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## SLAVERY IN INDIA.

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RETURN to an Order of the Honourable The House of Commons,  
dated 6 March 1834;—for,

## PAPERS RELATIVE TO SLAVERY IN INDIA.

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India Board, }  
15 March 1834. }

R. GORDON.

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### QUESTIONS

On SLAVERY in the *East Indies*, circulated by the Commissioners for the  
*Affairs of India*.

1. HAVE you had any opportunities of acquiring a personal knowledge of the state of slavery, either domestic or agrestic, that is, either in the house or for field labour, in the *East Indies*? And, if you have, be pleased to state particularly what your opportunities were. Queries circulated by the Commissioners for the *Affairs of India*.
2. In what way, or in what several ways, and in which of such several ways most commonly, do individuals become slaves in the *East Indies*? Be pleased to distinguish the particular countries to which the answer applies.
3. Can you furnish any idea of the number of the slaves in *India*, or in any particular regions or districts of it, with which you are acquainted? And here distinguish between house and field slaves.
4. Do the laws, as administered, sanction or recognize the state of slavery, either domestic or agrestic, and to what extent?
5. What, in point of comfort, employment, food, clothing, treatment, provision for age or sickness, or in any other respect, is the general condition of the slaves, domestic or agrestic? Is there much difference in these respects between those two classes?
6. In the case of agrestic or field slaves, state particularly in what they are employed and how they are worked? What species of produce are they employed in raising? Do they work in gangs, under a driver? for how many hours in the day? for how many days in the week? more or less severely in different seasons? Is task-work, as you know or believe, ever used? Is the lash employed, and to both sexes?
7. What is the precise condition of the slaves in point of law? Are they to any, and what extent, under the protection of the civil magistrate? Can they be witnesses against freemen in a court of justice? May their masters take their lives?
8. In the later periods of villenage in *England*, villeins were for many purposes free as between them and strangers, though slaves as between them and their lords; is there any thing analogous to this in *India*?
9. Are any of the agrestic slaves in *India*, *serfs*, attached to the soil? And if so, does this species of slavery increase?
10. What are the slaves in point of religion, and what are their habits or morals? Can they, and do they, marry? May they marry free people? Can they in any degree acquire property for themselves, and hold it against their masters?
11. Can slaves be sold at pleasure? and are they, in fact, often sold? May they be seized and sold for the debts of their master? Does law or custom impose any restriction on so selling slaves as to separate them from their families?

Queries circulated  
by the Commis-  
sioners for the  
Affairs of India.

12. Is there any law to hinder or promote the manumission of slaves? Can they purchase, or in any way acquire, their own freedom? Is a slave's child necessarily a slave? Are slaves, in fact, often manumitted or liberated, and in what way?

13. Have any, and what, material changes taken place in the state or condition of Indian slaves, as referred to in the foregoing questions, within the period of your observation or attention to this subject? If so, be pleased to describe such changes, and to state in what countries they have taken place?

14. Have any, and what, measures been adopted, and especially by the British Government, to abolish or ameliorate the state of slavery in India? Has the existence of the British rule in India in any manner affected the extent or character of slavery there; and if so, in what manner?

15. Be pleased to give any information that seems to you useful with regard to the *facts* of this subject, though not particularly touched by any of the preceding questions?

16. Do you conceive that the British policy ought to be directed to the ultimate abolition of East Indian slavery? Or ought it to be content with aiming only at the practical melioration of the system?

17. State any measures that occur to you as proper to be adopted, with a view either to abolition or melioration.

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## ANSWERS.

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### ANSWERS of Rev. Joseph Fenn.

Rev. Joseph Fenn.

1. I RESIDED between eight and nine years in the interior of the kingdom of Travancore, but never made any particular inquiry on the subject of slavery, and have only the knowledge which observation (and that only a partial one) furnishes.

2. As far as my observation reaches, by birth only, but report speaks of other ways. I speak only of Travancore.

3. I have no means of knowing. In Cottayam, where the population, exclusive of the slaves, was between 3,000 and 4,000, I have sometimes assembled some hundreds. They are, as far as my observation goes, employed wholly in agriculture, and would not be allowed within doors.

4. I think slavery is recognized by the Hindoo code and by the local laws.

5. They present a wretched appearance to the beholder. There is a custom of giving them a cloth occasionally, the only clothing they wear. I am not aware of any provision for age or sickness. They may work for other persons when their masters do not want them, and they then receive one or two chuckraws a day, or the equivalent in rice.

