one even a female Sooder; that in answer to a call on Mr. Brown for a list of his slaves, and agents he employs in the purchase of them, that that gentleman has refused compliance therewith, and had since informed him that he had authority from the Bombay government, and also that the traffic in slaves was not only authorized by the customs of Malabar, but that it was expressly permitted by the Mahomedan law.

The magistrate remarks upon it, that he conceives that Mr. Brown being a British subject, is prohibited from purchasing slaves under the operation of the Act of the British Parliament abolishing that traffic, and requests to be furnished with any information the judges of the court of circuit may be in possession of in regard to the rules in force in respect to this traffic, from the early part of our administration in Malabar, and the nature of the authority granted to Mr. Brown by the Bombay government, as quoted by him.

The court further take into consideration, a petition presented to them on the part of Mr. Brown, setting forth, that the magistrate of the Zillah, North Malabar, addressed a requisition to him, calling upon him for information, as to whether he had made any late purchase of slaves, and if so, to furnish a list of their names, caste, and sex, and of the agents employed to purchase the same, grounding the requisition on information which the magistrate stated he had received, that a considerable traffic has been carrying on in the sale and purchase of children between persons in the Zillah, North Malabar, and adjoining districts. The petitioner states, that the person who brought the letter, assisted by some of the native officers of the local cutcherry, caused to be assembled, and put interrogatories to the whole of the slaves employed on his plantation, and that being concluded, placed about twenty of them of all descriptions under a guard; on the next day, the whole were carried off; that some of those so carried off, subsequently returned, but that a considerable number had been detained for reasons with which petitioner is unacquainted. Petitioner states, that he had declined complying with the requisition alluded to, on the grounds of his conceiving the magistrate not justified in interfering in his private concerns, and as he had not thought proper to communicate to him the particulars of the information on which he grounded the demand. Petitioner justifies his having purchased of those classes who are born and considered as slaves, and which he says he is warranted to do, both under the authority of the Bombay government, and subsequently under an opinion given by the Madras government, on a reference made by the principal collector.

The petitioner prays for the interference of the judges of the court of circuit, in protecting him in his property which he has, as above stated, been unjustly deprived of.

Before the court of circuit can either reply to the queries of the magistrate in the Zillah of North Malabar, or take cognizance of the facts stated in the petition from Mr. Murdock Brown, it is requisite that they shall be in possession of the whole of the proceedings hitherto held in the matter in question by the magistrate, commencing with the information on which he has set on foot the inquiry into the circumstances of Mr. Brown's slaves and labourers, and detailing the proceedings he may have held, on the grounds of which, he pronounces to have ascertained that part of the children lately imported into his zillah as slaves are of free parents, and even of the superior classes; and in order to save time and further reference, that he be called upon to state at length the ground on which he may have detained the persons taken from Mr. Brown's plantation, and who are stated not to have been sent back.

Ordered, that a copy of the above minute be sent to the magistrate, together with a copy of the petition from Mr. Murdock Brown, the magistrate, being in possession

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

of the accompaniments alluded to therein; and that he be directed to furnish the judges of the court of circuit with the report thereby required, within five days from this date.

(A true extract.) (signed) *W. Clephane*, Third Judge, for the Register.

(F. 4.)—In pursuance of the exigence of the annexed precept, the magistrate acquaints the judges, the information on which he set on foot an inquiry into the circumstances of Mr. Brown's slaves, was given by a Tean boy named Coon Yangara, native of Karoonapetty, in Travancore; the circumstance was as follows: nine free born children, natives of Travancore, viz. a Shodra or Nair girl, five Teans, two Teaties, and one Carawan, the eldest of the whole about twelve, had been discovered in the house of Wallapatagata Assen Cooty and two other mopillas of Mahé, all of whom represented they had been stolen from their friends, and sent by sea from Allapi by Wallapagata Assen Ally; one of the children, the above mentioned Tean boy, Coon Yangara, on his examination before the daroga of Mahé, had added, that his brother, Natha, was one of the four children who had, a few days before, been sent to Anjarakandy; when these children arrived at Tellicherry, the boys were without their koodima, and the girls dressed in the mopilla koopay, and otherwise disguised a mopillagies. The magistrate interrogated them all in the presence of two of the most respectable of the Wecharipakara of the late Travancore Ellea Rajah at Cadoor, whom he was induced to send for, in order that he might, through the means of their local knowledge of Travancore, ascertain whether these children were free-born and natives of Travancore. The children cried a good deal during the relation of the mode in which they had been separated from their friends, and made to eat mopla food, but were pacified on being assured that they should be emancipated, if what they said was true; that they were not slaves, and if possible, be restored to their caste. The answers of these children were such as was to be expected from their years, but it was very apparent they were what they had described themselves to be. The two Wechapapakara had no doubt of it, and even denied the possibility that they could have been lawfully come by; it became then the magistrate's bounded duty to endeavour to find out where the other unfortunates were, and for this purpose, commenced with the information given by the boy Coon Yangara, and took such steps as appeared to his judgment best calculated to effect that object, while it was his most anxious wish, that the mode of proceeding should be as little offensive as possible to Mr. Brown, in the event of a search being necessary on his plantation. It was with this view the magistrate took the precaution of ordering the commissioner and one of the court gomastahs, whom he particularly instructed in the line of conduct they were to observe to accompany the daroga to Anjarakandy.

The magistrate also wrote to Mr. Brown, advising him of this deputation, and the duties upon which they were sent. The daroga happened just at this period to be in the Walliote mountains, too remote to arrive in time, the execution of the magistrate's orders not admitting of delay, devolved upon the darogah's officers, who, in concert with the commissioner and gomastah, proceeded to Anjarakandy, and having fulfilled their instructions, returned on the 24th to Tellicherry. The magistrate refers the judges to the orders issued to his officers, their daily reports, their final report delivered in to the court, copies of the communications to Mr. Brown, his answers, the whole of the proceedings held by himself and his officers; the examination taken in the inquiry into the causes of the death of a Pooliar child about a year and a half old, has afforded the fullest information of every thing that came to light during the investigation; and shall content himself with stating, that 76 men, women, and children, including ten infants (born at Anjarakandy), were brought to Tellicherry, all of whom have declared before the magistrate they had been stolen or forcibly carried away from their country by mopillas and others, and taken to Anjarakandy; six of the children were free-born, viz. two Nair boys aged about eight, two Tean boys aged about eight, a Teaty about twelve, and a Mopla girl about six, are natives of Travancore, and had been within these last six months stolen from their friends and sent from Allepi by water to Anjarakandy, and there associated with Pooliars. Coon Yangara, who had been sent with the magistrate's officers to Anjarakandy to look for his brother, pointed him out amongst several Pooliars, notwithstanding his koodima had been cut off, and his appearance in other respects of a Pooliar; Natha also instantly recognized his brother. Ever since the arrival of these unfortunates at Tellicherry, the magistrate has been employed in taking down the examination of those who have arrived at years of maturity, and as far as he

has

has gone, he is satisfied that the first six are free-born children, that they were kidnapped, were sent to Anjarakandy against their will, and never eat the food of Pooliars until they came into the possession of Mr. Brown; and in regard to the Wetoowans and Pooliars, the concurrent testimonies of so many individuals admit at present at least of no other conclusion, than that they also have been obtained by means the most unjustifiable. The magistrate has afforded Mr. Brown every opportunity of vindicating his conduct, and nothing could have been more easy than for him to have satisfied the magistrate of his innocence, by a prompt disavowal of all knowledge that these children were free-born, and have been kidnapped, and of all participation in the guilt of the principals in that inhuman traffic, by giving up the names of the individual who supplied him with them, and affording his assistance in bringing them to condign punishment. Such ought and would have been the conduct of every honourable man; but, instead of this, Mr. Brown has resisted the magistrate's requisition, and treated him and his officers in terms of the highest contempt and disrespect; but it is not the magistrate's intention in this place to notice the calumnies which Mr. Brown had given vent to, either in his intemperate conversation with the court gomastah, in his letter to the magistrate, or his libellous petition to the judges of the provincial court; but he takes this opportunity to state what he can not too often repeat, that it is not the resentment of Mr. Murdock Brown, or any man, that shall deter him from discharging what he is bound to do by every rule of humanity and justice, and what he feels and knows to be his duty. The magistrate thinks it proper to inform the judges, that it has been confidentially intimated to him, that there are eleven more children in this zillah who are reported to have been kidnapped, and that he is exerting every means at his command, to obtain correct information where they are concealed, in order that he may restore them also to liberty, their country, and friends.

Given under my hand, and seal of the court, this 4th day of January A. D. 1812.
(signed) T. H. Baber, Magistrate.

(F. 3.)—To James Stephens and Hay Clephane, Esquires, Judges of the Courts of Circuit and Appeal, Western Division, Tellicherry.

Humbly sheweth:—That your petitioner is under the necessity of praying for your protection, against what he deems the unlawful and highly oppressive acts of the magistrate of this zillah, committed by his people, and under his orders, on the 20th, 21st, and 22d of this month, on his servants, labourers, and property at this place; the accompanying two letters from that magistrate, and the copies of two letters to him in reply, from your petitioner, will in part explain the nature of the grievances of which he complains; in addition to which your petitioner begs leave to state, that of the people forced away as therein stated, a few have returned, but 113 of all ages are detained, many of whom have been here eight, ten, and some twelve years, and a number of whom have been taught at very considerable expense, different branches of manufacture, and whose absence must put a stop to those branches in which they were employed for a length of time, particularly the manufacture of arrow root and preparation of fine cassia, both of which are objects of importance to your petitioner. Your petitioner must further observe, that of the children thus forced away and detained, the major part were born in the plantation, and bred up and taught different useful occupations at his expense. As they were driven away by the armed kolkars from the different places where they were at work, and not permitted to stop here, they carried all their tools and implements with them, viz. hoes of different kinds, bill-knives, and shearing-hooks.

It is further necessary to observe, that the magistrate, in his letter of the 18th, says, that he had ordered the darogah of Pyche to come to Anjarakandy, to put certain questions to your petitioner's people, but no mention is made of the darogah or any other person being authorized to carry them forcibly from the plantation. The darogah of Pyche, however, never appeared; the whole was done by the person who brought your petitioner the magistrate's letter, without his exhibiting any warrant addressed to him on that duty; he only read to your petitioner a proclamation issued by the magistrate, addressed to the inhabitants in and about this place, informing them, that the darogah of Pyche had orders to seize all your petitioner's people, and was authorized to search for them in every house, and therefore that no person was to harbour or conceal any of them, under pain of punishment by the magistrate. This extraordinary production, proscribing about 350 innocent persons, against whom no complaint whatever existed, the person named Chatoo Menon, would not

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

leave here, or give a copy of it, but proceeded to act without producing any other authority, for which your petitioner apprehended he is liable to punishment; your petitioner must likewise notice, that his native writers were abused in the grossest language, pushed away, and threatened by the armed kolkars, when they attempted to get near to the Pooliars, on their past examination, and that one of them in particular, a brámin, was abused in the grossest language by one of the kolkars, because he forbid him to go into your petitioner's garden, where he had no business. Your petitioner having thus briefly stated the acts of the magistrate, and of that of the laws against the unlawful exertions of authority of this magistrate, because your petitioner knows from experience to what length he is capable of going, he having, some years ago, forcibly taken from your petitioner (your petitioner being then absent) elephants and timbers to the amount of two thousand rupees and upwards, without any intimation given, or any reason assigned to your petitioner, or Mr. Thomas Dinewar, his then partner, for which your petitioner to this day has received no redress; an inquiry was made by the orders of government, by the principal collector, then a magistrate, before whom it was proved, upon oath, that Mr. Thomas Baber's people caused your petitioner's mark to be cut out from the timber, and then had it conveyed to Tellicherry, since then, your petitioner has heard nothing more of that business, which has hitherto been probably overlooked amongst so much of much greater importance; yet your petitioner entertains no doubt, that he shall obtain redress from the justice of government, whenever the matter shall be again brought to their notice.

Your petitioner begs leave to add, what he has just been informed, of the death of one of the Pooliar's children, in consequence of the treatment he had received; that such consequences were likely to result from the measures adopted towards his people, was foreseen by your petitioner, and stated by him to the magistrate, in his letter of the 21st instant, as this death has been caused, by what your petitioner considers to be an illegal act, he humbly prays, that the afore-mentioned Chattoo Menon may be secured, to the end that he may be brought to trial for the same; and your petitioner shall ever pray.

(signed) *Murdock Brown*, owner of the Randatara Plantation.

Anjarakandy, 24th Dec. 1811.
(F. 5).—To the Third Judge, for the Register.

Mr. Murdock Brown having in a letter dated the 8th instant, to the address of the magistrate, intimated, that in conformity to the injunctions of the provincial court, he was willing to receive back his Pooliars and Wittoowars, it would appear the judges have passed their orders on Mr. Brown's petition to their address, under which supposition the magistrate is induced to make the request, that the papers forwarded by him with his return, dated the 4th instant, to the provincial court's precept, dated the 27th ultimo, may be sent back, in order that he, the magistrate, may forward the whole of those and every other document connected with that important question, up to the presidency, without further delay.

Given under my hand, and the seal of the court, this 10th day of January, A. D. 1812.

(signed) *T. H. Baber*, Magistrate.

(F. 6).—Provincial Court, Western Division, to the Magistrate in the Zillah of North Malabar.

Pursuant to an order of this court, you will herewith receive an extract from their proceedings, under this date, for your information and guidance.

Given under my hand, and the seal of the Court, this 10th January, A. D. 1812.

(signed) *H. Clephane*, Third Judge, for the Register.

Extract from the Proceedings of the Provincial Court for the Western Division, under date 10th January 1812.

Read a Representation from the Magistrate in the Zillah of North Malabar, stating, that in consequence of a communication from Mr. M. Brown, was led to suppose that the Judges of the Court of Circuit had passed a final order on the petition addressed to them by that person, and under this supposition, the magis-
trate

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories.

trate requests, that the Court of Circuit will return to him all the papers transmitted along with his return, to the court's precept of the 27th ultimo, in order that he may be enabled to refer the question at issue to the superior authority.

On the above, the judges of the Court of Circuit remark, that it is their intention so soon as certain explanations which Mr. Brown has been invited to afford concerning the circumstances of the case in question, have been received from that gentleman, to refer the whole of the proceedings held, including the documents forwarded by the magistrate to the court of Sudder Adaulet, to which court they conceive that they are the proper channel of reference.

The judges were not till this moment aware, that the magistrate had not retained copies of such papers as were transmitted in the original, as this would appear to be the case, such of them as he may wish to copy for record, shall be returned to him on his specification thereof.

Ordered, That extract of the above be furnished, for the information and guidance of the magistrate of Zillah, of North Malabar.

(A true extract.) (signed) *H. Clephane*, Third Judge, for the Register,

(F. 8.)—Provincial Court, Western Division, to the Magistrate in the Zillah of North Malabar.

Pursuant to an order of this court, you will herewith receive an extract from their proceedings under this date, to the exigence whereof you are hereby required to conform, making your return within twenty-four hours from the receipt hereof.

Given under my hand, and seal of the court, this 13th day of January, A. D. 1812. (signed) *H. Clephane*, Third Judge, for the Register.

Extract from the Proceedings of the Provincial Court, for the Western Division, under date the 13th January 1812.

It appearing stated by Mr. Brown, that the magistrate has only delivered to him 55 out of 71 men, women and children, bondmen, who, exclusive of the six children from Travancore, were brought from his plantation, and as the judge only refrained from issuing their orders to the magistrate after the receipt of his return to their precept of the 27th ultimo, and perusal of the documents accompanying it, for the restoration to their present and only ostensible proprietor of the whole of the above-mentioned persons (with the exception of the Travancore children), from having supposed that the offer contained in the magistrate's letter of the 3d instant to Mr. Brown, had reference to the whole of the persons of the first description, and they are of opinion that the magistrate has acted totally illegal, in ever having removed the said persons from Mr. Brown's premises, they now direct, that he will immediately cause those, now detained by him, with the above exception, to be sent to Mr. Brown's plantation without delay.

Ordered, That extract of the above be transmitted to the magistrate, with a precept requiring him to make return thereto, within 24 hours from the receipt hereof.

(A true extract.) (signed) *H. Clephane*, Third Judge, for the Register.

(F. 9.)—To the Third Judge, acting for the Register.

Previous to a compliance with the exigence of the Provincial Court's precept of this day's date, the magistrate deems it proper to advise the judges, that he had set on foot an inquiry into the circumstances set forth in the depositions of twelve of the sixteen Pooliars (the rest being children) of their having been stolen from their owners, and transported from their country against their will to Anjarakandy, since the month of Yedawam last, and that it was his intention to have made a full report of the result thereof to the government, for the purpose of being submitted, together with the proceedings in the case of the free-born children, for the opinion of the Honourable Company's advocate general, as far as related to Mr. M. Brown, and to have committed or held to bail, as the case might deem to require, these persons as were amenable to the jurisdiction of the Company's local courts, as might appear to the magistrates to have committed the crime of kidnapping, and enslaving free born children, and kidnapping the 12 tradesmen above alluded to, as had been in any way concerned as accessories, the magistrate in his communication, dated the 18th, informed Mr. Brown that the presence of these sixteen Pooliars should be

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

required some time longer, but by a return to his warrant and a report from the police officer, it appears that on the following day the two persons who are stated in their depositions to have carried the greater part of these Pooliars to Mr. Brown's plantation, were sent out of this Zillah, one to Penary, and the other to Goa. The magistrate, however, does not despair of obtaining, though he should not succeed in apprehending those persons, by means of the resident of Travancore, and through other channels, correct information as to the truth or otherwise, of the account given by the free-born children and those portions of the bondmen, but it will be obvious to the judges that he cannot prosecute the investigation, if they insist upon his sending back the latter before he has brought it to a termination, for the same reasons that the presence of the Pooliars is required, the magistrate will be glad to have sent back the whole of the original papers, forwarded with the magistrate's return to the court's precepts, dated 27th ultimo.

Given under my hand, and the court's seal, this 13th day of January 1812.

(signed) T. H. Baber, Magistrate.

(F. 10.)—Provisional Court, Western Division.

To the Magistrate in the Zillah of North Malabar.

Sir:—In reference to your representation, dated yesterday, I am directed by the judges of the court of circuit to desire you will furnish them with a list of the twelve male and female Pooliars brought from Anjerakandy, whom you have still detained, in order that reference may be made to the depositions sent along with your return to their precept of the 27th ultimo, for the purpose of ascertaining the particular circumstances, stated to have attended their having become Mr. Brown's property. Should you have taken any further depositions on their cases, you will be pleased at the same time to transmit them for the information of the court.

I am, Sir, your most obedient servant,

(signed) H. Clephane, 3d Judge, for the Register.

Tellicherry, 14th Jan. 1812.

(F. 11.)—To the 3d Judge, for the Register.

In pursuance of the exigence of the court's orders, as conveyed in your communication of yesterday, received late in the evening, the magistrate now forwards a list of the twelve male and female Pooliars, whom he detained in consequence of their having deposed that they had been recently stolen, and transported to Anjerakandy, and for further particulars refers the judges to the depositions and examinations forwarded within his return to the court's precept, dated the 27th ultimo, the judges will observe several Pooliars of the same name; but they will readily discover the identical persons now here, by a reference to that part of their depositions in the possession of the judges, which mentions their place of nativity, their owner's names, and the time and place when and where they were kidnapped; the magistrate has already informed the judges of the obstacles which have been opposed to him in Mr. Brown's silence, and the departure of his two agents out of the jurisdiction of this zillah; but he will notwithstanding exert every means at his command, to follow up the information contained in the depositions of the Pooliars, provided the judges of the provincial court will permit.

Given under my hand, and the seal of the court, this 15th day of January A. D. 1812.

(signed) T. H. Baber, Magistrate.

The Mopilla Cumba Modan, whom Wallachie charges with having stolen her, has just been brought in; the magistrate has not taken down his deposition; but from the examination sent with her, Wallachie's account of the mode in which she came into Mr. Murdock Brown's possession does not appear to be exaggerated.

(signed) T. H. Baber.

(F. 12.)—Provincial Court of Circuit, Western Division.

To the Magistrate in the Zillah of North Malabar.

Pursuant to an order of this court, you will herewith receive an extract from their proceedings under this date, together with the documents therein alluded to;

you

you are hereby required to conform to the court's order, making your return within twenty-four hours from the receipt hereof.

Given under my hand, and the seal of the court, this 15th day of January, A. D. 1812.

(signed) *H. Clephane*, Third Judge for the Register.

Extract from the Proceedings of the Provincial Court of Circuit for the Western Division, under date the 15th January, A. D. 1812.

Read a communication from the magistrate in the zillah of North Malabar, in answer to the letter addressed him, by order of the judges, dated 14th instant, transmitting a list of the Pooliars taken from Mr. Brown's premises, now detained by him.

The judges of the court of circuit have already expressed their opinion of the illegality of the act on the part of the magistrate, in having in the first instance, without any information before him, or claim preferred thereon, removed from Mr. Brown's premises, and deprived him of the services of the bondsmen, his property; and in consistence with this opinion, they deem it their duty to lessen as much as possible the injury to which Mr. Brown's undertaking must have been subjected by their long and continued detention.

The judges do not even perceive, on the grounds of expediency, any valid reason for the further detention of the twelve Pooliars and their children. They have already given all the information they are capable of imparting; and should the persons to whom they represent themselves as having belonged, and from whom they were stolen, appear for the purpose of establishing their claim, or prosecuting the perpetrators of the theft, their accomplices or accessories, under the provisions of Regulation XI. A. D. 1809, may, by the usual process, observed in respect to evidences, be forthcoming when required.

The judges do therefore direct, that with exception (for the present, and until the magistrate shall have sent in the report of his examination of the mopilla whom she charges with having stolen her) of the female, named Wallachee, the magistrate do forthwith obey the exigence of their precept of the 13th, in regard to this person as well as the others in general. The judges must remark, that in their opinion, the magistrate is following a course, which does not seem either the most direct or efficacious toward the ascertainment of the fact, and which seems to be an indispensable preliminary to the prosecution of the persons mentioned in their deposition, as principals or accessories in the theft of their persons, viz. whether or not they have been actually stolen. This, at present, rests solely on the declaration of the slaves themselves; and unless a charge of this nature shall have been previously preferred by the persons, the proprietors of the bondsmen, and other evidence adduced thereof, the judges do not see, either under the provisions of Regulation XI. A. D. 1809, or any other regulation can be supported against the persons charged in these declarations, as accessories only, and that in many of the instances in a very remote degree.

Ordered also, That the original papers transmitted by the magistrate, with the return to the court's precept of the 27th ultimo, and which he has requested may be returned to him for the purpose of taking copies thereof, be sent to him, and that he be required to return either the said original, or attested copies thereof, as expeditiously as possible.

(A true extract.) (signed) *H. Clephane*, Third Judge for the Register.

(F. 13.)—In pursuance of the annexed precept received this instant, the magistrate has ordered to be sent back to Anjarakandy, the remaining twelve Pooliars who had made oath they were kidnapped, and forcibly carried from their country and owners, (in one instance, Poonama, mother and three infants, torn from her husband and their father); and has suspended all further proceedings until a complaint has been preferred by their proprietors, on the grounds of the opinion the judges have expressed in the concluding part of the 4th paragraph of their orders.

Given under my hand, and the court seal, this 16th day of January A. D. 1812, two P. M.

(signed) *T. H. Baber*, Magistrate.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(F. 15.)—Provincial Court, Western Division.

To the Magistrate in the Zillah of North Malabar.

Sir:—I am directed by the judges of the provincial court, in reply to the point submitted for their opinion in the latter part of your return to their precept of the 13th instant, to inform you, that in the expression of their opinion, as contained in extract of their proceedings of the 15th inst, that no prosecution could be supported against the persons who are stated to have been the purchasers of children and adults, who represent themselves to have been stolen from the districts of Cochin and Travancore, whether free-born or bondsmen, unless the parents or relatives, in the first case, and the masters or proprietors in the second, should come forward with a charge against them,—they had in view the provisions of Regulation XI. of 1809, which seems to consider this as indispensable, and which further reserves the determination as to the bringing to trial of the persons who may be thus charged, to the Honourable the Governor in council.

The above opinion had no reference to the case of the theft of the female Pooloo Wallachee, by the mopilla named Cunhy Moidien, which, in common with other crimes committed within the limits of the Honourable Company's territories, is directly cognizable by the courts established therein; as, however, the law officers object to the government being prosecutors, where there are owners of the property stolen, it seems to be expedient that Cherricul Raja should appoint a person to carry on the prosecution in his name and on his behalf.

I have the honour to be, &c.

(signed) J. H. Pearson, Register.

Register's Office, 24th January 1812.

(F. 7.)—Provincial Court, Western Division.

To the Magistrate in the Zillah of North Malabar.

Pursuant to an order of this court, you will herewith receive an extract from their proceedings under this date, to the exigence whereof you are hereby required to conform; making your return within six days from the date hereof.

Given under my hand, and the seal of this court, this 13th day of January A. D. 1812.

(signed) H. Clephane, Third Judge for the Register.

Extract from the Proceedings of the Provincial Court for the Western Division, under date 13th January 1812.

The judges observing from Mr. Brown's statement, that Wallapitagata Assen Ally, the person who is represented as having sent from the Travancore country the six children found in Mr. Brown's plantation, as well as the nine discovered in the possession of certain persons, inhabitants of Mabé, is now within this jurisdiction;

Ordered, That the magistrate be called upon to report to the court, whether he has examined the said person, and if so, to furnish copy of his examination for the court.

The magistrate must also be called upon to state the measures he may have taken either by communication with the resident at the court of Travancore, or through any other channel, in order to follow the clue afforded by the declarations of the children, who represent themselves as of free parents, and, under various circumstances, stolen from their parents or relations,—for the purpose of verifying, as far as may be possible, the account they have given of themselves, in view to their eventual restoration to their parents or relations.

Ordered, That extract of the above be sent to the magistrate in the zillah of North Malabar, and a precept be issued, requiring his return thereto within six days from the date hereof.

(A true extract.) (signed) H. Clephane, Third Judge of the Register.

(F. 14.)—In pursuance of the exigence of the annexed precept, the magistrate forwards copy of the examination of Wallapitagata Assin Ally, and also of the further communications to and from Mr. Murdock Brown; the letter from Mr. Brown, dated Tellicherry, the 4th, was not received until the evening of the 5th, or would have been sent, with his return of the 4th, to the court's precept of the 27th. The magistrate

magistrate informs the judges further, that he has written to the resident at the court of Travancore, and forwarded all the information the children had given, and copy of Wallipillagata Assin Ally's examination: he also has commissioned some natives of Travancore to communicate to the public functionaries in that province, or in any other way they had the means of conveying the information of the discoveries of the children at Anjarakandy and Mahé, to their friends and relations; the magistrate also forwards the examination of the mopla Coomba Moidien, who stole and carried to Anjarakandy, Wallachee and her child, also of her brother, held before the magistrate on the 15th and 16th January, and the examination of the charical rajah by commission; neither proprietors or owners of the free-born children or bondmen having yet preferred a charge against Wallapagata Assin Ally, Coomba Maidein, or any of the persons charged in their declarations as accessories, the magistrate has not committed them for trial, in consequence of the opinion the judges of the provincial court have been pleased to express in their precept, dated the 5th; should the judges, notwithstanding, now think that a prosecution can be supported against these persons, without a complaint being preferred by the proprietors of the free-born or bond children, the government vakeel shall be instructed to prosecute them in the same way that the accomplices of Assin Ally have been, in case N^o 15 on the calendar.

Given under my hand, and the seal of the court, this 21st day of January, Anno Domini 1812.

(signed) T. H. Baber, Magistrate.

(G.)—To Mawilla Cannen, Darogha of Cotiote.

I understand, that during the examination held at the commissioners' catchery, at Irvary, of Mr. Brown's labourers, the infant of one Odaloor Chakky, a Pooba, died. You will therefore, on the receipt of this order, go yourself and examine the mother of the child and four chermars, who may be acquainted with the circumstances of the child's death, as to the cause thereof, and what the sickness was; and having taken down their examinations, forward the papers to the court. Dated 9⁸⁷, Dhanoo 11th.

(signed) T. H. Baber, Magistrate.

To T. H. Baber, Esq. Magistrate in the Zillah, North Malabar.

The Report of Mawilla Cannen, Darogah of Cotiote and Randatara Talook.

Immediately on the receipt of your order, dated the 13th instant, directing me to examine Odaloor Chakky, the mother of the child, which died during the examination held at Irvary, of Mr. Brown's workmen, as also four chermurs, who might be acquainted with the circumstance of the child's death, and to forward the papers to your court;—I questioned the said Chakky, who said, her child was a boy half a year old; that it had, in the month of Medam, lost both its eyes in consequence of a disease that had attacked its head; since which it had got a dysentery and voided blood, and was very ill; when in this month a menon tamburan, accompanied by kolkars, came from Tellicherry, and called all the Adears and Welsowan, who were brought away forcibly (from their country), to go to the commissioner's catchery at Irvary; that Chakky seeing several of them proceeding thither, and being one of those who had been seized and brought away forcibly, and supposing that, if she should go and state her grievances at the Irvary catchery, she would get back to her country; she also took up her child that was ill, and of her own will went to the Irvary catchery; that, while there, the child got worse, and died; and that Pooliars, Ayapan and Eralan Chaten knew all the circumstances attending its death. I accordingly took down her examination, and got it signed by her; and when I examined the said Ayapan and Chaten, they said, the child had lost both its eyes some months previously; since then voided blood, and was very ill when Chakky took it to the Irvary catchery, and it died there through sickness. I took down their examinations also, which are herewith forwarded to the court.

Examination of Chermu Odaloor Chakky, of Odaloor Tara to the southward, made on the 14th Danoo 986, (27th December 1811), before the Darogha of Cotiote.

14 Danoo, 987.

Question.—Did a child of your's die at Irvary commissioner's catchery?

Answer.—Yes.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Was it a boy or girl, and what happened to it?

About three months ago, the child was seized with a disorder in the head, and lost its sight in both eyes, and afterwards voided blood; it was a boy, half a year old, and was very ill in a dying state, before we went to Irvery cutcherry.

Why did you go to Irvery cutcherry?

I understood a menon tambooran had come from Tellicherry, and told all the Adears who had been seized and brought away, to go to Irvery; I saw several of them proceeding thither, and being one of those who had been seized and brought away; and supposing if I should go and state my grievances there, I should get back to my country, I also went there.

You said your child had some disorder in the head and bowels; did you shew it to any doctor?

I did not shew it to any doctor.

Did anybody else know of your child being previously taken ill; nearly dying?

Poolian Ayapan and Eralan Chatan knew of it.

Did you tell either the menon or the kolkars who came from Tellicherry, that as your child was sick, you could not go to Irvery cutcherry?

I did not say anything to them; I went there of my own free will.

Witnessed by Coran Chorata Cootoo.

Examination of Poolian Ayapan, of Arattate Deshum to the southward, made on the 27th December 1811, (14th Danoo 989,) before the Cotiote Darogah.

Question.—Are you acquainted with Odoloor Chakky, one of Mr. Brown's Poolian Adears at Anjarakandy?

Answer.—Yes, ever since we came to Anjarakandy.

Did you ever see Chakky's child, a boy aged half a year.

Yes, I have.

Was the child sick; if so, state what the sickness was, how long since it was in that state, and any other circumstances which you may be acquainted with.

The child had been sometime sick before the month of Methoonam; a sickness in the eyes appeared before Kurkadagom; both its eyes were lost afterwards; I don't know in what month; a disorder in the bowels commenced, and since that, the child has voided blood, and was very ill, when we went to Irvery cutcherry to give our depositions, and it died there through the same sickness.

Examination of Cherman Chatan, of Anangatta Tara, in Wallatara, to the southward, 14th Danoo 987, (27th December 1811,) made before the Darogha of Cotiote.

Question.—Are you acquainted with one Odaloor Chakky amongst Mr. Brown's Poolian labourers?

Answer.—Yes, I am.

Did you see her child, a boy, half a year old.

Yes, I did.

Had the child any sickness; if so, how many months since it commenced; and state also any other circumstances which you may be acquainted with?

In the month of Medom 986, the child got a sickness in the eyes, and looseness of the bowels; in Methoonana, it lost both its eyes, and afterwards voided blood, and was taken very ill and nearly dying; and when we lately went to Irvery cutcherry to give our depositions there, the said child died owing to the same sickness.

Examination of Odaloor Chakky made on the 27th December 1811, (14th Danoo 987,) before the Magistrate, in the Zillah, North Malabar.

Question.—You have heard read to you what you deposed before the Darogha; is it as you stated?

Answer.—It is as I stated.

After

After you and your child had been taken to Irvary, did you receive any ill-treatment?

No ill-treatment was given, as we got our expenses, and all we wanted.

Did you think your child died of sickness, or from any other cause?

It had lost its eyes long before; after which, it got a dysentery, and voided blood, and died of the same, but from no other cause whatever.

Have you any doubt as to the cause of its death; do you think your child did not die from sickness; and have you any complaint on this account?

It was from sickness that my child died; I have not the least suspicion to the contrary; and why should I grieve myself, when it died a natural death.

Was the child exposed to the sun on the day of its death, or did it want for food.

No, nothing of the kind passed.

Examination of Poolian Ayapan, made on the 14th Danoo 987; 27th December 1811, before the Magistrate, in the Zillah North Malabar.

Question.—You have heard read to you the examination taken of you before the darogah; is it as you stated, or is there any difference?

Answer.—It is as I stated; there is no difference.

Do you think the child died from any other cause but sickness?

Medicines were administered, but the sickness increased, therefore all the medicines were discontinued; it was then we went to Irvary; while there the child died.

Do you suppose the child died from being exposed in the sun, or any other cause?

It was not exposed to the sun, but kept inside of the cutchery; it died of the sickness; there was no other cause.

Examination of Eralan Cheraman Chatten, made on the 14th Danoo 987, 27th December 1811, made before the Magistrate in the Zillah North Malabar.

Question.—You have heard read to you the deposition you made before the darogah about the death of a child of Pooley Chermi Chakky; is it as you stated, or is there anything that you did not say?

Answer.—It is as I stated.

Do you think the child died from any other cause but sickness?

Owing to sickness it refused conjee and water, and got a looseness in its bowels and voided blood; different medicines were given it, but as the sickness got worse the giving medicines was discontinued; it was then the child was taken to Irvary and died there.

Do you suppose the child died from being exposed in the sun, or any other cause?

It was not exposed to the sun. It was in the cutchery, and it died of sickness, there is not a doubt to the contrary.

(signed)

Translated by *T. H. Baber*, Magistrate.

(H. 1.)—Examination of Wallapagata Assen Ally, 26th Danoo 987, 8th January 1812.

Question.—In an investigation held before the court, it appears that you had sent up here some children from Aleppi; if you did so, state all the particulars?

Answer.—I have; in the month of Methoonum 986, (June 1811), Mr. Brown sent me to Aleppi with money to pay for 500 bandies of pepper he had purchased there, and to send it off to Bombay; and after my arrival at Aleppi, seeing several people purchase adiamakul (slaves), I went to the cutwal of that place and told him, that as several persons are making purchases of children, I wanted to do so likewise; the cutwal said there was no impediment in buying and selling children at

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Was it a boy or girl, and what happened to it?

About three months ago, the child was seized with a disorder in the head, and lost its sight in both eyes, and afterwards voided blood; it was a boy, half a year old, and was very ill in a dying state, before we went to Ivery cutcherry.

Why did you go to Ivery cutcherry?

I understood a menon tambooran had come from Tellicherry, and told all the Adears who had been seized and brought away, to go to Ivery; I saw several of them proceeding thither, and being one of those who had been seized and brought away; and supposing if I should go and state my grievances there, I should get back to my country, I also went there.

You said your child had some disorder in the head and bowels; did you shew it to any doctor?

I did not shew it to any doctor.

Did anybody else know of your child being previously taken ill; nearly dying?

Poolian Ayapan and Eralan Chatan knew of it.

Did you tell either the menon or the kolkars who came from Tellicherry, that as your child was sick, you could not go to Ivery cutcherry?

I did not say anything to them; I went there of my own free will.

Witnessed by Coran Chorata Cootoo.

Examination of Poolian Ayapan, of Arattate Deshum to the southward, made on the 27th December 1811, (14th Danoo 989,) before the Cotiote Darogah.

Question.—Are you acquainted with Odaloor Chakky, one of Mr. Brown's Poolian Adears at Anjarakandy?

Answer.—Yes, ever since we came to Anjarakandy.

Did you ever see Chakky's child, a boy aged half a year.

Yes, I have.

Was the child sick; if so, state what the sickness was, how long since it was in that state, and any other circumstances which you may be acquainted with.

The child had been sometime sick before the month of Methoonam; a sickness in the eyes appeared before Kurkadagom; both its eyes were lost afterwards; I don't know in what month; a disorder in the bowels commenced, and since that, the child has voided blood, and was very ill, when we went to Ivery cutcherry to give our depositions, and it died there through the same sickness.

Examination of Cherman Chaten, of Anangatta Tara, in Wallatara, to the southward, 14th Danoo 987, (27th December 1811,) made before the Darogha of Cotiote.

Question.—Are you acquainted with one Odaloor Chakky amongst Mr. Brown's Poolian labourers?

Answer.—Yes, I am.

Did you see her child, a boy, half a year old.

Yes, I did.

Had the child any sickness; if so, how many months since it commenced; and state also any other circumstances which you may be acquainted with?

In the month of Medom 986, the child got a sickness in the eyes, and looseness of the bowels; in Methoonana, it lost both its eyes, and afterwards voided blood, and was taken very ill and nearly dying; and when we lately went to Ivery cutcherry to give our depositions there, the said child died owing to the same sickness.

Examination of Odaloor Chakky made on the 27th December 1811, (14th Danoo 987,) before the Magistrate, in the Zillah, North Malabar.

Question.—You have heard read to you what you deposed before the Darogha; is it as you stated?

Answer.—It is as I stated.

After

After you and your child had been taken to Irvary, did you receive any ill-treatment?

No ill-treatment was given, as we got our expenses, and all we wanted.

Did you think your child died of sickness, or from any other cause?

It had lost its eyes long before; after which, it got a dysentery, and voided blood, and died of the same, but from no other cause whatever.

Have you any doubt as to the cause of its death; do you think your child did not die from sickness; and have you any complaint on this account?

It was from sickness that my child died; I have not the least suspicion to the contrary; and why should I grieve myself, when it died a natural death.

Was the child exposed to the sun on the day of its death, or did it want for food.

No, nothing of the kind passed.

Examination of Poolian Ayapan, made on the 14th Danoo 987; 27th December 1811, before the Magistrate, in the Zillah North Malabar.

Question.—You have heard read to you the examination taken of you before the darogah; is it as you stated, or is there any difference?

Answer.—It is as I stated; there is no difference.

Do you think the child died from any other cause but sickness?

Medicines were administered, but the sickness increased, therefore all the medicines were discontinued; it was then we went to Irvary; while there the child died.

Do you suppose the child died from being exposed in the sun, or any other cause?

It was not exposed to the sun, but kept inside of the cutchery; it died of the sickness; there was no other cause.

Examination of Eralan Cherman Chatten, made on the 14th Danoo 987, 27th December 1811, made before the Magistrate in the Zillah North Malabar.

Question.—You have heard read to you the deposition you made before the darogah about the death of a child of Pooley Chermi Chakky; is it as you stated, or is there any thing that you did not say?

Answer.—It is as I stated.

Do you think the child died from any other cause but sickness?

Owing to sickness it refused conjee and water, and got a looseness in its bowels and voided blood; different medicines were given it, but as the sickness got worse the giving medicines was discontinued; it was then the child was taken to Irvary and died there.

Do you suppose the child died from being exposed in the sun, or any other cause?

It was not exposed to the sun. It was in the cutcherry, and it died of sickness, there is not a doubt to the contrary.

(signed)

Translated by T. H. Baber, Magistrate.

(H. 1.)—Examination of Wallapagata Assen Ally, 26th Danoo 987, 8th January 1812.

Question.—In an investigation held before the court, it appears that you had sent up here some children from Aleppi; if you did so, state all the particulars?

Answer.—I have; in the month of Methoonum 986, (June 1811), Mr. Brown sent me to Aleppi with money to pay for 500 bandies of pepper he had purchased there, and to send it off to Bombay; and after my arrival at Aleppi, seeing several people purchase adiamakul (slaves), I went to the cutwal of that place and told him, that as several persons are making purchases of children, I wanted to do so likewise; the cutwal said there was no impediment in buying and selling children that

Fort St. George
Papers.
State of Slavery
in Company's
Territories.

that place, and that I might buy as many as I wanted; I then bought of several persons, at different times, both male and female, in number 25 children, of which I sent eight to Mahé, and six to Brown Sahib, and had sent off in a boat eleven more for Mr. Brown, when, as the boat people went ashore at Arantungal near to Cochin to cook their rice, some of the inhabitants came and asked the boat people from what country the children were brought; they (the boat people) got frightened and run away, on which the inhabitants of that place took the eleven children and my man, named Poeren, to Tanawil (Tannah station), stated the circumstances there, when I was taken up and carried to Manilakara court, where an inquiry was held, and I was made to pay a fine of 1,000 rupees; they took the children and all the articles in the boat from me, and gave me a tearpe (decree); they afterwards told me they would restore to me the things found in the boat, and make those who had received the price of the children to refund the amount to me. After this my nephew, Coony Amod, wrote me from Mahé; the children I had sent there were seized and detained by the sahib's (magistrate's) orders; no sooner did this writing reach me, than I came by sea, arrived at Mahé yesterday, and to-day on my way to court I went to Mr. Brown, who gave me the letter which I have presented; I have brought with me the pramanums passed by those who sold the children to me and the teerpa I got from Mawilakara.

Of what caste are the children you purchased?

The people who sold them to me said they were Wettoowas, Pooliars, Chanard-mara and Darawara, and when I purchased them they had mopla names.

For whom did you purchase them?

When I departed for southward, Mr. Brown told me to buy ten or fifteen for him; I wanted also some, and sent six to Mr. Brown, and eight for my family at Mahé; the other eleven, who were stopped on their way to Malabar, were also going to Mr. Brown; two girls and one boy of the children discovered at Mahé were purchased for me by the cutwal of Attapy, whom I paid for them, and the others were purchased with the knowledge of the cutwal.

What has been done with those 11 children taken from you at Mawilakara? They were kept at Mawilakara, one has been taken away by its mother.

Did you there tell, that you had already sent 14 children to Mahé, and to Mr. Brown?

They did not ask, nor did I tell them.

You said that you purchased the children with the cutwal's knowledge; was any inquiry held into his conduct?

I heard he was fined in 54 fanams, and when I came away, I heard it was settled at 36 fanams.

Look at these 15 children, are they those you sent up here?

Nine of them I know well; they remained a few days with me, before they were sent off; of those sent to Mr. Brown, I saw but two or three, but the others were sent by my desire; they were sent by manchoo, one or two at a time.

The girl Idaty says she is a Shorder girl (Nanjer); is it the case?

The person who sold her to me, and she herself told me she was not a Shorder girl.

The other children say, one is a Cowwar, one a Wittowun, and the others of Tier caste; is it the case?

At the time I purchased them, they had mopla names; they did not tell me what caste they were. (*Vide answer to second question.*)

The children whom you sent to Mr. Brown say, two are of Shooder caste, (Nairs), two of Tier, one of Mopla, and one a Peaty; did you know of this?

Their names were written and given me, but the persons who sold them to me said, they were of low caste, but I do not know what their caste is; in the writing I have got, the caste of some is mentioned, and the names of others; I therefore sent them to Mr. Brown; those sent to Mahé were purchased with my own money, and kept in the place where I resided; one I made a present of, but I received no price.

Had these children, before they came to you, eat moplas food?

They had eat moplas food before they were given to me, and bore moplas names also.

Did

Did you pay for the children sent to Mr. Brown, or did Mr. Brown give you money to pay for them?

I had Mr. Brown's money in my hands, out of which I paid for them; when the accounts are adjusted, I shall debit him therewith.

Do you know if the children you sent to Mr. Brown, had previous to their coming to you, or their being sent to Mr. Brown, been associated with Pooliars, and eat their food?

I did not know of the circumstance of their being placed amongst Pooliars, nor did I do so.

This case must be tried before the Court of Sessions; do you wish therefore any witness to be summoned on that occasion?

Those persons who passed the pramanams to me, besides there are Ackoo Chiria Chaddean Kacdatom Packen, the persons who came with me.

When these children were brought from Anjarakandy and examined, some Pooliars said they also had been seized and brought from the southward, and that Assin Ally's men, Wappen Cooty and Coonky Perry, were the persons who brought them; do you know of it?

I did neither send any Pooliars, or know any thing about them. I have no person by me, by name of Bappen Cooty, Coonby Perry.

Are you acquainted with Bappen Cooty and Coonby Perry?

There is a person serving under Mr. Brown, by the name of Bappoo, but I don't know Coonky Perry.

Are children being seized and sold at Allepy, or other places in the vicinity?

Last year, when I went there, I wanted to get one, but could not succeed; but when I went last there, I found several people had bought a great number; but since the examination took place on the occasion of my purchasing children, a proclamation was issued, that in future all such purchases must be made agreeably to the established rules, and that those who do make such purchases, will not be allowed to take them out of the country.

Has any other person from this country purchased and brought away any children?

I heard that Koonhy Kam's people, for himself and some people of Calicut, had purchased and brought away about 400. I myself saw a boat bringing some.

Has any person, subject to the jurisdiction of this Zillah, brought any?

While there (to the southward) I heard some people of Tellicherry had carried away some Adeamakul, but don't know who they were, or what number.

(signed)

Translated by *T. H. Baber*, Magistrate.

(H. 2.)—Teerpu, or Final Order passed in the Court of Mawilakara by Maha Dewan Krestnen, Loganade Shastrikul and Aya Sawmy Shastrikul, 17th Danoo 987, or 28th December 1811.

Complainant,—None.

The delivery of the children into the tannah of Aleppi was by the Servady Karakar, Manager of the Pepper Receipts.

N^o 100.

Defendants,—Assen Ally, of Mahé, now residing at Aleppi, and his man Pakren. Date of information is 25th Tulam.

First.—Declaration of Pakren.

Oath, 21st Tulam, at night, (5th November 1811.)

Eleven children of three different castes, with the following utensils, 4 orabes, 3 tallegas, 2 collambees, also 1 velly pudo and orrah (silver-hilted sword), 1 todalaoola keereesha (d^e creas), 1 pechan katy of deta peedie (ivory handle knife), and some other articles, were put on board a battom (boat) to be sent to Mahé, which accordingly proceeded, and, arriving on the southern side of Shartengel Patty, the children were taken ashore; and, while cooking our conjee, one Caroogashary Yonaghan, seeing the children, went and questioned them, and then informed the head people of that desham; who immediately came to the beach, took me and the children to Ayanal Tarah, and delivered us over there, where they desired me to

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

tell the truth, and took down my deposition; and a list of the children; thence they took us to the servady karakar, manager of the pepper receipts at Aleppi, who gave us over to the tannah of that place; afterwards, the servady karakar sent Assen Ally and the eleven children to Mawilakara court.

Second Declaration of Assen Ally.

In obedience to the order from Mawilakara to state all the particulars relative to the deposition taken of my man Pakren, and the information therein, and a list of children whom I had dispatched to Tellicherry, the following is a true statement of the facts:—I declare, that on my departure from Mahé to this place, my employer, Brown Sahib, desired me to purchase and forward, from Aleppi to Anjarakandy, ten or fifteen children of low caste. Accordingly, after my arrival at Aleppi, I spoke to Odeanpilla, the cutwal, of my intention of buying and dispatching some children; he said I might buy them, but it was usual to pay the pundarum (government) certain fees; that he would write to the darah (resident) on the subject, and obtain his permission to make some purchases. I then requested him to write off without delay, and made the following purchases:—1st, I bought of Cunhyan Cooty Adjura, native of northward, but now residing at Paracatta in Travancore, five Poolay children, and paid 312½ fanams (killien) for them; 2d, of Carootil Coony Panéay, who resides at Aquil Wadakunda Puramba, viz. one boy and one girl of Poolay caste, for 125 fanams; 3d, of Collakaran Wappoo, residing in the said Puramba, one boy and one girl of Chona caste, for 125 fanams; 4th, of Mannen Cunhyan, the agent of Mackachee of Tellicherry, now residing at Quiton, one girl and one boy, as also two children of Chewa caste, and paid for all four 211½ fanams; and after having bought five boys and eight girls, total thirteen in number, and paid their price, 783 fanams, and got karunums (bonds) passed for them, I asked the aforesaid cutwal to settle the fees; he told me he had written on one or two occasions on the subject of the fees, but had got no answer; that, as soon as it arrived, he would adjust the fees. I then procured a batom (boat) from Murcom Tamacara of Aleppi, and on the 22d Tulam put on board some articles I had purchased at an outcry, and sent eleven of the children, keeping only two with myself, and delivered them to my man Pakren, and told him to take them by land, and that should that be impracticable, to take them by water, and deliver them to Mr. Brown. I next ordered the boat to be taken to a place out of the limits of the Aleppi port, made the eleven children walk thither, and having embarked them on board, I sent them off. Of the two children bought of Collatacar, a wappoo, one was given back to him, but the other, a girl, eloped without my knowing whither.

The defendant has thus acknowledged, in the above kaichit writing, that the children were embarked at a place out of the limits of the port, without the knowledge of the officers (pellamar) of the port, and the guard.

Third.—Cunhayan Cooty, and the other four persons who sold the children, being brought and examined, have given in kaichits, that they did sell the children and received the price.

Fourth.—The cutwal being examined, has given kaichit that he was asked as to what the customary fees were on the occasion of buying and selling slaves, but that he answered, that formerly there were rules for the payment of fees in the disposal of Adears; that he would write to the presence, and obtain an order as to the settlement of fees; that he was not informed of the circumstances of the eleven children being embarked in a batom, and sent off, nor did he know of it.

Fifth.—The servant of the port and the guard, being called and examined, have given in a kaichit, that they knew nothing of the children being purchased, embarked or taken away.

Sixth.—The boat people, Antoned Marcan, and others, being examined, say, the prisoner told them he was going to send to Mahé some articles, that he required their services; that accordingly the articles (which had been purchased at an outcry) were put on board the batom at about four naregas before sun-set; that the prisoner sent word to them to take the batom out of the boundaries of the port, and stop at Ragnaranjary; that they accordingly took the batom, and waited there, when the defendant's man, Pakren, came and told them there were some more articles to be put on board, and then took with him three of the boat people; that at night, after ten naregas, they came and called out to them to bring the boat near the shore, which they did, when eleven children were embarked.

Seventh.—The children, being brought and examined, say, that while asleep in their houses, Metenmar (moplas) went and took them away; in the day-time they were

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Fort St. George
Papers:
State of Slavery
in Company's
Territories.

were confined in houses, and in the night taken by the beach side, and sold to wadakanmara (northern people), who took them to Aleppi, and kept them in the day-time in a place that was surrounded with a compound, and on the 25th Tulam, after ten naregas after sun-set, they were taken by the beach, and put on board a battom (boat).

The prisoner, having thus been proved to have purchased children that had been stolen at night, and to have clandestinely embarked at night natives of our country, and, without the permission of the sovereign of that country, taken them to another country; that, by the laws of every country, persons stealing and clandestinely exporting children without the permission of their respective sovereigns, or the knowledge of any one, are utamasahasears (public offenders), we therefore adjudge the defendant to be fined.

Date of the decree, 17th Danoo.

The children sent by the manager of the pepper receipts, and who were embarked on board the battom, having been restored to their respective owners, the said utamarahassy (offender) is sentenced to pay 1,000 rupees, and then to be set at liberty. Pakren, being the defendant's servant, and as his employer's crime has been punished, he is ordered to be set at liberty.

The aforesaid Modolaly utamasahassy having paid the sum of 1,000 rupees, passed an order for his release.

(signed)
Translated by T. H. Baber, Magistrate.

(I.)—To Baboo Baien, Nazir of the Criminal Court of the Zillah, North Malabar.

Whereas depositions on oath have been taken before me, charging Bappen and Coony Parry, of Iruvendad Talook, in the service of Mr. Brown, with having stolen and brought away from the southward some Adears of the Poolie Inbe, you are therefore hereby directed to apprehend the said two persons, and produce them before the magistrate. Herein fail not.

(signed)
26th Danoo, 987, 8th January 1812.

Endorsement by the Nazir, delivered into the hands of Kolkar Pootooma Cunhy Moideen, 8th January 1812, returned on the 9th, saying, Bappen is gone to Goa, Cunhy Parrey not to be found.

To Tolan Moopan, Darogha of Mahé and Iruvenaad Talook.

It appears, from the examinations held in this court, that one Bappen and Cooney Parrey were the persons who brought some Adears from the southward; I therefore herewith send a warrant for their apprehension, which having served, you will send them to the magistrate's court immediately; but in case of their being reported to have left the place, you will ascertain the fact, and inform me thereof.

(signed)

To Thomas H. Baber, Esq. Magistrate in the Zillah, North Malabar.

The Writing of Tolan Moopa, Darogha of Mahé and Iruvenaad.

In obedience to your order, directing me to serve the warrant forwarded therewith, on Bappen and Coony Parrey, it appearing in some examinations held before the court, they had brought some Adears from the southward, and to send them to the court; and in case of their being said to have left the place, to ascertain the truth thereof and report the same, I have made an inquiry, and herewith forward the result thereof in writing.

28th Danoo 987.

11 Jan 1812

Declaration of Coyecote Canty Caya, a woman inhabitant of Mahé Hobely and Tara, made in the cutcherry of Mahé and Iruvenaad, darogha, on the 28th Danoo 987.

I am not certain whether, on the 25th or 26th of the present danoo, but it was on one of the said dates, that my son Coony Parry was put on board a manchoo by Wallapagata Assin Ally, and sent off to Poonamy; this is the truth.

Witnesses, Tekkedatita Curbyamoo Odeata Mamis.

Translated by T. H. Baber, Magistrate.

Part St. George
Papers:
State of Slavery
in Company's
Territories.

(K.)—Examination of Cherekul Ravey Werna, Rajah, by commission, on questions sent by the Magistrate of Zillah, North Malabar, on the 3d Makaram 987; or January 1st, 1812.

Question.—Have you any right to Poolee Kahachirry Wattachy, of Arengalla Wattoo?

Answer.—All the Poolea Adears of Arengaden Waka are my jelm property, and I have accordingly right to Wallachy and her daughter Chermee.

State whether you sold, or mortgaged your right, or lent them to any one, or whether you know of any one taking them away?

I neither sold or leased them to any one, while the said Adiatie was living with her younger brother Arengaden Willayen; I heard in 986 last, between the month of Yrddarum and Medvanum, that the aforesaid Wattachy and her daughter went and lived in a challa of a Poolea of the same waka, in Kanapoorata, Deshum, and that four days after the aforesaid Adiatee and Chermee were not to be seen there, on which I sent people in quest of them, but they were not to be found any where.

(signed)

Examination of Coomba Moideen, made before the Commissioner of the Cherrecul Talook, 13th January 1812, 1st Makaram 987.

Question.—Did you take to Anjarakandy for sale, any Adears?

Answer.—I did not sell them; they came to me, and I placed them at Anjarakandy.

Whose jelm property are the Adears, of what tribe, and what are their names? Wattachee and her daughter; they are the property of the Cherrical Raja; their caste, and the daughter's name, I don't know.

In whose service were the said Adeaty and her daughter, and in what Deshum did they live?

They came from Paitaeddatta, in Canawooram Tara, but not from any person's service.

Mention the names of those who live in the neighbourhood of the said Adears place of residence?

Panean Chadean Ibraim, son of Mowoongel Cooty Ally, Tean Pangarau, Poken Cottambally, Odeota Cannen, are the persons who live in that neighbourhood.

When did you take away the Adeaty and her daughter, from whence, how, and by what means?

In the month of Karbadum 986, I took them from Paliaeddatta, in the aforesaid tara, and crossed them over the Rupee Codava (a ferry.)

Who crossed you over the ferry, who was it that paid the toll, and did you arrive at Anjarakandy on the same day, and did you sell them to any one there?

Capasadavan Moideen was the person who crossed us over the river; I put some pice into the Adeaty's hands; she paid the hire; we arrived at Anjarakandy the same day, where I provided her with expenses, and kept her with me; I gave her to Patealam Toopara, where she remained six days; on the 7th, she was placed with Mr. Brown.

What sum did Mr. Brown give you on account of these Adears?

Mr. Brown gave me none, but Palacatan Toopara paid me and rupees.

(signed.)

(K. 2.)—Information of Cherrical Tambooram, by Vakeel Kowakoonata Christman, nephew of Hendor Christman, managers of Cherrical Tambooram affairs, aged 35 years, inhabitant of Cherrical Talook Hobelles, and Deshen, given before the magistrate of Zillah, North Malabar, on the 19th Makaram 987, or 31st January 1812.

One day in the month of Yedavam 986, Kalliacherry Valluchy and her daughter Valluchy, the jelm property of Cherrical Tambooram, were missing; a search was made, but they could not be traced out; afterwards, on the 1st Makaram 987, I heard

I heard that on Erramballa Chandoo, the commissioner of Cherricul Neadoopakoothy, examining the prisoner, Kumba Moideen, by the order of the court, it came to light that he (the prisoner) stole and disposed of them; after which, when I saw the aforesaid Wattachy and her daughter Wallachy in the court, on their being brought from Mr. Brown, I was certain that the above-mentioned Wattachy and her daughter Wallachy, were the jelm property of the Cherricul Tambooram, and there heard that the aforesaid Kumba Moideen had stolen them, put on koopay (mopla dress) and taken them to Anjarakandy, and concealed them there at his brother Parrey's house, and afterwards at Pattookalem Tooproo's house, and Cattacaram Cunhy Packer's house, who returned them back to him, when Mayerkariu Baba took them from the aforesaid Parrey, carried the said Wattachy and her daughter, and placed them with Brown Sahib; on this account I prosecute the prisoner, Kumba Moideen, for stealing the aforesaid Wattachy and her daughter Wallachy, and also the rest of the prisoners, for concealing them, knowing that they had been stolen.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(sworn and signed.)

For Summons,
see Mr. Brown.
Vide p. 67a. K. 3.

(K. 4.)—The Vakeelutamah of Maha Raja Sir Brown Sahib Awaraneal to Ana Curby Amod, one of the vakeels to the Zilla court, North Malabar.

The Cherricul Raja, having preferred a complaint against Coomba Moideen, about two Poolie adianmar (slaves), an order has come to me to state to the court what right or claim I have to Wattachee and her daughter Wattachee, I hereby appoint you my vakeel or attorney, to state to the court that I have no claim to the aforesaid Wattachee and her daughter Wallachee, and whatever you state to the court, I will abide by.

(signed) *Mr. Brown.*

(signed) *A. Douglas, Witness.* *W. Ravenshaw.*

To Thomas H. Baber, Esq. Judge and Magistrate of Zillah, North Malabar.

The representation of Vakeel Ara Curby Amood, in the name and behalf of Mr. Brown.

Sheweth,—My client has been called upon, to state to the court his right to the Poolies Wattachee and her daughter Wattachee, in consequence of a complaint being preferred against Kumban Moideen claiming them; the following is the answer:—My client, Mr. Brown, has no right to the aforesaid two Poolies, one day in 987, Mr. Brown having been informed that Kumban Moideen, resident at Anjarakandy, had brought the said Poolies to Anjarakandy with koopays on them, sent for Moideen, to know whether it was so or not, but he was not to be found there; four days afterwards Mr. Brown sent Baba to call the aforesaid Moideen's brother, Parrey of Anjarakandy; Baber accordingly brought the said Parrey and the two Poolies with him, when Mr. Brown interrogated Parrey, in what manner these two Poolies had been brought there; he said that his eldest brother, Moideen, had brought these two Poolies, but that he did not know the manner in which he came by them; that his brother Moideen would tell; and that until his return these two Poolies might be placed amongst Mr. Brown's slaves; they were accordingly placed amongst Poolies of Mr. Brown, merely until the return of Moideen; after which Parrey went away, but before Moideen came, and the matter could be brought to light, the whole of the Poolies were taken away by the order of the court; but at that time Mr. Brown informed Chatoo Menon, that the two above-mentioned Poolies did not belong to him; this is the truth.

(signed.)

(K. 2.)—Examination of Koomba Moideen Mussulman Mopilla, nephew of Chocara Moopa, 30 years of age, a labourer by profession, inhabitant of Cherricul Talook Kalliacherry Hobilly and Tarrah, taken on the 4th Makarom 987, or 16th January 1812.

Question.—Look at this Wattachy Poolucherry and her child; are they the same Chermys whom you carried away?

Answer.—Yes, they are the same.

From whence did you carry them away?

I carried them away Conoporatoo Pataddo Challa.

When

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

When you carried them away; did you tell the people she belonged to, or did they know of it?

No, I neither told them, nor did they know of my doing so.

After you took them away, where did you keep them?

After I took them away that day, I kept them in my Maddakara house; the next day I took them to Anjarakandy, and kept them at my younger brother Parrey's house, where I put the koopayum on them, and left them there for seven or eight days; at this time Patekalen Tooper came and asked to let him have them; I gave them both to him for eight rupees, which sum he paid me; but when this came to Mr. Brown's knowledge he said he must have these Pooliers; Tooper then brought them back to the house of my younger brother Parrey, and I went to my Madakara house; at that time the aforesaid Sahib's servant, Baba, came, took the koopayum off the Poolies; carried them off and placed them amongst the other labourers of Mr. Brown; after this Tooper asked my younger brother Parrey for the rupees he had paid, when my brother gave back to Tooper his eight rupees.

When was it you took them away afterwards; why and when was it that Mr. Brown took them away?

786 vs 1811 I think it was in the month of Medoonam 986, June 1812, that I took and kept them in my house afterwards in the month of Chingom; my brother Parrey told me that Mr. Brown had sent his servant to say, that whoever brought that description of persons within his five tarrats, they should serve him alone, and that no other person had a title to them, and then carried them away.

Who is the jemmy (proprietor)?

The Cherricul Rajah.

Do you know if they were ever sold to anybody, or by whom they were employed?

No, I never heard.

Did you tell the jemmy, Cherricul Tambooram, of your having carried them away?

No, I did not.

You have said you gave them to Palikalen Tooper; did you pass any pramanum (writing) to that effect?

No, I did not pass a pramanum.

Did you know before this time, this Wattachee and her child?

I did not know them before I carried them away.

Did you give to your brother Parrey, to Pattakalon Tooper, or did your brother Parrey give a writing of them to Brown Sahib?

I did not give a writing to my brother Parrey, Tooper, or Mr. Brown, on account of this Wattachee.

How came you to carry off this Wattachee without any person's knowledge, put on a koopta, and receive money for her?

Because of my want of sense, I acknowledge my error.

Don't you know, that whoever steals another Adiam, commits a crime?

I have no claim to them; what I have done, is for want of sense.

(signed)

Examination of the prisoner Kumba Parrey, taken on the 13th Makarom 987, or 27th January 1812, before the Magistrate in the Zillah, North Malabar.

Question.—To whom did your brother Kumla Moideen sell Pooley Wattachee and her daughter Wallachee, after he had brought and kept them in your house, and put on them koopayum (mopilla dress)?

July 1811 Answer.—One day, in the month of Karkadagom 986, when I returned from Coory (where I had been to buy rice), I saw in my house my eldest brother, Moideen, with two Poolies; I asked him from whence he brought them; he told me from the northward; that he had purchased them; he then kept them in my house for four or five days, and took them away, and placed Wattachee, with Cottakarem Koonby Pocker and her daughter, with Pattacaren Tooper, and told them that he was going

to

Fort St. George
Papers
State of Slavery
in Company's
Territories.

to fetch their title deeds, and he went away; ten or fifteen days afterwards, Moideen returned and told me that he had mislaid their title deeds, on which Poker and Tooper brought them again to my house. Three days after this, Brown Sahib's man, Machukaree Baba, came and told me that he had Brown Sahib's order to take them to the pandishalla; he accordingly took the aforesaid Wattachee and her daughter Wallachee and myself to Anjarakandy, to Brown Sahib's pandishalla. On our arrival there, he went inside and informed Brown Sahib, and then he returned and told me to go away, and I went away; afterwards I heard the aforesaid two persons were employed in Brown Sahib's plantation, and while they were working there, the court officers came and took them away; this is what I know.

Who was the person that put the koopayum on Wattachee and her daughter Wallachee?

I don't know; when I first saw them, they had on them the koopayum.

You said that they were taken to Brown Sahib; do you know the reason of their being taken there?

I don't know the reason; when they were in my house, Brown Sahib's man came and took them away.

Did either you or Moideen pass any writing to Brown Sahib, or receive any money from him?

No, we neither passed to Brown Sahib any writing, or received from him any money; they were taken away while Moideen was absent.

Did you return any rupees on this account, to Pattookaren Tooper?

No, I did not give any rupees on this account, nor did I know any thing about the rupees; but I and Pattookaren Tooper have money transactions.

Did either you or your eldest brother receive any rupees?

Whether Moideen received or not I do not know; I received some money on account of pepper, besides which, I neither received nor gave any money.

When you took Wattachy and her daughter Wallachee to Brown Sahib, did the Sahibmar (Mr. Brown or his son) see them?

Wallid Brown Sahib saw them.

Did either Brown Sahib say anything to you, or did you tell Brown Sahib anything about these Poolies?

Nothing whatever. (signed)

(K. 2.)—Examination of Pattakalan Toopra.

Question.—Did you purchase of Coomba Moideen, for eight rupees, Wattachee and her daughter Wallachee?

Answer.—One day in Karkadakam 986, Coomba Moideen brought Wattachee and her daughter to me with Akoopai, and asked me if I would buy them; at this time, Koteakaren Cunhy Paker came there, when Coomba Moideen again asked us; we answered we would take them if they were his, and he would produce the title deeds, and a sirkar writing when we purchase them in the regular manner; Moideen said he would go and fetch the title deeds, and that we might keep them until his return. Wattachee was then placed with Poker Wellachee; her daughter I kept. About 15 days after, Moideen came and said, that the title deeds he had lost; we then said, we did not want them. Poker then returned to Moideen Wattachee, and I gave back to Moideen's brother Wallachee; after this, I heard that both had been given to Brown Sahib, this is all I did; I did not give a rupee or make the purchase of them; I, Coomba Moideen and his brother Perry, have accounts together.

Who took and gave Wattachee and her daughter to Mr. Brown?

I heard Kumba Moideen's brother, Perry.

How did he give them?

That I do not know.

Who carried and actually delivered them to Brown Sahib?

That I do not know.

(signed)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(K. 2.)—Examination of Kotlakaran Kunhy Poker, taken on the 13th Makaram 987, or 27th January 1812, before the Magistrate, in the Zillah, North Malabar.

Question.—Did you purchase from Kumba Moideen this Wattachee and her daughter Wellachee?

Answer.—One day in the month of Karkadagom 987, Kumba Moideen brought two Poolies, and offered to sell them to Pattookaren Tooper; at that time I arrived there, when Tooper told me the aforesaid Moideen had brought two Poolies to sell, and had kept them in his house; I told him, if he (Moideen) had brought Poolies to sell, I would take one of them; he (Tooper) told me to purchase one; I then told him, if Moideen would produce their jelmi pramanum (title deeds), and a writing from the kutcherry, authorizing him to sell them, I would purchase one agreeable to the customs; Moideen then said, that he would go and fetch their title deeds, and requested us to keep them; he then delivered Wattachy to me, and the daughter Wellachy to Tooper, and he went away. Fifteen or sixteen days afterwards, the aforesaid Moideen came and said, that he had lost their title deeds; I then said, that I did not want them, and delivered back to Moideen Wattachy; afterwards Tooper told me, that he had also given back the daughter to Parry; this is what passed.

Who gave to Mr. Brown the Wattachy and her daughter Wellachy?

I do not know who did; after I had delivered to Moideen, I saw them working amongst Brown Sahib's Poolears.

Do you know whose Poolies Wattachy and her daughter Wellachee are?

I do not know; I have not heard.

Did either Moideen or his brother Perry receive any money from Tooper, Mr. Brown, or any other person?

I do not know; I never heard money had been received.

(signed)

(K. 2.)—Examination of Mahekaren Baba, taken on the 13th Makaram 987, or 27th, before the Magistrate, in the Zillah, North Malabar.

Question.—Did you take Wattachee Pooly, and her daughter Wellachy, from the house of Koemba Parrey, and gave them to Mr. Brown?

Answer.—No; I did not take them from Koemba Parrey's house; I do not recollect the month or the day; but one day in this year, 987, I saw Wattachee Pooly and her daughter at my house; I asked them why they came there; they replied that they had nothing to eat, and therefore they came there; that day I had a Pootary (feast) in my house; Kumba Moideen had come there also, and we all eat rice, and stayed there that night; the next day when I went to work at Brown Sahib's house, the sahib told me, that he had heard that in Kumba Moideen's house there were one Adiaty and her daughter, and desired me to go and bring them, and also Parrey; I immediately went and called Wattachee and her daughter Wellachy and Parrey, and took them to Brown Sahib's pandishalla, where they were placed amongst the other Pooliers; at that time Wellachee stated her grievances to Brown Sahib, saying, that she had been stolen at night time, when Brown Sahib told her, that when he, Moideen, came, he would make me amends, and desired her to stay there until that time, and told Perry to go away; this is what passed.

In what employment are you under Mr. Brown?

I work at Brown Sahib's pandishalla, and receive six rupees per month.

Did Mr. Brown receive any writing, or did he give any money for them?

No; he neither took a writing, nor did he give any money for them.

Then what is the reason that they were taken and kept by Mr. Brown?

I don't know the reason; Brown Sahib desired me to go and bring them, therefore I went and brought them.

Did Mr. Brown take any writing either from Kumba Perry or Moideen, or did he ever give any money to them on this account?

I don't know; I never heard any writing was taken, or any money was given to them.

You

Fort St. George
Papers
State of Slavery
in Company's
Territories.

You said that you took the aforesaid Wattachee, and her daughter Wellachee, to Mr. Brown, and left them there; afterwards, did either Moideen or Perry tell you any thing about this business?

No, they did not; but while I was working at Anjarakandy, people from the court came, and took away the aforesaid two persons.

Do you know to whom this Wattachee and her daughter belong?

No; I do not.

Deponent, after the above is read, says as follows:

One day, Perry's brother, Moideen, told me, that he had a Adear and a child, and that they had no means to live; do you ask Cheria Brown Sahib to employ them. Moideen accordingly accompanied me at this time; the Sahib had gone out to walk; on the Sahib's return home to drink tea, I told Sahib Moideen had a slave and her child in his possession, that he would place with him. The Sahib asked Moideen if he would sell them; he said that he could not then; Cheria Brown Sahib said, if he could not sell them, let them work there, and he would maintain them; Moideen then said, that he would go and bring them, but he never returned. Afterwards, when I met Moideen, I asked him why he had not brought to Anjarakandy the slaves he had promised; he said he had not brought them.

(signed.)

Examination of Wattachy before the Magistrate, 17th Danoo 987, (30th December 1811); aged about 31.

Question.—Where is your country, what is your name and caste?

Answer.—Kaleachery, to the northward; my caste, Poolay, and name, Wattachy.

How many years is it since you were brought away, and who is your tamburan (proprietor)?

I was brought here last Eddawam; my tamburan is the rajah of Cheral.

How were you brought here?

I was at work in the field, where Kumba Moideen seized me and my child, made us stay in a mopla's shop at Madacara; the next day crossed the copa cardana (ferry), and kept in his manjan parecay's shop at night, where he got me washed, and put a coopai on me, and then I was sold to a mopla, by name Poker, of Anjarakandy; the Anjarakandy atchen, Mr. Brown, knowing of this, took me forcibly away, and, taking off the coopai, placed me amongst his slaves.

(Translated.) T. H. Baber, Magistrate.

(K. 2.)—Examination of Poolian Wellayen, Brother to Wattachy.

Question.—Do you know this Poelai Chermey Wattachy, and her child?

Answer.—Yes, I do; she is Wattachy, my eldest sister; the child is her daughter, and my niece, Wellachee.

Where did they use to reside?
In the chala of my illakaron polabun at Irunevil.

Do you know how Wattachee and her child left that chala?

One day, in Yedavom last, after they had gone out to work, I missed them, and inquiring all about the country, but I could get no intimation where they had gone.

Whose jelm property is Wattachee?

The Cheral rajah's.

Besides the Cheral rajah, has any other person any title to this Chermee?

No other person.

Who married her?

Kaly Vagner Pooliar.

Where is he now?

He was apprehended for a theft, and has been in prison for the last year and a half.

For whom did Wattachee and her work?

Formerly Ercoorkaren Moideen,

Who

Original.

Fort St. George
Papers:

State of Slavery
in Company's
Territories.

Who placed her with that person?

Paran Chandoo.

What right had Paran Chandoo to do so?

He was the prowartikaran to the Cherical rajah.

Do you know this Kumba Moideen?

No, I did not, until this inquiry took place.

(signed.)

(K. 3.)—Zillah, North Malabar, (L.S.) Mr. Murdock Brown.

Whereas Rewa Werma, the Cherical rajah, has preferred a complaint by vakeel, in pursuance of the orders of the provincial court, that it was expedient that the Cherical rajah should appoint a person to carry on the prosecution in his name and in his behalf, against Coomba Maideen and his accomplices, in the theft of the persons of Poolie Wattachee and her daughter Wellachee, claimed by the said Reewa Werma, rajah of Cherical, as his rightful jelm property; and whereas, in the proceedings held before the magistrate, there are the strongest grounds to suppose that the aforesaid Wattachee and her daughter Wellachee were stolen; and whereas, in your communication dated the 4th January, in answer to the court's requisition, dated the 27th December and 3d January, to produce any evidence on documents you might have to adduce in support of your claims on Wattachee and her daughter Wellachee, together with other persons found on your plantation, who had declared they had been kidnapped, it is set forth, that your right to them you are perfectly prepared to support as soon as your property therein was impeached, you are therefore now required to attend, in person or by vakeel, on or before Monday the 3d February, before me, the magistrate of this Zillah, one of His Majesty's justices, and one of the justices assigned by the government of Fort St. George to keep the peace in the said Zillah, to account for the manner in which Wattachee and daughter came into your possession, and to make good your right thereto.

Herein fail not. Dated this 31st day of January, A. D. 1812.

Zillah North Malabar.

(signed)

T. H. Baber, M. & J. P.

(K. 5.)—To the Jailcr.

27th February 1812.

Whereas Comba Moideen has been convicted of stealing eight Poolies, and sentenced to thirty stripes and six months imprisonment; Bawa Perry Toopara and Komby Paker have been sentenced to three months imprisonment each, for being accessories after the fact. You are therefore hereby required to carry the sentence on the first, by inflicting on the bare back of the aforesaid Comba Moideen, in front of the cutwall's cutcherry, at twelve o'clock of each day, on the 29th February, 1st May, and 1st July, ten stripes at a time, and afterwards confine him in irons for the period of six months to be computed from this date; and that on the other four persons, viz. Barry, Perry, Toopara, and Kumby Paker, by confining them in irons in the common jail for three months, and then bring before me to be discharged; for which this shall be your warrant.

(signed)

T. H. Baber, Magistrate.

(L. 1.)—To the Magistrate, in the Zillah of North Malabar.

The law officer objecting to the legality of the Circar vakeel being appointed as prosecutor, in cause N° 15, wherein three persons, inhabitants of Mahé and subjects of the government, are charged with being accessory to the kidnapping or theft, and selling as slaves, of nine non-adults, said to be of free parents, natives of Travancore, whilst it appears that these children have parents and other relatives now existing; and the judge being further of opinion, that the case falls under the provisions of Regulation XI. A. D. 1809, whereby it is enacted, that the orders of government are specially required to bring persons, subjects of the Honourable Company's territories, to trial for offences committed by them in the dominions of a foreign state, which do not appear to have been issued in the case in question, the court has declined proceeding to the trial of the case.

The judge deems it further necessary to give it as his opinion, that on the evidence, as it now stands, and facts stated, the conviction of the persons whom the magistrate has brought forward, is absolutely hopeless, since even was the fact of the

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

the stealth of the children substantiated by legal evidence, it seems impossible to prove, that the prisoners residing at Mahé could have been privy or accessory to a crime committed in Travancore.

Should the magistrate, however, determine to refer the case for the orders of the Honourable the Governor General in council, pursuant to the provisions of Regulation XI. of 1809, above quoted, he may still keep the parties held to bail, otherwise he will be pleased to discharge them therefore.

Given under my hand and seal, at Tellicherry, this 22d day of January A. D. 1812.

(signed) *W. Clephane*, Third Judge.

(L. 2.)—To the Magistrate in the Zillah of North Malabar.

The law officer objects to the right of the person whose name appears as prosecutor, in case N^o 8, on the calendar, required from you to be acknowledged in that capacity. He is of the Poliah caste, and describes himself as a slave of Eleadatul nambord, and consequently his children, the stealing of whom forms the grounds of the charge against the prisoners, are the property of the said nambordy also.

The nambordry should have been called upon, and have had an option to prosecute the prisoners for stealing or unlawfully obtaining possession of his property to the three Poolian children in question; the judge desires that this may be done without delay, and would suggest to the magistrate the examination of the person mentioned in the declarations of the prisoners by the name of Ooacha Coop, and who thereby appears to have been an accessory; if not a principal, in the theft; and should the result seem to render it expedient, include him in the charge.

Given under my hand and seal, this 2d day of January, A. D. 1812.

(signed) *H. Clephane*, 3d Judge of C. W. D.

(L. 3.)—In pursuance of the exigence of the annexed precept, the magistrate ordered the attendance of Eleaidatil namboory, but in consequence of his not being found at his house, he fears it will be some days before he can appear. The judge may, perhaps, think his presence now unnecessary, since it would not appear that he had any claims on the children, who by the usages of North Malabar are the property of the owner of their late mother. The magistrate questioned the father of these children in this point, who stated that their mother was the property of Hacapoorata Assins Karunan Ussen Markar; Hacapoorata Assen has come forward, and laid claim to these children, and produced the jelm pramanum of their mother in support thereof; and in his deposition it would appear that he had remonstrated with the prisoner for stealing and putting the koapaie on these children, and that not succeeding in obtaining restoration, he had advised the father to commence the present prosecution. The magistrate has also taken the examination of Oonicha Koorup, who in his turn claims the jelm right of the mother, and by consequence the children; he does not deny that the children were first stolen by Patton Munoo and Cunoné Calender; but that afterwards he sold all three to Mangaden Pally, for rupees twenty. The magistrate has in consequence included Oonicha Koorup in the charge, and substituted Hacapoorata Assen Cooty as the prosecutor in the room of the father of the stolen children; the magistrate herewith sends up his further proceedings, and if the judge thinks it still necessary; he will use all practicable dispatch in causing the attendance of the Elleasdada namboory.

Given under my hand, and the seal of the court, this 4th day of January, A. D. 1812.

(signed) *T. H. Baber*.

(L. 4.)—To the Magistrate in the Zillah of North Malabar.

The judge of sessions has received the return of the magistrate to his precept on the subject of Case VIII. on the present calendar.

From what is therein stated, it would appear that the attendance of Elleadada namboory is unnecessary; still there appears much confusion and perplexity in regard to the ascertainment, of whether the mopila Hyeoporata chiria assen Cotyon Oonich Caorooop is the proprietor of the three Poolian children. The magistrate will therefore call on Oonicha Coorooop to produce the deed of sale which he asserts was passed to him by the mopilla Mangudawutte ootan in 978, or any other evidence he may have of the children being his property. The magistrate will also

confront

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

confront the two claimants, and record the observations they may have to offer on the claim set up by each respectively.

A person named Manguden Pally is ascertained by two of the prisoners, and also implicated in the declaration of the Oonicha Cooroo, as having been an accessory both before and after the fact, in the theft of the Poolian children. The magistrate is required to state whether he has been examined in the case, and why he is not included in the charge.

Given under my hand and seal, at Tellicherry, this 17th January, A. D. 1812.

(signed) *H. Clephane*, 3d Judge.

(L. 5.)—In pursuance of the exigence of the annexed precept, the magistrate called upon Oonicha Cooroo for the deed of sale passed to him by Ootan Pakroo in 978, which he accordingly produced, and which was shewn to the Mopilla Hayaporata Chirria Oossen Cooty, and their separate observations, and the depositions of their respective evidences recorded, all of which documents are herewith forwarded. Mungadan Pally has not been examined in this case for the same reason, that the magistrate did not take the deposition of Oonicha Cooroo, viz. that those two persons were called by the three first prisoners as *their witnesses*, to prove that they did not commit the theft with which the prosecutor had charged them, but that Oonicha Cooroo had sold those children to Manguden Pally, and the latter had sent the two first prisoners with Oonicha Cooroo to receive charge of the children from the Cooroo, and had also sent by the third prisoner the children to Cannanore for sale. What was set forth on the prisoner's depositions, did not appear to the magistrate in the light of an implication; and in regard to the declaration of Oonicha Cooroo, that document was taken after the magistrate had sent his proceedings to the Court of Sessions. If, however, the judge is of opinion there are sufficient grounds in those depositions to found a charge against Manguden Pally, of acting and abetting in the crime committed by the other prisoners, the magistrate will proceed against that person accordingly.

Given under my hand, and the seal of the court, this 20th day of January A. D. 1812.

(signed) *T. H. Baber*, Magistrate.

(L. 6.)

Let the prosecutor and witnesses be released from their recognizances.

Have been released.

The prisoners Oonicha Cooroo, Koo-vian Caiender, Pallen Munnoo, Irain Moideen, and Kununporate Pairoo Cooty, may be delivered up to their bail; Mangaden Pally, who has been arraigned and tried with the others, may be admitted to bail; and the following prisoners, who were not tried, as the prosecutor preferred no charge against them, may be released from their bail and discharged, viz. Pally and Massa Chuoonen, Cuntry Parce, and Awenande cuntry Pukur.

Have been delivered to their bail.

Have been released.

(signed) *H. Clephane*, 3d Judge.

21st January 1812.

(signed) *T. H. Baber*, Magistrate.

(L. 7.)—To the Judge of Quarterly Sessions.

Previous to releasing the prosecutor and witness, as directed by the judge in his memorandum of this day's date in Case No. VIII. the magistrate requests he will be pleased to inform him, whether the children stated to have been stolen, and to have had the mopla koopai put on them, are to be restored to the persons on whom they were found, or delivered to their father.

Given under my hand, and the seal of the court, this 21st day of January, A. D. 1812.

(signed) *T. H. Baber*, Magistrate.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(L. 8.)—To the Magistrate in the Zillah of North Malabar.

In reply to his reference of the 21st, the magistrate is directed to deliver over the three Poolee children to Hyeprate Cheria Assen Cooty, the prosecutor in case, No. 8. and who, as far as yet appears, is their iremine, or proprietor.

Given under my hand and seal, at Tellicherry, this twenty-second day of January, anno Domini, One thousand eight hundred and twelve.

(signed) *H. Clephane*, Third Judge.

BE it known, That the three children referred to in the annexed precept, have been delivered to Hayaporata Cherria Assen Coaty.

Given under my hand, and the seal of the court, this 22d day of January, anno Domini, 1812.

(signed) *T. H. Baber*, Magistrate.

(M.)—The complaint of Katoti Changara, Ooni Tire, inhabitants of Cunnady Parrum Hobely, in the Cherricul Talook, dated 3 k. Koombhan 987.

On the 22d of Maharom last, while I, with others, went to the ulsohum (fair), at the Canady Parrum Pagoda, two tonies (boats) were brought and stopped at a place where it is not usual for boats to be tied, when the people therein landed and went and stole from me my aduuma, Chonanchee, her son Marieton, and two small children; a Poolian, who saw this, came immediately and told me of it; and when I made inquiry, I received information that the Mookestan, Pany Sooby, his nephew, Plera Packey Minichan, Moodeen, Veeran, from Cannanee, Cotan, Tarueeya, and Maivla, Kooran, were the persons who stole and carried them off; on this I wrote to the mookistanmar of Munioor Tura. I pray therefore that my complaints may be redressed.

Sworn to before me, (signed) *T. H. Baber*, Magistrate.

Translated by *T. H. Baber*, Magistrate.

(N.)—Information of prosecutor, Chakara Khanhan Kindoo, of Polean caste, 35 years of age, adean of Namboodry, inhabitant of Cherrical Talook Kalliacherry Babilly Tenety Panah, given before the Magistrate of Zillah North Malabar, on the 23d Tulam 987, or 8th November 1811.

One day, in the month of Markarum 986, the date of the month I do not know, my daughters Parray, Kautraty and Wattachy, were missing; a search was made in several places for them, but they were not to be found. One day, in this month, I saw my eldest daughter, Parray, with a koopayom on her at Pallakandy Moossar's house. I asked Parray where her two younger sisters were? She told me, that Kooman Kallenden and Pallen Menoo had seized and carried them away, and sold them to Aymon Moidpen and Koonomporatoo Packrao Cootly, and she was left by them at Pallakandy Moossar's house; that her two younger sisters were purchased afterwards by Chenkunom Cuntry Parry, and Anaram Cuntry Paiky, who had put the koopay on them, and they were then living with them. I then went to the cutwal's cutcherry, informed the circumstance to the cutwal, who sent for the aforesaid Pallakandy Moossa, and examined him, who said, that Ayom Maideen and Koonampaatoo Packroo Cootly had given them to him; therefore I prefer a complaint against Kunnom Kallenden and Pooliam Mamy, for stealing and selling my three daughters; and against Aymon Moideen Koonomporatoo, Packroo Pallickandy, Moossa Cherckoonom, Cuntry Parriey, and Kemhy Packey, the brothers of Awaran, for purchasing them.

(signed.)

The Court of Sessions having objected to the right of the father of the three kidnapped children to appear as prosecutor, because a Poolian (slave), took the following deposition of their proprietor, when they are adults.

To Thomas H. Baber, Esq. Magistrate in the Zillah, North Malabar.

The complaint of Warpoorate Cheria Assen Cootly, Massulman Mopla, nephew of Hussen Marear, aged 26 years, vakeel in the Provincial Court, inhabitant of Jeconaad Taloak Tillicherry, Hobilly Hadeegata Tara.

It having come to my knowledge that Chenicherry, Onicha Cooraap, Mangadawata, Angadi, Kire, Pally, Hillata, Mamod, Canoocarm Pairoo, Cootly, Coomom Callenden

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Callenden Aymon, Moideen of Cheral, Talook, Halliasherry Hobelly and Tarva, had stolen and carried off three Poolee children, viz. Panny Cunhatly and Watta-chee, who had devolved to me in right of my Hoossen Marear (having purchased the jelm right) and sold them to two moplas at Cananore, who had made proselytes of them, and put coopayums on them; I wrote to them that they had no right to them, and that I would complain against them; that having received no answer, I sent for Chakara Cankan, the father of the children (Adean of Elleadata Tiroombu) with whom they lived, and from whom they were stolen away, and told him I would make a complaint against him, because his children, my jelm property, had been seized and sold, if he did not prefer one, and get the children restored to me; he accordingly lodged a complaint in the magistrate's court, against the aforesaid Moplas of Cannanore, who were examined and committed for trial; but now, understanding that it has been required that the proprietor should come and prosecute them, I pray you will be pleased to send for the aforesaid persons who seized and sold my adiers, and proselyted them, and order their restoration to me, as also to cause the offenders to be brought to condign punishment. Dated the 11th Danoo 987.

(signed.)

Translated, *T. H. Baber*, Magistrate.

The other prisoners say 40 rupees, and they sold all their assain for 58 rupees.

Deposition of first prisoner, Chenicherry Oonicha Cooroo, aged 68 years, saboaren by profession, nephew of Hindoo Ooninoroo of Cherekal Talook Kallia-cherry Hobilly, Arrolly Turah, taken on the 26th Danoo 987, or January 2d, 1812, before the magistrate of Zillah, North Malabar.

In the year 978, I bought of Mangadote Uttan Packroo, mopla, the jelm right of Poole Poongory and three daughters; I received from him the deed of sale on my paying for the same, and kept them in my paddikeel. In 984, the said poongay died, and the aforesaid three children continued serving me; they lived in the same paddikeel, and I paid them their expenses. In the month of Maharum 986, Poongor's husband, Chakararrharr came and told me that Wallan Mamoo and Koonen Callenden had come and taken away these three children, saying they were Palangoden Ramen's Adiers, on which I followed them, when Mangaden Pally said, that it was pursuant to Pallangaddon Ramain's desire, that he had seized and taken away these children; when I said, these children were not Pattangaden Ramin's jelm property, that they were mine; that the pramanum was in my possession, which I produced, and thereby convinced Pallangadden Chandoo Ramin and the others that they were not Palangadden's jelm property; at this time Moongadden Pally asked me, whether I would give them to him to work in his paddy field, when I said, if he wanted them I would give them to him, as I was in want of money, and accordingly gave the afore-mentioned three children, Parray, Kanhaty, and Watta-chee, to the above-mentioned Pally, passing a pramanum for the same, and received from him 20 rupees. I desired, at the same time, Pally not to take them out of the country, but to employ them in their place of nativity; the reason of my disposing of the said children was, that I had no means whatever to pay the neggady, wherefore I sold them for so low a price. Palakul Chatoo and Melliootoo Edatil Oonama Nambiar know of my having purchased them, and Eddawan Chandoo and Coliatoo Kamaroo know of my having sold them. This is all what passed.

You have said that you gave Pally these children for 20 rupees, did you tell the father of the children (Kanhhan) of it?

I told him of it after I had given them to Pally.

How old were those children when you gave them to Pally Mopla?

One was between fifteen and sixteen years old, the other between eleven and twelve years, and the other between eight and nine years.

Is it or is not a grievance to the father of these children to take them out of the country?

Yes; it was a grievance taking his children out of the country. I therefore desired they might not be taken out of the country.

Is it customary to dispose of children who are not able to work, and not more than twelve?

My necessities compelled me to dispose of them, otherwise I would not have done so.

(signed)

Examination of second prisoner, Kunnun Kallenden, taken on the 7th Wreschegun 987, or December 21st, 1811.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Question.—You have heard read the complaint preferred against you by the complainant; did you, in the manner set forth therein, in the month of Makarum 986, seize and sell his three young daughters?

Answer.—Mangadden Pally sent me and Pallen Many with Charicherry Oonicha Cooroo, and desired us to bring the Pooliars that Oonicha Cooroo would deliver to us. We both went with Oonicha Cooroo, and he delivered to us this complainant's three daughters, Parray, Wattachee, and Kanhatty. We took the aforesaid three Poolia children, and delivered them to Mangadden Pally; besides this, I never seized or sold any of the Pooliar's children.

(signed)

Examination of third prisoner, Pallean Mamy, taken on the 7th Wreschegurn 987, or 21st November 1811.

Question.—You have heard read the complaints preferred against you by the complainant; did you, in the manner set forth therein, in the month of Makarum 986, seize these three Poolia children, and sell them to Aymon Moideen and Kannom Paratoo Pakrookooty?

Answer.—I think it was in the 4th Makarum 986, that Mangadden Pally sent me and Kunnom Kallenden with Chenicherry Oonicha Cooroo, and desired us to bring the Poolia children that Oonicha Cooroo would deliver to us. We went with Oonicha Cooroo; and when we arrived at Arolly, the aforesaid Oonicha Cooroo delivered to us from Eitatoritty the three daughters of this prosecutor, named Parray Wattachee, and Kanhatty; then we took and delivered them to Mangadeen Pally. Besides this, I never seized any Poolia children, nor have I sold any of them; I don't know to whom afterwards Mangadden Pally sold them.

What time was it that you brought away the aforesaid children?

It was in the day time, at mid-day, that Oonicha Cooroo delivered them to us; at that time we delivered them to Pally.

Have you any witness you wish to be called regarding this business?

Yes, I have Pangan Kallenden, Manaden Kimtry Amen, Paramben Moidien.

When you brought these children, was their father, this prosecutor, present?

No; the prosecutor was not there.

Is the above written agreeable to what you have deposed, or is there any difference?

It is as I have deposed, and there is no difference.

(signed)

Examination of fourth prisoner, Aymon Merideen, taken on the 7th Wreschigurn 987, or November 21st, 1811.

Question.—Did you buy the three Poolia children of this prosecutor, brought by Kunnom Callenden and Paleam Manny?

Answer.—Kunnom Callenden and Paleam Manny neither brought to me any Poolia children, nor have I purchased any from them. In 986, one day in the month of Makarum or Kumborn, which I am not certain of, Mangadden Pally purchased from Chenicherry Oonicha Cooroo the three daughters of this prosecutor, for 40 rupees, in the presence of the mookustiamnar of that deshum, and in the presence of Examballa Chandas, and Keeroop, passed a title deed before the aforesaid people to Pally, the children being his own jelm property. I being there at the time, Pally told me to take with me these three children to Cananore to sell them there, and to give him the money. I told him, if he would give me an order and the children, that I would sell them for him, and would deliver him the money. Pally then went to Tattaramtatoo, to the darogah's choway, and got an order from the darogah, which he delivered to me, as also the children, and desired me to shew it to the cutwal of Cananore. I took the said order, and shewed it to the cutwal Pootionta Comapen Nair, who gave me his permission to sell them.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Callenden Aymon, Moideen of Cherical, Talook, Halliasherry Hobelly and Tarva, had stolen and carried off three Poolee children, viz. Panny Cunhatly and Wattachee, who had devolved to me in right of my Hoossen Marear (having purchased the jelm right) and sold them to two moplas at Cananore, who had made proselytes of them, and put coopayums on them; I wrote to them that they had no right to them, and that I would complain against them; that having received no answer, I sent for Chakara Cankan, the father of the children (Adean of Elleadata Tiroombu) with whom they lived, and from whom they were stolen away, and told him I would make a complaint against him, because his children, my jelm property, had been seized and sold, if he did not prefer one, and get the children restored to me; he accordingly lodged a complaint in the magistrate's court, against the aforesaid Moplas of Cannanore, who were examined and committed for trial; but now, understanding that it has been required that the proprietor should come and prosecute them, I pray you will be pleased to send for the aforesaid persons who seized and sold my adiers, and proselyted them, and order their restoration to me, as also to cause the offenders to be brought to condign punishment. Dated the 11th Danoo 987.

(signed.)

Translated, *T. H. Baber*, Magistrate.

The other prisoners say 40 rupees, and they sold all their assain for 58 rupees.

Deposition of first prisoner, Chenicherry Oonicha Cooroo, aged 68 years' saboaren by profession, nephew of Hindoo Ooninoroo of Cherekal Taloak Kallia-cherry Hobilly, Arrolly Turah, taken on the 26th Danoo 987, or January 2d, 1812, before the magistrate of Zillah, North Malabar.

In the year 978, I bought of Mangadote Uttan Packroo, mopla, the jelm right of Poole Poongory and three daughters; I received from him the deed of sale on my paying for the same, and kept them in my paddikeel. In 984, the said poongay died, and the aforesaid three children continued serving me; they lived in the same paddikeel, and I paid them their expenses. In the month of Maharum 986, Poongor's husband, Chakarakarrharr came and told me that Wallan Mamoo and Koonen Callenden had come and taken away these three children, saying they were Palangoden Ramen's Adiers, on which I followed them, when Mangaden Pally said, that it was pursuant to Pallangaddon Ramin's desire, that he had seized and taken away these children; when I said, these children were not Pattangaden Ramin's jelm property, that they were mine; that the pramanum was in my possession, which I produced, and thereby convinced Pallangadden Chandoo Ramin and the others that they were not Palangadden's jelm property; at this time Moongadden Pally asked me, whether I would give them to him to work in his paddy field, when I said, if he wanted them I would give them to him, as I was in want of money, and accordingly gave the afore-mentioned three children, Parray, Kanhaty, and Wattachee, to the above-mentioned Pally, passing a pramanum for the same, and received from him 20 rupees. I desired, at the same time, Pally not to take them out of the country, but to employ them in their place of nativity; the reason of my disposing of the said children was, that I had no means whatever to pay the neggady, wherefore I sold them for so low a price. Palakul Chatoo and Melliootoo Edatil Oonama Nambiar know of my having purchased them, and Eddawan Chandoo and Coliatoor Kamaroo know of my having sold them. This is all what passed.

You have said that you gave Pally these children for 20 rupees, did you tell the father of the children (Kanhan) of it?

I told him of it after I had given them to Pally.

How old were those children when you gave them to Pally Mopla?

One was between fifteen and sixteen years old, the other between eleven and twelve years, and the other between eight and nine years.

Is it or is not a grievance to the father of these children to take them out of the country?

Yes; it was a grievance taking his children out of the country. I therefore desired they might not be taken out of the country.

Is it customary to dispose of children who are not able to work, and not more than twelve?

My necessities compelled me to dispose of them, otherwise I would not have done so.

(signed)

Examination of second prisoner, Kunnun Kallenden, taken on the 7th Wreschegun 987, or December 21st, 1811.

Question.—You have heard read the complaint preferred against you by the complainant; did you, in the manner set forth therein, in the month of Makarum 986, seize and sell his three young daughters?

Answer.—Mangadden Pally sent me and Pallen Many with Charicherry Oonicha Coorooop, and desired us to bring the Pooliars that Oonicha Coorooop would deliver to us. We both went with Oonicha Coorooop, and he delivered to us this complainant's three daughters, Parray, Wattachee, and Kanhatty. We took the aforesaid three Poolia children, and delivered them to Mangadden Pally; besides this, I never seized or sold any of the Pooliar's children.

(signed)

Examination of third prisoner, Palleam Mamy, taken on the 7th Wreschegurn 987, or 21st November 1811.

Question.—You have heard read the complaints preferred against you by the complainant; did you, in the manner set forth therein, in the month of Makarum 986, seize these three Poolia children, and sell them to Aymon Moideen and Kannom Paratoo Pakrookootty?

Answer.—I think it was in the 4th Makarum 986, that Mangadden Pally sent me and Kunnom Kallenden with Chenicherry Oonicha Coorooop, and desired us to bring the Poolia children that Oonicha Coorooop would deliver to us. We went with Oonicha Coorooop; and when we arrived at Arolly, the aforesaid Oonicha Coorooop delivered to us from Ettatooritty the three daughters of this prosecutor, named Parray Wattachee, and Kanhaty; then we took and delivered them to Mangadeen Pally. Besides this, I never seized any Poolia children, nor have I sold any of them; I don't know to whom afterwards Mangadden Pally sold them.

What time was it that you brought away the aforesaid children?

It was in the day time, at mid-day, that Oonicha Coorooop delivered them to us; at that time we delivered them to Pally.

Have you any witness you wish to be called regarding this business?

Yes, I have Pangan Kallenden, Manaden Kimtry Amen, Paramben Moidien.

When you brought these children, was their father, this prosecutor, present?

No; the prosecutor was not there.

Is the above written agreeable to what you have deposed, or is there any difference?

It is as I have deposed, and there is no difference.

(signed)

Examination of fourth prisoner, Aymon Merideen, taken on the 7th Wreschigurn 987, or November 21st, 1811.

Question.—Did you buy the three Poolia children of this prosecutor, brought by Kunnom Callenden and Paleam Manny?

Answer.—Kunnom Callenden and Paleam Manny neither brought to me any Poolia children, nor have I purchased any from them. In 986, one day in the month of Makarum or Kumborn, which I am not certain of, Mangadden Pally purchased from Chenicherry Oonicha Coorooop the three daughters of this prosecutor, for 40 rupees, in the presence of the mookustiamnar of that deshum, and in the presence of Examballa Chandas, and Keeroop, passed a title deed before the aforesaid people to Pally, the children being his own jelm property. I being there at the time, Pally told me to take with me these three children to Cananore to sell them there, and to give him the money. I told him, if he would give me an order and the children, that I would sell them for him, and would deliver him the money. Pally then went to Tattaramtato, to the darogah's choway, and got an order from the darogah, which he delivered to me, as also the children, and desired me to shew it to the cutwal of Cananore. I took the said order, and shewed it to the cutwal Pootionta Comapen Nair, who gave me his permission to sell them.

I sold

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Callenden Aymon, Moideen of Cherical, Talook, Halliasberry Hobelly and Tarva, had stolen and carried off three Poolee children, viz. Panny Cunhaty and Wattachee, who had devolved to me in right of my Hoossen Marear (having purchased the jelm right) and sold them to two moplas at Cananore, who had made proselytes of them, and put coopayums on them; I wrote to them that they had no right to them, and that I would complain against them; that having received no answer, I sent for Chakara Cankan, the father of the children (Adean of Elleadata Tiroombu) with whom they lived, and from whom they were stolen away, and told him I would make a complaint against him, because his children, my jelm property, had been seized and sold, if he did not prefer one, and get the children restored to me; he accordingly lodged a complaint in the magistrate's court, against the aforesaid Moplas of Cananore, who were examined and committed for trial; but now, understanding that it has been required that the proprietor should come and prosecute them, I pray you will be pleased to send for the aforesaid persons who seized and sold my adiers, and proselyted them, and order their restoration to me, as also to cause the offenders to be brought to condign punishment. Dated the 11th Danoo 987.

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Translated, *T. H. Baber*, Magistrate.

The other prisoners say 40 rupees, and they sold all their assain for 58 rupees.

Deposition of first prisoner, Chenicherry Oonicha Cooroo, aged 68 years' saboaren by profession, nephew of Hindoo Ooninoroo of Cherekal Talook Kallia-cherry Hobilly, Arrolly Turah, taken on the 26th Danoo 987, or January 2d, 1812, before the magistrate of Zillah, North Malabar.

In the year 978, I bought of Mangadote Uttan Packroo, mopla, the jelm right of Poole Poongory and three daughters; I received from him the deed of sale on my paying for the same, and kept them in my paddikeel. In 984, the said poongay died, and the aforesaid three children continued serving me; they lived in the same paddikeel, and I paid them their expenses. In the month of Maharum 986, Poongor's husband, Chakarakarrharr came and told me that Wallan Mamoo and Koonen Callenden had come and taken away these three children, saying they were Palangoden Ramen's Adiers, on which I followed them, when Mangaden Pally said, that it was pursuant to Pallangaddon Ramain's desire, that he had seized and taken away these children; when I said, these children were not Pattangaden Ramin's jelm property, that they were mine; that the pramanum was in my possession, which I produced, and thereby convinced Pallangadden Chandoo Ramin and the others that they were not Palangadden's jelm property; at this time Moongadden Pally asked me, whether I would give them to him to work in his paddy field, when I said, if he wanted them I would give them to him, as I was in want of money, and accordingly gave the afore-mentioned three children, Parray, Kanhaty, and Wattachee, to the above-mentioned Pally, passing a pramanum for the same, and received from him 20 rupees. I desired, at the same time, Pally not to take them out of the country, but to employ them in their place of nativity; the reason of my disposing of the said children was, that I had no means whatever to pay the neggady, wherefore I sold them for so low a price. Palakul Chatoos and Mellitoo Edatil Oonama Nambiar know of my having purchased them, and Eddawan Chandoo and Coliatoor Kamaroo know of my having sold them. This is all what passed.

You have said that you gave Pally these children for 20 rupees, did you tell the father of the children (Kanhan) of it?

I told him of it after I had given them to Pally.

How old were those children when you gave them to Pally Mopla?

One was between fifteen and sixteen years old, the other between eleven and twelve years, and the other between eight and nine years.

Is it or is not a grievance to the father of these children to take them out of the country?

Yes; it was a grievance taking his children out of the country. I therefore desired they might not be taken out of the country.

Is it customary to dispose of children who are not able to work, and not more than twelve?

My necessities compelled me to dispose of them, otherwise I would not have done so.

(signed)

Examination of second prisoner, Kunnun Kallenden, taken on the 7th Wreschegun 987, or December 21st, 1811.

Question.—You have heard read the complaint preferred against you by the complainant; did you, in the manner set forth therein, in the month of Makarum 986, seize and sell his three young daughters?

Answer.—Mangadden Pally sent me and Pallen Many with Charicherry Oonicha Coorooop, and desired us to bring the Pooliar's that Oonicha Coorooop would deliver to us. We both went with Oonicha Coorooop, and he delivered to us this complainant's three daughters, Parray, Wattachee, and Kanhaty. We took the aforesaid three Poolia children, and delivered them to Mangadden Pally; besides this, I never seized or sold any of the Pooliar's children.

(signed)

Examination of third prisoner, Pallean Mamy, taken on the 7th Wreschegurn 987, or 21st November 1811.

Question.—You have heard read the complaints preferred against you by the complainant; did you, in the manner set forth therein, in the month of Makarum 986, seize these three Poolia children, and sell them to Aymon Moideen and Kannom Paratoo Pakrookooty?

Answer.—I think it was in the 4th Makarum 986, that Mangadden Pally sent me and Kunnom Kallenden with Chenicherry Oonicha Coorooop, and desired us to bring the Poolia children that Oonicha Coorooop would deliver to us. We went with Oonicha Coorooop; and when we arrived at Aroly, the aforesaid Oonicha Coorooop delivered to us from Ettatoority the three daughters of this prosecutor, named Parray Wattachee, and Kanhaty; then we took and delivered them to Mangadden Pally. Besides this, I never seized any Poolia children, nor have I sold any of them; I don't know to whom afterwards Mangadden Pally sold them.

What time was it that you brought away the aforesaid children?

It was in the day time, at mid-day, that Oonicha Coorooop delivered them to us; at that time we delivered them to Pally.

Have you any witness you wish to be called regarding this business?

Yes, I have Pagan Kallenden, Manaden Kimtry Amen, Paramben Moidien.

When you brought these children, was their father, this prosecutor, present?

No; the prosecutor was not there.

Is the above written agreeable to what you have deposed, or is there any difference?

It is as I have deposed, and there is no difference.

(signed)

Examination of fourth prisoner, Aymon Merideen, taken on the 7th Wreschigurn 987, or November 21st, 1811.

Question.—Did you buy the three Poolia children of this prosecutor, brought by Kunnom Callenden and Paleam Manny?

Answer.—Kunnom Callenden and Paleam Manny neither brought to me any Poolia children, nor have I purchased any from them. In 986, one day in the month of Makarum or Kumborn, which I am not certain of, Mangadden Pally purchased from Chenicherry Oonicha Coorooop the three daughters of this prosecutor, for 40 rupees, in the presence of the mookustiannar of that deshum, and in the presence of Examballa Chandas, and Keeroop, passed a title deed before the aforesaid people to Pally, the children being his own jelm property. I being there at the time, Pally told me to take with me these three children to Cananore to sell them there, and to give him the money. I told him, if he would give me an order and the children, that I would sell them for him, and would deliver him the money. Pally then went to Tattaramtatoo, to the darogah's choway, and got an order from the darogah, which he delivered to me, as also the children, and desired me to shew it to the cutwal of Cananore. I took the said order, and shewed it to the cutwal Pootionta Comapen Nair, who gave me his permission to sell them.

I sold

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

I sold Paray to Pallakamey Moossa for 30 rupees; Wattachy, to Coountry Parry, for 15 rupees; and Kantrally, to Coountry Packy, for 13 rupees; making a total of 58 rupees, which, when I took and delivered to the aforesaid Pally, he gave me 6 rupees. This is what passed.

What right had you to receive the aforesaid children from Palley and sell them for him, and thus give your agency in such a business?

Because I was present when Palley purchased them. He told me to take and sell them for him, and I thought I could get something for my trouble, I therefore took and sold them.

Is the above written agreeable to what you deposed, or is there any difference?

There is no difference, it is as I have deposed.

Have you any witnesses you wish to be called?

Yes, Chenicherry Kairapen and Pattookaran Moossa.

(signed)

Examination of 5th prisoner, Koonanpoorrata Packrookooty, taken on the 17th Wreschigum 987, or November 21st, 1811.

Question.—You have heard read the complaint preferred against you by the complainant Chakara Kamham; did you and Ayumon Moideen together, in the manner set forth therein, seize and sell his three daughters to Pallakandy Moossa Cherakumom, Coountry Parry and Awaralela Kemtry Packy?

Answer.—I think one day in the month of Makarum 986, the date of the month I don't know, at four o'clock in the evening, Mangadden Pally sent for me and Aymon Moideen, and told us to take with us the order of the Kololanaad darogah, which he delivered to us, and the three Poolia children (girls) belonging to this prosecutor, viz. Parray Wattachy and Kantratty to Cananora, and to inform the Cananore cutwall to sell them at Cananore, and to deliver him the money; when he said this to us, we three together took them to Cananore, and shewed the order to Comapen Sherestidar, who was then the cuterate of Cananore, and informed him of the circumstance. He gave us his permission to sell them; we accordingly sold the Parray girl to Pallakandy Moossa for 30 rupees, Wattachy girl to Chenkoonom Cuntry Parray for 15 rupees, and Kantatty to Awarally Cuntry Packy for 13 rupees, making altogether 58 rupees, when we both together took the rupees and delivered the amount to Pally; he gave us six rupees for our trouble.

What right had you to take and sell these children, and to receive money for them?

Pally purchased for 40 rupees the three children belonging to this prosecutor, from Chemcherry Oonicha Coorooop, who passed a selm pramanum (title deed) in the presence of the Mookrestanmow and Cranbatta Chandoo; we were there at that time, Pally gave the order of the darogah, and desired us to take and sell them, thinking we should get something for our labour if we sold them.

Have you any witness you wish to be called regarding this business?

Yes, Kaykadden Dayrapen and Kollookaren Moossanoo.

You said that you had an order from the darogah; where is that order?

I delivered it to the Cananore cutwal.

Is the above written agreeable to what you have deposed, or is there any difference?

It is as I have deposed, there is no difference.

(signed)

Examination of 6th Prisoner, Pally Kandy Mooss, taken on the 23d Tullam 987, or November 7th, 1811.

Question.—Who is the father of these three children that are now before you?

Answer.—I don't know who is their father; I heard that the prosecutor is their father.

What ground has this prosecutor for saying that he had seen his children at Pallakandy Cheguen's house after he had missed them?

Because these three children were seen at my house; Chegerun is my eldest brother; I am the person who purchased them.

Of

Of whom and when did you buy them?
I bought them from Ayonom Moideen and Koonompoorata Packrookoolty, in the month of Mudoonum 986.

How did you buy them?

The eldest I purchased for 30 rupees, and the other Awillila Cuntry Packy purchased; I don't know the name of the person who purchased the other one.

Did you inquire when you purchased the girl to whom she belonged; and was she sold by the consent of her father and mother?

The person who sold her to me, told me that he had purchased her after he had obtained his consent, and if I wanted to buy her, to report it to the cutwal Cutcherry, I accordingly informed the cutwal Cutcherry and paid her price.

What month, and before what cutwall was it that you purchased her?

I purchased her when Pooliorlakamapen was cutwall; I think it was in the month of Mudoonum.

When you purchased this girl, had she then the coopayum on her?

No, she had no coopayum on her.

Then who is the person that put on her the coopayum?

I neither put it on her, nor did I give her the coopayum; she will say who put on her the coopayum.

After you purchased her where did you keep her?

I kept her in my own house.

Have you any witness regarding this business?

Yes, Tavonway Moopendde Kadry Vely Paramby Mamy, Kandattah Cuntry Parrela and Pooltan Poorail Moideen.

(signed)

Examination of 7th Prisoner, Cherekunom Cuntry Parry, taken on the 7th Wreschigum 987, or November 21st, 1811.

Question.—You have heard read the complaint preferred against you by the prosecutor, Chakara Kanhan, did you, in the manner set forth therein, purchase his daughter Wallachy and put on the coopayum?

Answer.—One day in the month of Koombum '986, the date of the month I am not certain of, Aymon Moideen and Packroo Cootly together, brought a Poolie girl by the name of Wallachy, at day-time, about three o'clock, to sell; I told them if the cutwal was made acquainted with it I would buy her; then I went and informed Komapah Sheristidar, who was the cutwal; he gave me his permission to buy her, therefore I gave for the aforesaid Wallachy 15 rupees to Aymom Moideen, and thus purchased her; afterwards, the next day, finding I did not require her, I sold her to Moideen Adjee for 15 rupees; this is what has passed.

Do you know to whom Poolie Wallachy belongs?

Moideen told me he had purchased her from Mangoden Pally.

Have you any witness you wish to be called regarding this business?

Yes, Wallapil Moideen Cootty, and nobody else.

Is the above what you have deposed, or is there any difference?

It is what I have deposed, and there is no difference.

(signed)

Examination of 8th prisoner, Awerallila Cuntry Parky, taken on the 7th Wreschigum 987, or 21st November 1811.

You have heard read the complaint preferred against you by the Poorchakara Canhan; did you, in the manner set forth therein, purchase his daughter Kanraty, and put on the mopla coopayum?

In the year 986, one day in Kumbon or Meenom, which I am not certain of, Moideen brought a Poolie girl at mid-day, with coopayum put on her, for sale; I asked him if he would sell her to me, that I would buy her, but previous to my buying her, that I must acquaint the cutwal Pooliarta Comapen Shuntidar, who was then acting at Cananore, and who gave me his permission to buy her; I then bought her for 13 rupees from Aymon Mordeen, and while she was being in my house, Polia Peans came and took her away.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Did you ask Moideen from whence he had got her?
No, I did not.

Witnesses, Conjoo Nacquen, Pelloopellay.

Memorandum.—The prisoner is blind; he has not therefore fixed his signature on this examination.

Examination of 7th witness, Poolian Chakaro Canhan, taken on the 21st Danoo 987, or January 3d, 1812.

You have preferred a complaint against some moplas, for having seized and taken away your three children; state to whom the children and their mother belong?

They are all the jelm property of Hoossen Markat Mopla, the uncle Vayapoorate Assen Cootty.

In your country, if a Pooliar marries a Poolee, and has children by her, who will have a right to the children?

The children will belong to the mother, and if the mother dies, they will belong to the father.

You have stated, that some Moplas seized and took away the children; in whose possession were they when they were seized?

I married the mother of the children; since which time I maintained the mother and the children she brought me. It is three years since the mother died, and the children were with me till the day they were seized.

(signed)

Examination of 2d witness, Parry, taken on the 23d Jullam 987, or 7th November 1811.

Who is your father?

My father is this prosecutor.

How many months is it now since you left your father?

I don't know how many months it is.

In what manner did you leave your father?

Moplas seized and took me away; Koonom Kallendea.

What are the names of those Moplas?

Pallem and Mosmoe.

Was it in the night or at day-time, they seized and took you away?

It was in the day-time I was seized at Kapoid, when I went to dig karika (a sort of yam.)

Was there anybody else with you?

We were three or four children together; at that time the Moplas came, seized me and my younger sister; the other children and my youngest sister ran and went to their houses; the moplas followed them, but they only seized and brought my youngest sister.

Did you cry out at that time, or not?

When we made a noise the Moplas beat us.

Who was the person that put on you coopayum?

After I staid at Moossa's house two or three days, women gave me a coopayum, which I put on.

Who put the coopayum on your two sisters?

I don't know.

What is the reason that you did not return to your father?

Because I did not know the road.

Where do you now wish to go?

I wish to go with my father.

(signed)

N. B.—The other two children are to be examined on oath.

(signed) T. H. Baber, Magistrate.

(P. 1.)—Extract of a Letter from W. G. Farmer, dated 19th January 1794.

On reference to Mr. Duncan's paper of observations, I find the following clause in the 6th section in regard to the stealing of children or other persons.

As far as I have been able to trace the laws which are provided against this crime by the Mahomedan code, they are as follow :—

1st.—From the book called Room Utlalabum (as pointed out by the Cauzee of Calicut), if any one hath from a place of security stolen away a slave, who is not capable to discriminate, and is young and a stranger, or from another land, such thief's hand shall be cut off, and the same also, if the party stolen be capable of discrimination, but inebriated or asleep, taken by compulsion.

2d.—If any one steal a few child, his hand is to be cut off, which is the ordination for such thefts or stealing committed from a place of security, and that term is taken for a house and the like.

From these premises, I cannot but be clearly of opinion, and therefore recommend it to you, to cause the darogha to revise this trial, and to take some more substantial evidence than has been already adduced, to ascertain the fact; at all events, I could not confirm so lenient a sentence, from the commission of so heinous a crime, and the more particularly, as it should be an object with us to make severe examples of the perpetrators of such inhuman acts, in order to check as speedily and effectually as possible, a disgraceful practice which we know to have so long prevailed in this country

(signed) *W. G. Farmer.*

(P. 2.)—Received the following Letter from Mr. Farmer.

Sir :—I now return the two persons sent by you from Tellicherry, charged with decoying children, and selling them for slaves; they have been found guilty in the Adawlut, and are recommended to be sent to Bombay, from thence to the Andamans; you will therefore please, after flogging them through your bazaar, and making their crime and sentence known, to send them to Bombay, with the accompanying letter relating to them.

I am, Sir, your most obedient servant,

Calicut, 25 April 1793.

(signed) *W. G. Farmer.*

(P. 3.)—Extracts from the Commissioners Proceedings,

To Robert Taylor, Esq. Chief Factor of Tellicherry.

Sir :— Finding it asserted by Shamnauth, the principal curegur of the Zamorin, that the practice of shipping kidnapped and other natives as slaves, from the several ports on this coast, is still more or less continued, not excepting even Tellicherry, and notwithstanding the various prohibitions which have been issued against a practice so nefarious, and so destructive and inhuman in whatever light considered. We do therefore (without determining whether or not Shamnauth's belief and consequent report be well or ill founded, though trusting in the latter conclusion, as far as regards your settlement) think it our duty to require your most unremitting attention to prevent any such transactions in time to come; for your guidance, in respect to which you shall shortly be furnished with our more explicit and detailed instructions.

We are, &c.

(signed) *Jonathan Duncan. Charles Boddam.
William Page.*

To Jonathan Duncan, Esq. and Commissioners for inspecting and regulating the Province of Malabar.

Gentlemen :—Although we make no doubt that attempts have been made, and will continue to be made, to kidnap and enslave the natives, yet we beg leave to assure you, that we know of no late instance here, and that the utmost care has been taken on our part to prevent such practices at Tellicherry; where such have been detected, the offender has been constantly punished, and the party enslaved restored to their friends, where it has been practicable. We have sometimes had occasion, and with success, to apply to the presidency, whither children who were kidnapped had been sent, and have also returned to Calicut persons accused of this practice, who came up from the southward.

We beg leave to assure you, that bearing the greatest indignation against such inhumanity, we shall be very vigilant to prevent its being practised here.

We are, gentlemen, your most obedient humble servants,

(signed) *Robert Taylor. Samuel Ince.*

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

Original.

Part St. George
Papers:
State of Slavery
in Company's
Territories.

(P. 4.)—To Christopher Piele, Esq. Acting Superintendent of Northern Division.

Sir:—We transmit for your notice, the inclosed extracts on the subject of the slave trade, which will of course continue to be the rule of your guidance in estimating the necessity of keeping this traffic under, by all possible means.

We are, Sir, your most obedient servants,

(signed) *James Revett.* *Robert Rickards.*

Thomas Wilkinson.
Mahé, 27th March 1797.

Extract of a Letter from the Government Secretary, dated 14th March 1797.

2d.—On the subject of third paragraph, you are directed to continue to pay the strictest attention to maintain the abolition of the export trade in slaves.

Extract from Honourable Company's Commands to the Honourable the President and Council of Bombay; dated 5th of August 1796.

3.—We are pleased to find, that from the measures pursued by the Malabar Commissioners, so much to their honour, and the orders issued in consequence thereof, an entire stop has been put to this inhuman traffic in the province of Malabar.

(True extracts.) (signed) *R. Rickards*, Secretary.

(2.)—First Sessions 1808, N^o 30, on the Calandar Zillah, Tellicherry.

To the Magistrate of the Zillah, North Malabar.

At a Court of Circuit held at Tellicherry, in the first sessions of the year one thousand eight hundred and eight, Kodulum Uhmed was tried for stealing a child, and being convicted of the same, has received sentence of imprisonment to hard labour in irons, for the term of three years, and to receive twenty-four stripes with a rattan.

Now it is hereby ordered, that execution of the said sentence be had done, by keeping the said Kodulum Uhmed imprisoned to hard labour, in irons, for the period of three years, computed from the date of his arrest, and by inflicting on him twenty-four stripes with a rattan; and for so doing, this shall be your warrant.

Given under my hand and seal, this third day of May, in the year 1808.

(signed) *J. Strachey*, Judge on Circuit, D. M.

Be it known, that twelve lashes were inflicted on the prisoner on the 3d of May, and part of the twenty-four to which he was adjudged by order of the judge on circuit, conveyed at the time to the acting magistrate; the remaining twelve have this day been inflicted.

(signed) *H. Clephane*, Magistrate.

9th August 1808.

Be it known, that the prisoner Kodolum Uhmed has this day been set at liberty, his sentence to imprisonment having then expired.

Given under my hand, and the seal of the court, this 29th day of December, A. D. 1810.

(signed) *T. H. Baber*, Magistrate.

(R. 1.)—To John Spencer, Esq. President, and Commissioners for executing the office of Supervisor.

Gentlemen:—A complaint in regard to a slave having been brought before me, and as there are no specific regulations laid down to enable me to form a judgment, I beg leave to submit the circumstances for your opinion.

Mr. Edward Robinson, a settler at Calicut, claims as a slave, a Teah boy, who is entered as a drummer in the Teah corps here. The boy says that he was stolen at the age of six years, by some moplas, and brought into Tellicherry, and sold to a serjeant belonging to a native battalion, whose name it appears was Fife. This person shortly after went to Bombay, and took the boy with him; that shortly before, the serjeant, Ryan, who was lately a conductor of stores in the service, and who between two and three years ago sent the boy down as an attendant upon a daughter of his, who was to remain under the care of Mr. Robinson, at Calicut, from whence about two years ago the boy absconded, (as he says, on account of ill-treatment), and came to the northward, and met with some relations who recognized him, and with whom he had lived ever since. Mr. Robinson's account perfectly agrees with what the boy says, as to his having been bought at Tellicherry, and the mode in which he came into his possession.

I have

I have made inquiry regarding the regulations that existed in Tellicherry during the time of the chief and factors, relative to the purchase of slaves, and find, that it was a standing order, that no person could buy or transfer a slave without the parties coming before the chief, and proving how the vender became possessed of the slave; if the proofs were satisfactory, the sale was registered, otherwise the slave was liberated. I also find a letter from the government of Bombay to the chief and factors, on this subject, of which I inclose you an extract, and beg at the same time to inform you, that I have examined the Register of Slaves from the years 1779 to 1792, but cannot find any registry of the slave in question; I therefore beg to be favoured with your orders on the subject, for my guidance.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Original.

I am, gentleman, your most obedient servant,
(signed) *James Stevens*, Northern Superintendent.

Tellicherry, 8th July 1799.

(R. 2.)—Received the following Letter from Mr. Clephane, Secretary to the Commissioners.

To James Stevens, Esq. Northern Superintendent.

Sir:—I am directed to acknowledge receipt of your letter of the 8th instant, stating, that the case of the boy claimed by Mr. Robinson, on the footing of being his slave.