6. They are employed in all kinds of agricultural labour, rice tillage and the sugar cane. Those in the possession of the Nairs, work with their master, or under the eye of an overseer, who generally works with them. But as they are not numerous in comparison with the other classes of the population, they are distributed by small numbers among different owners. Many owners have not more than one, two or three slaves. I have never seen the lash used. Corporal punishment prevails much in India. I am not aware that it prevails more among the slaves.

7. They are protected by the letter of the law as far as life is concerned; but I question whether they enjoy the actual protection of the law in the kingdom of Travancore. I do not know whether they can be witnesses. Their masters cannot legally take their lives.

8. I do not exactly understand this question. Slaves are out of society, out of caste, except as between themselves; they live together in the fields and out-parts adjacent upon the villages. But when they work for strangers they receive pay for it.

9. I have not met with any.

10. They are very gross in their superstitions. Have certain individuals of their own caste to manage their ceremonies. They are allowed no intercourse with the rest of the natives in matters of religion any more than in other matters.

matters. They marry among themselves. Whether faithful or no, cannot say. I have heard of instances of their possessing property. Rev. Joseph Fenn.

11. Yes; and they are frequently transferred. The price of a good slave, a male, is about 300 pence. I suppose they are seizable for the debts of their masters. I know of no restriction. Husbands and wives are, I know, separated by sale to different parties. I have met with an instance; whether it is of frequent occurrence I do not know: perhaps not, as it was brought to my notice as a hardship.

12. I heard while in Travancore that slaves could not be manumitted, but that all slaves without a proprietor were the property of the Government. But I incline to think that the statement, if true, refers to one class of slaves only, a class differing from the other only by caste, and not, that I am aware, in any other particular.

13. None took place that I knew of during my residence in India; British influence had been exerted a short time previously to protect their lives.

14. This question does not apply to Travancore. The British rule has abolished the power of the master over the life of the slave.

16. I am not qualified to give any opinion upon the subject. The slaves are in the lowest possible state of degradation. If it were lawful to speak so of fellow-creatures possessing the same capabilities and the same destinies with British Christians, I should say that they were wild men.

17. Nothing but Christianity, in my opinion, descends or can descend low enough to meet them and to raise them to the level of mankind. I was a missionary in India; my testimony, therefore, will be received with caution upon this subject. But I am decidedly of opinion that the Bible is the only book adapted to them in their present state. If it should please God to allow a free publication of its truths among them, I think it would soon be evident that, independently of the great change it creates in reference to God and to eternity, it brings in its train elevation of mind and character, and all the blessings of civilization and education.

Where my answers fall in with the opinions of others well versed in Indian matters, they may be of use as confirmatory, but I should be very diffident of any opinion I have given, if opposed by any one who has been resident in India.

Blackheath-park, 24 Sept. 1832.

*Jos. Fenn.*

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#### ANSWERS of *T. H. Baber, Esq.*

(A.) Para. 1. I HAVE; having resided a period of 32 years, and been actively employed during that time in every department of the public service, Revenue, Police, Magisterial, Judicial and Political, in various countries, where both domestic and agrestic slavery prevails; those countries are, *T. H. Baber, Esq.*

Para. 2. First, The Bombay territory, lying between the rivers Kistna and Toongbutra, and comprising the late southern Mahratta States, now partly administered by the Honourable Company and partly by the Putwürdün family and other principal Jaggeerdhars; also the dominions of his highness Kolapore rajah.

Para. 3. Secondly, The western division of the Madras territories, comprising the zillah of Canara, in which are the ancient countries of Konkana, Haiga and Julava, the three Balagat districts of Soond, Soopa and Bilghi, and to the south the talook of Neelisheram, the zillah of Malabar including the Balagâat district of Wynaâd, and also the island of Seringapatam.

Para. 4. My duties have also led to constant official intercourse, upon a variety of subjects, with the political residents at the durbars (courts) of the neighbouring states of Mysore, Coorg, Cochin and Travancore, some of which related to slaves, either who had been compelled by constant ill-treatment from their masters in Malabar to take refuge in the territories of Coorg or Mysore rajahs, or to slaves who had been kidnapped in Travancore and sold to British subjects, and even to freeborn children of various castes of Hindoos, subjects of the Cochin or Travancore rajahs, reduced to slavery in the Honourable Company's dominions, who had been procured by the most fraudulent and violent means, and deprived of their caste by cutting off the lock of hair (the distinguishing mark of their caste) by making them eat prohibited food, and by otherwise disguising and polluting them.