The right of the regulation respecting registering slaves, for which you have produced the orders of government, addressed to the chief and factors of Tellicherry, does undoubtedly cancel any claims that Mr. Robinson may have possessed to the boy in question, exclusive of which, the commissioners observe, by a voucher, the general report being a letter from the chief and factor of Tellicherry, in consequence of a reference having been made to them on the subject of the practice which was said to prevail even in Tellicherry, of kidnapping children for the purpose of selling them as slaves, wherein they declare that the utmost vigilance and pains have been constantly exerted by them to put a stop to so nefarious a practice, and that they had in numerous instances been successful in discovering persons in a state of slavery, who had been kidnapped and sold even as far as Bombay, and had the satisfaction of returning them to their families.

As the subject of your reference is a case exactly in point with the declared practice in Tellicherry, even when we had no political interest in the welfare of the country. The Commissioners would have, independent of the first stated reason, without hesitation, have directed the emancipation of the boy in question, after which it is highly necessary for them to repeat their request, that it may take place accordingly.

I am, Sir, your most obedient servant,
(signed) *H. Clephane*, Acting Secretary.

Calicut, 9th July 1799.

Certificate given to Chama Teah, of his Freedom.

This is to certify, That the bearer hereof, Chama Teah, was, about ten years ago kidnapped from his parents in Pynaud, and brought to Tellicherry, where, he was illegally sold to a person by the name of Fife; that the same having been roade known to the commissioners for conducting the office of supervisor and chief magistrate of the province of Malabar, they have given orders to emancipate him; therefore hereby declare the said Chama, now a drummer in the Teah battalion, to be perfectly free, and that no person has any right or title to claim him as a slave.

Given under my hand and seal, at Tellicherry, this 11th day of July 1799.

(signed) *James Stevens*, Northern Superintendent.

(R. 4.)—Wrote the following Letter to Mr. Robinson.

Mr. Edward Robinson,

Sir:—I have received your letter of this day, in reply to which I have to inform you, that independent of the boy you claim, having been kidnapped from his parents, he was sold in Tellicherry without having been carried before the chief, and the sale of him being registered in the secretary's office of Tellicherry, agreeable to the orders of the Honourable the Governor in council of Bombay, and consequently that the sale is illegal, and that I have, in pursuance of the orders of the commissioners for conducting the office of supervisor and chief magistrate of the province

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

of Malabar, emancipated the boy in question, and given him a certificate of his freedom, under my official seal and signature, of which I hereby give you notice, and warn you, at your peril, from giving him any molestation.

I am, Sir, your most obedient servant,

James Stevens, Northern Superintendent.

(R. 5.)—To James Stevens, Esquire.

Sir:—In answer to the commissioner's letter, bearing date the 9th instant, I have to inform you, that the slave boy which I have claimed is regularly registered in the office of Bombay; this certificate I have not got at present, but can procure it by writing to Bombay, and by no means can think of giving up the claim I have on the boy in question, and by his own acknowledgment he is not an inhabitant of Tellicherry, and has been a slave since the year 88 or 90.

I am, Sir, your most obedient servant,

(signed) *E. Robinson*.

(True copies.) (signed) *T. H. Baber*, Magistrate, Western Division.

Tellicherry, July 1799.

N^o 39 on Calendar, first Sessions 1808.

To the Magistrate in the Zillah, North Malabar.

Whereas at a court of circuit, held at Tellicherry, before the late John Strachey, Esq. second judge on circuit, on Wednesday, the sixth, and continued by adjournment to Thursday, the seventh day of the month of April, in the year of our Lord one thousand eight hundred and eight, Pooleun Perun, Pooleun Parean, and Pooleun Wyambrun, were severally tried on an indictment for the murder of Powalee, husband of the prosecutrix, Poolean; and whereas on Thursday, the twenty-second day of the month of December, in the year of our Lord one thousand eight hundred and eight, the aforesaid Pooleun Perun, Pooleun Parian, and Pooleun Wyambrun, were by the court of Foujdarry Udawlut, severally convicted of the charge aforesaid, and under a fetwa of Deguti Moghuttuzut and Ookooobut, sentenced to suffer death. Now, in virtue of authority to me directed, it is hereby ordered, that so soon as you shall receive this warrant, or as soon after as conveniently may be, execution of the aforesaid sentence be made and done by hanging the aforesaid convicts, Pooleun Perun, Pooleun Peram, and Pooleun Wyambrun, each and every one by the neck, until he be dead, at the usual time and place of execution, and that you do return to me, attested by your official seal and signature, certifying the manner in which the said sentence shall have been executed, as commanded by section 13 of regulation 8, A. D. 1812. Herein fail not.

Given under my hand and seal, this ninth day of the month of January, in the year of our Lord one thousand eight hundred and nine.

(signed) *B. Hodgson*, Third Judge of Circuit, w. d.

Be it known, that the sentence of death passed on the prisoners, Pooleun Perun, Parean, and Wyambrun, was this day carried into execution.

Given under my hand, and the seal of the court, this eleventh day of January, in the year of our Lord one thousand eight hundred and nine.

(signed) *T. H. Baber*, Magistrate.

To the Third Judge Court of Circuit, Western Division.

Sir:—I have the honour to report, that in pursuance of your warrant, dated the ninth day of January, the sentence of death passed on Pooleun Perun, Pooleun Parian, and Pooleun Wyambran, was this day carried into execution.

The assistant magistrate, who superintended the execution, reports, that the spectators were not more than forty or fifty in number, over and above the guard and police, and that their demeanor was decent and suitable to the awful occasion.

The unhappy criminals seemed much affected, and protested to the last their innocence of the murder for which they were going to suffer.

Appropriate proclamations in the language of the country were circulated throughout the zillah.

I have the honour to be, Sir, your most obedient servant,

(signed) *T. H. Baber*, Magistrate.

(True copies.)

Zillah, North Malabar, 11th Jan. 1809. (signed) *T. H. Baber*, Magistrate.

Ordered, in consequence, That a letter, of the following tenor, be dispatched to the advocate general.

To the Advocate General.

Sir:—I am directed by the Honourable the Governor in council, to transmit to you the accompanying letter from the judge and magistrate at Tellicherry, with the papers therein referred to, respecting a traffic in slaves which he has discovered in Malabar, and to desire that you will state your opinion, as to the measures which the British law requires to be adopted on the occasion. The report of the judge and magistrate will be taken into separate consideration, in as far as it relates to the regulations of this government.

I have the honour to be, &c.

(signed) D. Hill, Acting Secretary to Gov^r.

Fort St. George, 31st March 1812.

Extract, Fort St. George, Judicial Consultations, the 20th May 1812.

Read the following letters from the register of the Foudjary Adawlut, and from the advocate general.

To the Acting Secretary to the Government in the Judicial Department.

Sir:—I am directed by the Foudjary Adawlut, to transmit to you the accompanying extract from the court's proceedings of this date, with the papers therein referred to, and to request you will submit the same to the Honourable the Governor in council.

I have, &c.

(signed) Edw. Wood, Register.

Foudjary Adawlut's Register's Office, 3d April 1812.

Provincial Court of Circuit, Western Division.

To the Register to the Foudjary Adawlut, Fort St. George.

Sir:—By the orders of the judges of the provincial court of circuit, I have the honour to submit a report of their proceedings, in virtue of the powers vested in the judges of the court collectively, by the provisions of section 16, Regulation IV. A. D. 1811, in the case of a complaint preferred to them by Mr. Murdoch Brown, an European British born subject, resident in this neighbourhood, where, under the sanction of government, he is engaged in very extensive concerns as a planter, of certain acts on the part of the magistrate of zillah of North Malabar, by which he represents himself as having been greatly injured and aggrieved. The judges are induced to make the reference, not only for the purpose of obtaining the opinion of the court of Foudjary Adawlut, on the orders they have given in the course of the discussion, but as the subject it involves seems to point out the expediency of some arrangement being adopted, which would require the orders of government.

Par. 2d.—In the operations of agriculture and manufacture, on which Mr. Brown is engaged, it appears that he employs, besides hired labourers, a considerable number of slaves or bondsmen, his own property; these are of a description of the inhabitants of Malabar, who are slaves by birth, and by immemorial usages, subject to be sold, mortgaged, or let out to hire, at the discretion of their proprietors. It may be further necessary to state, as it is but slightly adverted to in the proceedings which will accompany this reference, that the plan of forming a plantation, originally suggested by Mr. Brown, for the purpose of trying experiments on the raising of pepper, and other valuable productions, was originally adopted by the Bombay government, about the year 1798, and Mr. Murdoch Brown was appointed to carry it into execution as overseer, for which he received a certain salary. By a stipulation entered into by the said government with Mr. Brown, it was agreed, that should the Honourable Court of Directors at any time disapprove of the arrangement, or of the concern being carried on at their expense, the whole was to be made over to Mr. Brown, who was to reimburse the Company for all expense prior thereto, incurred or laid out upon the plantation, except his own salary as above.

3d.—Mr. Brown was, it is believed, in the year 1804 or 1805, called upon to fulfil the conditions stipulated as above, and since that period the works have been carried on at his own expense, and the property considered as his; though, from circumstances which it is considered unnecessary here to relate, the expense incurred whilst it was carried on in behalf of the Company, has not been reimbursed by Mr. Brown.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

4th.—It is a matter of notoriety, that whilst the concern was conducted on account of the Company, Mr. Brown was authorized to purchase slaves for carrying on the works, such as by the customs and practice of the country were considered as liable to transfer and sale; and it is in the recollection of the judges, that a considerable number of bondsmen who were the property, and found on the estates of a person named Shinoo Putlin, formerly cariakar of the rajah of Koormanad, whose property was confiscated on account of his having gone into rebellion against government, were about the year 1800-1 transferred to Mr. Brown's charge, to be employed on the plantation.

5th.—The petition addressed by Mr. Brown to the judges of the provincial court states, that the magistrate made to him a requisition for a list of such persons as he might have lately purchased as slaves, or admitted on the plantation, with the names of his agents, and other particulars, and at the same time sent a commission, composed of one of the gomastahs of his establishment, and a neighbouring commissioner of law-suits, for the purpose of examining the labourers and slaves employed on his plantation, which he, Mr. Brown, made no opposition to, on the contrary, ordered the whole of the said persons to attend them for that purpose; that the said examination being for that day concluded, twenty persons, of both sexes and different ages, were placed under restraint for the night; that the day following, the commissioners collected together the whole of the persons employed on his plantation, whether slaves or hired labourers, and carried them off early in the forenoon to the commissioner's cutcherry, about three miles distant, where they were interrogated; that some were dismissed, and returned to him, but that a great number (113) of both sexes, and all ages, had been detained, and had not been returned to him at the date of his petition, viz. 24th December.

6th.—The judges having, in consequence of the above representation, called on the magistrate for an explanation as to the grounds of the proceedings complained of as above, by the return made by the magistrate to their precept, it appeared stated, that it having transpired from the examination of some children who had been discovered in the houses of three Mopillas, inhabitants of Mahé, and who stated themselves to be of free-born parents, natives of Travancore, and very recently stolen or kidnaped from their families by various persons, and sold to a person named Wallapillagatha Assum Ally, a native of Mahé, then at Allapy in Travancore, who had sent them to Mahé; and that there were several others, particularly a brother of one of the informants, who had been also kidnaped, and sent from Travancore, and subsequently sent to Mr. Brown's plantation at Anjarakandy. The magistrate had considered it as his duty to cause an inquiry and search to be made on the spot for the children, as above described, and had accordingly nominated one of his gomastahs to be joined by the darogah of the district, and the nearest commissioner of law-suits, as a commission to proceed to the plantation and put certain interrogations to the labourers they might find therein. It further appears stated, that 76 men, women and children, were, in consequence of the result of the said examination, brought into Tellicherry, who all declared or repeated their declaration made to the commissioners before the magistrate, that they had been stolen or forcibly carried away from their country by Mopillas and others, and taken to Anjarakandy. That six of that number were free-born, viz. two Nair boys, aged about eight years; two Tears ditto; a female Tear about twelve, and a Mopilla female about eight, had been stolen within the last six months from Travancore.

7th.—The return to the precept was accompanied by the magistrates correspondence with Mr. Brown, his instructions to the persons deputed by him to make the inquiry aforesaid, and their various reports of their progress, as also the examinations of the persons sent into Tellicherry from Mr. Brown's plantation, as taken in the first instance by the commissioners, and afterwards by the magistrate himself.

8th.—The latter may be classed into three descriptions; viz. first, the six children, who state themselves to be of free parents and natives of Travancore, kidnaped within the last six months; the second, of twelve males and females and four children of the servite tribes, eleven of whom state themselves to have been stolen from their masters, natives of Cochin and Travancore, and sold to persons who carried them to Anjarakandy; the twelfth female Poolie, with her child, a native of Cherical, and slave of the Cherical Rajah, within the last twelve months; and thirdly, of males and females, also of the servite tribes, who state themselves to have been stolen, or forcibly carried away, and sent to Anjarakandy eight, ten or twelve years antecedently.

9th.—Copy of the magistrate's return, together with its accompaniments, being such part of his correspondence with Mr. Brown as did not accompany this latter's petition

A.
B.
1, 2, 3, 4.

B.
C.

D.
N° 1 to 14.
D.

petition to the provincial court, with the translations of the examinations of the first of the foregoing classes, and an abstract of the examination of the persons of the two latter, which abstract, containing all the material particulars, it is conceived will be sufficiently elucidatory of the circumstances under which they respectively state themselves to have come into Mr. Brown's possession, as also his instructions to the persons deputed by him to make the inquiry, with their reports, are herewith transmitted for the information of the judges of the court of Foujdary Adawlut, as per references noted in the margin.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

F.

10th.—It appears by the above papers, that Mr. Brown, though he would seem never to have acknowledged the legality of the magistrate's act, in having deputed his commission to examine his slaves and labourers, yet made no opposition thereto, and on the contrary caused the whole to be brought before the commissioners; but when on the following day the commissioners were about to carry off the plantation the whole of the labourers employed thereon indiscriminately, that he conceived and expressed much resentment, as stated in the report made by Chato Minon, the gomastah, and his colleagues; as Mr. Brown had denied having held the conversations imputed to him in the reports of the commissioner, it is but just, as the magistrate seems to lay considerable stress on that circumstance, to remark, that as the Zillah Gomastah Chato Minon only went into the presence of Mr. Brown, the other commissioners could only have derived their knowledge from the former's report of the circumstances stated to have then occurred, which therefore rests wholly on the veracity of this person; a copy of the return made by the magistrate, together with such of its accompaniments as it was judged necessary, and which included the depositions of the persons brought from Anjarakandy to Tellicherry, and there detained, was furnished Mr. Brown for such explanation or observations as he might judge expedient to offer in respect to the matters therein treated of; and as it appeared from the letter of the magistrate to him, dated the 3d January, and which forms one of the accompaniments of the magistrate's return to the court's precept of the 27th December, noticed in the 9th paragraph, that he had offered to restore to Mr. Brown all the persons taken from the plantation, with the exception of the six children, who describe themselves to be free-born natives of Travancore; the judges, in view to obviate the further prolongation of the injury to which their detention was likely to subject Mr. Brown's concerns, recommended his acceptance of the said offer.

11th.—Mr. Brown in the form of a petition replied to the communication made to him, pursuant to the resolutions of the judges, under date the 6th January, which he accompanied by copy of a letter from the former commissioners of Malabar, addressed to the assistant collector stationed at Chowghaut, on which authority he stated, that the greater part of the persons classed under the third description of those taken from the plantation came into his possession. Mr. Brown's petition was also accompanied by copy of a letter addressed by him to the magistrate, dated the 4th January, copies of all which will be found under the number, as per margin.

G.
N^o 1 & 2.

G.

12th.—The judges observing, stated in the above representation from Mr. Brown, that the magistrate had not returned to him the full number of the second and third descriptions of the persons taken from his plantation; and being of opinion that the magistrate was not justified under present circumstances in detaining any of those descriptions, who were acknowledged to be of the servite tribes, issued a precept to him to restore the remainder of the said persons without delay, as per copy under the reference in the margin.

H.

13th.—The magistrate made a representation to the judges, stating sundry reasons for the expediency of retaining the said persons, who it appeared were those comprehended under the second description, and consisted of twelve males and females, and four children, until the completion of some steps he was taking in order to get into his power the two persons who are represented as having brought them from Cochin to Mr. Brown's plantation.

J.

14th.—The judges, after having received from the magistrate a list of the names of the said persons, accompanied by a further representation on the subject, judged it expedient to enforce obedience to their first precept, for the reasons stated in the extract of their proceedings, under date the 13th January, copy of which accompanies this.

K. L. M.

N^o 1.

M.

15th.—The judges about this period received a further petition from Mr. Murdoch Brown, stating some particulars which he represents as having been omitted in his former address, as per copy under the reference in the margin.

N.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

H.

I.
N° 1.

I.

16th.—It appearing from the above, that Wallapillagatha Assen Ally, the person who is stated to have sent the six children to Anjarakandy, who describe themselves as free-born, and as having been stolen from their parents in the Travancore country, had returned within the jurisdiction of the magistrate of the Zillah, North Malabar, the judge deemed it expedient to call on the magistrate for a report of such further proceedings as he might have held in examination of the said person, as well as what steps he had taken to verify the statement of the six children, and for the purpose of ascertaining their parents or near relations.

17th.—The magistrate made a return to the precept issued to him in consequence, accompanied by the examination of Hussan Ally, and also some further examinations he had taken in the case of a female Poolee, one of the twelve of the second class, the person who, as was formerly mentioned, described herself as having been kidnapped from the district of Cherical, in this zillah, and carried to Mr. Brown's plantation at Anjarakandy.

18th.—In consequence of the magistrate having in the above return to the court's precept, re-urged his opinion of the expediency of bringing instantly to trial, by directing the government Vakeel to prosecute Assum Ally, and the others implicated as accessories in the kidnapping and stealing of the free-born children, and slaves from the countries of Cochin and Travancore, the judges directed, that the magistrate should be informed, that they saw no additional reason urged to induce them to retract the opinion expressed in their proceedings of the 15th January, that consistently with the provisions of Regulation XI. A. D. 1809, the magistrate could not appoint a prosecutor in failure of the appearance of the parents or relations of the free-born children, and masters of the slaves, nor bring the parties charged in their declarations as being accessories in their kidnapping and theft to trial, without a previous reference to the Honourable the Governor in council, at the same time that there could be no grounds for hesitation as to the case of the female Pooliar, said to have been stolen from the district of Cherical a few months ago, being directly cognizable by the courts established in the province.

19th.—The foregoing brings to a conclusion the interference exerted by the judges on this most unpleasant appeal to their authority.

20th.—From the information obtained by the magistrate, through the children found in the possession of the Mopillas of Mahé (the circumstances which led to their having been searched for, and brought before him are nowhere stated), it was certainly a duty incumbent upon him to follow it up, and trace to the uttermost, the channels of such an inhuman and disgraceful perversion of the legitimate transfer of acknowledged bondsmen, for the purpose of submitting such information to the superior authority, as might have led to some arrangement in conjunction with the government of Travancore, with which our relations have become so intimately connected, to put a stop to it in future.

21st.—This, the judges are of opinion would have been just as effectually attained, had the magistrate, and which, viewing Mr. Brown as a British born subject, and as such (except in the case of criminal information being lodged against him before the magistrate in his capacity of justice of the peace) not subject to his authority, would certainly have been the most regular as well as moderate course, instead of the abrupt and general notice contained in his letter of the 18th December, which was brought and delivered to him by the very persons who were appointed a commission to examine his labourers and slaves, and who, it appears, were directed to commence on that duty without waiting for the information thus called for, addressed Mr. Brown in the first instance, and communicated to him the information he had received, on the grounds of which there was such strong reason to conclude, that there had been lately introduced into Malabar as slaves, persons of free birth, and sold into slavery by persons of their own country to natives of Malabar, and that sundry slaves of this description had come into his hands in the course of transfer, and were then actually upon his plantation, and required him to furnish a list of the slaves he might have lately purchased, together with other particulars. It is highly probable that Mr. Brown would have complied, or had he refused, measures might have been taken to have induced either his voluntary obedience, or the same might have been enforced by legal process, which the magistrate, as justice of the peace, had fully in his power to call into action.

22d.—The mode pursued in the first instance, and continued throughout the investigation into the circumstances under which the whole of Mr. Brown's slaves came into his possession, appear to the judges in the highest degree irritating and oppressive; and in the instance of the greater part of the slaves, the act by which it

it was concluded, in depriving Mr. Brown of the valuable services of such a number of the most expert of his hands, on the grounds of the persons themselves having declared, that at various periods of eight, ten, and twelve years ago, they had been taken by violence from their masters, is not more an illegal and harsh, than a wanton and unnecessary exertion of the authority confided to the magistrate for very different purposes.

23.—The inutility of having taken away and detained these persons has been strikingly apparent, and is virtually acknowledged by the magistrate himself, since, after having kept them for a period of seventeen days, (reckoning from the day of their having been taken from the plantation,) he voluntarily offered Mr. Brown to restore them; and to as late a period as the judges have had any communication with the magistrate on this subject, which is the 4th January, the date of his return to their precept of the 27th December last, no claimant has appeared, though it is believed every means were used to promulgate the information of the actual situation of those persons, and a view opened to their former masters of the recovery of their property.

24.—The magistrate seems to be impressed with an idea that Mr. Brown's purchasing slaves of any description is in violation of the Act of the British legislature abolishing that traffic. The judges are not prepared to offer an opinion, whether the provisions of the said Act extend to the country, or include in the prohibitions the purchase and sale of this class of the inhabitants, which are to be found throughout India, who by immemorial usage are considered as bondsmen, the property of individuals, liable to be sold in the same manner as other property. Supposing this point to be ascertained in the negative, there can be no impropriety in Mr. Brown's furnishing himself with labourers of the above description. The only circumstances under which he might be liable to incur blame, are the giving a general commission to persons residing in a distant and foreign country to make such purchases, without laying them under the strictest injunctions, and using every practicable precaution to guard against these agents affording, by their facility in purchasing such as might be offered, without strict inquiry and respectable reference, an encouragement to theft of the property of others, and, what is infinitely more criminal, the enslaving of persons of free condition.

25.—Mr. Brown denies, in opposition to the declaration of his mercantile agent, Assin Alley, that he gave this person any commission to purchase slaves for him in Travancore, and asserts, that the six children found on his plantation were not considered by him as his property; that the purchase of and sending them to work on his plantation was solely the act of that person, and that he never considered them in any other light than labourers sent to work on his plantation, where there is always occupation for persons of all ages.

26.—It cannot lead to any satisfactory end to investigate and decide upon the opposite assertions of Mr. Brown and his agent. The most essential point is to introduce some regulation into this and the adjoining province of Canara, into both of which it is very apparent that numbers of the inhabitants of Travancore have been introduced in a state of slavery, and but too often reduced to this situation by every criminal means, to put a stop to such traffic, against which there does not seem to exist at present any regulations.

27.—But unless the Travancore government will adopt and carry into strict execution the necessary regulation to prevent its subjects being exported as slaves to other countries, no check that could be established on our part on their importation into these districts could be attended with such complete and full effect. By the declaration of Assin Alley, in his examination by the magistrate, it would seem as if the late transactions, in which he and others appear to have been deeply engaged, had attracted the notice of the government of Travancore, and led to the enactment of an ordinance, that no subject of that government, whatever may be his condition, shall be sold as a slave for the purpose of exportation, or be actually exported as a slave. Were this ascertained to be the case, it would be very easy, and certainly consistent with the pure and humane principles of European governments, to mark our disapprobation of this traffic, which, even limited to the sale of those who are bondsmen from their birth, is very exceptionable, by affording our aid towards the enforcement of this rule, in declaring liable to heavy fines all persons, subjects of government, concerned either as principals or accessories in the importation into the Honourable Company's territories on this coast, as slaves, of natives of the districts of Cochin and Travancore.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

28.—As Mr. Brown, in his petition of the 4th January, has made an appeal to the judges for their testimony, as to the manner in which the bondsmen on his plantation are treated, the judges have no hesitation in stating, that from what has fallen under their personal observation and information from authentic sources, that description of his servants are, in respect to food, clothing, and lodging, incomparably better provided for than the same class, bondsmen to the natives of Malabar, and enjoy comforts, but little, if at all, inferior to the lower class of the labouring part of the community.

I have, &c.

(signed) J. H. Pearson, Register.

Tellicherry, Provincial Court, 9th March 1812.

(A.)—To the Third Judge, in the absence of the Register.

Sir:—I have to request you will inform the judges, that it has transpired in some proceedings held before me, that a considerable number of children (for the most part kidnapped) have been lately imported in this zillah from the adjoining districts, but principally from Travancore, from whence they have been sent by Wallapeligata Assun Ally, part to Mahé and part to the Anjarakandy plantation; and that such of them as I have examined are children of Teans, and one even a Shoodra Stri. In answer to a call upon Mr. Brown for a list of his slaves, and the names of the agents he employs to purchase them, he has refused compliance therewith, and has since informed me that he has the authority of the Bombay government; and further, that the sale of slaves is not only authorized by the custom of Malabar, but is expressly permitted by the Mahommedan law under which this country is governed. Whatever may be the usage of Malabar on the Mahommedan law on this question, I should not suppose that it could apply to Mr. Brown, who, I apprehend, in common with every British subject, is prohibited from purchasing slaves from the period when the slave trade was abolished by an Act of Parliament. As, however, I am desirous of availing myself of the experience and knowledge of the judges on this question, and regard to the rules which have been in force from the early part of the administration (when I am informed trafficking in slaves was very prevalent), until the transfer of Malabar to the presidency of Fort St. George, the extent to which the trade was tolerated by the government of Bombay, and the nature of the authority granted to Mr. Brown, I have taken the liberty to apply to you, and through you to the judges, for any information you or they may be pleased to favour me with on these subjects; or if this would be attended with any inconvenience, that they would assist any inquiries, by directing me to those periods of the former administration, when I might, by a reference to the records here or at Calicut, inform myself thereon.

There being no copy of Mr. Duncan's report on the records under my charge, I shall be obliged by the loan of the copy in the provincial court.

I have, &c.

(signed) T. H. Baber, Judge and Magistrate.

Zillah, North Malabar, 23d Dec. 1811.

Provincial Court, Western Division. (L. s.)

To the Magistrate in the Zillah of North Malabar.

Pursuant to an order of this court, you will herewith receive an extract from their proceedings under this date, together with the document therein referred to; you are hereby required to conform to the court's orders, making your return within five days from the receipt hereof.

Given under my hand, and seal of the court, this twenty-seventh day of December, in the year of our Lord 1811.

(signed) H. Clephane, Third Judge, for the Register.

Extract from the Proceedings of the Provincial Court in the Western Division, under date the 27th December 1811.

The third judge, officiating for the Register, lays before the judges a letter, addressed to him by the magistrate in the Zillah of North Malabar, stating, that from information obtained by him in the course of some proceedings held before him, it appeared

appeared that a considerable number of children (for the most part kidnapped) had been lately imported into the Zillah, North Malabar, from the contiguous districts, but principally from Travancore, sent from thence by a person named Wallapilagata Assin Ally, and that some thereof had been sent to Mr. Brown's plantation at Anjarakandy, and others to Mahé. The magistrate further states, that such of the said imported, kidnapped or enslaved children, as he had examined, proved to be children of Teans, and one even a female Soodie. That in answer to a call on Mr. Brown for a list of his slaves, and agents he employs in the purchase of them, that gentleman has refused compliance therewith, and had since informed him, that he had authority from the Bombay government, and also, that the traffic in slaves was not only authorized by the customs of Malabar, but that it was expressly permitted by the Mahommedan law.

The magistrate remarks upon this, that he conceives that Mr. Brown being a British subject, is prohibited from purchasing slaves under the operation of the Act of the British Parliament, abolishing that traffic, and requests to be furnished with any information the judges of the court of circuit may be in possession of in regard to the rules in force in respect to this traffic, from the early part of our administration in Malabar, and the nature of the authority granted to Mr. Brown by the Bombay government, as quoted by him.

The court further take into consideration a petition presented to them on the part of Mr. Brown, setting forth, that the magistrate of the Zillah, North Malabar, addressed a requisition to him, calling upon him for information, as to whether he had made any late purchases of slaves, and if so, to furnish a list of their names, castes and sex, and of the agents employed to purchase the same, grounding the requisition on information which the magistrate stated he had received, that a considerable traffic has been carrying on in the sale and purchase of children, between persons in the Zillah, North Malabar, and the adjoining districts. The petitioner states, that the person who brought the letter, assisted by some of the native officers of the local cutcherry, caused to be assembled, and put interrogatories to the whole of the slaves employed on his plantation, and that being concluded, placed about 20 of them of all descriptions, under a guard; on the next day, the whole were carried off; that some of those so carried off, had subsequently returned, but that a considerable number had been detained for reasons with which the petitioner is unacquainted; petitioner states, that he had declined complying with the requisition alluded to, on the grounds of his conceiving the magistrate not justified in interfering in his private concerns, and as he had not thought proper to communicate to him the particulars of the information on which he grounded the demand. Petitioner justifies his having purchased persons of those classes, who are born and considered as slaves, and which, he says he is warranted to do, both under the authority of the Bombay government, and subsequently, under an opinion given by the Madras government, on a reference made by the principal collector. The petitioner prays for the interference of the judges of the court of circuit, in protecting him in his property, which he has, as above stated, been unjustly deprived of.

Before the judges of the court of circuit can either reply to the queries of the magistrate in the Zillah of North Malabar, or take cognizance of the facts stated in the petition from Mr. Murdoch Brown, it is requisite that they should be in possession of the whole of the proceedings hitherto held in the matter in question by the magistrate, commencing with the information on which he has set on foot the inquiry into the circumstances of Mr. Brown's slaves and labourers, and detailing the proceedings he may have held, and on the grounds of which he pronounces to have ascertained, that part of the children lately imported into the Zillah as slaves, are of free parents, and even of the superior classes; and in order to save time and further reference, that he be called upon to state at length the grounds on which he may have detained the persons taken from Mr. Brown's plantation, and who are stated not to have been sent back.

Ordered, That copy of the above minute be sent to the magistrate, together with a copy of the petition from Mr. Murdoch Brown (the magistrate being in possession of the accompaniments alluded to therein), and that he be directed to furnish the judges of the court of circuit with the report thereby required within five days from this date.

(signed) *H. Clephane*, Third Judge, for the Register.

(A true extract.)

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

23.—As Mr. Brown, in his petition of the 4th January, has made an appeal to the judges for their testimony, as to the manner in which the bondsmen on his plantation are treated, the judges have no hesitation in stating, that from what has fallen under their personal observation and information from authentic sources, that description of his servants are, in respect to food, clothing, and lodging, incomparably better provided for than the same class, bondsmen to the natives of Malabar, and enjoy comforts, but little, if at all, inferior to the lower class of the labouring part of the community.

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I have, &c.

(signed) T. H. Baber, Judge and Magistrate.

Zillah, North Malabar, 23d Dec. 1811.

Provincial Court, Western Division. (L. s.)

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Given under my hand, and seal of the court, this twenty-seventh day of December, in the year of our Lord 1811.

(signed) H. Clephane, Third Judge, for the Register.

Extract from the Proceedings of the Provincial Court in the Western Division, under date the 27th December 1811.

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Fort St. George
Papers -
State of Slavery
in Company's
Territories.

appeared that a considerable number of children (for the most part kidnapped) had been lately imported into the Zillah, North Malabar, from the contiguous districts, but principally from Travancore, sent from thence by a person named Wallapilagata Assin Ally, and that some thereof had been sent to Mr. Brown's plantation at Anjarakandy, and others to Mahé. The magistrate further states, that such of the said imported, kidnapped or enslaved children, as he had examined, proved to be children of Teans, and one even a female Soodie. That in answer to a call on Mr. Brown for a list of his slaves, and agents he employs in the purchase of them, that gentleman has refused compliance therewith, and had since informed him, that he had authority from the Bombay government, and also, that the traffic in slaves was not only authorized by the customs of Malabar, but that it was expressly permitted by the Mahomedan law.

The magistrate remarks upon this, that he conceives that Mr. Brown being a British subject, is prohibited from purchasing slaves under the operation of the Act of the British Parliament, abolishing that traffic, and requests to be furnished with any information the judges of the court of circuit may be in possession of in regard to the rules in force in respect to this traffic, from the early part of our administration in Malabar, and the nature of the authority granted to Mr. Brown by the Bombay government, as quoted by him.

The court further take into consideration a petition presented to them on the part of Mr. Brown, setting forth, that the magistrate of the Zillah, North Malabar, addressed a requisition to him, calling upon him for information, as to whether he had made any late purchases of slaves, and if so, to furnish a list of their names, castes and sex, and of the agents employed to purchase the same, grounding the requisition on information which the magistrate stated he had received, that a considerable traffic has been carrying on in the sale and purchase of children, between persons in the Zillah, North Malabar, and the adjoining districts. The petitioner states, that the person who brought the letter, assisted by some of the native officers of the local cutcherry, caused to be assembled, and put interrogatories to the whole of the slaves employed on his plantation, and that being concluded, placed about 20 of them of all descriptions, under a guard; on the next day, the whole were carried off; that some of those so carried off, had subsequently returned, but that a considerable number had been detained for reasons with which the petitioner is unacquainted; petitioner states, that he had declined complying with the requisition alluded to, on the grounds of his conceiving the magistrate not justified in interfering in his private concerns, and as he had not thought proper to communicate to him the particulars of the information on which he grounded the demand. Petitioner justifies his having purchased persons of those classes, who are born and considered as slaves, and which, he says he is warranted to do, both under the authority of the Bombay government, and subsequently, under an opinion given by the Madras government, on a reference made by the principal collector. The petitioner prays for the interference of the judges of the court of circuit, in protecting him in his property, which he has, as above stated, been unjustly deprived of.

Before the judges of the court of circuit can either reply to the queries of the magistrate in the Zillah of North Malabar, or take cognizance of the facts stated in the petition from Mr. Murdoch Brown, it is requisite that they should be in possession of the whole of the proceedings hitherto held in the matter in question by the magistrate, commencing with the information on which he has set on foot the inquiry into the circumstances of Mr. Brown's slaves and labourers, and detailing the proceedings he may have held, and on the grounds of which he pronounces to have ascertained, that part of the children lately imported into the Zillah as slaves, are of free parents, and even of the superior classes; and in order to save time and further reference, that he be called upon to state at length the grounds on which he may have detained the persons taken from Mr. Brown's plantation, and who are stated not to have been sent back.

Ordered, That copy of the above minute be sent to the magistrate, together with a copy of the petition from Mr. Murdoch Brown (the magistrate being in possession of the accompaniments alluded to therein), and that he be directed to furnish the judges of the court of circuit with the report thereby required within five days from this date.

(signed) H. Clephane, Third Judge, for the Register.

(A true extract.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 2. D.

Mr. Baber, Magistrate in the Zillah, North Malabar, to Mawilla Kannon,
Darogah of Cotioti.

It having come to my knowledge, that certain children have of late been brought from the northward and southward, and sold and purchased, and that some such children have been brought to Anjarakandy, you are required immediately, on the receipt of this order, to repair to Anjarakandy, wait on Mr. Brown, and deliver the inclosed letter to him, and call to your cutcherry all the people brought and kept at Anjarakandy, and working there, put to them the questions contained in the accompanying form, and send down to court all those which are not of the servile class, and such of that class as may declare themselves to have been brought and kept against their wills, as also, the persons who may have brought them, for the purpose of putting the questions contained in the accompanying form; Chatoo Menon and two delayuts are sent from the court; an order has been sent to Marayan Chandoo to give his assistance; 5th Dhunoo 987.

P. S.—Koonjij Changoran, the boy, who on being questioned here, stated that his brother Nathan was at Anjarakandy, is now sent for the purpose of pointing him out.

(signed) T. H. Baber, Magistrate.

Report of Chatoo Menon to Mr. Baber, Magistrate in the Zillah of
North Malabar.

N^o 3. D.

Having repaired to Mr. Brown's house at Anjarakandy, delivered him the letter, and stated matters to him, his labourers were all sent for, and being examined, three females and five males from Allepy, and six males and six females from Cochin, brought in munjoos, have been kept separate. There are others also brought from different places apparently some few years ago. Matters are now in suspense, in consequences of objections made to their being taken to the cutcherry for the purpose of examination, it being alleged that there was no order received (by Mr. Brown) for the purpose; and that, if I had orders to take them away by force, I might do so. I think, if they are examined here, it will not answer; I therefore request orders may be sent me immediately, as to how I am to act in the business.

7th Dunoo 987, 12 Meredian.

(signed)

(True copy.)

(signed) T. H. Baber.

Order to Chatoo Menon, from Mr. Baber.

N^o 4. D.

I have received your letter, and understood the contents. You should immediately forward to the magistrate's court the fourteen slaves brought from the southward.

2.—You should take the remaining slaves to the cutcherry of the commissioner at Randatarra, which is contiguous to Anjarakandy, and examine them there. If you find any brought as slaves, or any brought by force, you should immediately send them to the courts, as also the daily proceedings. Those who were not seized, and those not slaves, should be returned immediately to their works. If there is any occasion to bring such persons into court, you will receive orders for so doing. Besides, I send you twenty rupees for the expense of the slaves, to whom you should afford subsistence until the examination is over.

7th Dhunoo 987, M. S.

To Mr. Baber, Magistrate in the Zillah of North Malabar.

Report of Chatoo Menon.

N^o 5. D.

I have received this morning at ten o'clock *a. m.* the letters, and perused the one to me. When I delivered the English letter to Mr. Brown, that gentleman, after reading it, said that he would not permit any of his servants to be carried away; that he would not consent, and that he protested against their being carried away, that if they were taken notwithstanding, he would lose no time in demanding the reason; that Mr. Baber had often endeavoured by various means to take vengeance of him, but in vain; that Mr. Baber tried his utmost endeavours to procure Mr. Brown's dismissal, and appropriate to himself his salary in the customs, but that Mr. Baber has been unsuccessful; that Mr. Brown himself had got 8,000 rupees, and which was all that Mr. Baber could do to injure him, and that, on the present score, nothing

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

nothing would happen to Mr. Brown; that these things were not conformable to the regulations, and that Mr. Baber has only written, that he has merely order for it; and that, having made a reference on the subject to the gentlemen, his friends, at Tellicherry. Mr. Stevens and other gentlemen, sent him an answer, that nothing of the kind was in the regulations; that the steps taken were not conformable thereto; that there was no order recently received to act in this manner, and that he has received orders, both from the presidency and from Mr. Warden, to procure servants by proper means. Besides which, Mr. Brown said many other things; whereupon we informed him, that we could not but immediately execute the commands of Mr. Baber, and accordingly at twelve o'clock this noon, we set off with all the Tiers, Wittowars, and Pooliars, which we could find there, and took them, agreeably to orders, to the commissioner's cutcherry at Irwery, and on counting them we found, including children, 251, out of which we examined those that were purchased, and those that came of their free will, to the number of 147, and sent them by two mookistans and kolkars to Mr. Brown. The examination of the remainder not being finished to-day, I gave them for their expense, and kept them here, as there appears many persons seized and brought from various districts; as soon as their examinations are over, they will be sent with their examinations to the court.

(signed)

8th Dhanoo 987, m. s.

(A true copy.)

(signed)

T. H. Baber, Magistrate.

Order to Chatoo Menon, from Mr. Baber.

I have received your letter, and understood the contents. You should, agreeably to the direction you received, together with the commissioner, execute the orders with mildness. Besides, in the letter written to me by Mr. Brown, he says, that you forcibly, with armed followers, seized the children, and exposed them to the heat of the meridian sun; you should not do so, neither give any improper answers to Mr. Brown.

N° 6. D.

9th Dhanoo 987, m. s. at 10 o'clock A. M.

P. S.—Besides, you should only send in those slaves who have been seized improperly, and by force, and those of other castes; all the rest should be immediately returned.

(signed)

T. H. Baber, Magistrate.

Report of Pamkarwitil Chatoo Menon to Mr. Baber, Magistrate in the Zillah of North Malabar.

To-day, at six o'clock in the evening, I received the order written at ten o'clock in the morning. Mr. Brown represents certain circumstances as appear stated in the order. We did not either go to Mr. Brown's house with arms or kolkars, or forcibly bring away the families, and expose them to the heat of the sun. Besides taking their answers in the customary manner, and with mildness, I did neither speak nor act in opposition to custom. The circumstances first occurred are herewith written.

N° 7. D.

On the 7th instant, at ten o'clock in the morning, I went to Mr. Brown's house at Anjarakandy, and caused the kolkars to stand at a distance, and, agreeably to the orders, I, the commissioners, Menon, and two delayuts, went to the gentleman's house, and stopped outside for awhile; but not seeing the gentleman, and being informed he was at the place where the arrow root is refined, we repaired thither, delivered him the letter in the usual manner, when the gentleman went up stairs and told me that I should come up, and the remaining persons stay below. When I ascended the gentleman said that he would assemble all the slaves, and that the examination must be held in his presence. When we said that we had no such orders, and reported this to the court, and remained quiet until ten o'clock on the 8th, when we got an answer, and immediately it arrived at 12 o'clock, we brought them to the Irwery cutcherry; at that time the Poley women brought with them their sucking children.

When we requested Mr. Brown to permit the slaves to come before us, he said that he would not do it, and that he could suffer no greater insult than what he had already experienced. On his saying this, we brought away all the servants, agreeably to orders, and placed them in the lower part of the cutcherry, and under the

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

shade of an allee tree, and with mildness examined each of them; and as they were concluded, in order not to interrupt the work, we sent them back by mookeastans and kolkars, and asked them particularly if they had brought any tools; those which were found were sent along with them, and the remaining persons remained in comfort, and we are continuing the inquiry. As there are many persons to examine, we are working day and night; and as the slaves are ignorant and without ideas, it takes much time to make out what they say. To-day, as we found thirty-six persons, both purchased and came by their free will, they were sent by mookeastanmar, when Mr. Brown said in anger to the kolkars that he would not receive them, because they had not been sent by him; and that, if they had been taken from the estate, they might still be kept away. He had lost in consequence of these steps, nelly pepper, cocoa-nuts, plants, and other articles, and that he would seek restitution at the hands of those who occasioned it. The mookeastans and kolkars having left them at the place whence they were taken, returned. Further, as we saw seventy and odd persons kidnapped from the southward, some of them have been examined, and will be sent to-morrow, along with their examinations, to the court. It occasions delay to ascertain the truth, and to send with them their examinations. Among those examined, and sent back to Anjarakandy, two had been formerly punished, one with twenty-five stripes, and the other with twenty-four. As they said they were aggrieved thereby, I expect your orders on the subject. Besides which, from among those brought from the southward, Mr. Brown has kept at his house one Pooley woman, and another Parrey. On this I also expect your orders.

9th Dhanoo 987, at night.

(signed)

(signed)

T. H. Baber, Magistrate.

No 8. D.

Report of the court officer, Pamkawictil Chatoo Menon, the commissioner of Randatarra Marian Chandoo, and the Gomastah of the Cotioti Darogah Chowdry, Addawahat Ramen Menon, to Mr. Baber, magistrate in the Zillah of North Malabar.

Many persons being seized and brought to Mr. Brown as slaves, agreeably to your orders, on the 7th instant, at 10 o'clock in the morning, we took to Mr. Brown's house at Anjarakandy the English letter to his address, and the order and proclamation sent us from your court, making the kolkars stand at a distance; we with two delayuts stood for a while outside the gentleman's house; but as we did not see him, we inquired and learnt that the gentleman was at the arrow root manufactory; we repaired thither and delivered him the letter, and as the gentleman returned to house we followed him, and when the gentleman was ascending the bungalow, he said, "Let Chatoo Minon come up stairs, and the remaining persons remain below." Accordingly Chatoo Minon went up to the western room, to the gentleman's office, when he opened the letter, took his spectacles and perused the letter, and said that he would produce all the slaves, and that an inquiry should be held in his presence; whereupon we replied that we had no such orders. When the gentleman was assembling the slaves, as we observed 20 persons, including children, recently brought from the southward, we separated them immediately, which circumstance Chatoo Minon reported to the court, and took the names of the slaves seen there on that day. We stopped there that day. On the 8th, as we received an order in answer, that we should assemble all the servants of Mr. Brown at the nearest cutcherry, viz. Irwery, and put to them questions mildly, and that, with the exception of the servants seized, all other servants should be returned, in order not to interrupt the gentleman's works; and the answer being accompanied with an English letter, Chatoo Minon took it to the gentleman in the bungalow and informed him, that he had orders to send away all the servants. Mr. Brown, after reading the letter, said to Chatoo Minon, that he would not allow any of his servants to be taken away; that he did not consent to it, saying, "Do not take them away, I protest against it;" adding, that if we took them contrary thereto, he would demand the reason, and that within four days. That Mr. Baber had often endeavoured to wreak his vengeance upon him, but without effect; that Mr. Baber had used his utmost means to deprive him of his pay in the Custom House, and procure it for himself, but without success; that he himself, by means of his friends, had got 8,000 rupees; and as to the present case, that it would fall to the ground in the same manner; that the steps taken were not agreeably to the regulations, but it was only said that Mr. Baber had orders for it; and that having written to the gentleman, his friend at

at Tellicherry, he was informed by Mr. Stevens and other gentlemen, that no such acts were provided for by the regulations, and that no recent orders had been received for acting in this manner; besides he has sufficient authority both from Madras and from Mr. Warden, for purchasing servants. When Mr. Brown said all this and other particulars, Chatoo Minon answered, that he had no occasion to mention all this to those who had merely come to execute the orders which they had received, and that we know nothing of the above-mentioned affairs, and that we could not but execute immediately the commands of Mr. Baber; and in pursuance to those orders we collected all the servants we saw, and set out at 12 o'clock, when the women (Poolears) brought with them their suckling children; we took them to the commissioners' cutcherry at Irwery, and placed them below the cutcherry, and under the shade of an allu tree which was contiguous thereto, and gave each of them a green cocoa nut. Their number amounted to 260 persons, including children; and on an investigation we found 147 persons, both purchased and who had come by their free-will, whom we asked, before the mookeastamar, if they had brought any working tools with them, and if they still possessed all they had brought. They said that they had all they had brought; whereon, at 5 o'clock in the evening, we dispatched them to Mr. Brown, accompanied by two mookeastans and kolkars. To all the rest we gave for their expenses, and continued the investigation, and found 23 more persons of the above-mentioned description, which we sent on the 9th, at 1 o'clock, with their tools, under care of the mookeastans and kolkars; and that day, at 4 o'clock, 13 more persons, altogether 36 persons, we sent to Mr. Brown, who then said, in anger, that he had not sent any person off the estate; that, if any had been taken, they might remain away; that he could now suffer no additional insult; that he had, in consequence of what had been done, sustained a loss in nilla, pepper, cocoa-nut plants, and many other things, to a large amount; and that, if he could, he would have it made up to him; that he would write against Mr. Baber in every direction. The kolkars and the mookeastans returned and told us they had left the slaves at the place from whence they had been brought. Afterwards, upon an inquiry, we found 77 persons who had been kidnapped, seized by force, and had their caste changed. These we examined before the mookeastans, and took their declarations in writing, and sent them to the court at three different times. A male child of Odaloor Chakee, aged within two years, being formerly sick, by which he suffered the loss of his sight, died on the night of the 10th, in the cutcherry, in consequence of the said sickness. The said Chakee was detained in consequence of her having shewn a desire to represent in court, that she was brought by force. This is what occurred.

(signed) T. H. Baber, Magistrate.

12 Dhanoo 987. M. S. 25 December 1811.

(N° 9.—D.)

Questions put to Kristnen, under date the 8th Dhanoo 987, or 20th December 1811.

Question.—Where is your country, what is your caste and age?

Answer.—I reside at Manapally Wawoowao to the southward; I am a Shooder, aged about eight years.

Who brought you here?

I was seized by Kackolakun Chukoren Metoo Mopla, and sold to Atranykaha, who delivered me over to the boatmen for the purpose of conveying me to Mahi; the boatmen embarked me in the boat and brought me to Mahi, whence a mopla took me to bangsaul at Anjarakandy.

Of what caste are you now?

I became a Pooliar.

At what place was you introduced in the Pooliar caste?

At the bangsaul of Anjarakandy.

What are the names of your father, mother and uncle?

My father is called Koonhy, and my mother Ittyma; the name of my uncle is unknown to me; he is dead.

Did your house people know of your being seized?

No.

Is there any of your relations among these people?

There is none here; they are in the country.

696 SLAVERY IN INDIA: CORRESPONDENCE OF COURT

Fort St. George,
Papers:
State of Slavery
in Company's
Territories.

How many months is it since you was brought to Anjarakandy?
It is four or five months I believe.

(signed)

Witnesses, Kootatoor Numbar, Monalil Pooher.

Mem.—The foregoing examination having been read over to the deponent before the magistrate, he declares that his former name was Kristnin, and that it is now changed into Changrow; and that on a certain mid-day two or three months ago, having been desired by his mother to go and fetch some fire, that he was caught on the road by Chikren Metra Mopla, who kept him shut up in his house for three days, when one night he was taken to Allapi and sold to Assen Allykaha, who sent the deponent to Mahi, and thence carried to Anjarakandy and placed among the Pooliars, and that he had not prior to that period associated with Pooliars, and prays that he may be returned to his country, and restored to his caste.

(A true copy.)

(signed) T. H. Baber, Magistrate.

N^o 10. D.

Questions put to Raminuder; date the 8th Dhunoo 987, M. S. on 20th December 1811.

Question.—Which is your country; what is your caste and age?

Answer.—My country is Southern Kaimgolán, of Shooder caste; I think I am eight years old.

Who brought you to this place?

I was seized and brought in a boat by moplas; I am ignorant of their names; I think it is about two months ago.

What are the names of your father, mother and uncle?

My father is called Kristen, my mother Jaddy Chabu, and my uncle Kochoo Kunhen.

Did your house people know that you were seized?

No.

Is there any of your relations among these people?

There is none among them, they are in the country.

Of what caste are you now?

I am of the Pooliar caste.

Who introduced you in the Pooliar caste?

Ever since I was brought to Anjarakandy, the young gentlemen asked me in the bangsaul, whether I would take my food with the Pooliars, when I said I would not eat among the Pooliars; but he said again, that it was of no consequence, that I should eat with them; I accordingly took my food with them.

(signed)

Witnesses, Kooliatoor Nambra, Manalib Pockra.

Mem.—The afore-mentioned examination when read over to the deponent before the magistrate, he said, that as he went to play with five or six boys who were feeding cattle, he was seized by two moplas and taken to Allopi at night, and given to Assun Ally, who embarked him in a boat and sent him up to Mahi, thence to Anjarakandy, where he was caused to feed with Pooliars, and that formerly he ought to wash when defiled by Pooliars, and that he has no inclination to return to Anjarakandy, and that if he might be restored to his caste, he would wish to return to his country, and that his house name is Tekeddata.

(A true copy.)

(signed) T. H. Baber, Magistrate.

N^o 11. D.

Questions put to Pelamachee (female), under date the 8th Dhanoo 987, or 20th December 1811.

Question.—Which is your place of residence; what is your caste and age?

I do not know my country; I am a Moplachee, but now I am made a Poolichee; aged about six years, I believe.

What is the name of your father, mother and uncle?

My father's name is Oopa, and my mother Ooma; I don't know my uncle.

When did you come here, why, and in whose company did you come?

I know nothing about it; I was kidnapped, embarked in a boat, and brought thither.

Have you any family?

I have my house and family, and I was stolen without their knowledge.

Who

Who introduced you in the Pooliar caste.
When at Anjarakandy I was desired to eat with Pooliar, and as I am a child, I eat with them.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(signed)
Witnesses, Kootatoor Nambra, Manalib Pachra.

Mem.—On reading over the above mentioned examination to the deponent before the magistrate, she says that her real name was Sulamatra, and that it is changed now into Choichee; and that her country is Kaimkolata; and that it is two or three months ago, one night she was seized at her own house, and carried by moplas, embarked in a boat and taken to Mahi; thence she was taken to Anjarakandy, and made over to the gentleman who introduced her among the Pooliar; and that she does not know the names of the moplas who seized, or of those who sent her here.

(A true copy) (signed) T. H. Baber, Magistrate.

(N° 12. D.)—Questions put to Tien Nathan, on the 8th Dhanoo, 987, M. S. or 20th December 1811.

N° 12. D.

Question.—Which is your country, and what is your caste, your house-name and age?

Answer.—My country is Karanopoly, my name is Nathan, and my house-name is Karootiel, of Tien caste. I think I am eight years old.

What are the names of your father, mother, and uncle?
My father is Koonken, my mother Nanika, and my uncle Kochata.

When, in whose company, and why did you come here?
While I was feeding cattle, moplas came and seized me, and wrapped up my mouth with cloth, and the mopla Assum Ally embarked me in a boat at Allapi, and at night-time brought me to Mahé, whence I was put on board a boat, and taken to Anjarakandy.

Did your family know of it?
None of them knew it; when kidnapped and brought in so remote a place, nobody will know it, now my caste is changed into that of Pooliar.

How many persons were embarked in your company?
Two Ayapens and one Kally were embarked in my company; it is about two months ago.

Where was you introduced in the Pooliar caste?
It was the young master who introduced me in the Pooliar caste, at Anjarakandy.
Witness, Koonatoor Nambra Manalib Pookra.

(signed)

Mem.—On being asked before the magistrate, the deponent declared, that the examination was correct. On asking him the names of the moplas that seized him, he says, that one of them is called Coocha Bapoo, and that he knows not the names of the other; he prays to allow him and his brother Changara to return to his country, and says, that his brother was kidnapped in like manner as himself, and that he saw him at Mahé.

(A true copy.) (signed) T. H. Baber, Magistrate.

(N° 13. D.)—Questions put to Kristy Kaly (female), on the 8th Dhanoo 987, M. S. or 20th Dec. 1811.

N° 13. D.

Question.—Which is your country, what is your caste, your house-name, whose slave are you, and what is your age?

Answer.—My country is called Paroor, and to the southward; my caste is Tiety, I am not a slave, but now I am turned a Pooliar, aged about twelve years.

What are the names of your father, mother, and uncle?
My father is Ananden, my mother is Kally, and my uncle Khuny Chay.

When, why, and in whose company did you come to this place?
It is about two months ago, that one night moplas came and seized me, and took me to Allapé; thence I was embarked in a boat, and taken to Mahé; whence again I was embarked, and was carried to the Anjarakandy bangsaul.

Where was you introduced in the Pooliar caste?
It was the young gentleman of the Anjarakandy bangsaul that introduced me among the Pooliar.

Have

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Have you any family there?
I have my house and family in my country, I was kidnapped without their knowledge.

Witness, Kanatoor Nambur Manatil Pockra.
(signed)

Mem.—On being asked before the magistrate, the deponent declares, that the examination was correct, and said only that her father's name was Tewan.

(A true copy.) (signed) T. H. Baber, Magistrate.

(N^o 14. D.)—Questions put to Ayapen, on the 8th Dhanoo 987, or 20th December 1811.

N^o 14. D.

Question.—Which is your country, what is your caste, and your house name, and whose slave are you, and what is your age?

Answer.—My country is to the southward, at Paymah. I am of Tear caste; I am not certain of my house name; I am not a slave, but now I am turned a Pooliar, aged about eight years.

What is the name of your father, mother, and uncle?

My father is Mooton, and my mother Kaly. I have no uncle.

When, why, and in whose company did you come here?

I think it is about ten or twenty days ago that I came hither; I am not certain of the cause, nor in whose company I came; during the night-time, two or three persons embarked me in a boat, took me to Mahé, thence embarked me again, and carried me to Anjarakandy.

Why did you introduce yourself with the Pooliar?

The senior gentleman told me, in the bangsaul, to feed with the Pooliar, wherefore I ate with them.

Have you any family; if you have, did they not know that you was taken away?

I have, in my country, to the southward; I was kidnapped without their knowledge.

(signed)

Witnesses, Arayata Kanin, Markenkandy Pariey.

Mem.—On being asked before the magistrate, the deponent declares the above to be correct; that he knows not the names of the moplas that seized him, nor of those that sent him, nor even the name of the place whither he was sent, and that he was seized while he was playing in the compound during the time that his father and mother were absent from home.

(A true copy.) (signed) T. H. Baber, Magistrate.

Extract from the Proceedings of the Provincial Court of Circuit, in the Western Division, under date the 6th January 1812.

Read a return, received late, on Saturday evening, at the house of the third judge, to the second precept issued by this court to the magistrate in the zillah of North Malabar, assigning reasons why he had not before made a return to the court's precept of the 27th ultimo, which he now does, and transmits therewith sundry documents connected with the circumstances on which he was called upon to report, for the information of the court.

By the said return it appears, that on the information obtained from a Tean boy, a native of Travancore, who amongst others, all free-born children, natives of Travancore, was discovered in the houses of three moplas, inhabitants of Mahé, and who all represented themselves as having been stolen from their parents, and sent by sea from Allapay, by a person named Wallapagata Assun Ally, which Tean boy, named Coonyangara, stated that his brother, named Nathan, was one of four children who had been sent a few days before to Anjarakandy (Mr. Brown's plantation.) The magistrate, on this information, and having also called in the assistance of certain of the servants of the late Travancore Eillah Rajah, residing at Cadroor, who declared that the said children were free-born, and natives of Travancore. Conceiving it his bounden duty to endeavour to find out where the remainder of these children were, and with a view to adopt a mode of proceeding as little offensive as possible to Mr. Brown, in the event of a search being necessary on his plantation, appointed

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

appointed a commission, composed of the darogah of Cotioti, one of his native officers, and a commissioner of law suits, to proceed to Anjarakandy, with particular written instructions as to the conduct they were to pursue; that he, at the same time wrote to Mr. Brown, advising him of the deputation and its object; that the darogah happening to be employed at a distance, could not act with the commission, and in consequence, the others having fulfilled their instructions, returned on the 24th. The magistrate proceeds to state, that 76 men, women and children (including ten infants born therein), were brought from Mr. Brown's plantation, all of whom have declared before him, that they had been stolen, or forcibly carried away from their native countries by mopilas and others, and taken to Anjarakandy (Mr. Brown's plantation); that six of the children have stated themselves to be of free-born parents, viz. two nair boys, aged about eight years, two tien boys, aged ditto, a tiety (female tien) aged twelve, and a mopilla girl, about six; and that they are natives of Travancore, and have been within the last six months stolen from their family, and sent from Allipy by water to Anjarakandy, and there associated with Pooliars; that the tien boy (that originally mentioned as having given the information of the children having been sent to Anjarakandy) immediately recognized his brother Nathan amongst many others whom he saw at that place; that the magistrate has satisfied himself, that the six children above-mentioned are free-born children, and that they have been kidnapped and sent to Anjarakandy against their will, and never associated with Pooliars until they came into the possession of Mr. Brown. The magistrate further states, that with regard to the remainder of the 76 persons, as before-mentioned, and which consist of Wittoowans and Pooliars (servile tribes), the magistrate considers that they have been obtained by means the most unjustifiable. The magistrate states, that he has afforded Mr. Brown every opportunity of vindicating his conduct, and promptly disavowing all knowledge that the children above-mentioned were free-born, and had been kidnapped, and of all participation in that inhuman traffic, by giving up the names of the individuals who supplied them, and affording his assistance in bringing them to condign punishment; but that on the contrary, Mr. Brown had resisted the magistrate's requisitions, and treated him and his officers in terms of the highest contumely and disrespect.

Without at present entering minutely into the consideration, of how far the magistrate was authorized, considering Mr. Brown as a British born subject, and not amenable either in person or property to the authority of the zillah magistrate in that capacity, to carry away the persons in question from his premises, or how far the object which the magistrate had in view might have been attained by a more regular or milder mode of proceeding than that he has adopted, the court deem it expedient, in justice to Mr. Brown, who appears to think, that having appealed to this court, it is not incumbent upon him to afford the explanations which he has been called upon to do by the magistrate, to acquaint him, that as in the course of their duty it will become necessary that the circumstances of the present case should be submitted to the superior authorities, it appears highly expedient and necessary for his vindication, in the eyes of that government under whose license he resides in this province, from the odious imputation which the bare recital of circumstances as they now stand on the magistrate's proceedings, have a tendency to cast upon his conduct, that he should enter into the fullest explanation in respect to the commission he may have given to the person who may have procured and sent him the six children from Travancore; and as to any precaution he may have adopted in restricting that person to the purchase only of such castes as are by the constitution of society in Malabar considered as bondsmen and transferable by sale in the like manner as other real and personal property; and for this end, that copies of the examinations of the six children in question, together with a copy of the return made by the magistrate to the court's precept, explanatory of the grounds on which the magistrate has proceeded on the present occasion, be furnished for his information.

* Extract furnished Mr. Brown.

Ordered also, That Mr. Brown be furnished with an abstract of the examination of 55 of the Betwans and Pooliars, as taken by the magistrate, in order, that he may, if he thinks proper, subjoin his remarks on their respective statements.

As it appears from the documents furnished by the magistrate, that he had offered to restore the said persons and their children, the court are not aware of any objection to Mr. Brown accepting the said offer.

The following letter is accordingly addressed to Mr. Brown, and the documents above alluded to therewith transmitted.

(A true extract.)

(signed) J. H. Pearson, Register.

(F.)

ABSTRACT of the EXAMINATIONS of Fifty-five SLAVES belonging to Mr. Brown, of Anjarakandy, taken by the Magistrate of the Zillah, North Malabar.

NAMES.	CASTE.	Age.	COUNTRY.	Former Jenmikar or Proprietor.	By whom Carried away, and when.	At what Age.	Where carried to.
Hydakan Embata Raman	Vittoowan	22	Chitwars	Parrambil Kandachan, alias Hannan.	Villaly, Mopilla, Kootialy d°, belonging to Karoowakaran Moidun Kooty, ten years ago	12	First to Kootangal, and then to Anjarakandy.
Cheroongoran	D°	Not mentioned.	Chawakat	Burankauacapilla, Mopilla	Koorill Koorijy Marcar, the brother of Moideen Kooty aforesaid, and another, 10 years ago	Not mentioned.	To Anjarakandy.
Ayapan	D°	18	D°	Kakat Minon Tamboram, or Minakamul.	A Mopilla of Karoowakaren Mopa, the same person, above ten years ago.	8	To Anjarakandy.
Camden	D°	Does not know.	Trishroor, or Arimboor	Arimbara Kariakar	Vellaly Mopilla, belonging to the same Moopa, ten years ago	-	To Anjarakandy, to Mr. Brown.
Raman	D°	D°	Chowgat	Does not know	Seized by two Mopillas and taken to the said Moopa, ten years ago.	-	Anjarakandy.
Kandan Koran	D°	D°	Koringaloor	Hydakut Topan	Same persons people, ten years ago.	-	D°.
Chakapan	D°	D°	Chitway	Aranjamb Perambib Kannachan.	Was seized when a child	-	D° to Mr. Brown's bank-saul.
Kael	D°	D°	Poonatoor Kata Puddia	Poonatoor Koroo Minaka Tamboran	Villaly Mopla and a Tean, seized and delivered to the Moopa, ten or thirteen years ago.	-	To Anjarakandy.
Ayapan	D°	D°	Chitway	Karakat Moidun, Mopilla	Same Moopa's people	-	D°
Changaran	D°	D°	Marootera	Erata yuialy, Mopilla	Chandanaparambil Koonjy Moideen and Villaly, belonging to the same Moopa, 8 years ago	-	-
Neelee; a female	D°	D°	Perumbudapanad, Travancore	Tecudil Kristnasha Kumil	Villaly Mopla and Nair Koonjamod, and delivered to Karoowakan Moopan, ten years ago.	-	D°
Ayapan Was seized, together with her husband	D°	D°	Chinoongalat, southward of Koingalore.	Chinoongalat Parota, Tamboran	The same persons and some Mopilla, delivered to the same	-	D°

125.

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(continued)

Neslee; female Father, mother and all her family seized.	Vittoowan	30	Mandoty	Erata Ayanam, Mopilla	Villaly Mopla and Chandana Poorat Koonjy Ahmod, at ten years ago.	20	Anjarakandy, to Mr. Brown.
Kally; female	"	35	Chowgat	Kotta Moopa	Villaly; ten years ago		D°
Chakky; female	"		Kanjaney, in Travancore	Poonatoor Mootapully, Tamboran.	Villaly Mopla and Nair Koon- jamed; took to the Moopa afressid, eight years ago.		
D°	"	30	Chowgat	Changolil Namboory	The Moopa's people; ten years ago.		Anjarakandy; was taken gagged.
Nalee; female		25	D°	Susdan Moopa, Mopla	Chowgat Koonjy Ahmod Mopla	15	Anjarakandy.
Chakky; female		22		Poonatoor, Tamboram	Thres persons belonging to the Moopa; ten years ago.	12	D°
D°	Vittoa	30	Veliangot	Pandalapiranham, Panikar	Vellaly Mopla, by the orders of the Koi Moopa; ten years ago.	20	D°
D°	"	20	Chitway	Arayan Parambil Kannan	Villaly and Kootrally, and other Mopillas.		To Mr. Brown.
Kally		18	Does not know	Does not know	Does not know; ten years ago		Anjarakandy.
Nulee; female		28	Kanjaney, in Travancore	Molapallis Krisnacha Kum- mul.	Moplas and Tears, belonging to the Moopa; five or six years ago.		D°
Chatan	Eralan		Villatra	Avran, Mopla	A Mopilla and a Sepoy; ten or twelve years ago.		D°
Villayan	Polayan	30	Polanar	Koorongat Cherikum, a Tambooran.	Five or eight Mopillas; eight years ago.		To Mahi, and then to Anja- rakandy.
Ayapan	D°		Peroombadapanad Artal	Tandan	By a Mopla; was taken to the Mopa, twelve years ago.		Anjarakandy.
D°	D°		Pattooly	Kidakot Minon	Two Moplas; two months ago		To Alapi, Mahi, and Anja- rakandy.
Raman	D° Eralan		Kavilpara	Kavilpara Nair	Two Moplas; ten years ago		Anjarakandy.
Kandy	Eralan		Not known	Not known	Not known; when a child		D°
Chatan	D°	32	Angot, in Volatree	Chirambat Asran	Poodwana Panikar; ten years ago.		D°
Koran	Polayan	25	Mookala, southward	Chirot Markar	Totakal Moideen, five years ago; six or seven again.		D°
Raman	Eralam	30	Kodarakal	Vingatil Tamboram	Two Mopillas; taken to the Moopa.	16	D°
Chatan	Polcan	25	Tritalla	Koorpata Itterachen	Two Mopillas; to the same Moo- pa; five or eight years ago.	17	D°

(F.)—ABSTRACT of the Examinations of Fifty-five Slaves belonging to Mr. Brown, of Anjarakandy—continued.

702

SLAVERY IN INDIA: CORRESPONDENCE OF COURT

NAMES.	CASTE.	Age.	COUNTRY.	Former- Jemkar or Proprietor.	By whom carried away, and when.	At what Age.	Where carried to.
Kurian	Polean		Kootnad	Vinga Manakala, Numboory.	Four or five Mopilla; ten years ago.		Anjarakandy.
Chatan	D°	25	Perimbadapa Chawanoor	Kookporat Nair	Two Mopillas; ten or twelve years ago.	13	
Tewen	D°	35	Nittoor, the eastward of Cochin	Mamootty, Mopilla	Edakat Moidun		To Cochin, to Chitway, and then to Anjarakandy, in Mr. Brown's employ in Edawam last.
D°	D°	11	Petambalatoe	Panakada	Panaparambil Panikar; seized and given to Aykagat Chick-moiden, who gave him to a Sahib at Cochin whence.		Was brought overland by Koonjry Pariey and Wappan, and delivered in Edawam last, at Anjarakandy.
Attuadee	D°	24	Nittoor	Pidianjery Koonjan Minon	Aykagat Moideen Mopla, seized and delivered to a white man at Cochin.		Taken to Anjarakandy by the above two persons, along with ten others, to Anjarakandy, in Edawam last.
Neelee	Paichy	15	Choodanad	Kaporat Kristna Pilla	Two Moplas and two Nairs; four months ago.		Alape Mahi.
Kally	Polean	38	Wadatala	Parambat Iddekowilam	Chican Amood Mopilla, and others not named, delivered to a white man at Cochin Edawam last; eight months ago.		Anjarakandy.
Poonama	Pooley	28	Parimbalat	Nidiananbil Kandan, Tamboran.	Wanaparambil Panikar Tamboran, and five or eight Soodeers and Pooliars.		Anjarakandy.
Kochala	Polean	11	D°	Panakada Kandan Nair	Wanaparambil Panikar seized and gave to one Chacha Moideen, who sent to Cochin, &c.		Taken to Anjarakandy by Koonjry Pariey and Wappan, in Eddawam last.
Jtti Anga	D°	20	Nittoor	Kambalat Andipally Kristna.	Two or three Mopillas		To Adjarakandy, by Pariey and Wappan, in Eddawam last.
Kooroomba		30	Wadatala	Iddikona Tamboran	Ebabat Weduyum Mopla, and others; seven or eight months ago.		To Anjarakandy, by the same persons as above.

Anooma		16	Kootnad	Mator Taragan	By a Poolean, who sold to a white man at Cochin in Edawom last, thence to		Anjarakandy, by the same persons as above.
Pattichee	Poley	31	Kohashery	Chirikul Rajah	By Koomba Moideen, and kept at a Mopilla's house in Madakam, taken since to Manjau Pariey's house, where the Koopayan was put on; sold since to Pokur Mopilla at Anjarakandy; the Achan of Anjarakandy coming to know of it took her away by force, took off her Mopla dress, and kept her among the Pooliers in Edawom last.		Anjarakandy.
Nullee	Eralla Chirmee	27	Kawallapuna	Karakate Tamboran	By Moplas at night; and thence taken by Nairs to Ponany, and to Anjarakandy, ten or twelve years ago.		
Omalla	Poley	26	Erattara	Pooliara Namboory	Tooltan Kooty and Haden Kooty (brothers), belonging to Ooni Erran Moopa, passed into other hands since, and at last taken by Karoowakaran Moopan's people, embarked on board a munjoo, and took to Mr. Brown at Anjarakandy, ten or fourteen years ago.		
Chakky	D°	24	Manjery	Aripa Koolot, Waroners Tambaran.	By the Moopan's people, three Moplas, and thence put in a munjoo, and carried to Mr. Brown, at Anjarakandy, ten years ago.		
Kally		15	Mookala	Refers to one Koran for information.	Had no recollection when brought		
Chakky	Kanuky	28	Adaloor	Poyran Nayr	Wylat Mamy and Mamuly, who gave her to the Moopa, ten or twelve years ago.	16	Anjarakandy.
Estani	Poley	32	Polnad	Korangot Chirakandachar	Five or eight Moplas, ten or twelve years ago.	20	Mabi, and thence to Anjarakandy.
Omala		16			Refers to her mother's Kitany for information; ten or twelve years ago.		
Chakky	Erralate	22	Not known	Two Moplas carried her away.	Two Moplas carried her away and sold to another at Ponany, who put on the Koopayan, and Karawakaran Moopan, took off the Koopan, and sent her along with eight others to Anjarakandy, ten years ago.		
Chakkan	Eralan	15	Taneyoor	Not known.	Was carried away when young by two Mopillas, to a Sahib at Mahi, who sent him to, five or six years ago.		Anjarakandy.
Nullee	Vittowaty	50	Arimboor, in Travancore	Arimboor Kariachar	By Karawakaran Moopan, ten years ago.	40	D°

(A true copy.)

J. W. Pearson, Register.

OF DIRECTORS and the GOVERNMENTS IN INDIA. 703

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 1. G.

To the Magistrate of the Zillah of North Malabar, Tellicherry.

1.—Sir:—I have to acknowledge the receipt of your letter of yesterday's date, and in reply have to state to you, that since my letter to you of the 28th ultimo, having sent to Anjarakandy for particular information relative to the six persons whom you say are free people, I have now to inform you, that they were sent there by Baniam Belte Assin Ally to work on the plantation until his return from Travancore; whether he got them from their parents or relatives, or purchased them as slaves, I know not, but having no claim over them I can have no objection to your detaining them, as I conclude a complaint has been lodged before you on their account.

2.—With regard to the other persons who were forcibly driven from the plantation, without the smallest reason being assigned for that violent proceeding, it is totally false that they were stolen or kidnaped, nor did any of them assert such a thing when questioned by your menon at Anjarakandy. The major part of them have been ten and twelve years on the plantation, and the assertion that they are now said to have made, is not even attempted to be supported by the smallest proof; my right to them I am perfectly prepared to support as soon as my property in them is impeached; but until that is challenged, it would, as I have already observed in my letter of the 28th ultimo to you, to be a virtual admission of the legality of your act, to prove my right to that property which nobody disputes with me, and for the recovery of which, together with redress for the wrongs and loss I have suffered, I have already addressed a superior tribunal.

3.—With regard to the case being submitted to government, I only waited for the decision of the court of circuit, to bring the whole affair before the Honourable the Governor in council by petition, because it is impossible for me to carry on that extensive undertaking on which so very large a sum has been expended, unless I am certain of protection from such hostile interruption and violence as that against which I now complain. Your submitting the subject will, I doubt not, answer that purpose, provided the case is fully explained; to which end, I hereby require, that copies of my petition to the court of circuit, with the proceedings held thereon, may accompany your reference to government.

Tellicherry, 4th Jan. 1812.

I have, &c.

(signed) *M. Brown*, Owner of the Randaterrah Plantation.

Provincial Court, L. S. Western Division.

To the Magistrate in the Zillah of North Malabar.

Pursuant to an order of this court, you will herewith receive an extract from their proceedings under this date, to the exigence whereof you are hereby required to conform, making your return within six days from the date hereof.

Given under my hand, and seal of the court, this 13th day of January, A. D. 1812.

(signed) *H. Clephane*, Third Judge, for the Register.

Extract from the Proceedings of the Provincial Court for the Western Division, under date the 13th January 1812.

The judges observing, from Mr. Brown's statement, that Wallapid Agatha Assin Ally, the person who is represented as having sent from the Travancore country the six children found in Mr. Brown's plantation, as well as the nine discovered in possession of certain persons, inhabitants of Mahé, is now within this jurisdiction, Ordered, that the magistrate be called upon to report to the court, whether he has examined the said person, and if so, to furnish copy of his examination for the information of the court.

The magistrate must also be called upon, to state the measures he may have taken, either by communication with the resident at the court of Travancore, or through any other channel, in order to follow up the clue afforded by the declarations of the children, who represent themselves as of free parents, and under various circumstances stolen from their parents or relations, for the purpose of verifying, as far as may be possible, the account they have given of themselves, in view to their eventual restoration to their parents or relations.

Ordered,

OF DIRECTORS *and the* GOVERNMENTS IN INDIA.

705

Ordered, that extract of the above be sent to the magistrate in the Zillah of North Malabar, and a precept be issued, requiring his return thereto within six days from the date thereof.

(signed) *H. Clephane*, Third Judge, for the Register.

(A true copy.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories. 2

In pursuance of the exigence of the annexed precept, the magistrate forwards copy of the examination of Wallapiblagatha Assun Ally, and also of the further communications to and from Mr. Murdoch Brown. The letter from Mr. Brown, dated Tellichery, the 4th, was not received until the evening of the 5th, or would have been sent with his return of the 4th to the courts precept of the 27th. The magistrate informs the judges further, that he has written to the resident at the court of Travancore, and forwarded all the information the children had given, and copy of Wallapiblagatha Assin Ally's examination. He also has commissioned some natives of Travancore to communicate to the public functionaries in that province, or in any other way they had the means of conveying, the information of the discoveries of the children at Anjarakandy and Mahé to their friends and relations.

The magistrate also forwards the examination of the Mopilla Cumba Moidun, who stole and carried to Anjarakandy, Wattackges and her child, also of her brother, held before the magistrate on the 15th and 16th instant; and the examination of the Cheral Rajah by commission; neither proprietors or owners of the free-born children or bondsmen having yet preferred a charge against Wallapiblagatha Assin Ally, Cumba Moidun, or any of the persons charged in their declaration as accessories; the magistrate has not committed them for trial, in consequence of the opinion the judges of the provincial court have been pleased to express in their precept, dated the 15th, should the judges, notwithstanding, now think that a prosecution can be supported against these persons without a complaint being preferred by the prosecutors of the free-born or bonds-children. The government Vakeel shall be instructed to prosecute them in the same way that the accomplices of Assin Ally have in case N° XV. on the calendar.

Given under my hand, and seal of the court, this 22d day of January, A.D. 1812.

(True copies.)

(L. S.)

(signed) *T. H. Baber*, Magistrate.

Examination of Wallapagatha Assin Ally, taken under date the 26th Dhanoo 987, M. S. or 8th January 1812.

N° 1. I.

Question.—It appears in certain examinations before the court, that you sent some children from Allapi; did you do so; if you did, mention the particulars thereof?

Answer.—I did send; in Muthoonam 986, M. S. Mr. Brown sent me to Allapi with money to pay for the 500 candies of pepper which was prepared for him there, for the purpose of export to Bombay; while I was at Allapi, I saw many persons purchasing slaves; I went to the cutwal of Allapi, and told him, that as there is a traffic of slaves carrying on at Allapi, that I wanted a few children, when the cutwal told me, that I might purchase as many as I pleased, as the custom of purchasing and selling slaves was permitted there; in consequence of which, I purchased from several persons 25 children, both males and females, eight of which I sent to Mahe, and six to Mr. Brown; afterwards I sent 11 children in a boat to Mr. Brown; when the boatmen landed beyond Cochin, at a place called Yarrat, for the purpose of cooking their victuals, the inhabitants of the place came and asked the boatmen, whence they brought the children, and some other questions, upon which they became frightened and ran away; at which time the inhabitants took the 11 children and my man Packroo to the Tannah station, and reported the circumstances, whereupon I was taken to the Mavinkara fort and examined, and fined in the amount of 1,000 rupees; the children were taken, and also the articles which were in the boat, and a written decision given me; I was told that the articles and the amount I had paid for the children would be demanded from those who had received it from me, and returned to me; afterwards my nephew, Koonjy Amod, wrote me, that the children I sent to this place were, by the gentleman's order, brought and confined. So soon as I received that letter, I quitted the place by water, and yesterday landed at Mahe; to-day, on my way to the court, I met Mr. Brown, when he gave me a letter to the gentleman, which I brought with me

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

to court; I have also brought pramanums I received from the persons from whom I purchased the children, and the award given me at Mavilikam.

What are the castes of the children you brought?

I was informed by the persons who sold them, that they were Wittowars, Pooliars, Chanonmars and Korawars, but when I purchased them, they bore Mopla names.

For whom did you purchase them?

I purchased them both by the desire of Mr. Brown, who told me, on my way to the southward, that he wanted 10 or 15, and for my own use, six of which I sent to Mr. Brown, and eight I sent to my house at Mahe. The remaining 11, which I sent to Mr. Brown, were those who were seized, as above-mentioned. From the children seized and brought from Mahe, two females and one male, were purchased for me by the Allapi Cutwal himself, and the remaining I purchased with the knowledge of the said cutwal.

Where are the eleven children taken from you at Mavilakara?

They are kept at Mavilakara, one of which was taken away by its mother.

Did you mention there the fourteen children sent both to Mr. Brown and to this place?

I was neither asked, nor did I mention it.

You say that you purchased them by the cutwal's order; was any inquiry made to the cutwal on the subject?

He was fined there in the sum of 54 fanams, but I was informed afterwards, that it was commuted to 36 fanams.

Look at these 15 children; are they those sent by you?

I saw nine of them, as I kept them with me for some days; I have also seen three of those sent to Mr. Brown, and the others were only by my desire; I sent them at different times in boats at one and two at a time.

The child Iddity says, that she is a Shooder; how is this?

Both the seller as well as she herself, told me that she was not a Shooder.

Of the remaining children, one says, that he is a Wittowan, and one a Koravan, and the rest Tier; how is this?

When I purchased them, they all bore Mopla names; they did not inform me of their caste.

The children sent by you to Mr. Brown, say that two are Shooder, two Tier, one Mopla, and one Tiety; did you know it?

Their names have been given in writing; the persons who gave me them, said that they were of low caste; I do not know their caste; the caste of some of them is inserted in the said writing, and the names of some are also written of those sent to Mr. Brown; those sent to Mahé were purchased with my money, and kept at my house; one of them I made a present to a person, from whom I received no money.

Had these nine children, prior to their coming into your possession, ate Mopla food?

When they were brought to me, they had ate Mopla food, and they bore Mopla names.

Were those sent to Mr. Brown, bought with Mr. Brown's money, or with your's?

They were bought with Mr. Brown's money; I have by me Mr. Brown's money; when we make out our accounts, we shall settle it.

Prior to the children being sent to Mr. Brown, at Anjarakandy, or coming into your possession, do you know whether they ate Pooliar food?

I do not know of their being associated with Pooliars, nor did I associate them with Pooliars.

As this case may be brought for trial before the court of quarter sessions, have you any witnesses to call on your behalf?

Yes; those mentioned in the pramanums taken by me; besides these, Akoo China Chadayan and Kydala Packran, who came with me.

When

When these children were sent for from Anjarakandy and examined, two of them said that certain Pooliars from the southward were seized and brought by Assun Ally people, Wappan Kooty, and Koonjey Pariej; do you know this?

I neither sent Pooliars, nor know of it; I have no one of the name of Koonjey Pariej, or Wappan Kooty, with me.

Do you know Wapping Kooty and Koonjey Pariej?

There is a person of the name of Wapping working as a cooly for Mr. Brown; Koonjey Pariej I know not.

Is it usual for children to be seized and sold in this manner, at Allipi and those places?

Last year, when I went there and wanted one, I could not procure the purchase. Now, since my going there, several persons have purchased in great numbers; after the circumstance of my having purchased these children was investigated, a proclamation was issued for general information, in order that purchases in future should be made in due form, and that the purchased should not be exported.

Has any person purchased and brought to this country?

I heard that a person of Koonjey Kanny of Ponamy, and others from Calicut, have brought about 400 persons; I saw one of the boats bringing these people.

Has any person belonging to this zillah brought children?

I heard there, that Tellicherry people had purchased and brought slaves; but I know not to what number, and when.

(signed)

(A true copy.) (signed) *T. H. Baber.*

(A true translation.) (signed) *J. H. Pearson, Register.*

To the Third Judge, acting for the Register.

Previous to a compliance with the exigence of the provincial court's precept of this day's date, the magistrate deems it proper to advise the judges, that he had set on foot an inquiry into the circumstances set forth in the depositions of twelve of the sixteen Pooliars (the rest being children), of their having been stolen from their owners, and transported from their country against their will, to Anjarakandy, since the month of Yaddawan last, and that it was his intention to have made a full report of the result thereof to the government, for the purpose of being submitted, together with his proceedings in the case of the free-born children, for the opinion of the Honourable Company's advocate general, as far as related to Mr. Murdoch Brown, and to have committed or held to bail, as the case might seem to require, those persons who were amenable to the jurisdiction of the Company's local courts, as might appear to the magistrate to have committed the crime of kidnapping and enslaving free-born children, and kidnapping the 12 bondsmen above alluded to, or had been in any way concerned as accessories.

The magistrate in his communication, dated the 8th, informed Mr. Brown that the presence of those sixteen Pooliars would be required some time longer; but by a return to his warrant, and a report from the police officer, it appears, that on the following day the two persons who are stated in those depositions to have carried the greater part of these Pooliars to Mr. Brown's plantation, were sent out of this Zillah, one to Punnany, and the other to Goa.

The magistrate, however, does not despair of obtaining, though he should not succeed in apprehending those persons, by means of the resident of Travancore, and through other channels, correct information as to the truth or otherwise, of the account given by the free-born children, and this portion of the bondsmen; but it will be obvious to the judges, that he cannot prosecute the investigation, if they insist upon sending back the latter before he has brought it to a termination, for the same reasons that the presence of the Pooliars is required; the magistrate will be glad to have sent back the whole of the original papers forwarded, with the magistrate's return to the court's precept, dated the 27th ultimo.

Given under my hand, and the seal of the court, the 13th day of January,

A. D. 1812.

(L. S.)

(signed) *T. H. Baber, Magistrate.*

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

K.

Provincial Court of Circuit, Western Division.

To the Magistrate in the Zillah of North Malabar.

Pursuant to an order of this court, you will herewith receive an extract from their proceedings under this date, together with the documents therein alluded to; you are hereby required to conform to the court's order, making your return within twenty-four hours from the receipt hereof.

Given under my hand, and the seal of the court, the 15th day of January
A. D. 1812.

(signed) *H. Clephane*, Third Judge, for the Register.

Extract from the Proceedings of the Provincial Court of Circuit for the Western Division, under date the 15th January, A. D. 1812.

Read a communication from the magistrate in the zillah, North Malabar, in answer to the letter addressed him by order of the judges, dated 14th instant, transmitting a list of Pooliars taken from Mr. Brown's premises, now detained by him.

The judges of the court of circuit have already expressed their opinion of the illegality of the act on the part of the magistrate, in having in the first instance, without any information before him, or claim preferred thereon, removed from Mr. Brown's premises, and deprived him of the services of the bondsmen, his property; and in consistence with this opinion, they deem it their duty to lessen, as much as possible, the injury to which Mr. Brown's undertaking must have been subjected by their long and continued detention.

The judges do not even perceive, on the grounds of expediency, any valid reason for the further detention of the twelve Pooliars and their children; they have already given all the information they are capable of imparting, and should the persons to whom they represented themselves as having belonged, and from whom they were stolen, appear for the purpose of establishing their claim, or prosecuting the perpetrators of the theft, their accomplices or accessories, under the provisions of Regulation XI. A. D. 1809, may, by the usual process observed in respect to evidences, be forthcoming when required.

The judges do therefore direct, that with the exception (for the present, and until the magistrate shall have sent in the report of his examination of the mopilla, whom she charges with having stolen her) of the female named Wattachee, the magistrate do forthwith obey the exigence of their precept of the 13th. In regard to this person, as well as the others in general, the judges must remark, that in their opinion the magistrate is following a course which does not seem either the most direct or efficacious towards the ascertainment of the fact, and which seems to be an indispensable preliminary to the prosecution of the persons mentioned in their deposition, as principals or accessories in the theft of their persons, viz. whether or not they have been actually stolen. This at present rests solely on the declarations of the slaves themselves, and unless a charge of this nature shall have been previously preferred by the persons, the proprietors of the bondsmen, and other evidence adduced thereof, the judges do not see, that either under the provisions of the Regulation XI. A. D. 1809, or any other regulation, a prosecution can be supported against the persons charged in these declarations as accessories only, and that, in many of the instances, in a very remote degree.

Ordered also, that the original papers transmitted by the magistrate, with the return to the court's precept of the 27th ultimo, and which he has requested may be returned to him for the purpose of taking copies thereof, be sent to him, and that he be required to return either the said original, or attested copies thereof, as expeditiously as possible.

(A true extract.) (signed) *H. Clephane*, Third Judge, for the Register.

In pursuance of the exigence of the annexed precept, received this instant, the magistrate has ordered to be sent back to Anjarakandy the remaining twelve Pooliars who had made oath they were kidnapped, and forcibly carried from their country and owners, (in one instance, Poonama, a mother, and three infants, torn from her husband and their father,) and has suspended all further proceedings until a complaint has been preferred by their proprietors, on the grounds of the opinions the judges have explained in the concluding part of the 4th paragraph of their orders.

Given under my hand, and the court's seal, the 16th day of January A. D. 1812,
2 P. M.

(signed) *T. H. Baber*, Magistrate.

To the Third Judge, for the Register.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

M.

In pursuance of the exigence of the court's orders, as conveyed in your communication of yesterday, received late in the evening, the magistrate now forwarded a list of the twelve male and female Pooliar, whom he detained in consequence of their having deposed that they had been recently stolen, and transported to Anjarakandy, and for further particulars refers the judges to the depositions and examinations forwarded with his return to the court's precept, dated the 27th ultimo. The judges will observe several Pooliar of the same name, but they would readily discover the identical persons now here, by a reference to that part of their deposition in the possession of the judges which mentions their place of nativity, their owners names, and the time and place when and where they were kidnapped. The magistrate has already informed the judges of the obstacles which have been opposed to him in Mr. Brown's silence, and the departure of his two agents out of the jurisdiction of this zillah; but he will, notwithstanding, exert every means at his command to follow up the information contained in the depositions of the Pooliar, provided the judges of the provincial court will permit him.

Given under my hand, and the seal of the court, this 15th day of January
A. D. 1812.

(signed) T. H. Baber, Magistrate.

The mopilla Coomba Mordein, whom Wattachy charges with having stolen her, has just been brought in; the magistrate has not taken down his deposition, but from the examination sent with him, Wattachy's account of the mode in which she came into Mr. Brown's possession does not appear to be exaggerated.

(signed) T. H. Baber, Magistrate.

LIST of MEN, WOMEN and CHILDREN seized since Eddawan, and sent to the Anjarakandy Plantation.

NAMES.	CASTE.	PROPRIETORS.	DIASHEN.	District or Province.	Number of Children.	
Ayspan	Pooliar	Keedehatoo Minon Tamboram	Pattail	Cochin District.	P.	
Tavan	D°	Arakul Mamootey Mopilla	Nattoor	D°		
Tavan	D°	Panobada Kanden Nair	Perambolata	Travencore Province		
Itanadily	D°	Pidianjery Coonhaien Minon	Nettoor	Cochin Province.		
Netty	Parachy	Coyapoorata Kristna Pilla	Choolanaad	Travencore Province.		
Cafty	Pooley	Parambatta iddatel Edeketten	Wadatatta	D°		1 Child.
Poonama	D°	{Nidiaparambatta Kanden Tam- boram.	Parambatta	D°		
Itteangar	D°	Andy Pally Khristram	Coombalata	Cochin D°		
Chochalla	Poolian	Parakady Kanden Nair	Parambatta	Travencore P.		
Cooromba	Poolay	Eddaiona Tamboram	Wadakala	D°		2 D°
Anima	D°	Matoo Taragan	Kottenaad	D°		
Wattechy	D°	The Rajah of Chiricul	Kalleasherry	Malabar		1 D°

(signed) T. H. Baber, Magistrate.

Provincial Court, Western Division.

To the Magistrate in the Zillah of North Malabar.

I am directed by the judges of the provincial court, in reply to the point submitted for their opinion in the latter part of your return to their precept of the 13th instant, to inform you, that in the expression of their opinion, as contained in extract of their proceedings of the 15th instant, that no prosecution could be supported

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

ported against the persons who are stated to have been the purchasers of the children and adults who represent themselves to have been stolen from the districts of Cochin and Travancore, whether free or bondsmen, unless the parents or relatives in the first case, and the masters or proprietors in the second, should come forward with a charge against them; they had in view the provisions of Regulation XI. A. D. 1809, which seem to consider this as indispensable, and which further reserves the determination as to the bringing to trial of the persons who may be thus charged to the Honourable the Governor in council.

The above opinion had no reference to the case of the theft of the female Pooliey named Wallachee, by the mopilla named Coomba Moidun, which in common with other crimes committed within the limits of the Honourable Company's territories, is directly cognizable by the courts established therein; as however the law officers object to the government being prosecutors where there are owners of the property stolen, it seems to be expedient that the Cherikal Rajah should appoint a person to carry on the prosecution in his name and on his behalf.

Given under my hand, and the seal of the court, this 24th January 1812.

(True copies.) (signed) J. H. Pearson, Register.

(signed) J. H. Pearson, Register.

To the Secretary to Government in the Judicial Department.

Sir:—I have to acknowledge the receipt of your letter of the 31st ultimo, inclosing the papers upon the subject of slaves brought into Malabar, and found in the possession of Mr. M. Brown.

I have read with great attention the whole of these papers, and should have been glad to find that the infamous traffic there exposed had been within the provisions of the Act for the abolition of the Slave Trade, 47 Geo. 3. c. 36. as it is completely within the object and principle upon which that Act was founded.

But upon reference to the statute, I am sorry to find that it applies exclusively to the African Slave Trade, and to the importation of slaves from places in Africa, or from foreign settlements in the West Indies or America.

The prohibition against trading or dealing in slaves, which Mr. Baber seems to suppose general, is limited (s. 1.) by the expression "contrary to the provisions of this Act," which provisions when referred to, will be found to be exclusively applicable to Africa, or to foreign settlements in the West Indies or America. The transfer by sale of a slave from one British West India island to another is not prohibited, and is certainly intended to be left open as before. I fear the omission to prohibit the trade in Asiatic slaves may in the same manner be held to legalize the traffic.

A late case appears however to have been decided by the High Court of Admiralty, supporting the seizure and confiscation of an American slave ship as being engaged in a traffic unlawful, because contrary to the law of nature, and not countenanced by the existing laws either of England (since the above statute) or of America; and so far as relates to the release from slavery of the slaves imported for sale into British India from the neighbouring states, I am by means sure that our courts would not act upon the same principle in declaring the traffic illegal and void; but I think it would be too much to hold the party guilty of any offence for doing what was considered legal, and is not prohibited. It may be doubtful, whether in a country in which the British are governed by the laws of England, a British subject can be the master of a slave; but if that proposition were admitted in its fullest force, it would not have any tendency to make the purchase of a slave criminal. Sir W. Jones, in one of his addresses to the grand jury at Calcutta, stated that he had in a year of famine bought several children, whom he preserved from death, but that he should feel it his duty to tell them, when they grew up and were able to support themselves, that he had no right over them. In the same address, he pointed out the custom of kidnapping children in the upper provinces, for sale at Calcutta, as a crime carried to a great extent.

If it can be established in evidence, that Mr. Brown was acquainted with, and encouraged the practice of kidnapping children in Travancore, there can be no doubt of that being an indictable offence, and one highly proper to be made the subject of public prosecution; but that does not appear to be brought home to him in evidence.

I must add, however, that Mr. Baber, acting as a justice of the peace in taking informations,

informations, and if he shall see reason, committing for trial a British subject, for what he as a magistrate may deem an offence against the laws of England, is not only entitled but bound to follow his own best judgment, and although at his request the opinion of the legal adviser of government may with propriety be communicated to him, it may be proper in me to notice the difference of his situation in that character, from the ordinary duties of his office, in which he is liable to the general controul and directions of the government, or of intermediate authorities.

Fort St George
Papers:
State of Slavery
in Company's
Territories.

I am, &c.

(signed) A. Anstruther, Advocate Gen.

Fort St. George, 14th April 1812.

To the Chief Secretary to Government.

Sir:—Since writing to you on the 14th ultimo, on the subject of the traffic of slaves in Malabar, I have seen the statute of 51 Geo. 3. c. 23, which extends to India the prohibition to British subjects engaging in such traffic. The penal consequences attach in India from the 1st of January 1812, and perhaps Mr. Brown may in strictness be within that clause. I do not, however, send for the papers to ascertain the date of his late acts, because I am satisfied that it would be great injustice to bring him to trial for violating the law many months before it can reasonably be supposed that he knew of its existence; probably the copy of the statute which lately arrived in His Majesty's ship Africaine was the first in India.

I should think it a proper measure for government to publish throughout the provinces under its authority, the substance of the statute which applies in 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.

I am, &c.

(signed) A. Anstruther, Advocate Gen.

Fort St. George, 14th May 1812.

Ordered, in consequence of the letters according to the following drafts, be dispatched to the register of Sudder and Foujdarry Adawlut, and the judge in North Malabar.

To the Register to the Court of Sudder and Foujdarry Adawlut.

Sir:—As connected with the subject of the proceedings of the Foujdarry Adawlut, transmitted with your letter, under date the 3d ultimo, I am directed by the Honourable the Governor in council to transmit to you, for the further consideration and report of the Foujdarry Adawlut, the accompanying letter, with its inclosures, under date the 19th February, from the judge and magistrate, zillah North Malabar, and the inclosed copies of two letters, under date the 14th ultimo and 14th instant, from the advocate general.

2.—It is desirable that the opinion of the Foujdarry Adawlut, as to the mode of proceeding to be adopted with regard to the persons committed, N° 15 of the calendar, as accessories to the theft and sale of the nine children found at Mahé, adverted to in Mr. Baber's letter, should be communicated as soon as it may be convenient.

3.—I am also directed to transmit, for the information of the Foujdarry Adawlut, the inclosed copy of a letter of this date, to the judge and magistrate, zillah North Malabar.

I have the honour to be, &c.

(signed) W. Thackeray, Chief Sec' to Gov'.

Fort St. George, 29th May 1812.

To the Judge and Magistrate, Zillah North Malabar.

Sir:—I am directed to acknowledge the receipt of your dispatch, under date the 29th February, and to inform you, that the Honourable the Governor in council has under consideration the most effectual means of putting a stop to the nefarious traffic in slaves which has prevailed on the Malabar coast; in the mean time, I am directed to acquaint you, that the Governor in council approves of your inquiries and measures with regard to the persons found in a state of slavery on Mr. Brown's plantation, and desires that you will continue your inquiries respecting the twelve slaves said to have been recently stolen, or brought to Mr. Brown's plantation, and any others who you may have reason to suspect were stolen.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

I am also directed to transmit for your information, the inclosed copies of two letters, under date the 14th ultimo and 14th instant, from the advocate general, containing his opinion as to the applicability of the Acts for the abolition of the slave trade, to Mr. Murdoch, Brown, &c. You will receive, in the course of a few days, the directions of the government respecting the persons committed, N^o 15, of the calendar, as accessories to the theft and sale of the nine children found at Mahé.

I am, &c.

(signed) W. Thackeray, Chief Sec^y to Gov^r.
Fort St. George, 20th May 1812.

Extract, Fort St. George Judicial Consultations, 31st July 1812.

Read the following Letter from the Register to the Court of Foujdarry Adawlut, To the Chief Secretary to Government.

Sir— I am directed by the Foujdarry Adawlut, to acknowledge the receipt of your letter of the 29th ultimo, with its several inclosures, and to transmit to you the accompanying extract from the court's proceedings of this date, for the purpose of being laid before the Honourable the Governor in council.

I have, &c.

(signed) Edward Wood, Register of Foujdarry Adawlut, Register's Office, 19th June 1812.

Extract from the Proceedings of the Foujdarry Adawlut, under date the 19th of June 1812.

Read letter, dated the 29th ultimo, from the chief secretary to Government, referring a letter, with inclosures, under date the 29th of February, from the magistrate of the Zillah of North Malabar, and copies of two letters from the advocate general, and signifying the desire of the Honourable the Governor in council, to receive the opinion of the court, as to the mode of proceeding to be adopted in the case to which paragraphs 54 to 61, and paragraph 68, of Mr. Baber's letter, particularly refer.

The case in question is N^o 12, on the North Malabar Calendar for the first quarter sessions of the year, and from the copy of that document, received from the third judge, Mr. Hay Clephane, before whom the jail delivery was held, the case appears to be thus described:—"The government by Vakeel Versus Wallapakata, Assankooty Manjub, Moideen Cooty, Kayab Moideen Cooty, strong suspicion of being privy to the kidnapping nine free-born children, natives of Travancore, depriving the boys of the kodoma (the distinguishing mark of caste); boring the ears, and putting in aliket and the koopta (a mopla dress) on the girl, in having secreted them on their arrival from Alepsy, whence they were sent by Wallapakata Assen Ally, not apprehended," and the column for the remarks of the presiding judge contains the following statement, viz:—"The court declined proceeding to the trial of this case, as the law officer objected to the legality of the surkar vakeel being appointed as prosecutor, while the parents and relatives of the nine non-adults, to the kidnapping and stealing of whom the prisoners are charged as having been accessory, are now existing; the judge being further of opinion, that the case falls under the provisions of Regulation XI. of A. D. 1809, and that the orders of the Honourable the Governor in council are required before it can be brought to trial; which opinions were communicated to the magistrate, accompanied by the judge's opinion, that he did not conceive a prosecution would lie against the prisoners, but that, should the magistrate think otherwise, he might hold them to bail in the interim of a reference to the Honourable the Governor in council, pursuant to the provisions of the Regulation above quoted."

The prisoners Wallapakata Assen Cooty, Manaib, Moideen Cooty, and Kayal Moideen Cooty, were therefore committed by the magistrate as accessories to the theft and intended sale, as slaves, of nine free-born children, who had been found in their possession at Mahé, having been sent to them from the most remote parts of Travancore, where they had been stolen.

And the grounds of the third judge's hesitation to take cognizance of the case were, 1st. That it was the opinion of the Mahomedan law officer of the court, that

the appearance of the parents to prosecute could not be dispensed with; and, 2dly. That to give the court of quarterly jail delivery competence in the case, it was requisite that the order of the Governor in council should be produced for bringing them to trial.

These grounds, in paragraphs 60 and 61 of the letter now before the court, the magistrate endeavours to controvert; and in answer to that which was considered by the third judge to constitute a bar to the jurisdiction of the court in the case, strives to draw a distinction, as to locality, between the offence committed by Wallapakata Assen Ally, and that of the three prisoners at Mahé.

Without entering into the matter urged by the magistrate on this point, which indeed chiefly relates to another question, the liability of the prisoners to be proceeded against for the smaller offence, that of merely receiving the stolen children, it may be sufficient to refer to the charge entered by the magistrate in his calendar of prisoners committed or held to bail for trial, in order to decide upon the merits of the third judge's objection, and to form a judgment of the magistrate's views and intentions in bringing the parties before him; and from the terms in which the charge is couched, it seems evident that the magistrate, in committing them, held them to be guilty, and meant to put them upon their trial as accessories to the crime in which Wallapakata Assen Ally was the principal offender, and which had been perpetrated in places out of the limits of the British provinces. The commitment decidedly brought the case within the provision of Regulation 11, of 1809, and upon such commitment, the third judge could only be justified in proceeding to the trial, on the production of the authority noted in section 3 of that Regulation.

With regard to the other objection of the third judge, founded on the moofities opinion on a point of law, which the magistrate attempts to combat in paragraph 61 of his letter, the court observe, as indeed it was natural to expect, that the third judge understands the business of a court of jail delivery better than the zillah magistrate. The former was aware, that it became his duty to regulate his proceedings by the opinion delivered by his law officer, and finally to abide by such opinion, unless he considered it contrary to the principles of natural justice, or to the Mahomedan law, in which case the point was referrible to the determination of his court. But even had the third judge seen reason to question the propriety of abiding by this opinion of the moofie, the doubt entertained by himself of his competence to take cognizance of the case, would of course appear to render useless a reference to this court on the point of law.

The court consider it unnecessary to advert to the magistrate's remarks in relation to this objection of the third judge, further than to submit, that the insinuations towards and at the conclusion of this paragraph (the 61st) of his letter, should not be suffered to pass unnoticed.

But with a view to ascertain the procedure now to be pursued against the prisoners, the court have received the following opinion from the Cazee oob Coozzal and moofities, in answer to questions put by their order, viz. that a person convicted of stealing a free-born child, with whatever view, would, under the Mahomedan law, be liable to tazeer, and that if in such case there were no prosecutor, it would be competent to the hakim to prosecute, for the sake of the public peace and good order.

There cannot, therefore, be a doubt, that under the Mahomedan law, the act of stealing free-born children is criminal, and that punishment is enforceable at the suit of the magistrate for the time being; and were the case under consideration subject to the ordinary jurisdiction of the established courts of criminal judicature, there would appear to be no difficulty in proceeding against the offenders. But as the offences to which they stand charged with having been accessory, was not committed within the limits of the British provinces, they became amenable to such charge only under the provision made by Regulation 11, of 1809, and the special order of the Governor in council for bringing them to trial, appears to be requisite.

It remains to be observed, that section 2 of the Regulation in question seems specifically to require, that the charge in the cases for which it provides, shall be preferred by the aggrieved party, and the rule may perhaps proceed on the principle, that, as jurisdiction is determined by the locality of offence, it may be the more necessary that the court, taking cognizance of a case not subject to its ordinary jurisdiction, should have before it in the accusation or charge of the party injured and complaining, a proof of his desire to adopt that mode of obtaining redress, and of his willingness to abide by its decision thereupon.

The court direct, that extract of these proceedings be sent to the chief secretary to the government.

(A true extract.)

(signed) Edward Wood, Register.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers: 104
State of Slavery
in Company's
Territories.

Ordered, in consequence, That letters, according to the following drafts, be dispatched to the register to the court of Sudder Adawlut, and to the judge and magistrate of North Malabar.

To the Register to the Court of Sudder and Foujdarry Adawlut.

Sir, I am directed to acknowledge the receipt of the proceedings which accompanied your letter, under date the 19th ultimo, and to state, for the information of the judges of the Foujdarry Adawlut, that the Honourable the Governor in council has been pleased to direct, that the prisoners, Wallapakata Assen Cooty, Manab Moideen Cooty, and Kayab Moideen Cooty, shall be brought to trial for receiving, disfiguring, and secreting nine free-born children, natives of Travancore, knowing them to have been stolen.

(signed) Wm. Thackeray, Chief-Sec. to Government.

Fort St. George, 31st July 1812.

To the Judge and Magistrate, Zillah North Malabar.

Sir, With reference to the last paragraph of my letter, under date the 19th May, I am directed to transmit, for your information, the inclosed extract from the proceedings of the court of Foujdarry Adawlut, and to inform you, that the Honourable the Governor in council is pleased to direct, that Wallapakata Assen Cooty, Manab Moideen Cooty, and Kayab Moideen Cooty, shall be brought to trial for receiving, disfiguring, and secreting nine free-born children, natives of Travancore, knowing them to have been stolen.

I am, &c.

(signed) W. Thackeray, Chief-Sec. to Government.

Fort St. George, 31st July 1812.

REGULATION, XL, A.D. 1809.

A REGULATION to provide, in certain cases, for the trial of Native Subjects of the British Government, who may be charged with Crimes or Misdemeanors, committed in Places out of the Limits of the British Provinces, passed by the Governor General in Council at Fort St. George, on the 17th November 1809, corresponding with the 4th Kartokey of the year Soorka, 1790th year of Sakeeragana, and with the 8th Shawwal 1224 Hijree.

Preamble.

Whereas under the existing laws, native subjects of the British government are not amenable to the established criminal courts for crimes or misdemeanors committed in places out of the limits of the British provinces; and whereas the purposes of justice require that provision should be made for supplying this defect, the following rules have been enacted to be in force throughout the British territories immediately subject to the government of the presidency of Fort St. George from the date of their promulgation.

How Magistrates are to proceed against native subjects, found within their jurisdiction in cases of serious offences committed without the limits of the British provinces.

II. First.—Whenever a native subject of the British government shall be charged with murder, or homicide of any sort, rape or other great personal violence, robbery, burning of houses, or violent affrays, or any other serious offence, committed in any place out of the limits of the British provinces, either against the subjects of the British government, or any other persons, and shall be found in any part of such provinces; the magistrate of the zillah in whose jurisdiction the accused person may be found, on the charge against him being deposed to on oath, or under a solemn declaration by the complainant, as required by section Vus Regulation VI. 1802, shall issue process for apprehending the party accused, under the provisions of that Regulation; and on his attendance, shall make such inquiry into the charge, as the circumstances of the case and the evidence attainable may admit of; after which, he shall report his proceedings to the Governor in council.

Rules as to the commitment, or holding to bail in such cases.

Second.—In such cases, the magistrate shall commit the prisoner, or hold him to bail according as the nature of the charge in ordinary cases would require; in cases of commitment, the form shall specify, until the orders of government shall be received; and in cases of bail, the form of the bail-bond shall be, in the first instance, to appear before the magistrate on a certain day assigned (leaving time for the receipt of the orders of government); and on such subsequent days as the magistrate shall require. Should government in the latter case direct the accused

accused to be brought to trial, the magistrate shall cause the bail-bond to be renewed in the ordinary form, to appear and take his trial before the court appointed for that purpose.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

III.—In cases referred under the preceding section, as well as in all cases of the like nature which may in any manner come before the Governor in council, if it appear proper that the prisoner should be brought to trial for the offence imputed to him, the Governor in council shall be competent to direct, that the prisoner be brought to trial before any of the established courts of criminal jurisdiction within the British provinces, which he may be pleased to appoint; and the special order of the Governor in council for the purpose, shall be deemed full and sufficient authority for the trial and punishment of such prisoner by the court so appointed, as well as by the court of Foujdary Udalt, if the case be referrible, under the regulations in force to that court.

Governor in Council competent to direct such persons to be brought to trial before any of the established criminal courts.

IV.—Whenever a native subject of the British government shall be brought to trial before any of the established courts of criminal judicature under the provisions of this regulation, the trial shall be conducted, and sentence thereupon passed and carried into execution, under the general regulations in force in like manner as if the offence had been committed within the British territories, and the case subject to the ordinary jurisdiction of those courts.

Such trials to be conducted, and sentences passed in conformity with the general regulations for trial of offences in ordinary cases.

Extract, Fort St. George Judicial Consultations, 11th August 1812.
Sent the following letter—

Diary.

To G. Dowdeswell, Esq. Fort William.

Sir:—A traffic in slaves from Travancore having been discovered to have been carried on to a considerable extent, and the advocate general, at this presidency, on the occasion of stating his opinion on a reference made to him on the subject, having observed, that he thinks it a proper measure for the government to publish throughout the provinces under its authority, the substance of the statute, 51 Geo. 3. cap. 23, passed on the 14th May 1811, for rendering more effectual an Act made in the forty-seventh year of his Majesty's reign, intitled "An Act for the Abolition of the Slave Trade," which in the opinion of the advocate general, applies in all its consequences and penalties to all persons residing within the King's or Company's territories, including therefore the native subjects of their government, I am directed, by the Honourable the Governor in council, to state his request to be favoured with the directions of the Right honourable the Governor General in council, as to the propriety of giving full effect to the statute, and the manner in which it shall be made public.

See the separate papers.

I have, Sir, the honour to be, Sir,
(signed) W. Thackeray, Chief Secy to Govt.

Fort St. George, 11th August 1812.

Extract, Fort St. George Judicial Consultations, 11th September 1812.
Read the following Letter from the Magistrate, Zillah, North Malabar, to the Chief Secretary to Government.

Sir:—I have the honour to make the following Report, for the information and orders of the Honourable the Governor in Council relative to five slaves, four boys and a girl, landed from the grab ship Kadry, owner, Chowakhara Cunhy Pachy, lately arrived at this port from Mocha.

The first intimation I received of this occurrence, was brought to me on Tuesday evening the 1st instant, by Dadushaw Cursetjee, a native of Bombay, but at present an inhabitant of this town, who presented a petition to the same purport last year; he had been desired by his employer, the rajah of Coorg, to endeavour to procure for him a lion and five Abyssyklas (native of Abissinia) that he accordingly sent an agent over to Mocha, who returned and brought a lioness and two Arab boys.

In consequence of this information, I ordered the cutwal and one of the court officers to go on board this vessel, and ascertain what other slaves there were on board, and to bring the nokadar on shore; I also summoned Chowakhara Cunhy Pachy, the owner of the vessel, and Shaik Dowd, the agent employed by Dadushaw in the purchase of these children.

They

Port St. George.
Papers.
State of Slavery
in Company's
Territories.

They all appeared, and were examined; Chowakhara Cunhy Pachy denied all participation in, or even knowledge of the transaction; Shaik Doud acknowledged he had purchased two Abbarry slaves for 84 dollars; that it was a common traffic at Mocha, and that besides his two, three others had arrived by the same opportunity, viz. two the property of a Calicut merchant, named Aman Ulla, and the other of the ships Malima Assen; an order was immediately issued to Amanulla, and the ships Malima Assen, to appear before me with the children in question.

They all came, and were, together with noikadar, examined; Sayed Sidago, the noikadar, native of Malabar, after some prevarication, acknowledged that five slaves had been put on board his vessel at Mocha, and been landed at this port, that two of them were the property of Dadushaw Cursitjee, two of Amanulla, a Calicut merchant; and the other, of the ship's Maluna. He acknowledged, Dadushaw Cursitjee had paid him 25 dollars for the freight of the lioness and slaves, and the Calicut merchant, 10 dollars; he said also, that great numbers were brought from Abshek (Abissinia) to Mocha for sale; that while there, two of the Xeriff of Juddas vessels had arrived with a number of children, male and female, and had sailed for Bengal.

Amanulla stated, that he was a merchant, left Calicut seven months in an Arab vessel, and returned a passenger in the Great Kadry, that he had brought with him two slaves whom he had purchased at Hoodda, in Arabia, for 110 dollars; did not know of whom he had made the purchase, or their country, all he knows was, they had come from a distant country, and spoke the Abshik dialect; he acknowledged, he did not acquaint the custom-house officer when he landed them. Malima Assen acknowledged, he purchased a boy of an Arab of Mocha, for 25 dollars, but does not know the Arab's name, nor the boy's country; that he spoke the Abshik dialect; that the traffic is very common; acknowledged he did not acquaint the custom-house officer when he brought the boy on shore.

The collector of customs having informed me some months ago, that he would send orders to the custom-house officers to afford every assistance in putting a period to traffic so contrary to law, I sent for the custom-house officer, who said that the slaves had been landed without his orders, or even knowledge, and that he only had heard of two having been brought on shore, viz. those belonging to Dadushaw Cursitjee, which person had, on Monday evening, 31st ultimo, gone to him, and offered to send them on board again if he wished.

The cutwal and court officer whom I had deputed to search the grab returned, and reported that there was one little Arab boy there, but that he was not a slave; that he had been sent on board by his parents.

Although there is no positive regulation against the importation of slaves from Arabia, or elsewhere, yet it is well understood by the natives of this coast that the traffic is prohibited. Dadushaw Cursitjee and Chowakhara Cunhy Pachy appear to have been particularly culpable; the former in giving his agent such a commission, and the latter in not cautioning his people against receiving slaves on board his vessel.

They were both, as were indeed all the merchants, apprized by me, before the sailing of this vessel to Arabia, of the recent very strong and positive Act of Parliament against this traffic, (an abstract of which was published in the Bombay Courier of the 28th December 1811,) as they were also in this court during the inquiry relative to the children imported from Travancore.

The provincial court of circuit having objected, on a former occasion, to proceed to the trial of persons accused of nearly a similar crime, though attended with more aggravating circumstances, and even since the receipt of the orders of government, directing that these persons shall be brought to trial, having repeated their opinion, that under the exposition of the Mohammedan law by the law officer, the attendance of the parents or relations of those children was indispensable; I have refrained from proceeding further than to call upon the persons concerned to find bail for their appearance until the receipt of an answer to this reference. I have also to request I may receive the orders of the Honourable the Governor in Council, in regard to the disposal of the five slaves.

I have the honour to be, &c. &c.
(signed) J. H. Baker, Magistrate, Provincial Court of Circuit,
(L.S.) Western Division,
Tellicherry, 3d Sept. 1812.

Fort St. George
Papers
State of Slavery
in Company's
Territories

To the Magistrate in the Zillah of North Malabar
Pursuant to an order of this court, you will herewith receive an extract from the proceedings under this date, for your information, given under my hand, and the seal of the court, this 17th day of August, anno Domini 1812.

(signed) J. Smee, Second Judge for the Register
Extract from the proceedings of the Provincial Court of Circuit in Western Division, under date the 17th August, anno Domini 1812.

Reperused the communication received from the magistrate, North Malabar, on the 12th instant, reporting the orders of the Honourable the Governor in Council, to have brought for trial the prisoners in Case XV. on the calendar of the first quarter sessions of the current year, for having received, disguised, and secreted nine free-born children, natives of Travancore, knowing them to have been stolen, all of whom the magistrate reports to have forwarded in February last to the resident in Travancore, for the purpose of being restored to their families.

The magistrate therefore requests to be informed, whether in the opinion of the judges of the court of circuit, the presence of those children with their parents or relations, is now indispensable.

The court having referred to the proceedings of the judge who presided at the first sessions of this year, it appears the magistrate was informed, under date the 22d of January 1812, that the law officer objected to the legality of the circular being appointed to prosecute the prisoners in Case XV. on the calendar of the charges before alluded to, whilst the parents or relations of the nine non-adults were existing.

Under this exposition of the Mohammedan law, the judges of the court of circuit are of opinion, that the magistrate should concert measures with the resident in Travancore, to procure the attendance of the nine non-adults, with their respective parents or relations, at the fourth quarterly session, which will be held in October next.

(A true extract) (signed) J. Smee, Second Judge for the Register.
(True copy.) J. H. Baber, Magistrate.

The following draft of a reply is read and approved.

To the Judge and Magistrate, Zillah, North Malabar
Sir, I am directed to acknowledge the receipt of your letter, dated the 3d instant, and to inform you, that the Honourable the Governor in Council desires that you will proceed according to law, against the persons concerned in the importation of five slaves from Mocha.

On reference to the inclosed extract from the proceedings of the Fouzdawee Adawlut, dated the 10th June 1812, you will observe, that the hakim is competent to prosecute the persons accused of receiving, disguising and secreting the nine free-born children, natives of Travancore.

I am, &c. (signed) W. Thackeray, Chief Secretary to Government.

Fort St. George, 11th Sept. 1812.
Extract, Fort St. George Judicial Consultations, the 30th October, 1812.

Read the following letter from the Secretary to the Government at Fort William
To W. Thackeray, Esq. Chief Secretary to Government at Fort St. George.

Sir, I am directed by the Right honourable the Governor General in Council to acknowledge the receipt of your letter of the 11th ultimo.

2.—The exact nature of the traffic in slaves mentioned by you to be carried on from Travancore, not being stated in your letter, the Governor General in council is of course precluded, from forming a judgment, whether that traffic falls within the purview of the Act of the 51 Geo. 3. c. 23. intituled, "An Act for rendering more effectual an Act made in the forty-seventh year of His Majesty's reign, intituled, An Act for the Abolition of the Slave Trade;" with respect, therefore, to that particular

Fort St. George
- Papers to
State of Slavery
in Company's
Territories.

point, his Lordship in council can only observe, that he does not consider the provisions of the Act in question applicable to the importation or removal of slaves by land. It having been deemed proper, however, to consider maturely the course of measures which should be pursued by the local governments of this country, with respect to the above-mentioned statute, the following is the purport of the resolutions adopted by the Governor General in council on that subject.

3.—The provisions of the Act being highly penal in their operation, and its object highly important, the Governor General in council has considered it proper to order a copy of it to be published in the Calcutta Gazette, for general information.

4.—In like manner his Lordship in council has directed copies of the Act to be forwarded to the local governments of Bombay, Java, of Prince of Wales Island, of Mauritius, of Ceylon, and to the residents at the Moluccas, and at Fort Marlborough.

5.—On the same principle, copies of the statutes will be forwarded to the magistrates of Chittagong and Cuttack (the only seaports, excepting Calcutta, in Bengal) in order, that in their capacity of justices of the peace under the law of England, they may aid in enforcing the provisions of the statute.

6.—The Governor in council at Fort St. George is aware, that a regulation was some time ago passed at this presidency, for preventing the importation of slaves from foreign countries; inquiries will be made, with the view of ascertaining whether the provisions of that regulation have been effectual in preventing that species of traffic; if not, a further regulation will be passed without loss of time, establishing severer penalties for the infringement of the prohibition now existing under the regulation above noticed, of the importation of slaves from foreign countries, in conformity to the spirit of the statute to which the foregoing remarks allude. In like manner, the Governor General in council begs leave to recommend, that a regulation be passed at Fort St. George, for preventing the importation of slaves by land into the territories subject to that presidency, under such penalties as the Governor in council may deem fully adequate to the prevention of that traffic.

7.—The foregoing remarks, it is presumed, will inform the Governor in council sufficiently of the construction annexed by the Governor General in council to the Act of the 51st Geo. 3, c. 23, and of the measures which it has been judged necessary to adopt at this presidency. It is scarcely necessary to add, that his Lordship in council is of opinion, that similar measures should be adopted by the government of Fort St. George, with such modifications, as local circumstances may suggest, without, of course, departing from the principle on which the measures above detailed are founded.

I have, &c. (signed) G. Dowdeswell, Secretary to Government.

Fort William, 20th September, 1812.

A. S.—Inclosed, you will receive twenty copies of the above mentioned statute. Ordered, in consequence, that a letter of the following tenor be dispatched to the Advocate General.

To the Advocate General.
Sir:—I am directed to transmit to you the accompanying printed copy of the Slave Trade Felony Act, with copy of a letter on the subject from the Secretary to the government at Fort William, and to request, that you will state what measures it may appear to you incumbent on the Governor in council to adopt, in consequence of the provisions of the statute, and the orders of the supreme government.

I am, &c. (signed) D. Hill, Secretary to Government.

Fort St. George, 30th Oct, 1812.
Extract, Fort St. George Judicial Consultations, 20th November, 1812.

Read the following letters from the Advocate General to the Secretary to Government in the Judicial Department:—

Sir:—I have received your letter, dated the 30th ultimo: the statute 51 Geo. 3, c. 23, expressly extends to all persons residing within the Company's territories, against all of whom the penalties of felony are enacted for bringing slaves into these territories;

Fort St. George
Papers
State of Slavery
in Company's
Territories

territories; if therefore the courts of judicature here had led the provincial courts to notice, and act upon, British statutes, (as they are bound to do, in strictness of law, when these statutes apply to them), and if the natives had also been accustomed to look to the British Parliament for legislation, nothing would be requisite to be done by any local authority, the law being already in force.

But as the provincial courts and the suitors are accustomed to laws published by the authority of this government, I think it will be advisable and proper, for the sake of uniformity, to publish this also, either stating it to be the promulgation of a law already in force by the authority of the King in Parliament, or merely enacting the same provisions, in the form of a regulation of the government, which by the same authority of the legislature, has already been invested with the power of framing regulations for the guidance of the provincial courts.

As the Governor General in council has declared, that the statute only extends to the importation of slaves by sea, and as the objection equally applies to the introduction of slaves by land, and ought to be guarded against by similar precautions, I humbly advise, that a regulation to the same effect, in other respects applicable to the introduction of slaves by land, be published with the former, or if the purport of the statute is published here, as a regulation of this government, in the same form with other regulations, the regulation may at once be extended to all introduction of slaves, by land or sea, which I should think the more advisable shape to give to it.

I am, &c.
Fort St. George, 5th Nov. 1812.

To the Secretary to Government, in the Judicial Department.

Sir:—Since I addressed you on the 3th instant, on the subject of the Slave Trade Felony Act, my attention has been called to it by noticing the address of the Recorder of Bombay to the grand jury, as published in the Government Gazette here on the 29th ultimo. I have not ascertained its authority, that being immaterial to the present object.

See the Bombay
Papers. See also
Madras Govern-
ment Gazette,
29th October 1812.

There seems to me to be no doubt of the correctness of the observations contained in the above publication, that, under strict interpretation of the statute of 1811, the commander of an Arab or other foreign Asiatic vessel carrying slaves for sale, or even only navigating partly by the slaves of the owner or commander, and entering any British port in India, becomes liable to the penalties of felony; but the consequences of the same interpretation would go much further, for although the legislature has expressly provided (s. 4.), that the Act shall not extend to the removal of slaves from one British settlement to another, in the West Indies, no such exemption from punishment is allowed to the same conduct in the East Indies; accordingly, the temporary removal of a native with his family and slaves, in the ordinary course of business, from Bombay to the coast of Malabar, from either of these places to Ceylon, from Ceylon to the coast of Coromandel, or from hence to Bengal or Penang, would incur the penalties of felony. It may even be questioned, whether the importation of a slave at one port (as Masulipatam) of the same territory, from another port of which (as Madras) he has been brought, is not felony within the Act; and it seems clear, that if a merchant of Malabar goes over to the opposite island, or if a Chilian of the coast of Coromandel pursues the accustomed traffic to Achin and Pegu, in a vessel navigated by his slaves, his return with them to the British territories, to be therein dealt with as slaves, is felony under the letter of the statute.

If the importation of slaves by land shall be made liable to the same penalties as the importation by sea, which I had in my former report recommended, the consequences of the above interpretation of the statute will include, in the penalties of felony, every native, who, travelling with his family and slaves, shall enter the British territories; the position of these territories render this peculiarly inconvenient. Until the assumption of the Carnatic in the year 1801, almost every native inhabitant of Madras was in the habit of spending a part of his time in almost every year in the nabob's territories, I presume, that a similar intercourse must exist between the natives of the British dominions and the neighbouring allies upon every side, some parts of our possessions are surrounded by allied states, while other states are inclosed within the British, and a considerable portion of the traffic of the East has always been carried on by merchants travelling from one country to another with their goods, and with their attendants and slaves, to take care of those goods.

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

goods. To make this felony would be inconsistent with every principle that has hitherto regulated the legislation in the East, the basis of which is to preserve and support the existing usages.

In considering the Act, it is impossible to mistake the origin of the omission to adapt its provisions to the circumstances existing in India ; the whole purview of the Act points out the trade in African slaves to the West Indies, as the evil intended to be remedied, and apparently more for the sake of uniformity and of principle, than to remedy any existing evil ; the general clause of prohibition and penalty has been made to include the territories of the East India Company. But the precautions against the importation of slaves are calculated only for islands, and in the exception in favour of removals of slaves from one settlement to another, the East Indies and all other places, except the West India islands, are wholly overlooked.

The object of the legislature in the Act is not to interfere with the existing rights of masters over their slaves, but merely to destroy the inhuman traffic in the procurement of new slaves, and as that, like all other traffic, depends upon the market open to the dealers, the evident design of the legislature, in establishing severe penalties upon the importation of new slaves, is, that of preventing all temptation to the traffic, by leaving no market open for it.

The imperfections in the statute cannot be remedied by any act of the governments in India ; so far as the Act is to be applied by the King's courts, or to operate by its own force ; but where the intervention of the local authority becomes requisite from its general legislative power to promulgate the intentions of the supreme legislature, it appears to me, that the local government will discharge its duty more correctly, by rectifying the mistakes which the legislature has evidently fallen into, whether from inadvertence, or from not being acquainted with local circumstances, than by enforcing the letter of the statute in particulars inconsistent with its general spirit.

Under this opinion, I advised, in my former report, that the introduction of slaves by land should be expressly prohibited under the same penalties which apply to their importation by sea ; it is manifest, that if their importation by land were permitted in India, the whole act would be nugatory here, being liable to evasion by the simple expedient of landing the slaves first in a neighbouring state ; and in the only instance of this traffic which has come to my knowledge, (by the late reports of the judge and magistrate in North Malabar), it might continue to be carried on with impunity, the slaves having been introduced into Malabar from the adjoining country of Travancore, where they were procured. I can have no doubt in also recommending, that in any regulation which the government may issue on the subject, the exception contained in the fourth clause of the statute, in favour of the removal of slaves from one British settlement in the West Indies to another, may be extended to similar removal from any one to any other place, in the same, or in any other settlement or possession of the King, or of the East India Company, within the Company's exclusive limits of trade ; this exemption should include all removals and bringing back of slaves, whether direct and immediate, or after touching or staying at any intermediate foreign places, so as such slaves had before been slaves in the British territories.

I also think it will be proper to restrict the penalty to the introduction of new slaves procured for that purpose, or introduced for the purpose of sale ; in framing a regulation for this purpose, there will be danger of leaving means of evading the law, which may be guarded against ; perhaps a provision may be framed, at once sufficiently comprehensive and sufficiently precise, by excepting from the penalties of the Act, all persons who, not being subjects of the British possessions, shall enter the British territories with slaves not intended to be sold, assigned or transferred therein, and who shall not sell nor offer for sale, such slaves, while they remain in these territories, declaring any subsequent sale, transfer or assignment in the said territories, of slaves so introduced, to be conclusive proof of their having been brought for that purpose.

These suggestions here occurred to me on the subject, but it is probable that other suggestions may occur to other gentlemen better acquainted with the usages and traffic of the interior provinces.

I am, &c.

(signed) Alex Anstruther, Advocate General.

Fort St. George, 17th Nov. 1812.

Ordered, in consequence, that a letter of the following tenor be dispatched to the secretary to government at Bengal.

To George Dowdeswell, Esq. Secretary to Government, Fort William.

Fort St. Geo.
Papers:
State of Slave
in Company
Territories.

Sir:—I am directed to acknowledge the receipt of your letter of the 26th of September last, and to state that, as the slave trade felony act was of course to constitute the ground work of the proposed regulation for preventing the importation of slaves into the territories subject to this government, the Honourable the Governor in council deemed it expedient to take the opinion of the advocate general with regard to the provisions which such a regulation ought to contain.

2.—It was originally the intention of the Governor in council to have caused a regulation for this presidency to be framed, in conformity to the sentiments which might be expressed by the advocate general in his reply to the reference made to him on the subject; but in consideration of the necessity of promulgating the statute 51 Geo. III. c. 23, throughout this country in the accustomed manner, and the expediency of modifying certain of its provisions, being common to all the governments of the East India Company, it has seemed to the Governor in council to be more correct to furnish the supreme government with copies of the two reports which the advocate general has submitted, to the end, that should the Governor General in council concur in the opinions therein stated, a general regulation for India may be framed, and hereafter incorporated in the separate code for this presidency.

3.—I am accordingly directed to transmit you the accompanying copies of those reports, and to express the request of the Governor in council, to be furnished with the further instructions of the supreme government.

I have, &c.

(signed) D. Hill, Sec^r to Gov^r.

Fort St. George, 20th November 1812.

Extract, Fort St. George Judicial Consultations, 26th January 1813.

Read the following letters from the chief secretary to government at Fort William, and from the magistrate in Zillah, North Malabar:—

To W. Thackeray, Chief Secretary to Government, at Fort St. George.

Sir:—In the letter which I addressed you on the 26th September last, respecting the trade in slaves, I had the honour to observe as follows;—"Inquiries will be made with the view of ascertaining whether the provisions of that regulation have been effectual in preventing that species of traffic; if not, a further regulation will be passed without loss of time, establishing severer penalties for the infringement of the prohibition now existing under the regulation above noticed, of the importation of slaves from foreign countries, in conformity to the spirit of the statute to which the foregoing remarks allude."

2.—I am now directed to transmit to you, for the purpose of being laid before the Honourable the Governor in council, the inclosed copy of a letter from the Provincial Court for the division of Bareilly, and of the magistrates in that division, which are mentioned to accompany it.

3.—In my letter of the above date, the Governor General in council has already expressed his opinion, that the provisions of the Act passed in the 51st year of his Majesty's reign, c. 23, can only be considered applicable to the importation and removal of slaves by sea; from the documents above noticed, it appears that the rules contained in Regulation X, 1811, have proved fully effectual in preventing the importation of slaves by land, into the territories immediately dependent on this presidency. The Governor General in council, in consequence begs leave to recommend that a regulation, corresponding in substance with the provisions of Regulation X; 1811, of the Bengal Code, be passed, with a view to the accomplishment of the same important object at Fort St. George. The provisions of the Act of Parliament will effectually restrain the importation of slaves into the British territories generally by sea.

4.—In offering these suggestions and observations, the Governor General in council is fully aware, that the provisions of that Act are subject to considerable difficulties in their application to this country. It can scarcely, however, be necessary to observe, that no legal means can be adopted by the authorities in this country, for dispensing with the observance of them. It is the intention of his Lordship in council, to draw the attention of the Honourable the Court of Directors to the subject, by the first convenient opportunity.

I have the honour to be, &c.

(signed) G. Dowdeswell, Chief Sec. to Gov^r;

Fort William, 19th December 1812.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(Copies.)—To George Dowdeswell, Esq. Chief Secretary to Government,
Judicial Department, Fort William.

Sir:—Immediately on receipt of your letter, dated 26th September last, desiring us to ascertain, and report whether the provisions of Regulation X, 1811, have proved effectual in preventing the importation of slaves from foreign countries into the districts included within the limits of our jurisdiction, we transmitted a copy to each magistrate in this division, with instructions to furnish the information required, as soon as possible.

2.—We have now the honour to submit attested copies of the answers received from eight out of the nine magistrates under our authority, from which it will be evident to government, that since the promulgation of the Regulation above specified, the traffic in slaves imported from foreign countries, is almost, if not entirely, suppressed in the districts of Bareilly, Maradabad, Cawnpore, Furruckabad, Etawah, Agra, Allyghur and Saharunpore South.

3.—What may be the case in Saharunpore North, whether the importation and sale of slaves there continues as formerly or otherwise, we have no means of judging; we only know by an application from the magistrate, dated 5th October last, that he was then doubtful whether Regulation X, 1811, was meant to be extended to these provinces. In our answer to that application, we gave our opinion in the affirmative, but recommended it to Mr. Grindall, to consult the Nizamut Adawlut, that being the only court competent to give a decisive interpretation of the Regulations. A few days after the dispatch of that answer your letter arrived, and was communicated to Mr. Grindall, in the manner already stated; but we have not yet received his report, and under the circumstances just mentioned, we thought it unnecessary to await the receipt of it, before we submitted the favourable reports from the other magistrates.

We have, &c.

(signed) *F. Hawkins, A. Ross*, Officiating Judges.

Bareilly Court of Circuit, 4th Dec. 1812.

To Francis Hawkins, Robert Ker, and A. Ross, Esq's. Officiating Judges of the
Circuit for the Division of Bareilly.

Gentlemen:—I have the honour to acknowledge the receipt of your letter, dated the 20th instant, and to acquaint you, that I have every reason to believe, that the importation of slaves into this district has been entirely checked since the promulgation of Regulation X, of 1811.

2.—There are, however, at present an immense number of people in the city and its vicinity, who have come from the westward on account of the famine, and I understand that they dispose of their children, though the pretence is, that they give them away from inability to support them.

I have the honour to be, &c.

Zillah Furruckabad, 23d Oct. 1812. (signed) *C. Elliot*, Magistrate.

(A true copy.) (signed) *S. T. Cuthbert*, Register.

To Francis Hawkins, Robert Ker, and Alexander Ross, Esq's. Officiating Judges
of the Court of Circuit for the Division of Bareilly.

Gentlemen,—In reply to your letter of the 20th, annexing copy of a letter from Mr. Secretary Dowdeswell, I have the honour to inform you, that the provisions laid down in Regulation X, 1811, have had a very good effect in preventing the importation and sale of slaves in this district; in fact, since the issuing of the proclamation required by Mr. Thomas Brooke's letter of the 23d March 1811, on which some children were sent in by the police officers, and sent by me through the magistrate of Moradabad back to their parents, and receipts granted for them, nothing of the kind has recurred since that period, the traffic has stopped in this district, and as the police officers have received the strictest orders on the subject, I hope it will be totally put an end to.

I have the honour to be, &c.

(signed) *Hugh Wilkinson*, Magistrate.

(A true copy.) (signed) *S. T. Cuthbert*, Register.

Zillah Seharunpore, S. D. Meerut, 24th Oct. 1812.

To F. Hawkins, R. Ker, and A. Ross, Esqrs. Officiating Judges of the Court of Circuit for the Division of Bareilly,

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Gentlemen,—I have the honour to acknowledge the receipt of your senior judge's letter of the 20th instant, giving cover to a copy of Mr. Secretary Dowdeswell's letter relative to the importation of slaves.

I have every reason to believe that the provisions of Regulation X, 1811, have been effectual in preventing the importation of slaves from foreign countries into this district.

I have the honour to be, &c.

(signed) R. Turner, Magistrate.

Zillah Agra, 26th October 1812.

(A true copy.) (signed) S. T. Cuthbert, Register.

To F. Hawkins, Y. Burges, and R. Ker, Esqrs. Judges of the Court of Circuit, Bareilly.

Gentlemen,—In order to obtain as much information as possible upon the subject of your letter of the 20th instant, I addressed the Register of Deeds to ascertain, whether any deeds of sale of slaves had been registered by him subsequently to the promulgation of Regulation X, of 1811, a copy of my letter, and of the Register's reply, I have the honour to inclose for the information of the court, and to add, that since my succession to the duties of this office, I am not aware that any circumstance has been brought before me, which has induced me to suppose that the provisions contained in Regulation X, of 1811, have not been productive of the required object.

I have the honour to be, &c.

(signed) John Ryley, Officiating Magistrate.

(A true copy.) (signed) S. T. Cuthbert, Register.

Zillah Cawnpore, Fouzdarry Adawlut, Bittoor, 28th Oct. 1812.

To W. H. Tippet, Esq. Register of Deeds, &c. Bittoor.

Sir:—Conceiving that a reference to the Records of Registry under your charge, will enable you to furnish me with some information regarding the sale of slaves as required by the court of circuit for the information of government, in a letter of which the inclosed is a copy; I have to request, you will inform me, whether since the promulgation of Regulation X, of 1811, deeds of any such description have been registered by you, or presented for that purpose, and to what extent.

I have the honour to be, &c.

(signed) John Ryley, Officiating Magistrate.

(A true copy.) (signed) S. T. Cuthbert, Register.

Zillah Cawnpore, Bittoor, 23d Oct. 1812.

To John Riley, Esq. Acting Magistrate of the Zillah Cawnpore.

Sir:—I have the honour to acknowledge the receipt of your letter of this date, with its inclosure, and in reply, to inform you, that no deed of the description alluded to by you, has been registered in my office, or presented for that purpose, since the promulgation of Regulation X. 1811.

I have, &c.

(signed) W. H. Tippet, Register of Deeds.

(True copies.) (signed) John Ryley, Officiating Magistrate.

(True copy.) (signed) S. T. Cuthbert, Register.

Zillah Cawnpore, Bittoor, October 1812.

To F. Hawkins, Y. Burges, R. Ker, and A. Ross, Esqrs. Officiating Judges of the Provincial Court of Circuit of the Division of Bareilly.

Gentlemen:—I have the honour to acknowledge the receipt of your letter of the 20th ultimo, relative to the efficiency of the provisions of Regulation X, 1811, in preventing the importation of slaves from foreign countries.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

This traffic has, I believe, suffered a very material check since the promulgation of the regulation, inasmuch as children are no longer brought down from the hills and publicly exposed for sale, as formerly within this district, but children are still sold within the Company's provinces, by subjects of the British government; nor does the regulation contain any prohibition of such sale; parents, prevented by poverty from rearing a large family, will dispose of their children to an advantage when offered, rather than allow them to starve; the feelings of nature will confine this traffic to cases of necessity only, and will act more forcibly than any legal prohibition in preventing abuse; it may be much doubted, indeed, whether the condition of children imported from the hills, was not in most cases much ameliorated by such importation.

I have the honour to be, &c.

(signed) *H. Dumbleton*, Magistrate.

(A true copy.) (signed) *St. T. Cuthbert*, Register.

Zillah Bareilly, 10th November 1812.

To F. Hawkins, R. Ker, and A. Ross, Esqrs. Judges of the Court
of Circuit for the Division of Bareilly.

Gentlemen:—I have the honour to acquaint you, in reply to your letter of the 20th ultimo, that I have not heard of any importation of slaves into this district since the promulgation of Regulation X, of 1811.

The suppression of the trade is to be attributed partly to the penalties enacted against it by the regulation above quoted, and partly to the measures, which I am told, the Nypal government has lately adopted, with a view to check the commerce within its own territories; for however clamorous the officers of that government have been lately against the slave trade, and however much they have endeavoured to impress us with the belief, that the traffic was carried on clandestinely, and without their sanction, there can be but little doubt that they were once deeply concerned in it.

In support of this opinion, I beg to submit the examination of a woman who was sold into slavery by one of Beem Sah's revenue officers, in the beginning of last year, and shortly after I had issued, at the request of Mr. Brooke, the late agent of the Governor General, at Bareilly, a proclamation, prohibiting the importation of slaves into this district.

I am, &c.

(signed) *G. Oswald*, Magistrate.

(A true copy.) (signed) *S. T. Cuthbert*, Register.

Zillah Moradabad, 14th November 1812.

To F. Hawkins, R. Ker, and A. Ross, Esqrs. Officiating Judges of
the Court of Circuit, for the Division of Bareilly.

Gentlemen:—I have the honour to acknowledge the receipt of your letter and of its inclosure of the 20th ultimo, and in obedience to the orders contained therein, beg leave to acquaint you, that I have every reason to believe, that the offence of importing slaves does not exist in this district.

I have the honour to be, &c.

(signed) *T. Perry*, Magistrate.

Koodurcote, Zillah Etawah, 18th November 1812.

To F. Hawkins and Alexander Ross, Esqrs. Judges of the Court of
Circuit for the Division of Bareilly.

Gentlemen:—In reply to your letter of the 20th ultimo, I beg leave to report, that from every information which I have been able to collect upon the subject of it, it does appear that the practice of importing slaves from foreign territories into this district has ever been usual, or that an instance of the kind has ever occurred.

I have the honour to be, &c.

(signed) *J. Majoribanks*, Acting Magistrate.

(A true copy.) (signed) *S. T. Cuthbert*, Register,

Judicial Department, 19th December 1812.

(True copies.) (signed) *G. Dowdeswell*, Chief Sec^y to Gov^l.

Zillah Ally Gurh Coel, 20th November 1812.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Vol. 3. p. 49.

MINUTE.—The Board will give orders on the subject of the foregoing letters, when a reply to the further reference which has been made to Bengal shall have been received.

From Mr. Baber to the Chief Secretary to Government.

Sir:—I have now the honour to report my further proceedings in the investigation of the traffic in free-born persons and bondsmen, which has for some time past prevailed in this province.

2.—In my letter, dated 29th February 1812, I reported the origin of this investigation, and the number of unfortunate persons I had restored to liberty and their country; I also therein reported the obstacles that had prevented my liberating the whole, and my bringing the persons who had committed these enormities to punishment.

3.—The Honourable the Governor in council will have observed, from the 39th paragraph, the concluding part of the 94th paragraph of that report, and the accompaniment, marked F. 2, 4, viz. my return to the Provincial Court's precept, dated the 27th December 1811, that I expected a perseverance in the researches would lead to the discovery of many other persons who had also been imported into Malabar, under similar violence.

4.—In that expectation I have not been disappointed; out of eighty-five persons, for the most part natives of Travancore, were brought before me, forty-three of them had been carried out of their country by the same cruel methods, and those who were free-born, disfigured and polluted, in the same manner as noticed in the 5th paragraph of the report above alluded to; all these have, I am happy in saying, been restored to liberty, and sent to their respective countries.

5.—The persons on whom they were found were Mopillas, and accounted for the manner in which they had come by them in a variety of ways; some said they had themselves brought them from Travancore; others that they had been sent from that country by their agents; others, that they had been brought and left with them, but all acknowledged they were aware of the illegality of receiving and treating as slaves, free-born persons; and when I pointed out to them the cruelty and injury done to these unfortunate people, and the punishment principals and accessaries were liable to by the British laws, they all offered to give me any security I required of them, that they never would again be concerned in similar practices, and entreated me to address government in their behalf.

6.—And on the 22d March, a petition was presented to me by the most respectable of these Mopillas, in their own and in behalf of the rest, wherein they pleaded their ignorance of these children having been stolen, adding, that it was equally their wish as mine, that they should be set free, and many other professions which shewed they were thoroughly sensible of the crime they had committed.

7.—While these proceedings were going on, the rebellion broke out in Wynaad, which unavoidably put a temporary stop to them; I took, however, the earliest opportunity my other avocations would allow, after my return to Malabar, to resume that investigation; this was not until June, on the 11th of which month I received the orders of government, dated 29th May, honouring with their approbation the inquiries and measures reported in my letter dated 29th February, directing me to continue my inquiries respecting the twelve slaves said to have been stolen, and brought to Mr. Brown's plantation, and any others I might have occasion to suspect were stolen, and forwarding for my information two letters from the advocate general, containing his opinion as to the applicability of the Acts for the abolition of the slave trade, to Mr. Murdock Brown.

8.—In consequence of these orders, I issued, in my capacity, as justice of the peace, an order to Mr. Brown, to account for the manner in which he had come by the twelve persons, and the others who had declared they had been stolen and forcibly carried to his plantation, on the ground of his assertions in his letter, dated 4th January, that he was perfectly ready to support his right to them, as soon as his property in them was impeached.

9.—And on the same day I wrote to him, advising him of the receipt of these orders of government, and after referring him to my requisitions, dated 27th December and 3d January last, wherein I called upon him in the most earnest manner to afford me every information in his power, relative to the manner in which he had come into the possession of these persons; I, in particular, desired him to mention the individuals who had supplied him with them, to the end that I might bring

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Fort St. George
Papers:
State of Slavery
in Company's
Territories.

the guilty to punishment; and further, that I was ready to receive any evidence or documents in support of any claims he might have upon these persons.

10.—The above regulations I sent by the hands of a court delayat, with an order to the commissioner of that part of the country to go, accompanied by the delayat, and after delivering them in person, to demand that the whole of the persons who had deposed they had been stolen, be permitted to appear before me to prosecute that charge; I also sent by two Peons, a summons to the whole of those people, and furnished them with money to subsist them until their arrival at Tellicherry.

11.—On the 14th June, the order to Mr. Brown was returned, duly signed; and on the same day, I received a return to my order to the commissioner, reporting that Mr. Brown had delivered over to them fifty-two of those persons, including thirteen children; and that of the rest, seven had effected their escape from Mr. Brown on the 6th May; while I was absent in Wynaad, another had died on the 10th Yadawan; another had been sent on some business to the Eastern Forests; three were too ill to come before me, and another was detained to dress the food of the sick; that he had asked Mr. Brown for his documents, and witnesses to prove the manner he had come by these persons, to which he had replied, that he had not stolen them, and that he would produce his proof before the proper tribunal.

12.—I heard nothing from Mr. Brown until the 19th June, when I received a letter dated 18th, wherein, instead of supplying the information required, he resumes his accustomed strain of irrelevant reply, charging me with having, by means of a party of armed Kolkars, forced away his Pooliars and Betwas, and demands a copy of the orders under which this new act of violence, as he terms it, was committed, and also a copy of the paper signed by me, as a justice of the peace.

13.—Not having received any further communication from Mr. Brown, and the whole of the persons persisting in saying they had been kidnapped, and praying they might be sent back to this country, I again, on the 20th June, issued another order to Mr. Brown, telling him, if he did not account for the manner in which these people had come into his possession within six days, they would be returned to their respective countries.

14.—This order was returned on the 22d, with a declaration signed by Mr. Brown, to the purport, that he was persuaded the instrument was not a legal one; that he would take steps for the recovery of the persons I had deprived him of, and protesting in the event of these persons being dispersed before those steps were taken against me, for all losses and damages whatever that had already ensued, and might from that day ensue from such unlawful conduct.

15.—On the following day another letter came from Mr. Brown, inclosing copy of my order, dated the 20th, calling upon me to admit or deny the authenticity of it, and notifying, that he should consider my silence as an admission that the paper was a correct copy.

16.—And on the 25th I received another letter, dated also the 22d, though written in the pay office of Tellicherry, expressed in terms still more indecorous and irritating than his former, accusing me of having, on the 18th December 1811, sent one of the court officers, attended by a numerous guard of armed Kolkars, who, he says, came and drove away his people in the most inhuman manner, exposed them to hunger, inclemency of the weather, treated them like criminals, and after thus suffering for two days, which it might be supposed had rendered them sufficiently pliant, but because they would not say they had been stolen, again threatening them with being flogged if they did not say they had been stolen, in consequence of which they made no difficulty in saying any thing they found most acceptable, notwithstanding they were again detained three days and three nights in the same exposed manner, and thus properly prepared to appear before me, were sent to Tellicherry, when I obtained what I termed affidavits on oath, that they were all stolen; that these people had all of them committed perjury, as he would clearly prove in due time and place, and he thought it more than probable these papers, instead of affidavits, would turn out to be indirect or circumstantial evidence of subornation of perjury; that if his slaves had wished to go away, it was not in his power to prevent them; that all these people would come back if not detained and dispersed by violence, with express orders not to return; and after threatening to prosecute me, concludes with saying, that as these people were part of the persons that he should call upon as evidences to the charge that would be exhibited against me, again protests against their being dispersed or sent any where but to Anjarakandy, where he adds, they would all come if not detained by violence.

17.—The only part of this production I took any notice of was, wherein he said, that

that he was ready to prove his legal acquisition of these people, of his charges against my officers of cruelty and violence, and his assertions, that all these people would, if not detained and dispersed by violence, return to him, and that if they had wished to go away, it was not in his power to prevent them.

18.—On this, I issued a third notice, that I was still ready to receive and examine any evidence or documents he might have to adduce in support of his asserted legal acquisition of these people, provided he did so within two days after the receipt of that notice.

19.—And in another letter, I desired him to send me the names of the evidences, by whom he meant to prove these acts of violence he had charged the court officers with, that I might forthwith proceed to investigate that most serious charge against those officers.

20.—I also called before me in open court, the whole of the persons brought from Anjarakandy, and questioned them on these assertions of Mr. Brown; I encouraged them by every means in my power to tell me if they had received ill treatment from my officers, but they all in the most positive manner acquitted my servants of maltreating them, and denied having told Mr. Brown they had; and in answer to my questions where they wished to go, they all said, to their country.

21.—I further sent for the overseer of Mr. Brown's labourers, in order that he himself might question the whole of these people relative to these assertions of his master, and if he could persuade them to return; that a person came on the 1st July, and said all he could to induce them to return to Anjarakandy. I also gave them the assurance of my protection if they would, but they entreated of me not send them back; and when the overseer questioned, which he did, every one of them, they shewed not the least disposition to return to Anjarakandy, excepting one, who said, the object that attracted him was, a child he had left there.

22.—I then desired the overseers, to take that person to Anjarakandy, and to acquaint Mr. Brown, that so far from any thing like compulsion, he or his people were at full liberty to see and converse with these slaves, and that no obstacle would be opposed to the whole, or as many as they could prevail upon to go back.

23.—In consequence, I again deferred sending them to their country; but hearing nothing further from his overseer, and Mr. Brown still withholding the information I had so repeatedly called upon him for, on the 4th July I sent the whole of these persons, together with the other free-born persons and bondsmen referred to in the fourth paragraph of this report in three parties, each party being accompanied by one Peon, in consequence of their expressing apprehension that they would again fall into the hands of their oppressor, and I provided each Peon with money to pay their expenses until their arrival at their respective homes. I also, on the 7th August, forwarded the three who had remained behind, until they were sufficiently recovered to perform the journey. The instructions I gave these Peons were, that they were to deliver over to the owners those who were subjects of the districts under the Company's authority, and those who were natives of the countries of Cochin and Travancore, to the nearest public functionary, with a letter I furnished them with, and I apprized the political resident, that I had done so.

24.—I ought to have mentioned, that the day previous to their departure, viz. on the 3d July, I received a report from the Mahé darogah of one of the persons (alluded to in the 44th paragraph of my report, dated the 29th February) who had been employed by Mr. Brown in bringing from the southward the twelve persons who had been stolen during the preceding year from the Cochin Rajah's country; having returned and forwarding his deposition, I accordingly had him brought up before me, and examined him relative to these twelve persons.

25.—He deposed, that he had been desired, a little more than a year ago by Mr. Dineur, to go to Chetwai, to bring twelve Pooliars, whom he would find there, for Mr. Brown, and take some one with him; that Mr. Dineur gave him seven rupees to pay the expenses of those persons, and then he and his brother Cunhy Perry went to Chetwai river, the ferryman at which place told him a Margakarin had come to inquire whether any person had come from Mr. Brown; that the Margakarin then came and asked him whether he was Mr. Brown's servant; he said he was; on which he delivered to him twelve persons, whom he received charge of, and passed a receipt for them. But when he and Cunhy Perry set off on their return with them, they all cried much, on which he promised them they should be taken good care of. On their arrival at Mahé, he saw Mr. Dineur, and shewed them to him; they were kept that night in Mr. Dineur's banksaul; Mr. Dineur then gave him one rupee for their expenses, and the next day

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

A.

A. 8.

A. 9.

B. 1.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Mr. Dineur gave him a letter to Mr. Brown, when he and Cunhy Perry took them to Anjarakandy, and there delivered them over to Mr. Brown, who gave him a letter to Mr. Dineur, which letter he delivered; and after giving an account of the manner he had disbursed the money he had received for their expenses, Mr. Dineur paid him, at the rate of one and a quarter fanam, and Cunhy Perry one fanam per day, for their trouble.

26.—Nothing further transpiring until the 12th August, on which day, I received the orders of government, dated 31st July, transmitting for my information copy of an extract from the proceedings of the court of Foujdarry Adawlut, dated 19th June, relative to the case of the three Mahé Mopillas, whom I had committed to take their trial at the first quarter sessions 1812, on the charge of strong suspicion of being privy to the kidnapping nine free-born children, natives of Travancore, disfiguring them by depriving them of their marks of caste; but whom the third judge presiding at the sessions had, for reasons explained in the 55th paragraph of my report, dated 29th February 1812, declined to try, and directing that these three persons be brought to trial.

27.—In the 94th paragraph of my letter, dated the 29th February, I reported that these nine children and eight others, natives of Travancore, had been sent to the resident, that he might cause their restitution to their parents or relations in the same way as he had already done in the instance of the eleven who had been intercepted by the Travancore native officers while being carried out of the country. I therefore lost no time in informing the judges of the Provincial court of the above circumstance, and requested to know whether, in their opinion, the presence of the nine children (found in the possession of the three Mopillas) and their parents or relations, was indispensable.

28.—I was induced to make this reference in consideration of the very great inconvenience, and indeed almost impracticability of causing the appearance of the whole of these people, dispersed as they were over the extensive dominions of Travancore, and because there were numerous former precedents of prosecutions carried on at the suit of government, where the presence of the individuals, the aggrieved party, had been dispensed with by the circuit courts.

29.—On the 18th following, I received their answer, stating that the law officer objected to the legality of the Circar Vakeel being appointed to prosecute the persons, whilst the parents or relations of the nine non-adults were existing, and that under this exposition of the Mahomedan law, they were of opinion I should concert measures with the resident in Travancore to procure the attendance of the nine non-adults, with their respective parents or relations, at the fourth quarterly sessions which would be held in October.

30.—I immediately transmitted copy of this communication to the resident at the court of Travancore, requesting he would be so obliging as to interpose his influence with the Travancore government, in having forwarded to me these nine children, with their respective parents or relations, for the purpose specified in the orders from the Provincial Court of circuit; and I further requested he would return the promanums or deeds of sale which had been produced by Wallapilagata Assen Ally, the principal agent in Travancore in this inhuman traffic, in evidence of his having purchased these nine, and the children I found in Mr. Brown's possession; and further to forward the depositions taken before him or any of the local tribunals of Travancore relative to these documents, having the strongest reasons to doubt their authenticity.

31.—The Peons, who I have mentioned in the 23d paragraph, accompanied the slaves to their respective countries and owners, returned in the month of August with receipts from the proprietors who were subjects of the Honourable Company's territories, and a letter from the head native officer of Travancore and Cochin, acknowledging the delivery of all that were natives of their countries, and gave in a written report of their proceedings. These reports confirm the declarations given by the slaves, that the whole, one excepted, had been kidnapped and carried away forcibly from their countries, and are further corroborated by the writings to my address from all the proprietors; but in the absence of all these proofs, it is undesirable, that from the time Mr. Brown first commenced to import slaves, vast numbers have from time to time absconded, and returned to their old masters, and those that remain are watched by day by chooralahar (persons with canes), and in the night shut up. I am happy to add, that the condition of these slaves has been considerably improved since this inquiry was set on foot, and that they now receive

an additional quantity of food, and four Tellicherry fanams per month, instead of one, their former allowance.

32.—And in regard to the Nair, Tean, and other free-born Hindoo children, natives of Travancore, who have been restored to liberty; the circumstances of their having been found in a state of slavery in different parts of this zillah, deprived of their marks of caste, and associated with and made to eat the food of the Pooliars, are of themselves strong circumstantial evidence of the truth of the assertions made by these unfortunate persons, relative to the cruel methods by which they had been torn from their friends and native country; but, admitting these are exaggerated, which there is not the slightest ground to suppose, the recent decisions passed by the Travancore tribunals, in the trials of Wallapaligata Assen of Mahé, and such other natives of North Malabar as have been overtaken in Travancore, sentencing them to pay a heavy fine, and on failure of payment, to imprisonment and hard labour, from three to twelve years, for the share they respectively had in sending out of Travancore seventeen of the children lately restored to liberty, make it sufficiently manifest that the mere carrying them out of that state is a violation of the laws of that country.

33.—The resident at that court, in his letter to government, dated the 17th February 1812, has reported, that 24 persons had been actually found in the possession of a Frenchman of the name of Valley, at Quilon, confined in irons, for the purpose of being transported as slaves to the French islands; that this had given rise to very great abuses, to the clandestine seizure of children, and other acts of violence, and still continued, notwithstanding two proclamations, one published soon after the war, and another issued about six months before, or about August 1811. In the same letter, he says, many other persons are engaged in the above practice, and that he should soon have to report transactions of the same nature, carried on in Travancore, under the order of Mr. Munlock Brown,

34.—In a letter I have also lately received from the resident, in answer to my reference, dated 18th August, alluded to in the 30th paragraph, he has favoured me with a variety of particulars on this most interesting subject, and amongst other documents, forwarded an original letter from Mr. Murdock Brown, to his address, soliciting the protection of that sircar for his agent, Wallapellagata Assen Ally, the person who sent up the free-born children found in the possession of Mr. Brown, and of the Mahé mopillas, and the children who were intercepted by the Travancore officers, on the ground of his having, as he says, made the purchases after obtaining the permission of the cutwal of Aleppi, of his being a stranger, and therefore entirely ignorant of any guilt that might attach to these transactions, as if, says that distinguished officer, the circumstance of a person being a stranger in a country, and receiving co-operation from an inferior officer of a government, could justify him in committing a most flagrant outrage against its laws, and against the most obvious principles of humanity and justice.

35.—In the same letter he observes, the co-operation of the cutwal, who has since absconded, in the purchase and transportation of the children, and the false pretext which he employed, of having written to me for authority, furnishes no justification whatever, of Assen Ally's proceedings; and again, the circumstance of his having, according to his own statement, written to me for instructions which he never received, and still the more clandestine manner in which the unfortunate slaves were embarked, sufficiently shew, that both he and Assen Ally were entirely aware of the illegality of their proceedings. In another part, he says, "I have every reason to believe, that many of the unfortunate persons purchased by Assen Ally, were procured in the most fraudulent and cruel manner; about the time when he was carrying on his proceedings at Aleppi, I received numerous complaints of the disappearance of children, but all my inquiries at the time could not develop the causes;" and concludes with returning thanks, in the name of many families, for my humble efforts in restoring so many of these unfortunates to their parents and homes.

36.—The judges of the provincial court, on the other hand, when I reported to them, that a considerable number of children, some of the higher caste of Hindoos, for the most part kidnapped, had been recently imported into this zillah, from Travancore, from whence they had been sent by Wallapellagata Assen Ally, part to Mahé, and part to Mr. Brown's plantation, and told them I was desirous of availing myself of their experience and knowledge on this question, and solicited the assistance to these my inquiries, by informing me of the various orders which I knew had

Fort St. George
Papers:
State of Slavery
in Company's
Territories:

B. 3.

Fort St. George's
Papers:
State of Slavery
in Company's
Territories.

had been issued under the high sanction of Marquis Cornwallis, on our first acquisition of Malabar, and by obliging me by the loan of Mr. Duncan's report; not content with refusing these, my most reasonable requests, have declared their opinion, that I had acted totally illegally, in ever having removed these persons from Mr. Brown's premises; and in a report made by them, under date the 17th June, to the Sudder court, pronounced my proceedings as illegal, and harsh, wanton and unnecessary.

37.—While Mr. Brown, in whose possession so many of these unfortunate persons were actually found, whose servant, Assen Ally, has been the principal agent in all this misery to the unoffending Travancorians, a man too, whose conduct has been so frequently impeached, and of whose principles it will be quite enough to say, in his own words, as they are recorded on the Mahé French archives, during the period of the French revolution, "Le Sieur Brown à plus qu'ens rempli les conditions prescrites pour devenir François;" and again, "Mais attachés de cœur et amé à cette même constitution (après les decret constitutionnel) que nous avons juré de maintenir," has been supported by the judges of the provincial court, and encouraged by them in this opposition to my authority.

38.—The subsequent combined atrocious outrage committed on me by Lieutenant Brown, of His Majesty's 80th regiment, Mr. Douglas, the military paymaster, and Mr. Gahagan, the register to the provincial court, has been reported to the government, under date 12th October 1812, it is now therefore only necessary to add, that that transaction, and those which have been since carrying on, are, if possible, still more injurious; they have and are circulating in every European community, the grossest libels against me, which have been received and acted upon in proportion to the rank and influence of the persons who have countenanced Mr. Murdock Brown, the consequence of all which has been, that I am exposed to all the obloquy such proceedings are calculated to produce.

39.—Had I exceeded the bounds of just administration in my proceedings towards Mr. Murdock Brown, Mr. Douglas, and others, whose misconduct it has unhappily been my duty to bring to public notice, the laws were open to them, and no doubt can for a moment be entertained, of their disposition to have appealed to them, had they felt that the integrity of their conduct would have justified them; but to resort to such measures as they have, is such a proof of the nature of their cause, that if it can be imagined, that the government could require any confirmation of the accuracy of my representations, these last proceedings have supplied it.

40.—To return to the immediate subject of this address, I have now to state, that owing to the difficulties the resident in Travancore has, and is likely to experience, in collecting the parents or relations, and their children, and persuading them to come up to Tellicherry, and the objections made by the provincial court to try the persons in whose possession these children were found, without the attendance of the parents and children, I have not been able to bring them to punishment; and even were it possible to get over this difficulty, if the opinion given by the judge of circuit, that the conviction of the persons the magistrate has brought forward is absolutely hopeless, since, even was the fact of the stealth of the children substantiated by legal evidence, it appears impossible to prove that "the persons residing at Mahé could have been privy or accessory to a crime committed in Travancore," is acted upon, it is useless to bring to trial these offenders, who have been receiving and secreting these kidnapped children, or those who I reported, under date the 3d September, had recently imported children, natives of Abyssinia, from Mocha, since they will all be inevitably acquitted; the only alternative therefore left me, will be to discharge the whole of them, on their finding security for their future good behaviour.

41.—But as every consideration of humanity and policy calls for a stop being put to this pernicious traffic, which, so long as it exists, must encourage the vicious part of the community to plunder from the weaker, and in this respect be productive of the most painful sensations to parents, and of distressing loss to proprietors, who have been thus forcibly dispossessed of their children, or the cultivators of their estates, I have taken the liberty to forward herewith, such rules as have suggested themselves to me to be best calculated to arrest the further progress of these enormities, in which I have adhered as closely to the spirit of the Acts of Parliament which have been enacted for the abolition of the slave trade, as the local laws and usages would allow. These suggestions have been incorporated in the draft of
a regulation

a regulation for a more efficient system of police in Malabar, which I forwarded in the mode prescribed by the regulation, through the provincial court, under date the 14th ultimo.

I have the honour, &c.

(signed) T. H. Baber, Magistrate.

Zillah, North Malabar, 9th Jan. 1813.

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

D.

(A. 1.)—Mr. Murdock Brown.

Sir:—Having received the orders of government to continue my inquiries respecting the twelve slaves said to have been recently stolen, and brought to your plantation, and any others who I may have reason to suspect were stolen, I have to call your attention to the purport of my requisitions, dated 27th December and 3d January last.

I am, &c.

(signed) T. H. Baber, Magistrate.

Zillah, North Malabar, 11th June 1812.

(A. 2.)—Mr. Murdock Brown.

Whereas Chaky's son, Ramen - - - - - aged about 22 years,

Aya's son, Cheroocoran - - - - -	d° - - - - -	32
Chaky's son, Ayapen - - - - -	d° - - - - -	18
Chaky's son, Canden - - - - -	d° - - - - -	30
Ramen - - - - -	d° - - - - -	18
Chaky's son, Canden Coran - - - - -	d° - - - - -	25
Chaky's son, Chakhapen - - - - -	d° - - - - -	15
Aya's son, Kai - - - - -	d° - - - - -	25
Neely's son, Ayapen - - - - -	d° - - - - -	30
Neely's son, Changaren - - - - -	d° - - - - -	40
Pony's daughter, Neely - - - - -	d° - - - - -	25
Corutnba's daughter, Aya - - - - -	d° - - - - -	35
Aya's daughter, Neely - - - - -	d° - - - - -	30
Keetha's daughter, Kally - - - - -	d° - - - - -	25
Aya's daughter, Chaky - - - - -	d° - - - - -	30
Kally's daughter, Chaky - - - - -	d° - - - - -	30
Kaza's daughter, Neely - - - - -	d° - - - - -	25
Moondee's daughter, Chaky - - - - -	d° - - - - -	22
Aya's daughter, Chaky - - - - -	d° - - - - -	30
Chaky's daughter, Chaky - - - - -	d° - - - - -	20
Chaky's daughter, Kally - - - - -	d° - - - - -	18
Chaky's daughter, Chaky - - - - -	d° - - - - -	50
Cotha's daughter, Neely - - - - -	d° - - - - -	28
Neely's son, Chaten - - - - -	d° - - - - -	50
Chaten's son, Wallayen - - - - -	d° - - - - -	-
Kally's son, Ayapen - - - - -	d° - - - - -	25
Maily's son, Ayapen - - - - -	d° - - - - -	17
Neely's son, Ramen - - - - -	d° - - - - -	-
Kally's son, Kandy - - - - -	d° - - - - -	16
Kally's son, Chaten - - - - -	d° - - - - -	32
Omallah's son, Koran - - - - -	d° - - - - -	25
Kally's son, Ramen - - - - -	d° - - - - -	30
Chakey's son, Chaten - - - - -	d° - - - - -	35
Aya's son, Karyan - - - - -	d° - - - - -	19
Omalla's son, Chaten - - - - -	d° - - - - -	25
Ponawa's son, Tawan - - - - -	d° - - - - -	35
Towara's daughter, Ilenady - - - - -	d° - - - - -	24
Anema's daughter, Kally - - - - -	d° - - - - -	47
Anandara's daughter, Poonama - - - - -	d° - - - - -	47
Many's daughter, Ilianga - - - - -	d° - - - - -	20
Ponawa's son, Cochatta - - - - -	d° - - - - -	10
Kally's daughter, Corcomba - - - - -	d° - - - - -	10
Chernda's daughter, Arerma - - - - -	d° - - - - -	16
Mada's daughter, Nelly - - - - -	d° - - - - -	27
Omalla's daughter, Omalla - - - - -	d° - - - - -	27

Tellicherry
to wit.
(L. S.)

Fort St. George
Papers
STATE of Slavery
in Company's
Territories.

month of December last made oath before me, that they had been stolen by certain moplas and other natives, banished from their country, and transported against their will to Anjarakandy; and whereas, in your communications, dated 4th January, in answer to the magistrate's requisitions, dated 27th December and 2d January, to produce any evidence or documents you might have to adduce in support of your claims to the aforesaid fifty-two persons, it is set forth that "your right to them you are perfectly prepared to support, as soon as your property in them is impeached," you are therefore hereby ordered to account for the manner in which the afore-mentioned persons came into your possession.

Herein fail not to do the event of the present (signed) T. H. Baber, one of His Majesty's Justices of the peace for the town of Madraspatam and its dependencies, Tellicherry, 11th June 1812.
(signed) M. Brown, Owner of the Rhandaterra Plantation.

To T. H. Baber, Esq. Judge and Magistrate of (A)

Sir:—I have to report to you the death of a man named Koran, who came from Anjarakandy a few days ago. I am of opinion, that he died in consequence of the bursting of a blood vessel in his stomach, as he vomited a large quantity of blood two or three times, and died suddenly. He had no previous indisposition except a disease of the ankle, which, from its appearance, I should imagine to have been of long standing, and could not in any way affect his health.
I have the honour, &c. (signed) Saml. Dyer, Assistant Surgeon, Tellicherry, 18 June 1812.

(A. 3.)—To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—On the 12th inst. the native civil commissioner of this district, accompanied by a guard of Kolkars, delivered to me a letter from you, and at the same time exhibited another paper, signed by you as justice of the peace, and sealed, I was told, with the seal of the zillah court, which I was required to sign; and I accordingly did so, delivering that paper, as demanded by the commissioner, immediately into his hands again. It being then late in the evening, the commissioner and his guard went away for the night; next morning they returned, and having authoritatively ordered all my labourers to be collected, they selected about fifty Pooliar men and women, all of whom, with their children, were again forced from the plantation. The authority under which this new act of violence is committed, you state, in your letter to me as magistrate, above-mentioned, to be orders of government recently received. Of these orders I request to be furnished with copy, also with copy of the paper signed by you as justice of the peace, which, as I have mentioned, the commissioner would not leave, but required to be returned as soon as I had signed it.

With these documents before me, I shall be enabled to decide what line of conduct I am to pursue, that I may in no manner whatever, deviate from the strictest obedience to the orders of government.

I have the honour to be, &c. (signed) M. Brown, Owner of the Rhandaterra Plantation. Anjarakandy, 18th June 1812.

(A. 4.)—Mr. Murdock Brown, Whereas, under date the 11th June, you were directed by precept to account for the manner in which 52 persons, whose names were therein mentioned, exclusive of their children, of the Wittooan and Pooliar caste, natives of the districts of South Malabar, Cochim, and Travaacore, who had made affidavit before me in the month

Tellicherry
to wit.
(L. 3.)

Tellicherry
to wit.
(L. 3.)

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

month of December last, that they had been stolen by certain mopillas, and other natives, banished from their country, and transported against their will to Anjarakandy, came into your possession; and whereas the aforesaid precept has not been complied with, Now this is to give you notice, that unless you do, within six days from this date, make good the right you say you have to the aforesaid Wettoowans and Pooliar, they will be returned to their respective countries.

(signed) T. H. Baber,
One of His Majesty's Justices of the Peace for the Town of Madraspatam and its Dependencies, Tellicherry, 20th June 1812.

This paper has been presented to the undersigned, on Sunday the 21st June, and though he is persuaded in his own mind, that it is not a legal instrument, he nevertheless deems it necessary to answer it thus: The undersigned will take such steps as he deems necessary for the recovery of the 52 persons, (one of whom is already dead), and their children, his legally acquired property, of which the justice of the peace has by force deprived him, and in the event of those persons being dispersed before those steps are taken, he hereby, protests against the justice of the peace who signs this paper, for all losses and damages, whatever that have already ensued, and may from this day ensue, from this unlawful conduct, of the justice of the peace.

(signed) M. Brown, Owner of the Rhandatterra Plantation.
(A. 5).—To T. H. Baber, Esq. one of His Majesty's Justices of the Peace for the Town of Madraspatam and its Dependencies, Tellicherry.

Sir:—On the 21st instant, a paper was presented to me by a peon, bearing the badge of a zilla peon, which paper was dated on the 20th instant, was signed by you as one of His Majesty's justices of the peace for the town of Madras and its dependencies, and was sealed with the seal of the zillah court of North Malabar, which paper purported to be an order to me to prove my right to property, (of which you have forcibly deprived me) within six days, &c. Of this paper I now inclose a copy, the authenticity of which I call upon you to admit or deny; and I at the same time notify to you, that I shall consider your silence as an admission that the paper I now inclose, is a correct copy of the documents I have described.

I have the honour to be, &c.
(signed) M. Brown, Owner of the Rhandatterra Plantation.

Anjarakandy; 23d June 1822.
Mr. Murdock Brown.

Whereas, under date the 11th June, you were directed by precept to account for the manner in which 52 persons, whose names were therein mentioned, exclusive of their children, of the Wettoowan and Pooliar caste, natives of the districts of South Malabar, Cochin and Travancore, who had made affidavit before me in the month of December last, that they had been stolen by certain mopillas, and other natives, banished from their country, and transported against their will, to Anjarakandy, came into your possession; and whereas, the aforesaid precept has not been complied with, Now this is to give you notice, that unless you do, within six days from this date, make good the right you say you have to the aforesaid Wettoowans and Pooliar, they will be returned to their respective countries.

(signed) T. H. Baber,
One of His Majesty's Justices of the peace for the Town of Madraspatam and its Dependencies, Tellicherry, 20th June 1812.

(A. 6).—To T. H. Baber, Esq. one of His Majesty's Justices of the Peace for Madraspatam, and its Dependencies.

Sir:—From the contents of the paper issued under your hand, as justice of peace, and seal of the native civil court, dated on the 20th instant, and exhibited to me on Sunday, the 21st instant, I conclude you decline giving any answer to my address to you as magistrate, of the 18th instant, which was delivered to you on the 19th, previous to the above mentioned paper being issued. I therein requested copy of the

Tellicherry,
to wit.
(L. 6.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

the orders, by government, which by your letter to me of the 11th instant, signed as magistrate, you assign as the authority on which you grounded your proceedings of again forcing, in a violent manner, 52 persons, with their children, from hence. I am therefore satisfied that no such orders were received; nor, indeed, is it credible, that the government would ever issue such orders as authorized you to deprive me of my property, or to carry by force innocent people from their dwellings, and keep them like criminals under a guard. If any order has been received, the meaning of which could be so wrested as to countenance so flagrant an act, it must have been obtained by some misrepresentation of the facts that have here taken place having been laid before the government. That such misrepresentation has been forwarded, I am led to believe, from the very extraordinary assertion contained in the warrant or precept issued by you on the 11th instant, as justice of the peace, that these people had made affidavit on oath before you, that they were stolen. A greater deviation from truth than this, I conceive, could hardly be attempted; and it is therefore necessary for me now to bring to your recollection the manner in which those, what you term affidavits, were brought forth.

On the 18th December last, you sent a person belonging to the Zillah court, with a numerous guard of armed Kolkars here, who brought a letter to me saying, that you had sent that person to put certain questions to my labourers, Pooliars and Betwas; all of them were accordingly called, and the head man sent by you, put various questions to them, and wrote down their answers, as did one of my native writers. None of the people there said they had been stolen, nor preferred the smallest complaint of any kind whatever. Your agent, finding the answers were not such as were probably expected, retired, to the cutcherry of the native commissioner, about two miles from hence, and from thence dispatched a letter to you, saying, that he could not examine the people effectually unless they were removed from me and my people, or something to that purport. What orders you therein issued to him, I know not; but I conclude they were such as he had asked for, as the next day he returned with his guard, and drove the whole of my people off in the inhuman manner set forth in my letter to you of the 21st of that month. They were conveyed to the commissioner's cutcherry, where they were exposed to hunger, and the inclemency of the weather, and still kept under a guard like so many criminals. After thus suffering for two days, which it might be supposed had rendered them sufficiently pliant, they were again called one by one; and as the first who were questioned gave the same answers they had done here, they were told, that what they said was not true; that they had been stolen, and they were threatened with being flogged, and otherwise punished, if they did not say so (such was the report made by several of them to me on their return); after which, they made no difficulty in saying any thing that they found was most acceptable to the people who questioned them; after being detained there three days and three nights in the same exposed manner, and thus properly prepared for appearing before you, they were sent to Tellicherry, where they were still continued under restraint, and there you obtained, what you term in your warrant or precept of the 11th instant, affidavits on oath from them, that they were all stolen, but which I believe in law will be found to be papers of a very different nature from affidavits. An affidavit is a voluntary declaration by way of complaint, or as attesting the person's knowledge of a certain fact. To be legal, it must be made and sworn to with the persons entire free will and without any restraint, especially on the part of the magistrate.

These, therefore, on which you ground your present act of violence, are not affidavits, and though I am too ignorant of law to be able to give them their proper denomination, thus far I know, that these people in swearing that they were stolen, and brought here surreptitiously, have all of them committed perjury, as I shall clearly prove in due time and place; and I think it is more than probable, that these papers, instead of affidavits, will turn out to be indirect or circumstantial evidence of subornation of perjury, ground upon these, as I deem them, illegally acquired documents; you call upon me in your capacity of justice of the peace, to prove my property in the persons you have forced from me in this manner, which property, I again repeat, has never been legally questioned by any person whatever; you have deprived me of my property, and refuse to restore it to me, unless I prove my right to it, without that right having ever been contested; how you can suppose that I could sanction such an usurpation of authority by acquiescing to your exercising it over me, I know not; I can therefore only repeat what I said in my letters of 27th December and 3d January last. I am ready to prove my legal acquisition

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

acquisition (under the express orders of the commissioners for the affairs of Malabar to their assistants and native darogah of Choughat) of all these persons, the major part of whom were sent to me fourteen years ago by the Company's darogah or native magistrate of Choughat, when this undertaking was carrying on for the Company, under my superintendance.

During all that period no one of these men or women have ever said here, either to me or any person else, that they were stolen, or that they had the smallest wish to return to their own districts. Wherever these people are, they can only be in a state of bondage, which, with me they never have been, at least never were treated nor looked upon as slaves, and certainly had never any wish to go from this place. If such wish had ever existed, it is out of my power to prevent their going away whenever they please.

In the papers exhibited to me on the 21st instant, you say, that if I do not make good before you (thus erecting yourself into a judge from a justice of the peace) my property, and that you will send my people to their different countries; that is, in other words, you will prevent them from returning to me, as they all would if not detained and dispersed by violence, with express orders not to return here.

Against such a proceeding I hereby warn you.

You are now acting as a justice of the peace, and as such your acts can be tried by the laws of our country. To those laws it is my intention to appeal, the Sudder Adawlut having decided; that however hostile your acts may be to my person or property, the Company's courts can give me no redress.

The first illegal seizure of these people, was the immediate cause of the death of a boy; and the second has proved equally fatal to the life of a man, made prisoner without a crime, driven from his home in a state of sickness without cause assigned; he has expired in restraint.

As these persons unjustly forced from hence, and now unjustly, as I conceive, detained by you, are part of the persons that I shall call upon as evidences to prove the charges that will be exhibited against you, I hereby protest against their being dispersed, or sent from Tellicherry to any other place than this, to which they would all come if not detained by violence.

I am, &c.

(signed) *M. Brown*, Owner of the Randatarra Plantation.

Anjarakandy, 23d June 1812.

(A. 8.)—To Mr. Murdock Brown.

Sir:—In a letter bearing your signature, dated the 23d, to my address, and this instant received, you have charged the Zillah officers whom I ordered on duty to Anjarakandy in the month of December last, with having threatened your people with being flogged, or otherwise punished if they did not say they had been stolen, and that such was the report made by several people to you; I request you will send me the names of the persons who made you that report, that I may proceed forthwith to investigate this most serious charge against these officers.

I am, &c.

(signed) *T. H. Baber*, Magistrate.

Tellicherry, 25th June, 3 P. M.

(A. 7.)—Mr. Murdock Brown.

Whereas, in a letter bearing your signature, to my address, dated 23d, received 3 P. M. this day, it is set forth, that you are ready to prove your legal acquisition of all the persons, the Wittoowars and Pooliars, mentioned in my precept dated the 11th instant; now this is to inform you, that as the aforesaid persons have not been permitted to return to their countries, I am still ready to receive and examine any evidence or documents you may have to adduce, in support of your asserted legal acquisition of them, provided you do so within two days after the receipt of this notice.

(signed) *T. H. Baber*, J. P.

Tellicherry, 25th June 1812, 5 P. M.

(A. 9.)—The Examination of Mahikara Bawa, dated 19th Muthoonam, 987.

Question.—In whose service are you?

Answer.—I am Mr. Brown's servant.

What

Fact St. George's
Papers:
State of Slavery
in Company's
Territories.

What is your occupation? I am the person who pays the labourers and Pooliars; I also weigh the pepper. You have questioned all these Wettoowars where they wish to go; what answer have they made you? They have all said, they want to go to their country.

The whole of the Wettoowars and Wettoowaties, in answer to the question put by Mahekarem Bawa, where they wished to go, said, we want to go to our country; we will not return to Anjarakandy.

You have asked these Pooliars where they wished to go; what answer have they made you?

The whole, with the exception of Pandaloor Chatten, have answered, they all want to go to their country. Chatten says, he has left a child at Anjarakandy, and he wants to go back to see it.

The whole of the Pooliars and Poolies, in answer to the question by Bawa, where they wished to go, said, we want to go to our country, and are not willing to return to Anjarakandy. Pandaloor Chatten only, excepted, who said, that he had a little child at Anjarakandy, which he wanted to go and see.

After the above, the magistrate informed Mahekarem Bawa, in the presence of the whole court, and of the Wettoowars and Pooliars, that no impediment whatever had existed to these people to return to Anjarakandy; that he was at full liberty to pay all he could to persuade them to go back with him, and desired Bawa to acquaint his master of these orders of the magistrate.

Bawa's answer.—I will communicate to Mr. Brown, what you have desired me to do. (signed) Bawa.

Writer of the above, Odinan.

(Translated.) T. H. Baber, Magistrate.

(B. 1.)—To the Resident at the Court of Travancore.
Sir:—Since my letter, of the 29th of February, forwarding 15 free-born children of different castes, and two Pooliars, natives of Cochin and Travancore provinces, who had represented they had been kidnapped, 80 men, women and children, of different castes, have been discovered in various parts of the zillah, under similar circumstances, brought from the southward, whom I have also liberated, and allowed to return to their respective countries; of these, 44 are natives of the districts of Cochin, Travancore, viz. two of the Nair, one of the Mopla, four of the Korwans, 22 of the Tean, and 15 of the Pooliar tribes; a list thereof, and copy of my instructions to the person whom I have sent to subsist them, I inclose for your information; I also send a memorandum of sums disbursed on them and those before sent, to enable you to reimburse the Company in the amount, should you be of opinion the charge should be more properly put to the account of the Travancore and Cochin government.

I take this opportunity of forwarding copy of a letter from government, dated 29th May, in answer to my letter on the subject of these unfortunate persons.

I have the honour to be, &c.
Zillah, N. Malabar, June 1812. (signed) T. H. Baber, Magistrate.

(B. 2.)—To the Resident at the Court of Travancore.

Sir:—I have the honour to transmit the accompanying copy of a precept from the judges of the Provincial Court of Circuit, forwarding extracts from their proceedings under yesterday's date, in reply to a reference I had occasion to make to them on the 12th instant, in consequence of the receipt on that day of the orders of government, directing that the persons on whom I found the nine free-born children, natives of Travancore (referred to in my letter to you under date 22d December), should be brought to trial, and have to request you will be so obliging as to interpose your influence with the Travancore government, in having forwarded to me those nine children, with their respective parents or relations, for the purpose specified in the orders received from the provincial court of circuit.

These children, with several others, were forwarded on the 29th February, under charge of Coony Amboo, one of the court delaysets, together with eight others, who had also been conveyed under similar circumstances, out of their native country.

It will be also necessary, that the pramanams I forwarded to you by the hands of Coony Ambon, and which, in my letter, dated 29th February, I informed you had been delivered to me by Wallapagata Assen Ally, in proof, of his assertion, that he had purchased those children returned, and also any depositions taken before you, or any of the local tribunals of Travancore, relative to those documents, in consequence of the request contained in the third paragraph of that letter.

For St. George's Papers: State of Slavery. No Company's Territories.

I have, &c.
(signed) T. H. Baber, Magistrate.
Zillah, N. Malabar, 10th August 1812.

(B. 3.)—To the Judge and Magistrate, Zillah, N. Malabar, Tellicherry.

On receiving your letter of the 18th August last, I transmitted instructions to the officers of the circar of Travancore, to forward to Tellicherry the children who had been purchased and transported from the country as slaves, and who were returned to their friends on the 29th of February last, through your humane and zealous interposition; but I request to inform you, that many difficulties have occurred in finding the places of residence of the children and their relations. The children, on their arrival in Travancore, together with the original list of them, were delivered over to the charge of the pepper surwaddy, Kareagar, who received particular instructions to ascertain their relations and homes, and to restore them to their families. The pepper surwaddy, Kareagar, reported the due execution of those instructions, but he was soon afterwards implicated in the Quilon conspiracy, and removed from office; most of his papers were destroyed or lost, and among them the list of the children, and the receipts which he obtained for them, when they were delivered to their friends. The present pepper surwaddy, Kareagar, states, that he has found many difficulties in ascertaining the places of residence of the children, and in persuading their relations to proceed with them to Tellicherry; I forward to you a copy of the last report which I have received from that office upon this subject. I shall soon arrive at Allepy, and shall then, I trust, be able to make effectual arrangements for sending the children to you.

I forward to you the proceedings of the Mawullekarey native court, on the trial of Assen Ally and Wurraim Pullah, the cutwall of Allepy, for the purchase of the children who were intercepted by the police of Travancore. Although Assen Ally had been punished by a fine of about 1,500 rupees for the purchase of those children, he is still amenable to trial and punishment for the purchase and transportation of the others, who were discovered and returned to their country by your exertions. The court of Mawullekarey behaved with much remissness on the occasion of the trial of Assen Ally and the cutwall, and released them both without any reference to superior authority. The cutwall has since absconded; but will, I trust, be soon apprehended, his co-operation in the purchase and transportation of the children, and the false pretence which he employed, of having written to me for authority to do so, furnished no justification whatever of Assen Ally's proceedings. The cutwall had no authority whatever over the port of Allepy, or even over the police at that station. His office was merely connected with the supply and regulation of the bazaars, and there was a separate police establishment at Allepy, independent of his contract. The circumstance of his, having, according to his own statement, written to me for instructions, which he never received, and still more, the clandestine manner in which the unfortunate slaves were embarked, sufficiently show, that both he and Assen Ally were entirely aware of the illegality of their proceedings. The transportation of slaves from Travancore was always considered to be a flagrant breach of the laws of the country, and was positively prohibited by a proclamation issued about four years ago.

I judge it proper to forward to you an original letter which I received from Mr. Brown, soliciting the protection of the circar for Assin Ally, on the ground of his being a stranger, and therefore entirely innocent of any guilt that might attach to the purchase of the slaves, as if the circumstance of a person being a stranger in a country, and receiving co-operation from an inferior officer of a government, could justify him in committing a most flagrant outrage against its laws, and against the most obvious principles of humanity and justice. I have every reason to believe that many of the unfortunate persons purchased by Assin Ally were procured in the most fraudulent and cruel manner; about the time when he was carrying on his proceedings at Allepy, I received numerous complaints of the disappearance of children, but all my inquiries at the time, could not develop the causes of them; I have been

Fort St. George
Papers
State of Slavery
in Company's
Territories.

subsequently too much occupied by other important matters, to be able to enter so fully into an investigation of this subject as I was desirous of doing; but I trust that on my arrival at Alepy, I shall have an opportunity of obtaining further information regarding it. I cannot deny myself the gratification upon this occasion, of returning thanks to you in the name of many families in Travancore, for your zealous and indefatigable exertions, in restoring so many children to their parents and homes, and in checking a practice of a most cruel nature.

I have the honour to be, &c.
Padanellum, 29th Nov. 1812.

(signed) J. Munro, Resident.

To Captain Munro, Resident, &c. Travancore.

Anjarakandy, 11th December 1812.

Sir,—Some time ago I was informed that the person I sent to Alepy in charge of the money to pay for the pepper, Jannurdan Pay had been put in confinement. Being unwilling to address you in his behalf until I was assured of the truth of the story, he wrote me as being the cause of his confinement. I requested of my friend, Mr. Schuler, to make inquiry into the matter, and inform me of the real circumstances of the case. He has accordingly been so good as to comply with my request; and I find the cause of his detention is, the having purchased some churmahs, after obtaining the permission of the cutwall so to do. Those from whom he purchased the churmahs granted him the usual karooms, or deeds of sale, required on such transfers. Notwithstanding this, I understand that the rajah's officers demanded a very large fine for his release, not considering, that if there is any guilt in these transactions, it must attach to the public officer who sanctioned the purchase, and to the persons who sold the churmahs, who being natives of the country, ought to know the laws, and not to the stranger, who was ignorant of them. I am hence induced, Sir, to solicit your protection for him, and that you will obtain his release on whatever terms may appear to you reasonable, in order that he may be enabled to return to his duty here.

I have, &c.

(signed) M. Brown.

(C. 1.)—To the Second Judge of the Provincial Court.

The Magistrate has the honour to forward copy of a letter he has this day received from the chief secretary to government, dated the 31st ultimo, relative to case XV, on the calendar of the zillah for the first quarter sessions of the current year, and requests he may be informed, whether, in the opinion of the judges of the court of circuit, the presence of the nine non-adults (found in the possession of the prisoners) and of their parents or relations is indispensable. So long ago as the month of February, the magistrate forwarded the children to the resident at the court of Travancore, for the purpose of being restored to their families.

Given under my hand, and the seal of the court, this 12th day of August, A. D. 1812.

(signed) T. H. Baber, Magistrate.

Provincial Court of Circuit, (L. S.) Western Division.

(C. 2.)—To the Magistrate in the Zillah of North Malabar.

Pursuant to an order of this court, you will herewith receive an extract from their proceedings, under this date, for your information.

Given under my hand, and the seal of the court, this 17th day of August, A. D. 1812.

(signed) J. Smee, Second Judge, for the Registrar.

Extract from the Proceedings of the Provincial Court of Circuit, in the Western Division, under date the 17th August A. D. 1812.

Re-perused the communication received from the Magistrate of North Malabar on the 12th instant, reporting the orders of the Honourable the Governor in Council, to have brought for trial the prisoners in case XV, on the calendar of the first quarter sessions of the current year, for having received, disfigured, and secreted nine free-born children, natives of Travancore, knowing them to have been stolen, all of whom

Fort St. George.
Papers :
State of Slavery
in Company's
Territories.

whom the magistrate reports to have forwarded in February last to the resident in Travancore, for the purpose of being restored to their families.

The magistrate, therefore, requests to be informed, whether, in the opinion of the judges of the court of circuit, the presence of those children, with their parents or relations, is now indispensable.

The court having referred to the proceedings of the judge who presided at the first sessions of this year, it appears the magistrate was informed, under date the 22d January 1812, that the law officer objected to the legality of the circar vakeel being appointed to prosecute the prisoners in case XV, on the calendar, on the charges before alluded to, whilst the parents or relations of the nine non-adults were existing.

Under this exposition of the Mahomedan law, the judges of the court or circuit are of opinion, that the magistrate should concert measures with the resident in Travancore, to procure the attendance of the nine adults, with their respective parents or relations, at the finish quarterly session, which will be held in October next.

(A true extract.) (signed) J. Smee, Second Judge, for the Register.

Extract from a proposed Draft of a Police Regulation for Zillah North Malabar, A.D. 1812.

REGULATION.

Clause 27.—First, all persons who shall themselves, or by their agents, carry away or remove by land or by water, as a slave or slaves, and for the purpose of being sold, transferred, used, or dealt with as a slave, any persons, whatever may have been their native country, who shall import, or aid, or assist in the importing any such persons as aforesaid, or who shall knowingly or willingly receive, confine on board any vessel or boat any such person, for the purpose of being used or dealt with as slaves, or shall let, or knowingly allow their vessels or boats to be employed in carrying away any persons as slave or slaves, or for the purpose of being sold or transferred as such, shall, on conviction, be sentenced to fourteen years transportation, or imprisonment and hard labour, for a term not exceeding five years, and not less than three years, at the discretion of the judge before whom the offender shall be tried.

Clause 2d.—Any person or persons who shall enter or serve on board any vessel or boat, used or employed in the transportation or transhipment of persons, used, detained and dealt with as slaves, and shall not give information of the same, shall be punished by imprisonment for a term not less than two years.

Clause 3d.—Nothing contained in the foregoing clauses shall be construed to emancipate persons who, by caste, birth, and the usages of the country, are liable to domestic local slavery, nor be construed to extend to any person the penalties in clauses 1st and 2d of this section, for selling or transferring as a slave or slaves, persons of that description, provided that all such sales and transfers are done and made in the form and mode prescribed by the customs of the country. But no person or persons so held and transferred, shall be carried out of or removed beyond the district, the place of their nativity, nor shall husbands and wives, parents and children, non-adults, be separated from each other; and any person or persons buying or receiving domestic slaves, contrary to this regulation, shall forfeit their property in them, and further be punished by imprisonment for a term not exceeding two years.

Clause 4th.—All persons who are held and used as slaves, shall be entitled to, whether sick or well, able or unable to work, and in all seasons, to a daily allowance of wholesome food, and to be suitably provided with clothes and habitation; and it shall be the duty of the magistrate and police officers to see that they are properly fed and clothed, and if necessary, to constrain their masters to make them such subsistence, and provide them with such necessaries as may be just and reasonable.

Clause 5th.—The foregoing modification of the abolition of slavery, shall be confined and limited exclusively to persons who, by parentage, birth, by the rules of their caste, and by the usage of the land, are liable to domestic servitude, and any person or persons who may use, detain, sell, purchase, transfer or remove, by land or by water, as a slave, any person or persons not of the foregoing description, shall be within the meaning of the rules prescribed in clause 1st and 2d of this section.

Fort St. George
Papers
State of Slavery
in Company's
Territories

XXVIII.—Clause 1st. All persons kidnapping, stealing or enticing away any person not liable to domestic slavery, or any free-born man, woman or child, shall, on conviction thereof, be sentenced to double the penalties prescribed by clause 1st of section 27.

Clause 2d.—Any person commanding, counselling or employing his agents or dependents to kidnap, steal or entice away any person, not liable to domestic servitude, or any free-born man, woman or child, shall be considered as principals, and on conviction be sentenced to double the penalties prescribed by clause 1st of section 27.

Clause 3d.—All persons receiving and detaining any person, not liable to domestic servitude, or any free-born man, woman or child, knowing them to have been kidnapped, stolen or enticed away, shall be considered as accessories after the fact, and be sentenced, in addition to the penalties prescribed by clause 1st, section 27, to three years imprisonment and hard labour, and the having possession of such man, woman or child, shall be conclusive evidence of such knowledge.

Clause 4th.—Any person who shall compel any free-born man, woman or child of any of the Hindoo tribes to eat prohibited food, or do or cause to be done any act or acts that shall deprive them of their caste, shall be sentenced to the penalties prescribed by clause 1st, section 27.

Clause 5th.—In cases where any free-born man, woman or child, of any of the Hindoo tribes, who shall have been kidnapped, stolen, enticed away or reduced to slavery, and who shall in consequence thereof, or of being given prohibited food, or of any other act, be held polluted and to have forfeited their caste, the injured party shall, on conviction of the offender, have such provision made to them from the property of both principals and accomplices, and all persons who have been in any way instrumental therein, as the judge before whom the case shall be tried, shall deem just and reasonable.

Clause 6th.—The rules contained in clauses 1st, 2d, and 3d, of section 28, shall equally apply to cases of bondsmen, adults or non-adults, with this difference, that the principals shall be sentenced to fourteen years transportation or imprisonment, and hard labour, for a term not exceeding five years, and not less than three years; if accessories, to seven years transportation or imprisonment and hard labour, for a term not exceeding three, and not less than one year.

(A true extract of the original) (signed) T. H. Baber, Magistrate.
MINUTE.—The Board will give orders on the subject of the foregoing letters, when a reply to the further reference which has been made to Bengal shall have been received.

Extract, Fort St. George Judicial Consultations, 22d Dec. 1812.

Read the following letter:—

To Sir George Hilario Barlow Bart. Knight of the Bath and Governor of Fort St. George.

Honourable Sir:—Nothing less than the most imperious necessity could induce or excuse my presuming to address you on the subject of my private affairs, and the acts of the judge and magistrate of this zillah, towards myself and my property, joined to what has taken place lately at Tellicherry, incidentally arising out of those acts, leave me no alternative but that, of humbly soliciting your attention to this address, and to the contents of the accompanying papers.

What Mr. Baber may have laid before you, Honourable Sir, on the subject, I know not, and therefore all I shall now say is, that for no one of those acts committed against me and my property, had he legal grounds of any description, and that if he ever (as it has been reported) shewed any records of his court, wherein my name was brought in, as in any manner connected with so inhuman and detestable an act, as that of kidnapping children, or in such manner as to leave in the minds of those who perused them, an unfavourable impression of my character, those papers were fabrications totally devoid of truth. I say only thus much, for were I to detail all I know of Mr. Baber's machinations, for the purpose of framing a pretext on which he could ground acts of insult and injury towards me in his official capacity, I could not expect to be believed. It is, therefore, Honourable Sir, that I most humbly but most earnestly pray for an inquiry being made on the spot, into Mr. Baber's conduct, in these transactions. It will then be made fully evident, whether

Fort St. George
Papers
State of Slavery
in Company's
Territories.

whether zeal for humanity in the execution of his public duties, or motives of a very opposite character, have been the *qua animo* of his acts. That against which I now chiefly complain was, as he asserts in his letter to me, on the 11th June, committed by your express orders to that effect. Orders which he, however, refused, on my application, to produce; I therefore did, and do still, conclude that no orders, authorizing him to take by force from me 52 persons, with their children, who were originally brought here by the orders of the Bombay government, to the local authorities in the province for the service of the Honourable Company, who had been fifteen years on the plantation, and none of them had ever breathed the slightest complaint or expressed the most distant wish to leave it, say it was not possible that government should have ever issued any orders to take from me, by a force of armed peons, property thus legally acquired for the service of the Company, and subsequently transferred to me by the government, for the means adopted by Mr. Baber to create a pretext of excuse for his conduct in this particular transaction. I beg leave, honourable Sir, to refer to my letter accompanying to him of the 23d June. Copy of the particular orders of the commissioners for the affairs of Malabar, under which the persons thus forced from me were procured and sent here by the Company's darogha, at Choughaut, I here transcribe.

To Mr. George William Gillio, Assistant at Choughaut.

Sir: Government having been pleased to authorize the purchase of Pooliars, Betwas, and other castes of the natives, who by their own laws are in a state of bondage, for the labour of the Honourable Company's plantation at Rhandaterril; and the overseer of it having informed us that the darogha of Choughaut has now offered him thirty persons of the above description, and promised to complete a hundred, 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 agreeable 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 this species of property to the overseer of the Honourable Company's plantation, have permission to do so.

We are, &c.
(signed) J. Spencer. Ja. Hartly. J. Smee.
Calicut, 20th Oct. 1798.

The original, with the several letters of the Bombay government to the commissioners, fully authorizing the acquisition of Pooliars and Betwas for this undertaking, stand on the records of that period now at Calicut.

The loss that I have already sustained, and continue to suffer, by being deprived of the labour of so great a number of people, is great, and unless they are restored to me will prove most serious to this undertaking, for reasons which I shall hereafter show should it become requisite. I therefore most humbly pray, Honourable Sir, that Mr. Baber be made answerable for the consequences of these unlawful acts.

Soon after Mr. Baber began these attacks against me, I attempted to get the matter brought regularly before you, Honourable Sir, through the Provincial and Sudder Adawlut courts; but in this I was disappointed; for after a very considerable delay I was informed the judges of the Sudder court had decided, that the Company's courts could afford me neither redress, nor protection to myself or property; and that I must apply to the Supreme court. This decision placed me in a situation almost unprecedented; under the British government, to have my property forced from me, by an old and inveterate enemy; and the restoration of it refused, unless I appeared before him, and proved my right to it. I possessed no property more lawfully or publicly acquired than that which he had already forced from me, and had no security against similar violence towards what remained.

I therefore lost no time in applying to a professional gentleman at Madras for the purpose of bringing the matter before the supreme court there; but the temporary

Fort St. George
Papers
State of Slavery
in Company's
Territories

XXVIII.—Clause 1st. All persons kidnapping, stealing or enticing away any person not liable to domestic slavery, or any free-born man, woman or child, shall, on conviction thereof, be sentenced to double the penalties prescribed by clause 1st of section 27.

Clause 2d.—Any person commanding, counselling or employing his agents or dependents to kidnap, steal or entice away any person, not liable to domestic servitude, or any free-born man, woman or child, shall be considered as principals, and on conviction be sentenced to double the penalties prescribed by clause 1st of section 27.

Clause 3d.—All persons receiving and detaining any person, not liable to domestic servitude, or any free-born man, woman or child, knowing them to have been kidnapped, stolen or enticed away, shall be considered as accessories after the fact, and be sentenced, in addition to the penalties prescribed by clause 1st, section 27, to three years imprisonment and hard labour, and the having possession of such man, woman or child, shall be conclusive evidence of such knowledge.

Clause 4th.—Any person who shall compel any free-born man, woman or child of any of the Hindoo tribes to eat prohibited food, or do or cause to be done any act or acts that shall deprive them of their caste, shall be sentenced to the penalties prescribed by clause 1st, section 27.

Clause 5th.—In cases where any free-born man, woman or child, of any of the Hindoo tribes, who shall have been kidnapped, stolen, enticed away or reduced to slavery, and who shall in consequence thereof, or of being given prohibited food, or of any other act, be held polluted and to have forfeited their caste, the injured party shall, on conviction of the offender, have such provision made to them from the property of both principals and accomplices, and all persons who have been in any way instrumental therein, as the judge, before whom the case shall be tried, shall deem just and reasonable.

Clause 6th.—The rules contained in clauses 1st, 2d, and 3d, of section 28, shall equally apply to cases of bondsmen, adults or non-adults, with this difference, that the principals shall be sentenced to fourteen years transportation or imprisonment, and hard labour, for a term not exceeding five years; and not less than three years; if accessories, to seven years transportation or imprisonment and hard labour, for a term not exceeding three, and not less than one year.

M. U. T. The Board will give orders on the subject of the foregoing letters, when a reply to the further reference which has been made to Bengal, shall have been received.

Extract, Fort St. George Judicial Consultations, 22d Dec. 1812.

Read the following letter:—

To Sir George Hilario Bartow, Bart. Knight of the Bath and Governor of Fort St. George.

Honourable Sir:—Nothing less than the most imperious necessity could induce or excuse my presuming to address you on the subject of my private affairs, and the acts of the judge and magistrate of this zillah, towards myself and my property, joined to what has taken place lately at Tellicherry, incidentally arising out of those acts, leave me no alternative but that, of humbly, soliciting your attention to this address, and to the contents of the accompanying papers.

What Mr. Baber may have laid before you, Honourable Sir, on the subject, I know not, and therefore all I shall now say is, that for no one of those acts committed against me and my property, had he legal grounds of any description, and that if he ever (as it has been reported) shewed any records, of his court, wherein my name was brought in, as in any manner connected with so inhuman and nefarious an act, as that of kidnapping children, or in such manner as to leave in the minds of those who perused them, an unfavourable impression of my character, those papers were fabrications totally devoid of truth. I say only thus much, for were I to detail all I know of Mr. Baber's machinations, for the purpose of framing a pretext on which he could ground acts of insult and injury towards me in his official capacity, I could not expect to be believed. It is, therefore, Honourable Sir, that I most humbly but most earnestly pray for an inquiry, being made on the spot, into Mr. Baber's conduct, in these transactions. It will then be made fully evident, whether

Fort St. George
Papers
State of Slavery
in Company's
Territories.

whether zeal for humanity in the execution of his public duties, or motives of a very opposite character, have been the *qua animo* of his acts. That against which I now chiefly complain was, as he asserts in his letter to me, on the 11th June, committed by your express orders to that effect. Orders which he, however, refused, on my application, to produce; I therefore did, and do still, conclude that no orders, authorizing him to take by force from me 52 persons, with their children, who were originally brought here by the orders of the Bombay government, to the local authorities in the province for the service of the Honourable Company, who had been fifteen years on the plantation, and none of them had ever breathed the smallest complaint or expressed the most distant wish to leave it, or say it was not possible that government should have ever issued any orders to take from me, by a force of armed peons, property thus legally acquired, for the service of the Company, and subsequently transferred to me by the government, for the means adopted by Mr. Baber to create a pretext of excuse for his conduct in this particular transaction. I beg leave, honourable Sir, to refer to my letter accompanying to him of the 23d June. Copy of the particular orders of the commissioners for the affairs of Malabar, under which the persons thus forced from me were procured and sent here by the Company's darogha, at Choughaut, I here transcribe.

To Mr. George William Gillio Assistant at Choughaut
Sir, Government having been pleased to authorize the purchase of Pooliars, Betwas, and other castes of the natives, who by their own laws are in a state of bondage for the labour of the Honourable Company's plantation in Rhandatterra; and the overseer of it having informed us that the darogha of Choughaut has now offered him thirty 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 agreeable 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 this species of property to the overseer of the Honourable Company's plantation, have permission to do so.

We are, &c.
(signed) J. Spencer. Ja. Hartly. J. Smee.
Calicut, 20th Oct. 1798.

The original, with the several letters of the Bombay government to the commissioners, fully authorizing the acquisition of Pooliars and Betwas for this undertaking, stand on the records of that period now at Calicut.

The loss that I have already sustained, and continue to suffer, by being deprived of the labour of so great a number of people, is great, and unless they are restored to me will prove most serious to this undertaking, for reasons which I shall hereafter show, should it become requisite. I therefore most humbly pray, Honourable Sir, that Mr. Baber be made answerable for the consequences of these unlawful acts.

Soon after Mr. Baber began these attacks against me, I attempted to get the matter brought regularly before you, Honourable Sir, through the Provincial and Sadder Adawlut courts; but in this I was disappointed; for after a very considerable delay, it was informed the judges of the Sadder court had decided, that the Company's courts could afford me neither redress, nor protection to myself or property, and that I must apply to the Supreme court. This decision placed me in a situation almost unprecedented; under the British government, to have my property forced from me, by an old and inveterate enemy, and the restoration of it refused, unless I appeared before him, and proved my right to it. I possessed no property more lawfully or publicly acquired than that which he had already forced from me, and had no security against similar violence towards what remained. I therefore lost no time in applying to a professional gentleman at Madras for the purpose of bringing the matter before the supreme court there; but the tem-

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

porary indisposition of that gentleman, the departure of another from the presidency, and other unforeseen accidents, have prevented its being yet proceeded in; and after more attentively considering the circumstances under which I carry on this undertaking, together with the assertion of the judge and magistrate, that in depriving me of my property he acted under the express orders of government, I am convinced that I should deviate from the respect I owe to you, Honourable Sir, as well as from the duty which I owe to my constituents in this extensive concern, was I to seek redress for the wrongs and remuneration for the losses of which I now complain, at any other tribunal than yours.

Permit me, Honourable Sir, to say, that this undertaking has strong and just claims to the protection of the government; on the faith of that protection, I have expended on it upwards of 50,000*l.* sterling, chiefly the property of my friends in England; and though, from the very unfavourable state of the markets for Indian produce, those concerned have hitherto derived no advantage, yet the Honourable Company have a clear and increasing revenue from it to an amount which the capital and labours of few individuals produce to it. During the last season I paid upwards of 7,000 rupees in the Honourable Company's treasury, in land revenue and customs, on the produce of my labours here. I erroneously supposed that Mr. Baber, satisfied with his success (obtained by the means which I am about to show) in getting me removed from my appointment in the Customs, under a censure of carelessness in the execution of the duties of it, would have ceased thenceforward his persecution of a man retired from society to agricultural labour and study; I therefore, with that respect which I feel for and owe to so high an authority, submitted in silence to the decision of the Honourable Board, without any intention of ever taking up the subject again; but as that success appears to have served rather as a spur to further endeavours to render his public authority the means of oppressing, and eventually, if in his power, of even ruining me, I must beg permission to refer to his conduct on that occasion, the most essential nature of which, produced by the inquiry here, escaped the notice of government at that time.

When the two sherishtaders of the stations at Calicut and Tellicherry were called before the principal collector to render an account of the sums which Mr. Baber charged me with having defrauded the Company of, they readily undertook to do so in the most full and satisfactory manner, from the inspection of the accounts kept with their own hands, and left in the respective custom-houses when they gave over charge. Mr. Warden accordingly sent to the custom-houses for those records kept by the sherishtadars; no such records were forthcoming. Mr. Warden then sent for the clerks and examined them, being keepers of the records, as to what had become of the sherishtadar's books; they declared on oath, that Mr. Baber had caused all the records of the custom-houses to be removed from the public offices to his own private dwelling; that the books kept by the sherishtadars were amongst the records thus removed; but that when Mr. Baber returned (after retaining them many weeks) the records to the officers, the books of the sherishtadars were not amongst them. It is with much reluctance, Honourable Sir, that I thus intrude so long on your time; but I trust you will deem nothing superfluous that is requisite to be laid before you, for the justification of an innocent person, from deep concerted plots against his fortune and reputation. Permit me, therefore, to trace in a few words Mr. Baber's operations in the foregoing transactions. Having previously determined, when placed over me in the custom department, to find, if possible, some matter of complaint against me, he the more easily and secretly, to effect his purpose, had all the records of my superintendance removed to his private dwelling, a most unusual (and I believe contrary to regulations) proceeding, and which therefore could only have been resorted to for reasons of no common nature. After the most minute inspection of these records, he found that the collections made during the rains of one season, though duly entered as received in the English records, yet the particulars of the disbursements of those sums were only recorded in the books kept by the sherishtadars for their own use (neither of them understanding English writing) of all sums received and paid. If these latter documents were destroyed, no record of the disbursements of the abovementioned sums remained, and I must be found guilty of the charge he preferred against me; these records therefore disappeared; had they been forthcoming, no difficulty could have occurred in producing the most minute and accurate account of all the items contained in his charges against me.

I again solicit your indulgence for this long address, and have the honour to be, &c.

(signed) *M. Brown.*

Anjarakandy, 1st December 1812.

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

(N^o. 3, in B.)—To Mr. Murdoch Brown.

Sir:—Having received information that a considerable traffic has been carrying on in children between persons in this zillah and the adjoined districts, and that several had been sent to your plantation at Anjarakandy, I have to request you will inform me whether you have made any purchases of that description; and in that event, that you will send me a list thereof, their caste, age, and sex, with the names of the persons from whom you purchased them, and of the agents employed by you. The darogah of Cotiote and Randaterra has received my orders to proceed to Anjarakandy, and call before him the whole of the labourers on your plantation, and put certain questions to them, with which he has been furnished.

Zillah, North Malabar, 18th Dec. 1811.

I am, &c.

(signed) T. H. Baber, Magistrate.

To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—I have to acknowledge the receipt of your letter of the 18th instant, and have accordingly ordered all my Pooliar to appear before the darogah of Cotiote and Randaterra to be by them questioned.

In consequence of the permission and sanction of government, soon after I began this undertaking, I have purchased many Pooliar families, and some even very lately from different quarters. As I am anxious on all occasions to conform to the established laws and regulations, it is at the same time my duty to avoid submitting in silence to any undue exertion of authority; and as I have now carried on this undertaking for thirteen years, without any requisition having been made similar to that which your letter contains, I trust you will, previous to my sending you the list you require, be so good as to favour me with the copy of the regulations which authorizes this inquest into my private concerns.

Anjarakandy, 20th December 1811.

I have, &c.

(signed) Murdoch Brown.

To Mr. Murdoch Brown.

Sir:—I have to acknowledge the receipt of your letter, informing me you had purchased many Pooliar families, and some even very lately, from different quarters, in consequence of the permission and sanction of government soon after you began your undertaking; I have to request you will furnish me with the permission or sanction referred to, that I may report the same for the orders of government.

In answer to your last paragraph, I have to inform you, that my requisition for the list of persons sold to you as slaves, was made in virtue of the powers vested in me by the regulations as the zillah magistrate and my commission as one of his Majesty's justices of the peace.

I am, &c.

(signed) T. H. Baber, Magistrate.

Zillah, North Malabar, 20th December 1811.

To the Magistrate of the Zillah of North Malabar.

Sir:—I have to acknowledge the receipt of your letter of yesterday's date, and enclose copy of the authority of government, under which I have purchased Pooliar, for the labours of this undertaking. The original stands recorded in the proceedings of the commissioners at Calicut.

Agreeable to your letter of yesterday, the whole of my Pooliar, male and female, and their children, were brought before the person who delivered me your letter, when he, assisted by the mepon from Pychy, and the commissioner from Prewery, accompanied by a number of armed kolkars to guard the Pooliar, called them one by one before him, and put such questions to them as he pleased. When this examination was over, he placed twenty men, women, and children, under a guard of kolkars, under which they remained all night, and until eleven o'clock this morning, when he returned. When he went away last night, he desired that all the other hired labourers I employ, should be ready for a similar examination; this morning they were accordingly assembled at seven o'clock, and remained until the executor of your orders appeared; when, instead of examining those thus assembled, he sent his kolkars, and by force brought together all my Pooliar that had been already examined.

Fort St. George
Papers 1
State of Slavery
in Company's
Territories.

examined yesterday. I told him I protested against all such violence, and against his removing them from the plantation, as being contrary to all the existing regulations that I am acquainted with, which require that some specific complaint shall be made against any person or persons before they can be thus violently treated. My protestation was not listened to, and the whole were carried off by him and his guard of armed men, without allowing them to take their food or to feed their children, many of whom are at the breast, and only a few months' old; so that it is very probable their being thus forced to go so far in the heat of the sun, it being exactly mid-day, will be the death of some of the children. I have already noticed, that I cannot believe there is any regulation existing to authorise this oppressive interference with my property, and still less the cruelty committed on nearly 200 men, women, and children, excepting a formal complaint against the persons themselves, or a claim being made by some person to them, in consequence of some invalidity in the sale; if either of these has been to you, I imagine I ought to have been furnished with a copy of it, before this extraordinary violence was resorted to. The sale of slaves is not only authorized by the custom of Malabar, but is expressly permitted by the Mahomedan laws, under which this country is governed; and for these thirteen years past no question has ever been put to me on the subject of my purchases, nor any complaint from any person claiming the Pooliars or purchased; and as I know that a reference from the principal collectors of Malabar to the Board of Revenue, on a complaint of slaves being brought from Travancore to Malabar, he was told that the trader being authorized by the law, he had no business to interfere in it; for all these reasons I now most solemnly protest against the violence you have caused to be committed on those innocent persons, many of whom were born on this plantation, from which they are now forced away without any reason whatever being assigned for such barbarous usage. I also protest against it for the loss that it has already, and must continue to make me suffer, by putting a stop to my extensive labours here, where upwards of 350 persons are daily employed, but of whose services you have deprived me.

Anjarakandy, 21st Dec. 1811. I have, &c. (signed) Murdoch Brown.

The copy of the authority granted to me by the Bombay government for the purchase of Pooliars and Detwars, is not forthcoming here, having been destroyed when this house was burnt to the ground in 1803; but the collector of Malabar can furnish an attested copy of it, and obtained one from him some months ago to send to Cochin to a person, who, under that authority, purchased and sent twelve or thirteen Pooliars, men, women, and children, to me, that are amongst those whom your people have placed under a guard.

To James Stevens and Hay Clephane, Esqrs. Judges, of the Court of Circuit and Appeal, Western Division, Tellicherry.

The Petition of the undersigned Murdoch Brown, Owner of the Randateria Plantation.

Humbly sheweth,—That your petitioner is under the necessity of praying for your protection against what he deems the unlawful and highly oppressive acts of the magistrate of this zillah, committed by his people and under his order, on the 20th, 21st, and 22d of this month, on your petitioner's servants, labourers, and property at this place. The accompanying two letters from that magistrate, and the copies of two letters to him in reply from your petitioner, will in part explain the nature of the grievances of which he complains; in addition to which, your petitioner begs leave to state, that of the people forced away as therein stated, a few have returned; but 113 of all ages, are detained, many of whom have been here eight and ten, and some twelve years, and a number of whom have been taught, at a very considerable expense, different branches of manufacture, and whose absence must put a stop to those branches in which they were employed for a length of time; particularly the manufacture of arrow root, and the preparation of fine cassia, both of which are objects of importance to your petitioner. Your petitioner must further observe, that of the children thus forced away and detained, the major part were born on the plantation, and bred up and taught different useful occupations at his expense; as they were driven away by the armed kolkars from the different places where they were at work and not permitted to stop here, they carried all their

East India Company
Papers
State of Slavery
in Company's
Territories

tools and implements with them; viz. hoes of different kinds, large billknives, and shearing hooks. It is further necessary to observe, that the magistrate in his letter of the 18th, says, that he had ordered the darogah of Pychy, to come to Anjarakandy to put certain questions to your petitioner's people, but no mention is made of the darogah or any other person being authorized to carry them forcibly from the plantation. The darogah of Pychy never appeared; the whole was done by the person who brought your petitioner, the magistrate's letter, without his exhibiting any warrant addressed to him on that duty. He only read to your petitioner a proclamation issued by the magistrate, addressed to the inhabitants in and about this place, informing them, that the darogah of Pychy had orders to seize all my people; and was authorized to search for them in every house; and that therefore no person was to harbour or conceal any of them under pain of punishment by the magistrate. This extraordinary production proscribing about 350 innocent persons; against whom no complaint whatever existed, the person named Chatoo Menon would not leave here or give a copy of it, but proceeded to act without producing any other authority, for which your petitioner apprehends he is liable to punishment. Your petitioner must likewise notice, that his native writers were abused in the grossest language, pushed away, and threatened by armed kolkars when they attempted to get near to the Pooliar on their first examination; and that one of them in particular, a Bramin, was abused in the grossest language by one of the kolkars, because he forbid him to go into your petitioner's garden where he had no business. Your petitioner having thus briefly stated the acts of the magistrate and of those employed by him, once more most seriously entreats your protection and that of the laws, against the unlawful exertions of authority of this magistrate, because your petitioner knows from experience to what lengths he is capable of going, he having some years ago forcibly taken from your petitioner (himself being then absent) elephants and timber to the amount of 2,000 rupees and upwards, without any intimation given or any reason assigned to your petitioner or Mr. Thomas Dineury his then partner, for which your petitioner to this day has received no redress. An inquiry was made by the order of government by the principal collector, then a magistrate, before whom it was proved upon oath, that Mr. Thomas Baber's people caused your petitioner's mark to be cut out from the timber, and then had it conveyed to Tellicherry. Since then, your petitioner has heard nothing more of that business, which has hitherto been probably overlooked amongst so much of much greater importance; yet your petitioner entertains no doubt that he will obtain redress from the justice of government whenever the matter shall be again brought to their notice.

Your petitioner begs leave to add, that he has just been informed of the death of one of the Pooliar children, in consequence of the treatment he had received. That such consequences were likely to result from the measures adopted towards his people, was foreseen by your petitioner; and stated by him to the magistrate, in his letter of the 21st instant; as this death has been caused by what your petitioner considers to be an illegal act, he humbly prays that the afore-mentioned Chatoo Menon may be secured, to the end that he may be brought to trial for the same; and your petitioner shall ever pray.

Owner of the Randaterrah plantation.

Anjarakandy, 24th December 1811.

(signed) *Murd. Brown.*

To Mr. Murdock Brown, at Tellicherry.

Sir—The officers whom I deputed to search for some kidnapped children, reported to be amongst the slaves on your plantation, have returned, and brought with them seventy-six men, women and children, who say they were all stolen or forcibly carried away from their relations and masters; six of the children are not of the tribe even, of unfortunate persons who are considered as slaves, two being Nayer boys, aged about eight, one a Mopella girl, aged about six, two Tean boys, aged about eight, and a Tean girl, about 12, who say they are natives of Travancore, and were within the last six months stolen from their relations, and sent by Wallapagata Assenally from Aleppy to you; I have been most particular in questioning these unfortunates, and have no doubt in my own mind, that they were kidnapped; it becomes in consequence, my duty to discover and bring to condign punishment, all those who have

Part St. George's Papers State of Slavery in Company's Territory

betw concerned in this inhuman traffic, and I therefore most earnestly call upon you to afford me every information in your power to that end, and in regard to the others, I am ready to receive and investigate any evidence or documents that you may have to adduce in support of any claims you may have upon them.

Zillah, North Malabar, 27th Dec. 1811. To the Magistrate of the Zillah, North Malabar.

Sir:—I have to acknowledge the receipt of your letter of yesterday, to the contents of which I must decline giving any reply, because such a reply would be a virtual admission of what I positively deny, and have publicly protested against the legality of your conduct.

Without cause assigned, or information lodged, at least not exhibited, you have violently possessed yourself of my labourers, and of a valuable portion of my instruments of agriculture, and you now call upon me to prove my right to a possession, that no one disputes with me, if such disputant does exist, the courts are open to him, and the regulations point out the course to be pursued; you might, I conceive, with equal legality, have seized any other part of my property, and made the restitution of it depend on similar terms. To these reasons, I have to add, that I have applied to a superior authority for protection and for redress of these injuries (in one instance already fatal) which my people and my property have sustained, and continue to suffer.

I have, &c. (signed) M. Brown.

(True copy.) (signed) M. Brown.

Tellicherry, 28th Dec. 1811.

To Mr. Murray Brown. Sir:—Expecting to be enabled to bring to a close in the course of tomorrow my examinations of the whole of the Pooliars found on your plantation, who asserted they had been stolen, I have now to inform you, that it is my intention to make a full report of the subject to government, but that I am still ready to hold an inquiry into the points referred to in my letter to you dated the 27th ultimo, I cannot too strongly repeat my recommendation, that you give up the names of the persons who supplied you with the Nair, Tean and Mopla children, as well as those of the Pooliars who insist they were kidnapped. I have further to inform you, that I shall order the latter to be delivered over to any person you may send to receive charge of them, as whatever may be their final disposal, there does not appear to be any objection to employ during the interval of the reference to government, the slaves on their daily occupations, the free children will remain under my charge.

Zillah, North Malabar, 30 Jan. 1812. To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—I have to acknowledge the receipt of your letter of yesterday's date, and in reply, have to state to you, that since my letter to you of the 28th ultimo, having sent to Anjarakandy for particular information relative to the six persons whom you say are free people, I have now to inform you, that they were sent there by Banian Bittle Assen Ally to work on the plantation until his return from Travancore; whether he got them from their parents or relatives, or purchased them as slaves, I know not; but having no claim over them, I can have no objection to your detaining them, as I conclude a complaint has been lodged before you, on their account. With regard to the other persons who were forcibly driven from the plantation without the smallest reason being assigned for that violent proceeding, it is totally false that they were stolen or kidnapped, nor did any of them assert such a thing, when questioned by your menon at Anjarakandy; the major part of them have been to or 12 years on the plantation, and the assertion, that they are now said to have made, is not even attempted to be supported by the smallest proof; my right to them, I am perfectly prepared to support, as soon as my property in them is impeached; but until that is challenged, it would, as I have already observed, in my

my letter of the 28th ult. to you, be a virtual admission of the legality of your acts, to prove my right to that property, which nobody disputes with me; and for the recovery of which, together with redress for the wrongs and losses I have suffered, I have already addressed a superior tribunal.

With regard to the case being submitted to government, I only waited for the decision of the court of circuit, to bring the whole affair before the Honourable the Governor in council by petition, because it is impossible for me to carry on that extensive undertaking, on which so very large a sum has been expended, unless I am certain of protection from such hostile interruption and violence, as that against which I now complain. Your submitting the subject, will, I doubt not, answer that purpose, provided the case is fully explained; to which end, I hereby require, that copies of my correspondence, and a copy of my petition to the court of circuit, with the proceedings held thereon, may accompany your reference to government.

Part St. George's Papers: State of Slavery in Company's Territories

I have, &c.

Tellicherry 4th January 1812 (signed) M. Brown

To Mr. Murdock Brown, I have received your letter, dated yesterday, the bearer of it (Kollu Machina) says, that he came from Mr. Douglass's house, where he says you are, and that you have only just now given him that letter, and that you have given this circumstance, to prevent any mistakes hereafter.

I am, &c.

(signed) T. H. Baber, Magistrate.

Sunday, January 5th, half-past five, P. M.

To the Magistrate of the Zillah, North Malabar

Sir:—I have this moment received your note of this day (Sunday 5th January 1812, five, P. M.) informing me you had only then received my letter of yesterday, and that you deemed it necessary to take notice of that circumstance. The only conclusion I can draw from this is, that you have made your reference to government without the copies of the papers mentioned in my letter, and I have to repeat what I therein said, and to require of you, that you will have the copies of my letter immediately forwarded to me, that I may be enabled to refer to them.

Sunday, 45 minutes past 5, P. M. 5th January 1812

Mr. Murdock Brown

Ally, formerly head

Sir:—My information having stated that, Malappagan Ally, formerly head sheristadar in the custom-house, was the principal in this traffic in children between Travancore and this zillah, I have to request you will inform me whether Banian Bidde Assen Ally, who you inform me in your letter of the 4th, has six children to work on your plantation, is the Assen Ally above noticed; and if not, that you will inform me of what place he is an inhabitant, and where he at present resides.

I take this opportunity of advising you, that every document connected with the subject of my late proceeding, will accompany my reference to government.

I am, &c.

(signed) T. H. Baber, Magistrate

Zillah, North Malabar, 6th January 1812

To the Magistrate of the Zillah at North Malabar

In reply to your letter of this day's date, I have to inform you, that the person mentioned in my letter of the 4th instant, is the same you have described.

I have, &c.

(signed) M. Brown

Tellicherry, 6th January 1812

15 C

Fort St. George
Papers
State of Slavery
in Company's
Territories.

To the Magistrate of the Zillah of North Malabar
I Sir—The bearer is the person who sent from Alepy the six children mentioned in your letter of the 3d instant.

The provincial court having signified to me, there is no objection to my receiving back from you the other Pooliars and Betwas, forcibly driven from Anjarakandy on the 18th ultimo, I have, in conformity to that injunction, directed them to be received there whenever you may be pleased to send them.

I have, &c.
Tellicherry, 8th January 1812. (Signed) M. Brown

Second Petition of Murdock Brown, Owner of the Rhandaterra Plantation,
To the Provincial Court of the Western Division;

Humbly sheweth,—That your petitioner has received the extract from the proceedings of the provincial court of the 6th instant, and in obedience to the injunctions therein contained, to vindicate himself from the accusations of the magistrate, your petitioner herewith transmits his answer to the magistrate on that subject, to which he has now to add, that the man who sent up those six persons from Travancore, is arrived from thence, and fully prepared to establish his right to them by purchase, in conformity to the laws of the country.

Your petitioner is further enjoined to state, "what commission he had given to the person who sent him up the six children from Travancore, and as to any precaution he may have adopted in restricting that person to the purchase only of such castes as are by the constitution of society in Malabar, considered as bondsmen, and transferrable by sale in like manner as other real and personal property." In reply to which, your petitioner begs leave to state, "that he never gave any commission or instruction on the subject, and that the purchase and the sending them off to work on the plantation, was solely the act of the person himself, and that your petitioner did not at any time regard them in any other light than labourers sent to work on the plantation, where there is always occupation for persons of all ages."

In regard to what are termed the depositions of 55 Pooliars and Betwas, your petitioner deems it totally inconsistent with his duty, as a man, to sanction so great a violation of the rights of property by giving any answer to them. That 200 serjants, or slaves, against whom not a word of information was lodged, and from none of whom the smallest complaint had been preferred, should be forcibly driven away, without a warrant exhibited, or reason assigned for so violent a proceeding; and then that their depositions should be taken forcibly, for they have been detained here in custody from the 18th ultimo to this day, and brought accusations against their master, or employer, is so great a violation of every principle of British jurisprudence, and the effects of such an exertion of authority so highly injurious to your petitioner's extensive labours, that your petitioner must again pray for redress and protection against similar violent and unlawful acts. Your petitioner therefore can only say, that the Pooliars and Betwas brought here as abovementioned, were the major part of them sent to the plantation in the year 1799 and 1800, when the undertaking was carried on by the Honourable Company, by the Company's darogha at Choughaut Carwakaren Moopa, and under an order (copy of which is inclosed) from the commissioner of Malabar to the assistant collector and magistrate in that district. Your petitioner deems it necessary farther to state, that all those persons were questioned on the 18th December at Anjarakandy by the person deputed, but who acted without any authority exhibited by the magistrate, at which time their answers were in total contradiction to what are now termed their depositions.

Your petitioner begs leave further to add, that soon after he undertook to superintend the undertaking at Anjarakandy, on account of the Company, in 1798, the impossibility of procuring a sufficient number of labourers to settle there, induced him to suggest the purchase of Pooliars, Betwas, and other low castes, who are and must agreeable to the customs of the natives, always be in a state of bondage. This suggestion was approved of by the government of Bombay, and since that period your petitioner has continued from time to time, according to his means and to the facility of procuring them, to increase their number; but he begs leave to add, that in thus complying with the custom of the country, in this mode of procuring labour, he has never, at any time, considered the persons thus acquired as slaves,

For St. George's
Papers:
State of Slavery
in Company's
Territories.

slaves, nor deemed that he had, or has ever exercised, any greater degree of authority over them, than over his other labourers, of which the number has always been considerable; on the contrary, their condition of outcastes has been ameliorated, and themselves advanced in the scale of human beings, to be on a level, in point of comforts with, and in some respects superior to other labouring people, which facts it is in the power of the court to ascertain by inquiry on the spot; the very idea, that one man has a right to make a slave of another, is, and ever has been, repugnant to the sentiments of your petitioner. The deeds of sale of all those persons are in the possession of your petitioner, and no claim against the legality of the sales has ever been made, nor the shadow of a complaint made to the magistrate on that subject; should his property in them be legally disputed, he is prepared to prove it.

In conformity to the sentiments expressed in the proceedings of the court, with regard to your petitioner's receiving back from the magistrate the Pooliars and Betwas detained by him, your petitioner begs leave to state, that he yesterday sent a person to receive them, when the magistrate delivered 35 men, women and children, but still detains 16 Pooliars, without assigning any reason, farther than their saying they were stolen; it is admitted by the magistrate that those people are in a state of bondage, and must have belonged to some other person, before they came into the possession of your petitioner; if therefore they had been stolen, the former owners would no doubt have long since made their appearance to claim them, but no such claim has ever appeared, and your petitioner must again repeat, that the assertion is without foundation; and he therefore submits to your Honourable Court, that those people were illegally taken from him, and continue to be illegally detained.

None of the implements of husbandry, which were carried away with the people, have been restored.

So far from the magistrate, as he asserts, being anxious to consult the feelings of your petitioner, the behaviour of the officers and armed kolkars was offensive in the extreme, the result of which was the collecting together, by means of armed men, 200 persons, and driving them from the plantation at noon day; they were carried to some miles distance, and kept there three days and three nights, under a tree, without shelter or covering, exposed to the extreme cold of the land winds at this season, from whence the death of one boy ensued; should it be urged that this boy was sick when carried from the plantation, your petitioner submits, that this is a solid reason why he ought not to have been forced away, and rather extenuates than extenuates such guilt as may be found to attach to the transaction.

Your petitioner disclaims having ever made use of disrespectful language to the officers of this government, and will conclude by noticing, that by perseverance and the outlay of a very large capital, exclusive of what was expended by the Company, he has brought the plantation, in some branches, to produce what your petitioner to himself, but from the great fall in the chief article of pepper, this, for some years past, has been of more advantage to the revenue than to your petitioner, who this last year paid, in land revenue and duties on the produce of his labours, upwards of 7,000 rupees to government; and your petitioner shall ever pray,

That he may be permitted to sign, M. B. Perry, Owner of the Randaterra plantation, Tellicherry, 11th Jan. 1811.

To Mr. George William Gillio, Assistant at Chougau.

Sir—Government having been pleased to authorize the purchase of Pooliars and Betwas, 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 plantation in Randaterra, and the overseer of it, having informed us, that the darogah of Chougau has now offered him thirty persons of the above description, and promised to complete a hundred, 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 agreeable 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 farther direct that you will grant the said darogah 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

Sic. orig.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

your charge, that those persons, who are willing to dispose of this species of property to the overseer of the Honourable Company's plantation, have permission to do so.

We are, &c.

(signed) J. Spencer, Jas. Hartley, J. Smeed.

Calicut, 20th October 1798.

Supplemental Petition of the undersigned Murdock Brown, Owner of the Randaterra Plantation, to the Provincial Court of the Western Division;

Humbly Sheweth;—That your petitioner, in his second petition of the 11th inst. omitted to state, that so soon as he could find the person who sent up the children, said by the magistrate to be free people from Travancore, which was the day after he returned from thence; your petitioner sent him with a letter from himself to the magistrate, for the whole of the violences committed against your petitioner, though there was not the smallest connection between the case of those children, asserted to have been stolen from Travancore, and your petitioner's labourers or slaves, who the major part of them, have been on the plantation many years. Your petitioner begs leave further to state, that the above assertion of the people having been stolen from Travancore, rests solely on the speech of a child or children, after they were taken by force during the night by the cutwal of Mahé, from the houses that they were placed in. To your petitioner he denied, that any of them are of any other caste than those which are permitted to be sold, or transferred in that country, and that he would produce hundreds of them, in every town in this province, there being few mopilla or Christian houses, in which there are not some of them; that he had purchased them agreeable to the custom of the country, and had all the deeds of sale ready to produce.

Your petitioner begs leave to state, that he has recovered the implements of agriculture carried off with these people, on the 20th ultimo.

And your petitioner shall ever pray.

(signed) M. Brown, Owner of the Randaterra plantation.

Tellicherry, 17th January 1812.

To Mr. Murdock Brown,

Wajapagala Assen Ally having stated to the court, that he had omitted two children in his examination on the 8th, and that instead of six, he had sent eight to you at Anjarakandy, where, he adds, they at present are; you are hereby directed to deliver up forthwith the aforesaid two children to the bearer.

Given under my hand and the court seal, this 24th day of January, 1812.

(signed) T. H. Babery Magistrate.

To the Magistrate of the Zillah of North Malabar, Tellicherry.

Sir:—The eight children mentioned by Assen Ally, were all taken to Tellicherry by your people, and two of them were sent back by your own orders with other Pooliars some days ago, for what purpose I know not; they are now agreeable to your orders respecting them, delivered to the bearer hereof.

I am, &c.

Anjarakandy, 24th January 1812. (signed) M. Brown.

To Mr. Murdock Brown,

Whereas [here follows fifty-two names of men, women, and children,] in the month of December last, made oath before me, that they had been stolen by certain moplas and other natives, banished from their country, and transported against their will to Anjarakandy; and whereas in your communications dated the 4th January, in answer to the magistrate's requisitions dated the 27th December and 3d January, to produce any evidence or documents you might have to adduce in support of your claims to the aforesaid fifty-two persons, it is set forth, that your right to them you are perfectly prepared to support, as soon as your property

THE DIRECTORS OF THE GOVERNMENTS IN INDIA 751

party, in them is impeached; you are, therefore, hereby ordered to account for the manner in which the aforementioned persons came into your possession. Herein fail not.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(signed) *T. H. Baber,*
One of His Majesty's Justices of the peace for the
Town of Madraspatnam and its dependencies.

Tellicherry, 11th June 1812.

(True copy) (signed) *M. Brown,*

To the Magistrate of the Zillah of North Malabar, Tellicherry.

On the 12th instant, the native civil commissioner of this district, accompanied by a guard of kolkars, delivered to me a letter from you, and at same time exhibited another paper, signed by you as justice of the peace, and sealed, I was with seal of the Zillah court, which I was required to sign, and accordingly did so, delivering that paper, as demanded by the commissioner, immediately into his hands again, it being then late in the evening; the commissioner and his guard went away for the night; next morning they returned, and having authoritatively ordered all my labourers to be collected, they selected about fifty Pooliar's and Belwar's men and women, all of whom, with their children, were again forced from the plantation. The authority which this new act of violence is committed, you state in your letter to me as magistrate abovementioned, to be orders of government recently received; of these orders I request to be furnished with a copy, also request to be furnished with a copy of the paper signed by you as justice of the peace, which, as I have mentioned, the commissioner would not leave, but required to be returned as soon as I had signed it.

With these documents before me, I shall be obliged to decide what line of conduct I am to pursue, that I may in no manner whatever deviate from the strictest obedience to the orders of the government.

Anjarakandy, 18th June 1812.

(signed) *M. Brown.*

To Mr. Murdock Brown.

Whereas under date the 11th June, you were directed by precept to account for the manner in which fifty-two persons, whose names were therein mentioned, exclusive of their children of Wetwas and Pooliar's caste, natives of the districts of South Malabar, Cochin, and Travancore, who had made affidavit before me in the month of December last, that they had been stolen, by certain mopillas and other natives, banished from their country, and transported against their will to Anjarakandy, came into your possession; and whereas the aforesaid precept has not been complied with; Now this is to give you notice, that unless you do within six days from this date, make good the right you say you have to the aforesaid Wettoowars and Pooliar's, they will be returned to their respective countries.

Tellicherry
to w...
Seal of the Zillah
Court.

(signed) *T. H. Baber,*

One of His Majesty's Justices of the peace for the Town
of Madraspatnam and its dependencies.

Tellicherry, 20th June 1812.

(True copy) (signed) *M. Brown.*

Added the following protest to the above.

This paper has been presented to the undersigned, on Sunday the 21st June, and though he is persuaded in his own mind that it is not a legal instrument, he nevertheless deems it necessary to answer it thus:—The undersigned will take such steps as he deems necessary for the recovery of the 52 persons (one of whom is already dead) and their children, his legally acquired property of which the justice of the peace has by force deprived him; and in the event of those persons being dispersed before those steps are taken, he hereby protests against the justice of the peace who signed this paper, for all losses and damages whatever that have already ensued, and may from this day ensue from this unlawful conduct of the justice of the peace.

(signed) *M. Brown.*

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

To T. H. Baber, Esq. one of His Majesty's Justices of the peace for the Town of Madraspatnam and its dependencies.

Sir:—On the 21st inst. a paper was presented to me by a person, bearing the badge of a Zillah peon, which paper was dated on the 20th inst. was signed by you as one of His Majesty's Justices of the peace for the town of Madras and its dependencies and was sealed with the seal of the Zillah court of North Malabar which paper purported to be an order to me to prove my right to property (of which you have forcibly deprived me) within six days, &c. of this paper I now enclose a copy of the authenticity of which I hereby call on you to admit or deny and that the nearest time notify to you, that I shall consider your silence as an admission that the paper I now enclose is a correct copy of the documents I have described.

I have, &c.
Tellicherry, 23d June 1812. (signed) M. Brown

To T. H. Baber, Esq. one of His Majesty's Justices of the peace for Madraspatnam and its dependencies.

Sir:—From the contents of the paper issued under your hand, as Justice of peace and seal of the native civil court, dated on the 20th instant, and exhibited to me on Sunday the 21st instant, I conclude you decline giving any answer to my address to you as magistrate, of the 18th instant, which was delivered to you on the 19th previous to the above-mentioned paper being issued, and I therein requested you for the orders of government, which by your letter to me, on the 11th instant, I should as magistrate assign us the authority on which you grounded your proceedings of again detaining in a prison number, fifty-two persons, with their children, from hence. I am therefore satisfied that no such orders were received, nor indeed is it credible that the government would ever issue such orders as authorized you to deprive me of my property, or to carry by force innocent people from their dwellings and keep them like criminals under a guard. If any orders have been received, the meaning of which could be so wrested as to countenance so flagrant an act, must have been obtained by some misrepresentation of the facts that have taken place having been laid before the government. That such misrepresentation has been forwarded, I am led to believe, from the very extraordinary assertion contained in the warrant or precept issued by you on the 12th instant, as Justice of the peace, that these people had made affidavits on oath before you that they were stolen by a greater deviation from truth than this, which conceals could hardly be attempted, and it is therefore necessary for me to bring to your recollection the affidavit which these, what you term affidavits, were brought forth by the natives of the place.

On the 18th of December last, you sent a person belonging to the Zillah court, with a numerous guard of armed soldiers, here, to whom I brought a letter to me, saying that you had sent that person to put certain questions to my labouring coolies, and that between all of them were accordingly called, and the head man (said) by you, put various questions to them, and wrote down their answers, as did one of my native writers. None of the people there said they had been stolen, nor preferred the smallest complaint of any kind, whatever. My agent, finding the answers not of such nature as were probably expected, retired to the dutcherry of the native commissioner, about two miles from hence, and from thence dispatched a letter to you, saying that he could not examine the people, but something to that purpose. What orders you therein issued to him I know not, but I conclude they are very different from what had asked for; as the next day he returned with his guards and drove the whole of my people off in the inhuman manner set forth in my letter to you, of the 12th of that month. They were conveyed to the commissioner's katcherry, where they were exposed to hunger and the inclemency of the weather, and still kept under a guard, like so many criminals. After this suffering for two days, which, it might be supposed, has rendered them sufficiently pliant, they were again called one by one; and as the first who were questioned gave the same answers they had done here, they were told that what they said was not true; that they had been stolen, and they were threatened with being flogged, and otherwise punished, if they did not say so. Such was the report made by many of them to me on their return, after which they made no difficulty in saying any thing that they found was most acceptable to the people who questioned them, by the being obtained the day and three nights in the same exposed manner, and thus proceed to prepare for appearing before you, they were sent to Tellicherry, where they were still confined.

Fort St. George,
Papers: 1
State of Slavery
in Company's
Territories: 1

under restraint, and there you obtained what you term, in your warrant or precept of the 11th instant, affidavits on oath from them that they were all stolen; but which, I believe, in law will be found to be papers of a very different nature from affidavits. An affidavit is a voluntary declaration by way of complaint, or as attesting the person's knowledge of a certain fact; to be legal, it must be made and sworn to with the person's entire free will, and without any restraint, especially on the part of the magistrate. These, therefore, on which you ground your present act of violence are not affidavits; and though I am too ignorant of law to be able to give them their proper denomination, thus far I know, that these people, in swearing that they were stolen, and brought here surreptitiously, have all of them committed perjury, as I shall clearly prove in due time and place; and I think it is more than probable, that those papers, instead of affidavits, will turn out to be indirect or circumstantial evidence of subornation of perjury, grounded upon those, as I deem them, illegally acquired documents. You call upon me, in your capacity of justice of the peace, to prove my property in the persons you have forced from me in this manner, which property, I again repeat, has never been legally questioned by any person whatever; without the smallest ground of any kind whatever, you have deprived me of my property, and make the consideration of restoration depend on my proving my right to it, without that right having ever been contested. How you can suppose that I could sanction such an usurpation of authority, by acquiescing to your exercising it over me, I know not; I can therefore only repeat, what I said in my letters on the 27th December and 3d January last, that I am ready to prove my legal acquisition (under the express orders of the commissioners for the affairs of Malabar to their assistants, and native darogha of Choughaut) of all these persons, the major part of whom were sent to me fourteen years ago by the Company's darogha, or native magistrate of Choughaut. While this undertaking was carrying on for the Company, under my superintendance, during all that period, no one of these, either men or women, have ever said here, either to me or to any person else, that they were stolen, or that they had the smallest wish to return to their own districts. Wherever this people are, they can only be in a state of bondage, which with me they never have been; at least, never were treated, nor looked upon as slaves, and certainly never had any wish to go from this place; if such wish had ever existed, it was out of my power to prevent their going away whenever they pleased.

In the paper exhibited to me on the 21st instant, you say, that I do not make good before you (thus erecting yourself into a judge from a justice of the peace) my property, &c.; that you will send my people to their different countries, that is, in other words, you will prevent them from returning to me, as they all would, if not detained and dispersed by violence, with express orders not to return here. Against such a proceeding I hereby warn you.

You are now acting as a justice of the peace, and as such your acts can be tried by the laws of our country. To these laws it is my intention to appeal; the Sudder Adawlut having decided, that however hostile your acts may be to my personal property, the Company's court can give me no redress.

The first illegal seizure of these people was the immediate cause of the death of a boy, and the second has proved equally fatal to the life of a man, made prisoner without a crime; driven from his home in a state of sickness, without cause assigned; he has expired in restraint.

As these persons, unjustly forced from hence, and now unjustly, as I conceive, detained by you, are part of the persons that I shall call upon as evidences to prove the charges that will be exhibited against you; I hereby protest against their being dispersed or sent from Tellicherry to any other place than this, to which they would all come, if not detained by violence.

I am, &c.

(signed) M. Brown, Owner of Rhandaterra Plantation.

Anjarakandy, 23d June 1812.

Mr. Murdock Brown.

Sir: In a letter bearing your signature, dated the 23d, to my address, and this instant received, you have charged the zillah officers, whom I ordered on duty to Anjarakandy, in the month of December last, with having threatened your people with being flogged and otherwise punished, if they did not say they had been stolen, and

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

and that such was the report made by several people to you; I request you will send me the names of the persons who made you that report, that I may proceed forthwith to investigate this most serious charge against these officers.

I am, &c. (signed) T. H. Baber, Magistrate,
Tellicherry, 25th June 1812, P. M.

Mr. Murdock Brown.

Whereas, in a letter bearing your signature, to my address, dated 23d, received three P. M. this day, it is set forth, that you are ready to prove your legal acquisition of all the persons, the Weetoowars and Pooliars, mentioned in my precept, dated the 11th instant. Now, this is to inform you, that as the aforesaid persons have not yet been permitted to return to their countries, I am still ready to receive and examine any evidence or documents you may have to adduce in support of your asserted legal acquisition of them; provided you do so within two days of the precept of this notice.

(signed) T. H. Baber,

One of his Majesty's Justices of the peace for the town of Madraspatnam and its dependencies, Tellicherry, 25th June 1812.

Ordered in consequence, That a letter of the following tenor, be dispatched to the solicitor to the Honourable Company:—

To the Solicitor to the Honourable Company.

Sir:—With reference to the opinions submitted in the advocate general's letters, dated the 14th April, 14th May, 5th and 17th November, and 3d December 1812, I am directed by the Honourable the Governor in council, to transmit to you for the further consideration and report of the advocate general, the inclosed copy of a letter, dated the 1st instant, from Mr. Murdock Brown.

I am, &c. (signed) W. Thackeray, Chief Secretary to Government,
Fort St. George, 22d Dec. 1812.

Approved, and ordered accordingly.

Extract of a Letter from the Governor in Council of Fort St. George to the Court of Directors in the Judicial Department, dated 1st March 1815.

Pat. 48.—In the 92d and following paragraphs of the letter which we addressed to your Honourable Court from this department, under date the 5th March 1813, we informed you of the proceedings which had taken place at this presidency, in consequence of the statute passed in the 51st year of His Majesty's reign, for rendering more effectual an Act previously passed for the abolition of the slave trade; and related the substance of a correspondence with the supreme government, which had arisen from a reference made by us for their instruction, as to the propriety of giving full effect to the statute, and the manner in which it should be made public, and which in its course had also involved the consideration of the measures best adopted for remedying the defects, as appeared to exist in the provisions of the Act of Parliament, as applicable to the British territories in India.

49.—In continuation, we now beg leave to bring to the notice of your Honourable Court, the correspondence which has since passed upon this subject, and the measures which we have adopted with regard to it.