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Para. 5. By these means, as well as by personal inquiries, when I have visited the adjacent districts of the neighbouring states of Mysore, Coorg, Cochin and Travancore, or when business or pleasure has brought the respectable natives of those countries to where I have been in authority, I have become acquainted, amongst other subjects of interest, with the prevailing "slavery" throughout, I may say, the western provinces south of the Kistna to the extremity of the Indian continent, Cape Comorin, or properly Kānya Coomāri.

(B.) Para. 1. In all the countries above enumerated, the varieties and sources of domestic slavery are very numerous; namely, those persons who are the offspring or descendants of freeborn persons captured during wars; out-caste Hindoos, who had been sold into slavery under or by former Governments; kidnapped persons brought by bungarries and other travelling merchants from distant inland states, and sold into slavery; persons imported from the ports in the Persian Gulf, in the Red Sea, or from the African coast; persons sold, when children, by their own parents in times of famine or great dearth; the offspring of illegitimate connexions, that is, of cohabitation between low-caste Hindoo men and Brahmin women, and generally between Hindoos of different castes, or within the prohibited degrees of kindred; persons who, in consideration of a sum of money, or in discharge of a security for the payment of a debt, have bound themselves, by a voluntary contract, to servitude, either for life or a limited period, all which have in former times, or do now prevail, more or less, wherever domestic slavery is found, but chiefly in the southern Mahratta country, both in the Company's and Jaggheer portion of it, and in the Kolapore rajah's dominions; also in those of Coorg and Mysore.

Para. 2. Of *agrestic* or *prædial* slavery, the origin is of very remote antiquity: the general term given for this description of slavery is *Adami*, or literally, as I understand the term, serf, aboriginal or indigenous, being held precisely under the same tenures and terms as the land itself throughout, under some slight modifications, the Malabar coast, in the Balagat districts already mentioned, and even in the western parts of the table-land of Mysore.

(C.) Para. 1. I can, generally; and will at the same time state my authority for my different estimates. In the Dooab, or southern Mahratta country, including Colapore, the number of domestic slaves I compute at 15,000, or rather more than three quarters per cent. of the general population, which may be reckoned at about two millions, as follows: the number (a), in the year 1822, in the Honourable Company's portion of the Dooab, was 684,193, and in the Jaggheers 778,183, as reported by Mr. Commissioner Chaplin, exclusive of Colapore, about 250,000 more; since which period (judging from the augmented jumma, or gross annual revenue,) the increase in the general population of the whole of the southern Mahratta country cannot be less than one-tenth more. The same gentleman also reported (b), "throughout the Deccan slavery to be very prevalent." In the southern Mahratta country all the jaggeerdhars, deshvars, zemindars, principal brahmins and sahookars, retain slaves on their domestic establishments; in fact, in every Mahratta household of consequence they are, both male and female, especially the latter, to be found, and indeed are considered as indispensable.

Para. 2. In the zillah of Canara the total number of slaves, *agrestic* and domestic, may be fairly computed at 80,000, or about one in twelve of the gross general population, which, when I left the Malabar coast in 1828, amounted to nearly a million of souls (c). In 1801 (d), Mr. Ravenshaw, the collector of the southern division, reported the gross population at 396,672: the northern division may be calculated at one-third of this number; and Mr. Ravenshaw further reported the slave population to be 52,022, besides 722 illegitimate children, whom, he writes, it was the custom of the Biddnore government to take possession of and sell as slaves; and also slaves imported from Arabia, of whom there were many. "In 1819 (e) the honourable Thomas Harris, the principal collector of

(a) *Vide* Mr. Commissioner Chaplin's Report, dated 28 August 1822, para. 6, vol. iv., Selection of Judicial Papers.

(b) Ditto, ditto, para. 279.

(c) Slavery in India documents laid before Parliament, 12 March 1828, fol. 549 & 550.

(d) Letter from J. G. Ravenshaw, Esq. to William Petrie, Esq. President of Board of Revenue, dated 7th August 1801, para. 15 & 18.

(e) Slavery in India Papers, fol. 844, para. 7; 3 of Collector's Letter to Board of Revenue, dated 10th July 1819.

of all Canara, reported the number of slaves at 82,000, of whom 20,000 were persons (or rather their descendants) who had been taken in battle, or concubines, or Brahmin and Sooder women, who had lost caste by having connexion with men of inferior caste: the two last description (he adds) were sold under the Mussulman government, and their descendants continue slaves; and that under Mr. Baber, when magistrate here, some stop was put to this practice; but there is no doubt it exists in an underhand manner at this day." I should here add that Mr. Harris also stated that "the number of slaves had never been correctly ascertained." By a census taken in 1807 of all Canara, the total number of inhabitants was found to be 576,640 (f); as I have above stated, in 1827 the gross population amounted to nearly a million, making an increase of 70 per cent. in 20 years, while the slave population has been stationary.