50.—On our proceedings, noted in the margin, is recorded the reply of the supreme government to the communication, which, in the 111th paragraph of our address to your Honourable Court, above alluded to, we informed you that we had made to them. From it we learned, that the Governor General in council did not deem it advisable to adopt the suggestion which we had offered, that a general regulation for India might be framed with respect to the slave trade. He conceived, that by following the course recommended in former communications from the supreme government, of enacting a separate regulation for each presidency, uniformity would be maintained at the different presidencies, in the laws regarding slaves, in as great a degree as their different circumstances would admit; it occurring to his Lordship in council, that severe penalties might be required at Fort St. George

Cons. 9 March 1813.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

at Bombay, for preventing the importation of slaves by land, than those which had proved sufficient for that purpose in Bengal. In all other respects, the laws and regulations which had been established in Bengal, respecting the importation of slaves from foreign territories, and their sale within the British possessions, might, in the opinion of his Lordship in council, be adopted at the presidencies of Fort St. George and Bombay.

51.—Being now made fully acquainted with the sentiments of the supreme government, with respect to the course to be pursued by us regarding the slave trade, we caused the Fouzdarry Adawlut to be furnished with a copy of the correspondence which had taken place upon the subject. We, at the same time, directed that court to frame a regulation in conformity with the instructions on the subject, which had been received from the supreme government; and desired, that a particular provision might be inserted in it, for the purpose of detecting and punishing the crime of kidnapping children. We also suggested the propriety of providing against those difficulties, which the magistrate in North Malabar had experienced, in prosecuting the parties committed by him for the crimes of kidnapping children, and trafficking in slaves.

52.—With reference to the paragraphs from 114 a' 118 of our letter from this department, dated the 5th March 1813, we beg leave to bring to the notice of your honourable court, the letters from the chief secretary to the government of Fort William, and the honourable Company's solicitor at this presidency, recorded on our proceedings noted in the margin. Those documents show it to be the opinion of the advocate general in Bengal, as well as of the present advocate general at this presidency, that no British subject can have a legal claim to the person or services of any one residing within the limits of the British territories as a slave; and that the law ought to be strictly enforced, in case of any violation of it, in a point of so great importance.

Consultations,
13th April 1813.
16 Sept. 1813.

53.—Having received a communication from the Foujdarry Adawlut, submitting for our orders a reference made by the judge on circuit in the western division, regarding the authority of the local courts to try persons accused of trading in slaves, we referred the point of law for the opinion of the advocate general, and at the same time directed that certain persons, whose committal by the magistrate in North Malabar had given occasion to the reference, should be discharged.

D^o 23d March
1813.

54.—We were afterwards informed of the opinion of the advocate general, that the local courts possess no authority to try the offences in question; and we have since intimated to the magistrate in North Malabar, our desire, that should any violations of the Slave Trade Felony Act be hereafter committed within the limits of his jurisdiction, and should he be able to procure evidence sufficient to lead to the conviction of the offenders, he would, in the capacity of one of his Majesty's justices of the peace, take the proper steps for bringing them to trial, before the supreme court of judicature at Madras.

D^o 13th April 1813.

D^o 9th July.

55.—On our proceedings, noted in the margin, is recorded a correspondence with Mr. Brown, the proprietor of the plantation at Randaterra, relative to certain measures adopted by the judge and magistrate in North Malabar, with a view of putting a stop to the traffic in slaves, from Travancore, into Malabar. Your honourable court will observe, on reference to those proceedings, that Mr. Brown advanced a claim to the support of government, in a prosecution which he stated it to be his intention to institute, against Mr. Baber, the magistrate in North Malabar, on account of the injury which he had sustained from the removal of some slaves from his plantation, by Mr. Baber. This claim he founded upon the conditions of the agreement, by which the plantation, together with its stock, of which the slaves in question formed, as he stated, a part, was made over into him by the Company in the year 1802-3. Upon being informed, however, that in the event of his instituting a prosecution against Mr. Baber, the Company's law officers would be instructed to defend that gentleman, Mr. Brown acquainted us that it was not his intention to prosecute Mr. Baber for what he now considered as an act of the government, but presumed that government would not require payment for the slaves, of whose services that act had deprived him.

D^o 13th June 1813.
13th July.
31st August.

56.—This communication from Mr. Brown did not appear to us to require any immediate notice. When the claims of government upon that gentleman come in course of being discharged, it will be sufficient time to inquire, whether any ground for abating them arises from the proceedings of the magistrate for detecting and putting a stop to the traffic in slaves.

Fort St. George
Papers:
Slave of Slavery
in Company's
Territories.

Extract, Fort St. George Judicial Consultations, the 9th March 1813.

Read the following letter from the chief secretary to government at Bengal, to
To David Hill, Esq. Secretary to the Government at Fort St. George, 9th of

Sir— I am directed by the right honourable the Governor General in Council, to acknowledge the receipt of a letter from you, dated the 20th November last, with its inclosures.

2.— It is presumed, that the observations and suggestions contained in your letters to the chief secretary of the 26th September and 19th December last, will have sufficiently informed the honourable the Governor in Council of the course which, in the opinion of his Lordship in Council, should be pursued by the local governments of India with respect to the slave trade.

3.— It only remains to notice the suggestion contained in your letter, for framing a general regulation with respect to the above question. By following the course adverted to in the preceding paragraph, the Governor General in Council conceives that uniformity will be maintained at the different presidencies in the laws regarding slaves, as far as the circumstances of the different presidencies will admit. It occurring to his Lordship in Council, that severer penalties may be eventually required at Fort St. George or Bombay, for preventing the importation of slaves by land, than those which are stated to have proved efficient for the accomplishment of that object in Bengal. In all other respects his Lordship in Council conceives that the laws and regulations now established in Bengal respecting the importation of slaves from foreign territories and the sale of such slaves within the limits of our possessions, may be adopted at the presidencies of Fort St. George and Bombay. I have, &c. (signed) G. Dowdeswell, Chief Secretary to Government. Fort William, 30th January 1813.

Ordered, in consequence, that a letter of the following tenor be dispatched to the Register to the Court of Foujdary Adawlut.

To the Register to the Court of Foujdary Adawlut. Sir, I am directed by the honourable the Governor in Council to desire that you will lay before the Foujdary Adawlut the accompanying copy of a correspondence which has taken place with respect to the course to be pursued by the government regarding the slave trade.

2.— The Governor in Council desires that the Foujdary Adawlut will frame a regulation, in conformity to the instructions on the subject, which have been received from the supreme government, and that a particular provision may be inserted in it, for the purpose of detecting and punishing the crime of kidnapping children.

3.— It may also be proper to provide against those difficulties, which, as the Foujdary Adawlut are aware, the magistrates of North Malabar experienced in prosecuting the parties committed by him for the crimes of kidnapping children and trafficking in slaves.

I have, &c. (signed) David Hill, Secretary to Government. Fort St. George, 9th March 1813.

List of Packet.

- N^o 1.— To the Register to the Court of Suddur Adawlut, dated 9th March 1813.
- N^o 2.— From the Secretary to Government, Fort William, dated 26th September 1812.
- N^o 3.— To the Advocate General, dated 30th October 1812.
- N^o 4.— From David Hill, dated 5th November 1812.
- N^o 5.— From A. V. D. dated 17th December 1812.
- N^o 6.— To the Secretary to Government at Bengal, dated 20th November 1812.
- N^o 7.— From the Chief Secretary at Bengal, dated 19th January 1813, with an inclosure.
- N^o 8.— From David Hill, dated 9th March 1813.

Extract, from St. George's Judicial Consultations, the 23d March 1813.

Port St. George
Papers:
State of Slavery
in Company's
Territories.

Read the following letter from the Register to the Court of Foudjary Adawlut to the Secretary of the Government in the Judicial Department.

Sir—I am directed by the Foudjary Adawlut to transmit to you the accompanying extract from the court's proceedings of this date, with a reference from the third Judge in the Western Division, and to request you will lay it before the Honourable the Governor in council, and to have, &c.
(signed) Edward Wood, Register.
to Foudjary Adawlut (Register's Office) 9th March 1813

Extract from the Proceedings of the Foudjary Adawlut, under date 9th March 1813.

Read letter, dated the 8th ultimo, from the third Judge in the Western Division, enclosing an extract from the calendar, received from the magistrate of the Zillah of North Malabar, for the first sessions of the year, with copy of a precept issued by him to the magistrate, and of the magistrate's return thereto.
In the case in question, four persons, one of whom is described to be the master of a small vessel, had been committed for trial, at the prosecution of the government, charged with having imported at Tellicherry, five natives of Abyssinia, as slaves. And in return to the third judge's precept, requiring "to be informed under what authority or existing regulation the magistrate had committed the said persons to be tried by a local court of judicature," the magistrate certifies, that he had committed them under the statute 51 Geo. III, c. 23, for rendering more effectual the former Acts for the abolition of the slave trade, by which any traffic of slaves within the territories of the East India Company, subsequent to the 1st January 1801, is declared to be felony.

Under the explanation furnished by Mr. Baber, of his proceedings in the case, the court are to presume, that in holding the parties to bail for appearance to take their trial for the felony with which they stand charged, under the statute 51 Geo. 3, c. 23, he acted, not in virtue of the authority vested in him, as magistrate of the Zillah of North Malabar, but in his capacity of "justice of the peace, under the law of England." And the point of reference is, whether his commission, as justice of the peace, empowers him to commit persons so offending, for trial before a court of law delivery, constituted as provided in regulation 10 of 1810, and exclusively governed as to its powers, proceedings and decisions by all the rules contained in the existing regulations for the guidance of the criminal courts. But whatever may be the opinion of the court on this point, as the discussion involves a question upon the construction of an Act of Parliament, which also is not before them, the court seem to be their duty to submit the third judge's letter and inclosures to the government, with their request, that the Honourable the Governor in council may be pleased to direct, that the subject receive such consideration as may appear to him best calculated to lead to a decision thereupon.

And answering to the delay which may be occasioned by this reference, the court further beg leave to submit the propriety of ordering the discharge of the parties in this case, who, it may be assumed, had no reason to suppose that the act for which they have been made the objects of a criminal prosecution, was a public wrong.

Ordered, That extract of these proceedings be transmitted to Mr. Secretary Hill, for the purpose of being laid before the Honourable the Governor in council.

(A true extract.) (signed) Edward Wood, Register.

Ordered, in consequence, That letters of the following tenor, be dispatched to the Company's solicitor, and to the register to the court of Foudjary Adawlut.

To the Honourable Company's Solicitor,
Sir:—I am directed by the Honourable the Governor in council to transmit to you, for the consideration of the advocate General, the annexed copy of a letter from the register to the Foudjary Adawlut, with the extract from the proceedings of that court, which accompanied it; and to desire that you will, as soon as may be convenient,

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

venient, communicate, for the information of the Governor in council, the opinion of the advocate general upon the point in question.

2.—I am directed to add, that orders have been given for discharging the parties who had been committed to take their trial.

I am, &c.
(signed) *David Hill*, Secretary to Government.

Fort St. George, 23d March 1813.

To the Register of the Court of Foujdarry Adawlut.

Sir:—I am directed by the Honourable the Governor in council, to acknowledge the receipt of your letter, dated the 9th instant, and to state, for the information of the Sudder Adawlut, that the general point of law brought into question, has been referred for the opinion of the advocate general.

2.—Agreeably to the opinion of the Foujdarry Adawlut, the Governor in council desires, that the parties who have been committed to take their trial on the charge of having imported five slaves at Tellichery, may be liberated.

I have, &c.
(signed) *David Hill*, Secretary to Government.

Fort St. George, 23d March 1813.

Extract, Fort St. George Judicial Consultations, 13th April 1813.

Read the following letter from the chief secretary to government at Bengal.

To William Thackeray, Esq. Chief Secretary to Government at Fort St. George.

Sir:—It having been deemed advisable to take the opinion of the advocate general, on the question to which your letter of the 22d January last refers, I am directed to request that you will lay before the Honourable the Governor in council, the inclosed copy of a letter from Mr. Shettell on that subject.

2.—The advocate general having stated it as his opinion, that it is quite impracticable as the law at present stands, for any British subject to support a claim to the person or services of any one residing within the limits of the British territories as a slave; and the opinion corresponding entirely with the sentiments entertained by the Right honourable the Governor General in council on the subject, his Lordship in council thinks that every case of that nature which may be brought before the Governor in council of Fort St. George, should be regarded as an illegal and unauthorized assumption of power, and that legal measures should be resorted to, should circumstances appear to require it, against any British subject so acting in violation of the law.

I have the honour to be, &c.
(signed) *G. Dowdeswell*, Chief Sec^y to Gov^y.

Fort William, the 6th March 1813.

Ordered, in consequence, That letters of the following tenor be dispatched to the register of the court of Sudder Adawlut, and to the Company's solicitor:—

To the Register of the Court of Foujdarry Adawlut.

Sir:—With reference to Mr. Secretary Hill's letter, under date the 9th ultimo, directing that a regulation be framed for the prevention of the slave trade, I am directed by the Honourable the Governor in council, to transmit to you for the further information of the court, the inclosed copies of a letter, dated the 22d January last, to the chief secretary at Fort William, with the inclosed extract from Anstruther's report, and of Mr. Dowdeswell's reply, under date 6th ultimo.

I have the honour to be, &c.
(signed) *William Thackeray*, Chief Sec^y to Gov^y.

Fort St. George, 13th April 1813.

To the Solicitor for the Honourable Company.

Sir:—With reference to the papers regarding the traffic in slaves carried on the coast of Malabar, recently submitted to the late advocate general, and to the report of Mr. Anstruther on that subject, I am directed to transmit to you the inclosed

inclosed copy of a letter, dated the 6th ultimo, from the chief secretary to government at Fort William, and to desire, that you will ascertain, whether it is the opinion of Sir Samuel Toller, that, under the opinion and instructions conveyed in that letter, it is necessary to adopt legal measures with regard to the persons whose services are claimed by Mr. Brown.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(signed) William Thackeray, Chief Secretary to Government.

Fort St. George, 13th April 1813.

Extract, Fort St. George Judicial Consultations, 30th April 1813.

Extract Letter from the Honourable Company's Solicitor, dated 15th April 1813.
I have also submitted to the advocate general, Mr. Secretary Hill's letter to me, of the 23d March last, with the copies of papers annexed from the register to the Foujdarry Adawlut; and I have to inform you, that the advocate general is of opinion that the zillah court has no jurisdiction to try the offences in question, and that by virtue of the statute 51 Geo. 3. c. 23. s. 6. it is properly referrible to the admiralty jurisdiction of the supreme court of Madras.

Extract, Fort St. George Judicial Consultations, 15th June 1813.

Read, the following letter from Mr. M. Brown to W. Thackeray, Esq. chief secretary to government, Fort St. George.

Sir:—On the 1st of December last, I had the honour to address the Honourable the Governor in council, briefly stating the injuries and heavy losses sustained from the unwarrantable conduct of Mr. Thomas Baber, in his capacity of judge and magistrate of this zillah (the particulars of which were fully detailed in the documents that accompanied my address), and praying that an inquiry might be instituted on the spot, for the purpose of ascertaining the truth and justice of my complaints.

Six months have now elapsed without my having been honoured with any acknowledgment of or reply to that letter, during which I have continued to suffer the serious loss therein complained of; the respect that I owe to government has necessarily prevented me from pursuing any other course for the purpose of obtaining redress and remuneration for the injuries and losses that I have sustained, and for the more important end of exposing the unlawful acts of the magistrate above mentioned; in consequence of which, and the inhuman treatment they received, two human beings lost their lives.

I therefore most humbly solicit to be informed, whether I may or not expect that my prayer for inquiry will be granted. I have, &c.

(signed) M. Brown, Owner of the Rhandaterra Plantation.

Anjarakandy, 1st June 1813.

The following draft of a reply was read, and approved:—

To Mr. Murdock Brown, North Malabar.

Sir:—I am directed to acknowledge the receipt of your letter, dated the 1st. inst. and to inform you, that his Excellency the Governor in council has no objection to your pursuing any course which you may judge proper, with the view of obtaining the redress to which you conceive yourself to be entitled.

I am, &c.
(signed) D. Hill, Secretary to Government.

Fort St. George, 15th June 1813.

Extract, Fort St. George Judicial Consultations, 9th July 1813.

Read, the following letter from the magistrate in the zillah of North Malabar, to the secretary to government, Fort St. George.

Sir:—I have the honour to submit, for the consideration of his Excellency the Governor in council, copy of two depositions given by a boy named Kapire, and his mother, a poor blind woman, of the Muckquaor caste of fishermen, in consequence of an attempt made by an Arab, calling himself Meerza*, who had come

* But named Al-dul Raze.

Fort St. George
State of Slavery
in Company's
Territories.

to Malabar with some horses for sale, to carry off the former for the purpose of holding or selling him as a slave, in which he would have succeeded had I not by the merest chance, met them about thirty miles from Tellicherry, a few days ago when I was employed in examining the bridges lately constructed under my directions on the new eastern road.

The account the boy gives of himself is, that he was enticed away from a Bahian shopkeeper, where he had been placed by his friends, by this Arab, who, after keeping him five days, prevailed upon him by promises of giving him plenty of food and clothes, to accompany him to Mysore, and that accordingly he accompanied him to the gaut, when he was met by me, and brought away. The mother declares she missed her son for several days, and knew nothing of what had become him until restored to her.

I did not prevent the Arab from prosecuting his journey, as he made no kind of hesitation in giving the boy up, and seemed thankful he had escaped so well; and in the very imperfect state (it would seem by the decisions of the provincial court of circuit, as reported in my letters, dated the 20th February 1812, and 9th January 1813, and the late orders of the Sadder Fouzdarry court, in the case of the four prisoners, I committed for trial, as principals and accessories in the purchase, transport, and introduction, in August last, into Tellicherry, of five children, natives of Abyssinia, as slaves) the law stands at present on this interesting question, I would not appear to be required of me to proceed against these offenders.

Two other instances of this abominable traffic have recently occurred, which may not be irrelevant in this place to notice. One was of a young girl about fourteen years old, of the Telinga caste, who was brought to this town in May last, by an Arab named Hadjee Peer Mahomed, on his way to Mecca. The girl would not go on board the ship, and the Arab was as positive in insisting she should, when fortunately the police officers got intimation of what was going on, and brought both of them before me. The girl stated, she was originally of Hindoo parents, and had been sold by them to the Madras Nawaub, who had given her to the Arab Hadjee Peer Mahomed; in return for some Kərbulla Mutty he had brought from Arabia; she said she did not wish to go with him, as she knew she would be sold. The Arabs gave the same account of her, and as he could have no right over her person, I permitted her to go wherever she liked best, and cautioned the Arab against molesting her. The girl has taken her own free will since, and now abode at the house of the provincial court Moofy.

The other was a boy who had come from Arabia, and most probably a native of Africa, brought by an Arab named Sayed Mahomed Cadiri to this coast, and carried to Coorug. The circumstance I did not know of until after the arrival of the Arab here last month with an elephant for sale, which I was informed the Rajah had given him in return for the slave boy. The Arab himself admits he left the boy with the Rajah's moonshee, knowing however how anxious the Rajah is to obtain these slaves, I have little doubt this boy is added to the unfortunate list of persons held in slavery at Madikary. In my letter dated the 3d September 1813, the government would have observed, that part of the Abyssinian boys imported here were for the rajah of Coorug; and I have heard, that the rajah has sent his agents to make more purchases at Goa, between which port and Mozambique, the traffic has been carried on to a considerable extent, as is evident from one of the slave ships calling and taking in water at Calicut so late as the 2d of November last, as reported in my letter of the 10th of the same month.

Numerous complaints have also been preferred to me by natives stealing, forcibly carrying away, or inveigling slaves under a pretended right to them, and which must continue more or less as long as slavery is tolerated here; there is no subject more worthy of the humane consideration of his Excellency the Governor in council, than the system of slavery; and although it appears doubtful, whether the laws made to abolish the slave trade extend in their operation to slaves which have been born slaves within any British island, colony, or settlement, it cannot, I should think, be a question, that they are equally entitled with free-born persons to the fullest protection of government, not only against kidnappers, but all manner of ill usages from masters.

It was with this view of the subject, that I took the liberty to introduce in my proposed draft of a police regulation, a few rules upon the general question of slavery in these provinces; and the expediency of some such legislative provision will be still more manifest to his Excellency the Governor in council, when I inform him, that nothing can be more abject and wretched than the condition of that degraded

OF DIRECTORS and the GOVERNMENTS IN INDIA. 761

degraded race of mortals, the slaves of Malabar, whose, (to use the words of Mr. Francis Buchanan in his tour through Malabar, &c.) "huts are little better than mere baskets, and whose diminutive stature and squalid appearance, evidently show a want of adequate nourishment."

Fort St. George
Papers
State of Slavery
in Company's
Territories.

I take this opportunity of informing his Excellency the Governor in council, that I have not heard of a single native of the Travancore and Cochin provinces, free-born or bondsmen, having been brought into the zillah since January 1812, and that I attribute the discontinuance of this inhuman practice to the well-timed examples and general arrangements, made under the direction of the British resident at those courts.

I have the honour to be, &c.
(signed) T. H. Baber, Magistrate.

Zillah North Malabar, 26th June 1813.
Information given by Kapire, son of Muckway Chakky, and nephew of Karumben, of the Muckqwa caste, aged nine years.

While I was living with my friends, my carunan, an uncle, placed me with a Tellicherry Banian, when one day an Arab came there and told me, if I would go with him, he would give me plenty of food, clothes, and rice; I went and remained with him five days without any body's knowledge, during which, he told me if I would accompany him to Mysore, he would give me clothes; I said I must first ask leave of my family, on which he said, you need not do that; he then gave me more food and curry, and took me out of Tellicherry over a large river, and thence to Cotian, and on the second day, carried me again with him until we met the sahib, who seeing me, ordered the Muckywars to carry me to Tellicherry.

(Translated) (signed) T. H. Baber, Magistrate.

The Deposition of Chakky Makquaty, a Banian now two years, who took care of him and gave him his food, when, on the fire breaking out in the Muckqwa village, I missed my son, and was going about inquiring after him, when the Muckqwa, who had been with the sahib (magistrate) to the Gaults, returned and brought my son, telling me they had met him on the road in company with an Arab, and had brought him back by order of the sahib.

(Translated) (signed) T. H. Baber, Magistrate.

To the Magistrate in the Zillah, North Malabar.

The judge holding the quarter sessions, observing in the calendar, submitted to him, of persons committed for trial at the said sessions, under number IX, four persons charged with being principals and accessories to the purchase, transport and introduction into Tellicherry, of certain natives of Abyssinia as slaves, requires to be informed, under what authority or existing regulation, the magistrate hath committed the said persons to be tried by a local court of judicature.

Given under my hand and seal, this 6th day of February, A. D. 1813.
(signed) H. Clephane, Third Judge.

Under the statutes, 51 Geo. 3. c. 23. for rendering more effectual the former Acts, for the abolition of the slave trade, by which any traffic in slaves, within the territories of the East India Company, subsequent to the 1st January 1812, is declared to be felony. The Act applies in all its consequences and penalties to all persons residing or being within the King's or Company's territories, including therefore the native subjects of the government of Fort St. George.

Given under my hand and seal, this 6th day of February A. D. 1813.
(signed) T. H. Baber, Magistrate.

To the Magistrate in the Zillah of North Malabar.

You are hereby directed to cause the persons held to bail in cause number IX, of the calendar, first quarterly sessions, A. D. 1813, to appear before the court, of quarterly sessions now holding on Tuesday the 6th inst.

Given under my hand and seal, the 5th day of April A. D. 1813.
(signed) H. Clephane, Third Judge, C. of C. W. D.

Fort St. George
State of Slavery
in Company's
Territories

To the Magistrate in the Zillah, North Malabar

The persons committed by you for trial, before the court of quarterly sessions, under number IX, of the calendar, first quarterly sessions, A. D. 1813, having been this day, in pursuance of an order from the Fouzdary Adawlut, discharged from the bar, you will be pleased to cause the security bonds given for their appearance to stand trial, to be cancelled.

Given under my hand, and the seal of the court, this 6th day of April, 1813.
(signed) *H. Clephane*, Third Judge, C. of C. W. D.

The bail bonds entered into for the appearance of the prisoners, in case N. IX, referred to in the annexed precept, have been cancelled.

Given under my hand, and the seal of the court, this 6th day of April, A. D. 1813.
(signed) *T. H. Baber*, Magistrate.

First Quarterly Sessions 1813:—EXTRACT from the Calendar of the PRISONERS committed, to be held to trial by the Magistrate of the Zillah, North Malabar, to take trial before the Court of Circuit for the Western Division:

N ^o	NAMES of the Parties	Abstract of the Charges and Date when they were preferred	Date of Application	Names of the Prosecutors and Witnesses	Abstract of the Examination, Grounds, and Date of Commitment for Trial	Names of the Prisoners held to Bail, and the Prisoners
IX.	The Government by Vakeel Sheshbaguree Row versus Nacodah Shed Senagobay Shake Darood Malayay Usen Arnan Oolah.	1st Prisoner, in having received from the vessel, called Grab Kadry, some time in the month of July last, as Slaves, five natives of Abyssinia, bought by the sd, 3d, and 4th prisoners at Mocha, in Arabia, and receiving freight for them, and importing them at Tellicherry, on or about 30th August 1812. 2d Prisoner, in having purchased two of the above African Slaves at Mocha, and landed them at Tellicherry, (from the vessel, called the 1st Prisoner's vessel, on or about 30th August 1812. 3d Prisoner, in having purchased one of the above African Slaves and brought her with him to Tellicherry in 1st Prisoner's vessel, and landing them there, on or about 30th August 1812. 4th Prisoner, in having purchased two of the above African Slaves, and brought them with him to Tellicherry, in 1st Prisoner's vessel, and landing them there, on or about 30th August 1812.	1st Sept. 1812	Chanakaren, Cunby Packey, Era Mendon, Darashainn	1st Prisoner acknowledged he received freight for five African Slaves, and landed them at Tellicherry; also, that he received freight for 2d Prisoner acknowledges he purchased two of these Slaves while at Mocha for 84 dollars, and brought them in the Grab Kadry, on or about 30th August 1812. 3d Prisoner acknowledges he purchased one of these Slaves for 51 dollars, and brought her in the 1st Prisoner's vessel for those purposes. 4th Prisoner acknowledges he purchased two of these Slaves for 110 dollars at Mocha, and brought them with him in 1st Prisoner's vessel, and committed the other prisoners to trial on their own confessions.	Names of the Prisoners held to Bail, and the Prisoners

(A true copy) (signed) *T. H. Baber*, Magistrate.

The following draft of a reply, is read and approved:—

To the Magistrate in the Zillah of North Malabar
"Sir!—I am directed to acknowledge the receipt of your letter of the 26th ultimo, and to desire that, should any offences against the Slave Trade Felony Act be hereafter committed within the limits of your jurisdiction, and should you be able to procure evidence sufficient to lead to the conviction of the offenders, you will, in the capacity of one of His Majesty's justices of the peace, take the proper steps for bringing them to trial before the supreme court of judicature at Madras.
I am, &c. &c.

(signed) *D. Hill*, Secretary to Government.
Fort St. George, 9th July 1813.

Extract, Fort St. George Judicial Consultations, the 13th July 1813.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Read the following letter from Mr. Browne, in North Malabar. To D. Hill, Esq. Secretary to Government.

Sir, I have the honour to acknowledge the receipt of your letter of the 15th inst. informing me, "that his Excellency the Governor in council has no objection to my pursuing any course which I may deem proper with the view of obtaining the redress to which I conceive myself to be entitled."

No notice being taken of my repeated prayer, for inquiry into the conduct of the magistrate of the Zillah of North Malabar, the result of which, I can have no doubt, would have produced an order from the government, for the restoration of the property forcibly and illegally taken by him from the plantation, I find myself unavoidably compelled, by my duty to the Honourable Company, as a person in charge of their property, and thereby bound to preserve it by every lawful means in my power, to submit to his Excellency the Governor in council, the following brief statement of facts:

In the year 1802-3, the Honourable Company's plantation in Rhandatterah, with all the property and stock then upon it, was made over to me, to be carried on at my own expense, and as my own property, on a mutual agreement between the government of Madras and myself, which provided for the reimbursement of the Company by instalments, for all the property and stock, and with some exceptions for the whole amount of the charges incurred by the Honourable Company on the said plantation. Now, Sir, the slaves forced away by the magistrate from the plantation, were part of the property thus made over to me by the government, and for which the Honourable Company no doubt expect reimbursement in whole or in part. Thus situated in the management of a most extensive agricultural undertaking, which pays annually to the government a very considerable and annually increasing sum, and in the success of which, the Honourable Company's interests are so intimately concerned, I did expect the protection of the government against all violence whatsoever, but more especially against that of their own officers, who act under its immediate control.

To obtain this protection, and thereby recover the property of the plantation, my endeavour on my part has been wanting; I first addressed the provincial court, to which the magistrate is amenable for all official acts. That court did order the restoration of the property, which order the magistrate did partially comply with, by sending back a part of the slaves, whom however, he afterwards again forced away, without assigning the smallest reason for so doing, as he constantly refused to shew any authority whatever for those repeated acts of violence.

The provincial court deemed it necessary to delay the further consideration of my complaint until a reference was made to the Sudder Court at the presidency; the decision of which was, that the Company's Court can afford me no redress.

Thus, undeceived in the conclusions I had drawn from a perusal of the government regulations, that all acts of magistrates and zillah judges, were without exception, subject to the control and judgment of the Provincial and Sudder Court respectively, and told that I could obtain no relief through that channel, I submitted the case for the consideration of the Honourable the Governor in council, praying for inquiry and redress; after six months had elapsed, without receiving any answer to my address, I renewed that prayer, and have received an answer, above quoted from you, which leaves me no alternative but that of prosecuting Mr. Thomas Baber, in the supreme court, for acts committed by him in his capacity of magistrate, under a power received directly to him from the Honourable the Governor in council. This short statement of facts, I have deemed it my bounden duty to submit to his Excellency the Governor in council, in order to prove when and where it shall become necessary to the Honourable the Court of Directors, that no exertion on my part for the preservation and recovery of property, which still virtually belongs to them, and also for shewing the necessity I am under at this state of the business, of solemnly declaring, that I consider the Honourable Company as responsible for their refusing to protect me, in the possession of the property made over to me by themselves, from the acts of their own servants, over which they have unlimited control.

It is further necessary for me here to state, that the value of the fifty-two Pooliars and Betwas, taken from the plantation, is of a nature of such importance to the undertaking, that one of the chief branches of cultivation, upon which a very

Fort St. George
Papers
State of Slavery
in Company's
Territories.

large sum of money has been expended, has been and must continue in a great measure at a stand, from my being deprived of them) that this consequence would ensue Mr. Baber well knew, and thence the selection of those very persons who were, from the knowledge, that had been taught them fourteen years before at a very heavy expense, of the greatest value to the undertaking.

Being thus reduced to the necessity of prosecuting in the Supreme Court for the recovery of property virtually belonging to the Honourable Company, I beg to be informed, whether his Excellency the Governor in council will be pleased to permit the Honourable Company's law officers to prosecute the suit. As nothing can be more opposite to my intention than to deviate in the smallest degree, by word or deed, from the profound respect I owe to and entertain for his Excellency the Governor in council, nothing, I trust, will be found in this address that can be construed into such deviation, nor any thing beyond what my duty in the unprecedented situation in which I am placed, imperiously calls on me to state; if, however, my judgment in this respect shall be deemed erroneous, I shall withdraw it, on the first intimation I shall receive from you of its being so considered. I have, &c. (signed) M. Brown, Owner of Rhandatera Plantation Calicut, 30th June 1813.

Ordered, in consequence, that letters of the following tenor be dispatched to Mr. M. Brown, and to the Company's solicitor:

To Mr. M. Brown, Calicut.

Sir:—I am directed to state to you, that his Excellency the Governor in council does not consider it necessary to make any remark upon the other points discussed in your letter of the 30th ultimo; but, with respect to your request, that you may be allowed the assistance of the Honourable Company's law officers in the action which you intend to bring against Mr. Baber, the magistrate at Tellichery, I am to acquaint you, that in the event of your carrying that intention into effect, the Honourable Company's law officers will of course be instructed to defend the suit.

Extract Proceedings of Council of Revenue at Fort St. George, 28th (signed) David Hill, Secretary to Government.

Fort St. George, 13th July 1813. To the Honourable Company's Solicitor.

Sir:—With reference to the previous correspondence on the same subject, I am ordered by his Excellency the Governor in council, to transmit to you the accompanying copy of a letter from Mr. M. Brown of Anjarakandy, with a copy of the reply which has been addressed to him; and to desire that these papers may be communicated to the advocate general, and to the Honourable Company's standing counsel. I am, &c. (signed) David Hill, Secretary to Government.

Fort St. George, 13th July 1813. Extracts Fort St. George Judicial Consultations, 31st August 1813. Read the following letter from Mr. M. Brown.

To David Hill, Esq. Secretary to Government, Madras.

Sir:—I have the honour to acknowledge the receipt of your letter of the 13th ultimo, informing me in reply to that part of my letter requesting to be informed, whether I might have the assistance of the Honourable Company's law officers in the prosecution which I intended to institute against Mr. Baber, that in the event of my carrying that intention into effect, the Honourable Company's law officers will, of course, be instructed to defend the magistrate. I conceive I am to understand, that the act of the magistrate is, in fact, the act of the government, which of necessity, in my case, precludes all idea of prosecuting for the Company's property (and indeed, can any such proceeding be

...requirement... cannot permit myself to suppose, that the Honourable Com-
pany will expect payment from me of property delivered to me by the government,
and which the government have again taken from me. I have, &c.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

(signed) M. Brown
Anarakandy, 28th August 1813.

The foregoing letter does not appear to require any notice at present.
When the claims of government upon Mr. Brown come in course of being dis-
charged, it will be sufficient time to inquire whether any ground for detaining them
arises out of the magistrate's late proceedings, for detecting and putting a stop to
the traffic in slaves which has taken place between Travancore and Malabar.

Extract of Fort St. George Judicial Consultations, 10th September 1813.
To the Chief Secretary to Government.

Sir:—The letter from the chief secretary, under date the 13th of April last,
transmitting the copy of a letter from the chief secretary to the government at Fort
William, was submitted to the advocate general for his opinion on the question
therein stated; and I now send annexed a copy of the opinion which I have this
day received.

(signed) R. O'Neil, Solicitor for the Honourable Company

Fort St. George, 7th September 1813.

...entirely concurs in the opinion of the advocate general of Bengal, that no
British subject can legally support a claim on the persons or estates of any one
residing within the limits of the British territories as a slave. I also think, that the
law ought to be strictly enforced in case of any violation of it, in not important a
opinion as that to which this letter refers.

(signed) Samuel Toller, Advocate General

Extract Proceedings of the Board of Revenue at Fort St. George, 28th
September 1813.

Extract Letter from M. Brown, Esq. to Mr. T. Warden, Collector of Mala-
bar, dated 31st August 1813, in answer to a Letter, calling upon him to
state the nature and amount of losses which he had sustained by the de-

struction of the Bhandaterra Plantation.
I should have here closed this letter, had it not been necessary for me now to
state another loss of a very extraordinary nature. I soon after I began this planta-
tion on account of the Company, there being great difficulty in procuring labourers,
I proposed to the Government of Bombay to purchase as many Poodiars and Deawas,
and others of those castes who are in a state of bondage, and to establish them
on the plantation. This proposal was approved of so early as 1798, and in con-
sequence the commissioners issued orders (copies of which, and of the government
order, you will find on the records for that period) to their assistants in the northern
and southern districts of the province, to afford me all legal assistance in procuring
those kinds of people for the plantation. Some hundreds of men and women, with
their families, were accordingly procured by purchase from their owners, during
that and the following year, and settled here, much to their own satisfaction, and
most usefully for the plantation; because, being fixed upon it, they soon became
much better acquainted with the various labours than people hired by the day.
From that time those people remained contented and undisturbed here until the by-
past year, when the magistrate of Tellicherry sent an armed force, and carried the
whole of them from the plantation. Some of them were, after a long detention,
sent back; but the men and women, with their children, of those who had been
longest on the plantation, and who were the most useful, were kept and dispersed by
the magistrate. For these acts, he asserted having the orders of government, but
I have vainly called upon him to produce those orders; so that on what grounds this
unjustifiable act of violence was committed, I am still ignorant, and therefore
shall make no comment on the subject; but forward herewith copies of all the papers
and correspondence that it gave rise to, from which the board will be enabled fully

Fort St. George
Papers
State of Slavery
in Company's
Territories.

to understand it. I hope it is almost needless for me to state, for the information of the board, that although those people were purchased, they never were either looked upon or treated as slaves, but entirely as free labourers. They were, in truth, redeemed from a state of bondage, and made free, and their condition rendered fully equal to that of the free labourers on the plantation; with this difference in their favour, that when sick they had their pay continued to them, and a doctor to attend them, neither of which advantages the other labourers have. You, who know in what an abject and degraded state those castes are kept in Malabar, will be able fully to appreciate the value of the change to them, of being lodged in solid comfortable houses, and being themselves and children well fed and clothed.

The inclosures in this letter are the same as those referred to in Mr. Brown's letter to the Governor in council, entered upon the Judicial Consultations of the 27th December 1812.

Extract, Fort St. George Judicial Consultations, 23d October 1812.
Read the following Letters from the Judge and Magistrate, in North Malabar, and from the Military Secretary to the Commander in Chief.

To the Chief Secretary to Government.

Sir:—The confederacy against which I have so long had to contend, and which I have so repeatedly brought to the notice of government, has now arrived at that height, as to leave me no other alternative than to appeal to the laws of my country; but as I am naturally anxious, that whatever I do in a business appearing to involve so many public considerations, should be by and with the concurrence of government, I have determined to submit my complaints for their previous benefits and orders.

The accompanying copy of two letters and two affidavits, I was under the necessity of making before Mr. Hay Clephane, in his capacity as one of His Majesty's justices of the peace, contains a concise narrative of a most violent and unprovoked outrage made upon me on Friday the 9th instant, by Lieutenant Brown, of His Majesty's 80th regiment, Mr. Douglas, the paymaster, and Mr. Thomas Gahagan, the register to the provincial court; language the most gross and offensive, menacing gestures, every means, in fact, short of personal violence, was resorted to, to intimidate me, to give them a written paper, contradictory of a report in circulation on the subject of the kidnapped children found in Mr. Murdock Brown's possession, or to provoke me to meet and fight all of them; happily, they did not succeed in either of these criminal objects, and it will be a source of the highest satisfaction to me, that I did command my temper on so trying an occasion.

3.—Mr. Douglas had the audacity to threaten to post me as a liar and a coward, and that wherever I went infamy and dishonour should accompany me; and very shortly afterwards, Mr. Gahagan and Lieutenant Brown actually posted up a paper, with those false and scandalous words, in view of a great part of the zillah court servants then in attendance on duty on me, leaving a peon, with a pay-office badge, to watch what became of that paper, and this in the public streets of the town of which I am the magistrate. Another paper was, I am informed, fixed up at the entrance of Mr. Douglas's house, for the perusal of the European part of the society; and there is no doubt that similar libels are being dispersed half over India.

4.—On the following day (Saturday), Mr. Gahagan, Mr. Douglas, Lieutenant Brown, Mr. Murdock Brown, Mr. Harrison, Mr. Pearson, and Lieutenant Budd, of the 22d regiment, all met at the provincial court house, where Mr. Smee and Clephane were, the former sitting in trial over the Wynaad rebels; and immediately afterwards, Mr. Douglas went over to Cannanore, where he has been since propagating the grossest calumnies. I will not trust myself with offering any comments upon such unprecedented hostility, but merely observe, that in whatever light these proceedings are viewed, it is impossible that a greater injury or a greater act of injustice could have been done me.

5.—The Honourable the Governor in council will perceive that, in my letter dated the 9th, I called upon Mr. Hay Clephane in his capacity as one of His Majesty's justices of the peace, to protect my person and character against all manner of violence and malicious defamation that might be attempted to my prejudice on the part of Mr. Douglas and Lieutenant Brown; but it would appear from Mr. Douglas's conduct that this appeal had been of no avail. The commanding officer

Fort St. George
Papers
State of Slavery
in Company's
Territories

officer of the provinces has placed Lieutenant Brown under an arrest, and forwarded copies of my letters to his excellency the commander-in-chief.

6.—As proceeding from the same source, I send copies of some notes I received from Mr. Gahagan, on the 21st, and 22d of last month; I did not make them the subject of a public representation, because it is my earnest wish, in all possible cases, to avoid troubling government with complaints, and because I know such conduct could only proceed from the evil counsels of his associates. Mr. Gahagan has alluded in these notes to an official transaction; I send all the documents that passed on that occasion, by which the government will observe, that here also the conduct of Mr. Gahagan is liable to the imputation of great disrespect.

7.—Other recent instances of this factious combination may be quoted; I mention one more, because it serves to expose the insidious means taken to harass, and distress me.

8.—On the 23d May last I received a letter from Lieutenant Oliver, the officer then commanding the detachment of regulars doing duty over the jails, expressed in terms so exceedingly offensive as to compel me to make it the subject of a public complaint; it was not necessary to prosecute it, in consequence of a subsequent letter expressive of his sorrow and regret at what had passed; I knew also that this kind of conduct was not natural to that officer, and I had the strongest reasons to believe, that what he had done, had been at the instigation of his Tellicherry friends. His letter was dispatched from Mr. Stevens's house, and written on a sheet of paper, out of the same quire with the provincial court's precept dated 25th May, giving cover to these three unfounded complaints, fabricated while I was risking my life in the service of my employers in Wynaad, and which formed the subject of my letter to government, under date the 2d of June; of this fact there is not a doubt, the water marks, the size, and the edges, which had been cut down, were precisely the same; and although this is no proof that the letter was written

by the advice of the members of the provincial court, I have no doubt that transaction was done with the knowledge of Mr. Stevens or Pearson.

9.—Since the departure of Mr. Pearson in June, until his return last month, I have been less harassed than at any other period; what way or how soon this deadly enmity will next shew itself is impossible to say; but it shall be my endeavour to maintain, under any and every provocation, such a command over myself as shall defeat the machinations of all my numerous and powerful adversaries.

10.—Should the Honourable the Governor in council coincide with me, in the expediency of an appeal to the laws of my country, as noticed in the first part of this letter, I shall leave it to their wisdom to determine, whether the prosecution had better be carried on at the suit of government, or on my individual account; should the latter be resolved upon, I should prefer employing the Company's standing council, and could wish that he take immediate steps to bring the subject to a judicial hearing. I have, &c.

(signed) T. H. Baber, Judge and Magistrate.

Zillah, North Malabar, 12th October 1812.

Thomas H. Baber, judge and magistrate of the Zillah North Malabar, and one of His Majesty's justices of the peace for the town of Madraspatnam and its dependencies, do declare and make oath, That Lieutenant Brown, of His Majesty's 80th regiment, did this morning, at about nine o'clock, enter my house, and demand in vehement language, private satisfaction for a report said to have originated in me two months ago, prejudicial to Mr. Murdock Brown's reputation, on the subject of the proceedings held by me in my official capacity as the judge and magistrate of the Zillah North Malabar, and one of His Majesty's justices of the peace, aforesaid, into the affair of some Travancore natives, born of free parents, who had been kidnapped and found in a state of slavery in the possession of the aforesaid Mr. Murdock Brown, and with having in the course of that visit made use of menacing language towards me; I do also further declare and make oath, that almost immediately after the departure of Lieutenant Brown, Mr. Archibald Douglas did enter my house, and in vehement language demanded of me to meet and fight Lieutenant Brown, threatening to post me as a liar and a coward if I did not fight him, and to bring upon me eternal dishonour and infamy; I also further declare and make oath, that about 12 o'clock in the same day, Mr. Gahagan did come into my house, and tell me he was deputed by his friend Lieutenant Brown, in consequence of my refusal to hold any communication with Mr. Douglas, to demand

Fort St. George
Papers,
State of Slavery
in Company's
Territories.

demand a written apology for the report in circulation about Mr. Murdock Brown; and on my refusing to make any such apology, that he, Mr. Gahagan, did tell me I must stand to the consequences. I do further declare and make oath, that shortly after this menace, Lieutenant Brown and Mr. Gahagan, did affix upon the wall opposite to my house a paper containing the following gross and scandalous libel:—
"Mr. T. Baber, is a liar and a coward."
(signed) T. C. Brown, Lieut. H. M. 80th Regt.

Tellicherry, October 9th, 1812.

I, Thomas H. Baber, do hereby declare, and make oath, That Mr. Gahagan did call upon me a second time, about three o'clock this day, and inform me, that Lieutenant Brown had put into execution the threat he had held out; I also declare and make oath, that he, Mr. Gahagan, did further take a paper out of his pocket, the purport of which was, that he, Mr. Gahagan, had informed Mr. Douglas, that I had said, my reason for not holding any communication with him was, that he was not a gentleman, or words to that effect, and that Mr. Douglas had sent him to demand satisfaction for such expression. That on Mr. Gahagan being informed, on my word and honour, that I had not made use of such expression, but that I had said, I had most forcible reasons for declining to hold any communication with Mr. Douglas, he, Mr. Gahagan, did thereupon say, that I had made use of the words, not a gentleman, or words to that effect, and that I should hear further from him on that subject. I do further declare and swear, that on or about four o'clock in the same afternoon, a gentleman, by name Mr. Harrison (I was informed), called upon me, and presented a note from Mr. Gahagan, to the purport, that he had seen a document which rendered it impossible that he should have further communication of any kind with me, as a gentleman, and that he should in consequence circulate copies of his conference with me, for the perusal and discussion of society at large.

(signed) T. H. Baber, Judge and Magistrate.

Enter Mr. Gahagan's note, presented by Mr. Harrison.

Mr. Baber:—On quitting your house this afternoon, I determined to come to a perfect understanding with you, relative to the assertions which you made to me during our first conference of this day, respecting the character of my friend, Mr. Douglas; I have since, however, seen a document, which renders it impossible that I should have further communication of any kind with you, as a gentleman, and which has convinced me, that the most effectual and proper conduct for me now to pursue is, to circulate copies of that conference, with the pledge of my honour for the veracity of what those copies state, for the perusal and discussion of society at large.

Half-past four, 9th October. (signed) Thomas Gahagan.

To Colonel Lockhart, the Officer commanding the Provinces.

Sir:—I am extremely concerned to be under the necessity of preferring a public complaint against a Lieutenant Brown, of His Majesty's 80th regiment, at present residing at this station. The following is a statement of the case:—About nine o'clock this morning, Lieutenant Brown entered my house, and demanded, in vehement language, private satisfaction for a report said to have originated in me two months ago, prejudicial to Mr. Murdock Brown's reputation, on the subject of the inquiry held by me in my official capacity, as the judge and magistrate of this zillah, and one of His Majesty's justices of the peace, into the affair of some Travancore natives (born of free parents), who had been kidnapped and found in a state of slavery, in the possession of Mr. Murdock Brown; not considering myself responsible to Lieutenant Brown, or any other individual, for acts done in the discharge of my official duty, I declined entering into any discussion, at the same time, in consideration of Lieut. Brown's near connection with the subject of that inquiry, I gave him an assurance, that I never had originated the report he said was in circulation, viz. *That his father had expressly employed persons in Travancore, to kidnap free born children.* Not satisfied with this, Lieut. Brown made use of menacing language, telling me, I should hear further from him; almost immediately after his departure, Mr. Douglas, in a manner equally violent, entered my house,

For Sec. Govt. Papers State of Slavery in Company Territories.

house; but I do not think it meet and right to meet and fight Lieut. Brown, and on being informed, that I would not hold myself responsible to Lieut. Brown for any act or acts done in the discharge of my official duties, Mr. Douglas threatened to post me as a liar and coward, and to bring eternal dishonour and infamy upon me. Lieut. Brown having been guilty of a high military crime, as well as a high breach of the public peace, I am under the necessity of requesting you will forward up to the commander in chief this letter, and also take what steps appear to you proper to protect me in the discharge of my public duty in the interim of that reference.

I have, &c. (signed) T. H. Baber, Judge and Magistrate.

Tellicherry, October 1812. To Colonel Lockhart, The Officer commanding the Provinces. Sir - In continuation of the subject of my letter, I have now to inform you, that about 12 o'clock I received a visit from Mr. Gahagan, telling me, he was deputed by his friend Lieutenant Brown, to demand a written apology for the report in circulation about Mr. Murdock Brown, this of course I declined to give him, but repeated to Mr. Gahagan what I had said to Lieutenant Brown, and under the supposition that he was totally ignorant of what had transpired about those kidnapped children, I explained to him, that it had come to light in a judicial investigation held here and in Travancore, that several free-born children had been found in the possession of Mr. M. Brown in a state of bondage; that these persons had been sent from Travancore by Mr. Brown's agents, and therefore that it was not at all surprising that it should be a subject of public notoriety. Mr. Gahagan still however insisted upon a written apology; but finding me resolute, he went away, saying "I must stand to the consequences," and shortly afterwards Lieutenant Brown, attended by Mr. Gahagan, came and affixed upon the wall opposite my house a paper, containing the following most gross and unfounded libel: "Mr. Thomas Baber is a liar and a coward."

(signed) F. Brown, Lieut. H. M. 80th Regt.

I have now to request, that this letter be forwarded also, for the information of his Excellency the Commander-in-chief. And am, &c. (signed) T. H. Baber, Judge and Magistrate.

Zillah, North Malabar, 9th October 1812. To the Judge and Magistrate, North Malabar.

Sir - I have received the honour of your letter of this date, and agreeably to your request, I shall forward it for the consideration of his Excellency the Commander-in-chief, and in the mean time, I shall order Lieutenant Brown, of His Majesty's 80th regiment, to be placed in arrest.

I have, &c. (signed) William Lockhart, c. c.

Cananore, 9th October 1812. To Hay Clephane, Esq. one of His Majesty's Justices of the peace.

Sir - Lieutenant Brown of His Majesty's 80th regiment, having this day entered my house and demanded in vehement language private satisfaction for a report said to have originated in me two months ago, prejudicial to Mr. Murdock Brown's reputation on the subject of the proceedings held by me in my official capacity as the judge and magistrate of the Zillah, North Malabar, and one of His Majesty's justices of the peace, into the affair of some Travancore natives born of free parents, who had been kidnapped and found in a state of slavery in the possession of the aforesaid Murdock Brown; and having in the course of that visit made use of menacing language, and Mr. Douglas having almost immediately after the departure of Lieutenant Brown also entered my house, and demanded of me in vehement language to meet and fight Lieutenant Brown, threatening in concert with Lieutenant Brown to post me as a liar and coward, and to bring upon me eternal dishonour and infamy, if I did not fight the said Lieutenant Brown. I am under the necessity of calling upon you to exert the powers vested in you by law, as one of His Majesty's Justices of the Peace, to cause Lieutenant Brown to be placed in arrest.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

of His Majesty's justices of the peace, to protect my person and character against all manner of violence and malicious defamation that may be attempted to my prejudice, on the part of the aforesaid Lieutenant Brown and Mr. Douglas.

I have, &c. (signed) T. H. Baber.

Tellicherry, 9th October, half past 11. To Hay Clephane, Esq. one of His Majesty's Justices of the peace.

Sir:—Having since I left you received another visit from Mr. Gahagan for the same criminal purpose as his former one, I herewith send a written declaration of what passed on that occasion, which I am ready to make oath to when most convenient to yourself. I am, &c.

October 9. (signed) T. H. Baber.

Sir:—I am just going into town; it will be necessary that you attend and swear to the circumstances contained in the paper you have sent me, when I shall bind over the persons mentioned to keep the peace.

(signed) H. Clephane.

You will be pleased to come to the provincial court house, to Thomas Hervey Baber, Esq.

Sir:—In consequence of your letter, dated yesterday at 4 p.m., I have to acquaint you, that I shall be at the provincial court house at 10 o'clock this day.

I am, &c. (signed) H. Clephane, J. P.

Darmapatam, 10th October 1812. Sir:—I have been excessively surprized to hear a report, that after a late official transaction between yourself and me, you had waited for me near the Cutcherry, and that we had a conference not altogether of an amicable nature. It is needless of me to observe, that I have contradicted this idle rumour, and feel myself under the necessity of demanding of you a promise to do the same, on your behalf, if the report should at any time reach your ears.

Yours, obediently, (signed) Thomas Gahagan.

Kottypally. In answer to your note I have to inform you, that it is the first intimation I have received of the calumny in question, and that I neither can nor will hold myself responsible to you or any other man for events, in which as I have no concern, it is impossible for me to control.

I am, &c. (signed) T. H. Baber.

September 22d, 1812. To Mr. Baber.

Sir:—I do not hold you responsible for the calumny in question, but merely required of you to assist me in preventing its extension; and if you will re-peruse my note of this date, you will find, that it is merely what the nature of the report to which it alludes would seem to require. I should never expect you nor any other man to account for reports not of his own propagation, and this is apparent from the tenor of my first note; your disavowal of the calumny is satisfactory, and I can require nothing more than an assurance that you will contradict it, if mentioned before you.

Yours, obediently, (signed) Thomas Gahagan.

Tuesday. No answer. Mr. Baber.

Sir:—I have waited until the present hour with the expectation that you would reply to my second note of yesterday; that note expressly intimated this expectation; but as you have chosen to disregard it, I write this to inform you, that I shall assume to myself the privilege of contradicting the report in your name as well as my own. Yours, obediently,

Wednesday. (signed) Thomas Gahagan.

No answer.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

To the Collector of Malabar.

Sir:—The inclosed two receipts were presented in the usual manner for payment at the revenue treasury, but I brought back with a message, that I must address Mr. Gahagan; not having received any intimation from you of any alteration in the mode of defraying the current expenses of this Zillah, I am totally in the dark as to what these new forms are; I request therefore, you will issue an order to the revenue officer in charge of the treasury at this place, to discharge these two receipts, and if any new arrangements have been made, that you will advise me what they are.

I have, &c.
(signed) T. H. Baber, Magistrate.

Zillah, North Malabar, 15th Sept. 1812.

To the Judge and Magistrate, of the Zillah North Malabar, Tellicherry.

Sir:—In answer to your letter of yesterday's date, I have to acquaint you, that Mr. Gahagan is in charge of the revenue treasury at Tellicherry, and is at liberty to make any arrangement he may judge to be expedient connected with its disbursements. I return the two receipts inclosed in your letter, with an order to pay the amount of one of them; the other being an extra charge, it is necessary that I should be furnished with the sanction of government before I can pay it.

I have, &c.
(signed) Thomas Warden, Collector.

Calicut, 16th September 1812.

To the Collector of Malabar.

Sir:—I am sorry to be under the necessity of again requesting you will issue an order for the payment of the pension granted by the government to the young Rajah Cadroor, Mr. Gahagan, the assistant, on whom you sent an order for that amount, having returned it, with the words "not official" written underneath my endorsement. As these kind of references are exceedingly unpleasant, I am to request, you will either direct that the court disbursements be paid in the usual manner, or point out the mode to be observed, or direct your assistant to do so, when, if possible, I will conform thereto. On the subject of contingent charges I have only to observe, that ever since the court has been established, they have been paid on a receipt signed by the judge and magistrate; and as they will not, as was the case in the charge incurred on the leprous patients sent to Madras, on every occasion admit of a previous reference to the government, I have to request you will forward copy of this letter, for the orders of the Honourable the Governor in council, unless you think proper to allow of matters going on as they have hitherto.

I have, &c.
(signed) T. H. Baber, Magistrate.

Zillah, North Malabar, 17th September 1812.

To the Judge and Magistrate of the Zillah North Malabar, Tellicherry.

Sir:—In consequence of your letter, dated the 17th instant, I have directed the head assistant collector, Mr. Gahagan, to consider the presentment of any draft which may be drawn by me on his treasury, as sufficiently official to authorize its payment. You will, therefore, meet with no further obstacle in obtaining payment of the draft which I inclosed to you, under date the 16th instant.

The contingent charge, for which you inclosed me a receipt in your letter of the 15th instant, is not of a nature which I consider myself authorized to discharge; for I understand the Honourable the Governor in council has ordered the expense which might be necessary to be incurred in conveying leprous patients to Madras, to be provided by another department. The audit regulations are sufficiently clear, to justify my declining to make the disbursement in question. It is, therefore, not a duty incumbent on me to forward a copy of your letter, dated 17th instant, for the order of the Honourable the Governor in council, as therein requested.

With the exception of the regular pay and establishment of the court at Tellicherry, not a single disbursement will in future be made from the revenue treasury at Tellicherry on the requisition of either of those courts, without a special draft

Fort St. George,
Papers;
State of Slavery
in Company's
Territories.

under my signature. Whatever sums, therefore, you may have to draw for on my treasury, inclusive of the regular pay and establishment of the court, (which will be paid on the presentment of the pay abstract, and not before,) it will be necessary that an explanation should be made to me, particularly specifying the nature of the disbursement for which the advance might be required, which will enable me to conform to those regulations, a deviation from which has subjected me hitherto to considerable unnecessary trouble and inconvenience.

I have, &c.

(signed) *Thomas Warden*, Collector.

Calicut, 21st September 1812.

To the Collector.

Sir:—Finding it utterly impossible to present the monthly indent of the salaries of the establishment and contingent disbursements of this zillah before at the earliest period the middle of the month ensuing, that for which they are due, in consequence of the time required to get the native abstracts from the most distant police stations, and to make up the accounts of the subsistence to the prisoners, (which is chiefly in rice), and other disbursements incident in this zillah, I was under the necessity of sending three receipts, drawn out agreeably to the forms which have obtained ever since the establishment of this zillah court, to the revenue treasury, here for payment. One of these receipts was for the sum of 2,000 pagodas, which is 115 pagodas less than the amount of the pay and establishment of the zillah for September; the second, a receipt for the sum of 300 pagodas, on account of subsistence to nearly 400 prisoners, and about 200 witnesses in attendance on the special commission, besides other unavoidable contingencies; and the third, for 800 rupees, on account of the pension to the Travancore Ellea Rajah, all of which the shroff reports he carried to the revenue office; that the latter one was paid on the same day, and that yesterday the cash had been counted out to him, when Mr. Gabagan, attended by another gentleman, name unknown, told him the receipts were irregular, and could not be paid. I have, therefore, to request that you will be good enough to order the amount of the accompanying two receipts to be immediately paid to the zillah court shroff; and further, that you will make application to the government for their authority, for the reasons stated in the first part of this letter, to continue making advances in the manner hitherto observed.

I have also to request, that you will issue orders for the payment of the balance of the court indents for July and August; viz. for July, 22,15,63, for August, 300,37,71, to enable me to discharge the bills due to Allambata, Coony, Amod, and Tacharakal Packara, Tellicherry merchants, for rice supplied by them for the consumption of the prisoners.

I have, &c.

(signed) *T. H. Baber*, Magistrate.

Zillah, North Malabar, 9th Oct. 1812.

To William Thackeray, Esq. Chief Secretary to Government, &c. &c.

Sir:—I have been directed by the commander-in-chief to request, that the accompanying copies of a correspondence, which has been transmitted to his Excellency by Major-general Wetherall, regarding a complaint on the part of the judge and magistrate of North Malabar, against Lieutenant Brown, of His Majesty's 80th regiment, may be laid before the Honourable the Governor in council.

As the perusal of these documents will best explain their subject, I have been instructed, with reference thereto, to express the commander-in-chief's opinion, that as the alleged insult has been offered to Mr. Baber in his magisterial capacity, the lieutenant ought to be considered amenable to the civil power for the offence. His Excellency would therefore recommend a reference to the advocate general on the occasion; pending which, Lieutenant Brown will be held at the immediate disposal of government.

I have, &c.

(signed) *Hugh Scott*, Military Secretary.

Fort St. George, 20th Oct. 1812.

Fort St. George
Papers:
State of Slavery
in Company
Territories.

To Colonel Lockhart, the Officer commanding the Provinces.

Sir—I am extremely concerned to be under the necessity of preferring a public complaint against a Lieutenant Brown, of His Majesty's 80th regiment, at present residing at this station. The following is a statement of the case:—About nine o'clock this morning Lieutenant Brown entered my house, and demanded, in vehement language, private satisfaction for a report said to have originated in me two months ago, prejudicial to Mr. Murdock Brown's reputation, on the subject of the inquiry held by me, in my official capacity as the judge and magistrate of this zillah, and one of His Majesty's justices of the peace, in the affair of some Travancore natives, born of free parents, who had been kidnapped, and found in a state of slavery in the possession of Mr. M. Brown. Not considering myself responsible to Lieutenant Brown, or any other individual, for acts done in the discharge of my official duty, I declined entering into any discussion at the same time, in consideration of Lieutenant Brown's near connection with the subject of that inquiry; I gave him an assurance, that I never had originated the report he said was in circulation, viz. that his father had expressly employed persons in Travancore to kidnap free-born children. Not satisfied with this, Lieutenant Brown made use of menacing language, telling me I should hear further from him; accordingly, almost immediately after his departure, Mr. Douglas, in a manner equally violent, entered my house, and demanded me to meet and fight Lieutenant Brown; and on being informed that I would not hold myself responsible to Lieutenant Brown for any act or acts done in the discharge of my official duties, Mr. Douglas threatened to post me as a liar and coward, and to bring eternal dishonour and infamy upon me. Lieutenant Brown having been guilty of a high military crime, as well as a high breach of the public peace; I am under the necessity of requesting you will forward up to the Commander-in-chief this letter; and also take what steps appear to you proper to protect me in the discharge of my public duty in the interim of that

reference of the matter. I have, &c. (signed) Tho. H. Baber, Justice and Magistrate Zillah, North Malabar, 9th Oct. 1812.

To Colonel Lockhart, the Officer commanding the Provinces.

Sir:—In continuation of the subject of my letter, I have now to inform you, that about twelve o'clock I received a visit from Mr. Gahagan, telling me he was deputed by his friend, Lieutenant Brown, to demand a written apology for the report in circulation about Mr. Murdock Brown. This, of course, I declined to do; but repeated to Mr. Gahagan what I had said to Lieutenant Brown; and under the supposition that he was totally ignorant of what had transpired about those kidnapped children, I explained to him, that it had come to light in a judicial investigation held here and in Travancore, that several free-born children had been found in the possession of Mr. Brown, in a state of bondage; that these persons had been sent from Travancore by Mr. Brown's agents, and therefore that it was not at all surprising that it should be a subject of public notoriety. Mr. Gahagan still, however, insisted upon a written apology; but finding me resolute, he went away, saying I must stand to the consequences; and shortly afterwards, Lieutenant Brown, attended by Mr. Gahagan, came and affixed upon the wall, opposite my house, a paper, containing the following most gross and scandalous libel:—"Mr. Thomas Baber is a liar and a coward." (signed) F. C. Brown, Lt. H. M. 80th Reg. Tellicherry, Oct. 9th, 1812.

I have now to request, that this letter be forwarded also for the information of his Excellency the Commander-in-chief; and am, &c. &c. &c. (signed) Tho. H. Baber, Judge and Magistrate Zillah, North Malabar, 9th Oct. 1812.

(Copy.) Cannanore, 11th Oct. 1812.

Sir:—I have the honour to inclose, for transmission by Major-general Wetherall to his Excellency the Commander-in-chief, copies of two letters sent to me by the judge and magistrate, North Malabar; in consequence of the statement contained

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

in which, I have been under the unpleasant necessity of ordering Lieutenant Brown of His Majesty's 80th regiment, to be put in arrest.

I sincerely regret this circumstance, as I understand Lieutenant Brown bears an excellent character; but Major-general Wetherall must be sensible, that, as the matter stands, I had no alternative.

I have, &c.

(signed) W. Lockhart, Colonel commanding.

The Major of Brigade, Mysore Division.

P. S. I understand that Lieutenant Brown means to make a statement of the above circumstances on his part, which shall be forwarded as soon as I receive it.

(signed) W. L. Lockhart

To the Adjutant General of the Army.

Sir:—I have the honour to forward you, for submission to his Excellency the Commander-in-chief, copies of two letters, addressed by Mr. Baber, a judge and magistrate, to Colonel Lockhart, commanding at Malabar and Kanara, together with the copy of that officer's letter to the brigade major of the division I command.

I have directed that Lieutenant Brown of his Majesty's 80th regiment, remain in arrest till his Excellency's decision be obtained.

I have, &c.

(signed) T. A. Wetherall, Major-General.

Head Quarters, Mysore Division, Bangalore, 15th October 1812.

Ordered in consequence, That a letter of the following tenor, be dispatched to the advocate general:—

To the Advocate General.

Sir:—I am directed by the Honourable the Governor in council, to refer for your early consideration and report, the inclosed original letter and its inclosures, from the judge and magistrate at Tellicherry, and original letter and its inclosures on the same subject, from the secretary to his Excellency the commander-in-chief.

I am, &c.

(signed) D. Hill, Secretary to Government.

Fort St. George, 23d October 1812.

Extract, Fort St. George Judicial Consultations, 30th October 1812.

Read again, the following letters:

From the judge and magistrate in North Malabar, dated 12th, and entered in consultations, 23d of October 1812.

From the military secretary to the commander-in-chief, dated 20th, and entered in consultations, 23d of October 1812.

From the Advocate General to the Secretary to Government in the Judicial Department.

Sir:—I have received your letter of the 23d inst. communicating to me the letter of the judge and magistrate of North Malabar, of the 12th inst. with its inclosures, for my consideration and report.

The case stated in these papers, while unanswered and unexplained, is of a nature requiring the most serious public notice. It is in the mere act, apparently avowed and boasted of challenging to fight a duel, a high crime, which the King's courts are in the habit of proceeding against by information, whenever brought to their notice. But the occasion of this outrage, makes it much more serious. It appears to have originated in the judicial inquiry instituted some time ago by the same magistrate, for the purpose of giving liberty to a number of children then in slavery under Mr. Murdock Brown, and who had been stolen from their parents in Travancore, or otherwise illegally obtained by the persons from whom Mr. Brown procured them. That inquiry was submitted to my consideration, and my impression from all that I then saw was, that the magistrate was entitled to great praise for his zeal and ability

N^o 863. Original. From the Judge and Magistrate N. Malabar, dated 12th October 1812, with four inclosures.

Original. From the Military Secretary to the Commander-in-Chief, dated 20th October 1812, with an inclosure.

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

in tracing the infamous traffic, and in restoring the children to their parents and to liberty. In the course of it, it became his bounden duty to state the circumstances of Mr. Brown's conduct, which did appear highly suspicious, although the circumstances did not amount to direct proof of his having sanctioned the acts of his agents in kidnapping the children; the statements and reports of the magistrate upon that occasion, did not, according to my recollection of them, appear to me to exceed what the case warranted and called for; but if the case should turn upon this point, it would be proper that the reports should be again looked into.

There appears to be, unfortunately, a settled inveterate and avowed enmity between Mr. Baber and many of the other persons in the same province, one of whom is Mr. Murdock Brown, and is in the public report of the former, as judge and magistrate, he had stepped out of his way to cast unfounded imputations against his avowed and open enemy, any consequences which might have ensued, would ultimately have originated in his own aggression; and although the law would still have been open to him, to repress and punish violence, it might have been a question, whether government was called upon to protect him from consequences most necessarily following, from the discharge of his duty, but rather from the abuse of it; if therefore the measures to be adopted by government, shall depend upon the propriety or impropriety of the former reports of the judge and magistrate of North Malabar, as to the kidnapping the children, it will be necessary to re-consider them more particularly with this view; but it strikes me very strongly, that if that report had contained any matters so grossly improper as to forfeit the protection of government to a magistrate, its servant, it would have drawn the attention, and received the animadversion of the government at the time.

It is also possible, consistently with the report, and the affidavit of Mr. Baber, now forwarded, that the ground of complaint against him may have been, not his former report to government in his public character, but other observations and statements made by him, or reported to have been made by him, in conversation or otherwise, unconnected with his official duty, although upon the same subject upon which he had publicly reported. It is not impossible that exaggerated reports may have been circulated, upon the alleged authority of Mr. Baber, criminating Mr. Brown, beyond what the truth would warrant, and beyond what had been publicly reported by the judge and magistrate. If such reports should be shown to have been circulated, and should be traced to Mr. Baber, however protected by the law from violence, he would not be entitled to the protection of government against the consequences of such reports.

The case may possibly be susceptible of other explanation; and as Mr. Douglas and Mr. Gahagan are servants of the government, I should humbly advert, that before directing a prosecution to be commenced against them, with Mr. Brown, they should be called upon, as officers of the government, to explain their conduct.

At the same time, I think there can be no doubt of the propriety of Mr. Baber's prosecuting the parties, who have been guilty of so gross an outrage against him, and of the government informing Mr. Baber of its being so considered by them, upon his statement of the facts; but that the government cannot take any part against its other servants, without first giving them an opportunity of explaining their conduct.

It might possibly happen, that the call of government upon these gentlemen to explain their conduct, might lead them to reflect more coolly, if they have been carried by passion to unwarrantable lengths.

I am, &c.

(signed) A. Anstruther.

The Commander-in-chief is requested to call upon Lieutenant Brown for such explanation of his conduct as he may have to offer.

Ordered, That the following letter be addressed to Messrs. A. Douglas and Thomas Gahagan:—

To Mr. A. Douglas.

Sir:—I am directed by the Honourable the Governor in council to transmit to you the inclosed copy of two affidavits made by Mr. Thomas Hervey Baber, judge and magistrate of the zillah, North Malabar, and to desire that you will submit such explanation of your conduct, as stated in those affidavits, as you may have to offer.

I am, &c.

(signed) W. Thackeray, Chief Sec. to Government.

Fort St. George, 30th October 1812.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract, Fort St. George Judicial Consultations, 1st December 1812.

Read the following Letters from Mr. A. Douglas and Mr. Thomas Gaffagan

To William Thackeray, Esq. Chief Secretary to Government at
Fort St. George.

Sir:—I have the honour to acknowledge the receipt of your letter of the 30th ult. transmitting copies of two affidavits of Mr. T. H. Baber, the judge and magistrate of zillah, North Malabar, and calling on me to enter into an explanation of what is stated in those affidavits respecting me.

From the tenor of these papers, that gentleman, it appears, wishes a conclusion to be drawn, that my conduct towards him resulted from his official acts; and it is in that point of view only that I imagine the Honourable the Governor in Council has directed me to explain it. I shall therefore proceed to show, that the very reverse was the case, and that the whole originated in Mr. Baber's proceedings, not as a magistrate, but as a private individual. From this consideration of the subject, I should never have presumed to trouble the Honourable the Governor in Council, by addressing him upon it; but I seize with satisfaction the opportunity now afforded me of doing so, and I trust with confidence, that I shall succeed in removing any unfavourable impressions which the partial and incorrect statements of Mr. Thomas Baber may have produced.

Some time ago, a report was in general circulation at Cananore, that Mr. Brown had sent an authorized agent to Travancore, for the express purpose of kidnapping children, and that children were in consequence kidnapped. This report came to the knowledge of Lieutenant Brown, of His Majesty's 80th regiment (the son of Mr. Brown), who found, on inquiry, that at the period the report originated, Mr. Baber had gone to Cananore; that he had carried with him bundles of official papers relative to what he termed kidnapped slaves and children; that he showed these papers, and commented on their contents, to those persons who, from their entire ignorance of Mr. M. Brown, were liable to be the more easily prejudiced against him, and who, from their situations and respectability, were most likely to influence the opinion of society.

Mr. Baber sets out with making oath, that Lieutenant Brown waited on him, to demand private satisfaction for a report said to have originated in him from his "official proceedings as judge and magistrate of North Malabar, and one of His Majesty's justices of the peace." Permit me here to ask, whether it was in these capacities that he acted, when he subtracted voluminous documents from the court of the judge and magistrate, and carried them to a military cantonment, twelve miles distant from the zillah station? For what purpose, and in what capacity, did he industriously spread their contents round that cantonment, so as to make them (to use the words of a respectable officer, when speaking to me on the subject) a matter of public notoriety? Was this the act of the judge and magistrate, and justice of the peace? Was this done in execution of the orders of government? or was it not rather the private machinations of the individual to blast the character of an old and respectable gentleman, to whom he had long been a professed enemy; in a society, most of the members of which had then lately arrived on this coast, and were totally ignorant of Mr. Brown, even by name?

Lieutenant Brown, as every person in the same situation would do, waited on Mr. Baber, not to demand satisfaction, but simply a written disavowal of his being the author of the report in circulation. All he asked, all he wanted, was this: the report was of no ordinary nature; it struck at the life and character of his father, and had been traced so home to Mr. Baber; that his private verbal denial of it, however explicit, was not sufficient to contradict it to the public. Mr. Baber gave him a verbal denial, but refused a written one; he persisted in this refusal, notwithstanding repeatedly urged by Lieutenant Brown, who told him that he could consider such conduct in no other light than an admission, on his part, of being in fact the author of the report. To this Mr. Baber replied, that he was at liberty to put what construction he pleased upon it.

Lieutenant Brown briefly related to me what had passed; he requested me to wait on Mr. Baber, and again require the written disavowal, or to insist upon other satisfaction, which, from the above expression of Mr. Baber, he seemed prepared to give.

Upon this, as the friend of Lieutenant Brown, I immediately went, in the hope of obtaining from Mr. Baber in writing that which he had before expressed in words;

words; for it is difficult to conceive that he could have had any objection to give it, as it was the only thing that could have enabled Lieutenant Brown effectually to silence the defamers of his father. I rather imagined, that any man (particularly an enemy), conscious that he was not the author of a report that struck so deeply at the character of another, would have gladly seized the opportunity of publicly protesting against his name being coupled with such an infamous story.

Mr. Baber, in describing my visit, proceeds to make oath that "I did enter his house, and demand of him, in vehement language, to meet and fight Lieutenant Brown." Such language, at my entrance, I do deny, on my honour; and I leave any man to judge whether, going there as I did, on the part of a friend, and with the hope above stated, the utterance of it was natural. Had Mr. Baber sworn that I was subsequently vehement, he would have been perfectly correct; that I do not wish to deny; and a fair and candid statement of my visit, somewhat different to that which he has given, will, I trust, fully prove to the Honourable the Governor in council that the provocation was sufficient to justify it.

Mr. Baber, in a state of agitation, stopped me at the door of his apartment; that agitation increased on hearing that I came on the part of Lieutenant Brown, and precluded all attempt at calm expostulation: without allowing me to conclude what I had to say, he rudely interrupted me, exclaiming, that he would have no personal communication with me, with Mr. Brown senior, or Lieutenant Brown, for substantial reasons. I told him, though not without opposition, that if he would not disavow in writing, that he was the author of the report in question, the consequences would be disagreeable, and that Lieutenant Brown must then have other satisfaction; that his having carried to Cananore public papers, connected with the subject; that his having shown and commented on them to different persons at that station, was a matter of notoriety. He again, in a violent manner, not only refused to hold communication with me, but to give satisfaction of any kind to Lieutenant Brown; and finally told me, that if I did not immediately quit his house, he would order his peons (of whom a number were at hand) to turn me out, and instantly called them for that purpose. This I do affirm, on my honour. Naturally incensed at such language, I told him, in the words he has cited, the line of conduct Lieutenant Brown would adopt.

Mr. Baber I understand has since denied having given such an order; let me ask, however, is it probable that one gentleman going to another on the part of a friend, would have made use of the harsh terms that I did without adequate provocation? but after such an insult as that of threatening to turn me out of his house, a strong expression of my feelings was natural, and indeed irresistible.

If Mr. Baber conceived himself injured by the words he had himself provoked, and which were entirely of a private nature, why did he not immediately seek redress, either by calling on me or on the laws of his country; but it was only after the lapse of several hours, that he appealed to the latter, and swore the peace against Lieutenant Brown and myself.

It is to be observed, that this measure was resorted to, not after my visit to him, but immediately after Mr. Gahagan's, on the part of Lieutenant Brown; is it not natural then to refer this step to something that passed on that occasion? My communication with Mr. Baber ceased with my visit; I could have nothing further to say to him unless he himself provoked it; he tells me, that he has the most substantial reasons for refusing all communication with me, and when Mr. Gahagan mentions that it was owing to this refusal that he was deputed by Lieutenant Brown; Mr. Baber immediately replied, that he did not look upon me as a gentleman, or words to that direct effect, but that he looked upon Mr. Gahagan as one, and would be glad to confer with him; it was immediately after the commission of this insult that Mr. Baber swore the peace against me.

Mr. Gahagan on his return communicated to me the expressions Mr. Baber had used reflecting on my private character, which I have cited above, and being in perfect ignorance of the legal measure he had resorted to against me, I requested Mr. Gahagan, as a matter of course, to wait on him with a message from me, nearly similar to that stated in the affidavit. The result of that visit Mr. Gahagan will no doubt relate; it was during his absence that I received intimation that Mr. Baber had sworn the peace against me.

I declare on my honour, and I would if required on oath, that Lieutenant Brown's first call at Mr. Baber's house on the morning of the 8th October, when that gentleman was not at home, was made without my knowledge, for reasons, which if necessary, could be explained.

Part St. George
Papers
State of Slavery
in Company's
Territories.

This I more particularly notice, as a report has been widely circulated, and has perhaps reached the Honourable the Governor in council, that the transactions complained of by Mr. Baber, resulted from a combination and conspiracy formed against him. I have already shown how Lieutenant Brown's difference with him arose, and that he might at once have settled the whole in a satisfactory manner, if he had only given that assurance in writing which he had given in words; nothing further could then have ensued.

My message to Mr. Baber was occasioned by the speech he made to Mr. Gahagan, reflecting on my private character as a gentleman, which surely did not originate in any premeditation on my part, and his subsequent denial of that speech necessarily embroiled him with Mr. Gahagan.

It is an established principle, that when a man appeals to any tribunal for redress, he should appear himself void of offence. Permit me to examine Mr. Baber's conduct by this standard.

Was it consistent with his duty as a judge to subtract public papers from the court in which he presides, and from which all partiality ought to be banished relative to a cause alleged to have come and to be then pending before him in his official capacity, to carry these papers into a private and distant society; and there make them a subject of discussion? (a procedure, I believe, unexampled in a judge) more particularly, when it is considered that those papers were ex parte statements for Mr. M. Brown has never been called upon to answer such a charge as that stated in the report, nor has he ever met it in such a tangible shape as to admit of his opposing to it more than a general denial. What could have been Mr. Baber's motives for taking these papers to Cananore, and making their contents, as I have stated before, a matter of notoriety? To this question, if joined to his long personal enmity to Mr. Brown, I apprehend but one answer can be given;—that it was done for the express purpose of, secretly injuring the character of the latter gentleman, in a society where he was entirely unknown. By this act Mr. Baber becomes the primary, the original transgressor, not in his public, but distinctly in his private capacity, for from this act alone, every thing that has occurred originated.

Such is the explanation of my conduct towards Mr. Baber; to its veracity I pledge my honour as a gentleman, and submit it without hesitation to the same eminent and respectable tribunal to which he has appealed.

I have, &c.
(signed) A. Douglas.

Tellicherry, 16th Nov. 1812.
To the Chief Secretary to Government.

Sir:—I have the honour to acknowledge the receipt of your letter, under date the 30th ultimo, and to submit the following as the explanation required thereof, for the information of the Honourable the Governor in council. On the 9th October, I received a note from Mr. Douglas, requesting my attendance at his house; soon after the receipt of this note, I went to the house of Mr. Douglas, where I found that gentleman and Lieut. Brown, the latter of whom informed me, for the first time, that he had heard of a report in circulation at Cananore, affecting the character of his father, and that he had ascertained, that Mr. Baber had taken certain papers connected with the subject to which it referred, from the zillah court at Tellicherry, to the private dwelling houses of gentlemen at Cananore. That in consequence of this, he (Lieut. Brown) had called upon Mr. Baber, and required of him a written disavowal that he was the author of the report in question, which had been refused, and that he had subsequently deputed his friend, Mr. Douglas, to repeat this demand, or to require other satisfaction for this outrage against his father, but that Mr. Baber had declined all communication with Mr. Douglas, in which he had professed himself to have the most substantial reasons; Lieut. Brown then observed, that he conceived Mr. Baber would not make the same objections to see me, and requested that I would go, and make another effort to induce Mr. Baber to disavow in writing the report in question, and if he persisted in a refusal, to state to him what measures Lieut. Brown would be under the necessity of adopting.

In consequence of this information, and this request, I proceeded to Mr. Baber, and stated to him, that I had come on the part of Lieut. Brown, to require a written disavowal of his being the author of a report affecting the character of Lieutenant Brown's father; and on my further stating, that I had come as the friend of Lieut. Brown, because Mr. Baber had declined all communication with Mr. Douglas,

and that Lieut. Brown had requested me to assist him, I stated to Mr. Baber

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Mr. Baber demanded, how he could disavow a report which had resulted from his official duties; saying further, that he wished to confer upon the subject with me, because he looked upon me in the capacity of a gentleman; and proceeding to speak of Mr. Douglas to this direct effect, either that Mr. Douglas was not a gentleman, or that he ought not to be received by him as one. Upon which I briefly observed, that I should consider a repetition of such observations to be an insult to myself, and that I should state them to Mr. Douglas. From this we proceeded to speak of the report, with mutual interruptions, and in desultory cavi, in the course of which Mr. Baber declared that he had not fabricated the report; but that he would not state this in writing. After some desultory conversation, I expressly demanded a distinct reply to the question which had brought me to his house, whether he would disavow in writing, that he was the author of the report; and I added, if he did not, it was Lieut. Brown's intention to treat him in a way which was to be avoided. Mr. Baber declared his disregard of all consequences, refused the written disavowal, and expressed his conviction, that Mr. Brown had knowingly received kidnapped children. Upon this I quitted the room, remarking, as I retired, that I should state our conversation to Lieut. Brown; in reply to which, Mr. Baber faintly said, "You have full liberty," or, "You are at liberty."

Having left Mr. Baber's house, I found Lieut. Brown near to the gate of it; he inquired the result of my visit; I informed him, that the first thing I had to communicate was, that Mr. Baber had said, Mr. Douglas was not a gentleman; when Lieut. Brown, interrupting me, asked me, what was Mr. Baber's answer to his demand? I replied, that Mr. Baber had refused compliance with his wishes. Upon which Lieut. Brown immediately posted him on a door closely opposite his own window. After this, Lieut. Brown and myself returned together to Mr. Douglas's house, when I related all that had passed; and commenced by informing Mr. Douglas, that Mr. Baber had declared him not to be a gentleman, or that he had used words to this direct effect. Mr. Douglas having heard this, requested me to call on Mr. Baber, and to require, in his own name, a retraction of or apology for this serious insult. I accordingly went to Mr. Baber, and when I informed him that I had come to acquaint him, that Mr. Douglas required a retraction of or apology for the words which Mr. Baber had expressed to me at our former interview, Mr. Baber, with the utmost effrontery, denied them, and commenced a very erroneous recapitulation of the circumstances which I have here set forth. Upon this I immediately interrupted him by saying, "Stop, sir, I will read to you what you have said respecting Mr. Douglas." I then took out of my pocket a paper, of which the following is an authentic copy, and read:—"Mr. Baber, having stated to Mr. Gahagan, that he did not look upon Mr. Douglas as a gentleman, or words to that effect; and having assigned that as a reason for refusing all personal communication with Mr. Douglas, Mr. Gahagan is requested to wait on Mr. Baber, and demand from him either a distinct retraction of such sentiments, or that he will refer Mr. Gahagan to a friend to adjust the circumstances under which Mr. Douglas may receive that satisfaction which every gentleman who feels himself injured has a right to demand." After this had been read, Mr. Baber again denied the speech imputed to him, and he made attempt to parley, but I rose and quitted him, with words to the effect, that he had made the assertion imputed to him, and that he and I should seal this difference.

Such, sir, is the explanation which I have to offer for the consideration of government, of facts not stated in Mr. Baber's affidavits, nor in any way resembling the conduct which the tenor of those affidavits is evidently laboured to establish a belief of; and as I think it to be of material consequence to prove their further incorrectness, I beg leave to subjoin some remarks upon them, and upon the circumstances to which they allude. Mr. Baber first swears that I demanded of him a written apology to Lieutenant Brown; this is by no means true; for as Mr. Baber had denied being the author of the report, what could there be for him to apologize for? Had he possessed every inclination to do so, there was not one point at issue on which apology could be required or received. Mr. Baber, after having thus erroneously explained the purport of my first visit, proceeds to make oath, that shortly after my "menace," Lieutenant Brown and Mr. Gahagan did affix upon a wall opposite to his house the paper which he has termed a libel. I have already shown that Lieutenant Brown was near the gate of Mr. Baber's house when I came out of it; and as Lieutenant Brown, on hearing the unfavourable result of my visit, immediately posted the paper complained of, how could it be possible that I should be elsewhere than with Lieutenant Brown? Mr. Baber seems, however, determined to implicate me, and swears that Lieutenant Brown and Mr. Gahagan did affix this

Fort St. George
Papers: 4612
State of Slavery
in Company's
Territories

780
781
SLAVERY IN INDIA: CORRESPONDENCE OF COURT

paper, thus wilfully including me in a transaction in which it was impossible for me to have the slightest concern, because, at the moment of its occurrence I had no difference, whatever with Mr. Baber. Mr. Baber also makes both that I used "a menace" towards him; let me see how much of this is true. It is unnecessary, I hope, to enter into a justification of my compliance with the request of Lieutenant Brown to visit Mr. Baber on his behalf, for every one would surely assist a friend to obtain the disavowal of a vile slander against the life and character of his father. My visit being for this purpose only, was every way inoffensive, and so far was from using any "menace" in the course of it, that I simply remonstrated with Mr. Baber, by asking him what objection he could feel to write that disavowal which he had already expressed verbally, and "on his word and honour." My second visit too would have been inoffensive as the first, if Mr. Baber had expressed any apology for the words which he had spoken to me of Mr. Douglas, or if he had in the least qualified his denial of them by a polite expression of fear or doubt that he had possibly said more than he intended, or really meant, or in short, if he had in any way evinced a wish to impute the words to some misconception of mine, or to a precipitancy of his own. But when he rudely and positively denied them, how was it possible for me to do otherwise than to quit the presence of one who had thus grossly impeached my veracity; and what remained for me to do but to seek an immediate adjustment of so serious a difference? Mr. Baber, however, precluded this by a recourse to the protection of the laws, for I found on quitting him that he had sworn the peace, in the interval of my first and second visits, against Lieut. Brown and Mr. Douglas, and that he had received my second communication on the part of the latter gentleman at a time and under circumstances which should have bound him to common honour and justice, to decline it. Naturally astonished and indignant at such proceedings, I wrote the note to Mr. Baber of which a copy is affixed to this affidavit. In that note I expressly intimated to him, that he had nothing to fear from me, but even this did not satisfy him. He wrote the same evening to a magistrate to bind me over to the peace, which not being practicable at that late hour, he was obliged to defer until the next morning. I cannot attribute this measure to any other motive than to an earnest desire to appear consistent throughout, and to a wish to persuade the Honourable the Governor in council (which his affidavits evidently shew, to make appear) that his quarrel was official with me also, and consequently that he had impeached my veracity in his capacity of "judge and magistrate and subject of the peace;" and although Mr. Baber has thought fit, in furtherance of this object, to sign his copy of my note with his official title of magistrate, yet I do insist, that my quarrel with him, was private. It is true, that Mr. Baber would not treat it as such, but are his acts to influence another's reason? If I had written to him on a public matter, I should have confined myself to his public acts, which could have no reference to his private conduct, except indeed that every man exercising respectable public functions, is expected to have a respectable private character. Having thus shewn, that my quarrel with Mr. Baber had been entirely private, and altogether accidental, it remains for me to advert most particularly to that part of difference with Mr. Baber, which tends to brand either him or myself with a falsehood. Mr. Baber disavows words with which I have charged him. He has done this, and shewn from me to where I cannot reach him. He has attempted to convert a private difference into a public wrong, and with this wrong, he has ventured officially to impugn me. But did I go to Mr. Baber on any thing like an official subject? Did he not welcome my coming, by telling me that he considered me a gentleman, and would gladly confer with me on the subject of my visit? and, as an earnest of his professions, did he not invite me to a seat? Is this public business, and is Mr. Baber's subsequent flat contradiction of his own words, a public or a private matter? and when I wrote him, that in consequence of this and other conduct, I could not have further communication of any kind with him as a gentleman, will any one say, that I did wrong? Have I insulted Mr. Baber, and ran away from him! whose indignation I had roused? Have I unworthily attempted to deceive my respected superiors, to protect me from the consequences of my own private misconduct? The very thought of such behaviour, is so repugnant and overwhelming to the feelings of a gentleman, that I will not expatiate further upon it; and I trust that the Honourable the Governor in council will excuse this language, which the remembrance of it has prompted. I will now beg that it may be observed, whether throughout this statement, there is one single proof, direct or presumptive, by which to substantiate an inference, that I have imputed words to Mr. Baber which he did not speak.

I am particular on these points, because I wish to shew how unnecessarily

Fort St. George
of Papers
State of Slavery
in Company's
Territories

Mr. Baber involved me in quarrel, and that nothing objectionable resulted from my interference, until Mr. Baber himself insulted me; for although at our first interview, he was once or twice rather vehement, yet he appeared to be so very much gratified that I attributed his warmth to involuntary emotion, rather than design, or should instantly have reproved it. This evinces that I was quiet and civil, and how should I be otherwise, when I went for a peaceful purpose? I declare, most unequivocally, that I knew nothing of any of the events of that day, directly or indirectly, before their immediate occurrence, and that half an hour before I went to Mr. Baber, I did not know that Lieutenant Brown was even acquainted with the report which has led to these events; and although the most unpleasant consequences have resulted, yet I cannot profess regret at my conduct, when I review the motives which induced it. I went to Mr. Baber, at the earnest request of a friend, for the sole purpose of endeavouring to persuade him to disavow in writing, a slanderous report with which he was charged. My conversation was of a very passive nature, and I merely casually adverted to the consequences of refusal, in the hope that Mr. Baber might be influenced to escape them, by compliance with a reasonable demand, and the whole tenor of my conversation was calculated rather to persuade, by gentle remonstrance, than by imperious requisition. Mr. Baber's affidavits, however, are so strangely worded, that to read them only, would induce a very different conclusion. Here I would finish, but that I have to notice a report propagated by Mr. Baber, and I suppose, for purposes of further crimination, that Lieutenant Brown, Mr. Douglas, and myself, combined and conspired together to insult and fight him; and attempting to excite compassion where he had every cause to apprehend a very opposite sentiment. This artifice, however, has been completely foiled, and I am happy that such a base opinion was not difficult of refutation. Mr. Baber, however, still attempts to shew that his quarrel with Lieutenant Brown was official. But was it from a combination and conspiracy, that Mr. Baber took official papers out of their public sanctuary to the private houses of gentlemen of Calcutta; and for the purpose of private defamation? Was it from a combination and conspiracy, that he first denied to Mr. Douglas the reception of character of a gentleman, and that he next insulted me by a positive disavowal of his own words, or have the consequences of all these strange things been such as would have naturally resulted from conspiracy and combination? Mr. Baber, I apprehend, would have met with very different correction than what he now complains of, if this had been the temper or design of those whom he has insulted. But I pass over this hateful charge, with the contempt which it deserves. His language is not quite befitting an address to my superiors; but when I disclaim the thought or intention of disrespect to that high authority which I have now the honour to address, I feel confident that some allowance will be permitted me, to mark with censure what I cannot otherwise resent or punish; and notwithstanding I have submitted this letter at the call of government, yet they must be aware, that no tribunal, however great, however respectable, can give me satisfaction or redress for the wanton and gross attack which my honour has sustained. It is an observation, attested by experience, that public virtue can never subsist in that man's bosom who is destitute of private honor; and the Governor and council, eminent in rank, in honour, and in station, will not be unmindful of those sensibilities, which constitute and maintain the character of a gentleman.

I have, &c. Thomas Gahagan.

Ordered, in consequence, that a letter of the following tenor be dispatched to the advocate general.

To the Advocate General.

Sir—With reference to the opinion submitted by you on the 27th October, I am directed by the Honourable the Governor in Council, to furnish you with the accompanying copies of the explanations offered by Mr. Douglas and Mr. Gahagan, and to request that you will state what measures it may in consequence appear to you to be proper for the government to adopt.

I have, &c. D. Hill, Secty to Govt.

Fort St. George, 1st December 1812.

125
Mr. Baber

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories

Extract, Fort St. George Military Consultations, 8th December 1812

Read the following Letters from the Commander in Chief's Military Secretary

To George Strachey, Esq. Secretary to Government, &c. &c. &c.

Sir:—The Commander-in-chief having, in obedience to the resolution of government, dated the 30th October last, called upon Lieutenant Brown, of His Majesty's 80th Regiment, for a statement of the circumstances which formed the subject of a recent representation against him by the judge and magistrate of North Malabar, I have accordingly been directed by his Excellency to inclose a letter from that officer, containing the statement required for submission to the Honourable the Governor in council.

As Lieutenant Brown has, however, taken occasion in the inclosure, to draw an inference from the letter to which his present communication is in reply, which was neither expressed nor implied, with regard to his being exonerated from the imputation of *military* misdemeanor, I have received the Commander-in-chief's orders to submit herewith a copy of the letter from which this erroneous impression has been deduced; and to state, that Lieutenant Brown has been apprized that his Excellency's sentiments are not pledged, at this period, either in favour or disapproval of his conduct towards Mr. Baber.

I have, &c.

(signed) Hugh Scott, Military Secretary.

Fort St. George, 1st December 1812.

To Lieutenant Brown, of His Majesty's 80th Regiment;

Sir:—You have already been apprized, with reference to the circumstances which have recently formed the subject of the representation to government against you by the judge and magistrate in North Malabar, that the Commander-in-chief has considered your conduct on that occasion to come more properly under the jurisdiction of the civil power, than amenable to martial law; under that impression, it has been the pleasure of the Honourable the Governor in council to request, that his Excellency would call on you for a statement of the facts which have led to the discussion in question, as well as of all the circumstances connected therewith.

I have accordingly been directed to convey to you the expression of this request, as the Commander-in-chief considers the statement you have already forwarded, to have been intended for his Excellency's personal information, rather than with a view to its submission before a civil court.

I have, &c.

(signed) Hugh Scott, Military Secretary.

Fort St. George, 10th November 1812.

To Captain Scott, Military Secretary to His Excellency the Commander in Chief.

Sir:—I have the honour to acknowledge the receipt of your letter of the 10th instant, directing me in the name of his Excellency the Commander-in-chief, to submit, for the information of the Honourable the Governor in council, a statement of the facts which led to the representation made against me by Mr. Baber, judge and magistrate of North Malabar.

As that letter was the first intimation I received of the decision of his Excellency upon my case, I may here be permitted to offer him my humble and respectful acknowledgements, more particularly as it exonerates me of the charge contained in Mr. Baber's first letter, and so serious to an officer, of having committed a high military crime.

The circumstances which led to my calling on that person are the following:—Some time ago a report was in general circulation at Cananore, materially affecting the character of my father, Mr. Brown, "that he had sent an authorized agent to Travancore, to kidnap children, and that children had been kidnapped." The report became so public as to be the common topic of conversation, and naturally drew forth the most unfavourable comments on my father's character. At length a gentleman at Cananore thought it necessary to communicate the circumstances to an intimate friend of my father's residing at Tellicherry. The latter immediately on hearing it, went to Cananore, and finding the information he had received to be

perfectly

perfectly correct, used his endeavours to contradict the story, and took upon himself to style it, one of the most infamous falsehoods that ever was invented to the ruin of an innocent and absent man.

All health compelled me not long ago to quit my regiment and repair to this coast; on my arrival, it was natural that a report so extraordinary and so notorious as the one mentioned should come to my knowledge; with the official proceedings to which it is referred I profess myself to be entirely ignorant; the bare mention of it was sufficient to convince me that it was most false and scandalous, and under this impression it was impossible for me tamely to reflect, that the author of it was not yet brought to light, and that perhaps secure of impunity, he would dare to propagate other calumnies equally detestable.

I therefore used my endeavours to trace it; I could attach suspicion to no one at Cananore, the place where it originated, for my father was acquainted with two or three persons at most at that station, and they were officers and gentlemen; with those exceptions he was unknown there, even by name; from whom then did it originate? I shall proceed to show that it was from Mr. Baber alone.

He was known to have taken to Cananore numerous papers from his court, relative to an investigation said to have been held before him in his official capacity, and connected with the report, and to have shewn those papers to persons to whom my father was unknown, even by name. By whom could his name have been originally mentioned to them? By whom could the subject to which the papers related have been first introduced? To these questions the answer is obvious, that it could only be Mr. Baber.

In elucidation of this, and subsequent parts of Mr. Baber's conduct, it may be necessary to state, that he is the professed enemy of my father, and has long persecuted him with the most unremitting rancour.

From the production of the papers, assisted no doubt by the malevolent fancy of the accuser, arose the report; for, no sooner had the one appeared, than the other immediately followed. It is also notorious, that the impression excited by these extraordinary proceedings in the minds of society was a most unfavourable one; Mr. Baber's purpose therefore is evident; it could be no other than to hold up my father's character to detestation (the character of a man who knew not that he was accused); and it is to be recollected, with what ceaseless assiduity he must have laboured to effect that object, since the report became a matter of such general notoriety, and formed every where the leading topic of conversation, in what striking colours he must have exhibited the picture to have attracted to it the attention of those who were perfect strangers to the subject.

I might here advert to this conduct in a man more especially when it is known that my father lived at a distance from all society, that it was therefore almost impossible that he should ever come to a knowledge of what he was thus charged with; that in addition, he was far advanced in years, with a family dependent upon him, all of whom must have been involved in the same dark cloud of obloquy, with little but his good name to boast of, and that he was thus insidiously attempted to be deprived of that remaining consolation; but I will suppress, however difficult the task, the feelings of indignation occasioned by so flagrant a violation of that honour observed amongst gentlemen by such a dereliction of public duty, by such a breach of public trust; and proceed to state, that I was justified in drawing a conclusion, that it was from Mr. Baber's actions or conversation that the report originated, and that I had therefore every title to demand of him a written disavowal of being the author of it, or the alternative, which a contrary acknowledgement pointed out. Had it been of an ordinary nature, a simple verbal denial of it would have sufficed, but a written one alone could contradict what was so extraordinary and widely disseminated.

With this idea, the only step left for me to take, and which every son in a similar situation would, I believe, have taken, was to wait on Mr. Baber, and require that disavowal. The first time I went to his house was on the morning of the 8th October; he was not then at home; I repeated my call on the following morning, when I heard that he was. As the detail of the conversation that passed between us might appear tedious, I shall merely state the result, which was, that Mr. Baber positively denied being the author of the report, but as positively refused to give that denial in writing; and on my telling him that I would consider such a refusal in no other light than an avowal, in fact, on his part, he replied, that I was at full liberty to put what construction I pleased upon it.

Upon this I requested Mr. Douglas to wait upon him to repeat my demand, or to insist upon the alternative. With this gentleman he declined all communication, and

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

and refused to give me any kind of satisfaction (whatever). To obviate the objection Mr. Baber professed himself to have to Mr. Douglas, and to avoid precipitancy on my part, Mr. Cahagan at my request went to him to require, once more, what I had done; his visit was also fruitless. Mr. Baber, therefore, having left me no alternative, forced me to the most unpleasant measure which poor gentlemen can resort to towards another.

In the letter forwarded to his Excellency, Mr. Baber has omitted to mention that, after applying to the officer commanding the province for protection and the discharge of his duties, (which I am at a loss to know how I interfered in, as I went to his private dwelling, and early in the morning) he appealed also to the civil power, and swore the peace against me; thus studiously labouring to express that my difference with him arose from his official proceedings.

I will not disgrace the respectable functions which he exercises, of judge, magistrate, and justice of the peace, by combating such a plea, — a plea tending to show that he was dispensing strict impartial justice, as the representative of the high and eminent tribunal to which this letter is to be submitted, in making ex parte documents of his court a subject of notoriety in a distant military cantonment. To argue that plea might imply a doubt, where there cannot, I humbly presume, exist even the shadow of one, it might imply what is impossible, that public functions may be prostituted to promote the purposes of private malignity.

Before I conclude, it may be permitted me to declare most solemnly, that I never even in the most distant manner, received the smallest communication from my father on the subject of the report; that he knew not I was acquainted with it, nor heard of the steps which I had taken, till the fourth day after they had occurred.

Such is the statement of facts, which, in obedience to his Excellency's commands, I have the honour to submit with every deference and respect. The motives of my conduct cannot, I hope, be misinterpreted or misconceived. The duty to a parent is so strongly implanted by nature, so paramount to every other, that I should be unworthy the name of son, and of course unworthy of society, if I permitted, without resenting it, the slightest breath of slander to taint the character of my father.

I have, &c.
(signed) F. C. Brown, Lieut. H. M. 50th Reg.

Tellicherry, November 1812.

Ordered, That a copy of the foregoing letter be furnished to the judicial department.

Extract, Fort St. George, Judicial Consultations, 22d January 1813.

Read the following letters from the magistrate, North Malabar, and from the advocate general.

To the Secretary to Government.

Sir — I have awaited, with an anxiety which it would be in vain for me to attempt to express, the directions of government in answer to my letter of the 10th October, in which I judged it proper to bring to notice the combined attack which I had sustained from three persons residing in this place, and which, in the first instance, on my life, and subsequently, in the most public and unequivocal manner, on my character as a gentleman, and my authority as a magistrate. I still not having received any communication from government on the subject, I can no longer refrain from reverting to it, and again most earnestly soliciting their early reply.

I beg leave to observe, that the motive which originally induced me to forward the representation before alluded to, proceeded from a knowledge of this occurrence being the result of my having, in the execution of my duty, pursued a system of measures which happened to be offensive to their feelings, and for which, in absence of all justifiable mode of appeal, they thought proper to adopt a line of conduct, resulting and irritating almost beyond human forbearance, in the expectation of procuring private retribution, by forcing me into a dilemma of so unprecedented and perplexing a kind, that they, doubtless, concluded no resource would be left me, but the desperate and precarious refuge of the duellist.

Could the outrage I have reported have been regarded, according to my ideas, in any proper light as a fit subject for such arbitration, I need scarcely inform the

State of Slavery
in
Territories

government, that I should never have thought it expedient to intrude on their valuable time by unnecessary reference; but under the peculiar bearing of the case the question, I should have considered that I very unduly estimated the respectability of the station I am entrusted with, and those principles of subordination, which are the vital essence of all authority, I was imperiously called on to preserve, if I deemed my own personal opposition a suitable resentment for any insult to that government which I ever so stedfastly and invariably honoured and respected; and which it has been my pride to be among the foremost to defend and uphold; if the risk or even sacrifice of my life were necessary in the defence of service of my employers, it is known and acknowledged, I hold it but for their use; but I should account a libel upon all received opinions upon public spirit, were I to hold myself amenable to private reprehension. The aggression, therefore, which I suffered, was according to my understanding, not against me; it was against the government under whose sanction and authority I acted; to them alone the province of redress pertained; and I should have thought myself unfaithful to my trust, had I neglected to have made it known, or had presumed to think my satisfaction merely personal to me; was compensation for a violence against the high authority I represented; besides, it would have seemed as if I wanted confidence in my superiors, a way of thinking the direct reverse of the whole tenor of my public life. I have taken the liberty of submitting these observations to avoid the possibility of any misconstruction on the part of government, as to the real motives which have guided me on this occasion. I wish it to be plainly understood, I have been actuated solely by a sense of deference to their authority, and that no personal concerns have influenced my mind or actions. These, Sir, are the sentiments I have hitherto been in the habit of entertaining; perhaps they may be thought erroneous; I however have yet to learn that they are so. When I am informed to that effect, and that I have no claim upon the government, I shall then be at liberty to do myself right, without incurring the charge of inconsistency. I have, &c.

(signed) T. H. Baber, Magistrate.

Zillah, North Malabar, 10th January 1813.

To the Chief Secretary to Government.

Sir, I have received, and considered with earnestness, as I read with regret, the several papers transmitted from Mr. Douglas, Mr. Gahagan, and Lieutenant Brown, and now from Mr. Brown, on the subject of their late conduct to Mr. Baber. The discussion arises from the application of Mr. Baber to government, to be protected by its authority against insults offered to him in consequence of his acts as a magistrate. The conduct of Mr. Baber in the whole investigation as to the slaves, appeared to me at the time to be highly praiseworthy. I have referred to the papers again upon the present reference to me, and am more and more confirmed in the opinion which I at first formed. I see every mark of a strong feeling of compassion for the children who had been stolen from their parents, and a determination to restore them to liberty, zealously pursued in spite of very extraordinary opposition, without any symptoms of that personal rancour which is so strongly charged against Mr. Baber. It is not in the power of man to know with certainty, and in general it is no part of our duty, to inquire what secret motives may lie concealed in the breasts of others. It is sufficient if the conduct be such as pure and good motives would naturally dictate. The present discussion, as to the insults offered to Mr. Baber, is connected with the previous investigations before him as to kidnapping the children. By the statements of Mr. Douglas, Mr. Gahagan and Lieutenant Brown, that they called upon Mr. Baber to contradict in writing, a report which they supposed to originate with him, and state to have been very prevalent in the province, that Mr. Brown was guilty of the crime which had certainly been committed, in bringing the children into his possession; Mr. Baber denied that he was the author of the report, and they did not charge him with having ever distinctly circulated it; but they say, that he shewed the papers upon the subject, the records of the examinations taken before him; and they conclude that the reports in circulation originated from that exposure. If Mr. Baber had been charged with the fact of having circulated a report, not warranted by the records of the transaction in his possession, I should have thought those

Fort St. George
Papers
State of Slavery
in Company's
Territories

those affected by the report warranted in calling him to account for that slander. But where an infamous crime had been committed, exciting, as it ought to do, and I hope did, universal indignation against the perpetrators of it, I see no course, which any person acquainted with the truth could pursue, with more perfect propriety, than that of stating correctly the contents, or shewing the papers themselves, the records of the investigation. I know no objection to a magistrate shewing the records to such persons as he chuses to communicate with. In every day's newspaper at home, we see published reports, often probably very incorrect reports of the examinations taken publicly before magistrates. Nobody ever objected to these publications, however incorrect, nor could they, I apprehend, be objected to, unless on the ground of wilful misrepresentation, to correct which, the production of the true record of the examination would be the best and the natural refutation, but Mr. Baber is only charged with having shewn the records.

I think, therefore, Mr. Baber's conduct free from blame, so far as I can judge of it from the facts before me, and that his antagonists were not warranted, even by their own statements, in charging him with being the author of the reports circulated to the prejudice of Mr. Brown, or in calling upon him to disavow those reports. I can have no doubt, that a criminal information will be granted against them by the court, for challenging him to fight a duel, which he had done nothing to provoke.

I cannot doubt, that the reports circulated to the prejudice of Mr. Brown, and complained of by his son, were the consequence of the production of the examinations by Mr. Baber. But it ought to have been recollected, that if Mr. Brown's conduct, as exhibited in the public records, had been such as would bear investigation, the production of those records would have been the proper refutation of any reports to his prejudice, and that those reports, if not warranted by the records, ought to have ascribed to men, either ignorant of the truth or misrepresenting it, not to him who enabled them to correct all misrepresentation, by production of the record itself.

On the other hand, it is to be remembered, that the principal person opposed to Mr. Baber, is the son of the man whose character was impeached in public opinion; and that his resentment of those reports, is not to be judged of by the same rules by which the interference of any other person would properly be tried. He is not expected to be capable of cool deliberation, on the probability of the guilt of his father, nor of the correctness of the conduct of him through whose act the character of his father suffered. His conduct would probably be viewed by a court of justice with as favourable an eye as his breach of the laws would admit.

Mr. Gahagan also appears to have been no otherwise engaged in the transaction, or in any of the feelings of these parties, than by being called upon to carry a message, in itself indeed highly illegal, and which, if brought before the supreme court, must incur punishment, but which does not appear to have been connected in his mind, with any intention to resent the acts of the magistrate as such.

Under these circumstances, it becomes material to inquire, whether the immediate transgression, which is the subject of the present reference to me, arose out of any acts of the magistrate, directly and necessarily flowing from the public duties of his office. If it did, I should advise that the government should take upon itself the task of prosecuting the offenders; and if there were strong reason to believe that the resentment of the public official acts of the magistrate was the real motive, and that the charge of being the author of the reports in circulation, was only used as a colour to conceal the real cause of quarrel, I should have thought the artifice an aggravation of the offence. But I do not think that that is the true complexion of the acts of these parties; their statement of their motives is natural and probable, and appears to me entitled to belief.

I have before said, that the act directly charged against Mr. Baber, of having shewn the records of the examinations, does not appear to me to contain anything censurable; on the other, however, it is plain that it was no necessary part of his duty as a magistrate, to shew the records to strangers; and if his conduct is justified upon the ground, that any bye-stander who heard the examinations taken, might legally, and not improperly, publish their contents, it follows, that any consequences of the communications made by the magistrate from his knowledge of the case, stands only on the same footing as if he had acquired his knowledge from being a bye-stander, and not from his situation as a magistrate. It is highly legal to call any man to account for merely making known the truth of what has appeared in the course of judicial investigations, but it is not more so in the case of the magistrate than of any other man, where the magistrate has made known other-

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

than in the course of his public duty, what he happens to know from his official situation. I do not, therefore, think that this is a case which calls for the interference of government; and, as a general proposition, I think the aid of government ought not to be given, except in cases clearly and exclusively respecting the public acts of its servants, and entitling them as such to its protection. Indeed, I have the less reluctance to give this advice, from knowing that where the propriety of the interference of government can be represented as admitting a doubt, it is far from beneficial to those whom it is meant to assist and support.

Another part of this case, forced upon my notice a second time by the last letter of Mr. Brown, seems to require serious notice.

Mr. Brown appears upon these papers in a very suspicious light. It is now not disputed, that eight of the slaves found upon his estate, had been the free children of free parents, stolen recently, and purchased by his agents for the very purpose of being sent to his estate as slaves. The possessor of stolen goods may often be innocent and ignorant of the theft, yet he is expected to shew how and from whom he received them before he is cleared of suspicion; but the receiver of stolen children, sufficiently old to state the injury done to them in placing them in slavery, scarcely can be ignorant of the crime. The children state, that they refused to eat with the slaves, it being inconsistent with their rules of caste; they say, that Mr. Brown and his son made them eat with the slaves. It is scarcely possible, that in that dispute, the children should not have stated who they were, and how they had been stolen from their families; and from that time, at least, Mr. Brown was bound to have inquired into the truth of their statements. Instead of doing so, he at first attempted to evade the inquiry instituted by the magistrate, and appealed to a superior authority, claiming as his "property," the whole 70 persons carried away from his grounds.—(See his letter of 21st of December 1811.) On being informed distinctly of the statements of six free children, to the magistrate, (the other two being not then discovered), and being earnestly called upon to give every information in his power, as to the authors of the theft, as well as to produce his own vouchers in support of his claims upon them, he again (by his letter of the 28th of December) declines entering into the investigation, as unwarranted, speaks of the seizure of these persons, as being not more legal than the seizure of any other part of his property, and appeals again from the magistrate to the circuit court, for the avowed purpose of stopping the investigation. Upon the failure of these attempts, and finding that the court of circuit and appeal would not interfere as to these six free children, he sent a third letter, dated on the 4th January, disclaiming all property or interest in the six children, and pretending that they had been sent to work on his plantation by another person, their owner. This extraordinary disclaimer of all title to those children, whom he had only seven days before persevered in claiming as his property, is immediately afterwards contradicted by this pretended owner of the children, who declares, that he had been sent as Mr. Brown's agent, to Alleny, to pay for some pepper, and to buy slaves, and that these six children had been bought with Mr. Brown's money, under his orders, and sent to him. I see no ground to suppose that the agent could have any possible interest in making this statement; if it were not true, he was contradicting his employer, without any tendency to discharge himself; for he does not go on to say, that he had orders to buy stolen children, but on the contrary, denies all knowledge that they were stolen; he had no motive of malignity from any quarrel with his master, or from being dismissed by him; for he was sent to the magistrate by Mr. Brown, with a letter to state who he was, and appears to have been still in his employ. His declaration is also supported by Mr. Brown's first statement to the magistrate, (in his letter of 20th December), of his having purchased some slaves very lately, and by his claims in two successive letters, (of the 21st and 28th December) of the whole number, of slaves carried off the plantation as his property. These statements are inconsistent with his own subsequent declaration of the six children being sent, as the property of the native agent, to work on the plantation; and I therefore think it clear, that the latter declaration of Mr. Brown is false, and that the contrary statement of the native is to this extent the truth. But it also appears, that during the whole of this investigation, Mr. Brown was deceiving the magistrate by concealing the number of children who had been stolen from their parents. The magistrate had at first heard only of six, and the whole correspondence related to that number, without specifying the individuals, except by sex and nation; even this specification was only contained in the letter of the magistrate of the 3d January 1812, and Mr. Brown, in his letter dated on the 4th, states his having, since his letter of the

Fort St. George
Papers
State of Slavery
in Company
Territories

the 25th ultimo," and therefore, I presume, before, and without reference to, the loose specification in the last letter of the magistrate, sent to the plantation for particular information relative to the six children said to be free. Upon the information received, he proceeds to decline all concern with these children and therefore acquiesces in their being detained; but says, with regard to the six persons, who were forcibly driven from the plantation, "it is totally false that they were stolen or kidnaped, my right to them I am perfectly ready to support, as soon as my property in them is impeached." The magistrate accordingly retained the six children for the purpose of being restored to their parents, with (except six) sixteen who had been stolen from other masters; the residue were returned to Mr. Brown. The further inquiries of the magistrate soon afterwards led to the discovery, that instead of six, there had been eight children stolen from their parents, and sent to Mr. Brown; and the magistrate, on the 24th January, commanded the other two. Mr. Brown answered on the same day, "the eight children were all taken to Tellicherry by your orders, and two of them were sent back by your own orders, with the other Pooliars some days ago, for what purpose I know not; they are now, agreeable to your orders, delivered to the bearer."

From this correspondence, it appears to me manifest, that Mr. Brown, while he was renouncing all claim to six children, and insisting upon his right to all the rest, knew that there were eight instead of six liable to the same objection, and who ought to have shared the same fate; that he could not have even known which six out of the eight were at first intended to be kept from him, but acquiesced in receiving back two over whom he knew he had no right, and whom he evidently intended and tried to retain in slavery.

I do not know that it is criminal in our law, although certainly most dishonest, to retain stolen property after discovering that it is stolen, if, at the time of receiving it, the receiver did not know it to be stolen.

But the extent to which Mr. Brown appears to have carried these dealings, and the very extraordinary support which he appears to have received in them, seem to require some decisive check. If he has for years been in the habit of receiving, as to slaves persons stolen, whether from their families or from former masters, perhaps avoiding to inquire as to their former state, but more probably knowing it, it may be fit for serious consideration, whether he should be left in a situation in which he could continue such practices, the government having full power to remove from the country all persons who conduct themselves improperly in it.

In stating this as being, in my humble judgment, a point fit for serious consideration, I beg not to be understood as recommending the measure at all events, or that it is a point to be considered, before it is resolved to drive a man from the place where he earns the bread of a family, and if the evil can be remedied, the least severe means of doing so, provided they answer the end, are to be preferred.

The papers of Mr. Brown, claiming the right of a master over slaves, as a part of the Mahomedan law, under which he considers these provinces to be governed, ought to be passed unobserved, and have again called my attention to the subject, which I had before slightly considered in my letter of 14th April. I cannot agree to the proposition, that these provinces are, so far as relates to British subjects, governed by the Mahomedan law. In questions of civil right they are governed by the different laws of the different nations to whom justice is to be dispensed.

In criminal prosecutions, the Mahomedan law is (for what reason I do not know) established over all the natives in the provinces, but not over the British. They retain the rights of their birth, and ought also to retain all the relations connected with the British character, to which it is equally abhorrent to be the master of slaves, as to endure slavery. Indeed, I do not know, whether we should not rather say, from experience in another quarter of the world, as well as from reasoning, that the habitual exercise of the authority of the master over slaves, is peculiarly destructive to the national honour and character. I see nothing in our situation in India, in the statutes, which authorize a departure from the law of England, in the relation between a British subject and his servants. It is expressly provided in the several statutes, that our law shall not interfere with the authority exercised by the heads of families among the natives, who from local residence at the presidencies, are made subject in general to the British law; but no such provision is made for British subjects as the masters of slaves; on the contrary, the distinction as to the natives, points out the intention of the legislature that the British should hold only their own rights and customs. If any Moorman in Madras were indicted for the exercise of violence upon his slaves, which our law would punish, if committed by a master,

Fort St. George
Papers
State of Slavery
in Company's
Territories

over his servants, but which the law and customs of his nation sanction as to their slaves, (the slaves) would be sustained, and the legislature has specially provided for it. But if a similar complaint were preferred against Mr. Brown, for violence against his slaves in Malabar, I am confident that he could not justify it. But the civil right to the perpetual service of the persons held by him in slavery, may possibly be distinguished from the right of punishment of them as slaves, and I think the question of right may well be tried, and ought to be tried in that shape. If any one of the persons now working upon the estate of Mr. Brown, as slaves, be advised to instruct the attorney for paupers, to bring an action against Mr. Brown, for false imprisonment, in detaining him upon his plantation, the admission of the fact by Mr. Brown will bring before the court the simple question of the capacity of a British subject to have a slave in India. I by no means wish to be understood to say that it is a clear point, but I think it very proper to be settled. The same object may be obtained, by directing Mr. Baber publicly to offer freedom to any one who chooses to leave Mr. Brown's plantation, for the avowed purpose of trying the question. From the importance of the point being settled, I should also propose that by mutual consent whatever might be the decision, it should be carried before the King in council, as otherwise different decisions might be given at the different presidencies, and the question be set afloat, instead of being finally settled.

Supposing it to be ascertained by the highest judicial authority, that British subjects can have property in slaves in India, it remains to be considered, whether the law ought to be left in that state; or rather if the government shall think that it ought not, the regulation of government may, as to the provinces, remove the necessity of any trial or inquiry as to what is now the law on the subject, by prohibiting the practice in future.

In addition to the motives for such a regulation, arising from the general character of Britons, and the propriety of preserving it, it appears from the papers now before me, that there is a danger of British subjects in the situation of gentlemen, being enabled in fact (although I hope more frequently from the force of imaginary than of real connection and influence) to exercise around them an authority scarcely admitting of limit or question.

On the other hand, I am sensible that there may be objections to such a measure upon the force of which I am not competent to offer, nor indeed to form any opinion; I therefore mention it, rather as a suggestion for consideration than as an advice.

Upon the immediate subject of the several references now before me, my opinion always stated be thought right, I should humbly recommend that Mr. Baber be informed that his conduct continues to be highly approved, and that the government agrees with him, in thinking the case proper for the subject of a criminal prosecution. But that, as the immediate cause of the quarrel assigned by Lieut. Brown (Mr. Douglas) and Mr. Gahagan, was not an act of Mr. Baber necessarily in his public character, although closely connected with it, the government think it proper, as well as more expedient, that the prosecution should be carried on by himself.

I am, Sir, your obedient servant,
Alex. Anstruther, Advocate General.

Fort St. George, 5th Jan 1833

MURDER. The whole subject to which the foregoing letter relates, forcibly calls the attention of the Board to the distempered feeling towards each other, by which several of the civil servants of the Bombay establishment, acting in Malabar under the authority of this presidency, have on so many occasions appeared to be tuated. It has more than once been under consideration, whether so destructive and inveterate an evil did not stand in need of a radical cure. Although the Board cannot doubt that such a cure would be justified by the whole tenor of the acrimony and recriminating correspondence, between the parties, or relating to them with which the records of the government, for several years past, abound, they have no disposition to depart from that system of forbearance with which they have hitherto acted. The government, however, have a right, and are bound to require a peculiarly circumspect line of conduct from those persons for whose benefit alone this forbearance is exercised. They would otherwise abandon those public interests of which they are the guardians, for the sake of avoiding an injury to individuals who, by their pertinacity in error, had forfeited all title to such indulgent consideration. The government are bound also to take care that no adventitious circumstances

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

stances shall be allowed to aggravate the long established animosity among the civil servants in Malabar. The evil which the government contemplates with such regret, would otherwise grow progressively more and more alarming, till at length the strong remedy which it has been the desire of government to avoid, had become indispensably necessary.

Governed by these principles, the Board conceive, that to repeat the expression of their approbation of the conduct of Mr. Baber, would go but little way towards counteracting the bad effects of the transactions which have been brought under their notice. Those transactions are calculated to embitter still more the personal feeling which had before prevailed among the civil servants in Malabar, and to prevent, even in the common course of affairs, but still more on the possible occurrence of seasons of danger and difficulty, any cordial co-operation on their part for the public good, and any uninterrupted and unprejudiced attention to the duties with which they are respectively entrusted, the simple intimation that government approves of the conduct of Mr. Baber, might even increase these evils.

It seems therefore to be incumbent on the government to remove from Tellicherry the different gentlemen who have taken part against Mr. Baber, in the transactions upon which the advocate general was required to report. These gentlemen are, Lieut. Brown, Mr. Douglas, Mr. Gahagan, and Mr. Harrison. It is particularly necessary to adopt the proposed measure with regard to the two last mentioned gentlemen, as their conduct, however it may be viewed, has disqualified them for answering the purpose for which it had been the aim of government gradually to introduce into the administration of the civil affairs of Malabar, gentlemen who, while they owed an undivided submission to the authority of this presidency, were also uninfected by those personal feelings which have taken such strong hold of the minds of the gentlemen of the Bombay establishment.

The commander in chief is requested to direct, that Lieut. Brown of His Majesty's 80th regiment, do quit the province of Malabar; and Mr. Douglas the military paymaster in Malabar and Canara, will be required to reside in future at Cananore, the head-quarters of those provinces. The immediate effect of these arrangements will be, to prevent the recent occurrences from increasing the animosities prevalent among the public officers in Malabar; and if they operate as a warning to others, not affected by them, they will be productive of more extensive benefit.

Resolved, That a letter, according to the following draft, be dispatched to Mr. Baber, the judge and magistrate of North Malabar.

To the Judge and Magistrate, Zillah North Malabar.

Sir—I am directed to acknowledge the receipt of your letter, dated the 12th October last, and to inform you, that the Honourable the Governor in council continues to approve highly of your conduct, and agrees with you in thinking the case proper to be the subject of a criminal prosecution, but that as the immediate cause of the quarrel assigned by Lieut. Brown, Mr. Douglas, and Mr. Gahagan, was not an act of yours necessarily in your public character, although closely connected with it, the government think it proper, as well as more expedient, that the prosecution should be carried on by yourself.

2.—I am directed to transmit to you copies of the letters which have been addressed to the government by Messrs. Douglas and Gahagan, and Lieut. Brown, in explanation of their conduct, and of the reports of the advocate general on the subject.

3.—The question noticed by Mr. Anstruther, how far Europeans, British subjects, may exercise the right of master over slaves, is under the consideration of the government.

I am, &c. &c.
(signed) Wm. Thackeray, Chief Sec. to Government
Fort St. George, 22d Jan. 1813.
Approved, and ordered accordingly.

Extract of a Letter from the Court of Directors to the Governor in council of Fort St. George, in the Judicial Department, dated 12th October 1814.
Letter from, dated 5th March 1813 (92 a 118), relative to the existing laws with regard to the Slave Trade.

Par. 43.—This subject will be noticed at a future opportunity.

PROCEEDINGS in 1812, relative to a Traffic in Slaves carried on by certain Frenchmen from Cochin.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract of a Letter from the Governor in Council of Fort St. George, to the Court of Directors in the Political Department, dated 17th October 1812.

Com. 25 February,
24 March.

14.—The resident at Travancore, having informed us, that several persons had been found confined in irons at Janganacherry, a port dependent upon Cochin, for the purpose of being transported as slaves, we directed, that the most effectual steps, consistent with law, should be taken, to prevent the purchase and exportation of slaves, and to bring to punishment any person who might have been concerned in that nefarious traffic; the result of these proceedings will be communicated to your Honourable Court from the judicial department.

Extract, Fort St. George Political Consultations, 25th Feb. 1812.

Read, the following letter from the resident at Travancore, to the chief secretary of Government.

Sir—I regret that I am obliged to bring again under the notice of the government, the evils of all efficient regulation and authority in the Dutch settlement of Janganacherry, at Quilon. During the disturbances, a considerable quantity of teak wood, the property of the Bombay government, and of the circar, was seized by the prize agents of the army, and placed in a piece of ground at Janganacherry, attached to a house occupied by a half caste Frenchman named Coupailis. The proceedings of the prize agents having been disapproved, the wood was abandoned by them; and as its value was included in the amount of expenses of the war charged the government of Travancore, it of course became the property of that government.

The late Dewan Womanah Tomby allowed the wood to remain unnoticed in the place where it was collected by the prize agents; but soon after the Womanah Tomby's removal, I desired the pepper sarwady Karigar, who is charged with the superintendance of all the commercial arrangements of the circar, to take an account of the wood, and place it under his custody. The pepper sarwady Karigar, the person at whose recommendation principally the beetle-nut contract was granted to Mrs. Zope, having, however, taken bribes from Mr. Coupailis, who is said to be employed by Mrs. Zope, deferred, under various excuses, either to take charge of the wood, or to report upon it. The unsatisfactory nature of the pepper sarwady Karigar's proceedings induced me, about a month ago, to desire Captain Beale, the superintendent of the bazars at Quilon, to ascertain the manner in which the wood had been disposed of, and to examine the remainder of it.

The result of Captain Beale's inquiries on this subject will be communicated to the government as soon as I shall have received his report upon it; but the principal object of this letter is to state, that when Captain Beale went to Janganacherry, a native of Travancore in irons, and having an iron chain upon him, came and complained that he was placed in that situation by a relation of Mr. Vally, a Frenchman, for having left the service of Mr. Vally, at Pondicherry. This poor man stated, that it was intended to transport him immediately to the Isle of France, as a slave, and that there were twenty-four persons at Mr. Vally's house at Janganacherry, confined in irons for the purpose of being transported as slaves at an early opportunity. I forward Captain Beale's letter, and the statement which was delivered to him. On receiving these papers, I desired Mr. Beale to send without delay for the rest of the prisoners from Janganacherry; and if he found the representation that had been made regarding them to be correct, to keep them under his protection until I should receive the orders of the government.

N^o 1 & 2.

N^o 3.

I transmit to you Captain Beale's final report, confirming in every particular that representation. It was formerly customary on this coast to purchase the children of the poorest classes of the inhabitants, and to transport them to the Isle of France, and other places. This practice gives rise to very great abuses, to the clandestine seizure of children, and other acts of violence, and was strictly prohibited in a proclamation published soon after the war, and in another issued by my desire about six months ago. The inhabitants of Janganacherry, in defiance of the proclamations, have continued the purchase of children, and the papers which I now transmit, furnish a sufficient illustration of the pernicious consequences of that practice.

Fort St. George
Papers
State of Slavery
in Company's
Territories

Mr. Vally is a Frenchman, who some months ago obtained the permission of the government to proceed to the Isle of France; but having stated to me, that he could not procure a passage from this coast, he received a passport from me to proceed with his family to Madras, for the purpose of embarking at that place. I have since understood, that he has been permitted to reside at Pondicherry. Some of his relations still reside at Janganacherry, and it was in their house, that the prisoners reported by Captain Beale were found. But I have reason to believe, that many other persons at Janganacherry are engaged in the practice which I have described, and I shall soon have to report to the government, transactions of the same nature, carried on in Travancore, under the orders of Mr. Murdock Brown, at Mahé.

Janganacherry is placed under the immediate superintendance of a Portuguese inhabitant; it is remote from the civil control of any European authority, and being situated close to a large military cantonment, it is a receptacle for smugglers, thieves and retailers of arrack and toddy. Considerable losses are sustained by the cirar from the contraband trade carried on from Janganacherry; and I again beg permission to suggest the propriety of this place being put, like Anjengo, under the immediate control of the resident.

I have mentioned, in this letter, the name of Captain Beale, superintendent of bazars. This person was formerly a conductor of stores on the Bombay establishment, and during the Mysore war of 1791, gave very great satisfaction to his superiors. He afterwards entered the Travancore service, and obtained the rank of captain, with the command of a battalion, and the fort of Mawally Kally; having refused to serve when the war commenced, he was thrown into prison, treated with the utmost rigour, and plundered of all his property. No provision was made for him after, and he gained a wretched subsistence by making up and selling furniture. Having received an excellent character of this man, I recommended him for the situation of superintendent of bazars at Quilon, and his conduct has been active, honourable and highly satisfactory. The bazars under his charge are efficient and flourishing.

I have the honour to be, Sir, &c. &c. &c. (signed) J. Munro, Resident.

Quilon, February 7th 1812.

Extract of a Letter from Captain Beale, Superintendent of Bazars at Quilon, addressed to the Resident at Travancore, dated 24th January 1812.

Yesterday evening, as I was examining the timber laying in Mr. Coupellis's garden, and endeavouring to discover the manner in which this timber had been brought there; as also the people that brought it, and the sawyers who had been employed from time to time in sawing it for Mr. Coupellis, the quantity and quality of timber so sawed, and from what part it was taken to be put ready for sawing, a man in rags, and a long iron chain, came to me, making his complaint that he was confined in irons for these three months past, for leaving Mr. Vally's service at Pondicherry, and being a native of Travancore, I take the liberty to send to you his statement, which will give you every information of this business.

I have sent for all the people that were employed in bringing this timber to Mr. Coupellis's garden; and as soon as I have got all of them, and also the sawyers and coolies who have had any thing to do with it, I will make my report to you on the subject.

(A true extract.) (signed) J. Munro, Resident.

Translation of a written Complaint delivered at Janganacherry to Captain Beale, Superintendent of Bazars at Quilon, by a prisoner named Komaren Agapun, a Native of Travancore.

Last year Mr. Vally having come to reside at Doctor Macaulay's house at Kooriapully, engaged me in his service in the capacity of horse-keeper, on the pay of half a chackrum and 12 paddy of rice each day. I represented to him that this allowance was insufficient, but he refused to increase it. Afterwards Mr. Vally came to Janganacherry; in order to set out for Pondicherry, when I stated to Madame Vally that my pay was insufficient; she answered, that as she could not increase it, I might go where I pleased, and I accordingly went away, and resided at Janganacherry with a person called Sultan. Mr. Vally, a few days previously to his departure, gave a bribe of eight chackrums to Sultan, and induced Sultan to seize me, and deliver me over to him.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Madame Valley but me in irons, and kept me in irons, and kept me in her house, and on the day of her departure released me, took me with her to Pondicherry, and employed me there in the cook room. Mr. Valley having at that time purchased a horse, and attached me to him on my former pay. I then fell sick, and the horse was entrusted to another person. Soon afterwards I left Pondicherry secretly, and came to Quilon, where a Portuguese, named Anthony, seized me, and delivered me over to Mr. Valley's nephew, Mr. Edmond, for a bribe of twelve chuckrams or three annams. Mr. Edmond seized me, tied me, put me in irons, and confined me in a small hole. Two or three festivals passed, and I was not permitted to see them. Afterwards, being very much distressed, and almost killed with hunger, I adopted the resolution of making my situation known to the resident, and I have escaped to you with my irons. Besides they have purchased in different parts of Travancore and Cochin nearly twenty-four persons, whom they keep in confinement, for the purpose of sending them to the Isle of France, in a ship, which they expect every day. They have kept me in irons for the purpose of sending me away by the same opportunity.

(A true translation.) (signed) J. Munro, Resident.

Extract of a Letter from Captain Beale, Superintendent of Bazars at Quilon, to the Resident in Travancore, dated January 31st, 1812.

I received to your letter, dated the 28th instant, I sent to Mr. Valley's house, and brought from thence the slaves mentioned in the statement, which I sent on the 24th of this month.

There are four women grown, five small girls, and eleven small boys, besides the man in irons. They all agree in the same story with the man that first came, and all expected to be sent off daily in a pattermar, where to they did not know, but they supposed to the Isle of France.

They are a most wretched set, and almost naked. There is one girl there still, a Coffrey girl, in irons, whom Mr. Valley's sister says she brought from the Isle of France, along with her, and they don't choose to give that girl up. The above-mentioned twenty-one are all of them of this country, Allephy, Quilon, Anjengo, Poonterah; the whole are all in custody till you are pleased to send further orders respecting them.

(A true extract.) (signed) J. Munro, Resident.

In consequence, that the following letters be dispatched,

To the Judge and Magistrate, Zillah, South Malabar.

I am directed by the honourable the Governor to transmit for your information the inclosed extract from a letter from the resident at Travancore, under date the 7th instant, and to desire that you will, immediately take the most effectual steps, consistent with law, to prevent the purchase and exportation of slaves from your Zillah, and to bring to punishment any persons concerned in that nefarious traffic, whose conduct may have exposed them to the penalties of the law. I am also directed to desire, that you will submit a list of all foreigners and descendants of foreigners, residing at the south in your Zillah, whom there may be reason to suspect of being engaged in this traffic.

I have the honour to be, Sir, your most obedient servant,
(signed) W. Thackeray, Chief Sec^y to Gov^t.

Fort St. George, 25th February 1812.

The same to the Judge and Magistrate, Zillah, North Malabar.

To the Commanding Officer at Pondicherry,
I am directed by the Honourable the Governor in Council to transmit for your information the inclosed extract of a letter from the resident at Travancore, under date the 7th instant, and to desire that you will report all the information you can obtain respecting Mr. Valley, the person concerned in the nefarious traffic brought to the notice of Government in Colonel Munro's letter.

I am, Sir, your most obedient servant,
(signed) W. Thackeray, Chief Sec^y to Gov^t.

Fort St. George, 25th February 1812.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

To the Resident in Travancore.

Sir:—I am directed by the Honourable the Governor in council to acknowledge the receipt of your letter, under date the 7th instant, and to transmit for your information, the inclosed copy of letters of this date, addressed to the magistrates zillahs North and South Malabar, and to the officer commanding at Pondicherry.

In communication with the magistrate, zillah North and South Malabar, you will adopt immediately the most effectual legal measures for preventing the nefarious traffic in slaves, and bringing the persons concerned in it to punishment.

The persons confined in irons have of course been released.

Arrangement will be immediately made for the establishment of an efficient system for the administration of justice and the police, in the ports of Cochin, Quilon, Janganacherry, and Anjengo.

I have the honour to be, Sir,

Your most obedient servant,
(signed) William Thackeray, Chief Sec. to Government.

Fort St. George, 25th February 1812.

Extract, Fort St. George Political Consultations, 24th March 1812.

Read the following letters from the officer commanding at Pondicherry.

To the Chief Secretary to Government, Fort St. George.

Sir:—I have the honour to inclose you an examination of Mr. Vally, taken at Pondicherry on the 5th March; and a copy of his examination, taken at the police office on the 19th February last.

This is all the information I have hitherto been able to obtain respecting his being concerned in the purchase of slaves. He informs me, that he is preparing an explanation of his conduct, and treatment of his slaves, since his arrival in India, which, when received by me, I shall not fail to transmit immediately to you, for the inspection of the Honourable the Governor in council.

I have, &c.

(signed) H. Fraser, Lieut. Col. commanding, Pondicherry.

Pondicherry, 11th March 1812.

Examination of Mr. François Valley, taken at Pondicherry by Lieut. Colonel Fraser commanding, 5th March 1812.

Question.—How long have you been resident at Pondicherry?

Answer.—Since the month of June last.

2. Did you come from Travancore direct to Pondicherry?

I left Travancore on the 12th June, and arrived here on the 28th of the same month.

3.—Have you any slaves at Pondicherry?

I have five, and one child.

4.—Of what places are they natives?

One is from Madagascar, one from Bourbon (the mother of the child), and three from Travancore.

5.—Had you any slaves at Pondicherry who have left you?

I had two; one by name Hypolite, a native of Bourbon; and another called Boniface, a native of Travancore.

6.—Do you know where they are gone?

Hypolite is gone to Calicut, and, as I am informed, is now in the service of Mr. Bill, commercial resident.

7.—What is become of the other?

He left me without leave, and went to Travancore, where he was said to be, and is amongst those taken from my house by Colonel Munrow.

Have

Fort St. George
Papers
State of Slavery
in Company's
Territories

8.—Have you taken any measures to recover Hypolite?
I have, after I had ineffectually written about him to Travancore, I applied to the commanding officer at Pondicherry, and made an affidavit before the superintendent of police, that the man was my slave, and had robbed me of a sum of money.

9.—Have you a house at Tanganacherry?
Yes.

10.—Who lives in the house?
Only a servant; it is in charge of my nephew, Mr. Edmond.

11.—Have you any slaves there, and what number?
I have two, and one child. Colonel Munro having ordered away seventeen, of whom the greater part were children, born of slaves, my property.

12.—Are any of them natives of India?
All of them are natives of India.

13.—Of what country are the two slaves, now in your house?
They are from Bourbon, and one of them is the mother of the child already mentioned.

14.—Where did you purchase the slaves that are natives of India, or how did you procure them?
I bought them in Travancore, by permission of the resident (Colonel Macauley), and of the dewan, and the sale was always registered by the cutwal.
For what purpose did you get them?
I bought them to work about my house, and in my garden.

15.—Have you been at any time in the habit of sending them out of the country, and where did you send them?
I never sent any out of the country.

17.—Since your arrival in India, have you disposed of any of your slaves, and where did you dispose of them?
I have never disposed of any.

18.—Are any of them in irons, or were you ever in the habit of putting them in irons?
I never did put any of them in irons, nor do I know that any of them were ever in irons; and if so, it was without any authority from me.

19.—Were you in the habit of confining your slaves?
Never.

20.—Do you know that there was a proclamation issued at Travancore soon after the war, and another about six months ago, strictly prohibiting any traffic in slaves?
I heard of no such proclamations, nor have I purchased any slaves since the war.

21.—Do you know of any other person or persons, who are or have been engaged in a traffic of slaves?
I know of many who purchased slaves to perform the duties of servants, but of none who bought them with a view of traffic, or of sending them out of the country.

(signed) F. Valley.
Examined by me,
(signed) H. Fraser, Lieutenant Colonel commanding Pondicherry.
In the presence of, (signed) J. White.

Extrait des Registres du Dépositions et Interrogatoires du Tribunal de la Police de Pondicherry.

Du dix-neuf Fevrier mil-huit cent douze.
Le Jourd'hui dix-neuvieme jour du mois de Fevrier mil-huit cent douze, avant midi, est comparie au Tribunal de la Police de Pondicherry, par-devant nous, Joseph Jacques André White, Chef de Police à Pondicherry, assisté de Mr. Antoine François Baletti Declauren, griffier des causes natives en-dit tribunal, le Sieur François Valley.
512

Part St. George
Papers
State of Slavery
in Company's
Territories.

Vally, negociant de cette ville, lequel nous a dit et déclaré, que dans ledit mitiklu vingt-huit Octobre dernier, un des ses esclaves, nommé Hypolite, a deserté de chez lui, ayant emporté quelque argent qu'il lui voit donner la veille pour ses dépenses; lequel ayant cru que cet esclave s'étoit égaré dans les environs de la ville; qu'il en a come noisshit pas d'autant qu'il n'a jamais pu se douter, qu'il l'a quitté; n'y a attendu, jusque au premier Novembre suivant, pour nous en faire sa déclaration et nous donner son signalement: que ce même jour premier Novembre étant entré par hazard dans la chambre du dit Hypolite, il s'est aperçu, qu'il avoit emporté tout son argent; ce qui ne lui a plus laissé de doute sur son évasion: qu'ayant informé Monsieur Edmont son neveu, à Coïlon, de la fuite du dit Hypolite, il a appri que cet esclave étoit allé le trouver à Coïlon; qu'il lui avoit demandé sa grâce pour avoir quitté son maître, et qu'il a resté à son service pendant quelque temps; que le Sieur Edmont l'ayant ensuite envoyé pour quelque commission à Aleppe, il étoit mis au service de Mr. Bell, resident commercial à Calicut, qu'ils a écrit alors à Mr. Jussant pour réclamation noir du dit Sieur Bell; que le Sieur Bell a répondu au Sr Jussant, qu'il prenoit ce noir sous sa protection, et qu'il ne le rendroit que lorsque ledit Sieur Jussant l'aurait pourvu qu'il n'en soit son esclave, ainsi que les lettres de la correspondance qu'il a eu avec le Sieur Jussant, et celle du Sieur Jussant avec le Sieur B. M. dont il nous a exhibé les originaux à l'instant, par ce plus par nous ne varier. Que ce noir est compris comme esclave dans le dol de Madame Vally, son épouse, et mentionné comme tel dans son contrat de mariage qu'il ne peut nous remettre, parcequ'il existe à Coïlon, et qu'il nous fait la présente déclaration, pour que cet esclave soit amené en ville, pour être remis entre les mains de la justice.

De laquelle déposition, le dit Sieur Vally nous a requis acte, dont acte pour lui servir et valoir ce que de raison, et a signé.

Fait et arrêté la dit jour et au y dessus, et avons signé ainsi
Vally (signé)
A. Dulauren, Griffier.

Collationné, et lu par nous (signé) A. Dulauren.

To the Chief Secretary to Government, Fort, St. George.

Sir: I have the honour to inclose you a representation from Mr. Vally (and translation of the same), wherein he further explains his treatment of his slaves, and the purposes for which he purchased them; which I request of you to submit to the Honourable the Governour and Council. I have, &c.

(signed) H. Fraser, Lieut. Colonel commanding, Pondicherry.

Pondicherry, 14th March 1812.

To the Honourable Sir George H. Barlow, Bart. K. B. and Governour and Council Fort St. George.

Honourable Sir:—I beg leave to lay before your Excellency my justification respecting the complaints which I so so undeservedly and unexpectedly am charged with, of which I am also just informed, and which had been addressed to your Excellency by Lieut. Colonel Munro, resident at Travancore.

On the 5th instant, I was called by Lieut. Colonel Fraser commanding Pondicherry, who asked some questions about the time of my arrival in India; when I left the Malabar coast, the time of my arrival at Pondicherry, the number of my slaves, how and for what purpose I purchased them, &c. My having satisfied him on all the different questions, and signed on the next day, in the presence of the superintendent of police, the verbal process drawn out by Lieut. Colonel Fraser; I on the same day wrote to him, in order to shew how deeply I was affected with that interrogatory, and persuaded that such a measure could only proceed from a superior order given on account of some complaints made against me. I also expressed to him how much I was concerned for my honour, to be acquainted with the nature of those complaints, and begged that in case there existed any, to be so kind as to let me know them, that I may be able to answer and justify myself at the same time before government.

Lieut.

Port St. George
 Palace
 Sent to Sir every
 in August in
 Tenants

Lieut. Colonel Eizen then acquainted me with the motive of the complaint admitted to him by government, and which rendered the above stated inter-rogatory necessary. I saw with as much surprise as regret, contained the most serious accusations, and led only to dishonour me, and entirely injure my character for a government both just and enlightened, under the protection of which I live these nine years, and to which I may surely state, having given hitherto no cause of dissatisfaction, by the good conduct I always keep. I saw that I was accused, from the reports made to Lieut. Colonel Mawul by Captain Beal, superintendent of the bazars at Quilon, for having bought slaves on the Malabar coast, to carry on a shameful trade in the view of sending them to the Isle of France to be sold; that I was likewise charged for having treated these slaves with the utmost cruelty, kept them without clothes or food; at last, for having exposed them in irons. If the least part of these facts was true, I have without doubt every reason to fear the severity of government; but encouraged by both my innocency and equity, which your Excellency so publicly shew, I am perfectly easy, and have nothing to expect from preventions; but at the first time when some imputations of such a nature can perhaps give rise against me, persuaded that they shall soon be vanquished through the evidences of my justification, which I now have the honour to submit. I will first state to your Excellency, that I truly purchased like many other persons, some slaves on the Malabar coast, but I did so with the permission of Lieut. Colonel Macaulay, then resident at Travancore, several years previous to the prohibitions made by Lieut. Colonel Munro; and upon the express condition that I will not have them exported.

I am quite ignorant of the reasons that induced Lieut. Colonel Munro to believe, I was intentioned to have them transported to the Isle of France, to be sold. The only one, perhaps, which may offer some notion of likelihood, shall be the quantity of those slaves, amounting to one-and-twenty in number, of whom three are at present with me at Pondicherry, and eighteen in my house in Quilon; but in that number there were many very young; some were born in my house, and others purchased with their mothers, and who consequently can be of use to me; as for those who were able to serve me, I employed some to cultivate my garden, and the rest to the interior service, of my house. I may further state, that in purchasing them, I was less guided by views of personal interest, than by a mere act of charity; and in truth, the most of them were more burdensome than useful to me, but nevertheless, I never had any intention of selling them. In shall here observe, that two of them who made their escape, after having stolen from me, the one of whom is called Boniface, and whom I shall hereafter mention, I never did any reason of complaining against them, and on their part, they never shew any desire of leaving me.

To justify myself of the design they suppose me to have entertained of sending those slaves to the Isle of France, it would be sufficient to state here, that God alone is the judge of intentions, and that they have no right to search in my thoughts, nor to punish me for a guilty design I could have formed, unless it could be proved I contrived to carry it into execution. I may add, that the only persons who depose against me, are my own slaves, and that consequently their deposition is inadmissible; and besides, if I should have entertained the design of having them sold at the Isle of France, I would not have told it to any body, and especially, to themselves; but I do hereby solemnly declare, upon my soul and conscience, that it never came into my thoughts to make of them an object of speculation, and still less to send them to the Isle of France, nor into any other colony; and the most certain proof I can give of it is, that ever since they had been in my possession, I have not sold one, though it would have been very easy for me to do it, and even to send them to the Isle of France on board the neutral vessels which at that period were trading in India. Now, then, supposing even I could have conceived the design to have them sold at the Isle of France, how can I now have the idea of executing it, whilst there is communication with the island, but by English vessels, and that there is no one ignorant of that trade being prohibited by government upon the most severe pains? Is not that reflexion more than sufficient to prove that is as unlikely as impossible, that I may have formed the design which I am charged with.

I believe, Honourable Sir, having sufficiently proved that the design which I am imputed with, for having wished to transport and have my slaves sold at the

Fort St. George's Papers: State of Slavery in Company's Territories.

Isle of France, is destitute of all foundation, I only have to justify myself on the ill-treatment they suppose I had inflicted upon them.

Captain Beal, in his first report to Lieut. Col. Munro, states having met in Mr. Gourpalais's garden a man in irons called Komoria Agapen, who complained of having been placed in that situation by my nephew, Mr. Edmond, and told him that he was engaged in my service as a horse-keeper, receiving from me his wages, and further, that he had frequently asked me to increase them, and that at last he made his escape from Pondicherry, where he followed me; and that, on his return in Quilon, he had been arrested, and put in irons. As for that charge, I observe, 1st, that this man is not free, though he seems willing to be reputed as such, since he said that he received wages, it must be from his own statement. The same individual I purchased at Travancore, whom I named Boniface, and brought to Pondicherry, though I had reasons to be dissatisfied with him; as he had once before committed in my house a robbery, for which he was punished in Quilon by Mr. Nillo, who had the superintending of the police at Tangaracherry. That I never gave him wages, as he was my slave, and fed and clothed like the rest at my expense. That it is true that he secretly made his escape, but the true reason of it he appears dissembling; and which I must reveal, is nothing else, but another robbery he just committed of some money given to him for my table expenses. In short, it is also true, that this man, having afterwards returned to Quilon, was arrested, and kept amongst my other slaves, until I am entirely ignorant if he had been put in irons, as I never ordered it; and if the case be so, it must have been done by my horsekeeper to my great disapprobation, and not by my nephew, Mr. Edmond, who, by his character, is far from being able to commit or act of such a nature.

Orig.

Captain Beal, in his second report, states having caused to be brought from my house four women, five young girls, and eleven young boys, besides the man put in irons, and that they were in the most distressed condition, and almost naked. I already had the honour to state to your Excellency, that I left only eighteen slaves in my house at Tangaracherry, and it is extraordinary enough that there are now one-and-twenty. The wretched state wherein it is thought they were, has, I trust, been much exaggerated; for it is easy for me to prove, not only by the accounts of my house expenses, but also by the testimony of respectable persons I got acquainted with at Travancore, for the eight years I resided there, that I always treated my slaves as a good master ought to do. I will likewise prove, that ever since my departure from Quilon, I took all the necessary measures with my nephew to have them decently maintained. I further keep a written in Quilon merely for that purpose, and was waiting for a convenient opportunity by sea, not to send them to the Isle of France, as they say, but to carry them to Pondicherry. What are then the reproaches brought against me, and from whence do these complaints arise? Had I not fulfilled towards my slaves, and even beyond all the indulgences that humanity requires? If I had given them any cause of complaint; if I had treated them inhumanly, who could have forbidden them, particularly having been absent from Quilon these nine months past, to claim justice and protection, that government has at all times granted to the oppressed of whatever condition they may be; but did they do so?—and even at the moment when they had been carried away by force from my house, giving them a liberty they had not claimed, and perhaps far from wishing it, to the exception of one alone, named Boniface, who certainly ought not to have had a great desire remaining with me, as I already stated I had much cause of dissatisfaction with him. Is there any who complained of my treatment towards them? No, certainly; and there is not a more convincing proof of the mild and humane treatment they have always experienced from me.

Southam 1781 1782

I can assure your Excellency, that the statement I just have the honour to make is founded upon the most exact truth, and I dare flatter myself it must be sufficient for my justification; however, Honourable Sir, I am far from wishing your Excellency to rely entirely on my words, and the delicacy of my reputation obliges me, on the contrary, to beg your Excellency to cause that affair to be prosecuted according to the judicial form, and with the greatest publicity. The satisfaction it might result from it, could but show, my innocency, in its fullest light; should your Excellency be desirous to obtain further evidences, than mine, in the manner how I purchased my slaves at Travancore, and how I constantly treated them, it is very easy to get respecting it, all satisfactory instructions from different persons who were

at

Fort St. George
Papers
State of Slavery
in Company's
Territories.

at that time residing in Quilon, or in its vicinity, and particularly from Dr. Macaulay, with whom I always lived during my stay at Travancore, as well as from Lieutenant Colonel Hall, who resides there for several years past. I do not doubt that their depositions will be conformable to what I just had the honour to state. After the judgment passed on that point, either by the supreme court, if your Excellency deems it proper to lay before them, or by your Excellency, a judgment I expect with the most perfect security; persuaded it can be but favourable for me, I would doubtless have the right to claim the slaves carried away by force from my house, since I had purchased them at the knowledge and with the permission of the resident at Travancore, and being consequently my property; but as it appears now that they by their own will, or by the instigation of others, wish for their liberty, I agree with all my heart that it be restored to them, and I also sacrifice with much pleasure the money I laid out for them; I sincerely wish they may never have reason to repent of the ungrateful steps they have taken towards me. I am induced to believe, Honourable Sir, that Colonel Munro, in the complaint he addressed to your Excellency against me, has been influenced but by a statement of humanity and commiseration for individuals he thought oppressed, and in that sense I do but do justice to his intentions; but at the same time, it is painful for me to see that he could have so easily depended upon imputations of so serious a nature from a single report, destitute of proofs, and without having continued to be satisfied if these imputations were true or not. I did not deem it necessary, Honourable Sir, to answer to that part of Colonel Munro's letter, where it is spoken of the passport he granted me when I left Travancore in the view of proceeding to the Isle of France, this being a matter quite strange to the complaint he addressed to your Excellency against me, which will be sufficient to observe, it is true that when I left Travancore I had the design to proceed to the Isle of France, but circumstances having not permitted it, I resolved to give up this idea, and fix myself with my family at Pondicherry. I reside here formerly nine months at the knowledge and with the permission of government; Lieutenant Colonel Fraser, who commands here, may give an account of my behaviour to your Excellency, and may also ascertain, if it has not always been that of a law honest and peaceable man. I have the honour to be, Sir, your obedient servant, Pondicherry, 24th March 1812. (signed) P. Valley.

Ordered to lie on the table until the further report of the resident at Travancore and the magistrate at Malabar shall have been received, when the whole subject will be taken into consideration.

Extract of a Letter from the Court of Directors to the Governor in Council of Fort St. George, in the Political Department, dated 10th August 1814. In a Letter, from dated 17th October 1812 (14), mentions that several persons had been found in irons at Jangannacherry, a port dependent on Cochin, for the purpose of being transported as slaves, and that the result would be communicated from the Judicial Department.

Papers relative to a Portuguese Ship, laden with Slaves, which sailed from Calicut to Goa in 1812. It was forwarded to the jurisdiction of this Zillah; but not having heard further of this vessel, I conclude the magistrate has proceeded according to law against the commander, and detained the vessel until the receipt of the orders of government. In order that I may possess a clear rule of guidance for my conduct in the event of a similar arrival in this Zillah, I beg to request, that I may be favoured with the special opinion of the legal adviser of government.

Read the following letter from the magistrate in Zillah, North Malabar. To the Chief Secretary to Government.

Sir, The accompanying copy of a report made by the officiating master attendant at Calicut to the officer commanding the provinces, of the arrival of a Portuguese vessel on this coast from Mozambique, with a cargo of slaves, was forwarded to me by Colonel Lockhart, to prepare me against her touching at any port within the jurisdiction of this Zillah; but not having heard further of this vessel, I conclude the magistrate has proceeded according to law against the commander, and detained the vessel until the receipt of the orders of government. In order that I may possess a clear rule of guidance for my conduct in the event of a similar arrival in this Zillah, I beg to request, that I may be favoured with the special opinion of the legal adviser of government.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

By the exposition already given by that officer, under date the 14th May last, of the statute 51 Geo. 3, his opinion is confined to persons residing within the King's or Company's territories, including the native subjects of this government; though it is evident, from the case he has quoted in his previous letter, dated the 14th April, which was written before he was aware of the Felony Slave Act, of an American slave ship having been seized, carried into a British port, and confiscated under the provisions of the Act 47 Geo. 3, and the opinion he has founded thereon, that as far as relates to the release from slavery, our courts in India would act upon the same principle, and the statute of 51 Geo. 3, being enacted for rendering more effectual the Act 47 Geo. 3, and being expressly declared to extend to all persons whatsoever, being concerned in any way in such practices, in any of the dominions in his Majesty's possession, or under the government of the East India Company, it would seem that any person, whatever might be his nation or colour, receiving on board, to be carried as an article of trade, or even be used as a slave, touching at any port of British India, comes under the meaning and intent of the Felony Slave Act.

The Honourable the Recorder of Bombay has, in charge to the grand jury, on the 12th October last, adverted to the slave trade subject, and the foregoing opinion appearing to be in unison therewith, as well as the spirit of that delivered by the advocate general on the 14th April, I shall accordingly conform myself thereto, as constituting the most safe rule for interpreting the late and former Acts, should the slave vessel in question or any other slave vessel call at any port within this zillah, until I am favoured with more specific instructions through the regular channel of my own government.

I have, &c.

(signed) T. H. Baber, Magistrate.

Zillah, North Malabar, 10th Nov. 1812.

LIST of Arrivals and Departures of Ships and Vessels at and from the Port of CALCUTTA.

Date.	Arrived or Sailed.	Ship or Vessel's Name.	Commander's Name.	Nation.	Guns.	Tons Burden.	From whence, and Time of Departure.	Sailed to what Place.	Passengers.	Cargo.
Nov. 3.		St. Antonio	A. Jose Aguido,	Portuguese	2	40	Mosambique	Goa	None	Slaves, iron, &c.

(signed)

Robert Ley, Master Attendant.

To Colonel Lockhart, Commander of the Provinces, Cananore.

Sir:—I herewith inclose you a report of the arrival of a Portuguese snow from Mosambique.

I am, &c.

(signed) Robert Ley, Master Attendant.

Calicut, November 2d, 1812.

Ordered in consequence, that a letter of the following tenor be dispatched to the advocate general.

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 of North Malabar, and to request that you will state, what instructions it may seem to you to be proper for the government to furnish to that office.

I have, &c.

(signed) David Hill, Secretary to Government.

Fort St. George, 20th Nov. 1812.

Extract, Fort St. George Judicial Consultations, 4th December 1812.

Read the following letter from the advocate general:

To the Secretary to Government in the Judicial Department.

Sir:—I have considered the subject of your letter of the 20th ult. and the communications from the magistrate in North Malabar.

Upon reference to the statute 51 Geo. 3. c. 23, I see that the penalties of the Act attach to all persons residing or being within British territories. There is no crime, under

OF DIRECTORS and the GOVERNMENTS IN INDIA.

under the Portuguese law, in pursuing the slave trade; importation of slaves into their colonies being still notoriously permitted. A Portuguese subject is therefore guilty of no offence, so long as he and the slaves continue in the ship in which he has brought them from Africa or elsewhere, the penalties attach only on importing into British territories; in fraud of the statute under false papers and invoices or any other artifice, shewing a knowledge of the law and a design to evade it; would justify a magistrate in directing the ship to be seized, although even in that case, without actual importation by landing the slaves. I do not feel confident that a conviction could follow nor any penal consequence. But where a Portuguese to whom the trade in slaves is legal, brings his cargo to a British port openly, as an article of traffic, evidently not knowing the prohibition, I think it clear under the statute, that the mere arrival would not constitute a crime, and I should think it the duty of those who know the law, to warn him of it, and of the danger of landing with his slaves. If he were to import them after such notice, he would be justly liable to all the consequences of the Act, but I think not otherwise.

Fort St. George
on Papers?
State of Slavery
in Company's
Territories of
India

I am, &c.
(signed) A. A. Anstruther, Advocate General

Fort St. George, 3d December 1812.
Ordered, in consequence, that a letter of the following tenor, be dispatched to the
magistrate in North Malabar.

To the Magistrate, North Malabar.
Sir:—I am directed by the Honourable the Governor in council, to acknowledge the receipt of your letter, dated the 10th ult., and to furnish, for your information and guidance, the annexed copy of a report regarding it, which has been submitted by the advocate general.

I am, &c.
(signed) David Hill, Secretary to Government.

Fort St. George, 4th December 1812.

PAPERS relative to certain Abyssinian Slaves and Females from Kutch, imported into India in 1814.

Extract of a Letter from the Governor in council of Fort St. George, to the Court of Directors in the Political Department, dated 26th September 1816.

Cons. 18th Nov. 1814.
Cons. 21st March 1815, N^o 3 & 4.
Cons. 1st July 1815, N^o 6 & 9.
Cons. 17th Nov. 1815, N^o 2.
Cons. 22d Dec. 1815, N^o 18.

Para. 37.—The government of Bombay having informed us of a complaint preferred by a dependent of the Pacha of Egypt, against certain public servants in the province of Malabar, for being implicated in the seizure of some Abyssinian slaves and females from Kutch, we referred to the Board of Trade and the magistrate of South Malabar on the subject, and from the replies which we received, it appeared that the accusation against the public servants was without foundation; but the magistrate being of opinion that two persons, named Ruthin Chund and Kalingit Kany Korop, and others, of whom the petitioner had complained, were liable to prosecution for having enslaved the girls, deemed it proper to bring them to trial; the prisoners, however not having been found guilty were released.

Cons. 22d Dec. N^o 20.
Cons. 23d Feb. N^o 16 & 18.
Cons. 17th May, N^o 19, 13, & 15.

38.—We communicated our proceedings to the government at Bombay, and requested to be informed of their wishes regarding the disposal of the Abyssinian slaves and females from Kutch, who remained under the charge of the magistrate of South Malabar. The Right Honourable the Governor in council at Bombay having requested that the Abyssinians might be sent to that presidency, in order that they might be returned to Egypt, and that the females also might be sent to Bombay, unless they could be satisfactorily provided for on the coast; we informed the magistrate thereof, and directed him fully to explain to the Abyssinians the intention of the government of Bombay, and to leave it to their option, whether they would be sent to that presidency, or endeavour to procure employment and subsistence for themselves by other means; and we further desired the magistrate to report the best and most humane mode of disposing of the females from Kutch. Mr. Pearson informed us in reply, that the Abyssinians did not wish to return to Egypt. We have approved the manner in which he has enabled them to obtain subsistence for themselves, and the arrangement which he proposed for marrying the females from Kutch. We have authorized him to incur the estimated charge on both accounts, amounting to pagodas 133, 1736 and have reported our proceedings to the government of Bombay.

1814

Fort St. George
Papers:

State of Slavery
in Company's
Territories.

Extract, Fort St. George Political Consultations, 18th November 1814.

Read the following letter from the secretary to the government at Bombay, from S. Babington, Esq. secretary to government:

To George Strachey, Esq. Chief Secretary to Government, at Fort St. George,
29th October 1814.

Sir:—I am instructed to transmit to you, for the purpose of being laid before the Right honourable the Governor in council, the accompanying copy of a paper, containing information obtained from Synd Hussin Bin Uhmud Hubushee, the translation of a letter from his Excellency Mahomed Alee, the basha of Egypt, and the copy of a letter from the British consul; and to inform you, that the person charged with his Highness the Pascha's commands, intends to proceed to Calicut, for the purpose of claiming restitution of the property which he represents to have been seized.

2.—I am further directed to acquaint you, that the Right honourable the Governor has given a reply to the Basha's letter, and informed his Highness, that the consideration of the present case has been submitted to the government of Fort St. George.

I have, &c.

(signed) S. Babington, Secretary to Government.

Bombay Castle, 29th October 1814.

Information obtained from Synd Hussin Bin Uhmud Hubushee, the brother of Hajee Moosullim, who was recommended to the governor's attention, by the Turkish Viceroy, and the British consul in Egypt.

Hussin Bin Uhmud states, that Uhmud Bin Salim Noemin proceeded about two years ago, in the command of a dow of his own, from Egypt to the coast of Malabar; that on his arrival at Calicut, Uhmud Bin Salim's person was arrested, and thereon taken into custody; that several slaves who were on board, were clandestinely landed by Coonjee Coree Mefa, and are retained by him; that the person also received from Uhmud Bin Salim on his own account and that of his superior, the sum of 3,000 rupees previously to his enlargement. Synd Hussin Bin Uhmud states, that Mr. Gillio was the judge and magistrate at Calicut, at that period; and that he (the Synd) is now sent to India, to endeavour to procure the restoration of those slaves, and the payment of the said sum of 3,000 rupees.

It also appears, from a letter addressed by Uhmud Bin Salim to Syed Hussin, dated the 15th August, that a part of the money above-mentioned, was paid through one Ruttonchind, a part through one Hussin Mamoo, and the residue through the person to whom the letter is addressed; it states, that four of the slaves were native Abyssinians, valued at 400 dollars, five were Rajpoots, at 250 dollars, and eight were females, valued at 800 dollars, making altogether 1,450 dollars; but he adds, that the British authorities were uninformed of these circumstances. The writer also tells his correspondent, that he had written him a letter explanatory of all circumstances, by another vessel; that he inclosed a letter from the Viceroy of Egypt, claiming the restitution of whatever had been received from him, and desiring him in case of a refusal of restitution, to report the circumstance to the Viceroy of Egypt, with the cause of such refusal, as his Excellency being well acquainted with the case, would adopt the necessary measures to procure indemnification; urging at the same time, his correspondent to omit no exertion in his power to effect that object; and appealing to him, as one acquainted with the conduct pursued towards him, with the imprisonment he had suffered, and the disgrace he had experienced, in being thrown into irons, and plundered. He states, however, that he might be satisfied with the restoration of the slaves, and the repayment of the money, desiring his correspondent, in case of refusal, to get one of those implicated in this transaction, to repair to the presence of the Basha, to be confronted with his Excellency, who would then act as he might deem proper. The writer, moreover, enjoins his correspondent not to think lightly of his communication, because the matter would lead to important consequences; and intimates, that it is in the power of the Basha to arrange the business, should he be so disposed.

Translation of a Letter from his Excellency Mahomed Alee, Basha of Egypt, to the Address of George Brown, Esq. Governor of Bombay, dated 7th Zelkaaa 1228, or 1st November 1813, A. C.

Fort St George
Papers:
State of Slavery
in Company's
Territories.

After expressing my earnest desire for an interview, and requesting information regarding the state of your health, I shall proceed to state my object in addressing it. In the first place, I have to inquire respecting your situation; and secondly, to inform you, in a friendly way, that Haja Moosullim, the son of Sulim, a particular friend of mine, and who now proceeds to that quarter, is my servant and dependent, worthy of every attention. I therefore hope, from your friendship, that you will not allow anybody to molest or annoy him, and you must treat him with mildness.

(A true translation.)

(signed)

Richard Thomas Goodwin,

Sec^r and Translator in the Office of Country Correspondence.

His Excellency the Right Honourable Sir Evan Nepean, B^t.

Sir:—I have been earnestly requested by the Austrian consul general, in this country, to recommend to your Excellency's protection, the bearer, Salim Eba Niram, master of a d'ow, who is about to sail for India, with a cargo of goods belonging to Hadja Mekki Holani, a respectable merchant of this place. It appears, that in a former voyage to Bombay, Salim Eba Niram was there mistaken for a Uahabee, which subjected him to considerable difficulties in transacting the business that carried him thither; and it is to prevent a recurrence of a similar inconvenience that I have been applied to for this letter, with which, however, I should have been unwilling to furnish him, had I not been assured, that he has also been recommended to your Excellency by the Viceroy of Egypt.

I have, &c.

(signed) *Ernest Missett.*

Cairo, 19 November 1813.

Ordered, in consequence, That the following letter be dispatched to the Board of Trade.

To the President and Members of the Board of Trade.

Gentlemen:—I am directed to transmit to you the inclosed copy of a letter from the secretary at Bombay, and to desire that you will submit to the Right honourable the Governor in council, such information on the subject to which it relates, as the records of your office may afford, or as you may be enabled to obtain from the commercial residents, or from the collector of sea customs in Malabar.

I have, &c.

(signed) *G. Strachey, Chief Secretary.*

Fort St. George, 18th November 1814.

Extract, Fort St. George Political Consultations, 21st March 1815.

Read the following Letter from the Secretary to the Board of Trade.

To the Chief Secretary to Government, Fort St. George.

Sir:—I am directed by the president and members of the board of trade, to acknowledge the receipt of your letter of the 18th November last, and to state, for the information of the Right honourable the Governor in council, that the collector of sea customs in Malabar and Canara, has reported, that no part of the custom servants were implicated in the seizure of the slaves alluded to, and that none of them had received any bribe, as set forth in the deposition forwarded by the Bombay government.

I have, &c.

(signed) *E. Smalley, Secretary.*

Madras, Board of Trade Office, 9th Feb. 1815.

Ordered, in consequence, That the following Letters be dispatched.

To the Judge and Magistrate of the Zillah of South Malabar.

Sir:—I am directed to transmit to you the inclosed copy of a dispatch from the Secretary at Bombay, relative to a complaint preferred by a dependent of the basha of Egypt, against certain public servants in the province of Malabar.

N^o 2.

N^o 3.

N^o 4.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

2.—It is the desire of the Right honourable the Governor in council, that in communication with the late judge and magistrate, you will submit an early report of all the circumstances connected with the alleged grievance.

I have, &c.

(signed) G. Strachey, Chief Secretary.

Fort St. George, 21st March 1815.

To G. W. Gillio, Esq. Third Judge of the Provincial Court of Appeal and Circuit, for the Western Division.

N^o 5. Sir:—I am directed by the Right honourable the Governor in council, to transmit for your information and guidance, the inclosed copy of a letter from the Secretary at Bombay, under date the 29th October last, and of the orders dispatched in consequence, to the judge and magistrate of the Zilla of South Malabar, of this date.

I have, &c. &c.

(signed) G. Strachey, Chief Secretary.

Fort St. George, 21st March 1815.

Extract, Fort St. George Political Consultations, 1st July 1815.

Read the following letter from the Magistrate in the Zillah of South Malabar.

To the Chief Secretary to Government, Fort St. George.

N^o 6. Sir:—I have the honour to acknowledge the receipt of your letter of the 21st March last, inclosing copy of a dispatch from the government of Bombay, and desiring that I should, in communication with the late judge and magistrate, submit a report of all the circumstances connected with the alleged grievance of Ahummud Bin Salim, a merchant and naquedah, who traded to this coast in 1812-13:

2.—In obedience to the orders of the Right Honourable the Governor in council, I have now the honour to state, that in the month of January 1813, a report was made to the judge and magistrate by the tannadar of Beypoor, and also by certain merchants of Calicut, touching the arrival in the Beypoor river of two Arab vessels from Kutch, on board which, besides the crew, there were observed several women and children, apparently Hindoos, and evidently under restraint; the treatment which these poor people received from the individuals composing the crew, was at the same time described to be such as to demand the prompt interference of the magistrate. The two Arab vessels were accordingly ordered to be searched, and certain women, boys, and girls, all apparently of the Rajpoot caste, and thirteen in number, were brought to the court, and some of the eldest underwent an examination by the magistrate.

3.—From the narrative given by these people, it would appear that the Arab vessels arrived at Kutch during the famine of 1812; that the poorer classes, being in a state of actual starvation, individuals were glad to throw themselves or their children, for a few rupees, into the hands of anybody who would give them food. Under these circumstances of distress, the women and children in question embarked with the Arabs, and were brought from Kutch. Such of the females as were old enough, there is little doubt were treated in the manner alluded to by Mr. Gillio in his answer to my letter; and that gentleman, taking into consideration their forlorn condition, the declaration of the women, that nothing short of violence should induce them again to go on board the vessels, and the offer made by Ruttun Chund (a Kutch man), and other merchants, to maintain and procure them the means of returning to their own country, deemed it to be his duty to set them free, and at liberty to return to their native place, depending upon the word of the said Ruttun Chund, a principal and apparently respectable merchant, to send them back to Kutch, between which port and Calicut vessels in which he had a concern were frequently passing.

4.—It further appears, that during the investigation above mentioned, the Noquedah Ahmmud, as also the commander of the second vessel, were brought to the court, and kept under restraint during the day-time for three successive days, being allowed to go away each evening, on bail given by Kalingil Kuny Koroo. There does not appear to me to be the least foundation for that part of the noquedah's complaints, in which he states his having been put into irons, the place in which he was detained as above, as distinct from the jail, being one of the rooms under

under the then court-house, appropriated principally to the confinement of debtors.

5.—Such is simply the plain statement of the matters adverted to in the paper of information delivered in at Bombay by Seyed Hussen, as far as the knowledge and concurrence of the judge and magistrate extended; but other circumstances of a very different complexion appear to have taken place unknown to the magistrate; if any fair or just inference can be drawn from the information conveyed in the numerous and tedious examinations which have been taken by me in the hope of arriving at the truth. In their present defective state, however, but few of the facts advanced admit of judicial proof, and it might therefore be unbecoming in me to state the impression my own mind has received regarding them, as it is possible my conclusions may ultimately prove erroneous. On this consideration I feel it my duty to confine myself to observing, that there is strong reason to suspect, that the Noqedah Ahummud suffered indignities and very injurious treatment at the instance of Kalingil Kany Koroo, Ruttun Chund, and others leagued with them; first, in having had four of his Abyssinian slaves enticed away, to be employed in a ship then building at Beypoor by Kany Koroo, and now sailing under the name of the Jenarzin; and, secondly, in having had upwards of 2,200 rupees extorted from him.

6.—The absence of the noqedah, and the time which has since elapsed (upwards of two years), are the unfortunate circumstances which have hitherto baffled my endeavours to bring the acts complained of home to the parties accused. The conduct of his Vakeel Seyed Hussen has been any thing but that of a man desirous of promoting his master's cause; indeed, I am disposed to think he may have been bought off, and at the same time have negotiated and effected an advantageous compromise, that will satisfy both the pecuniary interests and personal honour of Ahmud Bin Salim.

7.—In this state of things, I take the liberty of submitting to the consideration of the Right honourable the Governor in council, the expediency of acquainting the government of Bombay with what has as yet come to light, and to recommend that means may be taken to obtain the attendance of the noqedah at this place, when I have no doubt of being enabled to ascertain the truth.

8.—With regard to the four Abyssinian slaves enticed away by Kalingil Kany Karoo, and the thirteen free-born women and children, liberated by the magistrate, the Abyssinians have from that time to the present continued in the service of the said Kany Karoo, and are now in Calicut, apparently contented, and inclined to make no discovery; their present master being questioned respecting them, says, that they enlisted themselves in his service, with the view of being employed in his ship; that they receive monthly pay, and are not slaves; but a different state of this case will, I hope, at some time or other, be proved. Of the others, three women and one boy are said to have been sent back to Kutch, but I do not credit it, although I have no reason to believe them to be still in Malabar. Two other boys were sent to Bombay, one of whom is said to have enlisted in one of the battalions there; the other came back to Calicut, and is now a servant in Ruttun Chund's family, although no longer admitted to be of the Rajpoot caste; a third boy is similarly situated in the house of Kesoojee, a Kutch merchant at Tellicherry; a fourth (made over by Ruttun Chund, and five or six years old), apparently the adopted son of Parsee, of Calicut; five girls, the eldest of whom could not have been more than ten or eleven years of age, came into the hands of Kalingil Kany Karoo. Of these three were made over to two moplas, his dependents, under what circumstances cannot be proved. The others were employed as servants, and in fact slaves for some time in his own house, and afterwards sold or made over as such to a man named Hyaat, formerly a havildar in the revenue department, and then a salt agent in the public service at Ponany.

9.—When news was first received by the delinquents in Calicut, (eight months ago) of Syed Hussan's arrival in Bombay, these unfortunate girls were sent back to this place, and fixed with one of the Moplas above mentioned, it being at the same time pretended that they had never quitted Calicut; but having succeeded in tracing them to Ponany, and from thence to Chetneye (out of the jurisdiction of this court), and from Chetneye again back to Calicut. After an absence of nearly a year and a half, I considered it to be my duty to commit Ruttun Chund Kalingil, Kany Karoo, Hyaat Havildar, and two others, to take their trial before the court of circuit, for enslaving these girls; the evidence is very strong against them, and there seems little doubt of their being finally convicted, though it is yet uncertain what

1800. J. 2. 1. 1.
Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

what the futwa of the mooftee who sat on the trial will be. The kazea of the provincial court being sick, the judge of circuit was obliged to employ the law officer of the zillah court, during the late sessions.

10.—It remains for me now only to request the further instructions of the Right honourable the Governor in council, regarding any further prosecution of this inquiry, and his orders in respect to the disposal of the Abyssinian slaves, and such of the free-born boys and girls as are still forthcoming. Their caste being irretrievably lost, a change in the destination of the boys I do not conceive would be at all desirable; the case of the four girls (the fifth died many months ago) is different, they are already led to consider themselves as belonging to a Mahomedan set, and they could only be received into families of that caste; but girls so situated, unless respectably married, are treated extremely ill, and often cruelly. I should therefore recommend their being portioned and given in marriage to respectable moplas, which I imagine may be done at no great charge.

11.—In regard to the Abyssinians, should it not be thought necessary to send them back to Egypt, it would be advisable they should go to Bombay, where the senior magistrate might be requested to procure them employment as sailors on the usual fixed pay, being thereafter left to their own discretion.

I have the honour, &c.

(signed) J. H. Pearson, Magistrate.

Zillah, South Malabar, 15th May 1815.

To G. W. Gillio, Esq. late Judge and Magistrate, Zillah South Malabar.

Sir:—I have the honour to inclose for your perusal, copy of a letter and its enclosure, from the chief secretary to government.

Having on a former occasion seen the papers transmitted by the government of Bombay; I have for some time past been employed in collecting information to enable me to explain to the Right honourable the Governor in council, the circumstances of the Noquedah Ahmud's complaints; but my report cannot be rendered satisfactory, unless your memory should enable me to explain certain points upon which my inquiries have led to nothing certain, and I am therefore desirous of being informed what you proposed become of the women and children, on being released from their bondage, and what your orders then were respecting them, and further, whether on the return of the vessels to Calicut Roads from Allepy (about six weeks or two months after their quitting Beypoor, the second time), you issued any orders for the apprehension or confinement of the noquedah, or any of his people.

The statement of Seyed Hussin appears to me to contain, at least, one unfounded assertion. I do not believe the noquedah was put in irons; and, indeed, there seems reason to doubt, whether it was your intention that he should at any time have been confined. On this point, and any others which may strike you, I request you will favour me with such particulars as you may wish the government should be in possession of.

I must beg an early reply, as I wish to make my report as soon as I have learnt the issue of the trial of Ruttun Chund, Kuny Karoo, and others, for enslaving two of the children therein alluded to.

I have the honour, &c. &c.

(signed) J. H. Pearson, Magistrate.

Zilla, South Malabar, 4th April 1815.

To the Judge and Magistrate of South Malabar.

Sir:—I have the honour to acknowledge the receipt of your letter of the 4th instant, together with the inclosures; and I beg leave to give the following explanation of the matter in question, as far as I can, from my recollection.

2.—About the month of January, in 1813, a boy, of the Rajpoot caste, about 12 or 14 years of age, as far as I recollect, came to me, attended by several of the principal Hindoo merchants of Calicut, and complained, that himself and some women and children of the same caste, had been kidnapped from their country (Cutch) by the Arabs of two dows, which were then lying in the river at Bheypoore, and likewise stating, that he had made his escape; but that the women and children were on board the dows. The account he gave me of the ill treatment he had received, and also of the brutal manner in which the women and children

children had been treated, induced me to send the cutwal to land, and bring before me these people, in order that I might ascertain, if what the boy stated was true; they were accordingly brought before me, and their depositions taken. As far as I can recollect, there were three grown women, two or three young girls, and, I believe, four boys, including the boy who first made his complaint, all of the Hindoo caste; they stated, I think, in their depositions, that they had been enticed from their country by the Arabs, and had been excessively ill-treated on board of the dows, the women and young girls asserting, that they had been violated by the noqedah and others, and the whole of them declaring they would rather die, than be obliged to return on-board the dow again. Under these circumstances, I considered it not only an act of humanity, but my duty, to set them at liberty, as far as to deliver them in charge to Ruttun Chund and the other merchants, to maintain and send them back to their country, when an opportunity should occur. This I was induced to do, on a voluntary offer from Ruttun Chund and the others, to this effect: Ruttun Chund, who is a native of Cutch, being considered by me as principally answerable for the fulfilment of this; and on these terms they were delivered over to him.

3.—I cannot exactly call to mind what exculpation the noqedahs set up, but as far as I can recollect, I do not believe they urged the plea of these women and children being slaves, and their property, but denied having kidnapped them; and stated, that they had come on board their dows in consequence of a famine in the country at the time, and that they had come away with them of their own free will.

4.—I can positively declare, that the noqedahs were never confined, to my knowledge, or by my order, beyond a few days, whilst the matter was under investigation, and that, as far as I recollect, in one of the rooms of the court house, and were allowed to go out to their victuals; after the investigation was closed, they were permitted to depart. They were never put in irons, or were they ever, by my order, confined a second time.

I have the honor, &c. &c.

(signed) *G. W. Gillio*, late Judge and Magistrate.

Tellicherry, 21st April 1815.

(True copies.) (signed) *J. H. Pearson*, Magistrate.

Ordered, in consequence, That the following Letters be dispatched.

To the Judges of the Sudar Fouzdaree Udalut.

Gentlemen:—I am directed to desire that you will submit, for the information of the Right honourable the Governor in council, the final proceedings of your court, in the case specified in the inclosed extract from a letter from the magistrate of the Zilla of South Malabar, dated the 15th May.

I have the honour to be, &c. &c.

(signed) *G. Strachey*, Chief Secretary.

Fort St. George, 1st July 1815.

Extract, Fort St. George Political Consultations, 17th November 1815.

Read the following letter from the deputy register to the court of Foujdarry Adawlut.

To the Chief Secretary to Government.

Sir:—I am directed by the court of Foujdarry Adawlut, to transmit to you here with a copy of their final proceedings on the case of Ruttun Chund and others, as called for by your letter of 1st July last, and to request that you will submit the same for the information of the Right honourable the Governor in council.

I have, &c.

(signed) *H. Mortlock*, Deputy Register.

Foujdarry Adawlut, Register's Office, 30th October 1815.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N° 7.

N° 8.

N° 20

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Extract from the Proceedings of the Foujdarry Adawlut, under date the 30th October 1815.

Read again, letter dated the 1st July last, from the chief secretary to government, desiring the court to submit their final proceedings, in the case of Ruttum Chund and others, for the information of the Right honourable the Governor in council.

Ordered, That a copy of the final sentence of the court in the foregoing case, N° 5, of the additional calendar of the zillah of South Malabar, on the first sessions of 1815, together with an extract from the proceedings, be transmitted to the chief secretary to government, and that he be requested to submit the same for the information of the Right honourable the Governor in council.

(A true extract,) (signed) H. Mortlock, Deputy Register.

Futwa of the Foujdaree Adawlut.

Before the court of circuit, the prisoners,
1st, Ruttum Chund; and
2d, Kahrigil Kuma Kuroo,

When arraigned, denied that they kept in their possession several children bought in a state of slavery by Ahmed Nakhedee, from whose ships they were landed by order of the magistrate, and which (said children) they had received from the magistrate, on their undertaking to send them back to their native country. They further denied having sold, or otherwise disposed of two females of the said number, named Iroppe and Laloree, to Pandal Tayate Ayate, the 3d prisoner.

And the statement made by these prisoners, when put on their defence, implies a denial of the crimes laid to their charge.

The 3d prisoner, Pandal Tayate Ayate denied that, knowing the aforesaid girls to be free-born children, he took them as his slaves, kept them in confinement, changed their names to Patoorma and Amina, dressed them as mopla women; again changed their names to Châcey and Kalee, dressed them as Teatres, secreted them in the (payengery naud) hobily, in the house of one Atramparrambill Chaitreony, and afterwards sent them to Calicut.

When put on his defence, he stated in substance to the following effect: "The two girls were sent by one Ookamoo, along with my wife; when I discovered it, I told Moideen Kootty (the 3th prisoner) to send them back to Calicut, which he promised to do; I do not know what happened subsequent to this."

The prisoners, 4th, Areamparrambill Chatoo Ooney, and 5th, Pandal Tayate Moideen Kootty, denied that, knowing the two aforesaid girls to be free-born, they were accomplices of the 3d prisoner, Pandal Tayate Ayate, and assisted him in changing their names and dress, and secreting them at Chetty's house.

When put on their defence, the 4th prisoner, Areamparrambill Chatoo Ooney, stated nothing; and the 5th prisoner, Pandal Tayate Moideen Kootty, stated in substance to the following effect: "When I came to Poonadee my father, Hyaz (the 3d prisoner), told me that two girls were to be sent to Calicut; afterwards I went to Chougat, and the two girls were sent with a man after me; when finding the youngest seized with the gout, I apprized my father of it; he sent me word to keep the child at Chatoo Ooney's house, until she should recover, on which the girl was sent to the house of the said Chatoo Ooney, as soon as the girl got well, I sent them both to Ookoomoo's house."

The evidence of the witnesses does not convict the prisoners of the crimes laid to their charge; for although some of them depose, that they saw the aforesaid two girls in an upper room of Pandal Ayate, the 3d prisoner's house; yet this circumstance, when viewed in connection with the statements of the 11th witness, and of one of the girls in question, does not establish a suspicion of the aforesaid crime; for the above-mentioned witness deposes, that the wife of Pandal Tayate Ayate, the 3d prisoner, came to Ookoomoo's house, and that on her going, she saw Ookoomoo send two girls along with her; and one of the girls states to the following effect: "The wife of Pandal Tayate Ayate, the 3d prisoner, came to Ookoomoo's house, and on her going away, Ookoomoo sent me and Umeebah along with her; the 3d prisoner's

wife, accordingly took and kept us both at Poonalee, where we were attacked with boils and itch, &c. on which she took us from thence to the house of Chatoo Ooney, the 4th prisoner, who mixed up some oil, &c. and gave it to us; a few days after, two men came and took us away to Ookoomoo's house.

Hence the prisoners are not convicted of the crimes laid to their charge, and should be released.

(A true translation.)

(signed) *H. Mortlock*, Deputy Register.

The court having maturely considered the proceedings held before the First Judge on circuit (in case N° 5, of the additional calendar) the futwa of the provincial law officer, and the futwa of the cazee ool coozat, and mooftees of the foujdary adawlut, do confirm the said futwa of the cazee ool coozat and mooftees aforesaid, and do direct that the prisoners; 1st. Rutum Chund; 2d. Vralingel Kummy Koroo; 3d. Pandal Tayate Ayate; 4th. Areamparrambil Chatoo Ooney; and 5th. Pandal Tayate Moideen Koottey, be accordingly set at liberty.

By order of the Court of Foujdarry Adawlut.

(signed) *H. Mortlock*, Deputy Register.

30th October 1815.

Ordered, in consequence, That the following letter be dispatched to the Chief Secretary to Government, at Bombay:

To F. Warden, Esq. Chief Secretary to the Government at Bombay.

Sir:—With reference to my dispatch of 1st July last, I am directed to request, that you will submit to the Right honourable the Governor in council at Bombay, the inclosed extract from the proceedings of the Sudder Fouzdarry Adawlut at this presidency, reporting the result of the trial of Ruttum Chund and others, on an accusation of enslaving certain females, natives of Guzerat.

I have, &c.

(signed) *G. Strachey*, Chief Secretary.

Fort St. George, 17th November 1815.

Extract, Fort St. George Political Consultations, 22d December 1815.

Read the following letter from the magistrate of the Zillah of South Malabar:

To the Chief Secretary to Government, Fort St. George.

Sir:—In reference to my letter of the 10th May last, I have now the honour to inform you, for the information of the Right honourable the Governor in council, that the evidence brought against the prisoners, in the case alluded to in the 9th paragraph, being deemed unsatisfactory by the Mahomedan law officers, they stand acquitted of the charges brought against them.

Soon after the sentence was communicated to Kalingil Kany Koroo, that person requested that he might be no longer considered responsible for the four girls mentioned in the 10th paragraph of my report, and I have in consequence caused them to be removed from their former residence, and placed under the protection of the Kazee of Calicut, until such time as I may be honoured with the instructions of government regarding them. I request also to be informed, whether the four Abyssinians referred to in the last paragraph of my letter, may be permitted to quit this place, with a view to procuring employment on board of ship.

I have the honour, &c.

J. W. Pearson, Magistrate.

Zillah, South Malabar, 6th December 1815.

Ordered, in consequence, That the following letter be dispatched to the chief secretary to the government, at Bombay.

To F. Warden, Esq. Chief Secretary to the Government, at Bombay.

Sir:—With reference to my dispatches, dated the 1st July, and 17th ultimo, I am directed to transmit to you the inclosed copy of a further letter from the magistrate of South Malabar on the same subject, and to request that you will ascertain, for the information

Fort St. George
Papers:
State of Slaver
in Company's
Territories.

N° 3.

N° 4.

N° 16.

N° 19.

N° 20.

310 SLAVERY IN INDIA: CORRESPONDENCE & COURT

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

information of this government, the wishes of the Right honourable the Governor in Council, with respect to the disposal of the natives of Guzerat and Abyssinia, hereinafter mentioned.

They will continue under the care of the magistrate, until your reply shall be received. I have the honour to be, &c. &c.

(signed) G. Strachey, Chief Secretary.

Fort St. George, 22d December 1815.

N^o 21.

Ordered, That a copy of the foregoing letter be furnished, for the information and guidance of the magistrate of the Zillah, South Malabar.

Extract, Fort St. George Political Consultations, 23d February 1816.

Read the following letter from the chief secretary to the government at Bombay.

To George Strachey, Esq. Chief Secretary to the Government at Fort St. George.

Sir:—I am directed by the Right honourable the Governor in Council, to acknowledge the receipt of your letters, dated the 1st July, 17th November, and 22d ultimo, on the subject of the trial of Rutton Chudd and others, accused of enslaving certain natives of Guzerat and Abyssinia.

The Governor in Council requests that the Right honourable the Governor in Council at Fort St. George, will be pleased to order the Magistrate of South Malabar to send up the Abyssian slave to Bombay, by the Ernaad, or any other opportunity that may sooner offer, of one of the Honourable Company's cruisers, as also the Cutch girls, unless they could be disposed of in a satisfactory manner on the coast.

These Abyssinian slaves will, on their arrival, be returned to the Arabian Gulph, and this government will apprise the pacha of Egypt of the proceedings which have taken place, and of the necessity for the attendance of the Naquedah Ahammud, if further inquiries be intended to be followed up on the points adverted to in the 5th paragraph of the magistrate's letter of the 15th May.

Bombay Castle, Feb. 11, 1816. I have, &c. &c. F. Warden, Chief Secy to Gov.

N^o 17.
Order thereon.

Ordered, in consequence, That the following letter be dispatched to the magistrate of the zillah of South Malabar.

To the Magistrate of the Zillah of the South Malabar:

N^o 18.

Sir:—I am directed to transmit to you the inclosed copy of a dispatch from the chief secretary at Bombay, regarding the disposal of the Abyssinian slaves and offenders from Cutch, now under your protection.

With respect to the former, you will fully explain to them the intention of the government at Bombay, to return them to a state of slavery in Egypt, and that under that declaration; the Governor and Council leave it to their own option, whether they will be sent to that presidency, or endeavour to procure employment and subsistence for themselves by other means.

A further report from you, respecting the best and most humane mode of disposing of the Cutch females, appears to be required; and you will particularly state the expense which would allow their marriage, according to the arrangement which you before proposed, if you should still consider it to be advisable.

I have, &c.

(signed) George Strachey, Chief Secy to Gov.

Fort St. George, 23d February, 1816.

Extract, Fort St. George Public Consultations, 17th May, 1816.

Read the following letter from the magistrate of South Malabar:—

To the Chief Secretary to Government, Fort St. George.

Sir:—I have to acknowledge the receipt of your letter of the 23d February last, and the honour to inform you, for the information of the Right honourable the Governor in Council, that the four Abyssinians have gladly availed themselves of

1733 (33) Copies printed
under the authority of the
Honble. Secy to Govt. at
Fort St. George, on the 23d
Feb. 1816. To be sent to
the Honble. Secy to Govt. at
Bombay.

THE DIRECTORS and the GOVERNMENTS IN INDIA &c

the option allowed them of gaining their own livelihood in India, in preference to returning to Egypt; and with this view I sent them to the magistrate of Cochin, who found no difficulty in procuring them regular employment on board the ship Helen, under dispatch for Bengal. These poor people being without the means of supplying themselves with necessaries, I considered it my duty to advance them two pagodas each man.

Fort St. George
Paper:
State of Slavery
in Company's
Territories

With respect to the three females, I have ascertained, from the Karee of Galicut, that they may be married to young men of respectability, and some little property, for about thirty-five pagodas each, an expenditure which I should hope the government will be pleased to sanction, in consideration of the forlorn state to which the unfortunate girls have been reduced.

110

The portions and marriage expenses of the girls will amount to 133-171-130
The sum advanced the four Abyssinians 8
The expense already incurred in the subsistence of the girls, and a continuation of the same up to the end of June 15-17-18

Total, star pagodas 133-171-130

I should the Right honourable the Governor in council be pleased to approve the arrangements now reported, I must request the sanction of government to the above contingent charges. I have the honour, &c.
(signed) J. W. Pearson, Magistrate.
Zillah, South Malabar, 2d May 1816.

Ordered, That the following reply be dispatched to the magistrate of South Malabar

To the Magistrate of the Zillah of South Malabar
Sir:—I am directed to acknowledge the receipt of your letter of the 2d instant. The Governor in council approves the manner in which you have placed the Abyssinian slaves at their own disposal, and have enabled them to obtain subsistence for themselves. He also considers the proposed arrangements for marrying the females from Guzerat, to be very satisfactory, and you are authorized to incur the estimated charge on both accounts, amounting to pagodas 133-171-130

N^o 13.

N^o 17.
Order Pearson

I have, &c. &c.
(signed) G. Strachey, Chief Secretary.

Fort St. George, 17th May 1816.

Ordered, That copies of the foregoing letters be furnished to the civil auditor, for his information and guidance, and that the following letter be dispatched to the chief secretary to the government at Bombay.

N^o 14.

To the Warden, Esq. Chief Secretary to the Government at Bombay
Sir:—I am directed by the Right honourable the Governor in council to acknowledge the receipt of your letter of the 1st of February last, and to transmit, for the information of the Right honourable the Governor in council, the inclosed copy of correspondence with the magistrate of the zillah of South Malabar, regarding the disposal of the Abyssinian slaves, and females from Kutch, alluded to in your dispatch.

N^o 15.

I have, &c. &c.
(signed) G. Strachey, Chief Secretary.
Fort St. George, 17th May 1816.

Extract of a Letter from the Court of Directors to the Governor in council of Fort St. George, Political Department, dated 28th January 1818.

40.—We observe, by the letter from the Board of Trade, of the 9th February 1815, that none of the custom servants were implicated in the charges brought forward by Husseli Bin Umud Habashee, of the seizure of the slaves alluded to, or received any bribes. Mr. Gillio's explanation of the reasons which induced him while acting as judge and magistrate of South Malabar, to exert the authority of his office in behalf of the male

(37, 38.) Charges preferred against certain public servants in Malabar, of being implicated in the seizure of some Abyssinian slaves and females from Cutch, proved to be without foundation.

832 SLAVERY IN INDIA: CORRESPONDENCE of COURT

For St. George
Papers
State of Slavery
to Company
Term orka

male and female natives of Cutch, who appear to have been brutally treated by the masters of the Arab vessels, is we think satisfactory, and creditable to his character as a British magistrate.

41.—It would appear, from the proceedings of the Foujdarry Adawlut, of 30th October 1815, that Rutten Chund, Kalingil, Kunny Kooroo, and three others, were brought to trial for having enslaved the girls; but not being found guilty, were released.

42.—We have to signify our sanction to the expense incurred on account of those unfortunate people, amounting to pagodas 133; and our approbation of the mode adopted by Mr. Pearson, the magistrate of South Malabar, as stated in his letter of the 2d May 1816, for providing for the four Abyssinians, and for marrying the three females from Cutch.

Extract, Fort St. George Political Consultations, 2d December 1818.

From the Secretary to the Government at Bombay, with a copy of a letter from the Governor of Judda, requesting that assistance may be afforded to the effect of a person named Bin Nusanee, who has been dispatched to Calicut, and is to be sent to the coast of Malabar.

Read, the following letter from the Secretary to the government at Bombay, to D. Hill, Esq. secretary to the government at Fort St. George.

Sir:—In reference to Mr. Chief Secretary Strachey's letter, dated the 22d December 1815, 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 in council at Fort St. George, the accompanying copy of a letter from the Governor of Judda, dated the 4th August last.

(signed) W. Newnham, Sec. to Government.

Bombay Castle, 12d November 1818.

Translation of a letter from Uson Basha, the Governor of Judda, to the Right honourable Sir Evan Nepean, Bart., Governor of Bombay, dated the 1st Shaval, 1233 Hijeree, or 4th August 1818.

(After compliments.)

We feel grateful to the Almighty on every account, and we are always anxious to hear of you from persons arriving. At some time ago transmitted to you a letter regarding what was taken from a dow belonging to Bin Nusanee, at Calicut, by Unter Coonjee, Cooren, Rattoussa, Babon Furwa, and Wazeer Ryot, and I have been informed of your instructions to them. I have heard that the slaves (males and females) and money was produced by them. His agent, Syyyad Salim, Bin Hossain, Bin Oqher, Bin Shukh, Ukuel, Bin Salim is now dispatched to that quarter, and I have to request that on his arrival you will afford him your assistance, extending to him at the same time your kind regards; according to what has always been customary between the two countries. I beg you will moreover command my services on all occasions.

(A true translation.)

(signed) R. T. Goodwin, Secretary and Translator in the Office of Country Correspondence.

Ordered, in consequence, that the following letter be dispatched to the magistrate of Malabar.

N^o 24.

To the Magistrate of Malabar, to request information with regard to the disposal of certain Slaves.

To the Magistrate of Malabar.

Sir:—With reference to former correspondence, a copy of which is enclosed for your immediate information, I am directed by the Right honourable the Governor in council, to transmit to you the inclosed copy of a letter from the secretary to the government at Bombay, dated the 2d ultimo. The Right honourable the Governor in council desires to be informed whether the arrangement authorized on the 17th of May 1816, for disposing of the slaves in question, has been carried into effect.

I am, &c.
(signed) Geo. Strachey, Chief Secretary.

Fort St. George, 2d December 1818.

Extract, Fort St. George Political Consultations, 9th February 1819.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Read the following letter from the magistrate of Malabar
To the Chief Secretary to Government, Fort St. George.

Sir:—I have the honour to acknowledge the receipt of your letter, and of the inclosures, of the 2d instant; and in reply, to state for the information of the Right honourable the Governor in council, that I have taken depositions from two persons to whom the disposal of the people in question was intrusted, by which it will appear, that the arrangements authorized on the 17th of May 1816, for disposing of the slaves, has been duly carried into effect.

No 21.

I have, &c.

(signed) J. Vaughan, Collector and Magistrate.

Calicut, December 31st, 1818.

Ordered, in consequence, that the following letter be dispatched to the chief secretary to the government, at Bombay.

No 22.
Order thereon.

To W. Newnam, Esq. Acting Chief Secretary to the Government, at Bombay.

Sir:—I am directed to acknowledge the receipt of your letter of the 2d November last, and to transmit to you, for the information of the Right honourable the Governor in council, at Bombay, the inclosed copies of one, dispatched in consequence to the magistrate of Malabar, and of his reply. You will perceive that the slaves, to which your dispatch refers, have been disposed of according to the arrangement reported on the 17th May 1816.

I have, &c.

(signed) G. Strachey, Chief Secretary.

Fort St. George, 9th February 1819.

Extract, Bombay Political Consultations, 17th March 1819.

Read the following letter from the Chief Secretary to the government at Fort St. George to Mr. Acting Chief Secretary Newnam, dated the 9th February 1819.

Sir:—I am directed to acknowledge the receipt of your letter of the 2d of November last, and to transmit to you, for the information of the Right honourable the Governor in council, at Bombay, the inclosed copies of one, dispatched in consequence to the magistrate of Malabar, and of his reply; you will perceive, that the slaves to which your dispatch refers, have been disposed of according to the arrangement, reported on the 17th of May 1816.

I have, &c.

(signed) J. Strachey, Chief Secretary.

Fort St. George, 9th February 1819.

The Magistrate of Malabar.

Sir:—With reference to former correspondence, a copy of which is inclosed for your immediate information, I am, directed by the Right honourable the Governor in council, to transmit to you the inclosed copy of a letter from the secretary to the government at Bombay, dated the 2d ultimo. The Right honourable the Governor in council desires to be informed, whether the arrangement authorized on the 17th of May 1816, for disposing of the slaves in question, has been carried into effect.

I am, &c.

(signed) G. Strachey, Chief Secretary.

Fort St. George, 2d December 1818.

Fort St. George
Papers
State of Slavery
in Company's
Territories

Extract of List of Papers copied to the Magistrate of Malabar

31st Nov. 1814	From the Secretary to the Government at Bombay, with one Enclosure	18th Oct. 1814
D°	To the Board of Trade	18 Nov. "
31 Mar. 1815	From ditto	9 Feb. 1815
D°	N° 4.—To the Judge and Magistrate of the Zillah of South Malabar	17 May "
D°	N° 5.—To G. W. Gillo, Esq.	1 July "
D°	N° 6.—From the Magistrate of the Zillah South Malabar, with one Enclosure	17 Nov. "
D°	N° 9.—To the Secretary to the Government at Bombay	30 Oct. "
D°	N° 8.—To the Judges of the Sudder Fouidarree Adawlut	17 Nov. "
D°	N° 7.—From the Deputy Register to the Court F. U., with one Enclosure	1 Dec. "
D°	N° 4.—To the Chief Secretary to the Government at Bombay	1 Dec. "
D°	N° 18.—From the Magistrate of the Zillah of South Malabar	1 Dec. "
D°	N° 22.—To the Chief Secretary to the Government at Bombay	1 Dec. "
D°	N° 16.—From ditto	1 Dec. "
D°	N° 15.—To the Magistrate of the Zillah of South Malabar	1 Dec. "
D°	N° 14.—From ditto	1 Dec. "
D°	N° 13.—To ditto	1 Dec. "
D°	N° 12.—To the Chief Secretary to the Government at Bombay	1 Dec. "
D°	M. E. N° 10.—To the Civil Auditor	1 Dec. "

To the Chief Secretary to Government, Fort St. George

Sir: I have the honour to acknowledge the receipt of your letter, and inclosures, of the 29th instant, and in reply to state, for the information of the Right honourable the Governor in council, that I have taken depositions from two persons, to whom the disposal of the people in question was intrusted by which it will appear, that the arrangement authorized on the 17th of May 1816, for disposing of the slaves, has been duly carried into effect. I have, &c.

(signed) J. Vaughan, Collector and Magistrate

Calicut, 31st December, 1818.

MINUTES, 13th March 1818

Ordered, the secretary in the office of country correspondence, be instructed to draft a reply to the letter from Hussin Pasha, the governor of Judda, for the governor's signature, acquainting him, that as the slaves to whom he alludes, were adverse to return to Arabia, whither it has been proposed to convey them, they have been set at liberty, and have obtained the means of livelihood in India, after having been furnished with an advance of money by the government of Madras.

Letter from Mr. Baber, Magistrate of North Malabar, to the Government of Fort St. George, dated 11th November 1814, relative to Hereditary Slavery in India, with the Proceedings thereupon.

Extract, Fort St. George Judicial Consultations, the 9th December 1814.

Read a letter, from the Magistrate of North Malabar, requesting to be instructed whether the slaves of the soil in Malabar are subject to sale.

[Vide Proceedings of the Board of Revenue, 15th December 1814.]

Ordered, That a copy of the foregoing letter be transmitted to the Board of Revenue, for their information and report.

* From the Chief Secretary to Government, under date the 11th September 1813, to the Governor, under date the 28th January 1813; from the Chief Secretary to Government, under date the 28th

Extract, Proceedings of the Board of Revenue at Fort St. George,
15th December 1814.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Read the following letters from the secretary to government in the revenue department.

To the President and Members of the Board of Revenue.
Gentlemen:—I am directed by the Right honourable the Governor in council, to transmit, for your consideration and report, the annexed copy of a letter from the magistrate in the zillah of North Malabar, requesting to be furnished with instructions in respect to the right of selling slaves and acquiring property in them. When such observations on the question as you may see fit to offer, have come before government, it is proposed, that a reference regarding the state of the law as affecting it, shall be made to the advocate general.

I have the honour to be, Gentlemen, your most obedient servant,
(signed) *D. Hill*, Secretary to Government.

Fort St. George, 9th Dec. 1814.

To the Secretary to Government.

Sir, Entertaining doubts how far I ought to sanction, with my authority the sale of men, women and children of the tribe of slaves, viz. Pollar, Cherumakul, Panian, Kanakan, Kallady, Yecallan, Nacady, and other denominations, in execution of decrees of the court, or to take cognizance of disputes between persons claiming that description of natives as their rightful property, or of complaints by such alleged owners against their slaves, for desertion and refusing to work, I am induced to solicit the orders of government, upon the question of right of disposing of, and acquiring property in slaves within the provinces of Malabar; and if in the affirmative, whether Europeans are allowed to become purchasers, and whether under any circumstances whatever, it would be lawful in the collector to attach, and the judge to cause the sale of slaves by public auction, in satisfaction of revenue arrears, with or separate from the estate on which they were born.

If the general question of slavery, as recognized by the local usages of Malabar, on by the Hindoo and Mahomedan law, is not affected by the laws made to abolish the Slave Trade, advertent to the wretchedness and diminutive appearance of this description of natives, it still appears to be a subject well worthy the humane consideration of the Right honourable the Governor in council, to enact such legislative provisions as will tend to ameliorate their condition, and prevent their being sold out of the talook, or indeed off the estate, the place of their nativity, and above all, from being exposed for sale by public auction, in execution of decrees, or in satisfaction of revenue demands.

Since the discussions upon the subject of importing kidnapped free-born children, in 1812 and 1813, I am happy to say, that an entire stop has been put to this inhuman traffic in this zillah, and I should entertain hopes of equal success in improving the condition of those who are slaves by birth, if government would give their sanction to the draft of a regulation I have already had the honour of submitting upon this interesting subject.

I have the honour to be, Sir, your most obedient servant,
(signed) *T. H. Baber*, Magistrate.

Ordered to be brought forward at a future meeting.

Extract.—Minute of the Board of Revenue, dated the 5th January 1818, paragraphs 1, 5, and 16, respecting the condition of the labouring castes or slaves, of the soil, in the territories subject to Fort St. George.

Extract.—Minute of the Board of Revenue, the 5th January 1818, transmitted to the Court of Directors, as an inclosure in letter from the Chief Secretary at Fort St. George, to Mr. Secretary Cobb, dated the 19th March 1818.

The Board proceed, to take into consideration the voluminous correspondence noted in the margin*, connected with the important orders from England, directing

* From the Chief Secretary to Government, under date the 11th September 1812; to the Government, under date the 28th January 1813; from the Chief Secretary to Government, under date the 8th

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

directing the abandonment of the existing system of revenue administration, and the introduction of the ryotwar mode of settlement and collection, in all practicable cases throughout the provinces subject to the government of Fort St. George.

5.—In order to prevent any misunderstanding on the part of the subordinate local officers, in carrying the orders from England into effect, it will be necessary to illustrate the general principles of the modified Ryotwar system, as prescribed by the Honourable Court of Directors, and to explain, for the information of the several collectors, the chief points in which it differs from the settlements at present in force in their respective districts.

6. For the better understanding of this important subject, the Board find it necessary, in the first instance, to advert to the subject of private property in the land; more especially as, entering on a system of revenue administration, novel to many of the local revenue officers, it is particularly necessary to caution them against any infraction of individual rights, which the Board observe, that it is the particular desire of the Honourable Court of Directors to uphold, but which can never be efficiently protected, so long as they continue imperfectly understood.

7.—In the territories subject to this government, the persons whose rights are more or less immediately connected with the soil, and consequently with the land revenue, may be divided into three distinct classes; the actual labourer, the ryot or cultivating inhabitant, and the zemindar; but the rights of the two former of these classes, are found to vary with the different nations to which they belong.

8.—It may be useful here to explain, that most ryots employ labourers to aid them in the tillage of the land they occupy; but in some districts (districts abounding in dry grain land, particularly) labourers occasionally become proprietors of a plough; in other words, there is a class of poor ryots who plough in the season of cultivation, and follow other pursuits for a livelihood when it is over. In some instances, Zemindars, renters of a talook or village, and Shatriumdars, who are permanent renters of a village, have ploughs of their own, worked by their own labourers and bullocks. This is not, however, a general practice, nor a practice in any case carried to a great extent. All intermediate agents between the ryot and the government, whether permanent or temporary, receive the public revenue demandable from the land cultivated by the ryots; but with the exceptions specified, and a few others, they seldom engage in cultivation.

9.—The provinces now subject to this government, appear originally to have constituted several distinct Hindoo states, which are still to be traced by the difference of language, manners and customs, that so strongly distinguish the inhabitants of one part of the country from the other. The five northern circars of Ganjam, Vizagapatam, Rajahmundry, Masulipatam and Guntoor, together with the districts of Bellary, Cuddaph, Paluand and Nellore, or wherever the Telinga is the language of the people, may be considered one of these; the second may be said to include the district of Chingleput, the two divisions of the Arcot Soobah Salem*, Baramahl, Coimbatore, Madura, Dindigul, Trichinopoly, Tanjore and Tinnevely, or wherever the Tamil language is spoken; and the third comprizes the provinces of Malabar and Canara, on the other coast of the Peninsula, where the Malayalam and Toq-layoo are the vernacular dialects of the country.

The Rights of the Labourer.

10.—In all of these districts, the labourer who holds the plough, and performs the inferior offices of husbandry, is of the lowest, poorest, most ignorant, yet, most numerous order in society; in general an outcast, or at least, often of the degraded class of Hindoos, and therefore usually resident in the outskirts of his village, every where without any property in the land which he can transfer by gift, sale or bequest, and receiving from his employer, the ryot, little more than food, with a scanty supply of raiment.

11.—It is almost superfluous to remark, that with this description of persons, the government officers have seldom had any direct communication; yet this may possibly

8th June 1813; to the Government, under date the 10th June and 16th August 1813; to the Chief Secretary to Government, under date the 30th August 1813; from the Secretary to Government in the Revenue Department, under date the 3d September 1813, 1st July 1814, 29th March 1815, and 20th October 1815.

* In some detached parts of Salem, Baramahl, Coimbatore and Bellary, the Canarese is spoken. This arises from these districts comprehending part of the borders of the ancient kingdom of Cornataca; but the small extent of our territory, in which that language is spoken, renders it unnecessary to class it separately from the rest.

Fort St. George
State of Slavery
in Company's
Territories

possibly be the cause that their situation has not yet received that consideration which it appears to merit; for it is not, perhaps, sufficiently known, that throughout the Tamil country, as well as in Malabar and Canara, for the greater part of the labouring classes of the people have, from time immemorial, been in a state of acknowledged bondage, in which they continue to the present time.

12. In Malabar and Canara, where the land is very generally divided, and occupied as separate and distinct properties, the labourer is the personal slave of the proprietor, and is sold and mortgaged by him, independently of his lands. In the Tamil country, where land is of less value, and belongs more frequently to a community than to an individual; the labourer is understood to be the slave rather of the soil than of its owner, and is seldom sold or mortgaged, except along with the land to which he is attached; but in Telingana, where it is difficult now to trace the remains of private property in the land, this class of people is considered free.

13. It is, certainly, a curious circumstance, that in those provinces where the severe and arbitrary system of the Mussulman government was established at the most early and for the longest period, where consequently the public assessment of the land is the most high, and private property in the soil the most rare and least valuable, the labourer should also be the most free; while his condition is the most abject, in those countries where the ancient institutions of the Hindoos have been least disturbed, where the public demand on the soil is the most light, and private property in the land is universal, and of the highest value. It seems probable, however, that in former times slavery may have been as prevalent in the northern as it now is in the southern and western provinces; and the same circumstances that reduced the landlord of Telingana to the situation of a landholder, may have tended gradually to weaken the power he possessed over his slaves, until they finally became altogether emancipated from his authority.

14. There cannot, however, be a doubt, that the slavery prevalent among the lower classes of Hindoos is of a very different and opposite nature from that so strongly and justly reprobated in England; inasmuch as foreign traffic or external commerce in slaves is quite different from domestic slavery. It has been stated by very competent authority, Mr. F. W. Ellis, the collector of Madras, that in the Tamil country, the parriyars and pullers, most of whom are slaves attached to the lands of the vallaher, as well as the pulli, who are generally serfs on the lands of the Bramin meerassidars, sometimes claim meras, or hereditary private property, in the incidents of their villainage, and that it is generally allowed to them and their descendants, on proving their former residence in the village, however long they may have been absent from it. On the other hand, the late magistrate in Malabar, in addressing government respecting the sale of their women and children of the Pollar, Cherumakul, Pallas, Kanakul, Kallad, Yocallaw and Nacady tribes, submits, that if the general question of slavery, as recognized by the local usages of Malabar, or by the Hindoo and Mahomedan law, is not affected by the laws made to abolish the slave trade, adverting to the wretchedness and diminutive appearance of this description of natives, it still appears to be a subject well worthy the humane consideration of the Right honourable the Governor in Council, to enact such legislative provisions as will tend to ameliorate their condition, and prevent their being sold out of the talook, or, indeed, off the estate, the place of their nativity; and above all, from being exposed to sale by public auction, in execution of decrees, or in satisfaction of revenue demands.

15. It is only the greater part, not the whole, of the labourers in these countries that are slaves; many of them are sold from time to time, and it is not the interest of the landlords in Malabar and Canara to sell the slaves who cultivate their lands, they usually dispose of the increasing stock only, for which they have no immediate use; but their power to dispose of all their slaves, independently of their lands, seems undisputed.

The cause of land being of less value in the Tamil country than in Malabar and Canara, will be noticed hereafter.

16. In Telingana, a labourer cannot remove from one village to another, pending engagements which he has not fulfilled; but he is free to make his own terms, and after performing the engagements into which he voluntarily enters, becomes again the master of his own labour. It is believed, however, that the labourers in Telingana generally remain in the same village, and attached to the same family of the ryot from generation to generation.

See note on paragraphs of the inclosure to Mr. Ellis's letter, under date the 30th May 1816. The Board are not aware that this is ever done in satisfaction of revenue demands, payable direct to the government; but all assignments of revenue give a right to make revenue demands, and the assignee is at liberty to follow the established practice in realizing his lawful demands, where the practice and the law are not at variance.

See inclosure in Mr. Secretary Hill's letter, 9th December 1814.

Fort St. George
Papers
State of Slavery
in Company's
Territories

15.—The right which the slaves in the Tamil country possess to continue attached to the soil where they are born, which, though not universal, is pretty general among them; their dependence rather on a community than on an individual, and perhaps the vicinity of some of them to the presidency, where a general knowledge prevails, that the spirit of our government is inimical to bondage, seem all, more or less, to have contributed to render their condition in some degree at least superior to that of their brethren on the other coast. It is by no means, however, to be understood that this is universally the case. Their treatment necessarily depends principally on the individual character of their owners, and when we reflect on those evils that are inseparable from even the mildest state of slavery, and consider how large a portion of our most industrious subjects are at present totally deprived of a free market for their labour, restricted by inheritance to a mere subsistence, and sold and transferred with the land which they till, policy no less than humanity would appear to dictate the propriety of gradually relieving them from those restrictions, which have reduced them, and must otherwise continue to confine them to a condition scarcely superior to that of the cattle which they follow at the plough.

16.—While such, in the opinion of the Board, ought to be the policy to be pursued with regard to this class of people, it would be obviously unjust to interfere with the private property, which there can be no doubt that the Ryots at present possess in their slaves, and it might be dangerous too suddenly to disturb the long established relations in society subsisting between these two orders. For the present, therefore, it would seem sufficient, with the view to prevent oppression or abuse of authority, to define by legislative enactments the power which may be lawfully exercised by a Ryot over his slaves; but as the revenue records do not afford information sufficiently minute and satisfactory for this purpose, it is resolved to call the particular attention of the collectors in Canara, Malabar, and the Tamil country to this subject, and to desire that they will take an early opportunity to communicate fully their sentiments thereon, for the consideration of the Board.

In Order that a copy of the foregoing minute be transmitted for the consideration and orders of government, the Board have resolved to direct the collectors of the State of Mysore to forward to the Board a copy of the same, and to direct the collectors of the State of Mysore to forward to the Board a copy of the same, and to direct the collectors of the State of Mysore to forward to the Board a copy of the same.

Further Proceedings relative to Hereditary Slavery; and Reports of the Collectors of Revenue on the Malabar and Coromandel Coasts, respecting the nature and extent of the Slavery of Bond Servants which exists in their several Collectories.

Extract of a Letter from the Governor in Council of Fort St. George, to the Court of Directors in the Judicial Department, dated 11th March 1820.

Para 146.—We have recorded N^o 7, in our consultation of the 28th April 1819, the proceedings of the Sudder Adawlut, with regard to a letter from the Judge of the Court of Circuit and Appeal for the western division, bringing to notice acts of oppression and cruelty committed by revenue and police officers in Malabar, and particularly a practice prevailing in that district, of distraining and selling by public auction, the slaves of revenue defaulters. By Mr. Baber's precedents to the magistrate, it appears to us that he had put a wrong construction upon section 24, Regulation IX, of 1816, inasmuch as he considered it to preclude the admission by the magistrate, of all evidence that did not make against the prisoner, who might be brought before him, charged with any crime or misdemeanor. The Foujdarry Adawlut were of opinion, "that it was the bounden duty of the criminal judge or magistrate, as the case might be, in the investigation of the offences specified in section 7, Regulation X, of 1816, and in section 32 and 33, Regulation IX, of 1816, to take evidence on behalf of the person accused, and to afford to him every facility of defence." They at the same time stated, it as their opinion, that a strict adherence to the letter of the provisions of section 24, Regulation IX, and section 9, Regulation X, of 1816, which direct, "that those persons should be examined, who were supposed to have any knowledge of the crime or misdemeanor alleged against the prisoner, should be observed by judicial officers, in the investigation of all cases not punishable by them, to the exclusion of all evidence on behalf of the person accused, the admission of which would, in the opinion of the court, be highly objectionable, as anticipating his defence before the highest tribunals." We desired the Foujdarry Adawlut to inform the three judges and the magistrates, of the construction to be put upon the regulation in question. The practice of selling slaves in the Malabar district is under consideration, in communication with the Board of Revenue.

Cons. 28th April
1819. N^o 7, 8, 9.
Cons. 6th June
1819. N^o 1 & 2.

Fort St George
Paper 1
State of Slavey
in Company's
Territories I

Read the following letter from the deputy register to the court of Foudaree Udalut. To the Secretary to Government, in the Judicial Department.

Sir, I am directed by the Judges of the Foudaree Udalut, to transmit to you the accompanying extract from the court's proceedings of this date, with the paper therein referred to, for the purpose of being laid before the Right Honourable the Governor in Council.

I have, &c. (signed) Robert Anderson, Deputy Register of Foudaree Udalut, Register's Office, 20th Jan. 1819.

Extract from the Proceedings of the Foudaree Udalut, under date the 20th January 1819. Read letter dated the 31st ultimo, from the third judge on circuit, in the western division, forwarding copy of correspondence with the magistrates of Malabar, on the subject of certain petitions presented to the court of circuit, complaining of acts done by revenue and police officers. The third judge of the court of circuit stated, that out of numerous petitions presented to the court of circuit, complaining of oppressions on the part of servants, in their capacities as revenue and police officers, there were four which appeared to him proper to be brought to the pointed attention of the magistrates. The first of these petitions was presented by one Brahmipilly Coody Naico, complaining of several acts of oppression and abuse of power exercised by himself and his nephews, Condy and Chandoo, by the parbutty of Beyoor, and sherishtadar of Calicut. Copy of this petition was sent by the third judge, on the 13th of November, to the magistrate of Malabar, who was called upon to state what had been done in the matters referred to by the petitioner. To the precept of the third judge, the magistrate made return, that the several petitions, which had been presented by the persons above-mentioned, to the collector and magistrate, together with the endorsements thereon, would, he was satisfied, convince the third judge, that the subject of the petition was entirely of a revenue nature, and that none of a police nature had been presented to the magistrate.

4. On perusing the petition presented to the judge of circuit, the court observe, that the petitioner charged the native officers with the commission of sundry acts, which, if established against them, would have rendered them liable to be punished for an arbitrary exercise of authority, and the court consider it to be their duty to remark, that whatever might have been the opinion of the collector and magistrates respecting the nature of some of the petitions previously presented to him by the petitioner, the statements contained in the petition referred to him by the third judge of the court of circuit, respecting acts of his police officers, which had been formerly brought to his notice, demanded his serious attention.

5. On the question of the sale by public auction of the last petitioner's slaves, the court of Foudaree Udalut are not competent to decide, but they consider it to be incumbent upon them to bring to the notice of the Right Honourable the Governor in Council the observations submitted by the third judge, on a subject so ultimately connected with the welfare of a large portion of the subjects of the state, and so nearly allied to the highest interests of humanity.

6. The second petition was presented by one Coony Patooma, against certain of the police officers and inhabitants of Kotatoor; the third was presented by one Coony Moideen Cootty, against the Parbutty of the Watom Hobilly; and the fourth, by Chacky Unima, against the police officers of Polyghaut Talook. Copies of these petitions were sent on the 26th November by the third judge to the magistrate, who was desired to inquire fully into the circumstances therein set forth, and after passing such orders as might appear to him proper, to report the result for the information of the court of circuit.

7. To the several precepts of the third judge, the magistrate made returns on the 28th November; another precept was issued by the third judge on the 5th December following, reiterating the orders contained in the former precepts, and in making return to the latter precept, the magistrate requested that the several precepts

Nº 7.

Cour. 8th Nov. 1819
No. 1 & 2

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

and returns might be submitted for the opinion and decision of the Foudaree Udalut.

8.—It appears that the several petitions here referred to were connected with cases recorded on the calendars, which had been submitted to the court of circuit by the assistant criminal judge of South Malabar, at the second sessions of 1818; and the doubt entertained by the magistrate of Malabar, relates to the orders which he had received from the third judge, to make an investigation respecting the petitions, and to report the result thereof to him, the third judge.

9.—The only express provision contained in the code regarding the orders to be issued by a court of circuit to a magistrate, is that which is contained in clause 2d, sec. 40, Regulation IX, of 1816, for the guidance of a judge presiding at a sessions of jail delivery, with regard to the calendars submitted by a magistrate. It is declared further, in clause third of the same section, that the courts of circuit are to report to the Foudaree Udalut, for the information and orders of government, whenever the magistrates omit or refuse to obey their orders, as also whenever it shall appear to them, that the magistrates have been guilty of neglect or misconduct in the discharge of their duty. And the regulations, it is to be observed, do not vest in the judges of a court of circuit that authority to call on magistrates for their proceedings which those judges possess collectively, with respect to the proceedings of criminal judges under section 24, Regulation X, of 1816.

10.—According to the spirit of these provisions, the court of Foudaree Udalut do not consider a judge presiding at a sessions of jail delivery authorized to order a magistrate to institute any new proceedings, or to perform any judicial act with regard to cases recorded on the calendars submitted by a criminal judge. It is competent only to a judge of circuit to bring to the notice of a magistrate any irregularities which may have appeared on the proceedings of the magistrate in such cases, to give him such instructions as he may deem necessary for his future guidance, and to call upon him for any explanation which he may have to offer on matters about to be submitted to the court of Foudaree Udalut.

11.—Under this view of the intent and meaning of the regulations, the court of Foudaree Udalut are of opinion, that the third judge of the court of circuit, should have directed the petitioners to appear before the magistrate of Malabar, forwarding at the same time such observations to that officer, on the subject matter of those petitions, as he might have considered to be proper.

12.—The court having recorded their sentiments on the point immediately submitted for their consideration, proceed to make some general observations on the papers now before them.

13.—The remarks of the third judge, on the provisions of clause 1st, section 24, Regulation IX, of 1816, are to be received with some limitation, inasmuch as the restriction therein imposed applies only to cases in which prisoners may be forwarded to a criminal judge, and not to those cases in which it is competent to a magistrate to pass sentence under the provisions of the regulations. In all cases of the latter description, it is the duty of a magistrate to observe the course pointed out in clause 2d, section 18, Regulation VII, of 1802.

14.—In addition to the papers forwarded at the request of the magistrate, the third judge has submitted an extract from his proceedings, dated the 22d December, containing his observations on various acts of oppression on the part of the native officers of police, which have been brought to his knowledge during the circuit, as also on certain irregularities in the proceedings of the magistrate. In the observations which the third judge has deemed it proper to make on the several points noticed in this extract, the court of Foudaree Udalut entirely concur, and they trust, that the magistrate of Malabar will pay every attention to the excellent rules which the third judge of the court of circuit has prescribed for the guidance of the magistrate, in order that he may avoid a repetition of the irregularities which have been brought to his notice, and suppress those practices among the officers of police, which appear to have prevailed to an alarming extent in the zillah under his authority, and which, if permitted to pass unnoticed, may be attended with consequences the most injurious to the peace and happiness of the community.

15.—The greater number of cases referred by the magistrate to the officers of police, for the purpose of investigation, would seem to have been so referred in the early part of 1818, and anterior, it is to be presumed, therefore, to the receipt of the court's orders, dated 14th February 1818, in which the magistrate was strictly enjoined to discontinue a practice, which, to the extent, and according to the mode in which it has been followed by the magistrate, is wholly unauthorized by the regulations,

regulations, and has an obvious tendency to obstruct the due administration of public justice.

16.—Ordered, That extract of these proceedings be sent to the third judge of the court of circuit, in the western division, by precept, desiring him to communicate the same to the magistrate of Malabar, for his information and guidance.

17.—The court deeming it expedient also, that the several papers should be submitted, with their proceedings, for the information of government.

18.—It is ordered, That the letter and extract from these proceedings be sent to the secretary to government in the judicial department, for the purpose of being laid before the Right honourable the Governor in council.

(A true extract.) (signed) Robert Anderson, Deputy Register.

Ordered, in consequence, That the following letters be dispatched to the register to the court of Foujdary Udalut, and to the board of revenue.

N^o 216.—To the Register to the Foujdary Udalut.

Sir—I am directed by the Right honourable the Governor in council, to acknowledge the receipt of your letter of the 20th January last, with its several accompaniments.

Par. 2.—The Governor in council is concerned to learn from those papers, that irregularities of a serious nature have taken place in the administration of the police in Malabar, and observes, with particular regret, the ground which there is for believing, that acts of oppression, implying an abusive exercise of powers themselves not warranted by the regulations, have been committed by native agents in that department, to whom the magistrate had improperly delegated duties, which ought to have been performed either by himself, or by one of his assistants. It is trusted, however, that the orders which have been issued on the occasion by the judge on circuit, and by the Foujdary Udalut, will have the effect of preventing the recurrence of such irregularities or abuses.

Par. 3.—The only point in respect of which those orders appear to the Governor in council to call for any particular remark, is the opinion expressed by the judge on circuit, in his instructions to the magistrate, that exculpatory evidence taken before a magistrate is of no validity, because, contrary (as he thinks) to the provisions of clause first, section 24, Regulation IX, of 1816, which prescribe, as the course to be pursued by the magistrate, when a prisoner is brought before him, charged with any crime or misdemeanor, that "he shall inquire into the circumstances of the charge, and examine the prisoner, and also such other persons as are stated to have any knowledge of the crime or misdemeanor alleged against the prisoner." Mr. Baber evidently construes these words, as precluding the admission of all evidence that does not make against the prisoner. Whatever opinion may be entertained concerning the propriety of such a rule, if confined to cases of inquiry with a view to future trial before a different tribunal, it is obvious that it could not be applied, without the most glaring injustice, where an ultimate judgment is to be passed on the guilt or innocence of the accused. The same words, however, are used in section 9, Regulation X, of 1816, in prescribing the course of procedure to be observed by the criminal judge, as well in those cases where he is himself to pass a final judgment, as in those where his province is merely to determine, whether the accused shall be discharged, or shall be reserved for trial before the court of circuit; and it does not appear how they can be construed to lay down any rule of evidence for the one description of cases, which will not of necessity extend to the other. The Governor in council, therefore desires, that the Foujdary Adawlut will state distinctly their opinion concerning the right construction of these provisions of the regulations, and in particular on the question, whether, in any case whatever, they have the effect ascribed to them by the construction of Mr. Baber, to render exculpatory evidence of no validity.

4.—A reference will be made to the Board of Revenue, in consequence of the observations submitted by Mr. Baber, concerning the practice which appears to prevail in Malabar, of distraining and selling by public auction the slaves of revenue defaulters.

I have, &c.

(signed)

D. Hill, Sec^y to Government.

Fort St. George, 28th April 1819.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Fort St. George Papers: State of Slavery in Company's Territories. N° 9.

(N° 217.)—To the President and Members of the Board of Revenue... Gentlemen:—I am directed to transmit to you the accompanying extract of a communication from the Foudarry Adawlut, with the copy of a letter from the judge lately on circuit on the western division, containing the observations to which the court refer, relative to a practice which appears to prevail in Malabar, of distaining and selling by public auction the slaves of revenue defaulters... 2.—The Right honourable the Governor in council desires, that having made without delay such inquiry as you may judge requisite for the purpose, you will submit a full report respecting the facts and circumstances connected with the subject, and at the same time state your opinion, whether the practice which actually prevails in this respect should be permitted to continue as at present, or whether it ought either to be laid under such restrictions as in your judgment would render it unobjectionable, or to be altogether abolished, as productive of evils for which no adequate remedy can be devised.

I have, &c.

D. Hill, Secy to Government

Fort St. George, 28th April 1819.

Extract, Fort St. George Judicial Consultations, 8th June 1819. (p. 7) Read the following letter from the Register, to the court of Foudarry Adawlut, to the Secretary to the Government in the Judicial Department.

Sir:—I am directed by the judges of the court of Foudarry Adawlut, to transmit to you the accompanying extract from the court's proceedings of this date, for the purpose of being laid before the Right honourable the Governor in council, no objection being taken by the court against the same.

I have, &c.

Foudarry Adawlut, Register's Office. (signed) W. O'Connell, Register.

19th May 1819. Extract from the Proceedings of the Foudarry Adawlut, under date the 19th May 1819.

Read letter dated 28th ultimo, and received on the 12th instant, from the secretary to government in the judicial department, remarking upon the construction given by the third judge of the court of circuit in the western division, to the provisions of clause 1, section 24, Regulation IX, of 1816, and desiring, that the Foudarry Adawlut will state distinctly their opinion concerning the right construction of the provisions of the above clause, and of section 9, Regulation X, of 1816.

2.—The passage in the precept of the third judge of the court of circuit in the western division, referred in the above letter, runs as follows:—"As to the exculpatory evidence taken before the assistant magistrate, it is exceedingly questionable, and at all events of no validity, because, contrary to the provisions of clause 1, sect. 24, Regulation IX, of 1816, which restricts the magistrate to the examination of witnesses in behalf of the prosecutor, or, in the words of the regulation, to examine the prisoner, and also such other persons as are stated to have any knowledge of the crime or misdemeanor alleged against the prisoner, he has examined the witnesses in behalf of the prisoner."

3.—The court of Foudarry Adawlut, in their proceedings under date the 20th January last, which were submitted to government with the letter of the third judge, observed, that "the remarks of the third judge on the provisions of clause 1, sect. 24, Regulation IX, of 1816, are to be received with some limitation, inasmuch as the restriction therein imposed applies only to cases in which prisoners may be forwarded to a criminal judge, and not to those cases in which it is competent to a magistrate to pass sentence under the provisions of the regulations." In all cases of the latter description, it is the duty of a magistrate to observe the course pointed out in clause 2, section 18, Regulation VII, of 1802.

4.—The court of Foudarry Adawlut are of opinion, that the spirit of the foregoing remark is to be maintained in the construction of section 9, Regulation X, of 1816, it being contrary to the fundamental principles of law, which has in view the protection of persons, that any man should be condemned unheard.

5.—That it is the bounden duty of the criminal judge or magistrate, as the case may be, in the investigation of the offences specified in section 7, Regulation X, of 1816, and in sections 32 and 33, Regulation IX, of 1816, to take evidence on

Fort St. George
Papers
State of Slavery
in Company's
Territories

on behalf of the person accused, and to afford to him every facility of defence, could never admit of a doubt, and, although no express provision to that effect is contained in the subsisting Regulations, the omission may have arisen from the supposition, that it could not be necessary to provide against so manifest a violation of the first principles of justice, as would attend a different mode of proceeding. The Court of Foujdarry Adawlut are at the same time of opinion, that a strict adherence to the letter of the provisions of section 24, Regulation IX, and of section 9, Regulation X, of 1816, is to be observed by judicial officers, in the investigation of all cases not punishable by them, to the exclusion of all evidence on behalf of the person accused, the admission of which, would in the opinion of the Court, be highly objectionable, as anticipating his defence before the higher tribunal.

Ordered, that extract of these proceedings be sent to the secretary to government in the judicial department, for the purpose of being laid before the Right Honourable the Governor in Council.

(A true extract.) (signed) W. Oliver, Register.

Ordered, that the following reply be dispatched to the Register to the Court of Foujdarry Adawlut:—

Sir:—I am directed to acknowledge the receipt of your letter of the 19th ult. (N^o 19.) relative to the interpretation of clause 11st, section 24, of Regulation IX, A. D. 1816. From the language used by the third judge on circuit in the western division, it seemed that he was of opinion, that exculpatory evidence in the case of a prisoner examined before a magistrate, is of no validity, as being contrary to the provisions of the clause in question. The Foujdarry Adawlut, however, are understood, in the proceedings which accompanied your letter, to state only, that a prisoner is not to be put upon his defence till brought to trial. The opinion which the judge on circuit seemed to entertain, is in express contradiction to the very letter of the clause on which apparently it is founded, and which requires the magistrate to "inquire into the circumstances of the charge," and to examine "such persons as are stated to have any knowledge of the crime or misdemeanor alleged against the prisoner." The expression, that exculpatory evidence is of no avail, would imply that only the criminatory part of the testimony of any witnesses examined by the magistrate, should be received. The Governor in Council therefore deems it necessary, that the Foujdarry Adawlut should set right the circuit judge, and the magistrate to whom his precept was addressed, on this point.

Read the following letter to the President and Members of the Board of Revenue, Gentlemen:—I am directed to transmit to you the accompanying extract of a communication from the Foujdarry Adawlut, with the copy of a letter from the judge on circuit in the Western Division, containing the observations to which the court refer, relative to a practice which appears to prevail in Malabar, of distaining and selling by public auction, the slaves of revenue defaulters.

The Right Honourable the Governor in Council desires, that having made without delay, such inquiry as you may judge requisite for the purpose, you will submit a full report respecting the facts and circumstances connected with the subject; and at the same time state your opinion, whether the practice which actually prevails in this respect, should be permitted to continue as at present, or whether it ought either to be laid under such restrictions as in your judgment, would render it unobjectionable, or to be altogether abolished, as productive of evils for which no adequate remedy can be devised.

Fort St. George, 28th April 1819. Extract of a Communication from the Foujdary Adawlut.

On the question of the sale by public auction of the petitioner's slaves, the Court of Foujdary Adawlut are not competent to decide, but they consider it to be incumbent upon them, to bring to the notice of the Right Honourable the Governor in Council, the following facts:—

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

in council, the observations made by the third judge, on a subject so intimately connected with the welfare of a large portion of the subjects of the state, and so nearly allied to the highest interests of humanity."

(A true extract.) (signed) D. Hill, Secy to Gov.

(N^o 2.)—To the Register to the Foujdaree Udalt.

Sir:—In compliance with the request of the magistrate of Malabar, as contained in his returns, under date 7th, 14th and 21st instant, to several precepts, I had occasion to issue to him, I have the honour to transmit, to be laid before the court of Foujdaree Udalt, copy of the whole of the papers connected therewith, and to submit the following recapitulation in elucidation of the circumstances which have called for the exercise of the authority of the court of circuit, over that officer's proceedings.

Out of numerous petitions presented to the court of circuit, complaining of various oppressions on the part of the local servants, in their capacities as revenue and police officers, and a want of justice on the part of the collector and magistrate, there were four which appeared to me should be brought to the magistrate's pointed attention.

The first of these was from Eroom Campally Kondy Nair, the mookestan and head of one of the most respectable families in the Beypoor hobily, and his two nephews, accusing the parbatty of Beypoor, and sheristadar of Calicut, of conspiracy, in having fabricated two false police complaints against them, in revenge for their complaining to the collector against them, and in having subjected them to an ignominious confinement in their own cutcheries, and afterwards in the zillah jail; and amongst other acts of oppression in their revenue capacities, forcibly carrying off and selling four of their chermars by public auction, to a Mr. Sheppard, an European, who succeeded to the hemp manufactory at Beypoor. They stated, that they had been acquitted without any trial on the first of these false complaints; and on the second, which was at the prosecution of the collector himself, they had been brought before the criminal court, and fully acquitted; and that although they had presented ten petitions to the collector and magistrate, during eight months, they could get no redress, but an order from the collector to these officers to restore his paddy seed and chermars, but which had not been obeyed.

With this petition, they delivered the petitions presented to the collector and magistrate, five of which only were endorsed, at one time to the purport, that the complaints were not cognizable by him, as magistrate, and to bring a petition to him as collector, (although the petition was addressed to him in both these capacities), at another; and that he, the collector and magistrate, had ordered a prosecution to be instituted against the petitioners, when the truth of the circumstances they complained of would be known; at another, that they had been committed to jail, for having forcibly carried off the nelly seed attached for arrears of revenue; at another, that the karanamem himself (head of the family) should attend, when his grievances would be inquired into; and, lastly, when the karanamem did attend, that the case could not be settled by him, in consequence of the petitioner's unwillingness to submit it to arbitration.

Previous to calling upon the magistrate for explanations, I referred to the calendars submitted to the court of circuit by himself and the assistant criminal judge, but only found one of the cases in those of the latter officer; and having referred to the proceedings, it appeared that this prosecution, which ought to have been rejected in the first instance by the assistant criminal judge, under the provisions of section 17, Regulation XXVIII, A. D. 1802, was instituted by the magistrate upon no other grounds than the examinations taken by the Calicut sheristadar (who, it must be recollected, was one of the persons whom the petitioners had accused of oppression, and of being the chief instigator of this false complaint against him); that on the 20th July, the petitioners (one, an old man of 82) were committed to jail, and remained there until the 18th August, when they were released, on the ground that the charge had not been proved; and it was clear, from the improbable and contradictory purport of the evidence, that the whole was a fabrication. The account given by the parbatty himself, before the assistant criminal judge, was alone sufficient to shew this, and that the petitioners had not complained without ample cause. In his examination, he admitted that he had distrained 211 paras of nelly seed, and seven of the petitioner's chermars, and sold 99 paras of the seed on the

3d Meenon;

Vide Extract in
Letter A.

Vide magistrates
Vakuloamah to
Sircar Vakul, Zilla
Court, in A.

Vide his examina-
tion in A.

3d Meenon; that the day following, the petitioner gave security for the amount due, and in consequence he sent an order to restore the seed that had been sold, but which had not been done, because of the purchaser having carried it away; that the rest of the seed had not been sold in consequence of the chermars having been disposed of, but remained under attachment, because of the 99 paras not having been restored, according to promise. The parbutty further admitted, that the 99 paras had been sold without any advertisement, and that it was not usual to issue one for the sale of any other description of property than lands; that the nelly seed was left in the petitioner's house, and given over to the charge of the mookestans; that the house had been deserted, and the mookestans had only once gone to the house after the nelly had been distrained, when it was not there.

In consequence of the above, on the 18th November, I forwarded copy of the petition to the magistrate, and called upon him to furnish the fullest information with respect to that part which related to the confinement of the petitioners at one time by his officers, and another in the gaol on a charge, which, under the Regulations, was not of criminal cognizance; and what proceedings he had instituted against the two officers complained against since the acquittal of the petitioners; and the orders he had passed upon the petitions they had presented to him. I also requested to be informed, whether there was any foundation for the assertion, that four chermars had been seized and sold by public auction, for the sum of rupees 32.3, and whether, in any case, chermars were liable to attachment and sale in satisfaction of revenue arrears.

Instead, however, of furnishing the information called for, the magistrate evaded the order, by referring me to his orders as collector, upon the petitions presented to him, and declaring that none of a police nature had been presented to him as magistrate.

The court of Foujdary Udalt will judge how far this order of mine was not perfectly legal, and fully warranted by the circumstances of the case; and with respect to the concluding declaration, that no complaint of a police nature had been presented to him as magistrate, it is only necessary to remark, that it is obviously at variance with the provisions of section xlv. Regulation XI. A. D. 1816; and how far it was within my province to call for information on the subject of the sale by public auction of the petitioner's slaves, I submit with the fullest confidence to the court of Foujdaree Udalt, that whatever may be the acknowledged rights of the people to the labour of this wretched race of people, they are equally entitled to the same protection from us as those of the natives who are born under happier circumstances; and that all personal injuries (in which the forcible abduction, and sale by public auction, like so many cattle, without their own or even master's consent, ought to be comprehended) should be estimated by the courts like personal wrongs done in other cases; and, above all, I submit, whether such a mode of realizing the public revenues is not at variance with the spirit of our laws, as administered in this country, Ceylon, Java, and wherever else the influence of British law is felt, where local slavery is tolerated.

Upon the rest of my precepts to the magistrates, I shall not have to trouble the court with any explanations, as they so clearly explain the grounds upon which they have been issued; and when they advert to the nature and extent of the cruelties practising by the public servants, as complained of in the petitions I forwarded to the magistrate, and developed, in the numerous cases of the same tried on his calendars also, to the frequent instances that have occurred of robbery, cattle stealing, and other heinous offences, which it was that officer's duty, under the Regulations, to have forwarded to the criminal judge, either compounded between the parties, or sentenced to very inadequate punishments, or discharged upon very insufficient grounds; and to that officer's irregular mode of proceeding in his magisterial capacity, as I have pointedly brought to his notice in my precept of the 22d instant, I feel satisfied they will concur with me in the necessity for the exercise of the utmost controlling authority vested in the courts of circuit over the magistrate's proceedings, and that the measures I have suggested for his guidance are the only effectual ones by which the laws can be carried strictly and regularly into execution.

I have the honour to be, &c.

(signed) T. H. Baber, Judge on Circuit.

Tellicherry, 31st Dec. 1818.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

A.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

To the Magistrate in the Zillah of Malabar.

You are herewith furnished with copy of a petition to the court of circuit, presented by Erumbunpally Condy Nair, in his own and in behalf of his Karkonawens Condy and Chandoo; the former an old man, aged 82, complaining of several acts of oppression and abuse of power on the part of the parbutty of Beypoor and sheristadar of Calicut; and are requested to furnish the fullest information with respect to that part which relates to the confinement of the petitioners by those officers in their capacity of police officers, and their commitment to the common gaol upon a charge which, under the Regulations, is not of criminal cognizance. You are further required to report, whether you have instituted any proceedings against those two officers, since the acquittal of the prisoners, and what orders you have passed upon the numerous petitions they state having presented to you.

The petitioners having complained, amongst other grievances, against the parbutty and sheristadar, in their capacity of revenue officers, that four of their chermars had been seized and sold by public auction, by the parbutty, for the sum of rupees 32.3, you are further requested to report, whether there is any foundation for this part of the petition, and whether, in any case, chermars are liable to attachment and sale in satisfaction of revenue arrears.

Given under my hand and seal, this 18th day of November 1818.

(L.S.)

(signed) T. H. Baber, Judge on Circuit.

In reply to this precept, received at 10 minutes past 10 p. m. the magistrate has merely to request the third judge will call upon the petitioners for their several petitions presented to the collector, and returned endorsed by him; which the collector and magistrate is convinced will satisfy the third judge, that the subject of the petition is entirely of a revenue nature, and none of a police nature, have been presented to the magistrate.

(signed) J. Vaughan, Collector and Magistrate.

Quilandy, Nov. 19th, 1818.

Vakalatnamah from Mr. James Vaughan to Kallatil Atcheen Vakeel of the Zillah, South Malabar.

Whereas Erambampally Kondy Nair, and his nephew Cherria Kondy, inhabitants of Cherrowanoor Jarrah, Beypoor Hobilly in the Talook of Calicut, being indebted on account of arrears of Sirkar revenue for the year 993 m. s. the sum of fanams 207, and vishums 7, on the 3d of Menom 993, some nelly seed, and other property belonging to the aforesaid Kondy Nair, were, by the Beypoor Hobilly Parbutty and Mookiastans, distrained and deposited in the Paytayum, in the house named Tekedata, the door of which was locked up and sealed; but the aforesaid Kondy Nair and Cherria Kondy, having at different periods opened the lock by a false key, and stolen the property, the Calicut Talook Sheristadar seized and examined the aforesaid two prisoners, who denied the charge; but it has been proved by the statements of the witnesses Nellsy Oonea Koya, Peechanary Kanda Kottty, Footellen Chaichen, and the Mookiastans, that the aforesaid two prisoners did steal the aforesaid distrained articles. The aforesaid prisoners having thus, in defiance of orders committed this theft, you are hereby furnished with a vakalatnamah from me, to prosecute and bring the aforesaid prisoners to condign punishment. After therefore perusing the proceedings, you must institute a prosecution against them accordingly.

(signed) J. Vaughan, Collector and Magistrate.

6th of Karkadom 993, 20th July 1818.

To Mr. Whish, Assistant Criminal Judge in the Zillah of South Malabar.

Petition of Vakeel Kallatil Atcheen Eroombampally Uealia Kondy Nair, and his nephew Cherria Kondy, inhabitants of Cherrowanoor Deshun, Beypoor Hobilly, in the Talook of Calicut, were indebted on account of Sirkar revenue arrears of 993, new fanams 207, and vishums 7, in consequence of which, on the 3d of Menom 993, the Beypoor Hobilly Parbutty and Mookiastans, distrained the nelly seed, and the other property belonging to the aforesaid Kondy Nair, and put the same in his patayum (kind of cupboard for depositing paddy in), in the house named

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

named Takkedala, locked up the door thereof and sealed it; but the aforesaid Kandy Nairs and Cherria Kandy, having, several times, opened the lock by a false key and stole the aforesaid property, the Calicut Talooq Sheristadar, seized and examined them, when, by the statements of the witnesses, Nellyny Oonee, Kona Pechanary, Kanda Kooty Pootellen, Chairchen, and the Mookiastans, it was proved, that the said two prisoners, with some others, stole the said property. The aforesaid two prisoners having thus, in defiance of the orders of the sirkar, committed this theft, Mr. Vaughan the collector and magistrate of Malabar, has furnished me with a vakalatnamah, for the purpose of prosecuting the aforesaid two prisoners, in order that they may be brought to condign punishment, I therefore prefer a complaint against them accordingly.

7th of Karkadagom, 993 M. S. (signed)

Examination of Kerake Paat Chandoo Nair, taken on oath before the Assistant Criminal Judge, on the 7th August 1818.

Question.—Do you know the prisoners?
Answer.—I do.

In which of these prisoner's names is the Jumma revenue registry
In the name of Walya Kooty Nair.

In what month and day was nelly seed distrained, on account of revenue in the prisoner's house?

It was in the beginning of Magarom; I am not certain of the date, it was but once distrained.

Was any of the distrained property ever sold? if so, did any part remain unsold? if so, how much, and why was it not sold?

There were distrained 211 parras of seed, and 6 or 7 cheeroomars; of these 99 parras of seed were sold on the 3d Menom, and four of the cheeroomars on the 16th Meddom; the rest of the chermars, now remaining, 111 parras seed were not sold to the day following that on which the Mookiastans and prisoners had made the sale, they said, that if the seed was returned to them, they would discharge the amount due; but by this time the seed had been carried away by the purchaser; I had sent a note by Kolkars to the Mookiastans to deliver the seed to these prisoners, if the purchaser had not carried it away, but as the seed had been already taken away by the purchaser before the note reached them, a dispute ensued between the Mookiastans and the prisoners, whereupon the remaining property was distrained, but which was not sold in consequence of the Chermars having been disposed of.

Is it usual to make a proclamation for the sale of any distrained property on account of revenue arrears? was any such proclamation made in this having release?

A proclamation will be made for the sale of paddyfields and parrambas, but I never saw a proclamation for the sale of any other description of property; none was made in this case.

Who brought the distrained property outside of the house; were they Nairs, or people from whom pollution is incurred?

They were Nairs, and people from whom pollution is incurred.