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Para. 3. In the zillah of Malabar (g), Mr. Warden, principal collector, in 1806-7, reported the number of slaves at 96,386, and in 1815-16 at 94,786; and his successor, Mr. James Vaughan, in 1819, stated the number to be 100,000, "exclusive of Wynâd, containing about 3,000 more;" and in 1827 the late principal collector, Mr. Sheffield, ascertained the number of slaves to be 95,696 (h), exclusive of Wynâd, as follows: Pooliar Cherumar, 48,579; Kanaka Cherumar, 20,798; Terrawa Cherumar, 20,058; Kallady Cheroomar, 2,279; Vallow Cheroomar, 615; Betwas, or Wettowar, 3,347 (being a moiety of them, as it is only in some districts of Malabar they are laid claim to as slaves). In 1806-7, previous to which the country, as Mr. Commissioner Thackeray reported (i), "had been a prey to civil wars, which burnt with a raging or smothered flame ever since the Company got that province," the general population was, according to Mr. Warden's estimate, 700,000 (k). In 1827 it amounted, by Mr. Sheffield's returns, to 1,003,466. In Malabar, therefore, the slave population would seem to have been diminishing, as I find Mr. Warden has already stated (l) in his evidence before the Select Committee of the House of Lords, while the increase in the general population has been nearly as great as in Canara.

Para. 4. The only return of the population of Travancore I have met with is that of Fra Paolino de San Bartolomeo, in his work, *Viaggio alle Inde Orientale*, published at Rome in the year 1796. This person resided many years in Travancore, and has certainly given a most minute account of the manners, customs, &c. of the inhabitants of that country. He estimated the whole population at 1,600,000 and judging from all I have been able to collect, in the course of my inquiries among the kariakars (ministers) and other intelligent persons as to the aggregate general revenue, as well as on this point, this estimate is probably the extent of the present population. It would, no doubt, have increased in the same ratio as Malabar or Canara have, but for the war of 1809-10, and other political causes; and as the whole labour of wet cultivation is (as in the adjoining province of Malabar) being carried on by slaves, (superintended by hired freeborn persons, called pannikar or chooralakar), the number of slaves may be taken at a twelfth of the whole population. Cochin I reckon at about 150,000 souls, of whom about 12,000 are slaves.

(D) Para. 1. They do; domestic slavery being fully recognized by both the Hindoo and Mahomedan code, as well as by the usages of the people; and agrestic or prædial slavery being equally so by the common law, called *Desh-ajary*, having existed from time immemorial, but not so absolute as has obtained since the Malabar coast provinces came under the Company's government, namely, of disposing of them off, or separate from, the soil, the land of their birth; which I consider as decidedly at variance with and in innovation of that law, as observed in ancient times; and in this opinion I consider myself borne out, as well by the traditionary legends of their origin as by the fact I have before mentioned, of the tenures and forms of sale of slaves being precisely the same as of lands; such a practice is, moreover, inconsistent with the due observance of their religious ceremonies,

Para. 2, of (B.)

(f) Hamilton, p. 255, 2d vol.

(g) Slavery in India, fols. 922, 926, Mr. Commissioner Græme's Report, 14th January 1822, para. 54; and Mr. James Vaughan, Principal Collector's Letter to the Board of Revenue, para. 5, fol. 845.

(h) According to documents in Mr. Baber's possession.

(i) Fifth Report from the Select Committee of 1812, p. 983.

(k) Mr. Warden's Evidence, Question 1899.

(l) Ditto, Question 1903.

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ceremonies, every part of Malabar having its tutelary deity, and all classes of slaves having their household gods (their Lares and Penates) to whom, on particular days, they perform the same ceremonies that all other castes, who are free-born, do to their's. They likewise cherish the memory of their pitris or carawrinmar (ancestors) by consecrating a spot of ground called koodiwckka, where all the members must meet, and make offerings of manisum and maddium (meat and liquor).