What was the amount balance due by the prisoners at the time the property was distrained, and what month's balance was it?

It was about 50 rupees, for the month of Markaram Koombhom.

8.—Was there any order for you (the parbutty) to go to the place of sale, and did you go there?

There was an order, and I went to the place of sale.

What is the distrained property you say has been missing?
It is the afore-mentioned seed; it was missing in the month of Meddom, but I do not know the date.

10.—Was

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

10.—Was any suspicion entertained against the prisoners, at the period this property was missing, in the month of Meddom?

When the property was missing in the month of Meddom, a search was made, when two nairs of seed were found upon the prisoners; the latter end of Meddom, the prisoners were forwarded to the talook, in the month of Eddowam.

11.—In whose hands is distrained property delivered over, and to whose charge was the property in the present instance made over?
The Mokiastans are the persons who take charge of distrained property. This property was in like manner under charge of the Mookiastans.

12.—After the dispute between the Mookiastans and the prisoners, in consequence of the sale of the seed, did the prisoners quit that house; if they did, who occupied it afterwards?

I do not know that they quitted the house after the property was distrained; when the seed was missing, I went to the said house, at which time nobody inhabited it. They (the owners supposed) lived in a house to the north side. Formerly, Koondy Nair alone resided in the said house.

13.—Was any zameena taken from the prisoners for the revenue; if so, when was it, and under what terms?

After the seed had been sold, Walla Kandy Nair brought his nephew Chandoo, who promised to pay the amount, and passed a chit to that effect accordingly; but after the quarrel between them and the Mookiastans, the amount was not paid.

14.—What is the amount, on account of 993 revenue, what is the amount received, and what is still due?

The total amount is 1,000 and odd fanams, on account of which about 20 rupees are still due, the remaining has been paid.

15.—Did you grant receipts for the amount received, or being so?

16.—Four chermars out of six or seven have been sold; where are the remaining ones, in their chala (huts.)

17.—When a search was made for the distrained property, besides the two nairs of seed, was no other information obtained regarding it?
It was ascertained that their people, had carried the seed to the northern house; they were therefore sent to the talook.

18.—Was the seed missing when you went to sell it; or was it at any other time, and all missing at once?

A Kolkar said, that when he went one day to look, he did not see it; and the Mookiastans said, that as it was deposited in the house of the prisoners; they were not in the habit of going to look at it; but that they did not see it one day when they did go to see it; it was not known whether it was taken at once, or at different times.

(signed) C. M. Whish, Assistant Criminal Judge.

EXTRACT of the 3d Calendar, Second Session, 1818, Zillah, South Malabar.

No.	Names of the Parties.	Charge.	Abstract of Examination and Sentence.	Date of Release.
163	The Acting Government, Vakeel Kallail Atches, 1. Erroombumpally Walla Kandy Nair. 2. Ditto Charrin Kandy Nair.	For stealing distrained property which the Parbutty had sealed for Sirkar Revenue arrears.	Charge not proved, the Prisoners released.	1818 18th August.

(True extract and translation.) (signed) T. H. Baber.

221

To Mr. Baber, Judge of the Provincial Court of Appeal and Circuit, for the Division of Malabar, Canara, and Soonda.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

The Petition of the Mookiastan Eeroombampally Kondy Nair, and his nephew Chandoo, and Kondy, inhabitants of Cheromanor Deshum, Beypoor, Calicut Talook, in the Zillah of South Malabar.

For the want of money to pay revenue, in consequence of the loss of the crop of 993 m. s. and to prevent our ruin by the sale by public auction, of the seed, slaves and cattle (on our estates), we, in the month of Verischigom last, presented a petition to the collector, who passed an order accordingly by endorsement on the petition, which being delivered to the parbutty of the aforementioned hobily, we commenced collecting the amount, when on the 3d of Meenom last, the Beypoor Hobily Parbutty, named Chandoo Nair, the Hobily Menon, and the Talook and Hobily Kolkars, to the number of eight or ten persons, came to my house called Jekadata, and saying that they had received orders from the Calicut Talook Sheristadar, caused a blacksmith to break open the lock of the door of the centre room, and having mixed together the different kind of seed, Nelly of Magarom brought the Nelly out into the compound, and the day being advanced and too late to sell, left Cherikaden and Keloo Kooroop, the persons who acted for the Mookiastans, and the Kolkar Cheroones to guard it; when the Parbutty and the Menon went away. On the morning of the 4th I went to the Hobily Cutcherry, and told the Parbutty that it was a grievance to sell the seeds, and that I would procure and pay the amount in cash. The Parbutty Chandoo Nair then said, that if I would give my aforesaid relation Chandoo as Koka security for the balance of 993 m. s. he would consent, whereupon the amount which Chandoo had by him at the time having been paid, he (the Parbutty) caused Chandoo to execute a koka zameenee chid for the balance; which being delivered to the Parbutty before the witnesses, it was agreed to deliver the aforesaid seeds to Chandoo; but on our returning home, the aforesaid seeds were notwithstanding sold by public auction through spite, and part of the seeds that remained in the compound unsold was offered to Chandoo, who said that he would only receive the whole quantity, and he then came away, when a tiety was called, and the remaining seed carried and placed by her within the house, thereby polluting my house. By that time I went there, and told the Parbutty that I would prefer a complaint for polluting my house and selling my seeds; whereupon the Parbutty, with a view to screen himself from blame, assisted by the persons who acted for the Mookiastans (as before mentioned,) caused a complaint to be preferred in the talook against my nephews, the aforesaid Chandoo and Kondy, who were in consequence on the 5th of Meenom confined in the Talook Cutcherry. Whereupon, on the same day (the 5th,) a petition was presented to the Talook (Sheristadar); but no order being passed thereon, the aforesaid persons wrote an arzee from confinement to the huzzoor, but the collector being that day absent at Tellicherry, the gentleman who was then in the huzzoor, returned the petition with an endorsement, when the witnesses to complaint (against Chandoo and Kondy) were sent for and examined in the talook; but nothing being proved against them (Chandoo and Kondy,) they were about to be released, when the sheristadar told them, that they must go and bring the revenue amount, and that the examination was not finished. They were notwithstanding discharged without security. Afterwards we paid the revenue and received chits, but without getting the receipt for the proceeds of the seeds, when a kolkar came again from the talook, and together with the parbutty Chandoo Nair, seized and carried away ten of my chermars; four of them were sold by public auction, and purchased by Areealoor Koroo for the Sahib who carries on a hemp manufacture at Beypoor (Mr. Sheperd.) In consequence of which I presented a second petition to the collector, under date the 26th Eddawom, who sent an order to the talook to restore the aforesaid mentioned seeds and the chermars; and when I repaired to the talook, the sheristadar told me he would restore the chermars, but not the seeds. I then told him, that if he did not give the seeds back, it would not be possible to carry on the cultivation and pay the revenue for the year 994 m. s.; upon which the sheristadar told Kondy, that since he had presented petitions to the gentlemen, he would devise some other means to bring a police complaint against him, and get him punished. According, on the 19th of Mithoonam last, Kondy was confined in the room of the revenue defaulters in the talook; and on the 20th, I, aged 82 years, was also put in confinement; and afterwards, on the 24th, a false complaint having been lodged in the talook, it was investigated into, and reported to the huzzoor; from whence we

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

were sent to the court, where until the inquiry was completed, we were sent to the huzzoor; but when the matter was inquired into in court, the charge not being proved against us, we were on the 6th of Chingom set at liberty. On the 7th we presented another petition to the collector, who sent for the talook sheristadar in the huzzoor, and again ordered the seeds and chermars to be restored, but he did not comply with the order. We therefore, on the 20th Toolam, presented another petition to the collector, stating that the time for sowing being over, and not being able to borrow seed for sowing, he would be pleased to send for the talook sheristadar and the parbutty Chandoo Nair, and cause them to make restitution of 2512 parras of seeds carried from my house, together with 70 parras, which I annually borrow for sowing; total 3212 parras of seed (which when sown will produce 16082 parras of paddy,) as also various other property; and thus enable me to pay the revenue and defray our family expenses. The sheristadar was consequently sent for, and ordered to cause restitution of my property; but the parbutty was neither sent for, nor the property caused to be restored; wherefore, on the 27th of Toolam another petition was presented to the collector, who returned it with an endorsement, that the matter would be investigated into, if I (the karnawed) myself appeared. Accordingly, on the 30th of Toolam, I myself went, and presented a petition; when I was asked, if I was willing to adjust the business by razeenamah, or by arbitration, I answered, I would agree to the award, if it was without prejudice to me; but that I preferred that the affair be settled before the gentlemen, when the petition was returned with an endorsement, that the matter could not be settled there (in the huzzoor.)

I am accordingly grieved in consequence of the sheristadar and the parbutty, through malice, having caused my house to be polluted, and thereby my own and family's removal therefrom, and the loss of various property; also in having caused the sale of my chermars and seed, and thereby prevented the cultivation, as also in having caused twice false police complaints to be preferred against us, and witnesses to be suborned, and ourselves kept in confinement from the 10th of Meethoonam to the 5th of Chingom last, to the injury of my character; and the cultivation of paddy fields of 320 and 600 parras of Magaram seed. Our confinement was attended with further losses from cattle and hogs getting into my field of 200 parras of Kaly paddy; and from the water from the river getting into my field of my waita paddy cultivation, which was to be reaped in Karkadagom, to the extent of about 100 parras; and from the fall of the value of rupees 100 of the house falling down in consequence of its not being covered in, and also of 180 cocoa nut plants, about 200 bundles of woven straw, the wooden work of a house, and several other articles.

In the petition I presented to the collector I only stated, that I suffered a loss of 1,6082 parras of paddy, in consequence of not being able to carry on the cultivation, and of various other property, but did not specify the same. This I have now done to the court.

The petitions I presented to the collector, viz. from 5th to 8th of Meethoonam, 20th of Edduavom, 25th of Meethoonam, 6th of Karkadagom, 17th of Chingom, 20th, 27th, and 30th of Toolam, 094. n. s. ten in number, including copies taken of ollas, of certain petitions delivered into the talook, some of them bearing endorsements; I herewith submit to the court, and pray the gentlemen to send for the aforesaid sheristadar and the parbutty Chandoo Nair, as also the petitions I presented to the collector, the proceedings of the two police cases against us, the petition endorsed by the collector in the month of Wreshegoffi, which was delivered to the parbutty, the Roka Zameehee Chit, taken in the Hobilly catchery, and the witnesses who are acquainted with the circumstances of the case, and having examined them, cause the restitution of my four chermars, of 1,9082 parras of paddy, and of 100 rupees, and enable us to pay the revenue, to defray our expenses, and to live in our house, and also to pass such orders as will prevent similar oppressions in future, and thereby afford us redress.

Wrischugom, 094. n. s. (signed.)

Questions to the Petitioner.—State the number of days you were in confinement, owing to the police complaints; and who the complainants were.

Answer.—We were put in confinement from the 10th of Meethoonam, for a period of 22 days, in the Talook catchery, held in the French factory. Nothing was given us for our subsistence while in the talook; we were afterwards sent to the

Fort St. George
Papers
State of Slavery
in Company
Territories.

zillah court, when we were put in jail for a period of 26 days, during which time we were paid for our subsistence, and on the 5th of Chingom we were discharged; no complaint was preferred against us in the talook, but after we came to the zillah court, the government vakeel became our prosecutor. Previous to this, the Mookiastans had preferred a charge of assault against me in the talook, when I and my kavalawen Chandoo Nair, were confined for four days, during which we were neither paid our subsistence money, nor allowed to go and take our victuals.

Question.—You say four chermars were put to sale by public auction, has any of them come to your house, and if so, what has become of them?
Answer.—The parbutty and people came to my house, seized, and carried away the chermars, and I have since learned, that four of them were sold by public auction for 22 rupees. None of us were present during the sale, this amount has not been credited to me in the cheif receipt.

Question.—Where are these chermars now?
Answer.—They are at Beypoor, in the possession of Koroo, the person who became their purchaser.

Question.—After you were discharged from the zillah court, in consequence of the charge not having been proved against you, did you prefer any complaint to the magistrate, against the public servants, and was any investigation held into the matter?
Answer.—We did prefer our complaint after our release, to the collector and magistrate, but no inquiry was held.

(signed)

To Mr. James Vaughan, Collector and Magistrate of Malabar.
The Petition of, Erpombampillay Condy Nair, Imbeechoon, Chandoo Chary, Candy, Imbery Kooty, and the remainder of the family, inhabitants of Cheromani poor, Tarrah, Beypoor, Habilly, in the talook of Calicut.

We have delivered to Habilly Parbutty, the petition we had before presented to you, setting forth the loss of the crop of 993, and also (in order to prevent the ruin of our forward) to allow us to pay into the habilly whatever sum we might realize on account of the 50 per cent of our revenue, due from Toolam to Dhanoo of the Mayoram Wella, and to receive from us the balance at the last kist, and if not then paid, to collect it from us with interest, by the sale of our property, with your endorsement, agreeable to the request in the petition, and paid half of the jumma amount in Dhanoo, and received a chit for it, but there being a balance against us of sixteen rupees of the Magaram Kist, the Parbutty and the Hobilly Menon, through malice, wrote an arzee to the talook, when he immediately offered to discharge the magaram kist by the mortgage of a paramba, we accordingly sold a paramba, and caused Malayil Koonjee Nair to pay 20 rupees to the parbutty, and thereby settled the magaram kist; on the 4th of Meenom we paid 20 rupees on account of Koombhon, Kist, and passed a chit to Hobilly Cutcherry, that we would pay the balance on the 15th of this month; but on the 4th instant, some of the Mookiastans, Nambulla Krishna (the brother in law of the Hobilly Menon), Irvowan Cherookooty Chaneyam, and some other persons came to my tehsildary house, mixed all the magaram seeds together, caused Teties to enter my house, and pollute it; we asked the Mookiastans and the Parbutty, why they had acted in that manner, and complained that it was a grievance, but they took no notice thereof; we then said, we would represent the matter to the gentleman, and then left the place; when they caused the Teties to put part of the seed back into the house, and the rest they carried away; and then anticipating our complaint to the gentleman, Keloo Koorup and Cherikandea, among the Mookiastans, lodged a complaint, and had Koondy and Chandoo confined in the talook. The Parbutty, the Menon, and some of the Mookiastans have, through malice, acted towards us in this manner, with a view to prevent us from carrying on our cultivation in future, and to induce us who pay a great sum of revenue, to quit our abodes, and thus to bring a great loss and disgrace upon us; we pray, therefore, the gentleman, to examine them and pass an order, as they have by so doing, violated the orders passed in the month Wischigom, on having treated us as robbers, and thereby enable us to reside in the polluted house; we also pray for the restoration of the seed they have carried, and also that we may be released from confinement. The witnesses, who are acquainted with this matter, are Koya-pilly, Tamoo Nair, Buttal Rolats, Conee, Kooty Nair and some others.

(signed)
5 N 4

Fort St. George
 Papers:
 State of Slavery
 in Company's
 Territories.

Order.—This case not being cognizable in the police, this petition is rejected. The circumstances must be represented to the collector.

20th March 1818.

(signed) *W. Mason*, Assistant Magistrate.

To Mr. James Vaughan, Collector and Magistrate of Malabar.

The Petition of Eroombampally Kondy, Nair, Chandoo and Komly, inhabitants of Cheeroomanoor Deshum, Beypoor Hobilly, in the talook of Calicut.

Having in consequence of the loss of the crop of 993, M. S., presented a petition in the month of Wrischigom last, for the purpose of preventing the sale of property and our own ruin, for the payment of revenue, an order was accordingly passed to that effect, by an endorsement upon the said petition, with your signature thereupon, which I took and delivered to the parbutty, and commenced realizing the amount as before-mentioned, but the Beypoor Hobilly Parbutty, Chandoo Nair, and the accountant Keloo Kootty Nair with some others, on the 4th of Meenom last, in defiance of the above order, came to my house, called Tekedata, caused it to be polluted, and the Koolladem seed of magarom cultivation, and various other sorts of seeds carried off, besides committing various other outrages. I therefore, on the 8th of Meenom, preferred a complaint to the Huzzoor, but as you were that day absent at Tellicherry, the gentleman in charge returned the petition with an endorsement, directing us to represent the subject, to the collector, no order having been passed from the talook cutcherry, when I represented the matter, and now all my chermars having been seized and carried to the hobilly cutcherry, for the purpose of selling them by public auction; I am therefore exceedingly grieved, and beg to state, 1st. From 2,300 and odd fanams of revenue due by me, deducting what is paid by the Koodians themselves, I am accountable for 1,025½ fanams for the year 993, M. S. of which the sum of 780 fanams 7½ vishums has been paid by myself direct, and through the hands of Meley Kanjoo Nair and Nambaygaat Oonee Paravan Nair, leaving a balance of fanams 247 and vishum 4½, for the payment of which, the parbutty, Meenon and Kolkars, as also the defendants mentioned in my petition of the 8th of Meenom, came on the 4th of Meenom, and carried off from my house, called Tekedda, a quantity of nellah seed, and sealed up the remainder, making 251½ paras, the value of which has not been credited to me.

2.—As they are now going to sell my chermars, I am much grieved; I therefore beg to state, that as I pay a great sum in revenue, if the seed and chermars be not restored to me, I shall not be able to carry on the cultivation henceforth, my family will be inevitably ruined. I therefore pray the gentleman to issue an order, that the sum of fanams 245, the balance of my revenue, after deducting the amount what has been already paid by me, be collected from me with the usual interest, within the 30th of Chingom next, and that the order which you gave me in Wrischigom last, and which I delivered to the parbutty, as also the petition I presented at the talook on the 5th, in consequence of the aforesaid, defendants having polluted my house, and carried off the nelly seed, the zaminee chit executed in hobilly cutcherry, on account of revenue, as also the order now in my possession, passed the huzzoor to the petition I preferred on the 8th of Meenom, on this same subject, as also the defendants therein mentioned, and the witnesses who are acquainted with the matter be sent for, and after examining the circumstances of the outrage committed upon me, cause the restitution of my seed, and the chermars, and the exemption of my house from pollution, and the prevention of a similar recurrence in future; I also pray, that I may be furnished with an order (to the parbutty) to collect the balance of my negade, viz. fanams 245 and vishums 4½, with the usual interest, within the 30th of Chingom next, and that I and my family may be protected.

26th of Eddawam 933, M. S.

(signed)

To Mr. James Vaughan, Collector and Magistrate in Malabar.

The Petition of Eroombampally Cherria Kondy Nair, of Chiroowanoor Deshum, Beypoor Hobilly, in Calicut Talook, written from confinement.

On the 5th Menom last, I presented a petition in the Talook; and another, dated the 8th, in the Huzzoor Cutcherry, setting forth the circumstances of the Parbutty and his Menon, together with eight or ten others, having on the 4th, and previous to any proclamation being issued, come to the house denominated Takeydata, where my karauawan Kondy Nair lives, polluted the place, and carried off makara nelly seed, and sold 251½ paraha, on account of rupees 70—30, being a balance

Fort St. George
Papers
State of Slavery
in Company's
Territories.

balanced of Madras 1025 1/2 of revenue, due by my said karawen Kondy Nair to the bey poor, Hobbily Cutcherry, for the year 993, and for the payment of which money, he (my karawen) had offered a security. Subsequent to this, another petition, under date 28th of Edawon last, was presented to you, stating, that in the same month, four chermars were carried off and sold, without the usual proclamation being issued regarding them, and it was for the malicious purpose of ruining my family, that I was thus persecuted; which petition being referred to the talook, an answer was sent from that cutcherry, and then a second order was issued from the tuzoor upon which the sheristadar called, and told me that the chermar, who had been sold, would be returned to me, and that he would pass a receipt for the proceeds of the sale of the nelly seed; to which, on my replying, that I could not carry on the cultivation, unless the same was restored to me, on the 19th instant, I was put in confinement in the talook without any cause on my part; and while remaining there, on the 20th, my karawen Kondy Nair was also taken to the talook, and both of us placed in confinement among the revenue defaulters. One of the days before this, the sheristadar said in the presence of many persons, that in consequence of the reply I had made to him with respect to the above said chermars and seed, an accusation should be invented against me in the police, and thereby subjected to some punishment; which being accordingly put into execution, I was taken out of the revenue prison-house, where I had been confined, and placed in the police place of confinement.

As being very grievous that myself and karawen should be thus confined and ill treated through malice, we earnestly pray that we may be released, after being examined before you, and redress afforded to our grievances.

Dated 25th Macelipoonam, 993. (signed)

ORDER.—An order having been issued to prefer a proper complaint against the petitioner, the circumstance stated herein will be known when proceedings are held therein. The petition is therefore returned.

9th July 1818. (signed) J. Vaughan, Collector and Magistrate.

To Mr. James Vaughan, Collector and Magistrate in Malabar.

The Petition of the mookiastan Karoombampally Kondy Nair, of Cheroomanoor, Deshum, Bey poor Hobbily, in the Calicut talook, written from confinement.

While lying in confinement on account of arrears of revenue due by me to the bey poor hobbily, on the 19th Mithponun last, by Anandram Cherria Kondy, was also put in the police place of confinement in the talook, through malice, where, to my great grief, he has been ever since starving with hunger, not being allowed any subsistence, being unable to undertake any long journey, owing to my old age, I used to depute Kondy now and then in my name, but I have never constituted him to act for me in my private business; in consequence of this, and as Kondy has other cultivation to attend to, he is utterly ignorant of the false accusation which the parbutty, his menon, and some of the mookiastans, through malice, have made against me in the police; and as no witness has given evidence against him, I most earnestly pray that the aforesaid Kondy may be released, and, after examining my case, that security for the payment of the revenue due by me, until the both instants be accepted, as also, that my chermars and seed be restored to me, and redress afforded to my grievance by releasing me from confinement.

Dated 6th Karkadagom, 993. (signed)

ORDER.—The petitioners are committed to confinement for the purpose of being examined, and forwarded to the court, for their having, after their nelly seed had been attached according to custom for arrears of revenue, in violation of order, opened the house with a false key, broke the seal, and took away the nelly.

(signed) J. Vaughan, Collector and Magistrate.

Dated 6th Karkadagom, 993.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

To Mr. James Vaughan, Collector and Magistrate of Malabar.

The Petition of Eroombampally Kondy Nair, inhabitant of Cheroomanoor Deshum, Beypoor Hobilly, in the talook of Calicut.

They, Beypoor Hobilly Parbutty Keyakepaut Chandoo Nair, with eight or ten persons, having come to my house, said that they had been ordered by the Calicut talook sheristadar, on account of revenue, polluted it, and sold, without any proclamation, my magarom seeds and chermars, I preferred several petitions to you, when an order was passed upon my petition of the 26th of Eddawom, for the talook sheristadar to restore my seeds and chermars; but he has not to this day, in conformity with the said orders, restored my seed and chermars; I therefore pray the gentleman to send for the aforesaid sheristadar and the parbutty, and cause them to restore my seed and property, and enable me to carry on the cultivation for the year 994, m. s.

7th Chingom, 993.

To Mr. James Vaughan, Collector and Magistrate of Malabar.

The Petition of Eroombampally Kondy Nair, and Kondy, inhabitants of Cheroomanoor Deshum, Beypoor Hobilly, in the talook of Calicut.

On the 4th of Meenom 993, m. s. the aforesaid Hobilly Parbutty, Keyakepaut Chandoo Nair, with eight or ten persons, having come to my house called Teke-data, and saying that they had come by the order of the Calicut talook sheristadar, on account of revenue, polluted my said house, and having without (agreeable to custom) made any proclamation, taken and sold 251 $\frac{1}{2}$ paras of my magarom seed; and again having, without a proclamation, sold four of my chermars, and polluted my house, and caused a loss to me of property; I from that to this period having presented my petitions on the subject, an order was passed upon my petition of the 26th of Eddawam, stating that my seed and chermars were to be returned; but when I went to the talook for that purpose, my property was not returned to me, agreeable to orders. I, in consequence, preferred a petition on the 7th of Chingom, when a second order was issued to the talook for the immediate restitution of my property; and the sheristadar was sent for in the huzzoor, and then I was sent along with him to the talook; but he has not, up to this day, agreeable to orders, restored my property. As I have not been able to carry on the cultivation for the purpose of paying the revenue for the year 994, m. s. and as my house has been polluted, and various other property destroyed, I am accordingly grieved; I therefore pray, that from the 1,025 fanams due by me on account of revenue for 993, deducting what has been paid, the balance, rupees 30 $\frac{1}{2}$, be received. The parbutty, Chandoo Nair, having refused receiving the same when I tendered it, although I did so a second time, in presence of the persons who have now come from the talook to collect the revenue arrears, viz. the parbutty of Walloowanaad Hobilly and the parbutty of Eddakaat Hobilly, and being bent upon ruining my tarawad, and now the time for sowing has passed, and to borrow seed and sow it in time not being allowed us, we were obliged to quit our residence, and suffer a loss of our property; three fields, containing kany paddy, have been destroyed by cattle and hogs. I therefore pray you, to send for the aforesaid sheristadar and the parbutty, and cause them to restore the 251 $\frac{1}{2}$ paras of seeds taken from me, 70 paras of seeds which I annually borrow to sow, making a total of 321 $\frac{1}{2}$ paras, yielding 1,608 $\frac{1}{2}$ paras of paddy, and also the restitution of several other articles of property, which have been destroyed, in order to enable me to pay the revenue, to defray the expenses of my family, and to remove this pollution.

(signed)

20th Toolam, 994, m. s.

To Mr. James Vaughan, Collector and Magistrate in Malabar.

The fourth Petition of Erambampally Kondy Nair, and his anandrawn Cheria Kondy Nair, of Cheroomanoor Deshum, Beypoor Hobilly, in the Calicut talook.

Although orders have been issued to the talook sheristadar (for the restoration of our property), in answer to three of the petitions we presented from 26th Eddawom to the 20th instant, regarding the circumstances of the Beypoor hobilly parbutty Chandoo Nair's having, without the usual proclamation being published, sold our

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Fort St. George
Papers
States of Slavery
in Company's
Territories

nely and chermars, and occasioned other losses, polluting also our houses, no restoration of our property has yet been made to us, though we were sent along with the sheristadar for that purpose; in consequence thereof, and the sale of our nelly seed, the cultivation could not be carried on; we therefore again presented a petition before you, under date the 20th Toolam, for the recovery of the loss sustained in the cultivation, and in our property, when another order was issued to the talook; but no redress to this day has been afforded to us, in pursuance of the said order; which circumstance being grievous, we pray that you will be pleased to examine the said case before you (as prayed in our petition presented under date the 20th Toolam), without referring it to the talook, and order our property to be restored to us, and thereby afford redress to our grievances, or at least issue an order that we may know against whom we should lodge a complaint in the Udalur for the recovery of our property. Dated 27th Toolam, 993.

(signed)

ORDER.—The petition has been perused. If the grievances complained of herein are not redressed, the karanawen himself should attend, when the cause will be examined into.

(signed) J. Vaughan, Collector and Magistrate.

27th Toolam, 993.

To Mr. James Vaughan, Collector and Magistrate of Malabar
The Petition of Erdombampally Kondy Nair, inhabitant of Cheeroomandor Deshm, Beypoor hobilly, in the talook of Calicut
The Beypoor hobilly parbutty, without making a proclamation, but saying that it was by the order of the sheristadar of the aforesaid talook, having sold my magarom, seed, and chermars, and prevented me carrying on the cultivation, and thereby destroyed my property, several petitions were presented to you, both in my name and in the name of my nephew Kondy, when you were pleased to send three different orders to the talook to restore my aforesaid property; but the sheristadar not having restored my property, a fourth petition was, on the 27th of Toolam last, presented to you, when you were pleased to say, that if I, who am the karanawen, appeared, the matter would be inquired into. I am, in consequence, in attendance; but as I am 82 years old, very infirm, unable to walk, and distracted in mind, I pray you will permit my nephew Kondy, whom I have appointed my constituent, to carry on the complaint; and having caused the attendance of the aforesaid sheristadar and the parbutty, examine them with regard to my complaint lodged on the 20th instant, and cause the restoration of my property, and protect me and family.

ORDER.—This petition has been read. On questioning the petitioner about the circumstances of the case, he does not mention particulars; having, on being asked if he is willing to put his case into arbitration, said he is not. The circumstance of the case cannot be settled in this place. This petition is therefore rejected.

(signed) J. Vaughan, Collector.
30th Toolam, 994.
(signed) T. H. Baber, Judge on Circuit.

RESOLUTION OF GOVERNMENT.

Ordered, to be sent again into circulation, together with the Board's minute, of the 5th January 1818.

Extract, proceedings of the Board of Revenue at Fort St. George, 31st of May 1819.

Read again, letter from the secretary to government in the revenue department, dated 28th ultimo, and entered in consultation 13th inst.

Ordered, That the following letter, together with copy of the above-mentioned letter and its inclosures, be circulated for the early report of the collectors respectively.

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories

To the Collector in the Zillah of Malabar.
 I am directed by the president and members of the Board of Revenue with reference to the inclosed copy of a letter lately received from government, calling upon them for their opinion on the subject of slavery, to call your immediate attention to paras 10, 11, 12, 13, 14, 15 and 16 of the Board's minute of the 5th of January 1818, and to request, that you will, at as early a period as may be practicable, without any reference to the rest of the minute, send a detailed report, containing all the information which you may be able to collect relative thereto, stating particularly the precise power, which, according to the custom of the country, the owner possesses over the person of his slave, — whether he can be sold independently of the land, and any other peculiarities incident to the condition of this class of people; and, on the other hand, what rights and privileges they may possess in virtue of their situation, &c.

(signed) H. Chauver, Deputy Secretary
 Fort St. George, 31st May 1819.
 Extract Proceedings of the Board of Revenue, at Fort St. George, the 21st June 1819.

Salem.

Read the following letter from the collector in the Zillah of Salem.

To the President and Members of the Board of Revenue, Fort St. George.

Gentlemen:—I have the honour to acknowledge receipt of your secretary's letter of the 31st ultimo, accompanied by copy of a letter from Mr. Secretary Hill, dated 28th of last April, regarding slavery, to which I am enabled to make an early and brief reply, having, immediately after perusal of your Board's minute, of the 5th of January 1818, caused very particular inquiry to be made into the subject in question.

2.—I can safely state in the manner referred to in these communications, there is no vestige whatever of slavery in this collectorate, nor has any such practice obtained from the time the country came into possession of the Honourable Company. During the Mussulman government, there were, a few slaves belonging to certain Nunnah lands in the vicinity of the Cauvery, and there are now some descendants of these people, but they are just as free as any other inhabitants. I have heard of one or two instances of a child being sold for the purposes of domestic slavery, but this is uncommonly rare, and otherwise such a circumstance as a person being sold as a slave, has never transpired.

It was formerly the custom not to allow the ryots to go out of the district, or even from one village to another, without being obliged to double the cultivation; but this practice has long since been out of use, and while there are no balances against the ryots, they can move when and where they like, without the slightest restraint.

Durumpoory, 14th June 1819. (signed) P. B. Hargrave, Collector.

Ordered to lie over until the replies required from the other collectors have been received on this subject.

Extract Proceedings of the Board of Revenue at Fort St. George, the 1st July 1819.

Coimbatore.

Read the following letter from the collector in Coimbatore.

To the President and Members of the Board of Revenue,

Gentlemen:—I have the honour to acknowledge the receipt of Mr. Secretary Campbell's letter of the 31st ultimo, calling for information with regard to the state of slaves.

2.—I have already had the honour to state, that slavery exists but in a very few villages of Coimbatore. From all that I can learn, it appears certain, that the owner has a right to sell his slave without the land; but that it is a right very seldom, if ever exercised. The highest price for a good slave is 50 rupees, the price however is seldom so high. The children of slaves are born slaves; on the birth of a child, the master presents with clothes and one or two rupees.

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Fort St George
 Papers of
 State of Slavery
 in Company's
 Territories

3.—The masters are supposed to be vested with despotic authority over their slaves, and with power to punish them, on apprehension; however, that the executive or judicial authority is not permitted by the British government, appears generally prevalent and rather operates to prevent the merchandise of slaves, as they are considered to be less valuable when free from the fear of punishment. There appears reason for thinking, that the slaves are, on the whole, better treated by their masters than the common class of free labourers. The masters possess a power, not only over the person, but over the property of his slave, and he may make use of the cattle reared by the slave for agricultural purposes. The slaves are sold with the land, but if they should object to serve without masters, they are not forced to do so. This however I take to be an indulgence of the master, not a right of the slave. The slaves have a share of the produce, allotted for their subsistence, about an eighth. In some instances land has been made over to the pullers, which they cultivate for their support.

6.—In many places where slavery does not exist, a species of bondage is introduced, by the Ryots undertaking to bear the expense of their pullers marriage, upon condition of the latter binding themselves to serve the Ryots exclusively for life.

7.—Slavery may almost be considered as extinct in Coimbatore, as the epidemic has carried off many of the slaves, and the number was always inconsiderable.

(signed) J. Sullivan, Collector
 Circuit Cutcherry, Sattemungalum,
 24th June 1819

Ordered to lie on the table, until the reports required from the other collectors be received on the subject. Extract Proceedings of the Board of Revenue at Fort St. George, 18th July 1819.

Read the following letter from the collector at Tanjore to the President and Members of the Board of Revenue, Fort St. George.

Tanjore.

Gentlemen:—I have had the honour to receive your secretary's letter of the 1st ultimo, upon the subject of slavery, and desiring me to forward a report upon the present state of it in this district, and particularly the precise power which, according to the custom of the country, the owner possesses over the person of his slave; whether he can be sold independently of the land, and what rights and privileges the slaves possess in virtue of their situation.

2.—From the best information I can obtain upon this subject, it appears that slavery, unconnected with the land, does not exist in this district, but in connection with the land, slavery does exist in this district to a certain degree, although the situation of these people is widely different from what is understood by the term slavery in other parts of the world, the whole being in the first instance here founded upon a voluntary contract between the parties.

3.—The slaves here are of two castes only, the Puller and Pariah; and, as before said, the origin of their bondage arises in a voluntary agreement on their part to become the slave of some man more powerful than themselves, upon whom they thus impose a more strict obligation to protect and maintain them and their families, than if merely serving them as labouring servants. The Bramins, in consideration of their caste, do not receive these bonds of slavery directly in their own name, but have them generally drawn out in that of some of their Soodra dependents. When a bond of slavery has been given, it ceases not with the life of the party, but is binding upon the descendants of the original giver, who continue bound by the condition of it likewise. In return, the owner is obliged to find subsistence at all times and under all circumstances, for the family of his bondsmen, whom he can employ in any manner he pleases, although it is generally as a labourer in the fields. The bondsmen does not reside in his master's house, nor form any part of his family, but has a house provided for him, along with the others of his caste, to which a back yard of eighty goontahs, rent free, is attached, the same as other labourers. The master has the power of selling the slave, but he cannot sell him to any one who will carry him to a distant part of the country, without his own consent. If the master, through poverty, or other cause, fails, or becomes unable to subsist, and protect

Fort St. George
Papers
State of Slavery
in Company's
Territories

protect his bondsman and his family, he is at liberty to seek employment as a free labourer elsewhere, but is liable to be reclaimed at any time by his master, when he may be again in a condition to fulfil his part of the agreement. When lands are sold in any way, it is always independent of the bondsmen; if any, upon it. If they are likewise to be sold, separate deeds of transfer are passed; if not, they continue attached to their former masters. No person of this description has ever yet been considered as seizable property, or sold for an arrear of revenue, nor do I believe ever by a judicial decree in any civil cause; nor have I ever known this species of property recognized by the officers of government, although it is, by the natives themselves, in their transactions with each other.

4.—On the part of the bondsman, his rights are, subsistence and protection for himself and family, from his master, with liberty to seek it elsewhere, as a free agent; if not found him, and the right of not being removed by sale to a distant country from the place of his birth. With regard to himself personally, his treatment from his master is the same as that of his other labourers, which is in general of a mild nature, but he is not more liable to personal punishment than others, in consequence of his state of bondage, and any cruelty or abuse of authority on the part of the master towards his bondsman, would be complained against and punished with equal strictness as if committed upon a free man. Upon the whole, therefore, the Board will perceive that the condition of these people differs very little from that of the common labourer, and that the treatment to both is nearly the same. The disadvantage to the bondsman is the power of being sold or transferred to other masters, and this, I believe, is not very frequent, as it is the last property generally which is disposed of by a person in distressed circumstances. The advantages are, the more effectually securing subsistence and protection to themselves and families, particularly in times of trouble or difficulty, than it is binding on masters in general to bestow upon common labourers, and this without rendering their condition in any degree intolerable, towards the amelioration of which the equity and mildness of the British government has greatly operated in respect to rendering the conduct of masters to their servants indulgent, forbearing and kind.

6.—I do not find that the system of slaves attached to the soil, and transferable by purchase, as an appendage to the land, obtains here.

(signed) J. Hepburn, Collector

Cutcherry of the Collector of Tanjore, 30th June 1819.

Ordered to lie over, until the answers required from the other collectors are received on this subject.

Read the following letter from the collector of Trichinopoly.

To the Secretary to the Board of Revenue, Fort St. George.

Trichinopoly.

Sir:—I have the honour to acknowledge the receipt of your letter, under date the 31st ultimo, and to submit such information as I have been able to obtain regarding the former and present condition of the Pullers. On my appointment to the collectorate of Trichinopoly, the importance of ameliorating the condition of so useful a class of people induced me to ascertain, with some precision, the several points which I have now the honour to submit to the consideration of the Board.

- 2.—In pursuing this inquiry, I shall proceed to discuss the following points:
 - 1st, The origin of pullers, or agricultural slavery.
 - 2dly, The number of pullers in Trichinopoly, and nature of the services they are bound to perform.
 - 3dly, Their rights, privileges, and emoluments.
 - 4thly, Whether they are well or ill treated, and the policy or otherwise of doing away the establishment.

The origin of Pullers or Agricultural Slavery.

3.—It is I apprehend indisputable, that, in the early ages of Hindoo government, agricultural and domestic slavery existed to a considerable and indefinite extent. The practice was sanctioned by prescription, and upheld by law, but it will be found, that the terms of bondage, and the nature of the services required from the slaves, differed essentially in almost every district.

Fort St. George's
Papers:
State of Slavery
in Company's
Territories.

4.—No distinct information can be obtained at what period agricultural slavery commenced. It is now impossible to trace, whether this establishment took its rise from the voluntary submission of the indigent to the wealthy, or whether the Pullers were originally captives taken in war; but as this species of bondage is generally the concomitant of barbarous governments, it must of necessity have been a very ancient institution of the Hindoos; under their arbitrary government, the distinctions of casté were scrupulously maintained; and, adverting to the circumstance of the Merassidars in Trichinopoly being bramins, it scarcely excites surprise, that agricultural slavery should exist here unchanged and undiminished.

5.—The number of Pullers in Trichinopoly, and the nature of the services they are bound to perform.

5.—In the west district of Trichinopoly, the number of Pullers may be stated at 10,000, including those employed for the purpose of watching and feeding the cattle. In the dry districts, there are about 600; but I must here observe, that Pullers are only to be found in those villages where there is paddy cultivation. The Pullers of the dry districts appear to be liable to the same rules, and to possess the same rights, as those of the west districts.

6.—The services they perform are chiefly confined to the irrigation of the land in its several stages of cultivation; but their services are also occasionally required by their masters in the menial offices of their household establishment. If a wall or pundall is required, the Pullers are obliged to erect it, without any further recompense than their usual and established emoluments.

7.—The Pullers are usually sold with the land, but there are many cases in which they may be purchased, independent of the land. The price of a Puller varies from five to ten pagodas, according to his age and qualifications; their services are, also occasionally mortgaged. As corroborative of what I advanced in the latter part of paragraph 3, a Puller, or female Puller, is never sold, while it would appear, in Malabar, men, women and children, are sold indiscriminately.

8.—Their rights, privileges, and emoluments.

8.—The pullers are supposed to be entirely supported by their masters in sickness and in health; their marriages are made at the expense of the merassidars, as well as the expense of their funerals. They enjoy some little gratuity at every birth, and receive a certain established sum at the principal Hindoo festivals. I have noted in the margin* a list of the yearly emoluments a puller is properly entitled to receive; and these emoluments, though small, I have every reason to believe are scarcely ever withheld.

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Whether they are well or ill treated, and the policy or otherwise of doing away the establishment.

9.—I have examined the pullers themselves on this subject, and asked them what course they would pursue, if ill-used; they replied, they would seek other masters at a distance, who would treat them more kindly. In corroboration of this fact, I have never received a complaint either in my fiscal or magisterial capacity, since my appointment to this district, from a puller against his master. The right of the puller is so distinctly defined by custom, and the interest of the Merassidars so substantially affected by the good conduct and health of the puller, that it is hardly possible to suppose the Merassidars would be so blind to their own interest, as to cause their pullers to abscond, or by harsh treatment, reduce them to sickness.

10.—From what has been already stated, it will be found that agricultural slavery has existed in this district from time immemorial. I shall now submit my opinion as to the policy or otherwise of abolishing the establishment.

11.—There is something so revolting and abhorrent to an Englishman in the idea of slavery, that the advocates for its continuance in any shape, must ever labour under the disadvantage of pre-judgment. Notwithstanding this, I shall endeavour to shew, that so far as relates to the revenue of this district, (and I trust my opinion will not be supposed, to extend farther), the abolition of the puller system would be attended with the most serious and ruinous consequences.

12.—It has been the custom to describe the pullers as the lowest order of society, involved in wretchedness and misery, and reduced to a condition

The extent of cultivation to be made by a puller and by a puller is 150 cullums of

	Annual emoluments.
Warum of a puller	8 5 1/2
D ^o of a puller	6 6 1/2
	15 1 1/2
Batta at the commencement of each fasly for ploughing	3 - 4
Soduntrums, for sowing	- 6 -
Reaping at 5 per cent	- 7 6 -
Thrashing d ^o	- 1 - -
Pengal feast	- 1 - -
Deepavalley d ^o	- - - 1/2
Gramadavet d ^o	- - - 1 1/2 fa.
Total annual	26 1 1/2 5 1/2 fa.
Proposed addition of warum at 3 per cent	- 3 - -
Total	- 29 1 1/2 5 1/2 fa.
Contingencies estimated:	
For a marriage	4 - - rs. 8
For a birth	- - 2 fs. 2
For a death	- - 2 fs. 2
Total	4 4 rs. 8 fs. 4
Total	- 33 5 1/2 rs. 9 fs. 1 1/2

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

a condition "scarcely superior to that of the cattle they followed at the plough." In Malabar, it would also appear, the human form has ever changed its wonted appearance, and that the slaves are distinguished by their diminutiveness.

13.—This theme holds out a fine subject of declamation; but so far as it relates to this class of people in Trichinopoly, it is highly erroneous, inasmuch as there is no class of people generally so athletic or tall in stature, as the pullers.

14.—It may possibly be urged, that there is something degrading in a government being concerned in selling human beings, "like so many cattle." It would, perhaps, be better if it could be avoided; but so long as the land continues possessed by Bramin merassidars, who, by the immutable laws of *caste*, are prevented personally exercising the offices of agriculture, I see no possible means of collecting the revenue, nor of cultivating the land, without the establishment of pullers. Divesting this discussion of national feeling, the most obvious inconvenience and evil which attends it is, that a man, for the sake of food, and the other necessities of life, is condemned to perpetual labour; I exclude all unreasonable rigour on the part of the master, because I have already shewn, that the ruling principle of human conduct, self-interest, is conducive, in the present instance, to soften severity. But whether this obligation to perpetual labour on the part of the puller is not fully required by a perpetual certainty of maintenance, (for which those who work for hire are often at a loss), may, I think, be fairly doubted. It is, however, possible, that the advocate of freedom may think with Cicero, and the third judge in Malabar: "*Meli liber esse non videtur qui non aliquando Nehil agit.*"

15.—For the sake of argument, however, I will suppose, that by proclamation of government, the establishment is directed to be abolished. In this case, I apprehend, the direct consequences would be, either an immediate desertion of the pullers, in a body, or that they would remain in statu quo. The first would be the natural conduct of any class of society, having experienced ill-usage from their former masters, and the latter course would be adopted by the pullers, if they had no reason to complain. If the pullers absconded, it is clear that no revenue could be collected, for who is to supply their place; and, in this case, would government have any claim on the merassidars? The latter would naturally say, "You have taken away our means of paying; you have reduced us to poverty; you have abolished an establishment which has existed for ages, and have thought proper, at our expense, to emancipate our slaves, which prescription and our laws made as much our property as the houses we live in. By the laws of our caste, we are prevented tilling our land, and yet you ask us to pay a revenue, which alone can be paid from its produce."

16.—On the other hand, should the proclamation have only the effect of leaving things as they are; if the pullers remained with their masters as heretofore, the only benefit resulting therefrom would be, that government had published a proclamation, without any attention being paid to it. It would be, at best, a useless, if not a dangerous document. Hence, to emancipate them entirely, would be ruinous in its consequences both to the revenue and to the puller; for emancipation in India could confer no rights beyond what the puller at present enjoys. Though nominally emancipated, he and his children would remain the lowest order of society. He would either continue at the plough, possibly under less favourable circumstances than at present, or seek a livelihood, by more daring means. In short, I have no doubt, as justly observed by the Board, that "it might be dangerous too suddenly to disturb the long established relations in society subsisting between these two orders."

17.—While I have endeavoured to point out the danger which might probably result from the the emancipation of the pullers, and that it would be productive of evil, "for which no adequate remedy can be devised," I take the liberty of suggesting to the board a method by which the situation of this industrious order of society might be permanently and substantially improved, without resorting to legislative enactments. The sacrifice on the part of government would be trifling and inconsequential, compared with the benefits which would certainly accrue to the pullers; should the Board think proper to adopt the recommendation, it would be a sacrifice, in my opinion, worthy the liberality, and consonant to the wisdom of government.

18.—By a reference to the list of emoluments, it will be found, that the established warum of the pullers amounts to 18 per cent; by adding two per cent to this warum, the situation of the pullers would be greatly benefited, and the expense to government would be (taking the reveque of the west districts in round numbers) not more than 2,000 pagodas per annum. This sum would materially tend to the comfort of

ten thousand people, by whose industry and manual labour the country is cultivated, and who, in point of fact, are the creators of revenue, for it must be admitted, that although the Merassidars are the payers of the revenues, receiving a large warum, that the creators of revenue, yet still they are an idle, useless race, born to consume the fruits of the earth.

Fort St. George
State of Slavery
in Company's
Territories
D.

Trichinopoly, 1st July 1810. C. M. Lushington, Collector

Ordered to be printed, until the replies required from the other collectors on the subject have been received.

Extract, Proceedings of the Board of Revenue, at Fort St. George, 12th July 1810.

Read the following letter from the collector in Tinnevely: to the President and Members of the Board of Revenue, Fort St. George.

Gentlemen, I have the honour to acknowledge the receipt of your secretary's letter of the 31st ult. forwarding copy of a letter received from Government, and calling in reference thereto, my attention to certain paragraphs of your Board's Minute of the 5th January last, regarding slavery.

1. From all the information I have been able yet to collect on this subject, I understand it is usual in this district, for slaves to be sold or mortgaged, either with the land or separately, as the proprietor pleases, or his wills require; and that there is no particular rule or general custom, by which the conduct between master and slave, and between slave and master, is governed, further than that the master has at all times the command of the slave's labour, and that the slave cannot work for any other person, without the permission of his master.

2. In regard to the treatment of masters towards their slaves, it does not appear to be incumbent on them to afford a subsistence to their slaves, except when employed on their business, and then it is on the lowest scale of allowance, being generally no more than two measures of paddy a day; at other times, their slaves are obliged to seek a livelihood at the hands of others, being bound only to return to their masters, when the season of cultivation again commences, besides this allowance, however, which the slaves received from their masters on working days, they are entitled, when the crops are reaped, to a small deduction from the gross produce, called here "paroo," which varies in different villages, but amounts generally to about 2 1/2 per cent; and it is usual, when deaths occur amongst them, for their masters to assist them in the necessary funeral expenses, and, on marriages, births, and festival days, to grant them presents according as their circumstances will admit, but these are acts quite voluntary on the part of their masters; and the slave, it appears, can claim nothing more than a bare subsistence while he works, and his subsistence, as above described, at the time of harvest.

3. All punishment of the slave by the master, if this power ever existed, and was recognized in former times, seems now to be at an end; and there is no instance, I am happy to say, within my experience in this district, of a slave complaining of ill-treatment from his master; the fact, indeed, appears to be, that the slave is so necessary to the cultivation, and labourers are so scarce, that the proprietors find it their interest to protect and treat them well, and the slaves in time, become so attached to the village in which they are settled, that they seem not to consider their situation, nor to shew any desire to be free and independent.

4. In calling upon the Tehsildars for an account of a person's property, to know whether he is a fit security for another, it is usual, if he possesses slaves, to include them, a male slave being estimated in value from 3 to 15 C. Chuckrums*, and a female from 3 to 5 C. Chuckrums †; but I have always rejected them in the account, as unavailable property by the circar, and none have ever been sold in this district, for an arrear of revenue.

* Rupees, 6 1/2 to 31 1/2
† 6 1/2 to 10 1/2

5. In respect to the very benevolent object your Board have in view, of bettering the condition of these people, I am at a loss, at present, what to suggest, for it would be obviously unjust and impolitic to declare them independent; and, without a thorough understanding of their situation, which it is difficult to acquire, unless on very minute inquiry, which might be dangerous, inasmuch as it would shew a disposition to disturb the long established customs of the country, any attempt to improve it by legislative enactments, might possibly have the contrary effect; but

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

think it might with safety be enjoined; for the guidance of the courts of justice, that the slave may prosecute his master for the customary allowance, if it is withheld; and that the master shall have the aid of the courts to secure to him the labour of his slave, so long as he treats him properly; that for any severity of treatment, the master shall be subject to the same penalty, as for a similar act towards any other individual; and if repeated, or cruel in the first instance, the slave shall be emancipated; and further, that any person enticing away or harbouring the slave of another, who has a just title to his services, after being duly warned, shall be liable to punishment for a misdemeanor, and fined.

(signed) J. Cotton, Collector.

Tinnevely, Tencaushy, 30th June 1819.

Ordered to lie on the table, until the replies required from the other collectors on this subject, have been received.

Extract Proceedings of the Board of Revenue at Fort St. George
19th July 1819.

Canara.

Read the following Letter from the Collector in Canara, to the President and Members of the Board of Revenue.

Gentlemen:—I have the honour to acknowledge the receipt of your letter, dated the 31st May, received on the 15th ultimo, together with copy of a letter from Mr. Secretary Hill, to the Board, under date 28th April, on slavery in Canara. The Board call my attention to this subject, and refer me to particular paragraphs of their minute on Canara, directing me to furnish a detailed account of all points connected therewith.

Seshadri

Par. 2.—I accordingly have the honour to submit the following detail, drawn up with care, and from the very best sources. The origin of slavery in Canara is to be traced from extracts from an ancient book called Sheehadry Pōōrdnam, but by no means an authentic record; in short it would appear a tradition only.

Shriya Reshi
Kalyapa Reshi
Parasurama

It appears from this, that Canara, together with the whole Malabar coast, when it was recovered from the sea by the God Purasuram, in consequence of the chetry sect, who possessed the upper Ghat countries, having opposed his father, Burgowa Reshy, and were destroyed on that account by his son; thus depopulated, it was bestowed upon Kashapa Reshy, by Purasuram, as a peace offering for the enormous destruction of human life. He appears to have been a gooru of great celebrity.

Comorin
Mogul?

The gooru objected to Purasuram remaining in a country exclusively his under the law, that whatever is a gift to a Bramhin cannot be meddled with.

On this the god retired to Shehadry Purwunt, a high peak on the western Ghats, and after consulting with the ocean, he recovered and consolidated the land as it now runs from Cape Cunnia Comary to Nashykatreeyumbuck; (this land is not known).

To give it a population, the god created the Moggur and Mussulman inhabitants of certain islands in the sea, Bramins, and gave them possession of the country, directing them, in case of any distress, to call upon him for aid. The Bramins without any cause called upon the god, to make a trial of his promise.

The god, displeased at their want of faith, withdrew them from the Bramhinic sect, and made them Suders.

At a period subsequent to this, Sheven and his wife visited the country, they had a son, Kadumber Ryer, whom they created Rajah, and left him to preside over the country.

He and his posterity reigned some time, when one of them, named Myoora Varma, considering there were no lawful Bramins in the country, went and brought several from the country situated (sheetchetter), in the Sea of Milk, and divided them amongst three portions of the kingdom.

1st.—From Bunnawassi to the river Gungolly, as the Hyger Bramin kingdom.

2d.—From Gungolly to the Nelaisweram river, he called it Tooluva.

3d.—From Nelaisweram to Cunnia Comary, Kairi or Mallaryalum.

With the Bramins came servants; these were called Nair, and performed different menial offices. They were also cultivators of the land. Myoora Varma quitted the country, leaving a son very young, and placed a dewan to conduct affairs for him; his bad conduct compelled the Bramins to quit the kingdom.

The son however, when he grew up, assumed the country, and brought the Bramins back again. His son, Loga Aditthya, then succeeded. During his infancy,

Fort St. George
State of Slavery
in Company's
Territories.

infancy; a slave named Hubashyka, usurped the kingdom, and committed every enormity. Loga Adithya was carried above the ghats by his mother, and the Bramins again quitted the country. The Suders were then left with the usurper at their head. Some time after this, a Rajah, called Chundashain, came to Gokura for the purpose of marrying his daughter to Loga Adithya, and in order that Hubashyka might not interfere and prevent the ceremony, formed a friendship with him. The slave on the contrary demanded the daughter in marriage, threatening to kill the Rajah if he refused. He consented, provided the slave would come attended by all his people unarmed. He also required his intended son-in-law to come down from the ghats with all his people, and to assist in putting the slave to death.

This was duly executed, and Loga Adithya was established on the throne. He recalled the Bramins, gave them lands and slaves, who had escaped the massacre, and bound them to their new masters, prohibited them all situations, and ordered that they should only receive grain for their support. He also gave the Bramins power to punish, but not to kill them for any crime, that power being only in the royal authority.

From this tradition the most learned natives deduce their first power over the class of people called in Canara dhera or slaves. There are a variety of classes in Canara, who are labourers on the soil; their number is estimated at 60,000. I have classed these as slaves, perhaps incorrectly, one half are decidedly sold, and are transferred with estates, or may be sold. The remainder are actually in slavery; they are of the same caste, and sell their children, but themselves work as daily labourers on estates.

- 1. Bak-kood
- 2. Kurry Moogher
- 3. Mar
- 4. Battal
- 5. Marry Holler
- 6. Hull
- 7. Husseller
- 8. Goddy
- 9. Cortager
- 10. Byr Heller
- 11. Hy Radder
- 12. Myler

Amongst these, although they learn different occupations, they do not exclusively work at one business, they come under the fixed term of outcasts or pariahs. Slavery also exists amongst the Mussulmans and Suders to a considerable extent, and has its origin in the following causes; relieving a starving object taken in battle, love for a female slave; Suders or Bramin women who have lost caste by having connection with a man of inferior caste. The second and last descriptions were sold under the Mussulman government, and their descendants continue slaves. Under Mr. Baber, when magistrate here, some stop was put to this, but there is no doubt it exists in an underground manner at this day. Tilling the land is the chief occupation of the twelve classes already enumerated, and the following observations apply solely to these; rearing of cattle and the lowest menial offices, in short every description of labour unconnected with the internal economy of the master's house, which they could not enter.

Estimated 20,000.

4.—The right of sale was, and is still, the master's exclusive privilege, either with or without the land, the price varies, and is settled amongst the purchasers and sellers. The usual rates are as follow:

- For a strong young man from 12 to 20 rupees.
- For a woman from 12 to 24 "
- For a child, never, under four rupees.

It is customary to pass a bill of sale on a bargain being made, or a mortgage bond. The transfer by purchase or gift is attended with a short ceremony, both between the seller or giver and receiver, and the slave; the slave drinks some water from his brass bason, and calls out, "I am now your slave, for ever." The zillah court, I understand, has guaranteed this right by decrees, both on transfer of landed property, or in sale in execution of decrees.

The master can lend his slaves out on hire; he can sell the husband to one person, and the wife to another. This is not often done, because neither of the purchasers can be sure of keeping his purchase; thus the great law of nature seems even in these humble creatures to be acknowledged by their owners; care is always taken in purchasing, not to carry the slave to any distant estate, their attachment to the soil on which they were born being well known. The master can sell the children; but this is seldom done from the foregoing cause, the fear of desertion.

Fort St. George
 Factors:
 State of Slavery
 in Company's
 Territories.

The master according to his means feeds and clothes his slaves. He never pays them wages in money, but presents them on their marriages or particular ceremonies, with a small sum. The quantity of food and clothing to a slave varies in every talook; it does not seem to be regulated by any rule, although it would appear that some original quantum obtained. The average may thus be estimated: thus

	FOOD.	CLOTHING.
A Man,	14 canara seer coarse rice, 2 rupees weight salt, a little betle- nut and leaf.	2 Pieces of cauthy, 6 cubits in some talooks, a punably and roosnals given.
A Woman,	1 seer.	1 D ^o , 7 cubits.
A Child,	1 d ^o .	1 D ^o , 4 d ^o .

The salt, betle, &c. is optional. It is also customary to give them conjee from the master's house.

From every inquiry I cannot learn that any want or cruelty is experienced by the slaves; the master being well aware, that on any ill-treatment they will desert him, and the trouble and expense attending their recovery would perhaps amount to the value of the deserters.

Slavery seems to be inconsistent with "rights and privileges," if I understand the correct meaning of the terms; on these points, therefore, I can only generally state, that the Dhers of Canara possess none.

As a distinct class of people they have distinct customs. These consist in their marriage and religious ceremonies. They have no day which they can call their own. It often happens, however, that a kind master, on any of his great ceremonies, grants to his slaves that day to themselves, and free from all labour. They accompany the corpse of their master to the funeral pile at a respectful distance, and shave their heads, and try out.

The cloth which covered the corpse is given to the slaves. The twelve classes have different customs. A Dher can be turned out of his seat, if he eats the flesh of a cow, by an assembly of the caste; but it is of no consequence to the owner. Some classes eat cow's flesh. A few in the Byt Holler learn to write. If a Dher accumulates a little real or personal property, he retains it independent of his master. The Dhers either burn or bury their dead.

The master of a deserving slave sometimes gives him a slip of ground, which he may cultivate for his own use. He also enjoys the produce of such trees, roots and wites as he is permitted to plant; but the right in the soil or tree is in the master.

They sacrifice to the devil only; they have no priests, performing their ceremonies themselves. These are three times in a year; they cannot ever perform them without the master's permission, for as they are prohibited borrowing money from any one but himself, they are compelled to get the means from him. The same applies to their marriages. There does not exist any interference on the part of the master in the ceremonies; but if the slave of one man marries the female slave of another, the child born of that marriage, if a male, goes to the owner of the male, and vice versa.

The number of slaves of all descriptions in Canara has never been correctly ascertained, they may be estimated at 82,000.

(signed) T. Harris, Collector.
 Collector's Cutchery, Mangalore, 10th July 1819.

Ordered, to lie on the table, until the replies of the other collectors have been received on the subject.

Extract, Proceedings of the Board of Revenue, Fort St. George, 5th August 1819.

Read the following letters from the collector in Malabar, to the President and Members of the Board of Revenue, Fort St. George.

Gentlemen— I have the honour to acknowledge the receipt of your Board's letter of the 31st of May, requiring a detailed report on the subject of slavery in Malabar, at as early a period as might be practicable.

2.—Your Board will not, I trust, consider me as having been dilatory in the execution of these orders, which I lost no time in carrying into effect; but so various are the customs which prevail in Malabar, that there was not an individual in my office who could throw any clear light on the subject, I therefore determined upon calling for information from every part of the province.

Malabar.

See N^o 1.

377 With

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories.

- 3.—With regard to the condition of the slaves in Malabar, there cannot be a doubt but that it has been very materially improved under the establishment of our government.
- 4.—The system prevails throughout Malabar, but, comparatively speaking, in North Malabar, to a very small extent, increasing gradually from the northern extremity of the province to the south and eastern boundaries.
- 5.—Their numbers may be estimated at about one hundred thousand, of which perhaps one-twentieth are to be found in North Malabar, four-twentieths in the Centre Talooks, and the remaining fifteen-twentieths in the Southern and Eastern Talooks; in this estimate I have not included those in Wynaad.
- 6.—They are slaves of the soil, and are generally attached to the land of the proprietors of the ground in which they were born; but this is by no means considered an essential point, being frequently transferred, by sale, mortgage, or hire, as your board will observe by reference to the documents which accompany this.
- 7.—The wealth and respectability of a landholder is as much appreciated from the number of his slaves, as from any other property he may be possessed of.
- 8.—By the laws and customs of the country, it is as impracticable to reduce a free-born subject to a state of bondage, as it is contrary to them to emancipate a slave; and, "once a slave always a slave," may be considered a motto to be prefixed to the subject of slavery in Malabar, according to the ideas of the natives.
- 9.—Slaves now in existence have been slaves from their birth, (they are descendants of slaves, whose origin must be traced in the traditionary legends of Malabar; and I question, whether they would not think themselves dishonoured, were an attempt to be made to force upon them a Brahmin who had lost caste; they are subdivided into distinct castes or sects, observe different forms of worship, have their separate and peculiar customs, and regulate their economy in conformity to the customs handed down from father to son for generations, the origin of which is lost in the abyss of time.
- 10.—In one sect they observe, what in the documents which accompany this is termed Makkas Tye; in another, they observe the Marra Makkas Tye, the former being the common laws of kindred, the latter similar to the customs amongst the Nairs, in which inheritance goes to the sister's son, and this constitutes the value of a female of one caste over that of the male; and *vice versa*, a male being more valuable where the progeny goes with him.
- 11.—The marriage contract is made entirely among the parents of the parties, without any interference on the part of the proprietor, to whom, however, it is necessary to make known the proposed connection.
- 12.—No valuable consideration is given by the male for the possession of the female to the owner. The contract may be dissolved at the pleasure of the parties connected, in which event the husband takes off the marriage necklaces (commonly composed of shells or brass ornaments), which makes the dissolution complete, and each are at liberty to form new connections; but whilst the contract lasts, I have had opportunities in my magisterial capacity, when an assistant in the courts, of observing a wonderful degree of jealousy and tenaciousness of family honour, when contrasted with the general appearance, habits, and apparently brutish stupidity of these castes.
- 13.—The measure of subsistence to be given by the proprietor is fixed, and he is bound by the prescribed customs of the country, to see it served out to them daily; a frequent failure on the part of the master to perform this duty, is sure to be attended with desertion to another, from whom they expect kinder usage, and when this does take place, the recovery of them is attended with difficulties that are not easily overcome, for, independent of being obliged to have recourse to courts of justice, months and years perhaps elapse before they can discover to what place the slave absconded. In short, the proprietor feels it his interest to see them well treated, through apprehensions of the consequence of an opposite conduct. In former days, the proprietor possessed the power of life and death over his slave; but this was probably seldom or ever had recourse to, and desertion only would; in all probability, have been one of the motives for so rigorous a measure, but there were many circumstances which would have operated as a check upon the gratification of this species of severity and revenge.
- 14.—I do not immediately recollect any instance of a Cherma having appealed to a court of justice for protection from the ill-usage of his master; but instances are not wanting of persons having been brought to justice, and to a severe account, for the murder or wounding of a slave; and as it is universally known throughout

See N° 2 a' 19.

East So George
 Papers
 State of Slavery
 in Company's
 Territories

Malabar, that British justice considers the life of the lowest individual as valuable as the highest character in the country, and that as severe a measure of retribution would fall on the head of the murderer of a slave as of a rajah, we may consider them as well protected by the laws as any other race of beings. 15.—In some respects Churnas may be considered in more comfortable circumstances than any of the lower and poorer class of natives. An instance of a Churma being a beggar is unheard of; they and their families are sure of having the means of subsistence, as, if the owner should be rendered unable to afford this, he will sell, mortgage or hire his Churma to another, on whom would devolve the duty as well as interest in affording such subsistence as to enable the Churma to go through the labours of the day. Contrast this with the situation of a free-born but poor labourer, depending on the labours of a day for his subsistence, unable, perhaps, to find employment, with a wife and family to support, and to no one to whom he can look up for protection or subsistence.

16.—In attempting to ameliorate the condition of these slaves, care must be taken that we do not increase them. The partial measure of declaring them not liable to be sold for arrears of revenue will be a drop of water in the ocean, though why government should give up a right which every proprietor enjoys, is a question worthy of consideration.

17.—On this subject I have two suggestions to offer; one is, that they shall never be sold for arrears of revenue until the whole landed property be sold; another is, that in addition to this, they shall be purchased in on account of government and then be declared emancipated; but in doing this, provision must be made for their future subsistence, and I much apprehend, that for want of their former means, they would have recourse to pilfering grain from the fields, whilst the crops are standing, and then, from small beginnings, proceed to more serious robberies and more heinous crimes. To declare that they should not be sold but with the land to which they were attached, would be a negatory measure, as the purchaser would, on becoming proprietor, hold his property in them disposable according to the customs of the country.

18.—The emancipation of the whole race I do not conceive to be in the contemplation of government; an observation on this point may not, however, be misplaced here.

19.—In North Malabar, land is cultivated by the owners and hired coolies, but in South Malabar, nine-tenths of the cultivation, more particularly in the rice lands, is carried on entirely by Churnas; we must, therefore, in guarding the interests of humanity in general, be careful not hastily to infringe on rights enjoyed from time immemorial, and on this a parallel, though not altogether a correct one, may be drawn on the situation of slavery in the West Indies, where I apprehend the offspring of slaves, who were so previously to the Act of Parliament which abolished the traffic in slaves, are still considered slaves; but the comparison by no means holds good throughout, for they are the offspring of originally free-born men, who have been trapped into a state of slavery by a vile traffic in human flesh, which every man of feeling must rejoice is no longer tolerated.

20.—To the accompanying documents I beg leave to refer your Board, for a confirmation of some parts of this Report; but in concluding this, I may venture to observe, that on a cool and impartial consideration of the state of slaves in Malabar, slaves may be described as a distinct caste, with appropriate and distinct customs, which have been handed down to them by their ancestors, and which are by them religiously adhered to, and they may be, I conceive, viewed in any light, but that of an abject and horrid state of bondage.

21.—What is Hindoo jurisprudence, in some points of view but a state of slavery to customs, any deviation from which is punished by being out-casted, and driven from every privilege they religiously value. I do not by this mean to infer, that some amelioration of the state of slavery in Malabar is not to be wished for and highly desirable, but where and how to begin on a system of reform, is a question deserving of the most serious consideration; and I must candidly acknowledge, that I can offer no suggestions on this subject, beyond that of purchasing all slaves sold for arrears of revenue on account of government, and declaring them, and of course their offspring, emancipated and free-born subjects for ever; but this is too partial a measure to be attended with much effect, and this even without taking some corresponding measures for their future subsistence, will be attended, I apprehend, with any thing but beneficial consequences.

Foreign Charge
Papers
State of Slavery
in Company's
Territories

In support of the information contained in the documents marked from 1 to 19, I beg to refer your board to the documents marked N^o 20 and 21, the first being an extract from Major Walker's report on the tenures of Malabar, the 2d being an extract from the files of the Zillah Court, South Malabar, showing the numbers of certain suits on the subject of slavery, instituted in the course of five years.

Calicut, July 20th, 1819. (signed) J. Vaughan, Collector.

Queries addressed to the Mookiestans in the several talooks in Malabar, to obtain information relative to the slaves of the soil.

1st Query.—How many species of slaves are there?

2nd Query.—Which of them observe the makatty, and which the maroonakatty?

3rd Query.—A person can sell, give on otty, panyam, kanom, or verrom pattom, his lands, together with the slaves attached thereto; but can he sell or transfer his slaves separate from the land? If so, state the particulars.

4th Query.—State the name of the deeds that are executed on the occasion of selling and transferring the chermakel?

5th Query.—What is the amount that a good cherman will fetch by being sold, and what by transferring on otty, kanom, panyam; what would a less active cherman, a cherman boy, a good chermym, a less able chermym, and a chermym girl, respectively fetch on being sold or transferred on the same tenures?—and what pattam would each of the above described chermakel yield, noticing at the same time the difference originating from the difference of their caste, and the difference between their value in general in former and present times?

6th Query.—After a person may have sold or transferred, in the manner above described, his chermakel to another, can he, as the original proprietor, have any claim upon them?

7th Query.—When a cherman takes the chermym of another proprietor for his wife, is it customary for the owner of the chermym to give anything to the cherman, or for the latter's master to give any thing to the chermym? If so, who is it that must give it, and what is to be given?

8th Query.—When division of children born from chermakel take place, is any writing passed between the parties? If so, how is it called?

9th Query.—Are chermakels given on verrom pattom? If so, what is the amount of the pattom, and if any deed is executed on the occasion, how is it called?

10th Query.—What are the works required to be performed by the chermakels?

11th Query.—Suppose a cherman belonging to a person in possession of property, and has works of his own to do, is he obliged to go and work for his proprietor?

12th Query.—If a cherman be desirous of returning to his master, the amount that he costs him, and thereby be free from slavery, will his master receive the cash, and free the cherman?

13th Query.—When a cherman commits any fault, or be caught after he may have run away, how was he punished in former times, and how would he be punished now?

14th Query.—From what period did the practice of selling and purchasing chermakel obtain?

15th Query.—For what purpose are chermakel sold and purchased?

16th Query.—What is the original caste of the chermakel, whose slaves were they formerly, and how comes it that now almost every body has slaves?

(True translation.) (signed) J. Vaughan, Collector.

Answers to the Queries relative to the slaves of the soil, given by the Mookiestans of the Cavay talook.

Answer to Query 1st.—There are six species of chermakel in this talook, and they are called karembalen, marvilawen, taloomavilaven, peringale wettowan, poolan, and parrayen.

The karembalen, mavillaven, peringale wettowan, palean, and parrayen, descend by Maroo Makatty, and the taloo mavilaven by Makatty.

Chermakel are sold, given on konom otty, panyam, and verrom pattom, both along and separate from the lands to which they may be attached.

Four species of ptemanuma are in use, and they are termed jarama, karoonom, otty karoonom, panya karoonom, and verroom pattom chit.

Fort St. George,
Papers of
State of Slavery,
in Company's
Territories.

5th.—The chermakal of the karembalen, mayilamen, and perengole wettowan tribe, who descend by Maroomakatty, are not given on jemnon, but on otty; they are at the following rate.—A good cherman of any of the three tribes above-mentioned, will fetch from 100 to 200 fanams, and a less able one from 50 to 100 fanams. The jemn value of a good chermym of any of the three tribes above referred to is 300 fanams, and that of a less able one, from 50 to 200 fanams, or agreeably to the individual worth of each, but chermies of that tribe are not subject to be given on otty and papeyan, nor are their children (of both sexes) to be sold separate from their mothers. The jemn value of a good cherman of the toloomavilaven tribe is 300 fanams; otty, 200 fanams; panyam, 150 fanams; the jemn value of a less able one, 150 fanams; otty, 100 fanams; chermym of that tribe is not subject to be sold or given on otty; the jemn value of a good cherman of either the poliar or parrayen tribe is 60 fanams; otty, 110 fanams; and the jemn of a less able one is 50 or 40, or 30 fanams, according to his age and real worth. The jemn value of a less good chermym of either of those two tribes is 200 fanams, and that of a less able one is calculated in reference to her age and merits, say 100, 50, or 30 fanams; but chermies of those tribes are not given on any of the other tenures, nor are their children sold separate from their mother, but together. The jemn value of one may be taken from 10 to 20 fanams. The pattom of a good cherman and his chermym of the toloomavilaven tribe is 100 dangolies of paddy, and that of a single cherman, 50 dangolies; the pattom of a less able cherman, say aged from sixteen to twenty years, is 30 dangolies of paddy. The pattom of the chermakal of the tribes termed karembalen, mayilaven and peringal wettowan, who descend by Maroo Makatty, is the same as that of the toloomavilaven above mentioned. The pattom of a cherman of the poliar tribe is 60 dangolies of paddy, and that of a less able one, from 25 to 30 dangolies. There is no difference between the present and former prices.

6th.—When a cherman is given on jemnon or kanom, the original proprietor will derive no benefit whatever.

7th.—It is not practised that the cherman's master should give anything to the chermym whom his cherman may take for his wife, nor for the chermym's master to give anything to the cherman of the children born from chermakal, who descend by Makatty; the male becomes the property of the proprietor of the father of such children, while both the male and female children born from chermakal, descending from Maroo Makatty, go to the proprietor of the chermym, their mother.

8th.—No division whatever is used to be made in this district of the children born from a chermym.

9th.—Chermakal are given on verroom pattom. The proprietor will in such case enjoy the pattom stipulated in the pattom chit, passed on the occasion of the transfer; the particulars of the pattom has been fully explained in answer to query 5.

10th.—They are employed in preparing the fields, collecting manure, fencing, and such other works connected with agriculture.

11th.—Although a cherman may be possessed of money, he is obliged to work for his master.

12th.—As the proprietor of a cherman is the person who will inherit whatever property his cherman may be possessed of at his death, he (the proprietor) will not receive the amount his cherman may have cost him, and grant his liberty.

13th.—Formerly, when a cherman committed any fault, or was caught after his desertion, he would be flogged and put in the stocks; at present the corporal punishment afflicted is but of a lenient nature.

14th.—From time immemorial.

15th.—When the proprietor finds himself in want, he disposes of his chermakal by sale or transfer on kanom.

16th.—We are not aware of these points.

Signed by seventeen persons.

(signed) Mavilakanen, Tahsildar.

N^o 3.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookaistans of the Chermal Talook.

Answer to query 1st.—Three; viz. Poliar, Oratty Poliar, and Parcar.

2d.—All three observe the Maroomakatty.

3d.—It is usual to sell and give on otty, kanom, panyam, and verroom pattom slaves, unaccompanied by the lands to which they may be attached.

4th.—Four

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories

4th.—Four sorts of deeds are used, and are termed as follows: jern-olla, otty ulla, Ransom ulla, and pattom ulla. A good cherman would fetch 100 silver fanams; he is transferable on otty for 70 silver fanams, on kanom and paneyam for 50 fanams; a less active cherman's jern value is 75 fanams; when transferred on otty he would fetch 40 fanams; on kanom 35 fanams; a good cherman boy's jern value is 75 fanams, and that of a less able one, 20 fanams. It is not usual to transfer cherman children on otty, kanom and paneyam; a good cherman's jern value is 125 fanams; it is not usual to transfer cherman on otty and kanom, but on paneyam it is, when she would fetch 60 fanams; a less active cherman's jern value is 75 fanams, and she is transferable on paneyam for 40 fanams; a cherman girl's jern value is 40 fanams, and a less able one's, 25 fanams; cherman girls are not disposable under any other tenures; a good cherman will yield an annual pattom of five fanams, and a less active one, three fanams; cherman and cherman children are not given on pattom; formerly, the jern value of a good cherman was 60 fanams, otty, 30 fanams, and kanom and paneyam, 20 fanams; a less active cherman's jern value was 25 fanams; by giving on otty, he would fetch 15 fanams, kanom, 10 fanams. The value of cherman children has not undergone any difference; a good cherman's jern value was formerly 80 fanams, kanom, 40 fanams, and a less able cherman's jern value 40 fanams, and paneyam, 25 fanams; cherman children were not disposable in former times. The pattom, in former times, of a good cherman, was three fanams; no ill-able cherman, children, or cherman, were given on pattom. The value of all the three castes of cherman is the same.

6th.—If he sells his jern right, he forfeits all claim of title whatever transferred on kanom, otty and paneyam, he can redeem them on paying the amount for which they had been so transferred; on giving an verroom pattom, he would get annually five fanams for a good cherman, and three fanams for a less active one.

7th.—When the cherman takes the cherman of another proprietor, he is to give two fanams to the cherman's master, and to wait upon him, accompanied by the cherman, and offer him a mat and a basket; all the children born from them go to the proprietor of the cherman.

8th.—No division whatever being made, no writing is used.

9th.—Cherman are given on verroom pattom; a good cherman would yield five fanams (silver), and a less active one, three fanams; pattom ulla for five years, is the deed passed on the occasion.

10th.—They work in the fields, and plough the gardens.

11th.—Although he may be possessed of money, he must work for his master.

12th.—This practice has never obtained; the proprietor will not receive the cash, and free the cherman tendering the same.

13th.—In former times he would be bound and hogged, and even struck; but now a reprimand is all that would be passed.

14th.—From time immemorial; we do not know the exact epoch.

15th.—When a person is in want, and has no other property to dispose of, he would dispose of his cherman; and those in want of them for cultivating the fields would purchase them.

16th.—This species of people were brought into this keroola country from the paradihooyarom; they were originally the Adians of the Bramins, who from necessity transferred them to the Devassonis, and by them they were, on the same grounds, sold to others, and thus Adians became generally possessed at last.

(Signed by four persons.)

Kamapan, Tahsildar

N^o 4.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookkeistans of Rottiot, Randatarrab, Tellicherry and Irvanaad.

Answer to query 1st.—There are four species of slaves, and they are called Polean, Pancan, Mavillon and Karimbalen.

2d.—The slaves of the Polean, Mavellan and Karimbalen tribe, descend by Maroomakattay, and the Pancan by Makatty.

3d.—It is customary to sell, give on otty, kanam, paneyam, and verroom pattom, cherman both along and separate from the lands to which they may be attached.

4th.—Five species of premanams are used on the occasion of selling and purchasing the cherman, and they are, termed, as follow: When given on paneyam, "a paneyam ulla;" when on verroom pattom, "a verroom pattom ulla;" when on otty, "a otty ulla;" when on atty perr, a "atty perr-olla."

Fort St. George
Papers
Rate of Slavery
in Company's
Territories.

5th.—Previous to the year '940, the jemm value of a good cherman was 40 silver fanams, otty 30 fanams, kanom 20 fanams, and paneyam below 20 fanams. The value of a less active cherman, and cherman boy, was below the prices above enumerated; and much depended upon the circumstances of the seller and purchaser. The jemm value of a good chermny was 30 silver fanams, otty 22 fanams, kanom 15 fanams, and paneyam below 15 fanams. The value of a less able chermny and chermny girl, was below the prices just mentioned, they depending entirely upon the disposition of the seller and purchaser. The pattom of a good cherman was 10 fanams per annum, that of a less able one seven fanams, that of a cherman boy five fanams, and of a good chermny's seven fanams, of a less able one's five fanams, and of a chermny girl's, three fanams. The above prices apply to all sorts of chermakel. The present jemm value of a good cherman is 120 fanams, and in proportion to this, may be calculated the value of the other tenures.

6th.—When the jemm right is sold, the original proprietor has no claim whatever; when given on otty, the cherman is redeemable on paying the otty fanams; when given on kanom, the proprietor is entitled to the pattam, after deducting therefrom the interest of the kanom fanams; when given on paneyom, the pattam, after deducting the interest of it (pattam) is payable to the jemmaker. This is the prevailing custom.

7th.—It is not practised in this talook, that the cherman's proprietor should give any thing to the chermny or *vice versa*. The children born from the tribe called paneyam are divided, half to the mother's proprietor, and half to that of the father. This practice does not prevail with the other three tribes.

8th.—No document is passed on making the division.

9th.—Chermakel are given on veroom pattam. A cherman would yield 10 fanams per annum, and the document used on the occasion, is termed Verroom Pattam.

10th.—They are employed in all the works connected with agriculture, as well as in works performable by coolies.

11th.—Although a cherman may be possessed of property, and has works of his own to perform, he must work for his master.

12th.—It has never happened that a cherman has tendered to his master the amount he cost him, to be free from slavery; nor will the proprietor ever grant such a request.

13th.—In former times, when a cherman committed any fault, or be caught after having run away, the master of the cherman would punish him in such manner as it would please him, provided he does not deprive him of life; at present the punishment inflicted is but of a lenient nature.

14th.—It is a practice that has been prevailing since of old, and we are not sure of the precise time since which it had obtained.

15th.—They are purchased for agricultural purposes, and sold by those in want.

16th.—This species of mankind have been existing from time immemorial; we are not therefore aware whose adians they originally were. The practice of selling and purchasing them having prevailed since of old, every one became possessed of them.

(Signed by six persons.)

(signed) Komapen, Tashildar.

N^o 5.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookiestan of Kartenaad talook.

Answer to query 1st.—In this talook only one species of slave is known to exist; viz. the Polkar.

2d.—The Polkar caste descend by Makattay.

3d.—It is not practicable in this talook to sell or transfer on otty kanom and paneyam, lands accompanied with the chermakels attached thereto, but it is usual to dispose of the chermakel on either of the tenures aforesaid, separate from the lands.

4th.—If the jemm right is sold, an otty per olla; an otty olla are executed; when given on otty, an otty premanam; on kanom, a kanam premanom; on paneyam, a paneya premanam, and when on pattom, a pattommoory premanom is passed.

5th.—The annual pattom of cherman is 10 dangalies of paddy, no difference being observed between the good and less active. The jemm value of a cherman is 40 silver fanams, otty 20 fanams, and kanom something less than the last sum; when a cherman is given on a kanom, not exceeding 15 fanams, the jemmakan is entitled

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories.

entitled to 2½ dangalies of paddy, after deducting the interest of the kanom, which is calculated at half the usual rate only; a cherman can be given on eight or ten fanams paneyam, and he is redeemable on the repayment of the paneyam fanam, but neither the pattam or interest is to be demanded by either of the parties respectively. But the above is very seldom practised in this talook; when a chermny is given on jemn or otty, kanom and pattom, no interest of the money is calculated. The jemn price of a chermny or kanom and otty, are the same as that of a cherman. When a chermny is given on pattom, the pattom receivable for her is five dangalies of paddy. The above is both the former and present price. It is not usual to sell the jemn right of a cherman boy or girl, or to give them on otty, kanom, or pattom, before they are old enough to work.

6th.—If the jemn right be sold, or if given on otty, the proprietor will derive no benefit; when given on kanom, he will get the balance of pattom, after deducting the interest of the kanom, at the rate of ½ dangalie of paddy, for one silver fanam.

Previous to the year 966 it was practised, that when the chermakal of a person go without the consent of his master, and work for another person, the original proprietor should receive three dangalies of paddy, as a talla pattom, for a kooddy, or pair of chermakal monthly, but at present the custom is abandoned.

7th.—It is usual for a cherman to take the chermny belonging to another proprietor, with and without the proprietor's knowledge; when taken with the proprietor's knowledge, the cherman is to give him two silver fanams, and when taken without his knowledge, nothing is of course given; children born from a chermny, taken with the knowledge of the proprietor, are divided as follows; 1st, to the father, as his tandakoor, and the remaining to his chermny's master; and children born from a chermny, taken without her master's knowledge, are all to go to the owner of the chermny, and none to the cherman or his owner.

8th.—When divisions of the kind take place, the parties exchange a premanam which is called pashooty ollah.

9th.—Yes, they are; a cherman would yield an annual pattom of 10 dangalies of paddy, and a chermny of five dangalies. The deed, executed on the occasion is termed pattom moorry.

10th.—They are caused to plough and prepare the fields, their owners have nothing else to employ them on.

11th.—He is obliged to work for his master, notwithstanding he may have his own works to perform.

12th.—It is not practised to receive the cash a cherman may tender, and to grant him his liberty.

13th.—In former times he would be bound, flogged and otherwise punished, at present reprimand is all that would be passed.

14th.—We are not sure from what period the practice has obtained. We heard that it has been allowed from time immemorial.

15th.—When the proprietors are in want, they dispose of their chermakal, and those in want of them to carry on their cultivation, buy them.

16th.—We don't know.

(Signed by three persons.)

(signed) Koonda Menon, Acting Tahsildar.

N^o 6.—Answer to the Queries relative to the Slaves of the Soil, given by the Mopkistan of Koormenau Talook.

Answer to query 1st.—Only two tribes of chermakal exist in this talook, viz. Poola and Kattady Chermakal.

2d.—Both of the tribes just mentioned descend by Maroomakatty.

3d.—It is usual to sell, give on otty kanom, and verroom pattam slaves, unaccompanied with the lands to which they may be attached.

4th.—The three species of deeds executed, as occasion may require, are termed otty karonom, kanom premanam, jenmon karonom.

5th.—The jemn value of a good cherman is 40 old fanams, otty 20, and below that sum kanom. If by "paneyam," it is meant "cheny paneyam," we have to state that adians are not given on this tenure. The jemn value of a less able cherman is 30 fanams, otty 15, and kanom below that; as no pattom can be fixed for a cherman boy, his jemn value is regulated, according to circumstances. Jemn value of a good chermny is 25 fanams, otty 15 fanams, and kanom below the latter sum; and the jemn value of a less able one is 20 fanams, otty 10 fanams, and

kanom

5 Q 2

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

kanom below that sum. Chermiy girls jemn value is fixed agreeably to the valuation that may be set upon her, as no pattom can be fixed for her until she is well able to work. The pattom of a good cherman is 20 dangalies of nelly per annum; of a less able one 15 dangalies; of a good chermiy's 10 dangalies; and of a less able one's 7½ dangalies, no pattom being derivable for cherma boy or girl. The difference between the former and present price arises chiefly from the circumstances of the persons disposing of their slaves, and of those purchasing them.

6th.—When given on kanom, the pattam remaining, after deducting the interest, is the benefit due to the proprietor, save that he has no other. When given on otty, the chermakal are to wait upon their proprietor on the occasion of the Ononi and bisher feasts, and tender to him mats and baskets, and receive in return a dangalie of paddy each.

7th.—When cherman takes the chermiy belonging to another proprietor for his wife, he is to tender to the proprietor of the said chermiy two fanams, which offering is termed "tamboozan penam;" of the children born from such a chermiy, the first born only becomes the property of the cherman's father; but should only one child be born from them, the value of it is to be distributed between the two proprietors in equal shares.

8th.—No document is passed when division of the kind just stated takes place.

9th.—Chermakal are given on verrom pattom, and the pattam is fixed in reference to the ability of the cherman, but it never exceeds 20 dangalies of paddy. No document was passed on such occasion formerly, but at present a pattom moorry is executed, by which the renter undertakes to pay annually to the jemnakur the stipulated pattom.

10th.—They are only employed in all works connected with agriculture.

11th.—Although he may be possessed of property, and have works of his own, he must work for his master.

12th.—It has never been heard that a cherman tendered to his master the amount he cost him, and that the same has been accepted, and the cherman freed from slavery.

13th.—Formerly, when a cherman was convicted of any fault, or be caught after running away, he would be flogged, and when convicted of any crime punished according to its magnitude; at present if he would commit any fault he would be punished, but crimes are not punished now as they used to be prior to 1666.

14th.—The practice of selling and purchasing chermakal have prevailed since of old; we cannot say when it obtained.

15th.—Want compels the proprietors to dispose of their chermakals, and they are purchased by those who have cultivation.

16th.—We are uninformed as to what was the original caste of the chermakal, and whose adiaars they formerly were, as the traffic is uncontroled every one became possessed of adiaars.

(Signed by ten persons.)

(signed)

Ramarakutty, Acting Tahsildar.

N^o 7.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookistans of Eddanaddassakoor, Koorroombala Oroonanoor, Wynaad, and Parakamtil Hobelies in the Wynaad District.

Answer to query 1st.—There are five species of slaves, and they are called Parier, Addian, Polean, Moopan and Naiken.

2d.—All the five sects above mentioned descend by Makattay.

3d.—The paneers or slaves are sold or transferred on kanom, otty, paneyam and verrom pattom, both along and separate from the fields to which they may be attached.

4th.—When they are sold or transferred on any other tenure, the documents passed on the occasion are termed jenmon premanom, otty premanom, and parceyatolla karoonum, as the case may require.

5th.—The jemn value of a good panian, as well as a good addian, is 30 rupees; otty, 27½ rupees; kanom, 15 rupees; and the jemn value of a less able one of either tribe is 20 rupees; otty, 17½ rupees; kanom, 10 rupees; and paneyam, eight rupees. The jemn value of children (male) of those sects is 12 rupees. The jemn value of a female slave of any of the two tribes above mentioned, as well as of their female children, is three rupees and 80 reas. The pattom of a good cherman of any of the two sects above mentioned is three padies of paddy; that of a less able

For St. George
Papam
State of Slavery
in Company's
Territories.

able one; two padies; that of a boy, one paddy; and that of a female of those tribes is also one paddy. The jenn value of a good slave of the Moorpan and Naiken tribes is 64 silver fanams; Otty, 52; Kanom, 30; and Verroon Pattan, four silver fanams, but the females of those tribes are not given on Pattom or by sale. The jenn value of a good Poolean slave is 12 rupees; Otty, 10 rupees; and Kanom, six rupees; and the jenn value of a less able one, eight rupees; Otty, six rupees; Kanom, four rupees; and Verroon Pattan, one paddy of paddy. The value of a good Panian and Addian might be said to have increased now by five rupees above the old price, but that of the Naiken Moorpan and Poliar continues still the same.

6th.—The proprietor will enjoy no benefit if he transfers his slave on any other tenure but pattom, when he will receive annually the rent that may be stipulated.

7th.—When a slave of either the Panier Addian or Poolean tribe takes a female slave belonging to another person for his wife, the proprietor of the cherman should send to that of the cherman four silver fanams through his cherman, and the children born from such people are set a valuation upon, and the amount distributed between the proprietors; but this practice does not exist in the Wvhaud, Parvakamattil, and Edonassakour Hobliesie; i. e. that the proprietor of the female, or mother of the children, has no right upon her issue.

8th.—When the division above noticed is made, the document passed on the occasion is termed parkatire premanom.

9th.—They are given on verroompattom, and the amount a slave would yield is three padies of paddy. The deed, executed on this occasion, is termed yamom moory.

10th.—They are employed in all agricultural works.

11th.—It is hardly heard that any slave has been possessed of property, from which he could derive his means of subsistence; whatever little property he may be possessed of is the right of their master, for whom they must, under all circumstances, work.

12th.—The proprietor will not accept of such a tender, and free the slave, according to the nature of the fault; at present, the practice of cutting off the nose does not at all exist.

14th.—The practice of selling and purchasing slaves has been in existence from a time immemorial.

15th.—For the purpose of agriculture.

16th.—We are not sure of the origin of their caste, nor whose Addians they originally were; they are now possessed by all, because they can be purchased and sold.

(Signed by five persons)
(signed) Raripanamblari, Roshkuray

N° 8.—Answers to the Queries relative to the Slaves of the Soil, given by the Mookiestans of the Ellornaad and Nellornaad, Hoblies in Wynaad.

Answer to query 1st.—There are but two species of slaves in these hoblies; they are designated Panier and Addian.

2d.—The said two species of slaves descend by Makattay.

3d.—It is allowed to sell, give on otty, kanom, and paneyam slaves, both along and separate from the lands to which they are attached.

4th.—The documents passed, as the case may require, are called jennom premanam, otty premanom, kanom premanom, and paneyatolla karoonom.

5th.—The jenn value of a good cherman of either sex is 30 rupees; otty, 27½ rupees; kanam, 15 rupees. The jenn value of a less able one, 20 rupees; otty, 17½ rupees; kanam, 10 rupees, and paneyam, 8 rupees. The jenn value of a boy is 12 rupees; that of a cherman is 3 padies of paddy; that of a less able one, 2 padies; that of a boy, 1 paddy, and that of a cherman and a girl, 1 paddy each. The present price may be said to be 5 rupees over and above the former price.

6th.—The proprietor of a cherman will enjoy no benefit, if he transfers his cherman on any tenure; but when rented, he will be entitled to the pattom.

7th.—The proprietor of the cherman should send to that of the cherman, on the occasion of the marriage of their respective slaves, 4 silver fanams, and the children born from them are to be set a valuation upon, and the amount divided between the two proprietors.

8th.—The

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

8th.—The document passed on the occasion of such division is termed pashooatire premabom.

9th.—They are given on verroom pattom, at 3 podies of paddy a year each cherman, and the document passed on the occasion is termed pattam moorry.

10th.—They are employed on all agricultural works.

11th.—They are almost never possessed of property; if they have any trifle, their master will take possession of the same, whom they must at all events work for.

12th.—The proprietor will never accept the cash that may be tendered by a slave of his, and grant his liberty.

13th.—Formerly he would be flogged, put in stocks, and his nose cut off; but at present the latter mode of punishing is never resorted to.

14th.—From time immemorial.

15th.—For agricultural purposes.

16th.—We are not informed on these points.

(Signed by four persons.)

(signed) Raripen Nambiar, Peishkur.

N° 9.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookestans of Mooloorhaad, in Wynaad.

Answer to query 1st.—In this kobely there is but one sort of slaves, called Panear.

2d.—The above sect descend by Makattoy.

3d.—It is usual to sell, give on otty, kanom, paneyam, and verroom pattam, slaves, both along and separate from the lands to which they may be attached.

4th.—The deeds passed, as occasion may require, are termed jenm premanom, otty premanom, and paneyatolla karoonum.

5th.—The present jenm value of a cherman is 40 rupees; otty, 32 rupees; kanom, 20 rupees; paneyam, 15 rupees, and the jenm value of a less able one is 24 rupees; otty, 20 rupees; kanom, 12 rupees, and paneyam, 8 rupees. The jenm value of a boy is 12 rupees, and that of a chermey and chermey girl is 3 rupees, and 80 reas. The pattom of a good cherman is 3 podies of paddy; that of a less able one, 2 podies; that of a boy, a chermey, and a girl, 1 paddy each. Except the above tribe, no other exists in this hobly. Formerly, the jenm value of a good cherman was 120 new gold fanams.

6th.—The proprietor of a cherman will reap no benefit when he gives the cherman on any tenure, except the verroom pattom, when he will receive the pattom that may be settled.

7th.—When a cherman wishes to have a chermey of another proprietor for his wife, his master should send through him to the chermey's master 4 fanams, and the children begotten from them are to be divided between the two respective proprietors.

8th.—The document passed on the occasion of such division is termed pashooatiry premanom.

9th.—They are given on veroon pattom, at 3 podies per year, and a pattom moorry is the document passed on the occasion.

10th.—They are employed in all works connected with husbandry.

11th.—It is but very scarce, that a slave is possessed of property by which he can maintain himself; any property he may be possessed of, his master has a right to; he must work for his master.

12th.—It has never been usual to receive the cash a slave may tender, and grant him his liberty.

13th.—He would be seized and flogged, put in stocks, and his nose cut off, according to the magnitude of the fault he may have committed; at present, the practice of cutting off the nose has been entirely abandoned.

14th.—The practice of selling and purchasing slaves has been in existence since of old.

15th.—For the purpose of carrying on cultivation.

16th.—We are not sure of the origin of the chermakel, nor whose adears they formerly were. They have been possessed by all, because they can be sold and purchased at pleasure.

(Signed by four persons.)

(signed) Raripenambiar, Peishkur.

(N^o 10.)—Answer to the Queries relative to the Slaves of the Soil, given by the Mookistans of Calicut Talook.

Answer to query 1st.—Three, Poola Cheroomakal; 2d, Kallady, and 3d, Ranakan.

2d.—The Cheroomakal descend by Makattay, but, as their issue is divided, they observe the Maroomakattay also. The Kanakans descend by Makattay. The Kalladdies also by Makattay, but at some places their offspring are subject to division, in which case they observe the Maroomakattay also.

3d.—It is customary to transfer on Veroom Pattom and Otty, or sell the Cheroomakal, unaccompanied with the lands to which they may be attached.

4th.—The deeds generally executed are called Veroom Pattom, Paneyam Panega, Pattom Otty, Attypur Prenamons.

5th.—The jemm value of a good cherman is 48 fanams. He is transferrable on otty for 32 fanams, and for a less sum on paneyam and pattom. A less able cherman is sold or transferred for sums below that above specified, or according to their real worth, but not less than 15 fanams; a cherman boy is worth from ten fanams and upwards, according to his age and abilities. A good chermey is valued at 30 fanams, and transferrable on otty for 20 fanams, and on paneyam and paneyom pattom for a less sum. A less able chermey is sold or transferred for sums less than that the good one would fetch, or rather according to her worth, but never less than 10 fanams; a chermey girl is worth 7½ fanams, and upwards, according to her age and capacity. The pattom that a cherman would yield may be calculated from one to three fanams, and that of a chermey from one to two fanams, but it depends entirely upon their respective individual worth. The value and pattom of all the three species of chermakul are the same. The rise and fall in their price always depend upon the circumstances of the persons selling and purchasing them.

6th.—If transferred on pattom, the proprietor is entitled annually to the pattom fanams. If on paneya pattom, to the pattom fanams remaining, after deducting the interest of kanom; and if on paruyom, the interest; if given on otty, the proprietors have no kind of claim; and if sold, he forfeits all right whatever.

7th.—When a cherman or kallady is to take a chermey belonging to another proprietor, the proprietor of the cherman is to furnish him with seven fanams, which he (the cherman) will deliver to the chermey's master, and then conduct away the chermey; and of the children born from them, half is for the proprietor of the cherman, and the other half to the chermey's proprietor; at some places, two-fifths go to the proprietor of the male, and three-fifths to that of the female chermakul; while at others, only one child becomes the share of the cherman's master, and all the rest, that of the chermey's proprietor.

8th.—At some places, when similar divisions take place, a moorry is passed, at others no writing whatever is exchanged.

9th.—It is customary to give chermakul on veroom pattom, and some persons execute moories, in which the amount of pattom is specified. The rate of pattom has been explained in the answer to the question, No. 5.

10th.—They are required to perform all the work connected with husbandry.

11th.—Although he may have work of his own to do, he must go and work for his master.

12th.—No.

13th.—Both in former and present times he would be bound and flogged, but in a manner that will not cause any material injury to the body. In former times, however, if the fault be of an aggravated nature, he would be put in irons.

14th.—From time immemorial.

15th.—Those in want sell their chermakels, and those who have fields, to cultivate, purchase the same.

16th.—The first point can only be explained by Brahmins, for we have no knowledge of their origin. If slaves have been possessed by several persons, it is because the Brahmins sold or transferred, them, and because their children are subject to being divided.

(Signed by six persons.)

(N^o 11.)—Answer to the Queries relative to the Slaves of the Soil, given by the Mookistans of Betutnaad Talook.

Answer to query 1st.—Four, viz. Errawa Chermakel, Kanaka Chermakel, Poola Chermakel, and Parra Chermakel.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

2d.—The Errawa Chermakel, Kanaka Chermakel, an Parra Chermakel, descend by Mokattay, and the Poola Chermakel by Maroomakaay.

3d.—Chermakels can be sold, given on otty, kanm, paneyam, and verroom pottom, both along and separate from the lands so which they may be attached.

4th.—Six species of permanoms are in use, and they are termed as follow; verroom pottom, paneyam kanom, paluha, maddaka, veppa, and atty perr.

5th.—In former times the jennm value of a good Errawa or Kanaka cherman was, 80 old fanams; otty or veppa, 60 old fanams; kanom, 32 old fanams; paneyam, 20 old fanams; verroom pottom, 3 old fanams. The jennm value of a less able cherman, of the above two tribes, was 40 fanams; otty or veppa, 30 fanams; kanoms; kanom, 16 fanams; paneyam, 10 fanams; verroom pottom, 2 fanams. The jennm value of a cherman boy of the above tribes, from 10 to 16 years old, was 30 fanams; otty or veppa, 20 fanams; kanom, 16 fanams; paneyom, 10 old fanams; and verroom pottom, 1 fanam; chermies of the above tribes were never subject to be sold or transferred on any of the tenures above specified. These species of chermym only follow the cherman, who may take her for his wife; and the proprietor of the cherman must furnish his cherman with a piece of cacha, worth 2 fanams, and 6 fanams, that the latter may perform the ceremony, and conduct home his wife, who is to work for her cherman's master; all male children born from them become the jennm property of the father's proprietor.

The jennm value of a good Poola cherman was 48 old fanams, otty 40 fanams, verroom pottom 3 fanams. The jennm value of a less active cherman was 32 old fanams, otty or veppa 24 fanams, kanom 16 fanams, paneyom 8 fanams, verroom pottom 2 fanams.

A cherman boy's jennm value was 24 fanams, verroom pottom $1\frac{1}{2}$ fanam; a good Poola chermym's jennm value was 64 fanams, veppa or otty 48 fanams, kanom 32 fanams, paneyom 24 fanams, and verroom pottom 3 fanams; a less able Poola chermym's jennm value was 40 fanams, otty or veppa 3 fanams, kanom 20 fanams, ponagoon 16 fanams, and verroom pottom 2 fanams; a Poola chermym girl's jennm value was 30 fanams, otty or veppa 24 fanams, kanom 16 fanams, paneyom 8 fanams, and verroom pottom $1\frac{1}{2}$ fanam. The jennm value of a Parrah Cherman was 48 fanams, otty 40 fanams, kanom 24 fanams, paneyom 16 fanams, and verroom pottom 3 fanams. The jennm value of a less active parrah cherman was 32 fanams, veppa or otty 24 fanams, kanom 16 fanams, paneyom 8 fanams, verroom pottom 2 fanams. The jennm value of a Parrah cherman boy was 24 fanams, pottom $1\frac{1}{2}$ fanam; parrah chermym was never sold or transferred on any tenure; at present the several prices might be said to have increased by half or a quarter above the former value; but those in distress do not hesitate to dispose of their chermakal for half or a quarter less than the former price.

6th.—When given on otty perr the original proprietor has no claim whatever; when on otty, the chermakal are redeemable on repayment of the cash; when on kanom and paneyom, the pottom remaining after deducting the interest, is payable to the proprietor.

7th.—When a cherman is desirous of taking for his wife a chermym under the orders of another master, he is to signify his intention to the chermym's master, and presenting him with a bundle of beetle leaves, and 4 arreea nuts, request him for permission for so doing, which, on being granted, he may conduct the chermym to his master's, to whom he should likewise make the same offerings. The proprietor of Kanakam Errawa, and Parrah Chermies, have no claim upon the children that may be born from them respectively, after they may be conducted away in the manner above explained. The children born from a Poola Chermym who may be conducted away also in the above manner, are to be divided as follows;—the first-born child to belong to the father, and all the rest to go to the mother's proprietor. The above is the practice observed in this district.

8th.—No writing whatever is in use.

9th.—When given on verroom pottom they would each yield 2 or 3 fanams; the writing passed on this occasion is called verroom pottom moorry.

10th.—They are employed in preparing and ploughing the fields, cutting wood, fencing, and other works of the kind.

11th.—He must work for his master, who will not consent his working for himself.

12th.—It is not customary to receive cash from a cherman, and grant him his liberty.

13th.—When a cherman was formerly caught after he may have run away, and committed

committed any fault, he would be put in stocks, flogged, and otherwise punished; at present, he would be seized and brought in; but if he should be found inclined to run away again, and refuse working, he would be put in stocks and flogged; those in the habit of running away are secured in stocks.

14th.—From time immemorial; we are not aware of the era.

15th.—They are sold and purchased for the purpose of agriculture.

16th.—With the exception that the chermakel have been existing as they now do, since of old; we did not hear about their origin. If they are now so generally possessed, it is because the jenmakars sell them to others to supply their wants.

(Signed by 18 persons.)

N^o 12.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookiestans of Cloughan Talook.

1st.—There are five species; viz. Erter, Namboo, Wettowar Kanaker, Poolear, and Parrear.

2d.—The Erruler Namboo Wettowar Kanaker and Parrear observe the Makattay, and the Poolear the Maroomakattay.

3d.—It is customary to give or dispose of the Chermakal both along and without the lands to which they may be attached.

4th.—The documents executed on the occasion are called jenm, palesha, madakas paneyam and kanom premanoms.

5th.—The jenm value of a good cherman of the Erraler Kanaker Namboo Wettowar or Parrear caste, was formerly 120 fanams, otty 80 fanams, paneyom 60, and kanom from 20 to 50 fanams. The value of a less active cherman was calculated at half or three-quarters of the value above-mentioned. The jenm value of a cherman boy from 5 to 12 years of age, was from 20 to 50 fanams; but otty paneyam and kanom were to be calculated according to the boy's age, and the standard above-mentioned. The chermies of the said four tribes who descend by Makatty, were not subject to be separately sold or purchased; but they follow the cherman who took them for his wife. A good cherman of the Poolear tribes, jenm value was 60 fanams, otty 40 fanams, paneyom 30 fanams, and kenom 20 fanams; and the value in general of a less able cherman was half or three-quarters of the value above enumerated. A cherman boy of that tribe, from 5 to 12 years old, would fetch from 13 to 30 fanams; jenm value, otty, kanom, and paneyom, were to be fixed with reference to the boy's age. A good chermie of the Poolear tribe, which descend by Maroomakattay, was held to be worth as much as a good cherman of the four tribes aforementioned which descend by Makattay; and a less active chermie of the same tribe was worth as much as a less able cherman of the said four tribes. A Poolear chermie girl is worth as much as a cherman boy of any of the 4 tribes. The pattom of a good cherman of any of the four tribes first referred to was 3 fanams, and that of a less able one $1\frac{1}{2}$ or 2 fanams. The pattom of a good cherman of any of the four tribes first referred to was 3 fanams, and that of a less able one $1\frac{1}{2}$ or 2 fanams. The pattom of a good cherman of the Poolear tribe was 2 fanams, and that of a less able one $1\frac{1}{2}$ fanam. A chermie of the Poolear tribes, pattom was 3 fanams, and a less able one $1\frac{1}{2}$ to 2 fanams; children never yielded any pattom until they attained the age of 12 years; at present, or since 7 or 8 years past, the value in every respect may be said to have reduced to half or one-quarter of the former value, in consequence of the failings in cultivation, and the reduced state of the people.

6th.—When a cherman is sold, or given on otty and paneyom, he is merely redeemable on payment of the otty and paneyom fanams, but until then the jemakar will enjoy no benefit whatever; when given on kanom, the interest (which is calculated at half but of 10 fanams) is deducted from the pattom, and the remaining pattom go the proprietor.

7th.—If a cherman of any of the four tribes above alluded to take a chermie of another proprietor, the proprietors of either of them are not required to give to the cherman or chermie any thing, but the cherman's master is to furnish the cherman with two fanams, and a piece of casha to perform the ceremony, and the children born from them are all to belong to the cherman's proprietor; the females at liberty to settle for themselves.

8th.—No division whatever is made, much less any writing.

9th.—Chermakel are given on verroom pattom, and they, when given on that tenure, yield one or half fanam more than the amount pattom above-mentioned;

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

a chit is passed on the occasion, whereby the verrom pattakar undertakes to cause the chermakel to work, without occasioning any injury to his corporal faculties, and to pay the fixed pattom.

10th.—The chermakal are to work in the wet and dry lands purramba, and do whatever they may be commanded to do.

11th.—It has never been heard that a cherman had been possessed of any considerable property, and had works of his own to perform; it is very rare, when a cherman is possessed of a trifle, and even then he must work for his master.

12th.—No occurrence of the kind has taken place, nor will a proprietor free his cherman that way.

13th.—Formerly, the jenmakar would seize, bind, flog, put him in stocks or irons, or in short, inflict such punishment (without endangering his life) as the magnitude of the guilt might appear to require; at present they are only bound and flogged, and afterwards caused to work, after receiving an admonition.

14th.—We have never heard when the practice commenced, but that it had obtained from time immemorial.

15th.—It is for the purpose of agricultural.

16th.—We are not aware of those particulars.

(Signed by six persons.)

(signed) *Homa Peroombra Nair*, Acting Tahsildar.

N° 13.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookiestans of Sbernaad Talook.

Answer to query 1st.—Four; viz. Kalady, Kanaken, Pollean and Parraen.

2d.—The Kallady, Kanaken and Parraen descend by Makattay, and the other (Polar) by Marromakattay.

3d.—Yes, they are separately given.

4th.—When Chermakal are separately given away or sold, the documents passed on the occasion are the paneyayeshitoo, kanom poolisha, maddaka and jemmon premanoms, as the case may be.

5th.—Formerly, the jenm value of a good cherman, of the Kallady or Kanaken tribe, was 75 to 80 fanams; palisha maddaka or otty, (both terms meaning one tenure) 65 to 70 fanams; kanom, 50 to 55 fanams; paneyom, 35 to 40 fanams; at present, the jenm value of a good cherman of any of the two tribes above mentioned is 100 to 110 fanams; but the former value of the other tenures does not much differ from the present; the former jenm value of a less able cherman of any of the two tribes above referred to, was 55 to 60 fanams; otty, 45 to 50 fanams, kanom, 30 to 35 fanams; and paneyom from 20 to 25 fanams; the present jenm value of a cherman of that description is from 80 to 85 fanams, the value of the rest of the tenures not differing from that of the former years. Formerly, the jenm value of a cherman boy of the above tribes, was 20 to 25 fanams, while at present it is 30 to 35 fanams, as it is not possible to fix the pattam until the boys are able enough to work; they are not given on otty, kanom or paneyom; neither chermym, or chermym girl, of any of the two tribes above alluded to, are subject to be sold or purchased; they are married and taken home by cherman of the same tribe, when the cherman should tender to the father of the chermym a sum not exceeding 16 fanams.

Formerly, the jenm value of a good cherman of the Poplar tribe, was 55 to 60 fanams; palirha maddaka, 45 to 50 fanams; and the present jenm value of a good cherman of that kind is 75 to 80 fanams, the value of the rest of the tenures not varying as yet; the jenm value of a less active cherman of the tribe just mentioned, was 45 to 50 fanams; palisha maddaka, 35 to 40 fanams; kanom, 20 to 35 fanams, and panyam, 20 to 25 fanams, while the present jenm value is 60 to 65 fanams; but the value of the other tenures remains the same still; a cherman boy of the same tribe would fetch formerly 30 to 35 fanams, but now he will only be had for 35 to 40 fanams (jenm value), and not subject to be given on any of the other tenures, until well able to work; the jenm value of a good chermym of the Polar tribe, was formerly 70 to 75 fanams; palirha maddaka, 60 to 65 fanams; kanom, 40 to 45 fanams; and panyam, 25 to 30 fanams; but the present jenm value is 100 and 110 fanams, though the value of the other tenures stand the same; the former jenm value of a less able chermym of that tribe, was 60 to 65 fanams, and the present is 80 to 85 fanams; but there does not exist any great difference between the value of the other tenures of a good and less able chermym; a chermym girl was formerly

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

lie at 30 to 35 fanams (jenn value), and now it has increased from 40 is; but they are not transferrable to any other tenure until well able

the chermakal of the Parraen caste were hardly sold or purchased; trary, they were considered at liberty to leave their master when they present, however, they are (but very seldom) sold; a good cherman's being 65 to 70 fanams, but they are not transferrable on otty kanom, or verrom pattom; a good cherman of either the Kallady Kanakon or e, would yield an annual pattom of three fanams and three parrahs of a good chermym of either of the three tribes, two fanams or two parrahs a less able cherman, the same as the latter mentioned amount, while chermym would only yield one fanam, or one parrah of paddy; pattom is n cherman boy or girl until they are considered able to work. It must ed, that in some deshums in this talook, the rates and rules above ex- le from one another.

When given on jenn, the original proprietor has no claim whatever; when maddaka, all the male children, born from such a cherman, as well as the himself, are to go back to the proprietor on his paying the amount received hen given on kannom and paneyam, the proprietor is entitled to the er deducting therefrom the interest, as also to the male children born from rman. The proprietor of a Poollar cherman has, however, a right to ale and female children that may be born from such cherman, when given the three tenures just referred to.

When a cherman takes a chermym for his companion, either the cherman or y's father ought to tender an offering of two fanams to the chermym's pro- nt it is not practised that the cherman's proprietor should give any thing, e children born from such a cherman and chermym subject to any division, igit to the cherman's proprietor.

Neither a division or any consequent document is in use. They are given on veerom pattom. A good cherman of any tribe would fanams; a less able one, two fanams; a good chermym, two fanams; a less one fanam. The document used on the occasion is termed "veerrom rroonum," but some persons only pass a key yeshatoo (simple writing.)

They are employed in all kinds of manual works connected with hus- He must work for his master, but some (very few though) allow their l to work exclusively for themselves, on paying to the proprietor the usual

It is not practised to receive the cash and free the cherman.

Formerly, when a cherman was convicted of any fault, he would be flogged, n caught, after having run away, put in stocks or irons; at present, the anishment that is considered proper to be inflicted is flogging.

We are not aware when the practice of selling and purchasing slaves com- but it has been prevailing since of old.

Distress often compel the proprietors to dispose of their chermakal, and o have cultivation purchase them.

We are not aware as to the origin of the chermakal caste. They became ecause they are liable to be sold.

(Signed by five persons.)

(signed) Runhen Nair, acting Tahsildar.

14.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookiestans of the Ernaad Talook.

er to query 1st.—Six; viz. Polear, Rolera, Kanakar, Aller, Panyer, and ver.

The Polear descend by Makattay, and the rest by Maroomakattay.

When given away along with the lands on kanom and pattom, they will be ed in the premanom passed for the lands. They are, however, separately ven on otty, kanom, paneyam, and verrom pattom. In the answer to the stion, this point will be treated more at length.

Permanoms are to be passed on all occasions agreeably to the tenure of sfer. They are termed paneyom, kanom, palishmadaka or otty, atti-pur.

These

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

These premanoms have been in use since of old, but now they are not strictly observed.

5th.—The jenm value of a good Poola cherman is 100 fanams, otty 80 fanams, kanom 60 fanams, paneyom 40 fanams; the jenm value of a less able Poola cherman is 60 fanams, otty 50 fanams, kanom 40 fanams, paneyom 30 fanams. The jenm value of a good Poola chermym is 16 fanams, otty 80 fanams, kanom 60 fanams, paneyom 40 fanams; the jenm value of a less active Poola chermym is 120 fanams, otty 60 fanams, kanom 40 fanams, paneyom 30 fanams. The value of a Poola cherman boy and Poola cherman girl is calculated agreeably to their respective age and ability, and in conformity with the value of a Poola cherman and chermym. The jenm value of any of the other five tribes of cherman, that is of a good cherman, is 160 fanams, otty 100 fanams, kanom 80 fanams, paneyom 60 fanams; the jenm value of a less active cherman of any of the above tribe is 140 fanams, otty 80 fanams, kanom 60 fanams, paneyom 40 fanams. It is not, however, intended to say that a cherman or chermym of any of the six tribes above referred to may not be had for more or less than the prices above enumerated, from age or individual ability. No chermym of any of the five tribes last mentioned will be sold or given on kanom. The owner of the cherman will furnish cherman with the cash that he may marry and bring home his wife.

6th.—If agreeably to the premanom that may be passed, the jenmokar be entitled to any rent, he will of course receive the same, with the exception when slaves are given on otty-peer, when they are redeemable, when the jenmokar repays the cash he may have received for them, upon any of the three other tenures.

7th.—A cherman of the Poola tribe may have intercourse with a Poola chermym belonging to another proprietor, but it has never been usual with the proprietor of the chermym to allow her to be taken away by the cherman. The cherman of any of the other five tribes can marry and take home a chermym, on his master furnishing him with cash for so doing, and all children born from them will belong to the owner of the cherman.

8th.—It is not practicable in this talook to make any division, either in favour of the father or the mother, much less is any document used.

9th.—It is customary to give chermakal on pattom, a koody of chermakal of any of the six tribes above alluded to would yield 10 parras of paddy annually; a koody of a less able chermakal would fetch as far below as four parras; a good Poola chermym would yield a pattom of eight parras, and a less able one as far below as two parras.

10th.—They are required to perform all work connected with husbandry.

11th.—He is obliged to work for his master, though he may be possessed of property.

12th.—It is not customary to grant a cherman his liberty.

13th.—Formerly, when a cherman had committed any fault, or had ran away, he would be bound, flogged, and if the crime was of an aggravated nature, put in stocks or irons; at present they are not put in stocks or irons, but corporal punishment is inflicted; when they commit any crime they are delivered up to the circar.

14th.—From time immemorial; we cannot ascertain the exact period.

15th.—When jenmakars find themselves in want, they dispose of their chermakals to persons who are in want of them to carry on cultivation; without whom it will not be possible to conduct the cultivation.

16th.—We have heard, that when Shree Parooshwaramon had established this Kerala country, the Brahmins represented to him that they had not people to perform the manual part of business attending agriculture; when Shree Parooshwaramon brought Weddars from Imawel Parshewa, and distributed them to the Brahmins.

(Signed by 15 persons.)

P. S.—As, in this reply about the pattom, we have not particularized the pattom that a cherman of each tribe would respectively yield, we now subjoin the particulars; viz.

A Poola cherman would yield 4 parras.

D° - - chermym - - - d° - - 5 d°.

A Koody of Kunakari and Rolar, 5 d°.

D° - - of Koorrowan - - d° - - 6 d°.

D° - - of Allari - - - d° - - 6 d°.

D° - - of Paneyen - - - d° - - 10 d°.

When

When the chermakals of any of the above tribes are not good and active, the pattom they would fetch will fall short of the quantum above specified.

(Signed by the 15 persons already entered.)
(signed) Helloo Addindy, Tahsildar.

3d. Answer to the Queries relative to the Slaves of the Soil; given by the Mookustans of the Walloowanaad and Kawalpara Talook.

Answer to query 1st.—Three; viz. Errala, Kanaken, and Poleam.

2d.—The Errala and Kanaka Chermakel descend by Makattay, and the Poleam by Maroomakattay.

3d.—Chermaks can be sold, given on otty, paneyom, veroom pattom, unaccompanied with the lands to which they may be attached.

4th.—When chermakals is sold, deed passed on the occasion is termed otty perr.

5th.—Formerly the jemm value of an able cherman, of either the Errala or Kanakan tribe, was 90 fanams, otty 60 fanams, kanom 40 fanams, paneyom 45 fanams; and the jemm value of a less active cherman was 60 fanams, otty 40 fanams, kanom 20 fanams, and paneyom 30 fanams. The jemm value of a cherman boy 30 fanams; they were not transferable on otty or kanom, but when given on paneyom, a boy would fetch 15 fanams. The jemm value of a good Poola cherman was 60 fanams, otty 40 fanams, kanom 25 fanams, and paneyom 30 fanams. Jemm value of a less able Poola cherman was 40 fanams, otty 30 fanams, kanom 15 fanams, paneyom 20 fanams. The jemm value of a cherman boy of that tribe was 20 fanams, paneyom 10 fanams; but he was not transferable on otty or kanom. The chermies of the Errala and Kanaka tribe were not subject to be sold; but when taken in marriage by a cherman, the proprietor of such cherman should cause to be given to the chermie's fathers 5 fanams. The jemm value of a good Poola chermie was 75 fanams, otty 50 fanams, kanom 30 fanams, paneyom 35 fanams. The jemm value of a less able Poola chermie was 50 fanams, otty 35 fanams, kanom 20 fanams, paneyom 25 fanams. The jemm value of a chermie girl of that tribe was 25 fanams; otty and kanom she would not be transferable on, but paneyom she would at 12 fanams. The pattom of a good cherman and chermie, of either the Errala or Kanaka tribe, was 5 fanams; calculated 3 for the former, and 2 for the latter. The pattom thus derivable from a pair was termed "kuddy pattom." The pattom of a less able cherman and chermie was 3 fanams; 2 for the former, and 1 for the latter. It is to be observed, that the chermie of the above tribe is not to be given on pattom, separately. The pattom of a good Poola cherman was 3 fanams, and that of a less able one 2; that of a good chermie 2½, and of a less able one 1½ fanams. It is not usual to give cherman boy or girl on pattom. The present jemm value of a good cherman of the Errala and Kanaka tribe is 120 fanams, otty 90 fanams, kanom 75 fanams, paneyom 60 fanams; and the value in general of a less able one, and that of a boy, continues still the same as before. The amount to be given to a cherman of either of the two tribes just referred to, for the purpose of tendering to the father of the chermie he may wish to marry, has now increased from 10 to 15 fanams. The present jemm value of a good Poola cherman is 75 fanams, otty 60 fanams, kanom 40 fanams, and paneyam, 35 fanams; but the value of a less able one remains the same as before. The present jemm value of a good Poola chermie is from 90 to 100 fanams, otty 60 fanams, kanom 40 fanams, and paneyam 50 fanams; but the former value of a less able chermie, as well as of a girl, continues still.

6th.—When the jemm right is sold, the original proprietor forfeits all claims; when given on otty, the children born from the chermakel of the Errala and Kanakan tribe become the property of the proprietor. When Poola chermakel are going on otty, the proprietor will derive no benefit; but when a chermie is given on otty, the children she may bring forth are to go to her proprietor; when given on kanom, the pattom remaining, after deducting the arta polisha, is to be paid to the proprietor; but when given on paneyam, the proprietor derives no benefit until he repays the amount received by him.

7th.—When a cherman takes the chermie belonging to another proprietor, it is not customary for either the cherman or chermie to tender any thing to the master of either reciprocally; all the children begotten from them are to belong to the cherman's proprietor, provided such children have been brought forth during the lifetime of the cherman; for any child born after his death, and previous to her being married.

Fort St. George
Papers:
State of Slavery
in Company's
Territories:

married to another, is to belong to the chermy's proprietor. It is not customary for a Poola cherman to marry, that tribe descending by Marromakatty.

8th.—No division or document is in use.

9th.—Chermakal are given on veerom pattom; a good cherman would yield 5 fanams, and the deed used on the occasion is termed veerom pattom olla karoonom.

10th.—They are employed in ploughing, collecting manure, cropping, sowing, and such other works connected with cultivation, as well as in watching the fields, fencing, cultivating the gardens, &c.

11th.—Though he may be possessed of property, and have work of his own, he is obliged to work for his master.

12th.—It has never been usual to receive the value of a cherman when tendered by him, and grant him his liberty.

13th.—Formerly, when a cherman was found guilty of any fault, or be caught after running away, he would be reprimanded for the first offence, and the other chermakel charged to take care of him; but should he again run away, he would be seized, bound, and flogged, put in stocks or handcuffs. At present, when a cherman commits any fault, he would be slightly punished; and if he runs away, a suit would be instituted for his recovery, and the other chermakel charged to take care of him.

14th.—From time immemorial, we are not aware of the year since which the practice obtained.

15th.—Those in want dispose of their chermakal, and those requiring chermakal to carry on their cultivation, purchase them.

16th.—We are not aware as to what is the origin of the chermakal caste; they have been existing since of old; they were formerly the adians of brahmins, who, selling as they pleased, every one became now possessed of adians.

(Signed by seven persons.)

(signed) *Romen Sirdar, Tahsildar.*

N° 16.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookiestans of the Nedingnad Talook.

Answer to query 1.—There are three species of Chermakal; viz. Erla, Kanakan, and Polean.

2d.—The Erla and Kanaka Chermakal descend by Makatay, and the Poola Chermakal by Maroo Makatay.

3rd.—They are given both along and separate from the lands to which they may be attached on jemnon palicha maddaka, kannom, peneyan, and verrom pattom. "Otty" is a term not known in this district.

4th.—When the jemn right is sold, the deed passed is called "atty peer olla premanom;" when given on palishamaddaka, a "palishamaddaka ola premanom;" when on kanom, a "kanom olla premanom;" and when on paneyam, a paneya-olla premanom is passed, as the case may be.