Para. 2. The following extract from the Report of the Joint Bengal and Bombay Commissioners (of which the Honourable Jonathan Duncan, the late able governor of Bombay, was president), on the first settlement of Malabar in 1793, and which may be considered as giving the most accurate account of the ancient institutes, and the usages in general, as observed at that early period of our rule, of that singular people (the inhabitants of the Malabar coast), and certainly more to be relied on than any thing that has since been written, would seem to put this view of the subject beyond question<sup>(m)</sup>. Speaking of the degraded castes of Poliars and Cherumars, he writes, "they are considered in a great degree in a state of villeinage, and as bondsmen attached to the soil, though they are not properly or lawfully objects of slavery, like slaves in the full extent of that word, unless they happen to be thus made over as part of the stock, at the same time that the master, the Brahmin or Nairn landholder, should have disposed of the land on which they live."

Para. 3. How or whence this oppressive and cruel practice, not only of selling slaves off the estate where they were born and bred, but actually of separating husbands and wives, parents and children, and thus severing all the nearest and dearest associations and ties of our common nature, originated, it would be difficult to say; but I have no doubt, and never had in my own mind, that it has derived support, if not its origin, from that impolitic measure, in 1798<sup>(n)</sup>, of giving authority to the late Mr. Murdoch Brown, while overseer of the Company's plantation in Malabar, upon the representation<sup>(o)</sup> of "the difficulties he experienced," even with "the assistance of the tehsildar," (the head native authority), and "his own peons," (armed persons, with badges of office), "to procure workmen," and "of the price of free labour being more than he was authorized to give," to purchase indiscriminately as many slaves as he might require to enable him to carry on the works of that plantation; and of actually issuing orders to the European as well as the native local authorities, to assist him (Mr. Brown), and even to restore slaves who had run away, and returned to their homes, (without any orders to inquire the reason of their absconding), and who, as has since been ascertained from the surviving slaves themselves had been actually kidnapped by the darogha (head police officer of Chowghaut, in the southern parts of Malabar people), and sent up to North Malabar to Mr. Brown, which person had continued, up to 1811, or for a period of 12 years, under this alleged authority, granted by the Bombay Government, to import slaves and freeborn children from the Cochin and Travancore states<sup>(p)</sup>, when by the merest accident this nefarious traffic came to my knowledge, and which, after considerable opposition on the part of the provincial Court of Circuit, I succeeded in putting a stop to, after having restored to liberty and

<sup>(m)</sup> Letter to Marquis Cornwallis, Governor-general in Council, dated 11th October 1793, para. 14.—*N.B.* Not in Slavery in India documents.

<sup>(n)</sup> Commissioners' Letter to Mr. Brown, dated 10th August 1798, *vide* fol. 598.—*N.B.* Government's Letter, dated 26 June 1798, wanting.

<sup>(o)</sup> Mr. Brown's Letter, dated 5th May 1798, where he complains of the backwardness of the tehsildar in furnishing him with labourers, and of the necessity of employing his own peons, and of their being abused and threatened, and five of his peons even beaten; also requesting to be empowered to take one in ten from amongst the inhabitants, as he could employ 2,000 men and 800 women, but had not been able to procure one, because they wanted more wages than he was authorized to give. He had purchased 45 Poliars, but four had absconded; he purchased them from the Darogha of Chowghaut. He had traced them beyond Beypoor, and had no doubt of their having returned to their old master; requests an order to the assistant in charge to direct their being sent back, "to show those people they cannot escape from hence." In the Commissioners' reply, they say, "The assistant had been directed to endeavour to recover and restore to him the four Poliars who had absconded!" In the first part they tell him, "The northern superintendent had been directed to furnish him with labourers." *Vide* Slavery in India, fol. 594 to 597.

<sup>(p)</sup> East India Slavery documents, para. 2d of Mr. Baber's Report, dated 29th February 1812, fol. 565.

## SLAVERY IN INDIA.

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and their country 123 persons who had been stolen, of whom 71 were actually found in Mr. Brown's possession (q). T. H. Baber, Esq.

Para. 4. This, however, was but a small portion of the number originally supplied him, many having absconded, but more than half having died, as ascertained from the survivors (r). Mr. Brown's agent, Assen Ally, himself acknowledged that during the time he was at Aleppi, in Travancore, in 1811 (s), no less than 400 children had been transported to Malabar.

Para. 5. The still more objectionable measure of realizing the public dues by the seizure and sale of slaves off the land, in satisfaction of revenue arrears, or compelling their owners, the revenue defaulters, to do so, and the collector contending for a continuance of the practice by such subtle arguments as those in Mr. Vaughan's letter of the 20th July 1819 (t), namely, "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," cannot fail to have confirmed proprietors in the too ready disposition to consider their slaves as much property as any other chattel or thing.