5th.—Formerly, the jemn value of a good cherman of either the Errala or Kanaka tribes was 75 fanams; palishamadaka, 60 fanams; kanom, from 30 to 50 fanams; and paneyam, as far as 40 fanams. The price, in general, of a less active cherman, or a cherman boy, was fixed according to the valuation of four persons. The jemn value of a good chermy was 75 fanams; palishamadaka, 60 fanams; kanom, from 30 to 50 fanams; and paneyam, as far as 40 fanams; and the price of a less able chermy, and a chermy girl, was fixed according to what might be judged by four persons. The jemn value of a Poola cherman was 40 fanams; palishamadaka, 30 fanams; kanom and paneyam, from 15 to 25 fanams; and the value, in general, of a less able cherman, and a cherman boy, was fixed according to what might be judged by four persons. The pattom that a good Errala or Kanaka cherman yielded was 7, 5 or 3 parras, and in some deshuns still less. That of a good Poola chermy was 3 parras, and that of a good Poola cherman, 2 parras; while the pattom of a less able Errala and Kanaka cherman, and cherman boy, a less able chermy and chermy girl, and a less able Errala and Kanaka cherman and cherman boy, a less able chermy and chermy girl, and a less able Poola cherman and cherman boy, was fixed agreeably to their respective individual merit. The Errala and Kanaka chermy are not subject to be so separately sold or given on pattom. The present jemn value of a cherman of either the Errala or Kanakan tribe, and that of a Poola chermy, is 50 fanams.

6th.—When

6th.—When given on atty perr, the original proprietor forfeits all claims; When given on palishamadaka, all the children begotten from them belong to the proprietor; when given on kanom, the pattom, after deducting interest of kanom, is the jenmakar's share; when given on paneyam also, he derives the pattom remaining, after deducting the interest; when given on verrom pattom, he is entitled to the whole pattom.

7th.—With the exception of 2 fanams and a piece of cloth, which the cherman's master is to give to the cherman on the occasion of his marrying with a chermy belonging to another proprietor, nothing is given by the cherman to the chermy's master, or by the chermy to the cherman's master. All children born from the above persons are to belong to the cherman's proprietor, and no division whatever is made.

8th.—No division being made, no document is used.

9th.—It is but very seldom when chermakal are given on verrom pattom, and the rate of pattom is fully explained in answer to the question, N° 5. No document is used on the occasion of giving chermakal on pattom.

10th.—They are employed in manuring, ploughing, cropping, sowing, and, in short, in every thing connected with agriculture.

11th.—Chermakal possessed of property is hardly heard of in this district; though they may be so possessed, they must work for their master.

12th.—It has never been heard that a cherman had tendered the amount he cost his master, and that the same had been accepted, and his liberty granted.

13th.—Formerly, when a cherman was convicted of any fault, or caught, after having run away, he would be flogged, and put in stocks or irons, and in the latter state made to work. As at present, the sirkar alone can inflict punishment of the kind, it is not resorted to by the people.

14th.—The practice of purchasing and selling chermakals have existed from time immemorial.

15th.—Those in distress are obliged to dispose of their chermakal; and those in want of such people to carry on their cultivation, purchase them.

16th.—We are not aware as to the origin of the chermakal, nor whose adiaars they formerly were. They become the adiaars of those who purchase them.

(Signed by 15 persons.)

(signed) Kanoo Koorpoo, Acting Tahsildar.

N° 17.—Answer to the Queries relative to the Slaves of the Soil, given by the Mookkeistan of the Paulghat Talook.

Answer to query 1st.—Eight, viz: Erlah Chermakal, Kongalla Chermakal, Kanaka Chermakal, Walloowa Chermakal, Mala Chermakal, Para Chermakal, Poolawaloowa Chermakal, and Poola Chermakal.

2.—Erlah Chermakal, Kongalla Chermakal, Kanaka Chermakal, Walloowa Chermakal, Malla Chermakal, and Parra Chermakal, descend by Makatty, and the Paloowalla Chermakal and Poola Chermakal by Maroomakatty.

3.—Chermakals are transferable on verrom pattom, paneyam and kanom, and likewise sold, unaccompanied with the lands to which they may be attached.

4.—When they are given on verrom pattom, a pattom; when on paneyam, a paneya olla karoonom; when on kanom, an ubeyom pattom olla karoonom; and when the jenm right is sold, an atti petta olla karoonom is executed.

5.—A good Erla cherman's jenm value is 250 fanams; kanom, 200 fanams; paneyam, 100 fanams; a less active one's jenm value is 150 fanams; kanom, 100 fanams; paneyam, 50 fanams. A cherman boy's jenm value is 100 fanams; kanom, 60 fanams; paneyam, 30 fanams. A good chermy's jenm value is 150 fanams; kanom, 400 fanams; paneyam, 75 fanams. A less able chermy's jenm value is 100 fanams; kanom 75, and paneyam 50 fanams. A chermy girl's jenm value is 70 fanams; kanom 45, and paneyam 25 fanams.

The value of the Kongala, Kanaka, Valoowa, Malla and Para chermakals, are in all respects the same as that of the Erla charma. A good Poolawaloowa chermakal and Poola chermakal jenm value is 75 fanams; kanom, 50 fanams; and paneyam, 50. A less active one's jenm value is also 75 fanams; kanom, 50 fanams; and paneyam, 50. A cherman boy's jenm value is 75 fanams; kanom, 50 fanams; and paneyam, 30 fanams. A good chermy's jenm value is 200 fanams; kanom, 100 fanams; and paneyam, 75 fanams; and a less able chermy's jenm value 75 fanams; kanom, 25 fanams; and paneyam, 25 fanams. A chermy girl's jenm value

Fort St. George
 Report:
 State of Slavery
 in Company's
 Territories.

value is 100 fanams; kanom, 75 fanams; and panayem, 50 fanams. ...
 rarely that chermakel are given on pattom; when so given ...
 pair, 12 fanams pattom are given. At present the price of a ...
 may be said to have increased by 50 fanams. ...
 When the chermans are sold or transferred on kanom, the proprietor ...
 should give to the cherm's father and mother 12 fanams, one ...
 parrahs of paddy; but nothing is to be given to the cherman's master ...
 is to be made of the children born from them. ...
 8.—It is not practised to make any division or pass any writing. ...
 9.—It is but very seldom that chermans are given on verroom pottam; when ...
 given, it is usual to fix the pottom at 12 fanams for a cherman and cherm's ...
 document executed on the occasion is called pattom chit. ...
 10.—They are employed in all work connected with husbandry and fencing; ...
 paring materials for covering houses; cutting fire-wood, &c. ...
 11.—Although he may be possessed of money, he must work for his master ...
 12.—It is not customary for a cherman to apply for being free from slavery ...
 for the proprietor to grant such a request. ...
 13.—Both in former and present times, when charman are convicted of any fault ...
 on ran away, they are flogged, put in the stocks, and confined. ...
 14.—Formerly the sale and purchase of chermans was but very rare; since the ...
 levy of the revenue, the practice has progressively increased. ...
 When the proprietors find themselves in want, they will dispose of their ...
 chermans, whom those carrying on cultivation will purchase. ...
 16.—To explain these points, a reference to the shastram is necessary, which we ...
 will make and communicate the result when a person pays his money and pur- ...
 chases in jenm right a cherman; the latter becomes the adiar of the person pur- ...
 chasing him.

(Signed by six persons.)

(signed) Shamoyan, Tahsildar

Answer to Queries relative to the Slaves of the Soil, given by the Mookiestan of the Temalpooram Talook.

Answer to query 1st.—There are ten species of chermakel in this talook; the 1st. Parriyam; 2d. Koodamar Nattalore Erralare; 3d. Malleyar; 4th. Kanakar; 5th. Valloowa Poolcar; 6th. Poolcar; 7th. Parriyer; 8th. Korootabarasa; 9th. Kaddare; and, 10th. Weshawar. The Kanakar, Kongalar, Koodamar Nattalar, Erralar Malcar, Krodobbar, Parriyer, Veshamar, Kaddar, descend by Makatay and Walovay; Poolcar and Poolcar descend by Maroomakatty.

3d.—They are separately sold, given on paneyam, ubeyom pattom, veppa and verroom pattom. 4th.—Five species of prenamons are used, and they are called pattomichy, palle yolla, ubeyom-olla, vepa-olla and atty pett olla.

5th.—The present jenm value of a good cherman of the tribe called Koodamar Nattalar Erralar is 200 fanams; otty, 200 fanams; konom, from 100 to 175 fanams; paneyam from 120 to 150 fanams; and pattoms, 14 parrahs of paddy. The jenm value of a less able cherman is from 100 to 150 fanams; veppa the same; kanom, from 50 to 100 fanams; paneyam, from 60 to 75 fanams; and pattoms, 10½ parrahs of paddy. The jenm value of a good cherman boy is from 50 to 100 fanams; veppa the same; kanom from 50 to 75 fanams; paneyam, from 30 to 50 fanams; and pottam, 7½ parrahs of paddy. The jenm value of a less able cherman is from 30 to 50 fanams; veppa the same; kanom, from 30 to 40 fanams; paneyom, from 20 to 30 fanams; and pattom, 3½ parrahs. The jenm value of a good cherm's is from 100 fanams to 150 fanams; veppa the same; kanom, from 75 to 120 fanams; paneyam, from 50 to 75 fanam; and pattom, 10 parrahs. The jenm value of a good cherm's girl is from 50 to 75 fanams; veppa the same; kanom, from 30 to 50 fanams; and paneyam, from 20 to 30 fanams; and pattom, five parrahs of paddy. The jenm value of a less able cherm's is from 50 to 75 fanams; veppa the same; kanom, paneyam and pattom the same as that of good cherm's girl. The jenm value of a less able cherm's girl is from 25 to 40 fanams; veppa the same; kanom, from 20 to 30 fanams; paneyam, below 20 fanams; and pattom, 2½ parrahs; but much depends

depends upon the circumstances of the persons selling or transferring their chermakals. The several value of the chermakal of the Kongalore, Malayer, Waloowar, Kanakar, Karoombar tribes, are the same as those enumerated above, with the exception of chermies of the Kamaraka and Keromba tribe, who are not subject to be sold; but they are married and taken home by chermans of the same tribe, on which occasion the cherman's proprietor presents to the father 12 fanams and a piece of cloth worth three fanams. Of the children born from them, the males become the property of the cherman's proprietor, and the females subject to be married and taken away in the manner just explained. The Parrah chermakal, being a kind of free tribe, go of themselves and tender their services to such persons as they please, and receiving an advance of 10 or 20 fanams, will work for the persons making such an advance; and when they are desirous of changing their master, they will procure a new one, and receiving from the latter an advance, will pay the former master such sum as may be due to him. The chermakal of the Kaddare and Weshaware tribe are not sold or purchased, nor do they come down the ghauts they inhabitant for the purpose of working for any one. We have learnt, that in former years the jem value of a koody of chermakal of either the Kooddomar, Nallalar, Errala, Kongalar, Malayar, Waloowa Poolcar, Poolcar Kanar and Kooproombar, was 75 pattom $7\frac{1}{2}$ parras of paddy; veppa the same as jemn; kanoom and paneyam below 50 fanams, or 30 to 40 fanams; verrom pattom 15 parras of paddy. The chermakal of the tribe called Parrah, Kaddar and Weshawa, were not either sold or given on pattom, nor would they work for any one. The above is the difference between the former and present prices.

6.—When given on jemn and veppa, the original proprietor has no benefit; when given on kanoom and paneyom, the pattom remaining after deducting the arta palisha, is the benefit of the proprietor; when given on verrom pattom, the whole pattom goes to the proprietor.

7.—Neither the chermie's master should give any thing to the cherman, nor the latter's master any thing to the chermie on the occasion of their marriage; nor are the children born from them subject to any division.

8.—No division being in use, no document is passed.

9.—They are given on verrom pattom; a koody would yield 24 parras of paddy annually; the document passed on the occasion is termed pattom chit.

10.—They are employed in ploughing the fields, parrambas, cutting wood, planting, cropping, and in short, in all works connected with agriculture. They are besides required to watch the fields and granary during the night.

11.—Chermakals will not be possessed of property, admitting that they are, they must work for their master.

12.—The cash he may tender, which is very improbable, for a cherman will never be possessed of enough of means, will not be accepted, nor his liberty granted.

13.—Formerly when a cherman was convicted of any fault, or caught after running away, he would be flogged and put in stocks for some days, and afterwards made to work with chains on; and the same practice is in existence now.

14.—The practice of selling and purchasing chermakal has existed since the Malabar country was instituted, or since the cultivation commenced.

15.—Proprietors of chermakals dispose of their chermakal when they are in want of cash to pay the revenue, and for other purposes; and those who are in want of chermakal to carry on cultivation, purchase them.

16.—We are not aware of the origin of the chermakal, nor whose adiaars they formerly were; as they can be purchased and sold, every one becomes possessed of adiaars.

(Signed by 13 persons.)

(signed) Boojing Raw, Tahsildar.

N^o 19.—From Vemanjery Nambodripad, Narepatte Battedry Paad, Manoor Nambodry, Washakoonata Nambodry, Amayoor Balledripad, Teroomangalate Nambodry, Pattery Shery Nambodry.

To the Zemorin Rajah.

We have perused the letter addressed to your highness by the sahib, Mr. Vaughan, in which it is requested, that we may be made to give information on the following points; viz. relative to the custom existing in the purchase and sale of slaves; how they are transferred on pattom, how it was they came to be found in Malabar, and how was it that the Shooders became possessed of Adiaars. Accordingly, we beg to submit such information as we are possessed of.

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories.

- 1st.—It is usual to sell, give on otty, kanom and verrom pattom chermakal, both along and separate from the fields to which they may be attached.
- 2.—In Calicut and the places adjoining it, the pattom of a cherman is from 1 to 3 old gold fanams, and that of a chermi from 1 to 2 fanams. In the Nedinganad district, and the places towards the west thereof, the pattom of a cherman and chermi is 2 fanams or 3 parras of paddy per year; and in the places east of that, the pattom is as far as 5 fanams, or 10 parras of paddy, and when given along with the fields, their rent will be included with that of the land.
- 3.—No fixed sum can be taken as the rate of kanom; it is, however, always below otty.
- 4.—When given on otty, the amount to be received for a cherman must be the sum that would yield an interest equal to 1 quarter or half or 3 quarters of a fanam for 10 fanams per annum; and when the jenm right is to be sold, the amount is to be fixed by adding to the amount of otty, an additional amount of half that sum, but much depends upon the circumstances of the proprietors.
- 5.—It is customary to give 1 or 2 or 4 fanams to the witnesses who may attest the deeds at the time of their execution.
- 6.—In Calicut and the places about it, the rate of otty may be taken from 20 to 40 fanams, and that of a jenmon from 40 to 60 fanams. In Nedinganad and to the east thereof, the rate of otty, or what is there termed palisha maddaka is from 40 to 60 fanams, and that of jenm from 60 to 100 fanams, and the rates exceed in Palghat and the places adjoining that district.
- 7.—In Calicut and the places adjoining it, the children born from a cherman who may have contracted a marriage agreeably to the custom, are to be divided in proportion of one half to the cherman's master, and the other half to that of the chermi, but in some places only two-fifths go to the cherman's master. This practice does not however exist in the other districts.
- 8.—Of the children born from Chermakal of certain tribes, the males only become the property of the cherman's master, while the females are at liberty to follow such chermars as may wish to marry them.
- 9.—By the shaster it would seem, that the slaves are the fruits of criminal connection between Shooders and Brahminy women.
- 10.—If Shooders have also been possessed of slaves, it is because they have been able to purchase them.

Dated 30th Mithoonom 994.

(Signed by the Brahmins above-mentioned.)

(True translation.) (signed) J. Vaughan, Collector.

N^o 20. Extract from Major Walker's Report on the Tenures of Malabar.

Cheromers.—The Cheromers, although slaves of the soil, and the property of the owners of the land, are distinct from the jenm, and may be possessed or sold separately from it.

This caste are said to have been reduced to slavery in the following manner:—

The Brahmins, when Parasharem divided amongst them the lands, represented to him, that without assistance, they must remain uncultivated; accordingly Parasharem went in search of the wild people, who, at that time, inhabited the jungles, collected them, and presented them to the Brahmins. They were thenceforward considered as jenm, and continue to this day to cultivate the lands in Malabar.

The chermars are absolute property; they are part of the live stock on an estate. In selling and buying land it is not necessary that they should follow the soil; both kinds of property are equally disposable, and may fall into different hands. The chermars may be sold, leased and mortgaged, like the land itself, or like any cattle or thing. The feumokar may hire them for pattom or rent independently of this jenm land, or he may sell them altogether with his estate. The pattom on a cherman is four fanams a year; if they are disposed of on otty, their price is 32 fanams; if on the attipit ola or jenmon, 48 fanams.

The jenmokar, by the ancient laws of Malabar, is accountable to no person for the life of his own cherman, but is the legal judge of his offences, and may punish them by death, if they should appear to deserve it.

The kolloonaven can neither put to death a cherman nor sell him, but he may chastise him.

In the same manner as the soil, the possession of chermars was originally confined to a particular class. They were then employed entirely in the labours of agriculture;

Fort St. George
 29 Papers
 State of Slavery
 in Company's
 Territories

cultivators but although they were the first and sole cultivators in Malabar, it is not to be imagined that this is the case at present, since there are many kuddians of all castes, who cultivate their own lands.

N^o 21. Extract from the Files of the Zillah Court, South Malabar, being Numbers of Suits instituted on the subject of Slaves.

N ^o of 1812.	N ^o of 1813.	N ^o of 1814.	N ^o of 1815.	N ^o of 1816.
129	5	249	59	
15	375	27	260	246
44	428	72	206	374
71	514	87	462	375
188	537	271	674	700
190	540	273	1067	877
191	543	284	1071	997
244	544	294	1072	952
295	570	312	1145	955
298	625	411	1242	959
330	646	420	1246	1012
334	663	488	1306	1060
339	667	518	1316	1089
352	668	611	1324	1137
365	686	621	1536	1227
486	834	622	1537	1307
467	851	666	1565	1315
607	922	686	1566	1349
738	961	722	1592	1375
755	1237	786	1642	1494
764	1243	816	1669	1498
	1244	881	1679	1515
	1246	909	1732	1349
	1254	933	1758	1376
	1278	1035	1807	1464
		1046	1822	1468
		1128	1835	1515
		1143	1882	1613
		1150	1884	1615
		1156	1913	1728
		1161	2050	1755
		1317	2060	1756
		1325	2094	1894
		1329	2100	1990
		1349	2103	2019
		1354	2106	2020
		1387	2119	2021
		1403	2115	2029
		1527	2157	2100
		1547	2188	2113
		1661	2320	2120
		1737	2326	2142
		1750	2353	2193
		1854	2355	
		1976	2365	
		2007	2379	
		2408		
		2449		
		2473		
		2517		
		2690		

(signed) J. Vaughan, Collector;

(True extract.)

Ordered, to lie over until the replies required from the other collectors on this subject, have been received.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Chingleput.

Extract, Proceedings of the Board of Revenue, at Fort St. George, 9th August 1819.

Read the following letters from the Collector in the Zillah of Chingleput:

To the President and Members of the Board of Revenue, Fort St. George.

Gentlemen:—In reply to your secretary's letter of 31st May, and with reference to that part of your Board's minuta of 5th January 1818, therein mentioned, I beg leave to subjoin my report upon the mode of conducting the cultivation in this district, and the situations of the cultivators in general.

1.—The villages of this district may be classed, viz. Agraharum and Manavado.

2.—The merassy of the former for most part pertains to Bramins, though a small portion, denominated Nuttum, is often possessed by Soodras.

3.—The Bramins, who are not in the habits of labour, generally retain a portion of their merassy lands, under their own superintendance, which they cultivate by means of labourers, with whom they enter into engagements mostly for a share of the produce, and in some cases they are reimbursed with what is denominated padi, which is chiefly paid in grain, with a small sum in ready money, and a few trifling allowances made them during particular festivals.

4.—These allowances (padi) are without reference to the extent of the produce, but are what the labourer is entitled to, whether the season prove advantageous or otherwise.

5.—This description of labourers are mostly resident in the village or its vicinity, and generally enter into the service of the merassadars for a certain period, when they obtain from their masters advances for building their houses, or for the exigencies of their families, and these place them almost in a situation of vassalage, as they cannot quit the service in which they have engaged, until all such advances have been repaid, nor will any one of that village accept of their services, until their balances are discharged.

6.—When the merassadars have reserved to themselves such portion of their lands as they are thus enabled to cultivate, they give the remainder to the sookavasies of their own or neighbouring villages, reserving to themselves their manium, &c., merassy privileges, and receiving from the sookavasies the toendawarum as an acknowledgment of their proprietary right, with coopatam, &c. for village charges. The sookavasies continue in the occupation of these lands, while they make good their agreements to the merassadars, but have no authority to transfer them, and in the event of their relinquishing the cultivation of the whole or any part of them, that reverts at once to the disposal of the merassidars, who can give the lands to whoever they please, without a reference to the former occupant.

7.—There are instances where these merassidars in lieu of giving batta to their cultivators, enter into any kind of contract with them, putting them in possession of their ploughs, seeds, &c. and to reimburse them for their labour, give them one-third of their coodewarum; this is an incitement to their exertions in carrying on the cultivation, and is mostly practised by Bramins, who do not cultivate themselves, and who never possess adamis or slaves.

8.—The cultivation in the manavadoo or soodras villages is more generally retained by the merassidars, who are themselves cultivators. They carry it on partly by their own labour, partly by the hire of cultivators, whom they reimburse either by a distinct share of the coodewarum, or allow them padi, which comprizes porcullum, calawsum, alunda-audy, &c., the rates of which are according to the custom that has prevailed in the village, and partly they cultivate by means of their adami or slaves.

9.—This latter description were formerly only possessed by vellairs, but subsequently both by reddy, comavars and other soodras.

10.—This vassalage still exists in some degree in this district; it may, therefore be acceptable to demonstrate the system under which it is carried on, which I shall endeavour to do as far as my own observation, and the information I can obtain, will admit.

11.—The pariahs of this district, denominated adami (the Tamil name for a slave) have long been in vassalage to the vellairs, and they have subsequently been possessed by reddy, comavars and other description of soodras, but are never owned by Bramins.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

13.—The mode of obtaining these adami is by their own disposal of themselves, either for a sum of money or upon some other agreement, in consideration of which they pledge themselves to service, and are at the disposal of the purchasers, either for re-sale, mortgage or gift, and whenever transferred, are even considered as slaves, and compelled to labour upon receiving subsistence and raiment, provided such labour be not of a nature derogatory to religious prejudices. These persons are not in any way attached to the land, but are the property of the individual, and may by him be called away for cultivation in other parts, or for other duties which may be assigned him.

14.—In thus submitting himself to vassalage, he involves for ever his posterity, but the claim to his children does not always rest with his immediate proprietor.

15.—In the event of his marrying with one of the females belonging to his master, the children all become his property; but should he marry with a female slave of another person, the children of such marriage mostly become the property of the proprietor of the female, though in some villages the custom is otherwise; and in the event of a female slave having children previous to her marriage, their disposal depends upon the custom of the village, as they sometimes become the property of her master, and are sometimes made over with herself to her husband upon their marriage.

16.—Those employed in the cultivation of the lands, and to which this report principally refers, have for the most part their allowances regularly rendered to them, so much grain being granted to each labourer, and a proportionate subsistence for each of his children or others of the family; they are housed and clothed, and during the principal festivals, certain other allowances are made them; both in money and articles requisite for their ceremonies; their marriages are also performed at the charge of their masters, and when reduced by infirmity, they are also supported by their proprietors.

The condition of this description of people, composing the chief part of the pariahs of the district, has of late years considerably changed. This may, in a great measure, arise from the vicinity of their situation to Madras, where this system is known to be abrogated; many of them there obtain employment and their proprietors would find it difficult to reclaim them; and the regulations have so far circumscribed the authority formerly exercised by the proprietors over this description of their servants, that they cannot keep them under controul as heretofore, when the power was vested in them of inflicting very severe corporal punishment or branding them for neglect of the duties assigned them; and I learn that in former times the discipline exercised by the proprietors over their slaves was of a very severe description. The proprietors now finding themselves incapable of employing their services, or rather to controul them as arbitrarily as heretofore, complain less of the loss of this description of property.

18.—They adami or slaves are also possessed by many of the vilkars, &c. who are sookavases, and who have long established themselves in the cultivation in particular villages, but their situation in such cases is similar to those in the service of other soodras.

19.—I have made a particular inquiry relative to the claims said to be admitted to the pariahs and pullers, as noticed in the 14th paragraph of your Board's minute, but cannot find that any allowances are in this district accorded to them, except poorcullum, calayasam, and almidasy. I believe there are some instances where mercy has been claimed by reddys, or other sookavases, upon the plea of long occupation, and in which they continue undisturbed.

20.—The sale of adami has been, I believe, of late years discontinued, or of very rare occurrence, and in these parts no attachment of such property has I fancy ever been made on account of the dues to government.

21.—This system of vassalage, it is then manifested, has long since existed in these parts; the object, however, appears rather the restriction of arbitrary measures towards this description of persons, and an amelioration of their situation, while no period of emancipation is defined, such must be impracticable, if the proprietors can under former usage at any time reclaim them; some enactment upon this subject would therefore seem best calculated to remove this primary difficulty, and the unnatural pledge of their posterity is one which demands the first interference.

22.—The practice of entering into engagements with the morassidars only should also be removed, and every cultivator be permitted to make agreements for the tax, payable upon his land; at present the muchilkas for cultivation are taken

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

for the most part from the merassidars, who often possess no interest in it, beyond their toondawarum, and have neither a plough nor a bullock belonging to them; yet, it has occurred within my own observation, that the sookavassies, who had been for years in the practice of carrying on the cultivation, yet when a balance existed upon the merassidars, which rendered it unadvisable to make them advances, the sookavassies declined to accept the tuccavi, or enter into engagements with the sircar for the cultivation without the sanction of the merassidars.

23.—After the able reports, already before your Board, upon the subject of merasie or inheritance, any remark from me may be superfluous.

24.—In this district many occupiers of these tenures do not hold them by right of inheritance, but upon cowle, granted on the secession of the proper owner. In these cowles the purposes and conditions upon which they were granted are clearly defined, viz.; to carry on the cultivation of the village, on which account they are put in possession of all grama, mannum, coopatums, and other merasie privileges. If these then are the terms on which such privileges are to be occupied, surely, the right of enjoying them ceases, when the parties neglect to cultivate themselves, or to provide for the cultivation of the varaput lands; the resumption of such privileges is even sanctioned in the reply of the late Mr. F. W. Ellis, to the 3d question upon merasie, though he thinks it should not be resorted to, except in cases of extreme contumacy.

25.—If, as I presume, these privileges have been granted to establish in their proprietors an interest in the village, and thereby to induce them, from the advantage they possess, to carry on the full cultivation of the varaput lands, and ensure the realization of the revenues of the state, their neglecting the whole or any part of the cultivation should incur the penalty of forfeiture, at the least temporarily of the whole, or a portion of those immunities which had been accorded to them for that purpose; at present it is not uncommon for merassidars to enter into engagements for cultivation beyond their means, rather than admit strangers into their lands; because if they cannot procure pyacaries to cultivate upon their terms, they would prefer the lands laying waste, and often throw obstacles in the way of pyacaries, who have been procured by the sircar servants to cultivate. The loss of the merassidars is merely their toondawarum and coopatum, which vary according to the custom of the village, but the loss to the state is very serious; yet the merassidar continues in the full enjoyment of the produce of his mannum lands, which from the superior attention paid to their cultivation, generally produce 50 per cent, and sometimes more than that, above the varaput lands of the village. Here then they continue in the full enjoyment of their allowances, although they have abandoned the obligation for which they were granted, not heeding the loss of toondawarum in the neglected lands, whereas this failure of cultivation, causing the loss of their privileges, creates a very considerable diminution of the public revenue.

26.—Many proprietors of merasie right in this district, either by purchase or inheritance, are opulent inhabitants of Madras, or in the occupation of situations of emolument there; these pay little or no attention to the cultivation of the caraput lands, but generally have their resident gomostahs to look after their interests in the village privileges, though they in no way conduce to the cultivation beyond that of the grama mannum land.

27.—If engagements were entered into with each cultivator for the land he holds, instead, as at present, of including these in the general arrangement made with the merassidars for the rent of a village, it would at least relieve them from the undue authority which is frequently exercised over them, and make them somewhat more independent. I am not desirous that the merassidars should be deprived of such lands as they are willing to cultivate, and even their emoluments of toondawarum, if considered requisite, might be rendered them; but in order to improve the situation in which the pyacany cultivator stands, he should be removed from the authority of the merassidar, so far as to be put firmly in possession of the lands for which he has engaged, after the merassidar has declined them; and any allowance to which it may be considered that the latter is entitled, should be rendered to him through the servants of government, to prevent any undue interference on his part; from his having declined to cultivate the lands, this is assuredly the utmost to which he could urge claim.

28.—The removal of this system of vassalage prevalent in this district, from the nature of the engagements of the parties or their progenitors, if ultimately deemed expedient, (of which I entertain no doubt), must be yet distant in effect; but I think that

that some relief may be afforded to the industrious sookavasis, who would exert their energies, if secured in the possession of the lands they cultivate, and if they be all permitted to enter directly into arrangements with the public authorities.

(signed) *W. Cooke*, Collector,
Circuit, Cutchery, 31st July 1819.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Ordered to lie on the table, until the replies required from the other collectors on the subject have been received.

Extract, Proceedings of the Board of Revenue, at Fort St. George,
20th September 1819.

Read the following letter from the collector in the southern division of Arcot.

To the President and Members of the Board of Revenue.

Arcot.

Gentlemen:—The delay that has attended this reply to the reference of your secretary, under date the 31st May last, proceeds from my only having recently received information on several points, from the various teshseeldars of the district connected with the privileges and treatment of slaves.

1.—The slaves in this collectorate are mostly of the pulley and pariar castes, and the majority of them are chiefly devoted to the pursuits of agriculture.

2.—The number of slaves of both sexes, including children, amounts to upwards of 17,000 in this district, and they appear to have been generally born in a state of servitude, through some contract of their forefathers. The Hindoo code of laws, religious and civil, seems however, to declare, that the Sudra tribe are naturally born in a state of servitude; and although some of the superior of the sub-divisions of that tribe in modern days have emancipated themselves from this degrading thraldom, yet the lower castes are always looked upon as natural slaves, the property of any person who contributes to defray their marriage expenses, which is the ordinary way at present, of constituting hereditary slavery.

3.—Previously to the assumption of the Carnatic, the owners of slaves were empowered to punish them either by castigation or confinement, for any misdemeanor or fault at their discretion; but that power subsequently, to the British administration has ceased to be exercised.

4.—The possessions and the acquisitions of slaves are generally considered to be the property of their masters, who, however, usually relinquish them to the family of the slave.

5.—Slaves cannot enter into any matrimonial connection without the consent of their owners, who, as they defray the expenses of their marriage, virtually revive the contract of hereditary bondage, for the offspring of slaves are always regarded as the property of their father's owner.

6.—It is stated, that the slaves of this district can be sold by their owners to any person; and to an alien village, and that no slaves are attached to any particular soil or village; but I am induced to believe, that such a practice is at variance with the rights annexed to the state of real bondage; for in some meerasse villages, it is known that the meerasiddars have advanced pretensions to possess an equal proportion of the slaves with their share of the villages, and I also believe, that such practice is hardly ever resorted to. The price of a male slave and family, when sold by their owner to another person, varies considerably, and ranges from 10 to 50 pagodas.

7.—The owners of slaves are required to provide them with food and clothing, to defray their wedding expenses, and to assist them on the births of children, and in their funeral charges. The food differs according to the opulence of the owner, but is always sufficient for subsistence, or the owner permits the slave to serve elsewhere during his poverty. The clothing is very scanty, except when the slaves are chiefly employed for domestic purposes; and I cannot discover that the apparel is designedly calculated to pourtray the class of the wearers.

8.—The duties of slaves are to attend the cattle and agriculture, and to assist in domestic services, connected with the house or person of their owners.

9.—It does not appear that enfranchisement of slaves ever takes place. Yet as some owners have been reduced to indigence, and are unable to employ or subsist their hereditary slaves, those persons are ostensibly free, and labour for any person who will employ them. Cases of emancipation occur in the extinction of the owners families, and from this description of soodras, who still sacrifice their liberties,

Fort St. George
State of Slavery
in Company's
Territories

liberties, modern slaves are constituted, for they are mostly very needy, and content
to perpetual and hereditary bondage for about 20 or 30 pagodas, which a cultivator
advances for the celebration of a marriage ceremony. In no instance, I believe, do
engagements exist where a labourer discharges such a loan by his manual labour.

11.—Numerous examples occurred in former times, I believe, of Muhamme-
dans purchasing Hindoos as domestic slaves, whom they circumcised and converted
to their religion; but I am informed these cases are rare now. Bramins and other
superior classes purchase soodras also for domestic purposes, and the persons so
purchased are constituted hereditary slaves. The class of dancing girls are also in
the habit of purchasing young girls, chiefly from the kykulla, or weaver caste, for
the purpose of educating in their profession, and the children of those girls, if females,
continue to form a portion of the company to which their mother was attached.

12.—The foregoing are the chief particulars of the information I have been
able to collect upon the subject of slavery, as it obtains in this district, to which may
be added, that owners of slaves are bound to protect them in sickness and old age;
and although the state of servitude is ever repugnant to nature and humanity, yet
I do not hesitate to express my opinion, that the state of bondage, as it prevails in
India, is free from many objections that exist against the West Indian Slavery, for
here, the convention is mutual, the slaves enjoy the purchase money, and are not
compelled, by oppressive power to become bondsmen in a foreign land, and as
their contracts proceed from themselves, the odium annexed to the despotic mode of
constituting slavery in Africa is obviated.

13.—As, under paragraphs 15 & 16 of your Board's minutes dated the
5th January 1818, a gradual removal of the restrictions upon the freedom of the
labourer is contemplated, I take the liberty of suggesting, that every labourer who
is now free, shall be declared exempt from all possibility of slavery hereafter,
denouncing penalties against every person who may attempt to enslave any subject
under our government. Rules calculated to abolish the general abuse of slavery,
to provide for slaves in sickness and old age, to confine the transfer of slaves to the
village of their nativity, and to interdict all corporal punishment or imprisonment,
would prove an alleviation of the miseries inseparable from bondage. As the
continuance, or I may call it, the revival of slavery, is dependent upon the
assistance owners contribute to the propagation of slaves, by advancing money for
the expenses of marriages, perhaps a rule might be enacted, prohibiting the enslaving
of unborn children hereafter, by such a convention between the owners and their
existing slaves.

ms. 14 M

(signed) C. Hyde, Collector

Verdachellum Circuit Cutcherry; 12th September 1819.

Ordered to lie on the table, until the replies required from the other collectors
have been received on the subject.

ms. A

Extract, Proceedings of the Board of Revenue, at Fort St. George;
8th November 1819.

Madura and Din-
digul.

Read the following letter from the Collector in Madura and Dindigul, to the
President and Members of the Board of Revenue.

Gentlemen:—I have the honour to acknowledge the receipt of your secretary's
letter of the 31st May last, forwarding an extract from the proceedings of the
Foujdarry Adawlut to Government, relative to slavery, and directing me to report
its present state in districts under my charge.

2.—Neither in Dindigul nor Madura can the custom of slavery, I believe,
be considered so general as in the neighbouring districts. In many villages, during
the nabob's government, it did exist, in many, not; and the following appears to
have been the practice then observed.

3.—When a pullar or pariah was unable to gain a livelihood, he was
accustomed to offer himself or his relatives as slaves to the cultivating inhabitants,
for a sum of money, varying from one to ten cully chuckrees, when a bond of slavery
was drawn out and signed. If they married, their children were considered the
property of the owners, and they were employed in the cultivation of land, and were
maintained by the owners, who frequently for their services, would grant them a
solundrom, or allowance in grain, in addition to other allowances. If the proprietor
of land was obliged to dispose of the whole of his land, he still retained possession
of his slaves, and disposed of them as he pleased, they not being considered attached

to the land thus sold. If an owner was unable to maintain his slave, he could let him out to others, by which means he frequently derived a maintenance both for himself and slave, but the slave was obliged to return to his master whenever he required him, who could mortgage or sell him at pleasure. Since the assumption of the country, some slaves have continued with their masters, others have left them, and have even enlisted as sepoys. I cannot discover that any pullar has sold himself as a slave of late years; indeed slavery altogether seems gradually disappearing, which may be attributed to the knowledge that it is not encouraged in the different courts of justice. Some pullars cultivate their own lands, and have their own puttams; those who cultivate the lands of others, and who are not slaves, receive a regulated hire.

(signed) R. Peter, Collector.

Madura, 27th October 1819.

Order to lie on the table until the replies required from the other collectors on the subject have been received.

Further Proceedings relative to Slavery; including Reports of the Collectors of Revenue on the Malabar and Coromandel coasts, on the nature and extent of the Slavery or Bond Service, which exists in their several collectorates; 1819-1820.

Extract, Proceedings of the Board of Revenue, at Fort St. George, 23d December 1819.

Sent the following Letter to the Collector in Malabar:

Sir: I am directed by the president and members of the Board of Revenue, to acknowledge the receipt of your letter, under date the 20th July last. The Board's proceedings on the general subject of slavery have been laid before the government, whose final orders will hereafter be communicated to you; but in the mean time, I am directed to desire, that the practice of selling slaves for arrears of revenue, may be immediately discontinued.

(signed) A. D. Campbell, Secretary.

Fort St. George, 23d December 1819.

Extract, Proceedings of the Board of Revenue, at Fort St. George,

27th December 1819.

Read a letter from the Acting Collector in the Northern Division of Arcot.

To the President and Members of the Board of Revenue, Fort St. George.

Gentlemen: With reference to your Deputy Secretary's letter of the 31st May last, I have the honour to lay before your Board such information as I have been able to collect on the subject of slavery.

1. The slaves in the district are not numerous; the statement (A) which accompanies this, exhibits a total of 688, inclusive of men, women and children, and the practice of keeping them may be said to be confined to the five talooks of Arcot, Treviltor, Cauvaareput, Poloor and Suttawaid; for in Sholungar and Wundawash, the only two other talooks, in which, according to the same statement, slavery prevails, their numbers are very small indeed.

2. They are ostensibly employed in agriculture, and the pasturing of cattle, though they may occasionally do house work, and the persons in whose service they are principally engaged are of the Rajah, Brahmin and Vellumwar castes, to which circumstance may perhaps be traced the practice of slavery in the above-mentioned talooks, where most of the head inhabitants and renters are of one or other of those castes.

3. The slaves, though universally I believe pariahs, cannot be said to be of any particular caste; and in this point of view, there appears to me to be an essential difference between the nature of the slavery in this part of the country and that on the Malabar coast; there, if I am not greatly mistaken, they form a distinct, unhappy and degraded race of people, who are slaves from their birth, and to whose labour and services, their countrymen of the higher and more fortunate castes, consider themselves to have an undoubted right; here they are usually the children of such

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Malabar.

Arcot.

Part St. George
Papers:
State of Slavery
in Company's
Territories

as have been reduced to the lowest misery, or individuals, who from the same cause, have been compelled to resign their own liberty into the hands of one who is able and willing to support them, or they are those, who, deeply immersed in debt, have no other alternative than that of mortgaging themselves to their creditors, or to any one who chuses to advance money on such security; but in all these instances, the slavery is perpetual, and the people who are subjected thereto, can only be redeemed by the charity of individuals, or may occasionally owe their liberty to the compassionate disposition of their masters.

5.—It will, however, be necessary to add, that children born when their parents are in a state of slavery, become slaves also, and as regards, therefore, what I have mentioned above, I would beg to be understood, as speaking generally, of the manner in which slavery or the required number of slaves is kept up; there are, it is true, instances of people having been slaves from their birth, but they are very few indeed; and in proof of this, it may be mentioned, that it does not appear to be accurately settled to whom the child of a slave belongs; in one talook, it was said to the master of the male, in another, to the master of the female slave; the question, perhaps, has never been agitated; for the people who keep slaves, most likely find it cheaper to buy than to rear them, and the offspring, when left to their parents charge, who have barely sufficient to support themselves, die of absolute want.

6.—They have not any particular marks whereby they may be distinguished, except it is their wretched appearance; they are fed and clothed and subsisted entirely by their masters; their food consists of raggy, the coarsest kind of grain, and their clothing is a common cumly.

7.—I cannot discover, though I was very particular in my inquiries on the point, that they have any rights or privileges, and they are not possessed of any property, neither can they inherit any.

8.—The power of the masters over their slaves, is unlimited, except of course where the law intervenes to prevent cruelty and murder; they may appropriate to them whatever work they please; they may punish them, and sell them; and can compel them to accompany them whithersoever they may go; but they are always regarded as the private servants of an individual, and not as the slaves of the soil; and it is of course, the mere natural consequence of this, that I have the pleasing satisfaction of being enabled to state to your Board, that throughout the whole of this Zillah, there is not an instance of a single slave having been sold, either for an arrear of revenue, or for a decree of the court; besides which, I may add, so little do the masters of the slaves take advantage of the power that they are invested with, of selling them, that it was with the greatest difficulty I could discover what, in the event of his being sold, was the price of a slave; the answer from more than one of the talooks was, that they did not know; or could not find out; I have, however, at length ascertained that the average maximum price is 20 pagodas.

9.—Considering that any particular forms which might be observed in the buying and selling of slaves, as well as other particulars, would be best exhibited by documents, I called for the originals, or copies of any that could be produced, but have been able to obtain only one of an old date, a translate (B.) of which is hereto annexed. It is a slavery-bond, transmitted from the Sholungur talook, and merely shows what dreadful distress a mother must be reduced to, who, for two pagodas one rupee and nine fanams, or not quite one English guinea, could consign her two children to the horrors of slavery.

10.—To what is here stated, I have only to add, that it is the most general opinion, that no change has taken place in the state and condition, or the number of the slaves, since these countries came under the English government.

11.—I regret that this information, scanty as it is, should not have been furnished sooner to your Board; but I must add, in explanation of the involuntary delay that has taken place, that it was not until the 18th instant that I obtained final answers from all the tahsildars to a certain number of questions that I circulated to them immediately on my taking charge of this collectorate.

(signed) *J. Hutt*, Acting Collector.

OF DIRECTORS and the GOVERNMENTS IN INDIA: 12 875

GENERAL STATEMENT of the Number of the MALE and FEMALE SLAVES in Northern Division of Arcot.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Names of the Talooks.	Employed in Cultivation.		
	Male.	Female.	Total.
Chittoor	—	—	—
Tirputty	—	—	—
Cavarypauk	37	18	55
Strolungur	9	1	10
Tirvullam.	—	—	—
Sautgud.	—	—	—
Cuddapannuttum and Venkutgherry Cottah.	—	—	—
Arcot	39	25	64
Vellore.	—	—	—
Tirvuttocor	93	64	157
Poloor.	179	—	179
Wundwash	—	3	4
Sottavaid	131	88	219
Bungaree.	—	—	—
Mogranthum	—	—	—
Congoondy	489	199	688
Total	489	199	688

(signed) J. Hutt, Actg Collector

Translation of a Slavery Bond, in the possession of Purnaul Reddy.
In the year of Saulivahahunen 1727, or of Culleyorgum 4,906, under the stars of Poorntauthe, on Wednesday at the commencement of the full moon, 25th Audee or July in the year Crothuna or 1806, Fusly 1216, this slavery bond was given by Mullee, daughter of Ballen, a toty of Yerronby willage, to Tucca Reddy, son of Kauluttee Reddy, a resident of Sholunghur. Having sold my two sons, namely, Perreya Ponnem and Chinna Ponnem, for the sum of two pagodas one rupee; and nine fanams, which said sum I acknowledge to have received from you; the said two sons are bound as slaves to you from generation to generation. In case my two sons may hereafter abscond, I shall always be ready to appear before you in their stead.

Signatures of the witnesses.
(signed) The marks of Mullee. Tunnamun. Mokayogar, Toty. Moorlee, d. Yemmun, d. Mosakhan. Police Duffadan. Puddavatan Sullin.

(A true translate.) (signed) J. Hutt, Acting Collector.
Ordered to lie over until after the present dispatch.

Extract, Proceedings of the Board of Revenue, at Fort St. George, 3d January 1820.

Read the following letter:
To the President and Members of the Board of Revenue, Fort St. George.

Gentlemen:—I have the honour of submitting to your Board certain papers, which may be considered to be not very remotely connected with the subject of your Board's letter of the 31st May last, regarding the sale of chermas, or slaves of the soil, for arrears of revenue, and as affording an instance of gratuitous interference in the management of the revenue administration, which, in my opinion, demands the pointed attention of the Board; an interference in a subject which the

Malabar.

Port. St. George
 Papers
 State of Slavery
 in Company's
 Territories

court of Sudder Adawlat has disclaimed on their part, as being the province of government alone to decide upon.

2.—As a distinct occurrence, there is little to attract notice; as it appears, not the first blush of the business, a simple attempt on the part of the revenue defaulters to dispose of his chermars to the best advantage, to enable him to pay his arrears of revenue; but, when circumstances are combined, to me there appears much more than meets the eye.

3.—The owners of the chermars state, that the chermars were in a madner sold to the parbutty; and this is corroborated by the deed of sale, drawn out in the name of the latter; and although the usual form had not been gone through, so as to complete it, and constitute it a valid sale, the parbutty had given a promissory note to give the inhabitant credit for a certain sum in his revenue accounts, as soon as the sale was completed.

4.—The owner of the chermars allows, that he had been offered within two rupees of the sum he wanted for the chermars, with the exception of a distant possibility of getting four old fanams, or one rupee more; yet these chermars are sent, on a distant journey, at an additional expense of two dependants of the parbutty, whose wants must, of course, be supplied at his, the parbutty's, expense; to which must be added, the further expense of feeding the chermars also; and it was not in the nature of probabilities, that the sum of three rupees could do more than cover this, even if it did so much.

5.—The third judge submits to the provincial court, as an undoubted fact, the circumstance of the chermars having been offered for sale, Govindara, when questioned first by the head assistant, Mr. Holland, states, that he took the chermars direct to a place in the vicinity of one Cannen's (the zillah court seristadar) house, where he was fed, and sent direct to the third judge; and this is no doubt, the information on which the third judge pronounces "the undoubted fact" to have occurred; but what induced the man Govindara to take the chermars to the house he did, is still a secret, which can only be solved, by reverting to and analyzing facts connected with the subject of slavery in Malabar, already before government.

6.—It would, in my opinion, require no small degree of casuistry to reconcile the conduct of the parbutty, his followers, and the owners of the chermars, with the rules of common sense, if their views were supposed to be confined simply to the disposal of the chermars on the most favourable terms. The inference therefore seems not an unlikely one, that from the known opinions of the third judge on this point, and indeed on the revenue system in general, that the parties concerned expected to derive some benefit, although they might have had but a confused notion of what it might be; the owner probably expected to obtain by means with which he was not acquainted, a remission of the revenue, for the payment of which, distress apparently drove him to traffic in human flesh.

7.—Such an inference would seem to be almost conclusively borne out by the evidence that appears developed in the accompanying examinations which have been taken in the case by Mr. Holland and myself, otherwise, why should not the informant have reported to his own immediate superior, the zillah judge; or in the event of his having considered it a subject which the zillah judge could not in the first instance take cognizance of, it would have been more regular and natural to have reported it to the assistant magistrate or judge of sessions (acting judge, Mr. Wilson) than to a judge at that time not sitting on any circuit business.

8.—The distress of every native is *astrite*, for I can find no word in English which comes up to my ideas of the expression, artfully and craftily attributed to being over assessed; no allowances are made for waste, extravagance, vice and dissoluteness; and were a man to expend 100 rupees in an idle feast, or pageantry, and declare his inability to pay his 10 rupees revenue, all would be attributed to over-assessment.

9.—While such benign feelings are aroused in favour of a revenue defaulter, whose distresses, arising from whatever cause, drive him to the sale of his slaves for the discharge of his arrears; under what pretext of imperative duty could a similar interference be extended to oppose the sale, private or public, of a similar description of property in satisfaction or execution of a decree of court at the suit of a relentless creditor; under what existing code or regulation could the provincial court of appeals interfere its authority on such an occasion? If the answer be, that their control, under the existing customs of the country, which the legislature has left uninvaded or unencroached upon, could not be legally exercised, I trust, that it becomes me in justice to myself and to the board of revenue, to protest against

Port St. George
Papers
State of Slavery
in Company's
Territories

having such extraneous and forced obstacles thrown in my way, to contend against in my collection of the revenues, as have been experienced by me on this occasion which has called forth this appeal, gentlemen, to your authority.

Few men of liberal education are insensible of the barbarity of trafficking in slaves; but if we let our ideas of humanity run blindly away with our senses, we may be guilty of greater acts of injustice and oppression than justice and humanity; and whatever my own private feelings may be, I consider it my duty, both as collector and magistrate, to support and protect natives in the legal discharge of their ordinary and domestic legal duties and functions; however inconsistent with my own nicer feelings of humanity, leaving it to the legislature to enact such regulations for the protection of humanity, as in its wisdom it may seem fit; and once more to revert to slavery in the West Indies, I am much mistaken if our enlightened authority at home has not passed an Act legalizing the transfer of slaves in the West Indies from island to island.

Calcutta, Dec. 25, 1819. (signed) J. Vaughan, Collector

(A.)—Magistrate and Collector in Malabar

Sir, I have the honour of forwarding for your information, copies of a precept directed to me by the court of circuit, and of its accompaniments.

(signed) T. Holland, Acting Head Assistant, Collector

Tellicherry, 12th Nov. 1819.

Provincial Court of Circuit, Western Division, to the Acting Head Assistant, Collector and Magistrate, in the Zillah, North Malabar

Pursuant to an order of this court, you will herewith receive an extract from its proceedings under this date, to the orders contained in which you are required to conform; returning this precept so executed, or good and sufficient reasons why it has not been executed; and what you may have done in pursuance hereof, in 24 hours from the date hereof.

By order of the court. (signed) A. Wilson, Acting Judge, &c.

Register's Office, Tellicherry, 12th Nov. 1819.

Extract from the Proceedings of the Provincial Court of Circuit in the Western Division, under date the 12th November 1819.

The third judge having reported to the court, that he has ascertained the undoubted fact, that there are at present two persons of the Pooliar or Chermar caste, in this town, who have been brought up from their country in the chellanoor, hobbly talook of Calicut, for the avowed purpose of being sold to the highest bidder, to satisfy a revenue demand, and having obtained possession of the original attapep, caranbh, writing from their proprietor to Orbog-il-Chatoo Chantoo, as also an order under the signatures of the parbutty Orig-il-Chatoo and mookiestans of that hobbly, Mamallys Moossatha, and Chillapoorata Ooney Comarar Nair, to the persons who have brought up and are offering these chermars for sale, authorizing the act, it becomes an imperious duty in the court, to bring the circumstances to the notice of the acting head assistant magistrate and collector in charge of this town, and to direct, that no time may be lost in arresting the sale and eventual removal of these persons further from their native country. The writings under the signature of the proprietors, the parbutty and mookiestnas, contain all the information in the possession of the court with respect to the names of the chermars, and persons who have charge of chermars, and are therefore forwarded together with English translations, to the acting head assistant magistrate, who is further directed to communicate the same, and the result of his inquiries and researches, to his superior, the magistrate and collector, for his information and orders, and also to report to this court what he may have done in pursuance of this communication, in 24 hours.

(A true extract) (signed) A. Wilson, Acting Judge for the Registrar

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Attepet Olla Karoonam, executed in the month of Chingom, 994.

Annyan Arepoorata Ooney Koomaram Chindoo has made the assignment in writing of the attyper and noer (full proprietary right) of his ary kooadeer cherman, named Casman, with the knowledge of his neighbours, before the then local authority, and his then nearest heir, and received their full value at the time; and Ooregal Chatoo Chundoo has taken the assignment in writing of the attyper and noer (full proprietary right) aforesaid, with the knowledge of his neighbours, before the then local authority, and his nearest heir, and paid their full value at the time. And to this effect this allepet olla has been executed and given, and in the like manner received; to this are witnesses sathawattam (all persons present), the writer and the person who read over and made the same known, being caratt chappan chappan.

(signed)

A writing by Ooroogvel Chatoo Menon Parbutty, of Chellunoor Webely, in Calicut Talook, Mammally Moossatha and Chellapoorata Oony Koomaran Nair Mookistars, of the wobely aforesaid, in Pallah Deshmum.

Whereas a pooleyan of the name of Feetma, and another named Carman, have been sent by Warja Kamoongul Ahmootty and Balata Gorinden, of the aforesaid wobely and tarrah, for the purpose of being sold. Now these pooleyans, having been attached on account of revenue, and on whom there are no takarar (claims) it is ordered, that no person, whether sirkar servants or otherwise, offer any impediment to them.

23rd Toolam 995.

(signed)

P. S.—None of the patroles or others must offer any impediment.

(A true translation.)

(signed)

A. Wilson, Acting Judge for the Register.

N° 2.—To the Acting First Head Assistant and Collector in charge, Tellicherry.

Sir:—I have to acknowledge the receipt of your letter of the 12th instant, with its accompaniments, but must defer passing any decisive opinion on the subject until I know the result of your inquiries. It occurs to me, however, that it might have led to an immediate discovery of the truth of the facts brought to your notice, had you applied to the court for such information on the subject as might be in their possession.

You will be careful not to interfere with any private arrangement which the owner of the cherman may have made, or have it in contemplation to make, provided you are satisfied that the proposed sale is consistent with the common law and customs of the country; to ascertain which, I refer you to Mr. Commissioner Græme, from whom on application you can obtain a perusal of various documents connected with the subject of slavery in Malabar, and from which you will easily gather, whether the act alleged against certain persons is consistent with the laws and customs of the country or not.

I request you will, in the event of finding the people complained of, take their examinations in writing, and forward it to me.

Calicut, 13th Nov. 1819.

(signed)

J. Vaughan, Collector.

N° 3.—To the Collector in Malabar.

Sir:—In reference to my letter of yesterday, inclosing copies of a precept directed to me by the court of circuit, and of its accompaniments, I have now the honour of transmitting three original records of examinations, this day taken, of two persons, under whose charge the chermans in question were brought to Tellicherry, and of a peon attached to the revenue catcherry at this station, together with the two also received from the court of circuit.

It would appear, from the examinations taken, that the chermans were sent to Tellicherry for the purpose of private sale; but as the gross prevarication of Govinden renders his statement suspicious, and leaves for the present the real merits of the case in obscurity, I have directed the parties concerned to repair to Calicut, in order that you may have an opportunity of ascertaining how far the chellunoor parbutty may have taken advantage of his official situation in furtherance of his private views.

(signed)

F. Holland, Acting Head Assistant to Collector.

Tellicherry, 13th November 1819.

To the Acting Head Assistant Collector in charge, Tellicherry.

10 Sir:—I have received your letter of the 13th instant, and regret that you should have ordered the parties alluded to therein down to Calicut until you had heard further from me on the subject. The examinations taken by you would have enabled me to ascertain the plain matter of fact, viz.; whether the proprietor of the chermars had voluntarily, and of his own accord, sent his chermars to Tellicherry for sale, in hopes of obtaining a higher price for them, or whether the parbutty or any other party had taken a culpable part and interest in the business now brought to our notice.

11 2.—The dictates of humanity ought only to be obeyed, when consistent with the justice of the laws laid down for our guidance; and if it should be eventually proved, that the owners of the chermars has acted in conformity to the laws and customs of the country, we have rendered ourselves liable to a prosecution, which must inevitably be given against us.

12 3.—Whether the immediate and ostensible reason assigned for selling the chermars be to pay the revenue is very immaterial; it is a sale made by the proprietor indirectly for the general purposes of relieving his necessities; at all events, the dignity of government would be better consulted by remitting the revenue than imposing an illegal *veto* against a man's disposal of his own property in a legal way, until some legislative act be passed on the subject, which would legalize any orders which may be issued in similar occasions.

13 4.—If the parbutty, with a view of assisting the defaulter, took the part he is said to have taken in this business, it will, in my opinion, in no way affect the question in a legal point of view, provided it was done with the consent of the proprietor, although I shall consider it as an act highly reprehensible in him as a revenue servant.

(signed) J. Vaughan, Collector.

Calicut, 15th November 1819.

14 N^o 5.—Examination of Oshoakel Chatoo Menon, nephew of Changara Menon, aged 48 years, Parbutty of Chelanoor Hobly by profession, inhabitant of Pattitara Dehum Padinhaar Naad Hobly, in Kutnaad, taken on the 2d Wrischigour 995, M. S. or 16 November 1819, before the Magistrate.

15 Question.—What is your name and profession?

16 Answer.—My name, Oshookil Chatoo Menon; and profession, Parbutty of the Chelanoor Hobly.

17 Do you know Arreepapoorata Oong Kutty Nair?

18 Yes, I do.

19 What is your reason for taking from Arreepapoorata Oong Kutty Nair the chermars, named Teytira and Kuman (his jehn property), on account of the Negudie, due by him, and for sending the said chermars to Tellicherry by your servant Govindar and Hobly Kolkar Amotty, for the express purpose of being sold there?

20 Early in the month of Toolan last, I had the jenn right held by Arreepapoorata Oony Kutty Nair, or the chermars called Teytera and Kauyon, transferred over to me for something better than 88 fanams, in consequence of the said Oony Kutty Nair not having paid his revenue for 994, and in order to help the said Oony Kutty, and that the revenue due by him may be realized, I on the 22d or 23d of Toolam charged a mopla, called Amotty, and one Govindan, who lives with me, to carry and dispose of the said two chermars to some one at Elletoor or Kapat, furnishing them at the same time with the jenn premanom passed in my name, and a writing that they may not be stopped on the road. This is what has taken place.

21 On what date and month was it that Oony Kutty executed to you the jenn premanom of the two chermars in question?

22 It was at the latter end of Rauny or beginning of Toolam 995, that Oony Kutty transferred to me his jenn right on the two chermars.

23 Where were the two chermars made to live from the time you purchased them to that of your sending them to be sold?

24 They continued with Oony Kutty from the time I purchased them to that of their being sent off to be sold.

Part St. George
Papers:
State of Slavery
in Company's
Territories.

You have stated, that you purchased the said chermars for 88 fanams; did you give Oony Kutty credit for the same on account of the revenue due by him, and grant him a receipt?

I have granted Oony Kutty a petteya chit for 88 fanams.

Was the 88 fanams for which you gave him credit on account of the value of the two chermars?

Yes.

Have you any thing else to say?

Nothing.

(signed.)

Oony Kutty Nair, the owner of the said two chermars, states, that he did not receive a single fanam on account of the said chermars, and that no credit was given him on that account; how would you account for this contradiction?

Credit was not given in the jenn chit; I passed him a simple receipt, binding myself to give him credit in jenn chit for 88 fanams.

Have the 88 fanams for which a receipt has been passed by you, been entered in the memon's account?

No.

(signed.)

(signed)

James Vaughan, Magistrate.

November 16th, 1819.

N^o 6.—Examination of Arrepapoorate Oony Kutty Nair, nephew to the Magistrate, Oony Korasha Nair, aged 22 years, Cultivator by profession, inhabitant of Palatetarrail Deshun, Chelanoor Hobly, in Calicut Talock, taken on the 2d Urchiegom 995, M. S. or 16th November 1819, before the Magistrate.

Question.—What is your name?

Answer.—Parrapapoorate Oony Kutty.

Did you give Poliam Teytura and Poliam Kanan in charge of any one, for the purpose of selling them, or did you send them to Tellicherry; if you did so, state the particulars?

At the latter end of Toolum (the date I do not recollect) I carried my jenn slaves, Teytura and Kannon, to Osbolkil Chatoo Menon, the parbutty of Chelanoor Hobly, for the purpose of selling them, in order that I may be enabled to pay the revenue due by me for 994; when the parbutty said, that he would wait for the negadee due by me until I could dispose of them to some one. I then told him, that no one of that place would purchase them, that I had therefore determined to send them to Tellicherry, as I would then get at least one fanam more, and accordingly I gave them in charge of Valate Addowaloor Hondan; but the parbutty, with a view to ensure the payment of the revenue from the proceeds of the sale of the said slaves, sent a mopla, by name Amootty, along with the said Kondan, and they were strongly recommended to dispose of them as advantageously as possible, and, as at Tellicherry this object would be better obtained, they were bid to proceed thither. This is what has taken place; I have not sold the slaves to the parbutty, or received any cash from him on their account.

Does the custom of the country sanction a jenmaker to carry his slaves to a place distant from that of their original habitation, in order to dispose of them there?

When there may not be people inclined to purchase slaves at their place of habitation, they are carried to distant places for that purpose.

How much did you instruct to sell the slaves for?

I recommended their being sold for from 20 to 22 rupees, and to exert their utmost towards trying to get at least 4 fanams more.

Did you promise to sell to any one in Calicut the said slaves, or did any one of that place apply to you for them?

I offered them to Kuttypoore Iuteraripen, of Trevuloor, in Chelavoor hobly and he said he would take them; but upon their being carried to to him, he offered from 18 to 20 rupees only.

Wh

Fort St. George
Papers
State of Slavery
in Company's
Territories

What is your reason for sending them to be sold at Tellicherry, (so far as
subsequent to the time while you had an offer of 20 rupees here, knowing at the
same time that the expenses of the people whom you deputed for that
purpose, would cost at least 2 or 3 rupees.)

It was under the expectation of getting at least 4 fanams more, after deducting
the expenses, that they were sent to Tellicherry.

Were you advised by any one to send the said slaves to a distant place, to
dispose of them there?

I was not advised by any one to send the slaves in question in the manner I have
done; as I was in want of cash to pay the negudee, I sent them.

(signed) J. Vaughan, Magistrate.
November 16th, 1819.

Question—Did you transfer to the parbutty the jem right held by you on
the two slaves above mentioned?

Answer—A deed of sale in favour of the parbutty was executed, but the final
arrangements were not concluded, nor any cash received; the deed besides was not
witnessed.

Did you mention the jem value of those slaves?

The parbutty offered to give for both the slaves 17 rupees, which not meeting
my expectation, I refused.

Was the amount specified in the deed of sale? It is not usual to enter in the deed of sale the amount of the sale.

What is the total amount of revenue payable by you; what part thereof
has been paid, and what is the balance due?

The total amount for a year is 260 fanams; about 140 fanams has been paid on
account; the revenue of 994, the remainder, stands against me.

Were the 140 fanams, said to have been paid by you, given in hard cash?
It was paid at different times.

Was any credit given you in the receipt by the parbutty, on account the
slaves sold him?

No; a single fanam has been given me credit for on that account.

On what month and date was it that the premanam aforesaid was executed
in the parbutty's name?

It having been engrossed on a stamped cadjan, which was purchased in 994,
it was stated, on the day on which the stamped cadjan was purchased, but it was, in
the month of Kanny 995, that the deed was executed.

Did the parbutty give you credit in his account for 88 fanams, on account of
the said slaves?

He promised to give me credit for such amount as may be realized by the sale of
the slaves; when the same may be paid in; no credit was given on this account.

In what months was it that you paid the 140 fanams, and how much was
paid each time?

I do not now recollect the month; at first I gave 10 rupees, second time 12
rupees, and this went on paying, but in no instance did the payment exceed 12
rupees.

Did you receive any cash from the parbutty, either on the date inserted in
the premanam aforesaid, or on that on which it was executed, or was any
credit given you at either of the dates in the receipt?

I have not received any cash from him, either on the date which was inserted in
the premanam, or on that on which the same was executed, which was in last
Kanny, nor was any credit given me on either of the two dates in the receipt or
account.

(signed) J. Vaughan, Collector.
November 16th, 1819.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

You have stated, that you purchased the said chermars for 88 fanams; did you give Oony Kutty credit for the same on account of the revenue due by him, and grant him a receipt?

I have granted Oony Kutty a patteya chit for 88 fanams.

Was the 88 fanams for which you gave him credit on account of the value of the two chermars?

Yes.

Have you any thing else to say?

Nothing.

(signed.)

Oony Kutty Nair, the owner of the said two chermars, states, that he did not receive a single fanam on account of the said chermars, and that no credit was given him on that account; how would you account for this contradiction?

Credit was not given in the jenn chit; I passed him a simple receipt, binding myself to give him credit in jenn chit for 88 fanams.

Have the 88 fanams for which a receipt has been passed by you, been entered in the menon's account?

No.

(signed.)

(signed)

James Vaughan, Magistrate.

November 16th, 1819.

N^o 6.—Examination of Arrepapoorate Oony Kutty Nair, nephew to the Magistrate, Oony Korasha Nair, aged 22 years, Cultivator by profession, inhabitant of Palatetarail Deshun, Chelanoor Hobly, in Calicut Talock, taken on the 2d Urchiegom 995, M. S. or 16th November 1819, before the Magistrate.

Question.—What is your name?

Answer.—Parrapapoorate Oony Kutty.

Did you give Poliam Teytura and Poliam Kanan in charge of any one, for the purpose of selling them, or did you send them to Tellicherry; if you did so, state the particulars?

At the latter end of Toolum (the date I do not recollect) I carried my jenn slaves, Teytura and Kannon, to Osholkil Chatoo Menon, the parbutty of Chelanoor Hobly, for the purpose of selling them, in order that I may be enabled to pay the revenue due by me for 994; when the parbutty said, that he would wait for the negades due by me until I could dispose of them to some one. I then told him, that no one of that place would purchase them, that I had therefore determined to send them to Tellicherry, as I would then get at least one fanam more, and accordingly I gave them in charge of Valate Addowaloor Hondan; but the parbutty, with a view to ensure the payment of the revenue from the proceeds of the sale of the said slaves, sent a mopla, by name Amootty, along with the said Kondan, and they were strongly recommended to dispose of them as advantageously as possible, and, as at Tellicherry this object would be better obtained, they were bid to proceed thither. This is what has taken place; I have not sold the slaves to the parbutty, or received any cash from him on their account.

Does the custom of the country sanction a jenmaker to carry his slaves to a place distant from that of their original habitation, in order to dispose of them there?

When there may not be people inclined to purchase slaves at their place of habitation, they are carried to distant places for that purpose.

How much did you instruct to sell the slaves for?

I recommended their being sold for from 20 to 22 rupees, and to exert their utmost towards trying to get at least 4 fanams more.

Did you promise to sell to any one in Calicut the said slaves, or did any one of that place apply to you for them?

I offered them to Kuttypoore Itteraripen, of Trevaloor, in Chelavoor hobly, and he said he would take them; but upon their being carried to to him, he offered from 18 to 20 rupees only.

What

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

What is your reason for sending them to be sold at Tellicherry, for as far as sub-
covered 20 rupees, while you had an offer of 20 rupees here, knowing at the
same time that the expenses of the people whom you deputed for that
purpose, would cost at least 2 or 3 rupees.

It was under the expectation of getting at least 4 fanams more, after deducting
the expenses, that they were sent to Tellicherry.

Were you advised by any one to send the said slaves to a distant place, to
dispose of them there?

I was not advised by any one to send the slaves in question in the manner I have
done; as I was in want of cash to pay the negudee, I sent them.

(signed) J. Vaughan, Magistrate.
November 16th, 1810.

Question.—Did you transfer to the parbutty the jenn right held by you on
the two slaves above mentioned?

Answer.—A deed of sale in favour of the parbutty was executed, but the final
arrangements were not concluded, nor any cash received; the deed besides was not
witnessed.

Did you mention the jenn value of those slaves?

The parbutty offered to give for both the slaves 17 rupees, which not meeting
my expectation, I refused.

Was the amount specified in the deed of sale?

It is not usual to enter in the deed of sale the amount of the sale.
What is the total amount of revenue payable by you; what part thereof
has been paid, and what is the balance due?

The total amount for a year is 260 fanams; about 140 fanams has been paid on
account; the revenue of 994, the remainder, stands against me.

Were the 140 fanams, said to have been paid by you, given in hard cash?
Yes, it was paid at different times.

Was any credit given you in the receipt by the parbutty, on account the
slaves sold him?

Not a single fanam has been given me credit for on that account.

On what month and date was it that the premanum aforesaid, was executed
in the parbutty's name?

It having been engrossed on a stamped cadjan, which was purchased in 994,
it was stated, on the day on which the stamped cadjan was purchased, but it was, in
the month of Kanny 995, that the deed was executed.

Did the parbutty give you credit in his account for 88 fanams, on account of
the said slaves?

He promised to give me credit for such amount as may be realized by the sale of
the slaves; when the same may be paid in; no credit was given on this account.

In what months was it that you paid the 140 fanams, and how much was
paid each time?

I do not now recollect the month; at first I gave 10 rupees, second time 12
rupees, and this went on paying, but in no instance did the payment exceed 12
rupees.

Did you receive any cash from the parbutty, either on the date inserted in
the premanum aforesaid, or on that on which it was executed, or was any
credit given you at either of the dates in the receipt?

I have not received any cash from him, either on the date which was inserted in
the premanum, or on that on which the same was executed, which was in last
Kanny, nor was any credit given me on either of the two dates in the receipt or
account.

(signed) J. Vaughan, Collector.
November 16th, 1810.

(signed) J. Vaughan, Collector.
November 16th, 1810.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Examination of Palat Govinden, Nephew to Chaloo Nair, aged 30 years, Cooly by profession, Inhabitant of Kanayengara, Chelanoor Hobly, in the Calicut Talook, taken on the 1st of Wrechigme 995, A. S. or 15th November 1819, before the Magistrate.

Question.—What is your name, and whom do you live with?

Answer.—My name is Palat Govinden, and I am living at Oshookeb Chootoo Menon's, the parbutty of Chelanoor being his servant.

For what purpose was it that you and mopla Anutty conducted Poleans Teytira and Kannam to Tellicherry; state the particulars?

One day, in the month of Toolam last, the date I do not now recollect, parbutty Chatoo Menon ordered me to conduct, jointly with Kalkar Amotty, the two slaves named Teytira and Kannan, to Tellicherry, and to dispose of them there. Accordingly, we started for Tellicherry, and on the first day of our journey the two slaves were made to live in Amotty's house, and I put up at Pootona Eroma Nair's house, and on the next morning we proceeded on to Tellicherry with the slaves, which place we reached at dusk, and put up that night in a mosque; the next day we moved, and put up in a banksall belonging to Chovakara, and in the evening we set out in quest of Karoomatil Itterare pa Menon, and having gone to the pukadoly found him there, and informed him that we had brought two Poliaris to be sold, upon which he said, that Kannon Sheristadar would like to have them, and offered to give a note to him, and accordingly he gave a note, directed to Chinden Sheristadar (brother to Kannon Sheristadar), of the Customs, which, upon being delivered to the said Chinden, he delivered to Amotty another, addressed to Kannon Sheristadar, which was handed up to him on his coming out of the fort. Canon Sheristadar then said that he was in want of slaves, and that he would purchase those we had; accordingly, he took from us the premanum and rhadarry, about the chermakal, and desiring us to wait for him near the ferry, until he returned from Mr. Baber's. He proceeded to that gentleman's house, but immediately afterwards he said he could not take the slaves without giving previous notice at the Tuccady cutcherry, and for this purpose he delivered back to us the documents above alluded, and sent us to the Tuccady cutcherry; we were there asked, for what purpose was it that the slaves were going to be sold, and we said they were sent from Chelanoor by the parbotikar. We were then ordered, that they could not be sold there, and to return back to Calicut; and according we were both together, with the two slaves, sent to this place under charge of a kolkar.

You stated, when first verbally questioned, that on the day of your arrival at Tellicherry, you put up at a house, the name of the owner of which you knew not; and that the slaves were made to live in a teyer's house; that you had no meal that day; and you have now said, that on the day of your arrival at Tellicherry, you put up in a mosque; how would you account for this contradiction?

On the day of our arrival we slept in mosque; it was through a mistake that I said when first questioned, that I lived at a nair's.

How could you say one thing to another?

I did not pay much attention.

What was the reason for your setting out in quest of the karoomatil Itteranpa Menon, immediately after your arrival at Tellicherry?

As I became acquainted with him, while he was living with Kellecanat Koonda Menon in Calicut, and having met with him in the bazaar, I mentioned to him about the affair.

November 15th, 1819, (signed) J. Vaughan, Collector.

N^o 8.—Examination of Polea Cherma Teytira, son of Narambara, aged 30 years; Cooly by profession, Inhabitant of Palnaad Tarrah, Chelanoor Hobly, in the Calicut Talook, taken on the 1st of Wrischigem 995, A. S. on 15th November 1819.

Question.—What is your name?

Answer.—Polyan Teytira.

Who is your tampooran (master)?

Aripapoorate Oony Kutty.

Whom

Whom are you working for at present?

Oony Kutty tambooran not having paid his revenue, he placed me under the parbutty tambooran, and nine days ago, self and Poolean Kannon were sent to Tellicherry, under charge of Mopla Amotty and Govinda Erechia, for the purpose of being sold; there we stopped on the road one day, and the next day reached Tellicherry, where we continued four or five days, living at several places; at last, we were taken to a place where there was a house, and from whence orders were passed, prohibiting our being sold there, and directing us to be taken back to this place.

Would it be a matter of grievance to you, if you were sold at Tellicherry?

As my wife is dead, and I have two children, who have no one else except me to take care of them, it would be a matter of regret to me, if I were to be sold at so distant a place as Tellicherry.

Where are your children?

They are with tambooram Oony Kutty.

(signed)

(signed) J. Vaughan, Collector and Magistrate.

November 15th, 1819.

Examination of Polacherma Kannon, son of Ittanari, aged 20 years, Cooly by profession, Inhabitant of Palnaad Tarrah Chelanoor Hobly, in the Calicut Talook; taken on the 1st Wrischegom 995, M. S. or 15th November 1819.

Question.—What is your name?

Polean Kannon.

Who is your master, and whom do you work for now?

My master is Aripapoorate Oony Kutty, and I am now working for the parbutty tambooram.

What is your reason for working for the parbutty, and for your being now brought here?

In the month of Kanny last, the date I am not certain, my master, from not having paid his revenue, placed me and Teytiran under the parbutty, and afterwards we were given in charge of the mopla Amotty Govindan, to be taken to Tellicherry, for the purpose of being sold there; and having been taken thither, we lived there five or eight days, and afterwards we were sent back to this place, because we could not be sold there.

Have you father, mother and brother?

I have my father, mother, and two sisters; they are still under Oony Kutty tambooram.

Would it be a matter of grievance to you, if you were sold to another at Tellicherry?

It would be a matter of regret to me to separate from my father, mother, and sisters.

(signed)

(signed) J. Vaughan, Collector and Magistrate.

15th November 1819.

N^o. 1d.—Examination taken on the 29th Foolan 995, or November 13th, 1819, before the Acting Head Assistant Magistrate.

Question.—What brought you to Tellicherry?

Answer.—I brought two chermars, sent by Oshookel Chatoo Menen, Purbutty, of Chilanoor, for the purpose of being sold here.

Who else came along with you upon this business?

A person by name Palot Govindan is also come.

Who is the principal person who has been charged, by Chatop Menon to conduct the sale of the slaves; you or Govindan?

Govindan is the principal person, and I am instructed to attend to Govindan's orders.

Fort St. George
Papers
State of Slavery
in Company's
Territories

Who are you, and what is your profession?

I am a kalkur, of the Chela, now Hobly; my name is Washakunguel Omuty.

Where is your belt?

It is with the parbutty.

What is the reason of your coming without your belt?

The parbutty said not to put on the belt, and consequently it has been left behind.

Did the parbutty give instructions as to the particular person whom the slaves should be taken or sold to at Tellicherry?

The parbutty said to dispose of them to whomsoever would pay for them, but did not mention any particular person whom they were to be taken or sold to.

Is all that you heard read over to you, agreeably to what you stated?

Yes; there is no mistake.

(signed)

When did you come to Tellicherry?

The day before yesterday, about sunset.

(signed) F. Holland, Acting Head Assistant Magistrate.

Questions put by the Magistrate on the 15th November 1819.

Question.—Are you the parbutty's private or public servant?

Answer.—The parbutty give me the belt, and paid my wages hitherto; whether it is from his private purse or public cash, I know not. He gave me 5 fanams per month.

Are you in the habit of passing receipt for the amount paid you?

Yes; a receipt for 5 fanams is monthly passed upon Cadjan.

How many kolkars are there in that hobly?

There are 5 kolkars.

What are their respective names?

Kanaroo, Keankapoo, Chenan, Rarapan, and myself.

Have all five of you belts and swords?

Yes, we have.

Nov. 15th, 1819. (signed) J. Vaughan, Collector and Magistrate.

N^o 11.—Examination taken on the 27th Toolan, 995, or November 13th, 1819, before the Acting Head Assistant Magistrate.

Question.—What is your name, and who sent these slaves?

Answer.—My name is Palot Govindan; and the parbutty of Chielanor Hobly, by name, Oshookel Chatoo Menon, is the person who sent them.

What for did he send the slaves?

For the purpose of being sold.

Are they to be sold by public auction, or by private sale?

His instructions were to sell them by private sale, and not by public auction.

Whom do the slaves belong to?

They are the jenn property of Arepapoorate Oonykoren Nair, who resides in Palate Hobly.

Is it for his own use, or that of Arepapoorate Oonykoren Nair, that Oskeohl Chatoo sent the slaves in question to be sold?

Arepapoorate Oonykoren Nair made over the slaves to Chatoo Menon, on account of the revenue due by him, and the said Chatoo wishes to dispose of them to realize the amount of revenue due.

Did Oonykoren Nair voluntarily give away the slaves?

He gave them to Chatoo Menon of his own free will.

Are you Sirkar's servant, or Chatoo Menon's private servant?

I am Chatoo Menon's private servant.

Is

Fort St. George
Papers
State of Slavery
in Company's
Territories

Is Chatoo Menon in the habit of deputing his private servants to dispose of any property, the sale of which is made to realize the revenue?
I am not certain whether he is in the habit of acting in that manner?

Did he order you to carry the slaves to Tellicherry, and to dispose of them there?

He did not say to carry them to Tellicherry.

When you were this morning verbally questioned, you stated that the directions you received were, "to carry the slaves to Tellicherry;" how comes this difference?

I did not say so.

What place did Chatoo Menon order you to carry the slaves to for the purpose of being sold?

He said to convey them to Tellicherry.

Did Chatoo Menon say, to carry them to Tellicherry, or to any particular person, or give any other orders; and did he send any letter addressed to any one at Tellicherry?

Chatoo Menon's instructions were to dispose of them to such person as may be willing to purchase them; no letter to any person residing in Tellicherry was sent, nor did he mention any particular person to whom the slaves were to be carried to.

When did you arrive at Tellicherry with the slaves?

It is four days since I arrived at this place.

Did you not say this morning when verbally questioned, that you reached this place the day before last, before sun set?

Yes, I said that I arrived at this place the day before last in the evening.

Then what made you say just now, that it is four days since you arrived at this place?

It was on the evening before last that we arrived.

At what place did you put up at Tellicherry?

The day before last in the evening, I had my canjee at the house of a kolkar called Chekoo, since then I had no meal nor put up at any one's house.

Is all that is read over to you agreeably to what you stated?

Every thing that I heard read over to me is agreeably to what I stated; there is no difference.

(signed) J. Holland, Acting H. A. C.

(N^o 12.)—Examination of Sepoy Bacha, taken on the 29th Toolan 995, or 13th November 1819, before the Acting Head Assistant Magistrate.

Question.—What did Palot Govindan say, when questioned this morning as to the place he was directed to take the slaves to for sale?

Answer.—He said, that the Parbutty directed him to take the slaves to Tellicherry for the purpose of being sold there.

(signed) J. Holland, Acting H. A. C.

(N^o 13.)—Examination of Bacha, son of Sheek Makdan, aged about 32 years, of the Mussulman caste, sepoy by profession, inhabitants of Tellicherry, taken on the 13th Wrischegom 995; or 27th November 1819, before the Acting Head Assistant Magistrate.

Question.—What did Govindan say, when he and one mopla (who brought two slaves, from Calicut to be sold) were questioned by the acting head assistant collector, on their being taken, to the said gentleman's house in the first instance?

Answer.—He said, that the slaves were brought to be sold at Tellicherry; that he knew no one at Tellicherry, and upon being questioned, as to, where he resided since his arrival in Tellicherry, said, that he put up at the zillah court Sheristadars, by name Cannan, and the same was said by the mopla who was along with him.

Is what you heard read over to you agreeably to what you stated?

What has been read to me is agreeably to what I stated; there is no difference.

(signed) F. Holland, Acting H. A. C.

586 SLAVERY IN INDIA: CORRESPONDENCE of COURT

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Sent the following letter in reply.

To the Collector in Malabar.

Sir:—I am directed by the president and members of the board of revenue, to acknowledge the receipt of your letter, under date the 20th ultimo.

2.—It appears to the board, that the interference of the court of circuit, with respect to the sale of the slaves referred to in your letter, may be justified on the grounds of the conduct of the native revenue and police officer being concerned in the transaction. As by the late orders of government, all native revenue servants who are also employed in police duties, are subject to the control and superintendence of the courts of circuit.

3.—It will be sufficient, if the orders of the board, conveyed to you in my letter of the 23d December last, prohibiting the sale of slaves for arrears of revenue, be communicated to all your native servants, and strictly enforced, with the private transactions of individuals, or with the orders of the courts of circuit, the board of revenue cannot interfere.

4.—The board presume, that any improper or unnecessary interference with the revenue affairs of your district on the part of the provincial or zillah court, may be prevented by an application by you to the court of Sudder Adawlut.

5.—As connected however with the subject of slavery in general, your letter and its inclosures will be submitted for the information of the Right honourable the Governor in council.

(signed) A. D. Campbell, Secretary.

Fort St. George, 3d January 1820.

Read again, also a letter received from the acting collector in the northern division of Arcot, dated the 23d, and entered in consultations 27th ultimo, on the foregoing subject.

Sent the following letter to the chief secretary to government, together with the above-mentioned letter and the foregoing correspondence with the collector of Malabar.

(N° 14.)—To the Chief Secretary to Government.

Sir:—With reference to my letter, under date the 13th ultimo, forwarding an extract from the proceedings of the board on the subject of slavery, I am directed by the president and members of the board of revenue, to request that you will lay before the Right honourable the Governor in council, the accompanying letters from the collector in Malabar, and the acting collector in the northern division of Arcot.

2.—Orders have been issued to the collector in Malabar, prohibiting the sale of slaves for arrears of revenue, as stated in the 48th paragraph of the proceedings above referred to, and a copy of the board's reply to the present letter from the collector in that province, is herewith submitted for the information of the Right honourable the Governor in council.

(signed) A. D. Campbell, Secretary.

Fort St. George, 3d January 1820.

Extract, Fort St. George Revenue Consultations, 7th February 1820.

Read the following Letters from the Secretary to the Board of Revenue:

(N° 533.)

To the Chief Secretary to Government.

N° 19.

Sir:—I am directed by the president and members of the Board of Revenue, to submit to the Right honourable the Governor in council, the accompanying extract from their proceedings, under date the 25th ultimo, on the subject of slavery.

I have, &c.

(signed) A. D. Campbell, Secretary.

Fort St. George, 13th Dec. 1819.

Extract from the Proceedings of the Board of Revenue, under date the 25th November 1819.

Fort St. George
Papers,
State of Slavery
in Company's
Territories.

Read again the following Letter from the Secretary to Government in the Revenue Department:

From Mr. Hill, 28th April. In consultation, 13th May 1819.

Par. 1.—Referring for the consideration and report of the Board, extract from the proceedings of the court of Sudder Adawlut, together with the papers to which they had reference, on the subject of the sale by public auction of the slaves of revenue defaulters.

2.—On the receipt of the above orders, a circular letter was addressed to the collectors in the districts of Malabar, Canara, the northern and southern divisions of Arcot, Chingleput, Coimbatore, Madura, Salem, Tanjore, Tinnevely, and Trichinopoly, calling for their report on the subject; and the replies of these officers having been received, it is resolved to proceed to the consideration thereof.

From Mr. Hargrave, 14th. In consultation, 21st June, 1819.

From Mr. Peter, 27th October. In consultation, 8th November.

From Mr. Sullivan, 24th June. In consultation, 1st July.

From Mr. Hepburn, 30th June. In consultation, 8th July.

From Mr. Cotton, 30th June. In consultation, 12th July.

From Mr. Hyde, 12th. In consultation, 20th September.

From Mr. Cooke, 31st July. In consultation, 9th August.

From Mr. Lushington, 1st. In consultation, 8th July.

From the Hon. T. Harris, 10th. In consultation, 19th July.

From Mr. Vaughan, 20th July. In consultation, 5th August.

Note.—From the northern division of Arcot no reply has yet been received.

3.—In Salem slavery does not appear to exist. The collector observes, "I can safely state, that in the manner referred to in these communications, there is no vestige whatever of slavery in this collectorate, nor has any such practice obtained from the time the country came into possession of the Honourable Company. During the Mussulman government, there were a few slaves belonging to certain Nunjah lands in the vicinity of the cauvery, and there are now some descendants of these people; but they are just as free as any other inhabitants. I have heard of one or two instances of a child being sold for the purpose of domestic slavery; but this is uncommonly rare, and otherwise such a circumstance as a person being sold as a slave has never transpired."

4.—In Madura and Dindigul slavery existed during the Mahomedan government. The slaves were sold at the pleasure of their masters, but they were not "adscripte glebæ;" not necessarily sold whenever the land was sold. The collector's words are, "When a puller or parriah was unable to gain a livelihood, he was accustomed to offer himself or his relatives as slaves to the cultivating inhabitants, for a sum of money varying from one to ten cully chuckrums, when a bond of slavery was drawn out and signed. If they married, their children were considered the property of the owners, and they were employed in the cultivation of land, and were maintained by the owners, who frequently, for their services, would grant them a soluntrum, or allowance in grain, in addition to other allowances. If the proprietor of land was obliged to dispose of the whole of his lands, he still retained possession of his slaves, and disposed of them as he pleased, they not being considered attached to the land thus sold. If an owner was unable to maintain his slave, he could let him out to others, by which means he frequently derived a maintenance both for himself and slave; but the slave was obliged to return to his master whenever he required him, who could mortgage or sell him at pleasure. Since the assumption of the country, some slaves have continued with their masters; others have left them, and have even enlisted as sepoys. I cannot discover that any puller has sold himself as a slave of late years. Indeed, slavery altogether seems gradually disappearing, which may be attributed to the knowledge that it is not encouraged in the different courts of justice. Some pullers cultivate their own lands, and have their own puttiams. Those who cultivate the lands of others, and who are not slaves, receive a regulated hire."

5.—In Coimbatore slavery is reported to exist "but in a very few villages."

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

perty of any person who contributes to defray their marriage expenses, which is the ordinary way at present of constituting hereditary slavery.

"Previously to the assumption of the Carnatic, the owners of slaves were empowered to punish them, either by castigation or confinement, for any misdemeanor or fault, at their discretion, but that power, subsequently to the British administration, has ceased to be exercised.

"The possessions and the acquisitions of slaves are generally considered to be the property of their masters, who, however, usually relinquish them to the family of the slave.

"Slaves cannot enter into any matrimonial connection without the consent of their owners, who, as they defray the expenses of the marriage, virtually revive the contract of hereditary bondage, for the offspring of slaves are always regarded as the property of their father's owner.

"It is stated, that the slaves of this district can be sold by their owners to any person and to an alien village, and that no slaves are attached to any particular soil or village; but I am induced to believe, that such a practice is at variance with the rights annexed to the state of real bondage, for in some Meerassi villages, it is known that the Meerassidars have advanced pretensions to possess an equal proportion of the slaves with their share of the villages, and I also believe that such a practice is hardly ever resorted to. The price of a male slave and family, when sold by their owner to another person, varies considerably, and ranges from 10 to 50 pagodas.

"The owners of slaves are required to provide them with food and clothing, to defray their wedding expenses, and to assist them on the births of children, and in their funeral charges. The food differs according to the opulence of the owner, but is always sufficient for subsistence, or the owner permits the slave to serve elsewhere during his poverty. The clothing is very scanty, except when the slaves are chiefly employed for domestic purposes; and I cannot discover, that the apparel is designedly calculated to portray the class of the wearers.

"The duties of slaves are to attend the cattle and agriculture, and to assist in domestic services, connected with the house or person of their owners.

"It does not appear that enfranchisement of slaves ever takes place; yet as some owners have been reduced to indigence, and are unable to employ or subsist their hereditary slaves, those persons are ostensibly free, and labour for any person who will employ them. Cases of emancipation occur in the extinction of the owners families; and from this description of Soodras, who still sacrifice their liberties, modern slaves are constituted, for they are mostly very needy, and consent to perpetual and hereditary bondage for about 20 or 30 pagodas, which the cultivator advances for the celebration of a marriage ceremony. In no instance, I believe, do engagements exist where a labourer discharges such a loan by his manual labour.

"Numerous examples occurred in former times, I believe of Mahomedans purchasing Hindoos as domestic slaves, whom they circumcised and converted to their religion; but I am informed these cases are rare now. Bramins and other superior classes purchase Soodras also for domestic purposes, and the persons so purchased, are constituted hereditary slaves. The class of dancing girls are also in the habit of purchasing young girls, chiefly from the Kykulla or Weaver caste, for the purpose of educating in their profession; and the children of those girls, if females, continue to form a portion of the company to which their mother was attached.

"The foregoing are the chief particulars of the information I have been able to collect upon the subject of the slavery, as it obtains in this district, to which may be added, that owners of slaves are bound to protect them in sickness and old age; and although the state of servitude is ever repugnant to nature and humanity, yet I do not hesitate to express my opinion, that the state of bondage, as it prevails in India, is free from many objections that exist against the West Indian slavery; for here the convention is mutual. The slaves enjoy the purchase money, and are not compelled by oppressive power to become bondsmen in a foreign land; and as their contracts proceed from themselves, the odium annexed to the despotic mode of constituting slavery in Africa is obviated."

Chingleput.

CHINGLEPUT: 10.—The Board have extracted such parts of the report of the collector in the zillah of Chingleput as relate exclusively to slavery; the rest of his letter relates principally to the mode of conducting the cultivation by the Merassidars, and the privileges assumed by them, and may hereafter be taken into consideration, if necessary.

11.—On the subject of slaves, the collector observes, "this latter description (namely slaves) were formerly only possessed by Vellairs, but subsequently both by Reddies, Camavars and other Soodras.

"This

Fort St George
Papers:
State of Slavery
in Company's
Territories.

" This vassalage still exists in some degree in this district, it may therefore be acceptable to demonstrate the system under which it is carried on; which I shall endeavour to do, as far as my own observation and the information I can obtain will admit.

" The Pariahs of this district, denominated Adami, (the Tamul name for a slave,) have long been in vassalage to the Vellairs, and they have subsequently been possessed by Reddies, Camavars, and other descriptions of Soodras, but are never owned by Bramins.

" The mode of obtaining these adami is by their voluntary disposal of themselves, either for a sum of money, or upon some other agreement, in consideration of which they pledge themselves to service, and are at the disposal of the purchasers, either for resale, mortgage or gift; and whenever transferred, are ever considered as slaves, and compelled to labour upon receiving subsistence and raiment, provided such labour be not of a nature derogatory to religious prejudices. These persons are not in any way attached to the land, but are the property of the individual, and may by him be called away for cultivation in other parts, or for other duties which may be assigned to him.

" In thus submitting himself to vassalage, he involves for ever his posterity; but the claim to his children does not always rest with his immediate proprietor.

" In the event of his marrying with one of the families belonging to his master, the children all become his property; but should he marry with a female slave of another person, the children of such marriage mostly become the property of the proprietor of the female, though in some villages the custom is otherwise; and in the event of a female slave having children previous to her marriage, their disposal depends upon the custom of the village, as they sometimes become the property of her master, and are sometimes made over with herself to her husband upon their marriage.

" Those employed in the cultivation of the lands, and to which this report principally refers, have, for the most part, their allowances regularly rendered to them; so much grain being granted to each labourer, and a proportionate subsistence for each of his children or others of the family. They are housed and clothed; and during the principal festivals, certain other allowances are made them both in money and articles required for their ceremonies. Their marriages are also performed at the charge of their masters; and when reduced by infirmity, they are also supported by their proprietors.

" The condition of this description of people, composing the chief part of the Pariahs of the district, has of late years considerably changed. This may, in a great measure, arise from the vicinity of their situation to Madras, where this system is known to be abrogated. Many of them there obtain employment, and their proprietors would find it difficult to reclaim them; and the regulations have so far circumscribed the authority formerly exercised by the proprietors over this description of their servants, that they cannot keep them under control as heretofore, when the power was vested in them of inflicting very severe corporal punishment, or confining them for the neglect of the duties assigned them; and I learn, that in former times the discipline exercised by the proprietors over their slaves, was of a very severe description. The proprietors now finding themselves incapable of employing their services, or rather to control them as arbitrarily as heretofore, complain less of the loss of this description of property.

" The adami, or slaves, are also possessed by many of the Vellairs, &c. who are sookavasies, and who have long established themselves in the cultivation of particular villages; but their situation in such cases is similar to those in the service of other soodras.

" I have made a particular inquiry relative to the claims said to be admitted to the pariahs and pullers, as noticed in the 14th paragraph of your Board's minute, but cannot find that any allowances are in this district accorded to them, except pooreallum, calavasen and alund-adey. I believe there are some instances, where meerassy has been claimed by reddies, or other sookavasies, upon the plea of long occupation, and in which they continue undisturbed.

" The sale of adami has been, I believe, of late years, discontinued, or of very rare occurrence; and in these parts no attachment of such property has, I fancy, ever been made on account of the dues of government.

TRICHINOPOLY: 12.—The collector in Trichinopoly has discussed the subject at some length; but as his observations appear to be worthy of consideration, the Board have thought it proper to transcribe the whole of them.

" In pursuing this inquiry, I shall proceed to discuss the following points:—

1st.—The origin of pullers, or agricultural slavery.

Trichinopoly

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

2d.—“The number of pullers, in Trichinopoly, and the nature of the services they are bound to perform.”

3d.—“Their rights, privileges, and emoluments.”

4th.—“Whether they are well or ill-treated, and the policy on otherwise of doing away the establishment.”

The Origin of Pullers, or Agricultural Slavery.

“It is, I apprehend, indisputable, that in the earliest ages of Hindoo government, agricultural and domestic slavery existed to a considerable and indefinite extent. The practice was sanctioned by prescription, and upheld by law, but it will be found, that the terms of bondage, and the nature of the services required from the slaves, differed essentially in almost every district.

“No distinct information can be obtained at what period agricultural slavery commenced. It is now impossible to trace, whether this establishment took its rise, from the voluntary submission of the indigent to the wealthy, or whether the pullers were originally captives taken in war. But as this species of bondage is generally the concomitant of barbarous governments, it must of necessity have been a very antient institution of the Hindoos. Under their arbitrary government, the distinctions of caste were scrupulously maintained; and adverting to the circumstance of the meerassidars in Trichinopoly being Bramins, it scarcely excites surprise, that agricultural slavery should exist here unchanged and undiminished.

The Number of Pullers in Trichinopoly, and the Nature of the Services they are bound to perform.

“In the wet districts of Trichinopoly, the number of pullers may be stated at 10,000, including those employed for the purpose of watching and feeding the cattle. In the dry districts, there are about 600; but I must here observe, that pullers are only to be found in those villages where there is paddy cultivation. The pullers, of the dry districts, appear to be liable to the same rules, and to possess the same rights, as those of the wet districts.

“The services they perform are chiefly confined to the irrigation of the land in its several stages of cultivation; but their services are also occasionally required by their masters to the menial offices of their household establishment. If a wall or pond is required, the pullers are obliged to erect it without any further recompense than their usual and established emoluments.

“The pullers are usually sold with the land; but there are many cases in which they may be purchased independent of the land. The price of a puller varies from five to ten pagodas, according to his age and qualifications. Their services are also occasionally mortgaged, as corroborative of what I advanced in the latter part of paragraph 3. A puller or female puller is never sold; while it would appear that in Malabar, men, women and children are sold indiscriminately.

Their Rights, Privileges and Emoluments.

“The pullers are supposed to be entirely supported by their masters, in sickness and in health. Their marriages are made at the expense of the meerassidars, as well as the expense of their funerals. They enjoy some little gratuity at every birth, and receive a certain established sum at the principal Hindoo festivals.

* The extent of cultivation to be made by a puller and by a pullee, is 150 columns of paddy. I have noted in the margin * a list of the yearly emoluments a puller is properly entitled to receive, and

Annual Emoluments of a puller. These emoluments, though small, I have every reason to believe are scarcely ever withheld.

Whether they are well or ill-treated, and the Policy or otherwise of doing away with the Establishment.

I have examined the pullers themselves on this subject, and asked them what course they would pursue, if ill used. They replied, they would seek other masters, at a distance, who would treat them more kindly. In corroboration of this fact, I have never received a complaint, either in my fiscal or magisterial capacity, since my appointment to this district, from a puller against his master. The right of the puller is so distinctly defined by custom, and the interest of the meerassidar so substantially affected by the good conduct and health of

Warum of a puller	15
D ^a of a pullee	15
Batta at the commencement of each	15
for ploughing	15
Soluntans for sowing	6
Reaping share at 5 per cent	7 6
Threshing d ^a	1
Poojal feast	1
Duparaly d ^a	1
Gramadava d ^a	1
Total annual	26 1 5 3/4
Proposed addition of warum at 2 per cent	3
	29 1 5 3/4

the pullers, that it is hardly possible to suppose the meerasidars would be so blind to their own interest as to cause their pullers to abscond, or by harsh treatment reduce them to sickness.

From what has been already stated, it will be found that agricultural slavery has existed in this district from time immemorial. I shall now submit my opinion, as to the policy, or otherwise, of abolishing the establishment.

There is something so revolting and abhorrent to an Englishman in the idea of slavery, that the advocates for its continuance in any shape must ever labour under the disadvantage of pre-judgment. Notwithstanding this, I shall endeavour to show, that so far as relates to the revenue of this district, (and I trust my opinion will not be supposed to extend further), the abolition of the puller system would be attended with the most serious and ruinous consequences.

It has been the custom to describe the pullers as the lowest order of society, involved in wretchedness and misery, and reduced to a condition, scarcely superior to that of the cattle which they follow at the plough. In Malabar, it would also appear, that the human form has even changed its wonted appearance, and that the slaves are distinguishable by their diminutiveness.

This theme holds out a fine subject for declamation; but so far as it relates to this class of people in Trichinopoly, it is highly erroneous, inasmuch as there is no class of people generally so athletic or tall in stature as the pullers.

It may possibly be urged, that there is something degrading in a government being concerned in selling human beings, like to so many cattle. It would, perhaps, be better if it could be avoided; but so long as the land continues possessed by Bramin meerasidars, who, by the immutable laws of caste, are prevented personally exercising the offices of agriculture; I see no possible means of collecting the revenue, nor of cultivating the land, without the establishment of pullers.

Divesting this discussion of national feeling, the most obvious inconvenience and evil which attend it, are, that a man, for the sake of food and the other necessities of life, is condemned to perpetual labour. I exclude all unfeasonable rigour on the part of the master, because I have already shown, that the ruling principle of human conduct, self interest, is conducive, in the present instance, to softened severity. But whether this obligation to perpetual labour, on the part of the puller, is not fully requited by a perpetual certainty of maintenance (for which those who work for hire are often at a loss) may, I think, be fairly doubted. It is, however, possible, that the advocates of freedom may think with Cicero, and the third judge in Malabar, *Mihi liber esse non videtur, qui non aliquando nihil agit.*

Not for the sake of argument, however, I will suppose that by proclamation of government, the establishment is directed to be abolished. In this case, I apprehend the direct consequences would be, either an immediate desertion of the pullers in a body, or that they would remain in *statu quo*. The first would be the natural conduct of any class of society having experienced ill usage from their former masters; and the latter course would be adopted by the pullers, if they had no reason to complain. If the pullers absconded, it is clear that no revenue could be collected, (for who is to supply their place?) And in this case, would government have any claim on the meerasidars? The latter would naturally say, you have taken away our means of paying; you have reduced us to poverty; you have abolished an establishment which has existed for ages, and have thought proper, at our expense, to emancipate our slaves, which prescription and our laws made as much our property as the houses we live in. By the laws of our caste, we are prevented tilling our land; and yet you ask us to pay a revenue, which alone can be paid from its produce.

On the other hand, should the proclamation have only the effect of leaving things as they are; if the pullers remained with their masters as heretofore, the only benefit resulting therefrom would be, that government had published a proclamation, without any attention being paid to it. It would be at best a useless, if not a dangerous document. Hence to emancipate them entirely, would be ruinous in its consequences, both to the revenue and the puller; for emancipation in India would confer no rights beyond what the puller at present enjoys. Though nominally emancipated, he and his children would remain the lowest order of society; he would either continue at the plough, possibly under less favourable circumstances than at present, or seek a livelihood, by more daring means. In short, I have no doubt, as justly observed by the Board, that it might be dangerous too suddenly

Contingencies estimated:	
For a marriage	4 rs. 8
For a birth	4 rs. 8
For a death	4 rs. 8
Total	33 5 1/2 rs. 9 fa. 1 1/2

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

to disturb the long established relations in society subsisting between those two orders.

" While I have endeavoured to point out the danger which might probably result from the emancipation of the pullers, and that it would be 'productive of evils for which no adequate remedy can be devised,' I take the liberty of suggesting to the Board a method by which the situation of this industrious order of society might be permanently and substantially improved, without resorting to legislative enactment. The sacrifice, on the part of government, would be trifling and inconsequential, compared with the benefits which would certainly accrue to the pullers. Should the Board think proper to adopt the recommendation, it would be a sacrifice, in my opinion, worthy the liberality, and consonant to the wisdom of government.

" By a reference to the list of emoluments, it will be found, that the established warum of the pullers amounts to 10 per cent. By adding 2 per cent to this warum, the situation of the pullers would be greatly benefited, and the expense to government would be (taking the revenue of the wet districts in round numbers) not more than 2,000 pagodas per annum. This sum would materially tend to the comfort of 10,000 people, by whose industry and manual labour the country is cultivated, and who, in point of fact, are the creators of revenue; for it must be admitted, that although the meerassidars are the payers of the revenue, receiving a larger warum than the creators of the revenue, yet still they are an idle, useless race, 'born to consume the fruits of the earth.'

Canara.

CANARA : 13.—The collector in Canara states, "that the origin of slavery in Canara, is to be traced from extracts from an ancient book, called Sheehadry Pooranam, but by no means an authentic record."

14.—This treatise is stated to contain a fabulous narrative, which, when divested of its oriental imagery and metaphors, will be found to attribute the origin of slavery in Canara to the right of conquest.

15.—The Board propose to pass over the details taken from the Sheehadry Pooranam, and proceed to transcribe such parts of the collector's report as relate to the present state of slavery in Canara.

Right of sale.—"The right of sale was, and is still, the master's exclusive privilege, either with or without the land. The price varies, and is settled amongst the purchasers and sellers. The usual rates are as follow:—

For a strong young man, from 12 to 26 rupees.

D° a strong young woman, 12 to 24 rupees.

D° a child, never under four rupees.

"It is customary to pass a bill of sale, on a bargain being made, or a mortgage bond.

Note, in charity, or to the pagoda.

"The transfer, by purchase or gift, is attended with a short ceremony, both between the seller, or giver and receiver, and the slave. The slave drinks some water from his brass basin, and calls out, "I am now your slave for ever." The zillah court, I understand, has guaranteed this right by decrees, both on transfer of landed property or on sale, in execution of decrees."

Peculiarities.—"The master can lend his slaves out on hire. He can sell the husband to one person, the wife to another. This is not often done, because neither of the purchasers can be sure of keeping his purchase. Thus the great law of nature seems even in these humbled creatures, to be acknowledged by their owners. Care is always taken in purchasing, not to carry the slave to any distant estate; their attachment to the soil on which they were born, being well known."

"The master can sell the children; but this is seldom done, from the foregoing cause, the fear of desertion."

"The master, according to his means, feeds and clothes his slaves. He never pays them wages in money, but presents them, on their marriages, or particular ceremonies, with a small sum. The quantity of food and clothing to a slave, varies in every talook. It does not seem to be regulated by any rule, although it would appear that some original quantum obtained. The average may be thus estimated :

	FOOD.	CLOTHING.
A man -	½ Canara seer coarse rice, two rupees weight salt, a little beetle nut and leaf	Two pieces of cauthey, six cubits. In some talooks, a coombly and roomal given.
A woman -	1 seer	1 d°, seven cubits.
A child -	¼ d°	1 d°, four d°.

"The

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

"The salt, beetel, &c. is optional. It is also customary to give them conjee from the master's house. From every inquiry, I cannot learn that any want or cruelty is experienced by the slaves, the master being well aware, that, on any ill-treatment, they will desert him; and that the trouble and expense attending their recovery would perhaps amount to the value of the deserters."

Rights and privileges of the slave.—"Slavery seems to be inconsistent with rights and privileges, if I understand the correct meaning of the terms. On these points, therefore, I can only generally state, that the dher of Canara possess none."

Peculiarities.—"As a distinct class of people, they have distinct customs. These consist in their marriages and religious ceremonies; they have no day which they can call their own. It often happens, however, that a kind master, on any of his great ceremonials, grants to his slaves that day to themselves, and free from all labour. They accompany the corpse of their master to the funeral pile, at a respectful distance, shave their heads, and cry out. The cloth which covered the corpse, is given to slaves. The twelve classes have different customs. A dher can be turned out of his sect, if he eats the flesh of a cow, by an assembly of the caste; but it is of no consequence to the owner. Some classes eat cows flesh. A few in the Byr Holler learn to write. If a dher accumulates a little real or personal property, he retains it independent of his master. The dher either burn or bury their dead. The master of a deserving slave sometimes gives him a slip of ground, which he may cultivate for his own use. He also enjoys the produce of such trees, roots and vines, as he is permitted to plant; but the right in the soil or tree, is in the master."

"They sacrifice to the devil only; they have no priests performing their ceremonies themselves. These are three times in a year; they cannot ever perform them without the master's permission; for as they are prohibited borrowing money from any one but himself, they are compelled to get the means from him. The same applies to their marriages. There does not exist any interference on the part of the master in the ceremonies; but if the slave of one man marries the female slave of another, the child born of that marriage, if a male, goes to the owner of the male, and *vice versa*."

"The number of slaves of all descriptions in Canara, has never been correctly ascertained; they may be estimated at eighty-two thousand."

16.—MALABAR.—In Malabar (exclusive of Wynaad) the number of slaves is estimated by the collector at one hundred thousand.

Malabar.

Par. 6.—"They are, says the collector, slaves of the soil, and are generally attached to the land of the proprietors of the ground on which they were born; but this is by no means considered an essential point, being frequently transferred by sale, mortgage or hire."

17.—In Malabar, as in the West Indies, a man's wealth is as much appreciated by the number of his slaves, as by any other property he may possess."

"In one sect they observe, what in the documents which accompany this is termed makka-tye; in another they observe the marra makka-tye; the former being the common laws of kindred, the latter similar to the customs among the Nairs, in which inheritance goes to the sister's son, and this constitutes the value of a female of one caste over that of the male, and *vice versa*, a male being more valuable where the progeny goes with him."

"The marriage contract is made entirely among the parents of the parties, without any interference on the part of the proprietor, to whom, however, it is necessary to make known the proposed connexion."

"No valuable consideration is given by the male for the possession of the female to the owner. The contract may be dissolved at the pleasure of the parties connected, in which event the husband takes off the marriage necklace (commonly composed of shells or brass ornaments), which makes the dissolution complete, and each are at liberty to form new connexions; but whilst the contract lasts, I have had opportunities in my magisterial capacity, when an assistant in the courts, of observing a wonderful degree of jealousy and tenaciousness of family honour, when contrasted with the general appearance, habits, and apparently brutish stupidity of these castes."

"The measure of subsistence to be given by the proprietor is fixed, and he is bound by the prescribed customs of the country to see it served out to them daily. A frequent failure on the part of the master to perform this duty, is sure to be attended with desertion to another from whom they expect kinder usage; and when this does take place, the recovery of them is attended with difficulties that are not easily overcome; for, independent of being obliged to have recourse to courts of justice, months and years perhaps elapse before they can discover to what place the

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

the slave absconded. In short, the proprietor feels it his interest to see them well treated, through apprehensions of the consequence of an opposite conduct. In former days the proprietor possessed the power of life and death over his slaves; but this was probably seldom or ever had recourse to, and desertion only would, in all probability, have been one of the motives for so rigorous a measure, but there were many circumstances which would have operated as a check upon the gratification of this species of severity and revenge.

"I do not immediately recollect any instance of a churma having appealed to a court of justice for protection from the ill usage of his master; but instances are not wanting of persons having been brought to justice and to a severe account for the murder or wounding of a slave; and as it is universally known throughout Malabar, that British justice considers the life of the lowest individual as valuable as the highest character in the country, and that as severe a measure of retribution would fall on the head of the murderer of a slave as of a rajah, we may consider them as well protected by the laws as any other race of beings.

"In some respects churmas may be considered in more comfortable circumstances than any of the lower and poorer class of natives. An instance of a churma being a beggar is unheard of; they and their families are sure of having the means of subsistence, as if the owner should be rendered unable to afford this, he will sell, mortgage, or hire his churma to another, on whom would devolve the duty as well as interest, in affording such subsistence as to enable the churma to go through the labours of the day. Contrast this with the situation of a free born but poor labourer, depending upon the labours of a day for his subsistence, unable, perhaps, to find employment, with a wife and family to support, and no one to whom he can look up for protection or subsistence.

"Slaves (in another place observes the collector), may be described as a distinct caste, with appropriate and distinct customs, which have been handed down to them by their ancestors, and which are by them religiously adhered to, and they may be, I conceive, viewed in any light but that of an abject and horrid state of bondage."

18.—The collector has inclosed in his report the detailed answers of the Tahsildars in the several talooks composing the province of Malabar, to certain questions put them on the subject of slavery, and to these the Board beg leave to refer the government for information, respecting the different peculiarities observable in the condition of slaves throughout the district.

19.—The collector has also inclosed an extract from Major Walker's report, on the tenures of Malabar, in which will be found some interesting but limited information, respecting the conditions of slaves in that province.

It is difficult, with the confined knowledge which we possess of the ancient history of India, to trace back with any degree of correctness the origin of slavery, or the successive steps by which it has reached its present state; it certainly has existed from time immemorial in this country, and it is stated in Mr. Colebrook's Digest of Hindoo Laws, that there are seven different modes of obtaining slaves recognized by the laws of the Hindoos.

"There are slaves of seven sorts, one made captive under a standard or in battle; one maintained in consideration of service; one born of a female slave in the house; one sold, or given, or inherited from ancestors; and one enslaved by way of punishment."

21.—These various methods of acquiring slaves were not confined in the earlier ages to the Hindoos, but appear to have been common to all other ancient nations, and were either provisions of written law, or what was equally binding, the established customs of the countries where they prevailed.

22.—It was a maxim of ancient law, that the conqueror became the lawful master of the enemy whom he had subdued or spared;* and although this origin of slavery appears to have been the most ancient, and perhaps the most natural, the custom of voluntary entering into a state of bondage, or as the Hindoo law describes it, being "maintained in consideration of service," would seem also to have prevailed very generally in the earliest ages.†

23.—Slaves

* It has been observed, that the Latin word *servus* (which signifies not a hired servant, but a slave), is derived from *servare*, "to preserve," and that such men were called *servi*, because they were captives whose lives were preserved, on the condition of their becoming the property of the victor.

† "And lo! we being brought into bondage, our sons and our daughters to be servants, and some of our daughters are brought into bondage already, neither is it in our power to redeem them, for other men have our lands and our vineyards." Nehemiah, c. 5, v. 5.

Book III. Ch. 1.
Sect. 33.

Vide Gibbon's
Roman Empire,
ch. xxxviii.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Slaves who had thus fallen into the hands of others by the right of conquest, or by voluntary contract, became the absolute property of their masters, and could be sold, given, or inherited from ancestors, both by the Hindoo laws as above stated, and by the laws of other nations.

So completely indeed did those who had thus purchased life and subsistence by the sacrifice of all that can render life desirable, become the property of their masters, that they were incapable by law of acquiring any property whatever of their own, and this is still the case in India, as already stated by many of the collectors, and as recognized by the Hindoo law.

Three persons, a wife, a son, and a slave, are declared by law to have in general no wealth exclusively their own; the wealth which they may earn is regularly acquired for the man to whom they belong.

A Brāhminah may seize without hesitation, if he is distressed for subsistence, the goods of his Soodra slave, for as that slave can have no property, his master may take his goods.—Colebrooke, book iii, ch. 1, section 52.

The Board will not lengthen these proceedings by noticing the changes which have taken place in the state of slavery in other countries, or by comparing the conditions of this class of people in India, with that of their brethren in other parts of the world. It will suffice to state, that slavery, as at present understood in Europe, cannot be said to exist in India; and that although there is a class of people here denominated "slaves," their condition, treatment and circumstances differ very widely from that of the unfortunate beings similarly designated in the West Indies or in Africa.

In India, the slaves, where they do now exist, although they can be sold, transferred or given away, cannot be forcibly dragged from their native country, and doomed to a life of bondage in a foreign land; a traffic in slaves, as carried on with Africa, is entirely unknown in India, and slaves in India are to be viewed rather as dull and laborious instruments of agriculture, or of domestic service, than as articles of commerce.

27.—The slaves in this part of India may be divided into two very distinct classes, the one consisting of the slaves of Mussulmans, the other of the slaves of Hindoos. The former are exclusively domestic slaves employed in the house, and are commonly purchased whilst infants, and brought up in the Mussulman faith by their masters; many of them are females, employed in the seraglio or haram of the richer Mussulmans, to attend on their ladies, and once there inclosed, they are seldom allowed egress from it, as they are viewed as part of that establishment, which it is the chief point of honour with a Mussulman to guard from the view of another. The men slaves are employed as menial servants, and having free communications with others, and means of complaint, are generally well treated, but none, except those who have access to the recesses of the haram, can judge of the treatment which the females receive. The Mussulman slaves, however, are comparatively few in number; the great slave population consists of the Hindoo slaves, of whom none are confined, and all of whom, with the exception of a very few, are employed in agriculture, and may be termed field slaves, though occasionally employed in domestic service.

28.—The condition and treatment of slaves in the East has generally been mild and humane; and even some of those laws, which recognize a property in the person of slaves, also inculcate and enjoin, in the strongest terms, the practice of lenity, moderation and kindness towards them.

Tenderness towards slaves, says the learned translator of Hedaya, speaking of Mussulman slaves, "is certainly a prevalent principle in the Mussulman law, and in the 24th chapter of the Koran, this tenderness is strongly enforced with respect to certain points in the domestic treatment of them. So favourable, indeed, are the Mahomedan laws towards slaves, that they are only liable, in certain cases, to half the punishment which is adjudged to other offenders."

Hedaya, B. 7. c. 1.

Moreover, to

* "The selling of themselves or children to slavery, was always the practice of the German nations, and was continued by the Anglo Saxons." Hume's Hist. of England, vol. 1. Appendix 1.

V. 45.—"Moreover of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begot in your land, and they shall be your possession; and ye shall take them as an inheritance for your children after you, to inherit them for a possession, they shall be your bondsmen for ever." Leviticus, chap. xxv.
"But the slaves or villains (among the Saxons) were by much the most numerous class in the community, and being the property of their masters were incapable of holding any property themselves." Russell's Mod. Europe, v. 1, letter viii. See also Hume's, vol. 1. page 211.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

"Moreover," (says the Hedaya), "as bondage occasions the participation of only half the blessings of life, it also occasions the suffering of only one half the punishment; because an offence increases in magnitude, in proportion to the magnitude of blessings under the enjoyment of which it is committed.

29.—In India, manners and customs, and with them the condition of the people, has, undergone, it is believed, in the course of time, less change than in any other country.

30.—It is perhaps to the early division of the people into castes, the consequent subjection of one part of the community to the other, and the concomitant custom of children invariably following the same profession, and obtaining their livelihood by the same means as their fathers, that the permanency of Indian institutions, and the immutability of the manners of the inhabitants is to be principally ascribed.

31.—Accordingly, we find that the present state of Hindoo slaves, as described by the collectors, appears to be nearly the same as it was defined and intended to be by the laws of Menu, but that certain incidents in their villanage, consequent on the provisions of those laws, which were enacted with a view to the comfort and happiness of this race of people, have been looked upon as proofs of an abject, degraded and miserable condition.

32.—The Board allude to the circumstance of slaves being sold and transferred *with the land*, or in payment of the rent of it.

33.—The Hindoo law on the subject of transfers of property, speaks of "land and slaves employed in the cultivation of it," and evidently contemplates those two species of property as one and the same, and as not properly separable from each other; and we find, that not only in this but in other* countries, it has been usual to transfer the slaves who were a "descripti glibæ" with the land itself. Indeed the attachment of the Hindoos to the lands which they have always occupied, and to the village where they have always resided, is proverbial, and to separate them, therefore, from their native soil, might, under such circumstances, be considered an additional act of cruelty.

34.—A certain portion of the produce of the soil which they cultivate, is, in the Tamil country, allowed by the master for the maintenance of his slaves, whose duty it is to till the ground; and unless they were transferred with the land, the new proprietor, when he obtained possession, might experience difficulty in carrying on the cultivation, and the former master might be deprived of the means of enabling him to afford subsistence to his slaves.

35.—The probability of being transferred with the land, moreover gives them therefore on this coast a sort of property in their huts and little spots of ground, which they can thus occupy without any great fear of being turned out or transferred contrary to their interests, feeling and comfort. It must, however, be observed, that on the other coast universally, and even generally on this coast, slaves are not *necessarily* sold with the land, although the convenience of all parts seems to have rendered the practice common.

36.—With regard to the practice of selling the slaves of revenue defaulters, for the recovery of arrears due, on which the Board have been directed to report, it appears, that in the case which has been brought to the notice of government (by the third judge on circuit in Malabar, through the Sudder Adawlut) the seizure of the slaves in question, with a view to their being disposed of by public sale, took place without the knowledge of the collector, and that on a petition complaining of the grievance being presented, an order was issued by that officer to restore the "paddy seed and chermars" (slaves.)

37.—The Board observe with great regret, that this order was not obeyed, but that the four slaves were sold for 32. 3. rupees.

38.—The third judge on circuit states, that the collector declined furnishing certain information which he had called for, respecting the liability of chermars or slaves to be sold in satisfaction of arrears of revenue; the collector's reasons for so doing

* "They were of two kinds, household slaves, after the manner of the ancients, and rustic slaves, who were sold and transferred like cattle with the soil." Russel's Mod. Eur. Vol. I. letter viii. on the Anglo Saxons.

"In Scotland there certainly existed an order of slaves or bondsmen, who tilled the ground, were attached to the soil, and with it were transferred from one proprietor to another, at a period so late as the 13th century." Enc. Brit. Art. Slavery. "Those of them (in the French West India islands before the Revolution in France) who cultivated the plantations were attached to the soil, and could not be drawn off to pay debts or be sold separately from the estate on which they lived."

Ramsay's Essays on the treatment and conversion of slaves, sec. V.

Vide Colebrooke,
Book II. ch. 4.
sec. 14.

Joing are submitted in a letter addressed to the Board, under date the 24th November 1818, but by some mistake in his office, not received by the Board until the 26th October 1819, from which the following is an extract:

"How the third judge could take up this, as being cognizable before his tribunal, I am not aware, nor upon what plea could call upon me as magistrate, to give him information on revenue points; viz. whether chermars (slaves of the soil) were sold for arrears of revenue, is equally inexplicable to me; and even did he wish for this information, he has been long enough in the revenue and judicial line to know, that that the sale of chermars both in execution of decrees for arrears of revenue, and by mutual and private contracts, is as common as the sale of land, for if the soil is sold, what can be the use retaining the slaves of it."

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Par. 5.

39.—Statement N^o 21, inclosed in the collector's letter of the 20th July last, shewed, that in the space of five years, no less than 186 have been instituted in the zillah court of South Malabar alone, on the subject of slaves; it is reasonable therefore to conclude that the judicial authorities on the other coast must have been fully acquainted with all the circumstances connected with slavery, as it exists within their respective jurisdictions; and as slaves are stated to have been sold in execution of decrees, however much to be regretted, it does not appear so extraordinary that the slaves of the complainant in the case brought forward by the third judge on circuit, should have been seized by the revenue officers, and sold, like his other property, in satisfaction of arrears.

Inclosed in
Mr. Vaughan's
letter, 20th July,
in Cons. 5th,
August 1819.

40.—Malabar is not the only province where slaves are considered by the native revenue officers as tangible property, and entered as such in accounts submitted to the collectors.

Vide par. 8, of
these proceedings.

41.—It appears, however, that in Malabar alone have any slaves been sold for arrears of revenue.

42.—The Board proceed to the consideration of that part of the letter from government under reply, which desires them to state their opinion "whether the practice which actually prevails" with respect to the sale of slaves "should be permitted to continue as at present, or whether it ought either to be laid under such restrictions as would render it less objectionable, or to be altogether abolished; as productive of evils for which no adequate remedy can be devised."

Where "in some respects chermars may be considered in more comfortable circumstances than any of the lower and poorer classes of natives." Where "no want or cruelty is experienced by the slaves." Where the "abolition of the Puller system would be attended with the most serious and ruinous consequences." Where they seem not to consider their situation, nor to show any "desire to be free and independent;" where the treatment of slaves by their masters "is the same as that of the other labourers, which is in general of a mild nature." Where "the slaves are on the whole better treated by their masters than the common class of free labourers." Where, finally, humanity on the part of the masters is encouraged by a sense of their own interest, and a disposition to personal cruelty and ill-treatment is checked and restrained by the establishment of the courts of justice, it does not appear to the Board, that any immediate interference on the part of the government is particularly called for, or that any alteration in the existing state of slavery should be made, except by degrees, and after mature and attentive consideration has been given to the subject.

Vide Letter from
the Collector in
Malabar, 20th
July 1819, par. 15.
Canara, p. 4.
Trichinopoly,
par. 11.
Tinnivelly, par. 4.
Tanjore, par. 4.
Coimbatore, par. 3.

43.—But, because no immediate measures are urgently called for, it does not follow, that the most useful, the most laborious, and one of the most numerous classes of our subjects in these territories, should, from generation to generation, continue the hereditary bondsmen of their masters, incapable of inheriting property of their own, deprived of that stimulus to industry which possession of property ever inspires; and because they are fed and clothed, and reconciled to the present condition, it does not follow that the government should confirm institutions, which doom those who have thus fallen into this condition incapable of ever again recovering their liberty, or of rising to a level with their fellow men.

44.—Independently of those principles, hostile to any restraint on liberty, which are innate in every British government, and which, as contained in our judicial code, without any express enactment on the subject, have operated to check abuses of masters towards their slaves; and independently also of those feelings among free men, which naturally prompt them to extend to every one under their government the blessings which freedom confers, it appears to the Board, on the mere calculating principle of self interest and policy, to be desirable, that no one should be deprived of the means of acquiring property, or of diffusing those benefits among society, which proceed from an increase of capital and wealth.