(E) Para. 1. The treatment of slaves, whether domestic or agrestic, necessarily depends upon the individual character of their masters; of the domestic slaves, (especially the most numerous part of them, the females,) it would be difficult to say what the treatment is, or how employed, clothed or subsisted, amongst a people like the natives of India, who, whether Hindoos or Mahomedans, observe such watchful jealousy in all that regards their domestic economy, and consequently of whose family arrangements and habits, and indeed domestic character in general, we can know so very little; generally speaking, however, both male and female are employed as menial servants; a great many are kept for purposes of state; and possessing the advantage they (the men) have of approaching freemen, (which the prædial slaves, from being considered so very impure, of which more hereafter, have not,) and thereby the means of making their complaints known, in case of any very severe treatment, there is no reason to suppose that their condition is particularly grievous; though it must be obvious that, under the most favourable circumstances, a state of perpetual servitude, whether employed as menials, and kept for the purpose of saving the greater expense of free labour, or what is almost universal with respect to female domestic slaves, for sensual gratifications, must, at best, be but a life of pain and sorrow, and as such, as repugnant to humanity and morality, as it is to the principles of British rule. Para. 8, of (E.)

Para. 2. With respect to the condition of agrestic slaves, nothing can be more truly miserable and pitiable, excepting that portion of them who reside on, or in the vicinity of, the sea coast and large towns, where they are much better off than their hapless brethren in the inland districts, provided, that is, their masters permit them to work for themselves (which they will not (u) always) when they do not require their services; by which means they manage to subsist themselves by working for strangers, cutting and selling grass and fuel, and serving as porters.

Para. 3. From what has already been said, it will be obvious that agrestic slaves are slaves to the remotest posterity; that their servitude is also one of unmitigated severity will be apparent from the following details, which, in order to prevent all cavil on the part of those who have argued, and may hereafter argue, in favour of a continuation of the present system, shall be framed from documents these advocates have themselves furnished.

Para. 4. And

(q) The Advocate-general's Report, where he alludes to "Mr. Baber's perseverance in restoring the kidnapped children in spite of very extraordinary opposition," fol. 785, and "to the extraordinary support Mr. Brown appears to have received in these dealings in stolen children," fol. 788.

(r) Para. 31, Letter to Government, 29th February 1812, and depositions of kidnapped slaves, fol. 615 to 645.

(s) Para. 39, Ditto.—N.B. The document numbered (H. 3.) in that despatch omitted. And also see Letter to Political Resident, para. 3, dated 9th January 1812, fol. 591.

(t) Para. 16, Mr. Vaughan's letter to the Board of Revenue, dated 20th July 1819, fol. 846; and also Mr. Vaughan's letter, 24th November 1818, "The sale of chermers, in execution of decrees for arrears of revenue, was as common as the sale of land."—N.B. In the Madras Board of Revenue's Proceedings, fol. 899.

(u) Examinations of principal inhabitants of Betutnad and Shernad. Slavery in India Papers, fol. 856 & 859: "Will not consent to his working for himself;" also, "Very few masters allow them to work for themselves."



T. H. Baber, Esq.

Para. 4. And first, with respect to their employment, it is always in agricultural pursuits, because they are more expert in them than any other class of the people; these, however, are not confined to manuring, ploughing, sowing, harrowing, hoeing, reaping and thrashing, but they are likewise employed in fencing, tending cattle, watching the cattle, and even in carrying agricultural produce, it not being customary to use carts or cattle in the transportation to market, and when the harvest is over, in felling trees, and preparing materials for house-building, &c., and this without intermission of a single day, so long as their master can find employment for them.

Para. 5. Their wallee, the name given to the daily allowance of slaves, which is always in kind, varies, as will be seen in the native reports referred to in the 55th page<sup>(x)</sup> of Mr. Commissioner Græme's Report, dated the 14th January 1822, from one and a half to one and three quarters seers of paddy (rice in the husk) to the male; and from one to one and a quarter to the female slave; nothing is there stated as allowed to young or aged, but it is within my own knowledge, that this is generally half what able-bodied men and women receive, provided they do some work<sup>(y)</sup>.

Para. 6. The daily wages for a freeman field-labourer are about a third more, varying from two to two and a half yedungallies of paddy in the northern, and from two and a half to three in the southern division, but then he works only till noon, whereas the slave has to toil from morning until evening with no other sustenance than his morning's canjee (rice water) and evening meal, after which he has to keep watch by turns at night in sheds erected on an open platform in the centre of the paddy field, several feet under water, exposed to the inclemency of the weather, to scare away trespassing cattle, or the wild animals with which every part of Malabar, excepting the vicinity of populous places, is infested.

Para. 7. When not regularly employed, the wallee is seldom more than half of what it is in working seasons<sup>(z)</sup>; and very often even that scanty allowance is withheld, which obliges the slaves to seek work from strangers, as I have already explained; or, if residing in those remote parts where there is no demand for their labour, they are left to eke out a miserable existence, by feeding upon wild yams and such refuse as would only be sought after by that extreme wretchedness "that envied the husks that the swine did eat," and not unfrequently are they tempted by the cravings of hunger to rob gardens of jack (artocorpus) plaintains (musa), cocoa nuts, &c. &c.

Para. 8. With respect to their dwellings, so very impure are all castes of slaves held, that they are obliged to erect their chala or huts at a distance from all other habitations; neither are they allowed to approach, except within certain prescribed distances, the houses or persons of any of the free castes; those distances vary from<sup>(a)</sup> 72 to 24 paces, as well with reference to the caste of the several grades of freemen, as to their own, for even among these wretched creatures, the pride of caste has its influence. If a slave accidentally touches<sup>(b)</sup> a Brahmin, he must purify himself by prayer and ablution, and by changing his poonool, (Brahminical thread.) Hence it is that slaves are obliged to leave the road, and call aloud from as far off as they can see a Brahmin coming. Nairs and other castes who purify themselves by morning ablutions, if polluted as above, must fast and bathe, or as they say, (Koolicha oobāsavicha).

Para. 9. But the best criterion to judge of the low estimation in which slaves are held is the prices at which they are sold, or the rent at which they are leased out; and which I shall, for the reason before stated, extract from Mr. James Vaughan's Report, as quoted<sup>(c)</sup> by Mr. Commissioner Græme, in the 35th paragraph of his Report.

Para. 10. By these the largest sum the highest class slave will fetch is 250 gold fanams, equal to 6*l.* 5*s.*, and the highest rent seven and a half fanams per annum, equal to 3*s.* 9*d.*; but the average selling price of all castes (of which Mr. Vaughan

(x) Slavery in India documents, fol. 922.

(y) Ditto, ditto, fol. 924, para. 1586.

(z) Ditto, ditto, fol. 921.

(a) Ditto, ditto, fol. 920, para. 42.

(b) Mr. Duncan's Report, dated 11th October 1793, para. 14.—*N.B.* Not in Slavery in India Papers.

(c) Slavery in India Papers, fol. 918.

Vaughan enumerates 20), is 132 old gold fanams, equal to 3*l.* 6*s.*; and average annual rent five fanams, equal to 2*s.* 6*d.*; while the prices of the lowly Pooliar Cherumar, who compose more than half the aggregate slave population, are still less than the lowest of the other castes, and are (*vide* No. 1 of the same figured Statement,) for a man 48 fanams, equal to 1*l.* 4*s.*; a woman 36 fanams, equal to 15*s.*; a boy (average) 20 fanams, equal to 10*s.*; and a girl (average) 15, equal to 7*s.* 6*d.*; while the annual rents of the two first are but two and two and a half fanams, equal to 1*s.* and 1*s.* 3*d.*

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Para. 11. There are still other payments to slaves, which have not been noticed in either of the reports of Mr. Græme, or by Mr. Vaughan, and I will therefore endeavour to supply the omission from my own recollection of them.

Para. 12. First then, with respect to clothing; the allowance consists of a waist cloth, called moond, to men, and moori, signifying a fragment, to females; it is just large enough to wrap round their loins, and is of the value of from one to two fanams, equal to from 6*d.* to 1*s.*; in some districts this is given but once a year, but more generally twice, or at the festivals of Onam and Vishnoo, which fall in September and May. None of the women (Hindoos that is) wear upper garments; there is a colloquial saying, "Chaste women requiring no covering, prostitutes only require to cover themselves." As a substitute for these waist clothes, it is very common with slaves, especially in the retired parts of the country, to use or wear bunches of leaves, generally of the wild plantain tree, supported by a fibre of some tree or vine.

Para. 13. On occasion of marriages, deaths, kâtha kooty, literally boring of ears, tindarika, first signs of puberty in girls, as also their addieutura, or ceremonial observances, such as the wallâta, feyâta, kollumâdaka, &c. to their Kola Davangul, (tutelary and household gods) presents are made by their masters, of money from two to four fanams, of clothes called Poda, or coverings for the bride, or corpse, of the value of two or three fanams, as also of articles, such as oil, pepper, nelly, salt and tobacco, but the two latter, especially the tobacco, though a necessary of life in a humid climate, like Malabar, (where the annual fall of rain averages 140 inches, being more than three times what it is in the adjoining province of Coimbatore, or in any part of the Coromandel Coast) are less common than formerly, owing to the greatly enhanced price to the consumer<sup>(d)</sup>, especially in the vicinity of the Ghaut mountains, since the establishment by the Company of a monopoly in those two articles.