45.—The

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

45.—The Board are decidedly of opinion, that slaves should not be sold for arrears of revenue; and prohibitory orders to this effect will be issued to Malabar, where alone it has occurred. In Malabar and Canara alone, the number of slaves are calculated at 180,000; and the Board have now under consideration certain propositions from Mr. Græme, the commissioner in Malabar, for the amelioration of their condition, and the gradual emancipation of slaves in that country.

46.—In the Tamil provinces, the number of slaves is comparatively few; their condition is better, and any immediate emancipation of them would be attended by inconvenience, difficulty, and perhaps distress. This might therefore be at present deferred, until the practical remedy for the gradual abolition of slavery on the other coast shall have been fully considered and decided on.

47.—But whatever may be the future decision respecting those who are already slaves, the Board think that a regulation ought to be published, to prevent the further extension of slavery, and to ameliorate in some degree, by a few general enactments, the condition of those who are already slaves.

48.—The further purchase of free persons as slaves should be declared invalid and illegal; and all children hereafter born slaves should be declared free. But any person should be still at liberty to contract for a given sum to labour for a term of years, or for life. Such contracts, however, should be in writing, and binding upon the individual who executes it only, not upon his wife or children.

49.—Slaves should be declared competent to possess and dispose of their own property, to the exclusion of any interference therewith on the part of their master.

50.—The Board further submit, whether it would not be proper to annex some penalty to the purchase of female children, for the purpose of being brought up as prostitutes, in the manner alluded to in Mr. Hyde's letter.

51.—It might also be provided, that proprietors are to provide wholesome food and clothing for their slaves; that in sickness, in age, or infirmity, they shall not neglect them; that they shall not have the power of corporal punishment; that slaves, on being ill-treated by their masters, shall be allowed to claim the privilege of being sold to another; and that in breach of these laws, or refusal to comply with them, on the part of the master, the slave shall receive his liberty.

52.—It might further be provided, that slaves shall have power to purchase their liberty at the price for which it was forfeited, and that slaves attached to lands or estates which may escheat to government shall be liberated.

53.—Many of these provisions will be found to contravene those of the Hindoo law, which, with respect to Hindoos, is declared by the regulations to be in force; and the necessity, therefore, of a formal enactment of them in the code will be sufficiently apparent.

54.—The collector in Trichinopoly has submitted a proposition for ameliorating the condition of the pullers in the district, by adding two per cent to their warum, which is at present only ten per cent. By this, he observes, "the situation of the pullers would be greatly benefited, and the expense to government would be (taking the revenue of the wet districts in round numbers) not more than 2,000 pagodas per annum. This sum would materially tend to the comfort of 10,000 people, by whose industry and manual labour the country is cultivated, and who, in point of fact, are the creators of revenue."

55.—The Board are not aware of any objection to this measure, and it is accordingly resolved to recommend the adoption of it to government. The collector will hereafter report the result of it, and the effects which it may have on the condition of the people.

56.—Resolved also, That the collector in the other Tamil districts be desired to report, whether a similar measure could not be adopted with advantage in their districts; and if so, the extent of remission proposed.

57.—In conclusion, the Board would remark, that the subject discussed in these proceedings appears to them of great importance; that the suggestions which they have submitted should, therefore, be well weighed before they are adopted; and that any legislative enactment that may be deemed requisite, be framed with great caution. It may also be for the consideration of government, whether the subject may not, as a general one, be referred in the first instance to the supreme government, in order to ascertain the state of slavery in the Bengal territories, and whether any restrictions are imposed on it there.

(True extracts.)

(signed) A. D. Campbell, Secretary.

Ordered to be recorded.

Extract of a Letter in the Judicial Department from the Court of Directors to the Governor in Council of Fort St. George, dated 28th April 1824.

146.—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.

Letter from Fort St. George, 11th March 1820 (146). Practice of selling the slaves of Revenue defaulters. Oppression and cruelty committed by Revenue police officers in Malabar.

147.—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 masters, 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.

148.—We shall defer making any further remarks on the subject till we receive a further communication from you.

Extract of a Letter in the Judicial Department from the Governor in Council of Fort St. George to the Court of Directors, dated 3d February 1826.

56.—The opinions and views stated in these paragraphs, coincide with those entertained by us. Such parts of our proceedings as have relation to the subject of slavery will be brought to the notice of your honourable court.

Letter from the Court, 28th April 1824. 146 to 148. To be extremely cautious in framing any regulation for defining the relation of master and slave, the present obscurity of the law being favourable to the latter; will defer their further remarks until they receive a further communication.

CORRESPONDENCE with the Acting Superintendent of Police at Madras, in 1818, relative to the practice of Kidnapping Children and Selling them as Slaves to the more wealthy Mahomedans.

Extract of a Letter from the Governor in Council of Fort St. George to the Court of Directors in the Public Department, dated 6th February 1810.

Par. 208.—We have noted in the margin, a correspondence relative to the practice of kidnapping children from their parents, for the purpose of selling them as slaves. As the advocate general was of opinion, that it could not be attended with any beneficial result to adopt the suggestion of the superintendent of police, that his highness the Nabob and every Moosulman family should be required to send children that they might wish to buy as slaves to the police, in order, that inquiries might be made to ascertain that they had not been kidnapped, and that a rule to this effect should be enacted under a regulation, in order that a penalty might be annexed to it, we directed the superintendent of police to communicate with the advocate general, regarding the most proper measures for preventing the frequent occurrence of this crime.

Cons. 23d June. 32, 33. Cons. 8th Sept. 47, 48.

Extract, Fort St. George Public Consultations, 23d June 1818.

Read the following letter from the acting superintendent of police:—

To the Chief Secretary to the Government.

Sir:—The apprehension of a native woman, charged with having enticed a child from the relations, and after claiming her as her own, having attempted to sell her to a Mussulman as a slave, had, in the course of one day, led no less than eight different persons to complain to me of the loss of their children, nine in number.

The whole of these children are females, from six to ten years of age, and all, except two, have disappeared within the last two months; their parents are in general of the very lowest description of the people, but their unfeigned distress and great anxiety for the recovery of children, whom they will perhaps find it difficult to support, evince feelings that would do honour to the highest classes of the community.

Nothing has been left undone by the police for the discovery of these children; but in the course of my inquiries on the subject, I have arrived at information that induces

From the Acting Superintendent of Police; bringing to notice the prevalence of the practice of kidnapping children to sell them as slaves, and recommending that the sale of children for slavery should be placed under certain regulations.

Fort St. George
 Papers
 State of Slavery
 in Company's
 Territories

induces me to believe, some interference on the part of government is required, to check a crime which appears to be one of the most common at the presidency.

His Highness the Nabob of the Carnatic, the various branches of his family, and indeed the whole of the principal Mussulmen at Madras, are in the habit of purchasing female children to serve as domestic slaves in their families, and to attend their wives and concubines, who are numerous in proportion to their rank. To supply them with these children, native women of the most infamous character are in the habit of enticing to their huts children of the lower classes of the people, with offers of sweetmeats and money; and having once secured them, they are intoxicated with drugs and arrack, and taken by bye-paths to Mussulman houses, where they are sold, by the women as their own children. A Mussulman name and dress is then given to them, and being considered as part of the seraglio, the jealousy in which a Mussulman's honour consists secludes from any communication with strangers.

I consider the late enactments of the British legislature respecting the slave trade to have reference exclusively to foreign traffic in slaves, and not to domestic slavery, which in this country is, I conceive, legalized by the previous statutes of the 21st and 37th of the King. This also appears to have been the decision of the Supreme Court; for, in the cases printed by Sir Thomas Strange, the late chief justice, it is laid down as the judgment of that court, that these statutes "recognize the civil and religious usages of the natives, and the rights and authorities of fathers and masters, of families, according as the same may have been exercised by the Gentoo or Mahomedan laws;" and he adds, that by the Mahomedan law a master has the power to punish "his slave" by stripes or imprisonment. Indeed, there can be no doubt that domestic slavery is fully recognized by both the Gentoo and Mahomedan code, as well as by the usages of the people.

See Vol. I. p. 299.

Under this view of the subject, my object in addressing the government is, that a communication should be made to His Highness the Nabob through the proper channel, to prevail upon him and all the members of his family to send every child that they may hereafter be desirous to purchase as a slave to the police office, in order that, previously to the purchase, due inquiries may be instituted to ascertain that they have not been kidnapped from their parents; and that I should be authorized by proclamation to require all other Mussulmans to adhere to the same rule. Without this, any immediate inquiries of the police respecting such children will be nearly fruitless, and may be viewed by His Highness and others as an improper interference with their own domestic arrangements.

Should the government approve some arrangement of this kind, it would perhaps be proper that the proposed rule should be enacted in a local regulation, in order that a penalty may be annexed to the breach of it, on the part of either the seller or the purchaser, for, without a penalty, the rule could never effectually be enforced.

These suggestions I have submitted to government, with the view of better regulating the sale of children for domestic slavery, which I understand to be authorized by law. It would, perhaps, be impolitic immediately to abolish a practice that so generally obtains; but the gradual restriction of it seems highly desirable, and some interference on the part of government is loudly called for, to prevent the abuses to which it is at present liable.

As it is not impossible that I may have taken an erroneous view of the law respecting domestic slavery within the limits of the Supreme Court, a reference to the law officers of government on that point may be proper before the government proceed to consider the restrictions thereon now proposed.

I have, &c.

(signed) A. D. Campbell, Acting Superintendent of Police.

Madras Police Office, 27th May 1818.

N^o 33.

Ordered, in consequence, That the following letter be dispatched to the Honourable Company's solicitor:

To the Honourable Company's Solicitor:

To the Solicitor for the Hon. Company, requiring the early report of the Advocate General, on a letter from the Superintendent of Police, respecting the practice of kidnapping children to sell them as slaves.

Dated 27th May 1818.

from the superintendent of police, respecting a practice of kidnapping children to be sold as slaves, which is stated to be very prevalent at Madras.

Sir:—I am directed by the Right Honourable the Governor in council, to transmit to you, for the early consideration and report of the advocate general, the accompanying copy of a letter

respecting a practice of kidnapping children to be sold as slaves, which is stated to be very prevalent at Madras.

I am, &c.

(signed) D. Hill, Secretary to Government.

Extract, Fort St. George Public Consultations, the 8th September 1818.

Fort St. George
Paper No 1
State of Slavery
in Company's
Territories

Read the following letter from the Honourable Company's solicitor:—

To David Hill, Esq. Secretary to Government.

Sir:—Your letter of the 23d June last, and the copy of a letter from the superintendent of the police, respecting the practice of kidnapping children, were submitted, to the advocate general, and I now inclose a copy of his opinion on that subject.

I have, &c.

(signed) Robert Orme, Solicitor.

Fort St. George, 27th August 1818.

The kidnapping of children is undoubtedly a great offence, and is punishable by the law accordingly; but I cannot advise government to adopt the suggestion of the superintendent of police, as I think it would be attended with no beneficial result, and is in many respects objectionable. It may not, however, be amiss, that a private communication should be made to the nabob on the subject, leaving it to his highness's discretion to adopt such measures of precaution to guard against the mischief, as shall seem to him expedient.

August 26, 1818.

(signed) Samuel Toller, Advocate General.

Ordered, in consequence, that the following letter be dispatched to the superintendent of police:—

To the Superintendent of Police.

Sir:—With reference to the letter from Mr. Campbell, dated the 27th of May, I am directed by the Right honourable the Governor in council, to transmit to you, the annexed copy of the opinion of the advocate general on the subject; you will communicate with that officer regarding the most proper and effectual measures for putting the law in force against the offence of kidnapping children.

I am, &c.

(signed) D. Hill, Secretary to Government.

Fort St. George, 8th September 1818.

Extract of a Letter from the Court of Directors to the Governor in Council of Fort St. George in the Public Department, dated 28th February 1820.

Letter from the Government, dated the 6th February 1819,

Par. 68.—Replied to in the judicial department, relative to a practice of kidnapping children and selling them for slaves.

Extract of a Letter from the Court of Directors to the Governor in Council of Fort St. George in the Judicial Department, dated 28th April 1824.

201.—The kidnapping of children is stated by the superintendent of police to be very prevalent at Madras. But as the practice is acknowledged illegal, and of course punishable, it must be checked like other crimes by enforcing the laws. On the occasion now referred to, the police officers appear to have made every exertion for apprehending the offenders, but without success. We are not aware that any thing else could have been done.

(208.) Kidnapping children for the purpose of selling them as slaves.

Extract from a Letter in the Judicial Department, from the Governor and Council of Fort St. George to the Court of Directors, dated 3d February 1826.

69.—These paragraphs have been replied to in our general letter in the public department, dated 11th February 1825 (paragraph 212).*

* This paragraph does not relate to the subject referred to.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N^o 2.

PAPERS relative to a Nair Child, kidnapped and held in Slavery at the French Settlement of Mahé, 1819.

Extract, Fort St. George Foreign Consultations, 18th November 1819.

Read the following letter from J. Vaughan, Esq. magistrate of Malabar, to the secretary of government in the judicial department, Fort St. George, Oct. 7, 1819:

Sir:—Par. 1.—I deem it a duty incumbent on me to submit to the Right honourable the Governor in council, copy of a correspondence between Monsieur Le Baron Law de Clapern on and myself, relative to the kidnapping of a Nair child, and to offer a few observations on the subject.

2.—I beg however to premise, that to Monsieur Law I am much indebted, for his prompt and obliging attention to my application.

3.—A complaint having been made against a man by a Nair for kidnapping his nephew, due inquiry was made, during which, the defendant confessed the fact, and that he had taken the child to Mahé, and had sold him to an inhabitant of that place; that he had received *one rupee in advance*, and that the price was to be settled afterwards.

4.—The prisoner was questioned by me as to the name of the person to whom he sold the child, but pleaded ignorance; by questioning him however on the situation of the house, to the inhabitant of which he sold the child, I was able to form what appeared afterwards a correct knowledge of the person.

5.—I immediately addressed Mr. Law on the subject, and received an answer, in which Monsieur Law gives the purchaser of the child credit for humane motives; but which, from my longer and more intimate knowledge of various characters at Mahi, I am inclined to withhold my assent.

6.—Had motives of humanity induced the purchase of the child, it would have been shown by inquiring into particulars, and informing the chief of Mahi of the circumstances, and obtaining permission, which Monsieur Law would never have granted without reference to me on the subject, particularly when the purchase of the child of a subject of the Company's was the object.

7.—The first thing the purchaser seems to have done, was to cut off the kindema or lock of hair, which is the distinguishing mark of Nairs, the loss of which, in a case of this instance, involves loss of caste; independent of which, the child has been induced to eat forbidden victuals, and must now for ever be an outcast.

8.—In former days, Mahi used to be a place notorious for kidnapping people of all ages and castes, who were sold as slaves and transported to Arabia and elsewhere.

9.—I therefore submit to the Right honourable the Governor in council, whether it might not be advisable to take whatever measures may appear to be most proper to check an evil which may have a rapid growth, more particularly as I have reason to believe, that this is not the only instance of children having been offered for sale at Mahi, where, from the frequency of the country vessels touching there, children and others of this description, might be spirited away beyond the reach, and with little probability of detection, and beyond the means of recovery.

I have, &c.

Calicut, October 7th, 1819.

(signed) T. Vaughan, Magistrate.

(A.)

To Monsieur le Baron Law de Clapernon, Chief Commandant, Mahé.

Sir:—I have the honour to request you will give me your assistance in endeavouring to recover Pomangandy Chekkoo, the bearer of this, his nephew, a boy of about eight years old, named Govinden, who was kidnapped by a man since apprehended, and who says he sold the boy to a Portuguese, a native of Mahé, for a small sum, of which he received one rupee in advance, as far as I can understand his description of the house, the owner of which bought the lad; it appears to me, the upstairs house immediately in the rear or south of Mr. Duneaur's warehouses, and facing the door which leads out into the street from Mr. Duneaur's counting-house; the house was, I believe, originally built by Salan Moopa or his son, since turned Christian.

I trust I need make no apology for giving you this trouble, which humanity no less than my duty, compels me to give you.

I have, &c.

Calicut, September 21st 1819.

(signed) T. Vaughan, Magistrate.

Fort St. George
Papers
State of Slavery
in Company's
Territories.

Monsieur Vaughan, Magistrat, Calicut.

Monsieur :—J'ai reçu hier au soir vers 9 heures, la lettre que vous en' avez fait l'honneur de m' écrire, en date Dec: 21. J'ai de suite, selon vos desirs, pris des informations sur l' enfant que l' on vous a dit avoir été vendu à un des habitans a Mahé. Ce petit malheureux m'a été amené ce matin; il dit avoir été enlevé de chez ses parens, ce que s'accorde parfaitement avec le rapport de l' homme chez lequel il a été nourri jusqu'en ce moment, et qui ne l'a reçu que par l' humanité. Il a donné, non pas une avance, mais par charité, cinq fanons, avec la détermination de le laisser libre. C' était un squelette, il mourait de faim de ma connoissance, plusieurs noirs, hommes et femmes, se sont déjà et à plusieurs reprises présentés pour se vendre eux-mêmes amenant avec eux leurs enfans.

Ce n'est nullement une peine, Monsieur, que vous me donnez, en m' engageant à retrouver cet enfant, et de le rendre à ses parens; sur un point aussi capital, je suis également, comme vous, guidé par l' humanité et mon devoir, mais je suis forcé de convenir que la misère d' ou se trouvent reduite de malheureux individus que eux-mêmes sont privées de tous moyens d' exister, se voyant dans la nécessité de se séparer de leurs enfans, quelques uns, plusieurs même n'y m' été en vérité aucun intérêt.

Agréez, Monsieur, l' assurance de ma considération la plus distinguée.

(signed) M. Law de Clapernon.

Resolved, That a reference be made through the British commissioner at Pondicherry to the French authorities, with the view of obtaining their concurrence in putting an end to the practice of kidnapping children, of which an instance is brought to the notice of the Board in the foregoing papers. Resolved, at the same time, That the ready attention paid by M. Law de Clapernon to the representation of the magistrate of Malabar, on that occasion, be acknowledged on the part of this government.

(True extract and copies.)

(signed) D. Hill, Secretary to Government.

The president states his intention of dispatching the following letter to the Count Du Puy.

To his Excellency the Count Du Puy, Governor General of the French Establishment in India.

Sir :—I have the honour to transmit to you the inclosed copy of correspondence between the chief of Mahé and the magistrate of Malabar, regarding the kidnapping of a Nair child, and to request your Excellency's concurrence in putting an end to that practice. I have at the same time the honour to express the acknowledgements of the government of Fort St. George, for the ready attention paid by M. Law de Clapernon to the representation of the magistrate of Malabar, on the occasion in question.

I have, &c.

Fort St. George, 15th November 1819.

(signed) H. Elliott.

Approved.

Extract, Fort St. George Foreign Consultations, 13th December 1819.

Read and recorded, the following letter from his Excellency the Count Du Puy.

A son Excellence le très honorable Hugh Elliot, Gouverneur de Fort St. George, &c.

Monsieur le Gouverneur :—Il seroit affligeant que la misère dans certaines contrées Indiennes fut portée au point d' éteindre la tendresse naturelle des pères et mères pour leurs enfans. C'est, pourtant, le motif que me donne l' administrateur de Mahé pour expliquer les enlèvements d' enfans dont on se plaint à Mahé. M. Law a fait ce qui étoit en lui pour, seconder à cet égard, l' intention de Mr. Vaughan; ses démarches ont réussi, et je le prierai de donner une attention toute particulière pour empêcher un abus aussi criminel.

Extract.

I am, &c.

Pondicherry, 26th Nov. 1819.

(signed) C^{te} Du Puy.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

COMMUNICATIONS from Mr. Baber, and Mr. Wilson, the 3d Judge, and the Acting 3d Judge of the Provincial Court of Appeal and Circuit for the Western Division, to the Government of Fort St. George, in 1819 and 1820, relative to the treatment of domestic Slaves, the sale of free-born Children into Slavery, and the seizing and selling Slaves of the Soil by Auction, for Arrears of Rent.

Appendix, N° 2, to the Proceedings of the Foujdarry Adawlut, March 1820.

Extract Letter from Mr. A. Wilson, Acting 3d Judge of the Court of Circuit in the Western Division, to the Register to the Foujdarry Adawlut, Fort St. George, dated 20th November 1819.

Connected with the subject of a case tried this sessions, and now under reference to the Sudr Foujdarry court, I bring to notice the degraded state of slavery existing in these provinces, with respect to a race of natives, called Chermars, Pooliars, Panians, &c. &c. &c. These people, born in slavery to the soil on which they receive their birth, are bought, sold, mortgaged and transferred, sometimes with, or even without the soil, parents and children together, or separate, as the exigencies of the proprietors demand. I am not prepared at present to enter into any detail with respect to the extent of this class of people, their treatment or peculiar interests; I have brought the subject to the notice of the court, as connected with a case now under reference; and if the judges should be desirous of obtaining further information, I suggest, that the magistrates and criminal judges may be directed to report fully, through the medium of the provincial court. The subject is, undoubtedly, of serious moment, as involving the happiness of many human creatures, and however impolitic as a general principle, interference with the established customs of a province may be considered, the interests of humanity dictate to an enlightened government, some attempt at amelioration; if they should even find themselves precluded from dispensing in full to the subjects under their rule, those blessings which the mother country has laboured so successfully to extend throughout the civilized world.

Extract, Fort St. George Judicial Consultations, 12th September 1820.

Read the following letter from the register to the court of Foujdarry Adawlut.

(N° 6).—To the Secretary to Government in the Judicial Department.

Foujdaree Adawlut.

Sir:—I am directed by the judges of the Foujdaree Adawlut to transmit to you, for the purpose of being laid before the Right honourable the Governor in council, the accompanying extract from the court's proceedings of this date, with the papers therein referred to.

I have, &c.

Foujdaree Adawlut Register's Office, (signed) W. Oliver, Register.
23d March 1820.

Extract from the Proceedings of the Foujdaree Adawlut, under date the 23d March 1820.

Read again letter, dated 20th November last, from the acting judge of the provincial court in the western division, submitting copy of the North Malabar calendar, and general report on the fourth quarterly sessions of jail delivery, for the year 1819.

With reference to the first paragraph of the report of the acting judge, dated 20th November last, the court of Foujdaree Adawlut consider it requisite to state, that circular instructions were issued by them under date 9th December last, requiring the judges of the several courts of circuit to submit, at the conclusion of each quarterly sessions of jail delivery, at the Sudder station, a report of the nature prescribed in section 37, Regulation VII, of 1802, which had not previously been transmitted on those occasions from any but the court of circuit in the northern division.

The case alluded to by the acting judge, in his observations upon the state of slavery in the province of Malabar, was disposed of by the court of Foujdaree Adawlut, under date 21st ultimo.

The

Port St. George
Papers:
State of Slavery
in Company's
Territories.

The charge was for selling a free born female child into slavery, and one of the prisoners was the mother of the child.

The transaction was fully established on the trial, but not being punishable under the Mahomedan law, which has not in this point undergone any legislative modification, the court directed the release of the prisoners, in conformity with the duties of their law officers, and have called upon the acting judge to propose such enactments as his local experience may enable him to suggest for the suppression of this species of traffic.

Although the practice elicited in this case is noticed by the acting judge as connected with the degraded state of slavery existing in the provinces of Malabar, it appears to the court of Foujdaree Adawlut to involve considerations of a nature altogether different from the question of the policy or humanity of vesting with the rights of civil liberty the race of natives described by the acting judge, as "born in slavery to the soil on which they receive their birth."

The court of Foujdaree Adawlut have not thought it expedient to adopt the suggestion of the acting judge in calling for further information connected with this question, which may already be in the possession of the government, nor are they prepared to offer any opinion on the subject founded on general principles; the purchase and sale of persons free-born involves an obvious infringement of inherent rights, and it does not appear that this traffic has the sanction of old and acknowledged usage, or that its suppression would offer violence to the prejudices of the native subjects of the government.

Appendix, N° 15, to the Proceedings of the Foujdary Adawlut, of November 1820.

Extract Letter from Mr. T. H. Baber, third Judge of the Court of Circuit in the Western Division, to the Register to the Foujdary Adawlut, dated, Tellicherry, 13th September 1820.

21.—I tried the whole of the 41 cases on the calendar of commitments, and the following was the result:—

In two (cases of murder) the deceased were of that most unhappy race of people in Malabar, denominated slaves; one had deserted, it is supposed, from ill treatment; the other had, through hunger, stolen a few handfuls of the paddy he had been set to watch.

The prisoners in N° 23, were found guilty of manslaughter and sentenced to six years imprisonment and hard labour. The deceased was the cherman or slave of the prosecutor, and had through hunger trespassed into the prisoner's garden, and stolen a jackfruit, and was beaten so severely by the prisoners, that he died the following day; and adverting to the instances of mal-treatment of persons in the unhappy situation of slaves on the present calendars, I beg to submit to the court of Foujdaree Adawlut, that it be declared by a legislative provision, that they are not properly or lawfully objects of sale, like slaves, in the full extent of that term, unless they happen to be made over at the same time with the estate on which they reside; that they shall never be transferred by way of lease or loan from one master to another, without their consent; that all personal wrongs done to a slave by his master, shall be estimated like personal injuries in other cases; that they shall be entitled, whether sick or well, and at all seasons, to a daily allowance of wholesome food, and be provided with suitable habitations and raiment by their masters; and that all masters who violate either of these provisions, shall on proof thereof to the satisfaction of the magistrate, forfeit their right of property over such slaves for ever.

Extract, Fort St. George Judicial Consultations, 31st July 1821.

Read the following letter:

N° 30.—To the Secretary to Government, in the Judicial Department, Foujdary Adawlut.

Sir:—I am directed by the judges of the Foujdary Adawlut, to transmit to you, for the purpose of being laid before the Honourable the Governor in council, the accompanying extract from the court's proceedings of this date, with the report therein referred to.

I have, &c.
(signed) W. Oliver, Register.

Foujdary Adawlut Register's Office, 27th November 1820.

N° 23.

N° 3.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract from the Proceedings of the Fouzdarry Adawlut, under date the 27th November 1820.

Par. 1.—Read letter, dated 13th September last, from the third judge, late on Circuit in the Western Division, submitting the report prescribed by section 37, Regulation VII, of 1802.

Par. 7.—In the latter part of the 21st paragraph, the third judge, “adverting to the instances of mal-treatment of persons in the unhappy situation of slaves on the present calendar,” submits, that it be declared by a legislative provision; 1st. that they are not properly or lawfully objects of sale like slaves, in the full extent of that term, unless they happen to be made over at the same time with the estate on which they reside; 2d. that they shall never be transferred by way of lease or loan from one master to another, without their consent; 3d. that all personal wrongs done to a slave by his master, shall be estimated like personal injuries in other cases; 4th. that they shall be entitled, whether sick or well, and at all seasons, to daily allowance of wholesome food, and be provided with suitable habitations and raiment by their masters; and 5thly, that all masters who violate either of these provisions, shall, on proof thereof to the satisfaction of the magistrate, forfeit their right of property over such slaves for ever.”

These observations are reiterated in the paragraphs 144 and 150 of the Report of the Fouzdary Adawlut, dated 31st January 1821.

The 1st. and 2d of the provisions here suggested by the third judge, would go to the subversion of usages established in the provinces of Malabar, in which the expediency of interference by the legislative authority, appears to be questionable.

9.—Should, however, an interference with the usages adverted to, be contemplated by the government, it may be proper that inquiry should be made, as to how far the practices proposed by the third judge to be abolished, may or may not be of recent introduction, and whether by ancient custom, the slaves in Malabar were attached to the soil, and not removable therefrom by sale, lease or mortgage, at the will of the proprietor.

10.—As the third of the provisions proposed by the third judge, appeared to imply, that under the existing laws personal injuries done to a slave by his master, are not punishable, the court of Fouzdarry 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 Mahomedan laws.

11.—The following is a translation of the answer of the law officers of the Fouzdarry Adawlut to the reference made to them on this head;—Under the Mahomedan 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 discourage and prevent 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 Mahomedan 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 case, 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.

13.—The provision regarding the diet, lodging and clothing of slaves, is doubtless suggested by the most humane consideration; how far a necessity exists, for the interposition of law, in these respects, is not shewn in the report; but the court are not satisfied, that the penalty denounced in the final provision of forfeiture of the right of property over a slave would, in such cases, be best calculated for the attainment of the ends of retributive justice.

Extract of a Letter to the Register to the Court of Fouzdarry Adawlut, dated 31st July 1821.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N° 4.

Par. 10.—The Governor in council is strongly impressed with the belief, that any direct interference of the legislature, for the purpose of ameliorating the condition of slaves in the western coast, would be attended with effects the reverse of those intended. From the late inquiry indeed, it did not appear, that the condition of slaves in this country, according to their own sentiments and manners, stands particularly in need of improvement.

Orders transmitted by the Court of Directors, to the Governor in council of Fort St. George, in December 1821, for additional information relative to the state of the agricultural population of Malabar, with the proceedings thereupon.

Extract of a Letter in the Revenue Department, from the Court of Directors to the Governor in council, at Fort St. George, dated 12th December 1821.

107.—We observe with dissatisfaction, that when you have assumed the existence of any peculiar ownership in the land, as that of merassidars or jelmkars, you afford us little information with regard to the condition of any other class of the agricultural population. In Malabar, the number of occupants who pay the assessment on the land, mortgagees and lessees included, is "estimated by the collector at 150,000." The number of persons employed in the cultivation must exceed this number, to an extent of which we have no means of forming an accurate judgment.

108.—Of the condition of these people, we know hardly any thing, and not more with respect to the other descriptions of the population. We are told, indeed, that part of them (an article of very unwelcome intelligence) are held as slaves; that they are attached to the soil and marketable property. You are directed to obtain, and to communicate to us all the useful information with respect to this latter class of persons, which you possibly can; the treatment to which they are liable, the habits of their masters with respect to them, the kind of life to which they are doomed, the sort of title by which the property of them is claimed, the price which they bear, and more especially the surest and safest means of ultimately effecting their emancipation. We also desire to know, whether these occupants, 150,000 in number, cultivate immediately the whole of the lands by their slaves and hired servants, or whether there is a class of inferior servants, to whom they let or sub-let a portion of their lands. If there is such an inferior class of lessees, you will inform us under what conditions they cultivate, what are their circumstances, and what measures (if any) have been employed for their protection.

Extract, Fort St. George Revenue Consultations, 21st May 1822.

(N° 377.)—Extract of a Letter from Mr. Secretary Hill to the President and Members of the Board of Revenue, dated 21st May 1822.

N° 20.

I am directed by the Honourable the Governor in council to transmit generally, for your information and guidance, the accompanying copy of a general letter from the Honourable the Court of Directors, dated the 12th of December last, and to call your particular attention to the following points therein noticed.

1.—The general revenues of Malabar are about to come under the minute examination of the government; but it will be proper to procure the information respecting the slaves in that district, and the number and condition of the persons by whom the land-tax is paid, if that can be done without material difficulty.

[Received by the Board of Revenue, and entered on their proceedings of the 23d May.]

Extract, Proceedings of the Board of Revenue at Fort St. George, dated 12th August 1822.

Sent the following Letter to the Principal Collector in Malabar—

Sir:—I am directed by the Board of Revenue, to transmit to you the accompanying extract from the Honourable Court's letter, dated the 12th of December last.

2.—Although the general revenues of your district are about to come under a minute examination of the government, it is deemed proper that you should furnish

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

nish the information respecting the slaves in your district, and the number and condition of the persons by whom the land-tax is paid, if that can be done without material difficulty.

(signed) *R. Clarke*, Secretary.

Fort St. George, 8th August 1822.

Extract, Proceedings of the Board of Revenue at Fort St. George, the 2d September 1822.

Read the following Letter to the President and Members of the Board of Revenue, Fort St. George:

Gentlemen:—I have the honour to acknowledge the receipt of your Board's orders of the 8th instant, conveying an extract from a letter from the Honourable the Court of Directors, dated 12th December 1821, and requiring information respecting the slaves in Malabar, and the number and condition of the persons by whom the land-tax is paid, provided it can be done without any material difficulty.

2.—With respect to the state of the slavery in Malabar, I take leave to refer your Board to my report, under date the 20th of July 1819, as containing all the information I have been able to collect on the subject. But should this not be considered sufficiently satisfactory and full, I beg to be honoured with your Board's instructions as to any other points on which it may be desirable to obtain information.

3.—The lands in Malabar are cultivated, and the tax paid, by every description and caste of people, with the exception of Bramins (who, however, pay the tax), as in every other part of India, whether as proprietors, mortgagees, lessees, tenants, or slaves, according to their situation and means in life; a higher casteman not unfrequently cultivates, as a hired man, the land of another of inferior caste; it is needless, therefore, to submit any observations on the measures employed for their protection, or even for those of the slaves of the soil, who, it will be seen in my remarks on the subject, are as much under the protection of the laws as any other class of people. In short, no line or distinction can be drawn between the inhabitants of Malabar and other parts of India, that I am aware of, as relates to their agricultural pursuits; neither their customs nor religion are any bar to each one engaging in these occupations, although, of course, it rarely happens that artificers, fishermen, &c. have occasion or inclination to obtain the means of living by putting their hands to the plough.

4.—Although the occupants paying the land-tax are estimated at 150,000, the number of persons individually assessed is not quite so great; but many of these pay their tax in an indirect way by their tenants; many have lands in different divisions and parts of the country; and the consequence is, that they appear in the accounts separately and distinctly as so many individuals, and justly too; for, although the assessment is against one man, it is paid by his agents and tenants, although the receipt may be granted in the name of the principal.

(signed) *T. Vaughan*, Principal Collector.

Calicut, Aug. 24th, 1822.

Ordered to lie on the table.

Extract, Fort St. George Revenue Consultations, 5th November 1822.

Read the following letter from the Secretary to the Board of Revenue, Revenue Department:—

(N° 495.)—To the Chief Secretary to Government.

Sir:—In further acknowledgment of Mr. Secretary Hill's letter of the 21st May, giving cover to the Honourable Court's letter of 12th December, I am directed by the Board of Revenue to request, that you will submit to the Honourable the Governor in council the accompanying letter from the principal collector of Malabar, of the 24th August last, referring to his letter of the 20th July 1819, submitted to government in my predecessor's letter of 2d December 1819, with the Board's proceedings of 25th November 1819, as containing all the information of moment that he has been able to collect on the subject of slavery in his district.

Fort St. George, 10th October 1822.

I have, &c.

(signed) *R. Clarke*, Secretary.

Ordered that the foregoing letter be recorded.

Para. 14.

N° 14.

In Cons. 2d Sept.
1822.

Extract of a Letter in the Revenue Department from the Governor in council of Fort St. George to the Court of Directors, dated 30th December 1825.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

224.—In Malabar a numerous class of labourers employed in agriculture have not the free disposal of their own industry, but are in a peculiar state of servitude. Their condition may therefore with more propriety be regarded as dependent on the treatment which they receive from their masters, and as capable of being improved by government. But the consideration of the measures proper to be taken with respect to the kinds of slavery found to exist in India, relates to a subject of great delicacy and considerable difficulty; and we are of opinion, that it is a matter in which more good is to be expected from the gradual operation of justice and police, administered in a spirit favourable to personal liberty, than from direct interference on the part of government.

225.—We beg leave to point out to your Honourable Court's notice, the information submitted by the Board of Revenue in letters from the secretary, dated the 13th December 1819 and the 10th October 1822, relative to the slaves in Malabar. We have signified to that Board our desire to receive any further information likely to be useful which they can furnish.

Cons. 7th Feb.
1820.
10 Oct. 1822.

PAPERS relative to the Complaints of certain Native Inhabitants of Wynaad, that their Slaves had been seduced from them by the Subjects of the States of Mysore and Coorg, 1823.

Extract, Proceedings of the Board of Revenue at Fort St. George, 2d January 1823.

To the President and Members of the Board of Revenue, Fort St. George.

Gentlemen:—1. Although perhaps more of a political nature, yet as it is a subject intimately connected with the revenues of the country, I beg leave to submit for your Board's consideration, the accompanying translations of petitions presented by certain inhabitants of the Wynaad country, complaining of the subjects of the Mysore and Coorg rajahs enticing away the slaves of the petitioners.

2.—This is a subject in which government alone can interfere; and without wishing to suggest the restoration of the slaves against their consent, it occurs to me, that the rajahs, in whose respective territories the slaves have taken refuge, might be induced to make a pecuniary compensation as an equivalent for the loss of them, but this is merely on the supposition of their being entirely emancipated from a state of slavery, and considered and protected entirely as free subjects.

3.—As it is probable that government may refer the matter through the political resident to the Mysore government, I transmit attested Canarose translations of the petitions, in order to facilitate the reference.

(signed) T. Vaughan, Pr. Collector.

Nudwanoor, 21st December 1821.

(A.)—To S. C. Clarke, Esq. Assistant Collector.

The Arzee of Teroonalee Devashan, inhabitant of Moonoo Koonoo Deshum Moosselhenaad Hobly, in the Wynaad talook.

On the 4th Meddom 996, thirty-three male and female slaves belonging to me, called as follow: Panear Chattakan, his son Channan, brothers Oonykan, Paneechy, Maka, Chemby, Kemby, Mady, Koongy, Chamy, Manny, her younger brother Kareeka, Velly, Cherrooman, Paneechy Koolitaly, Paneechy Velleechy, Velly Panear, Koolloomban, Remby, Cherrooman, Panear Kashama, Choondda Paneechy, her brother Ooneekan Choy Paneechy, Mooddakalé, Kaddan Paneechy, Mala Mara Cherrooman, Karootan, Paneechy Choondda, Manjala, Chatee, Paneechy Villa, Panear Eddavan and Paneechy Paykee, deserted their place of habitation and went and resided in the Karyaddan tarrah, which is situated towards the east of the Maddakery Kolta, in the Coorg rajahs country, and I am unable to go to fetch them from thence. In consequence of the desertion of the above-named slaves, I am deprived of the means of maintaining myself and family, not being able to carry on my cultivation, from which, after paying the sircar's revenue, I derived the means of subsistence. I therefore beg to solicit, that you will take measures to cause the return of the above slaves from the Coorg country, and thereby enable me to carry on my cultivation. Dated 28th Wreschegom 998.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Question.—Did you represent at the Talook Cutcherry the circumstance of the desertion of the said slaves?

Answer.—In the month of Karkaddagom 996, I made a verbal representation of the subject at the Talook Cutcherry.

Question.—What orders did you obtain?

Answer.—The Tahsildar asked me "What was to be done."

How did you know that the above slaves took their residence in the Coorg country?

I sent the rest of my slaves in quest of them; they have been searching after them in the whole of this country, but could not trace them out; afterwards some panears came from the Coorg country, who, upon being asked, gave information that they were residing at Maddakery.

Can you state where the panears that came from Coorg are at present?

They returned to the Coorg country.

Are the desertsd slaves your jenm property, or held by you on kannoom?

They belong to me by jenm right.

Have you any document to prove it?

I have.

How many years did the slaves in question serve under you previous to their flight to the Coorg country?

They have been bought from time to time, some have been serving me for these thirteen years past, others five or six years.

Have you any witnesses who saw them working for you?

Venamkat Tevoo of Tekoomtarra, Kawoonden Rajoo of Korlta Tarra, Hoshoo-Wauchery, Ramoory and Koonary, Nambiars, of Koorrambally Hobly, are witnesses who can prove this.

(signed)

To S. C. Clarke, Esq. Assistant Collector.

The Arzee of Chatarapaddy Kawoonden, inhabitant of Moottil Tarrah Moopeyanaud Hobly, in the Wynaad Talook.

The slaves belonging to me, by name Chatee and Kashama, deserted my service in the month of Kancee 995, and went and resided in the Coorg country. I therefore request that they may be caused to return to me; dated 28th of Wrischigom 998.

Question.—Did you ever make any complaint on this subject?

Answer.—No, I did not.

On what account did you abstain from making a representation?

I deferred making a representation until I could have searched after them in this country; upon a recent inquiry I found they had gone to the Coorg country, but I am not aware in what particular place they reside. It was some panears who came from Coorg that informed me they were in that country; they did not specify the particular place of their residence, nor did I question them on that head.

Do the slaves in question belong to you in jenm or kannoom right?

They are my jenm property; they were purchased at the time of my father. The father of those who have absconded was purchased before 964, and they are his offspring.

Have you any document by which you can prove that they are your jenm property?

The document was lost during the war in 964.

How many years did the slaves in question serve you?

They have been serving me from 964 to 995; the latter, the date of their desertion.

Have you any witness who can prove that they have been working for you?

Nelepattee Veenaya Kawoondew, Vashakanddy Marryak Kawoondew, Moorooncekarce Devassa Kawoondew, of the Moottel Tarrah and Moopeyanaud Hobly, can prove this.

What

What is the reason that induced the slaves in question to abscond?
They were sent to watch the fields, and while on that duty the fields were destroyed
by wild beasts; lest I would do to them something they absconded.

(signed)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

To S. C. Clarke, Esq. Assistant Collector.

The Arzee of Vennooyah Kawoondden, inhabitant of Moottel Tarrah
Moopayanaad Hobly, in the Winaud Talook.

The following slaves, viz. Velly Koottakan and Vellan, belonging to me, quitted
my service in the month of Meenom 989, and went and attached themselves to
Tengalenddy Churangan, of Poonat, in the Manally Hobly; I therefore request
that the above slaves may be made to return to me. Dated 28th Wrischigom 998.

(signed)

Questions put by the Assistant Collector on the 12th December 1822.

Question.—Did you present any Arzee to the Tahsildar immediately after
the flight of the above slaves in 989.

Answer.—In 994, when Ramasawmy was tahsildar, I presented him an Arzee,
on which he gave me a letter to the address of Mallee Bemmarasan Putter, and
Chandayen Putter, parbutties, under the orders of the Mysore Rajah, desiring them
to get the slaves returned to me. I delivered the letter to them, but they did not
attend to it by procuring the return of the slaves. I saw the slaves in the
employ of Tenyalooonddy Cheerangan; he told me he would not allow them to return
to me.

What was your reason for deferring your representation to the Talook,
on the subject of the flight of the slaves in question, to five years after
the event had taken place?

I deferred the representation until I could, by inquiry, learn where they were; as
soon as I traced them out, I made the representation. They are my jenm property.
I went into the Mysore country two or three times, for the purpose of finding them
out, and thus discovered them. The place called Poonat is within the Mysore
country.

Have you any witness or document to prove that the slaves in question are
your jenm property?

I have no documents; they were purchased by my ancestors long ago. I have
however witnesses; they are Kokooshy Tummayen, of Eddanaddassakoor, and
Kalpatie Nair, of Kalpalte.

By what means can the witnesses confirm that the slaves in question are
your jenm property?

They were purchased from the witness Kalpatte Nair, and the purchase was
effected in the presence of Tummayen. The present two witnesses however were
not ocular witnesses; it was from the Karoonawan of Kalpatte Nair, that my
Karoonawen purchased them, and Tummayen's Karoonawen was then present.

Did you represent these circumstances to the principal collector, when that
gentleman came to Wynaad, in the month of Chingoom 995?

I presented an arzee, and was informed that a reference had been made on the
subject, and that an order would be passed on the receipt of the answer to it.

How many years did the slaves who deserted serve you?

They worked for me about 15 years.

Have you witnesses to prove that they served you 15 years?

Choondapaddy Saman Wayakanddy, Marriyan Polery Devashan, Cherroonaloor
Vennayen, of Mootil Tarrah, in the Moopeyanaad Hobly, are witnesses to it.

What did Cheerangan say when you applied to him for your slaves?

He said that he had given them 30 podies of raggy, and 30 fanams, which on
being repaid to him he would allow the return of the slaves. This was heard
by Washakandy Marriyan, who had gone along with me.

(signed)

(True translation.)

(signed) J. Vaughan, Collector.

Fort St. George
Papers;
State of Slavery
in Company's
Territories.

Ordered, That the foregoing letter, with its enclosures, be submitted for the orders of government:—

To the Chief Secretary to Government.

Sir:—I am directed by the Board of Revenue to request that you will lay before the Honourable the Governor in council, for his orders, the accompanying letter, from the principal collector of Malabar, under date the 21st ultimo, setting forth the complaints of the inhabitants of Wynaad, that their slaves are enticed from them by the subjects of the states of Mysore and Coorg.

Fort St. George, 2d January 1823. (signed) R. Clarke, Secretary.

Extract, Fort St. George Revenue Consultations, 28th January 1823.

Read the following letter from the secretary to the Board of Revenue:—

N° 3.

(N° 20.)—From R. Clarke, Esq. Secretary to the Board of Revenue, to D. Hill, Esq. Chief Secretary to Government, 2d January 1823.

In Cons. 2d Jan.
1823.

Sir:—I am directed by the Board of Revenue to request that you will lay before the Honourable the Governor in council, for his orders, the accompanying letter from the principal collector of Malabar, under date 21st ultimo, setting forth the complaints of the inhabitants of Wynaad, that their slaves are enticed from them by the subjects of the states of Mysore and Coorg.

I have, &c.

Fort St. George, 2d Jan. 1823. (signed) R. Clarke, Secretary.

Ordered, That the following copy be dispatched:—

(N° 58.)—From D. Hill, Esq. Secretary to Government, to the President and Members of the Board of Revenue, 28th January 1823.

Gentlemen:—I am directed to acknowledge the receipt of your secretary's letter of the 2d instant, (20), and to state, that it does not appear to the Honourable the Governor in council, that any interference of government, with respect to slaves said to have been seduced from their owners at Wynaad, would be likely to be attended with good effect.

I have, &c.

Fort St. George, 28th Jan. 1823. (signed) D. Hill, Sec. to Government.

Extract, Proceedings of the Board of Revenue at Fort St. George, 16th July 1822.

Extract from Mr. Græme's Report on Malabar, dated the 14th Jan. 1822.

30.—With the exception of the foreign bramins, called putturs, the moplabs, and the coast merchants, who are Christians, Parsees, Guzerat, Bunees (or Banyans), Jairees, and Chetties, who reside in towns and villages formed into regular streets, the inhabitants of Malabar live on small estates, situated in the higher ground, at a little distance from their rice lands, and in the midst of their plantations of cocoa-nut, beetle-nut, and jack. Their houses are in general substantial, comfortable, and neater, beyond comparison, than those of the Hindoos of the other caste; and there is an air of contentment and vivacity, which is particularly pleasing. This description applies more strongly to places in the vicinity of the coast, and in the interior there is not so much comfort, though the inhabitants are far from being badly off. The slave alone has his sieve of a hut in the centre of the rice lands, but on the coast at least he is an industrious, and not an unintelligent being, and in good condition, and nothing deficient in bodily frame. In the interior, he is a wretched, half-starved, diminutive creature, stunted in his food, and exposed to the inclemencies of the weather, whose state demands that commiseration and amelioration which may confidently be expected from the humanity of the British government, provided it can be shewn, that a change for the better can be effected without hazarding an evil of any formidable magnitude, without incurring the risk of general discontent, or exciting a worse feeling towards the objects themselves, by an unsuccessful endeavour to mitigate their ill treatment.

* N. B.—Cherman in the singular; chermur or chermurkel, plural; chermie, for a man of this caste.

31.—The slaves of Malabar, known generally by the name of chermurs,* are entirely prædial, or rustic, being engaged only in the cultivation of rice lands and plantations. I except, of course, the Mussulmans, who may be domestic slaves, and

and live in the houses of their masters, and partake of all the privileges of their religion. This kind of slavery is a social fraternity, and is a step to the best comforts, and the highest honours of life among Mussulmans. It is totally dissimilar, in every essential point, to the servitude of the chermur, which is the most prevalent designation of the slaves of Malabar.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

32.—Slaves are said to have been introduced by Purasarama, for the tillage of the ground, at the time that he gave the country to the Bramins. By others, they are said to have derived their origin from the Hindoo law, or at least to have had their numbers multiplied under the operation of it. Individuals became outcasts, or chundalas, by sins against the laws of their castes, and subjected themselves to servitude. It is extraordinary, that the custom of making slaves of free-born persons is not admitted as having lasted to the close of the government of the rajahs; but it is attempted to be accounted for, by the Mahomedan religion affording a ready asylum to outcasts of all descriptions, and by its being more profitable to the rajahs to dispose of them to Mahomedans, who made converts of them, than to reduce them to slavery. It had an equally good effect, as classing them among chundalahs; since their incorporation with Mahomedans removed them from the view of Hindoos, and prevented the effect of bad example, and obviated the hazard of their caste being contaminated. They were in future confined to a different circle, possessing, indeed, rights and privileges, but such as were quite unconnected with the customs of the caste to which they formerly belonged.

33.—Slaves may be sold with or without the soil, and in a different place from that of their birth, or of their usual residence; they may be disposed of in another talook, but it must be contiguous, and that seems the utmost extent to which the power of removal goes. It is not customary, at least, to send them to a great distance, and such a measure would be considered unwarrantable, cruel, and, if not justifying, causing, at least, desertion.

34.—They may be let out in simple rent, or mortgaged under the deeds of veerom patum, paneyum, kanum, wottee, and uttipair; and the following statement, which is taken from written testimony of the principal inhabitants of each district, to whom the collector, Mr. Vaughan, made a reference, may be presumed to show, in an authenticated state, the sums for which they are generally leased, mortgaged and sold.

TALOOKS.	Caste of the Slave.	His description.	Amount for which generally leased.	MORTGAGE.		Value of a Slave when sold.	Remarks.
				Tenure under which generally mortgaged.	Amount for which mortgaged.		
1.	2.	3.	4.	5.	6.	7.	8.
Calicut	Cherman	Man	from 1 to 3 gold fanams - 1 to 2 d°	Wottee	32 gold fanams	48 gold fanams	
		Woman		D°	20 d°	30 d°	
		Boy				10 d° & upwards	
		Girl				7½ d°	
Betutnad	Yerlar and Kannakun.	Man	3 old gold fanams.	Wottee	60 old gold fanams	80 old gold fanams.	
				Kanum	35 d°		
				Paneyum	20 d°		
		Boy		1 d°	Wottee		20 d°
				Kanum	16 d°		
				Paneyum	10 d°		
	Poleyau	Man	3 d°	Wottee	40 d°	48 d°	
				Kanum	24 d°		
				Paneyum	16 d°		
		Woman	3 d°	Wottee	48 d°	64 d°	
				Kanum	32 d°		
				Paneyum	24 d°		
Girl	1½ d°	Wottee	24 d°	30 d°			
		Kanum	16 d°				
		Paneyum	8 d°				
Parayen	Man	3 d°	Wottee	40 d°	48 d°		
			Kanum	24 d°			
			Paneyum	16 d°			
	Boy	1½ d°			24 d°		

TALOOKS	Cases of the Slaves.	His description.	Amount for which generally leased.	MORTGAGE.		Value of a Slave when sold.	Remarks.
				Tenure under which generally mortgaged.	Amount for which mortgaged.		
1.	2.	3.	4.	5.	6.	7.	8.
Chougant	Yerlur, Kannaken, Numboc, Vattoovan and Parayen	Man -	3 gold fanams	Wottee - Paneyum Kanum -	80 d° - 60 d° - from 20 to 50 d°	120 gold fanams from 20 to 50 d°	
		Boy -	-	-	-		
	Poleyan -	Man -	-	Wottee - Paneyum Kanum -	40 gold fanams - 30 d° - 20 d° -	60 gold fanams. from 15 to 30 d°	
		Boy -	-	-	-		
Paulbant	Yerlur, Kongama, Kanna-kuvaloovan, Malayen and Parayen.	Man -	-	Kanum - Paneyum	200 gold fanams 100 d° -	250 gold fanams	
		Boy -	-	Kanum - Paneyum	60 d° - 30 d° -		100 d° -
		Woman -	-	Kanum - Paneyum	100 d° - 75 d° -		150 d° -
	Pola, Valoovan and Poleyan	Man -	-	Kanum - Paneyum	50 d° - 50 d° -	75 d° -	
		Boy -	-	Kanum - Paneyum	50 d° - 30 d° -		75 d° -
		Woman -	-	Kanum - Paneyum	100 d° - 75 d° -		200 d° -
Girl -	-	Kanum - Paneyum	75 d° - 50 d° -	100 d° -			
Temalpoor	Koodummar, Natatum, Yerlur, Kongalum, Malayen, Valoovan, Kannakum, and Koorumbur.	Man -	{ 14 purrehs of paddy	Wottee - Kanum - Paneyum	200 gold fanams from 100 to 175 d° " 120 to 150 d°	200 gold fanams	
		Boy -	7½ d° -	Wottee - Kanum - Paneyum	" 50 to 100 d° " 50 to 75 d° " 30 to 50 d°		from 50 to 100 d°
		Woman -	10 d° -	Wottee - Kanum - Paneyum	" 100 to 150 d° " 75 to 120 d° " 50 to 75 d°		from 100 to 150 d°
		Girl -	5 d° -	Wottee - Kanum - Paneyum	" 50 to 75 d° " 30 to 50 d° " 20 to 30 d°		from 50 to 75 d°
Nedingoonad	Yerlur and Kannakun.	Man -	{ from 3 to 7½ purrehs of paddy	Wottee - Kanum - Paneyum	60 gold fanams - from 30 to 50 d° - 40 gold fanams -	75 gold fanams	
		Man -	2 d° -	Wottee - Kanum - Paneyum	30 d° - 15 to 25 d° -		40 d°
	Poleyan -	Woman -	3 d° -	Wottee - Kanum - Paneyum	60 d° - from 30 to 50 d° - 40 d° -	75 d°	
Waloovanad	Yerlur and Kannakun.	Man -	3 gold fanams	Wottee - Kanum - Paneyum	90 gold fanams 75 d° - 60 d° -	120 gold fanams 30 d°	
		Boy -	-	Paneyum	15 d° -		
	Poleyan -	Man -	3 d° -	Wottee - Kanum - Paneyum	60 d° - 40 d° - 35 d° -	75 d°	
		Woman -	2 d° -	Wottee - Kanum - Paneyum	60 d° - 40 d° - 50 d° -		from 90 to 100 d°
Boy -	-	Paneyum	10 d° -	20 d°			

TOP DIRECTORS and the GOVERNMENTS IN INDIA

97

1. TALOOKS.	2. Caste of the Slave.	3. His description.	4. Amount for which generally leased.	5. MORTGAGE.		7. Value of a Slave when sold.	8. Remarks.	
				Tenure under which generally mortgaged.	Amount for which mortgaged.			
Ernad	Poleyay	Man		Wottee Kanum Paneyum	80 gold fanams 60 d° 40 d°	100 gold fanams		
		Woman		Wottee Kanum Paneyum	80 d° 60 d° 40 d°		160 d°	
		Man		Wottee Kanum Paneyum	100 d° 80 d° 60 d°		160 d°	
Sernad	Kulladee and Kunnakun.	Man	3 gold fanams	Wottee Kanum Paneyum	from 65 to 70 gold fanams. " 50 to 55 d° " 35 to 40 d°	from 100 to 110 gold fanams.		
		Boy				from 30 to 35 d°		
	Man	3 ditto	Wottee Kanum Paneyum	from 45 to 50 d° " 35 to 40 d° " 30 to 35 d°	from 75 to 80 d°			
	Boy				" 35 to 40 d°			
	Woman			Wottee Kanum Paneyum	from 60 to 65 d° " 40 to 45 d° " 35 to 30 d°	" 100 to 110 d° " 40 to 45 d°		
Koorombarnad	Poleyay and Kulladee.	Man	2 parrals of paddy.	Wottee Kanum	20 gold fanams less than 20 d°	40 gold fanams		
		Woman	1 ditto	Wottee Kanum	15 gold fanams less than 15 d°	25 ditto		
Kartanad	Poleyay	Man	10 yedingullies of paddy.	Wottee Kanum Paneyum	20 silver d° less than 20 d° from 8 to 10 d°	40 silver d°		
		Woman	5 ditto	Wottee Kanum	20 silver d° less than 20 d°	20 ditto		
Tellicherry	Poleyay, Navilen, Kurrimpullen, and Punnical.	Man	10 silver fanams			120 ditto		
Chericul		Man	5 silver fanams	Wottee Kanum Paneyum	70 silver fanams 50 ditto	100 ditto		
		Boy				30 ditto		
		Woman				60 ditto	125 ditto	
		Girl					40 ditto	
Cavoy	Kurrimpallen, Mavilleo, and Peringals, Vatooven.	Man	50 yedungullies of paddy.	Wottee	from 100 to 200 silver fanams.	7		
		Woman	d° d°			300 silver fanams		
	Taloovavilawen. Poleyay and Parayen.	Man	50 ditto	Wottee Paneyum	200 silver fanams 150 ditto	350 ditto		
		Woman	60 ditto	Wottee	40 ditto	60 ditto	200 ditto	

(continued.)

TALOOKS.	Caste of the Slave.	His description.	Amount for which generally leased.	MORTGAGE.		Value of a Slave when sold.	Remarks.	
				Tenure under which generally mortgaged.	Amount for which mortgaged.			
1.	2.	3.	4.	5.	6.	7.	8.	
In the Moolowad Hoblee of the Wynad Talook.	Puniar	Man	3 poddies of paddy	Wottee -	38 rupees	40 rupees		
		Boy	1 d°	Kanum -	20 d°			12 d°
		Girl	1 d°	Paneyum	15 d°			3 rupees, 80 reas
Remaining Hoblees of the Wynad Talook.	Punnuck and Adiau.	Man	3 poddies of paddy	Wottee -	27½ rupees	35 rupees		
		Boy	1 d°	Kanum -	15 d°			12 rupees
		Girl	1 d°					3 re. and 80 reas
	Meopen and Naiken.	Man	4 silver fanams	Wottee -	52 silver fanams	64 silver fanams		
				Kanum -	30 d°			
	Poleyan	Man		Wottee -	10 rupees	12 rupees		
			Kanum -	6 d°				

35.—The preceding statement shews the amount customary in each talook for each caste of slaves; the following abstract gives generally the highest and lowest amount for each caste in the whole province:—

Caste of the Slave.	His Description.	Amount for which generally leased.	Amount for which generally mortgaged.	Value of the Slave when sold.	Remarks.
1.	2.	3.	4.	5.	6.
Chermans	Man	from 1 to 3 gold fanams	32 gold fanams	48 gold fanams	
	Woman	" 1 to 2 d°	20 d°	30 d°	
	Boy	"	"	10 and upwards d°	
	Girl	"	"	7½ d°	
Yeriar	Man	from 3 to 7½ d°	from 20 to 200 d°	from 75 to 250 d°	
	Boy	" 1 to 7½ d°	" 15 to 75 d°	" 20 to 100 d°	
Poleyan	Man	from 3 to 4 gold fanams	from 15 to 80 d°	from 40 to 100 d°	
	Woman	" 2 to 3 d°	" 15 to 100 d°	" 25 to 140 d°	
	Boy	1½ d°	" 10 to 50 d°	" 15 to 75 d°	
	Girl	1½ d°	" 8 to 75 d°	" 30 to 100 d°	
Kannaken	Man	from 3 to 7½ d°	from 20 to 200 d°	from 80 to 200 d°	
	Boy	" 1 to 5½ d°	" 20 to 100 d°	" 30 to 100 d°	
Prayen	Man	from 3 to 3½ d°	from 14 to 80 d°	from 48 to 250 d°	
	Boy	1½ d°	" 20 to 50 d°	" 20 to 100 d°	
Kangalun	Man		from 100 to 200 d°	250 d°	
	Woman		" 75 to 100 d°	150 d°	
	Boy		" 30 to 60 d°	100 d°	
Malayen	Man	14 parras of paddy	100 to 200 d°	200 to 250 d°	
	Woman	10 d°	75 to 150 d°	100 to 150 d°	
	Boy	7½ d°	30 to 100 d°	50 to 100 d°	

Caste of the Slave.	His Description.	Amount for which generally leased.	Amount for which generally mortgaged.	Value of the Slave when sold.	Remarks.
1.	2.	3.	4.	5.	6.
Koodummar	Man	14 purrahs of paddy	60 to 200 gold fanams	160 to 200 gold fanams	
	Woman	10 d°	50 to 150 d°	100 to 150 d°	
	Boy	7½ d°	30 to 100 d°	50 to 100 d°	
	Girl	5 d°	20 to 50 d°	50 to 75 d°	
Natalan	Man	14 d°	100 to 200 d°	200 d°	
	Woman	10 d°	50 to 150 d°	100 to 150 d°	
	Boy	7½ d°	30 to 100 d°	50 to 100 d°	
	Girl	5 d°	20 to 50 d°	50 to 75 d°	
Waloovan	Man	14 d°	100 to 200 d°	200 d°	
	Woman	10 d°	50 to 150 d°	100 to 150 d°	
	Boy	7½ d°	30 to 100 d°	50 to 100 d°	
	Girl	5 d°	20 to 50 d°	50 to 75 d°	
Punniup	Man	7 gold fanams	52½ to 118 d°	84 to 140 d°	
Allur	Man		60 to 100 d°	160 d°	
Kulladee	Man	3 gold fanams	20 to 78 d°	100 to 110 d°	
	Boy			30 to 35 d°	
Kurrinpullen	Man	7 gold fanams		84 to 140 d°	
Mavillen	Man	7 gold fanams	from 70 to 140 d°		
	Woman			210 d°	
Ooratee	Man	3½ gold fanams	35 to 40 d°	70 d°	
	Woman		42 d°	87½ d°	
	Boy			21 d°	
	Girl			28 d°	
Adian	Man	3 poddies of paddy	52½ to 96½ d°	105 d°	
	Woman	1 d°		11 d°	
	Boy	1 d°		42 d°	
Moopen	Man	2½ gold fanams	21 to 36½ d°	44½ d°	
Naicken	Man	2½ d°	21 to 36½ d°	44½ d°	
Numboo Vettooran	Man	3 d°	20 to 80 d°	120 d°	
	Boy			20 to 50 d°	

N. B.—There are 3½ gold fanams for 1 rupee.
 4 old fanams for 1 d°.
 5 silver d° for d°.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

36.—It is not admitted that the proprietors of slaves had at any time the power of life and death over them; that measure of severity was never executed, except under the sanction of the nadwalee of the district in particular cases, but generally the rajah. Their authority over them extended only to corporal punishment, and confining in the stocks, and they still chastise them for petty offences: The slaves of Malabar are equally well defended by the British law against any enormous stretch of power, as any other subjects of the British government; and the collector and magistrate of the province declares, "that there have been few complaints of ill-usage, though instances have not been wanting," he states, "of proprietors having been brought to justice for wounding and murdering them." If the ill-usage alluded to is that of corporal punishment, or of neglecting to supply a proper quantity of food, it must be observed, that in most places slaves have been too entirely dependent upon their masters, and the interference of the magisterial authority has hitherto been so systematically withheld from regulating the modus of their daily food, that they could not, with any prudent regard to the interests of themselves and families, resort to a higher power. Even the cases of wounding and murdering are probably brought to notice, more by the agency of the police officers, who feel the obligations imposed by their situations, than of their own accord, in the districts adjoining to the Coorg territory; in which latter, great encouragement is given to settlers; and where they are well fed, the slaves show their sense of ill-treatment by deserting to it. They immediately put on a larger quantity of clothing, and disguising themselves under an alteration of head-dress, intermix with the inhabitants, and are not easily discovered by their masters.

37.—The custom of mukkatayum, or inheritance by sons to the rights of their fathers, prevails in the castes of Kullodee, Kunnakur, Yalior, Allur, Puniur, Parayen, ~~Nambor~~ Vattovon, Kongalum, Koodummar, Natalum, Malayen, Koorumbur, Punt Malayen, Adian, Moopen, and Naiken; and that of murroo mukkatayum, or inheritance by sons to the rights of their mothers, in the castes of Polean, Waloovan, Ooratee, Kurrimpatten, and Mavilen.

38.—In the caste of Paliur alone, the pure murroo mukkatayum, or the succession of sons to the rights of their mothers, and not to those of their fathers, prevails.

39.—In the Calicut district, there is an anomaly in the general system among the Paliur, the Kulladee, and the Kunnakur, which are the only three castes of slaves residing there; there is a mixture of the two customs of mukkatayum and murroo mukkatayum, that is, the one or the other does not obtain separately in different families in the district, but in all the families throughout the district, the inheritance partakes of the two modes, and half of the children are considered to go with the mother, and consequently to belong to her proprietor, and half to be attached to the father, and therefore to be the property of his master. Where the number may not admit of an equal division, the odd number is reckoned to be the mother's.

40.—The wife of a Paliur, and of all the castes who observe the murroo mukkatayum, may be sold separately, and may therefore belong to a different master from the master of her husband, but she cannot be separated from her husband; she must be allowed to remain with him; she is purchased separately in consideration of her future offspring, which, by the custom of murroo mukkatayum, would become the property of her purchaser.

41.—In the other castes, the females are not separately saleable; neither the wife nor her female children. The daughters become the temporary property of the masters of their husbands, but this right of property ceases upon the death of the husband, and the wife returns to the house of her father.

42.—The rules of Malabar prescribe, that a slave of the caste of Polean, Waloovan, and Brayen, shall remain 72 paces from a Bramin and from a Nair, and 48 from a Tean. A slave of the Kunnakur caste 64 paces from a Bramin and Nair, and 40 from a Tean; and the other castes generally 48 paces from a Bramin and Nair, 24 from a Tean.

43.—In the northern division these rules are deviated from in practice, in favour of the slaves, whilst in the southern division they are thought to be exceeded in strictness.

44.—The different castes of slaves keep up a distinction between each other, and do not intermarry or eat together. With the exception of the castes of Parayen and Kunnakur, the other castes of slaves abstain from eating or slaying the cow. These circumstances

circumstances lead to strengthen the idea of their having been outcasts, and having adopted the habits of the castes from which they originally sprung.

45.—In most places slaves are fed by their masters throughout the year; but their allowance on days that they have no work, is only half of what is fixed when they are employed. In several places on the coast, however, they are only paid when they work, and when not employed by their masters, they seek subsistence elsewhere. In the neighbourhood of large towns this is no hardship; on the contrary, they acquire much more in carrying grass, firewood, and other things to the market, and in working for others, than they can get from their masters; and slaves in this situation, are in consequence in finer condition, more intelligent, and more cheerful, than they are elsewhere. The only hardship to them is, that they are obliged to obey their master's requisition for attendance upon an inadequate allowance.

46.—Masters through the means of their kriskee kara, or stewards, who are in direct and much more confidential communication with slaves, give presents of clothes, oil, or grain, or a few fanams, on a birth, death or marriage in the family of a slave. In the harvest time, slaves are entitled to the crop of certain portions of the different fields, as a compensation for watching them, under the name of punda kavul; he guards the lands surrounding the punda or awning under which he sits. In the caste of Poloor, which is considered the most industrious and docile, and most trustworthy, a further fee of the same description is given to a kind of head man, whose duty it is to prevent the inroads of cattle in a large tract of rice land belonging to different proprietors.

47.—Masters are not entitled to the property of their slaves unless they die without heirs, but except near large towns on the coast, it would appear that this privilege is not very profitable to the proprietor, as property is seldom made by slaves.

48.—It is very generally admitted, that the price of slaves has risen since the Company's government; this is attributed to the increased demand for them; and the demand again owes its rise to the tranquillized state of the country to an extended cultivation, and to a greater number of Teans, and others of the lower classes, having become cultivators of land, than was usual under the former custom of the country.

49.—In comparison with some other parts of the world, the slavery of Malabar may be considered of a mild description. The individuals are born in it, and it is a second nature to them. The habits of their lives from childhood are formed in subservience and accommodation to it, and they feel no impatient irksomeness arising from the cherished memory of rights and comforts once enjoyed, which they have recently lost, or from a spirit of proud independence conscious of a title to higher privileges, and indignant at an unjust exclusion from them. Their habitual dependence upon superiors, would for a time, even make them uneasy upon being thrown adrift upon their own resources. The introduction to slavery does not bring to them the horrors of being torn violently from the country of their birth, from their nearest and most endeared kindred; of being degraded to the level of beasts, and sold like them; of suffering the cruelties of a ship imprisonment; of being forced to adopt new habits of life; new kinds of food; new modes of dress; and a new language; subjected to a foreign master, speaking a strange language, and frequently devoid of the least degree of sympathetic feeling towards them.

50.—On the other hand, the condition of the predial or rustic slaves of Malabar, cannot bear a favourable comparison with that of household or domestic slaves among the Mahomedans. The latter are received with them into a fraternity, and are no longer kept at a suspicious distance. In Arabia their treatment is said to be like that of children, and they go by the appellation of sons with their masters. They often rise to the most confidential station in the family, and the external appearance of the master and slave is hardly distinguishable, they are so much upon a par.

51.—In Canara it is not uncommon for slaves to have small pieces of land given to them by their masters for raising vegetable productions, and they sometimes have parts of rice fields, and a few cocoa-nut trees, particularly assigned to their use. Lands are also leased out to them. They are not either held in the same degree of disrepute with respect to caste; their approach short of actual contract is suffered without contempt by their Soodra proprietors, and they seem in this respect to have the same privilege as a man of the Tean caste, in Malabar, has relatively to a Nair.

52.—In Malabar, a few individual instances are mentioned of slaves holding lands in patum or lease, and of their being responsible for the government revenue, it

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

being entered in their names in the accounts, but these instances are very rare exceptions to the general rule.

53.—Upon the occasion of the condition of the slaves of Malabar being brought into notice, it was lately suggested, that slavery should be subjected to the rule of the Mahomedan law. This, if carried completely into effect, would indeed mitigate the severity of slavery, and render slaves in Malabar a very different race of mortals; but, strictly speaking, slavery is not permitted by the Mahomedan law to be practised by any but Mussulmans, and even by them only as regards the inhabitants of countries not agreeing to become converts to Mahomedanism, and at the same time refusing to pay the tax imposed by Mahomed upon infidels, or to permit the free exercise of the Mahomedan religion. Slaves made so by stealth, and not in open war, or on an authorized occasion, are not recognized by the Koran, and the acquisition of slaves by purchase, as practised by the Mopla Mahomedans in Malabar, is equally irreconcilable to the Mahomedan law. Though it may be impossible to apply the minutiae of the Mahomedan law to the peculiar kind of slavery existing in Malabar, it is nevertheless easy to borrow from the benevolent spirit of the law, or of the actual practice among Mahomedans. Ill treatment of slaves is with them punishable by the slave being emancipated, to the loss of the master, or being sold to another master, on convictions before the quazee.

54.—Though it may be allowed, that slavery in Malabar is not intolerable, and not exercised to an excessive degree of active cruelty, the diminutive and squalid appearance, and the wretched hovels of a race of beings on the province, who by a census taken of the population in Fusly 1216, were reckoned to amount to 94,786, sufficiently indicate, that they do not enjoy that comfortable state of existence which every person should at least have it in his power to acquire by his labour. There are no doubt many freemen in the different ranks of society who are equally indigent with the slave. The slave is scarcely ever exposed to the extremity of actual starvation, and it has been stated by respectable public authority, and I understand with correctness, that a beggar of this caste is seldom or never to be found. But among the freemen there are too many, who are too proud, from their former rank, too idle, and too dishonest from habit, to work, and they have recourse to charity and fraudulent means to gain their subsistence; but it matters not that many worthless characters are in worse circumstances; the question is, whether slaves are as comfortable as they ought to be, and whether they acquire as much by their own industry in servitude, as they would in a free state? Their condition is undoubtedly improved considerably under the Company's government; for the British law has extended its protection to them in common with all, against injury to their lives or limbs, or any great severity of ill usage; but British justice and humanity are not satisfied till they have accomplished, by rational means, all the good that is capable of being done. The general tranquillity which prevails through the British empire in India, seems to present a favourable opportunity for commencing the work of amelioration, and to withhold it, would be to sanction the perpetuity of slavery.

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.	Female Slave.	Total.	
	Maclod Scers.	Maclod Scers.	Maclod Scers.	
Calicut - - - - -	1 1/2	1	2 1/2	2 1/2
Betutnad - - - - -	1 1/2	1	2 1/2	2 1/2
Choughant - - - - -	1 1/2	1 1/2	3	2 1/2
Temelpore - - - - -	1 1/2	1 1/2	3	2 1/2
Palghaut - - - - -	1 1/2	1 1/2	3	2 1/2
Waloovanad - - - - -	1 1/2	1	2 1/2	2 1/2
Ernad - - - - -	1 1/2	1	2 1/2	2 1/2
Nidoonganad - - - - -	1 1/2	1	2 1/2	2 1/2
Shernad - - - - -	1 1/2	1	2 1/2	2
Koorumbud - - - - -	1 1/2	1	2 1/2	2
Cavoy - - - - -	1 1/2	1	2 1/2	2 1/2
Cherikal - - - - -	1 1/2	1	2 1/2	2 1/2
Kartaad - - - - -	1 1/2	1	2 1/2	2 1/2
Kotiate - - - - -	1 1/2	1	2 1/2	2 1/2
Tellicherry - - - - -	1 1/2	1	2 1/2	2 1/2

N.B.—The rates here mentioned may vary in respect to the price of paddy.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

This information was furnished to me by respectable natives, who are proprietors of slaves themselves, and not disposed to admit that the authority over slaves is exercised with any extraordinary severity.

56.—The most serious objections, I have heard against any active measure in favour of the slaves of Malabar, are, the violation of the rights of private property, which it would involve, and the necessity to which the proprietors would be subjected of paying more for labour, employed in the cultivation of their lands, and the difficulty which slaves would have of subsisting, if left to their own resources.

57.—It is not requisite to make such an abrupt innovation upon established rites and customs, as to declare the slaves to be free forthwith, but a prospect should be opened of eventual but gradual emancipation, and proprietors should be indemnified by the payment of a maximum price, which should previously be ascertained for each district, and promulgated. To set the example, government might be disposed to sanction the occasional appropriation of small sums annually to the purchase of slaves, and to accept slaves in payment of arrears of revenue, which from being too heavy, it might at all events be advisable to remit; but in all these cases, the wishes of the individuals themselves should be consulted, and they should not be emancipated unless they feel confident of being able to earn their own livelihood without assistance. Slaves should also have the power of redeeming themselves from servitude, whenever the exertions of their own industry may place them in a state of indemnifying their masters for the loss of their rights of property over them. The magistrate should have the power of fining or emancipating for ill treatment. It need not be apprehended that these provisions would bring about an emancipation too rapidly; but the knowledge of their future operation would in the mean time act as a stimulus to the activity of the slaves, and it would insure better treatment on the part of the proprietors. Slaves thus cautiously emancipated would not be likely to leave their usual places of residence, as long as they afford the necessary means of subsistence, and that in most cases they would; there can be little doubt, for there could be nothing to diminish the demand of their old masters for their services. They would therefore still be living on the old estates, but more comfortably and respectably, and probably less addicted to the petty pilfering of which their masters now accuse them. A great improvement might be expected to take place in the state of cultivation in the province, for not only would the old slaves work more cheerfully, and with more effect, but many proprietors in the southern division, who from indolence leave every thing to their slaves, would be inclined to betake themselves to manual labour, when they found that they were obliged to pay higher for it in others. Upon the principles of these observations, I have drawn out a regulation respecting slaves, which I have submitted to government through the Board of Revenue. The cautious nature of the different provisions, renders it easy to apply it to Canara as well as Malabar, without inconvenience; for though in Canara slavery may be considered to exist in a milder form, its gradual supercession would be attended with benefit.

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 courts, a woman of about 52 years of age, her son of 31, her daughter 25, with an infant in her arms, and the husband of her daughter of 35. They are of the Kalladee caste. They feel, I believe, some degree of awkwardness at not having some tambran, 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 on 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.

79.—The following may be reckoned the chief sources of the revenues of the rajahs of Malabar before the country came into possession of the Company.

8.—Polyättä Pennä, ———; Tamul.

87.—Polyättä Pennä, or degraded women, were a source of profit to rajahs; outcasts, not exclusively, but chiefly of the Bramin caste, they were made over to rajahs to take care of. As a compensation for their maintenance, and for the trouble of preventing their going astray again, the family of the outcast were in the habit of offering to the rajahs as far as 600 fanams, or 150 rupees. The rajahs then

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Polghaut Talook.

then disposed of them for money, but their future condition was not exactly that of a slave. They were generally bought by the coast merchants called Chetties, by whom they had offspring, who came to be intermarried among persons of the same caste, and in a few generations their origin was obliterated in the ramifications of new kindred into which they had been adopted.

600.—Slaves have in this district, what they have not in others, employment throughout the year; when their presence is not required in the rice cultivation, they have to bring wood for fuel and building, from a distance, which is not necessary in the districts where the cocoa nut grows in abundance, near the houses of the inhabitants.

1,130.—The landed proprietors of Wynaud are torpid to a degree; all the field work is done by slaves called Paniers, who are held in higher estimation than the slaves of the lower districts. They are admitted to the threshold of their masters houses, and they are even employed in grinding rice for the use of the temples. There is besides a numerous race of men called Koorchur, who are ignorant and superstitious to an extreme, and are easily worked up into insubordination by the arts of their chiefs. Wynaud is readily combustible, and its management requires a conciliatory but firm hand; I think the establishment of one tahsildar insufficient for so extensive, wild and savage a district.

1,583.—In the large towns of Tellicherry, Calicut and Cananore, the wages of labour vary from half to one billy fanam a-day, according to the work; a spademan gets half a fanam, a labourer in house building one fanam, a labourer at a fence or mud wall half a fanam; besides this the hire of porters is regulated by the distance they have to carry loads within the town and its immediate vicinity.

1,584.—A common labourer may be reckoned to be able to procure work for eight months of the year, or about twenty days of each of the twelve months, which will give ten or twenty old fanams (two and a half or five rupees) a month, according to the work; porters again earn from seven to eight rupees per month.

1,585. Common labourers in the inland districts may be reckoned to get one new gold fanam among three or four, or a quarter or a third of a fanam each, and to have work for twenty days in the month, and to get 5,00 c $\frac{1}{2}$ fanams or 1 $\frac{1}{2}$ rupees, and 72 reas or 1 $\frac{1}{4}$ rupees and 60 reas per month.

1,586.—In the northern division, from two to two and a half yedungallees of paddy, and in the southern division, from two to three yedungallees are given to field labourers; it is paid in kind. It must be remarked, that grain is cheaper in the southern than the northern division. If the labour were paid in money this difference would be a proof that the southern labourers are remarkably well paid.

APPENDIX (R.)

Examination of Koonda Minon, Kariakur Vadakay Yadatoo, Vumboodrie, Karatoo Yeadatoo Numboodrie, Killay Yadatoo, Kamoo Menon, Kotit Koroo Menon, Potana Nair, Nedatoom Killay Nair, Kotejarry Punikar, and Parawnay Punikar, Nadrullies, Deshwallies, Jumakars and Mookistamars or the Betutnaad and Purpunaad Talooks, taken on the 6th June 1819, and continued till the 8th.

36. *Question*.—What is the price for which a slave is sold?

36.—One hundred old fanams for a cherman and chermee of the Kanakur tribe; for a cherman of the Erratan tribe 48 fanams, and a chermee of the same tribe, 64 fanams are the usual prices.

37.—How is the patum or chermakal fixed?

37.—The patam of a cherman and chermee would be five old fanams per annum.

38.—What is the daily allowance of a cherman and chermee?

Two and a half yedingullies of paddy per diem.

(S.)—Examination of Moolanoor Numboodry, Karatulayatoor Namboodry, Kodita Namboodry, Korangal Naunboodry, Pathry Sherey, Moossatha and Koonat Moossatha Dershevies, and Peroombolavil Koondomenon, Pulikera Kristnarkar Nair, Peroombilavib Therarepa Menon, Chalapoorat Kristna Menon, Mokestan of Choughaut and Kootnad Talook, taken on the 27th Eddavom 994, M. S. or 29th May 1819.

36. *Question*.—What is the rate at which addiars (slaves of the soil) are sold?

36. *Answer*.

36. *Answer*.—Formerly the price of a cherman of the Kanakan tribe was 75 fanams, and that of a chermny and her child of the Poolar tribe also 75 fanams; the present price may be taken from 50 to 120 fanams.

37.—In what manner is the pattom or chermakals fixed?

37.—If verroom pattom, a male and female cherman together would fetch three parrahs of paddy (annually); if given on kannom, the interest of the kannom would be deducted, and the remainder left as the pattom.

38.—What is the vullee or hire payable to them?

38.—Four seers of paddy (a-day) for a male and female slave together.

(T).—Examination of Rakanat Kaymall, Kenat Achan, Eddattarra Kamall, Manoor Nair, Kongat Nair, Sajana Nambiar, Keyhadatti Kristna Menon, Erangaloor Chandoo Taravanar, Manambrakat Shangara Panikar, Kaddom Kanddatil Ranren Manuddy Nair, Koddomsherry Chepa Panikar, Navaloor Chatoonair and Chenat Nachan, of the Palghat Talook; taken on the 16th May 1819.

36.—*Question*.—What is the selling price of slaves?

36.—*Answer*.—Formerly, a male and female together, of the churmur caste, were procurable for 250 fanams, and now 300 fanams.

(signed) *Rekanat Kaymall; Kenat Achan; Eddattarra Kaymall; Manoor Nair; Kongat Nair; Sajana Nambiar; Keyheddato Kristna Menon; Erangaloor Chandoo Travanon; Manambrakat Shangara Panikar; Kaddoom Kanddatil Ramen Manaddy Nair; Koddoom Shery Chepa Panikar; Navaloor Chatos Nair; Chenat Achan.*

Further Examination :

37.—*Question*.—In what manner would pattom on slaves, called chermers, be fixed?

37.—*Answer*.—A male and a female cherman, would together be held to yield a pattom of 12 fanams per annum; if only one, 6 fanams. The sale and transfer of slaves are conducted in the same manner as those of land.

38.—What is the vullee or hire allowed to them?

38.—To a male and female slave, 5 dangolies (equal to 4 macleod seers) are given daily, both for their maintenance and toddy.

(Y).—Walloowanaad.

Examination made on the 23d Meddom, 994, M. S. or 4th May 1819.

36.—*Question*.—What is the price at which slaves are given in jennon?

36.—*Answer*.—Formerly, a good Poola cherman (male), and a chermny (female), would fetch 90 fanams; at present, as far as 150. Formerly, a cherman of the Kunnakan or Erralan caste would fetch 60 fanams, and at present, as far as 100 fanams.

37.—What pattom would each yield, and what are the customs observable at the time of selling?

Bonds similar to those when lands are sold or transferred, are passed. Formerly, the pattom was not above 3 parrahs of paddy, or 3 fanams; at present, it has increased as far as 5 fanams.

(signed) *Kollatoor Warriar; Nemate Moossatha; Kadamana Mossath; Parakat Nair; Ellebellakath Achan; Pellapedate Kristna Menon; Chakaddal Vapoo Terragan; Thirarecha Menon Hobly; Menon of Manarkad; Ramen Menon, Menon of Koorawa; Shengara Menon, Menon of Arcgaripar; Ramen Menon, Menon of Pandikad; Vapoo Yeshootachen, Menon of Kollatoore.*

ABSTRACT of PETITIONS presented to Mr. GRIME.

111. That the full number of slaves and Cattle specified in the puttah given him for cultivating escheated lands, have not been made over to him.

Cavay.	Cherikul.	Tellicherry.	Cartuad.	Wyvad.	Koorumbuad.	Calicut.	Sheruad.	Ernad.	Waloovanad.	Nedunganad.	Palyghaut.	Temalpoor.	Cochin.	Choughaut.	Beutnad.	Total.
-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	1

Q. Q.—Explanation.

Polyatta penna, or degraded women, were a source of profit to rajahs. Outcasts not exclusively, but chiefly of the Bramin caste; they were made over to rajahs to take care of, as a compensation for their maintenance, and for the trouble of preventing their going astray again; the family of the outcast were in the habit of offering to the rajah as far as 600 fanams, or rupees 150. The rajahs then disposed of them for money, but their future condition was not exactly that of a slave; they were generally bought by the caste merchants, called chettees, by whom they had offsprings, who came to be intermarried among persons of the same caste, and in a few generations their origin was obliterated in the ramifications of new kindred into which they had been adopted.

Slaves.
Udoomi Parumba.

Amount in Malabar, according to an account taken in 1807, to 96,386.

In a garden given to a slave, not a chermur, or a person who can be sold, rather a vassal, under the lord's particular protection, a certain patum is taken sometimes, and sometimes more land so given can never be taken away, but remains with the vassal till his death. If he dies without heirs, it reverts to the lord paramount, a vellavrin or salt manufacturer, who had got such a piece of land at Calicut, said it was a place where he could be buried; he seemed to consider it a privilege ensured to him.

Extract, General Report of the Foujdarry Adawlut to the Governor in council of Fort St. George, for the year 1823.

* Third judge of circuit in the western division.

212.—Paragraph 64 of the Report* contains a suggestion founded upon certain instances of cruelty practised on slaves by their masters, that forfeiture of the right of property over slaves should be made the penalty for ill usage.

213.—This subject has, in former reports of the third judge, been brought under consideration; and orders were issued by the court of Foujdarry Adawlut, under date 27th November 1820, founded on a futwa of their Mahomedan law officers, directing that on all occasions of acts of this description, the perpetrators should be brought to trial.

214.—It may be remarked, that the instances of barbarous cruelty, mentioned in the present Report, occurred some years ago; and the court of Foujdarry Adawlut would hope, that no act of this nature could now be perpetrated, without bringing exemplary punishment upon the offender.

215.—The subject has already been brought under the consideration of the government, by whom some legislative provision regarding the treatment of slaves may possibly be in contemplation. It appears to the court of Foujdarry Adawlut to be desirable, that instructions should be given to the perbuttees and patails to apprehend any person guilty of an act of cruelty towards his slave; and that, when the potail may be the offender, the curman or shambogue should report the case to the tehsildar. The magistrates should also be enjoined in their circuits, to inquire particularly as to whether offences of this nature are allowed to pass without notice, and all instances of connivance at the ill treatment of slaves on the part of police officers should be severely punished. It might also be useful to cause a registry to be made of individuals who have suffered the mutilation, of which instances are given in the Report, with a view to ascertain whether similar atrocities continue to be committed. And, finally, the court have to observe, that the perpetrators of any of the cruelties instanced by the third judge, who may have committed them since the

the general regulations were put in force in the provinces of Malabar, are of course liable to punishment, notwithstanding the time which may have elapsed since their perpetration.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

Extract Report from T. H. Baber, Esq. Third Judge late on Circuit in the Western Division, to the Register of the Foujdarry Adawlut, dated 22d December 1823.—(Referred to in the foregoing extract.)

59.—In the other case of "perjury and subornation of perjury," N^o 27 on the calendar, there were two prisoners, the first of whom was charged with having falsely accused one Plapaddatille Kittoo of causing the death of a cherman slave, named Kurey Nayady, in the month of Chingum 996, by beating him, throwing him upon his back, and in this state, amputating his nose; and, lastly, placing an iron ring on his leg, of which ill-treatment the said cherman died on the third day afterwards. The case was originally investigated by the assistant magistrate, who considered the charge as unfounded; it appearing to him, that the deceased had died two or three years antecedent to the period in question; that at the time of his death, the wound where his nose had been amputated, had healed, and in fact, that he had died a natural death. The case was inquired into by the criminal judge, who committed the person who preferred the original complaint, and the principal witness, to take their trial before the court of circuit.

60.—The prisoners, when arraigned, pleaded the general issue, and persisted in saying, that their depositions on oath, in regard to the fact of the deceased cherman having met with his death from the ill-treatment he mentioned, was the truth. The law officer acquitted both prisoners, on the grounds that there was no doubt that the deceased's nose had been amputated, and that two other cherman slaves had been also maimed by the defendant, Plapaddatille Kittoo; and hence, he argued, there was cause to suppose, that the charge against Plapaddatille Kittoo was not a groundless one.

61.—Amongst the witnesses for the prosecution, two churmurs appeared, without noses; one churman *Coonyady* said, that his nose had been amputated ten or twelve years ago, by Cannapar Mootar, because he had run away from ill-treatment; that the year before, Cheroman Oomakin's nose had been cut off; a short time after, the deceased, Koory Noryady's nose shared the same fate, and after him, Cherman Chelkar's was also amputated; that the latter person had run off, and had never since been heard of; that Koory Noryady died, as he was informed, by his chermee, five or six years ago, of the cholera. *Cheroman Oomiakin* deposed, that the deceased, Koory Noryady, had been dead six years; that he died a natural death; his complaint was fever; that one Cunhy Kristnen had amputated the deceased's nose, six years previous to his death; that his (witness) nose had been amputated thirteen years ago, by one Itteken Nair, and that the reason of his not complaining was, *that he would be only worse treated if he did.* Both these witnesses differed in their examinations before the assistant magistrate and the court of circuit, and the latter declared, that when he was sent to court to give his evidence, one Plapaddatil Kary Nair gave him and the other slaves a new moondoo each, and told them all to say, when they were asked by the sahib (judge) how Koory Noryady had come by his death, that he had died of the cholera, and if asked, who had cut off their noses, to say, the krishikaranmar (superintendent of cultivation). Three other witnesses were examined; one said, that Koory Noryady died in the year 993; that his nose had been amputated by Ittinash Nair one year previous to his death; another, that he died in 994 or 995; that seven or eight years ago, he (witness) had first known him, at which time his nose had been amputated; and the last, a cherman, that the deceased died six years ago, and that his wife told him he had died of fever; he had known him eight years; all that time he was noseless; he heard that one Ittenen Nair amputated it.

62.—Besides these gross contradictions in regard to the period of deceased's death, the cause thereof, the period when his nose was amputated, the person by whom that barbarous act was perpetrated, and, above all, the acknowledgment by one the slaves, that he and the rest had been instructed by their master as to the evidence they were to give; the evidence on the defence was greatly in favour of the prisoner's statements on oath, one of whom indeed went so far as to say, that he heard the cries of the deceased when he was undergoing the operation of cutting off his nose, and that he died shortly afterwards. I therefore concurred in the law officer's verdict, and discharged the prisoners, and would not have rested here,

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

but have ordered the original prosecution to have gone on, had I seen a prospect of the authors of these barbarities being brought to condign punishment.

63.—The result of these two trials will shew, that sufficient care and circumspection are not observed by magistrates and criminal judges with regard to prosecution for false swearing, a crime, which has been just observed by court of Foujdarry Adawlut, is more easily charged than proved; for although that crime is declared to be "giving intentionally and deliberately before a court of judicature, magistrate, or other authorized public officer, a false deposition upon oath relative to some judicial proceeding, civil or criminal, and upon a point material to the issue thereof," to me it does not appear a necessary consequence, that all courts, civil or criminal, are competent and bound, *without limitation*, to commit persons whom they may consider to have been guilty, of perjury before themselves. In complaints which criminal judges are empowered to hear and determine, without reference to any authority, they are undoubtedly competent and bound to proceed against and commit for trial, persons whom they may consider to have been guilty, of perjury before them; because, having the whole evidence before them, both for the prosecution and the defence, they are enabled to form a correct judgment of the real merits of the case; but in cases not punishable by magistrates or criminal judges, and only cognizable by the courts of circuit, and consequently in which neither criminal, judges or magistrates, can take evidence for the defence, those officers can only have a partial, or at least, imperfect knowledge of the facts, which are as necessary to be proved as the falsehood of what had been uttered on oath; I do not mean to say, that a *prima facie* case may not be made out before a criminal judge and magistrate, but excepting false swearers shall themselves acknowledge their guilt, such cases must be very rare, and on this account, I am of opinion, that no person ought to be committed for trial for perjury, in matters cognizable only by a court of circuit, excepting it shall appear to two or more judges of a court of circuit, forming a court at the Sudder station, that there are sufficient grounds for such a prosecution.

64.—Adverting to the facts elicited during the foregoing trial, it will no longer be denied that cruelties are practised upon the slaves of Malabar, and that our courts and cutcherries are no restraints upon their owners or employers, for whatever doubts may exist, with regard to the exact period of the death of the Cherooman Koorry Noryady, or to the immediate cause of his death, there can be none as to the fact of his nose having been amputated, as well as those of three other slaves belonging to the same owner; and that, although the case had come before the magistrate, no steps have been taken to bring the perpetrators of such horrid barbarities to justice. Upon the latter head it may be argued, that the slaves themselves preferred no complaint; but if it is to depend upon the slaves themselves to seek for the protection of the laws, their situation must be hopeless indeed, for having no means of subsistence, independent of their owners or employers, their repairing to and attending upon a public cutcherry, is a thing physically impossible, and even though those provisions of the regulations that require all complaints to be preferred in writing, were dispensed with in favour of slaves, and they were exempted from the payment of tolls at the numerous ferries they would have to pass, and though an allowance were made to them by government, during their detention at the cutcherries and courts, unless forfeiture of the right of property over slaves was the penalty for ill usage, their situation would only become more intolerable than it was before they complained. I never myself entertained any other opinion, than that the treatment of the slaves in Malabar, particularly in the interior, was the very reverse of a mild description, and I have no doubt, the late commissioner, Mr. Græme, has in his report upon Malabar, confirmed all I have written upon this most interesting subject, and suggested such measures as will, if carried into effect, be the means of improving greatly their condition, and of extending to them protection, against, at least similar cruelties to those brought to light in the trial that has given rise to those observations.

Extract, General Report of the Foujdarry Adawlut, to the Governor in council of Fort St. George, for the year 1825.

245.—We had the honour to receive the following letter from the secretary to government in the judicial department, under date the 28th June last:—

246.—I am directed by the Honourable the Governor in council to transmit to you, for the consideration and report of the court of Foujdarry Adawlut, the accompanying copy of a letter from the principal collector and magistrate of Tanjore, and of the statement which is referred to in it.

247.—The

Vide Appendix,
No 18, p. 437.

247.—The Governor in council apprehends, that there would be great danger of doing harm rather than good, by any attempt to regulate and restrict by law, as proposed by Mr. Cotton, the practice of selling children. It is obviously desirable, to avoid giving that sanction to the practice, which in the cases not prohibited, would be implied by such restriction. The evil appears to arise from the usages of the country, with respect to domestic slavery, a subject of much difficulty and delicacy, and where there is more ground to hope for improvement, from the gradual operation of the administration of police and justice, in a spirit favourable to personal freedom, than from positive enactments.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

248.—The stealing of children, however, is a crime, for the suitable punishment of which, if means are wanting, provision ought certainly to be made. And the same observation applies to the transporting of children by sea to the eastward or elsewhere, for the purpose of selling them as slaves.

249.—With reference to the foregoing communication, we had the honour to receive the following letter from the secretary to government in the judicial department, under date the 22d July last.

250.—With reference to my letter of the 28th ult. N° 234, I am directed to transmit to you, for the information of the judges, the accompanying copy of a further communication from the magistrate of Tanjore, relative to the stealing and selling of children. Vide Appendix,
N° 19, p. 441.

251.—In reply to the above communications, the register of the Foujdarry Adawlut addressed the following letter to the secretary to government in the judicial department, under date the 29th July last.

252.—I am directed by the judges of the court of Foujdarry Adawlut, to acknowledge the receipt of your letters, N° 234 and 262, dated respectively the 28th ult. and the 22d inst., transmitting copies of communications received from the magistrate of Tanjore, regarding the practice of selling and kidnapping children, of which several instances have lately been brought to his notice.

253.—The offence of stealing children, being punishable under the Mahomedan law, at the discretion of the Hakim, cases of this description fall within the scope of the provisions of clause VII, section 2, and clause III, section seven, Regulation XV, of 1803, and consequently it cannot be said, that means are wanting for its adequate punishment, under the law as it now stands.

254.—In the first case, mentioned in the statement accompanying the magistrate's letter of the 17th ult. the sentence passed by the criminal judge was not warranted by the Regulations, as was pointed out to him, when it appeared, in his quarterly report, furnished under the provisions of section 35, Regulation X, of 1816, and the opinion of the Foujdarry Adawlut, was communicated to this officer, that in these cases, the prisoners should be committed for trial before the court of circuit.

255.—For the purpose of putting a stop to the practice of transporting children by sea to the eastward or elsewhere, in order to sell them as slaves, the introduction of some new rules appears to the judges to be necessary.

256.—It may be thought desirable, that the opinion of the advocate general should be taken, as to how far the local criminal courts can be invested with power to punish this offence, they having no jurisdiction over crimes maritime.

APPENDIX, N° 18.

To the Secretary to Government in the Judicial Department, Fort St. George.

Sir:—The crime of kidnapping children, and the traffic that is carried on in the sale and purchase of them, appearing to me to deserve the notice of the Honourable the Governor in council, I have the honour to transmit to you a statement of a few cases that have lately occurred in this district, and beg to submit to government the expediency of adopting some measures to put a stop to them. Entered on the Ju-
dicial Consultations
of 18th June 1825.
N° 11, 12.

2.—It appears, that the persons concerned in this traffic are chiefly those connected with vessels trading to the eastern ports; and from what I have understood, of a number of these unfortunate children having been lately discovered in a house, either at Portonove or Cuddalore, the object in the purchase seems solely to be to transport them in ships sailing to the eastward, and to dispose of them there as slaves.

3.—I have now given orders for all children landed from a dhoney, or other vessel arriving at Nagore, or any of the ports in this district, to be detained till the tindall, or other person in charge, gives a satisfactory account of them; and when this is not obtainable, to send the party, with the children, to my catcherry; and

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

I have also directed, that before the port clearance is granted for any native vessel sailing to the eastward, a deputation of public servants shall proceed on board, to examine that there are no children in her, the knowledge of which may possibly put a check to this inhuman traffic; but unless some severe penalty is made known, and authorized by the Regulations, for the offence, it will continue, I fear, in spite of every exertion used to prevent it.

4.—In the case N^o 3 included in the statement, government will observe, that the two little girls there mentioned have been twice sold, just as a person would dispose of any beast or other property belonging to him; in the case of one, however, it seems that the mother first disposed of the child, which, in charity, we may suppose that she did so far for its good as to prevent its dying from starvation. In seasons there of great scarcity and distress, it would perhaps be driving parents to greater extremities, more abhorrent to human nature, was any penalty attached to the sale of children by their own parents, or to the purchase of them direct from their parents; but the traffic should, in my opinion, be most strictly prohibited from extending any further, and a person purchasing a child from its parents should on no account have the power of disposing of it to another.

5.—To what extent slavery, according to the custom of the country, is at present recognized in the courts of justice in the province, I am not aware, nor am I acquainted with, any decision yet passed on the subject; but as it seems now to be carried to a greater extent than I think is generally understood, and to be increasing, some legislative enactment appears necessary to put a check to it; and it is therefore with due deference that I conceive it my duty to submit the matter to the consideration of government.

I have the honour to be, Sir, your most obedient servant,
(signed) *J. Cotton*, Principal Collector and Magistrate.

Tanjore, Nagapatam, 17th June 1825.

STATEMENT of CASES lately come under the notice of the Magistrate at Tanjore, of CHILDREN having been Kidnapped and Sold.

N ^o	Names and Country of the Parents claiming.	Names and Caste of the Children, and how disposed of.	Particulars of the Discovery made respecting the Children.	REMARKS.
1. Nov. 1824.	Mortee Ammal of Nagapatam, the mother.	A boy (name unknown), about 3 years old, of the Cowry caste; delivered over to his mother.	This child was discovered in the house of Shelaiman, a Lubbay of Nagore, who has absconded.	Shenagaamee accused of stealing the child; having confessed that she enticed it away, and sold the boy to a Lubbay man in Nagore, for two pagodas, was forwarded to the Criminal Court, and there sentenced to one year's imprisonment and labour without irons.
2. May 1825.	Meerasen Beytee of Cuddalore, the mother.	Noorsa, a Lubbay boy, about six years old, delivered over to his mother, 3rd June 1825.	This child was offered for sale by a Lubbay woman (name unknown), at the house of Acoonameroir, of Nargaon, where objection being made to purchase, information was given to the Cutwall.	It appears that this boy having been enticed away from its parents, was brought for sale to Nagore by a Moor woman, who has absconded, and whose name is not known.
3.	Parents have not yet appeared.	Curpee, a girl, about six years old, and Curpahee, a girl of about four years of age, both of the Vellache caste.	Both these children were found in the house of Allapichee, of Nagore, who states that he purchased the first child from Chirma Colendarowten, of Aderampatam, on the 6th May 1825, as per bill of sale in his possession, for three pagodas, and the second girl he also purchased from Syed Cunnee, of Adrampatam, on the 5th May, for 32 D ^o as per another bill of sale in his hands.	It appears by a former bill of sale for the child Curpee, that she was sold by her mother Addakee, of Manalacodee, to Chima Colendarowten, for five ck ^s , on the 28th October 1824, and that the other girl, Curpahee, was formerly sold, as mentioned in the bill of sale, by one Pandee, of Manamailcodee, to Syed Curence; these two children having been twice transferred by sale from the possession of one person to another.

N. B. The above persons concerned in these transactions, have been summoned to give an account of them, and security has been taken from Allapichee, the purchaser, for his own appearance, and also to produce the children when required.

N ^o	Names and Country of the Parents claiming.	Names and Caste of the Children, and how disposed of.	Particulars of the Discovery made respecting the Children.	REMARKS.
4.	Hussainbeg, the father, and Gernesa, the mother, both of Madras.	Nazerbeg, a mussulman boy, about ten years old, delivered over to his parents, 4th June 1825.	This child was discovered by its parents in the house of Abunmud Abdulcadur, of Nagore, the father-in-law of Moor Mahummud, accused of kidnapping it.	This boy, it appears was enticed away from its parents at Madras, and brought to Nagore on board a dhoney, by Moor Mahummud, who has absconded.
5.	Curpahee, the mother, of Madras.	Moor Candee, a boy six years old, delivered over to his mother, 15th June 1825. N. B. His sister, a girl of 10 years old, was carried away at the same time, and brought to Nagore, but has not yet been discovered.	This boy was discovered by the mother in the house of Koommanachee, who acknowledges that she received the child from a man, who offered to give it to her, but did not pay any price for it; and states, she does not know his name, or who he is.	These two children appear to have been enticed away and brought from Madras to Nagore, in a dhoney, by a man named Veerabadren, who has absconded. According to the account the boy gives, his sister was sold by the same man, at another house, which has been searched in vain to discover her.

N. B. Copies of the Bills of Sale alluded to in the Remark on case N^o 3, are herewith furnished.

Tanjore Nagapatam, }
16th June 1825. }

(signed) J. Cotton,
Pr. Col. and Magistrate,

(True copy.) (signed) J. Macleod, Sec^y to Gov^t.

APPENDIX, N^o 19.

To the Secretary to Government in the Judicial Department, Fort St. George.

Sir:—In continuation of the subject of my letter, dated 17th ultimo, I have the honour now to transmit, for the further information of the Honourable the Governor in council, copy of a letter addressed to me by my assistant, Mr. R. Bannerman, reporting the particulars of two more cases that have been brought before him of children having been kidnapped and sold. The circumstance too which he states, of three Malabar boys having recently been sent to his office, as having been brought by Lubbaymen from Madras, and the measures he has taken regarding them, I beg likewise to bring to the notice of government.

Entered on the Judicial Consultations of the 22d July 1825.

I have, &c.
(signed) J. Cotton, Principal Collector and Magistrate.

Tanjore, Nagapatam, 14th July 1825.

To the Magistrate of Tanjore.

Sir:—In the first of two cases I have the honour to forward, a complaint was made by a man called Palian, that his child, a girl of six years old, had been carried off from a village about seven miles distant. Eventually the prisoners, Francisco and Madalenal, were apprehended with the child in their possession. Their account of the affair is, that the child was brought to the house where they live by a man called Chinnam (since absconded), who kept it there several days, and then sold it to a Lubbay man, named Shaik Abdulcadar; that he kept the child at the house of one Pechee two or three days, and then took it to Nagore for the purpose of selling it, and that they accompanied him, to pass for its relations, each receiving a small sum of money; but the person to whom it was offered, Faquere Modeen, refused to receive it. Faquere Modeen deposes, that the child was brought to his house, and offered for sale to him, by Francisco alone, who stated that he was his uncle. Pechee swears, that the child was kept a short time at his house, and food brought to it by Shekh Abdulcadar's father. Shekh Abdulcadar denies that he bought the child, or employed others to sell it for him; he only admits that he went with the other two to point out the house of Faquere Modeen. Although the parties

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

parties concerned in the transaction, by mutual accusation endeavour to free themselves from blame, I think there is little reason to doubt that the three, Francisco, Madolenal, and Shekh Abdulcadar, were privy to the child's having been kidnapped by Chinna, and have confederated to procure the sale of it. I am of opinion there is sufficient proof that Francisco offered the child for sale, certainly knowing it to have been stolen, and therefore propose forwarding the case to the criminal judge.

2.—In the other case, I would bring to your notice the same man, Shekh Abdulcadar, as concerned in a similar manner; having, as he allows, purchased a boy from a woman called Patumalla, of Nagore, and sold him at an advanced price in a short time after to a person in Nagapatam. This woman being questioned as to where she got the boy, says now that he is her grandson, and that his mother died at Portnova, leaving him destitute, and that she in consequence took possession of him, and in a short time sold him. She acknowledges that the account she gave regarding him at the time of sale was very different, it being, that he was a stranger she had picked up at Madras. This variation in her story, coupled with what the little boy says of his having been enticed away, gives some reason for doubting the legality of the mode she has taken to get him into her possession. It might, perhaps, be ascertained at Portnova, whether he has parents there.

3.—As connected with this subject, I take the present opportunity to mention that three Malabar boys have within the last four days been sent to the office, having been brought from Madras, on board a native craft by Lubbay people belonging to this, as neither of the boys appear to have any relations at Madras, and seem, to avoid starvation, to have come quite voluntarily with the people who have brought them down. I have merely required security that they will neither sell or export them, and to produce them when required, which they consenting to give, they have been allowed to retain the boys.

I have, &c.

(signed) R. A. Bannerman, Assistant Magistrate.

Nagapatam, 14th July 1825.

Extract, Fort St. George Judicial Consultations, 9th August 1825.

Read the following letter from the Register to the Court of Foujdarry Adawlut.

N^o 50.—To the Secretary to Government in the Judicial Department.

N^o 6.

Sir:—I am directed by the judges of the court of Foujdarry Adawlut, to acknowledge the receipt of your letters, N^o 234 and 262, dated respectively the 28th ultimo, and the 22d instant, transmitting copies of communications received from the magistrate of Tanjore, regarding the practice of selling and kidnapping children, of which several instances have lately been brought to his notice.

2.—The offence of stealing children being punishable under the Mahomedan law, at the discretion of Hakim, cases of this description fall within the scope of the provisions of clause seventh, section 2, and clause third, section 7, Regulation VI, of 1803, and consequently it cannot be said, that means are wanting for its adequate punishment under the law as it now stands.

3.—In the first case, mentioned in the statement accompanying the magistrate's letter of the 17th ultimo, the sentence passed by the criminal judge was not warranted by the Regulations, as was pointed out to him when it appeared in his quarterly report, furnished under the provisions of section 35, Regulation X, of 1816, and the opinion of the Foujdarry Adawlut was communicated to this officer, that in these cases the prisoners should be committed for trial before the court of circuit.

4.—For the purpose of putting a stop to the practice of transporting children by sea to the eastward, or elsewhere, in order to sell them as slaves, the introduction of some new rules appears to the judges to be necessary.

5.—It may be thought desirable, that the opinion of the advocate general should be taken, as to how far the local criminal courts can be invested with power to punish this offence, they having no jurisdiction over crimes maritime.

I have, &c.

(signed) W. Hudleston, Register.

Foujdarry Adawlut Register's Office, 29th July 1825.

Ordered, in consequence, that the following letters be dispatched:—

N° 302.—To the Principal Collector and Magistrate of Tanjore.

Sir:—I am directed by the Honourable the Governor in council to acknowledge the receipt of your letters of the 17th June and the 14th ultimo, and to transmit for your information the accompanying copy of a letter, which on the receipt of the former was addressed to the Foujdarry Adawlut, and of the reply which has been made by that court, with both of your communications before them.

2.—It is the opinion, you will perceive, of the Foujdarry Adawlut that the offence of stealing children is subject, by the Mahomedan law, to discretionary punishment, and that persons charged with the commission of it ought to be brought to trial before the court of circuit.

3.—The question, whether any rules can be enacted by government, which have the effect of checking the practice of transporting children by sea to the eastward, or elsewhere, in order to sell them as slaves, will receive further consideration.

I have, &c.

(signed) *J. M. Macleod*, Secretary to Government.

Fort St. George, 9th August 1825.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

N° 7.

N° 295.—To the Advocate General.

Sir:—It having been brought to the notice of the Honourable the Governor in council that children are not unfrequently transported by sea from provinces subject to this government, to the eastward, or elsewhere, for the purposes of being sold as slaves, I am, in consequence, directed to request that you will state, whether in your opinion the government is competent to invest the local criminal courts with power to punish that offence; and that if you think that government is not, you will suggest any ~~any other~~ ~~which may appear to you proper to be~~ adopted, with the view of putting a stop to the practice.

I have, &c.

(signed) *J. M. Macleod*, Secretary to Government.

Fort St. George, 9th August 1825.

N° 8.

Extract, Fort St. George Judicial Consultations, 2d September 1825.

Read the following letter from the advocate general:—

To the Chief Secretary to Government, &c. &c. &c.

Sir:—In compliance with the request contained in the letter of Mr. Secretary Macleod, dated the 9th instant, I have the honour to state, for the information of the Honourable the Governor in council, that as the 51st Geo. 3, c. 23, has 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, I am of opinion, that it is not competent for the government to invest the local criminal courts with power to punish that offence.

2.—According to the best judgment that I can form, the offence, although committed on land, and even by persons who are not inhabitants of Madras, may be tried in the supreme court of judicature; but if the same be committed at either of the ports within the admiral's jurisdiction, I consider it to be cognizable in either of the courts of admiralty, established at the respective presidencies.

3.—I therefore recommend, 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; and should that jurisdiction be found ineffectual, it may then be proper to apply to the legislature, to provide a more convenient mode of punishing the offence.

I have, &c.

(signed) *Herbert Compton*, Advocate General.

Madras, 26th August 1825.

Ordered, in consequence, That the following letter be dispatched:—

N° 343.—To the Register to the Court of Foujdarry Adawlut.

Sir:—I am directed by the Honourable the Governor in council, to transmit to you, for the information of the court of Foujdarry Adawlut, the accompanying copy of the advocate general's reply to a reference, which, agreeably to the suggestion offered

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N° 6.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

offered in the concluding paragraph of your letter, dated the 29th July, N^o 50, was made to him respecting the means of checking the practice of transporting children from the territory subject to this government, for the purpose of selling them as slaves.

2.—The Foujdarry Adawlut are requested to issue the necessary directions, in order that the course recommended by Mr. Compton may be followed.

I have, &c.

(signed) *J. M. Mackeod*, Secretary to Government.

Fort St. George, 2d Sept. 1825.

Extract, Fort St. George Judicial Consultations, 13th January 1826.

Read the following letter from the deputy register to the court of Foujdarry Adawlut:—

N^o 1.—To the Secretary to Government in the Judicial Department.

Sir:—I am directed to forward, for the purpose of being laid before the Honourable the Governor in council, the accompanying copy of a communication from the judges of the provincial court in the southern division, submitting for the consideration of the judges of the court of Foujdarry Adawlut, a reference from the magistrate in the zillah of Tinnevelly, regarding the practice of the sale and purchase of female children by dancing women.

2.—Referring to your letter of the 28th June last, the judges direct me to request the orders of the Honourable the Governor in council, whether an enactment should be framed, declaratory of the illegality of this practice; the judges are of opinion, that such an enactment is not required, but that it will be sufficient, as the judges of the provincial court have observed, if each magistrate within whose jurisdiction this offence may be prevalent, issue a notification, declaring the liability of all persons to punishment, who may be guilty of selling or purchasing children for the avowed purpose of prostitution.

I have, &c.

(signed) *I. F. Thomas*, Deputy Register.

Foujdaree Adawlut Register's Office, 3d Jan. 1826.

To the Register to the Foujdaree Adawlut, Fort St. George.

Sir:—We have the honour to submit copy of a reference which has been made by the collector of Tinnevelly, on the subject of the sale of children to dancing girls, for the purpose of bringing them up as prostitutes.

There does not appear to us to be any occasion for the interference of government, or for any special authority to be given to the magistracy, to prevent the sale of children to persons described in the collector's letter. The sale of a child, excepting under very particular circumstances, is punishable under the Mahomedan law; and if the magistrate is of opinion, that the people are not aware of the fact, he has full authority in virtue of his office, to issue a notification, declaring that the crime of child-selling is punishable by law.

We have, &c.

(signed) *W. Oliver*, First Judge,
C. M. Lushington, Second Judge,
John Bird, Third Judge.

Register's Office, Trichinopoly,
20th December 1825.

To the Register to the Provincial Court of Circuit, Southern Division.

Sir:—In reference to the subject of the court's letter of the 1st October last, I beg to bring officially to notice, a custom which is, I believe, more or less prevalent throughout the Madras territories, and as far as my own observation has gone, is more frequent in the district of Tinnevelly. The practice I allude to, is the sale and purchase of female children by dancing women, for the avowed purpose of bringing them up to a life immorality. The custom is so notorious, and its abominable tendency so evident, that no comment can be necessary; but I am apprehensive, that unless it be specially excepted from those purchases of children which are now (under some circumstances) legal, an opinion may be entertained, that such dealings are countenanced by law. A prohibition of such transactions could not be complained of as an infringement of any acknowledged rights; it would

would serve as a check upon child-stealing, which is occasionally practised under the pretence of purchase, and the public expression of the will of the government could not but have beneficial tendency to promote morality. I offer these remarks, in the hope, that if they are submitted to government, the practice which I have mentioned, may be prohibited by law.

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

I have, &c.
Tinnevely, 5th Dec. 1825. (signed) *J. Monro*, Collector.

Received this 10th December 1825.
(signed) *R. Rogers*, Register.

Ordered, that the following reply be dispatched:—

N° 17.—To the Register to the Court of Foujdarry Adawlut.

Sir:—I am directed by the Honourable the Governor in council to acknowledge the receipt of your letter of the 3d instant, N° 1, and its enclosures, relative to the practice of selling female children to dancing women.

N° 4.

2.—It is understood from your letter, that, in the opinion of the judges of the Foujdaree Adawlut, no new enactment is required upon this subject, because the selling or purchasing of children, for the avowed purpose of prostitution, may be punished under the law as it at present stands.

3.—The Governor in council entirely concurs with the judges in deeming any enactment unnecessary; and is further of opinion, adverting to the nature of the institution of dancing women, and to its connection with the ceremonies and observances, both religious and civil, of the great bulk of the people, that if it is at all expedient for the officers of government to interfere, for the purpose of preventing parents or guardians from assigning children in the customary modes, to be brought up to this profession, the interference requires to be conducted with the greatest caution. The remarks in my letter of the 28th June, to which reference is made by the Foujdaree Adawlut, relate to the practice of selling children to be made slaves, and generally to the usages of the country with respect to slavery; and it was observed, that that subject was one of much difficulty and delicacy. The subject now under consideration is of no less delicacy, and it seems to afford less inducement to interfere; for it is to be considered, that loss of personal freedom is not among the consequences of being brought up to be a dancing woman, and that the species of immorality which the interference would propose to redress, prevails, and is generally tolerated, in the most enlightened and most highly civilized nations of Europe, and it is much more closely connected with general depravity, and with misery in England, than it is in India.

I have, &c.
(signed) *J. M. Macleod*, Secretary to Government.

Fort St. George, 13th January 1826.

Extract, Fort St. George Judicial Proceedings, 24th February 1826.

Read the following letter:—

N° 67.—To the Secretary to Government in the Judicial Department.

Sir:—I am directed by the judges of the Foujdaree Adawlut to transmit to you, for the purpose of being laid before the Honourable the Governor in council, the accompanying extract from the court's proceedings of this date, together with the papers therein referred to.

N° 4.

I have, &c.
(signed) *W. Hudleston*, Register.

Foujdaree Adawlut Register's Office, 18th Nov. 1825.

Extract, from the Proceedings of the Foujdaree Adawlut, under date the 18th November 1825.

Read letter dated 24th ultimo from the second judge, late on circuit in the Western Division, submitting the report prescribed by section 37, Regulation VII, of 1802.

In the 31st paragraph of the report of the second judge, makes mention of two cases tried in Canara, wherein the accused were charged with causing the death of their slaves by severe chastisement, which he states, induced him to make inquiry

(Extract.)

Fort St. George
Papers:
State of Slavery
in Company's
Territories.

at Mangalore, regarding the prevailing custom in instances where the slave of one master marries the slave of another; and particularly, whether their respective owners can prevent them from living together. The second judge remarks, that the frequent absence from his "master's work, which occasioned the deceased's chastisement in one of the above cases, was owing to visits to his wife, who resided at a distance on her master's estate, who would not allow her to live with her husband," he was told, that it is usual for the female slave to reside with her husband, and if his residence be at such a distance as to prevent her from coming to work daily at her master's house, the master of the husband must indemnify her owner by the payment annually of half a moorah of rice; but if the master should employ the female at his own house, he must employ also her husband, whose owner he must indemnify by the payment annually of one moorah of rice.

4.—In the 32d paragraph the second judge offers his opinion, that the magistrate should correctly inform himself on this point, and be required under the authority of government, after due notice given, to enforce the obligation on the part of the owners, to allow their married slaves to live together.

5.—The court of Foujdaree Adawlut are of opinion, that the interference here proposed to be exercised by the magistrate could not be put in practice without the enactment of a Regulation for the purpose; and they are not prepared to suggest provisions with this view which would be free from objections; should however the Honourable the Governor in council deem it fit to give effect to the humane recommendation of the second judge, it may be in the power of the provincial court, in communication with the magistrates in the provinces of Malabar and Canara, to devise a mode of preventing the separation of married slaves, without any violation of rights, which the established usages in this respect confer.

In the 53d paragraph of the Report, the second judge adverts to the opinion of the advocate general, whereof a copy was transmitted by the government to the court of Foujdaree Adawlut, under date 2d September last, respecting the means of checking the practice of transporting children from the territory subject to this government, for the purpose of selling them as slaves.

7.—In citing this opinion, the second judge has not used the words of the advocate general, but the court of Foujdaree Adawlut do not know, that he has given to them a meaning which was not intended, in speaking of the offences of transporting persons for the purpose of being sold as slaves, the advocate general may be taken to include the exportation of slaves, which is prohibited by clause 14, section 18, Regulation II, of 1812, under the penalty of a fine of 250 rupees for each offence, and if so, the rescision of that clause would appear to be required, as is pointed out by the second judge.

Calendar of Trials.—First Sessions, 1825. (Extract.)

31.—But few matters of any interest or importance, deserving of notice, passed under my observation during the late circuit. The two cases tried in Canara, wherein the accused were charged with causing the death of their slaves by severe chastisement, and which, as above stated, were referred for the decision of the court of Foujdaree Adawlut, induced me to make inquiry at Mangalore, regarding the prevailing custom in instances where the slave of one master marries the slave of another, and particularly whether their respective owners can prevent them from living together. The frequent absence from his master's work, which occasioned the deceased's chastisement, in one of the above cases, was owing to visits to his wife, who resided at a distance on her master's estate, who would not allow her to live with her husband. I am told it is usual for the female slave to reside with her husband, and if his residence be at such a distance as to prevent her from coming to work daily at her master's house, the master of the husband must indemnify her owner by the payment annually of half a moorah of rice; but if her master should employ the female at his own house, he must employ also her husband, whose owner he must indemnify by the payment annually of one moorah of rice.

32.—It would, I think, be desirable that the magistrate should correctly inform himself on this point, and be required, under the authority of government, after due notice given, to enforce the obligation on the owners to allow their married slaves to live together.

33.—This subject induces me to advert to the opinion of the advocate general, at Madras, which was recently circulated for the guidance of the court, wherein he has stated, that all infringements of the Act of Parliament, prohibiting British subjects, native or European, from exporting or transporting slaves, whether occurring in

in India, or in any part of the British territories subject to their governments respectively, can be cognizable only by the supreme court, and the Company's courts have no jurisdiction in such cases. The operation of this opinion will render necessary the rescission of clause 14, section 18, Regulation II, of 1812, which prescribes a specific penalty for this offence.

Fort St. George
Papers :
State of Slavery
in Company's
Territories.

Ordered, That the following reply be dispatched :—

(N° 87.)—To the Register to the Court of Foujdaree Adawlut.—(Extract.)

3.—The subject treated in the Foujdaree Adawlut's proceedings, paragraphs 3 to 5, and in the second judge's report, paragraphs 31 and 32, is one of much importance. If a politic and just regard to the customs and usages of the country makes it necessary to permit or tolerate slavery, it is unquestionably at least incumbent on the ruling power, to take care that the slave receives the full benefit of such safeguard, as those very customs and usages have provided against the oppression and cruelty of the master. The Governor in council does not perceive on what grounds the enactment of a new regulation can be considered necessary for this purpose. As the rights of the master over the slave rest on the same foundation with the limits assigned to them, it seems unreasonable to suppose, that the courts and magistrates are bound to respect the one, and yet without power to enforce the observance of the other. If therefore, as understood by the circuit judge, the usage of the country imposes on the owners the obligation to allow their married slaves to live together, the Governor in council sees no reason against adopting his suggestion, that the magistrate should be required to enforce that obligation. When the owner, in the exercise of his power, passes beyond the bounds which have been set to his rights, the relation subsisting between him and the slave becomes entitled to protection, as if he were a free man. It is, however, evidently indispensable that the existence of the obligation on the part of the owners be in the first place ascertained beyond a doubt; this should be done with as little delay as possible. In the present state of information on the subject, the Governor in council thinks that the most advisable course of proceeding is to refer it, as suggested by the Foujdaree Adawlut, to the provincial court, to be considered by them in communication with the magistrates of Malabar and Canara.

N° 5.

4.—A reference will be made to the advocate general on the question, as to whether the Act, 51 Geo. 3, c. 20, nullifies the provision of clause 14, section 18, Regulation II, of 1812.

5.—The construction given by the Foujdaree Adawlut, in their proceedings of the 14th November last, to clause 2d, section 3, Regulation VI, of 1822, appears to the Governor in council to be correct.

Ordered also, That the following letter be dispatched :—

(N° 85.)—To the Advocate General.

Sir :—With reference to your letter of the 26th August last, I am directed by the Honourable the Governor in council, to request that you will state, whether in your opinion, the 51 Geo. 3, cap. 23, nullifies the provision of clause 14, section 18, Regulation II, of 1812, of which clause I subjoin a copy.

N° 6.

Fourteenth.—The exportation of slaves from Malabar, is hereby strictly prohibited. Persons by whom this rule may be infringed shall be liable to a fine of 250 rupees for each offence, and the parties concerned therein shall not be allowed to carry on any trade whatever, nor shall the ship or vessel to which the offender may belong, obtain a port clearance until the fine be paid.

I am, &c.
(signed) J. M. Macleod, Sec^r to Government.

Fort St. George, 24th Feb. 1826.

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