Para. 14. I ought not to omit mentioning that female slaves, particularly those belonging to Moppillas, neglect not to adorn their persons with necklaces of cowry shells, glass beads, and brass bracelets, finger and ear-rings. It is but justice also to the Moppilla, or Mahomedan part of the community, to say, that many of them allow their slaves, during working seasons, cooked rice, or canjee (rice water) at noon, and that the treatment of their slaves generally is more liberal, owing, doubtless, to their being in better circumstances, as well from their having fewer ceremonies, as being more frugal and more industrious, than their more generous, high spirited, though too improvident Hindoo neighbours.

Para. 15. With respect to the treatment of slaves, as regards chastisement, I will quote what it consists of, as stated in the examinations of some of the inhabitants, (forwarded by Mr. Vaughan to the Board of Revenue), and I have no hesitation in saying that no sort of dependence is to be placed upon those of them that say, that "it is only customary to reprimand or admonish slaves," and that even those who do admit the practice of flogging, imprisoning, and putting in the stocks, by no means convey a full idea of the severities being exercised at the present day; because, as Mr. Græme justly observes<sup>(e)</sup>, "these informants are the proprietors of slaves themselves, and not disposed to admit that the authority over slaves is exercised with any extraordinary severity."

Para. 16. Deposition No. 9, alluding to the slave chastisements, says,<sup>(f)</sup> "they would be seized and flogged and put in the stocks, and their noses cut off, according to the magnitude of the fault they may have committed; at present the practice of cutting off the nose has been entirely abandoned." (I shall show hereafter

<sup>(d)</sup> Mr. Baber's Evidence before a Committee of the House of Lords, under date 6th April 1830, Questions 3188, 3197.

<sup>(e)</sup> Report, dated 14th January 1822, para. 55. Slavery in India Papers, fol. 923.

<sup>(f)</sup> Slavery in India, fol. 854.

T. H. Baber, Esq. hereafter that instances of this barbarous practice have occurred since (g) the establishment of the Company's government in Malabar.) The same deposition states that, "any property a slave may be possessed of his master has a right to."

Deposition 7 and 8 confirm this latter fact.

No. 11 states "that if a slave is inclined to run away, and refuse working, he would be put in the stocks and flogged; those in the habit of running away are secured in the stocks," and in that talook, Betutnad, "the master will not consent to his slave working for himself."

No. 12 says (h), "at present slaves are only bound and flogged, and afterwards caused to work."

No. 13 states (i), "that the utmost punishment that is considered proper to be inflicted is flogging." It adds, "in this district (Skernad) some masters (very few though), allow their Chermakul to work exclusively for themselves, on paying to the proprietor the usual patom (rent)."

No. 17 says (k), "both in former and present times, when cherumar, (slaves) are convicted of any fault, or run away, they are flogged, put in the stocks, and confined."

No. 18 says (l), that "formerly when a chermor was convicted of any fault, or caught after running away, he would be flogged and put in the stocks for some days, and afterwards made to work with chains on, and the same practice is in existence now."

Para. 17. Moreover, there is hardly a sessions of gaol delivery, the calendars of which (though a vast number of crimes are occurring which are never reported) do not contain cases of wounding, and even murdering slaves, chiefly brought to light by the efforts of the police; though, generally speaking, they are the most enduring, unresisting and unoffending classes of the people.

Para. 18. The same wretched details apply, in a great measure, to Canara; for instance, "The master (as Mr. Harris writes) (m) can sell the husband to one person, and the wife to another," and also "can sell the children." He never pays them wages in money, "but presents them on their marriages or particular ceremonies, with a small sum; the average allowance of food (n) is 1 ½ seers of coarse rice, two rupees weight of salt, a little betel nut and leaf; and of clothing two pieces or six cubits of cauthay (a blue cloth,) a cumbly and roomal; a woman has but one seer of rice, and four cubits of cauthay, a child three-fourths of a seer of rice, and four cubits of cauthay; but the salt and betel nut and leaf are optional; neither have they any day they can call their own (o)".

Para. 19. It is, however, within my own personal knowledge, that in general they are better off than in Malabar, and though not allowed to enter the house or to touch the persons of free castes, they can approach them; and it is only early in the morning, after Brahmins have bathed, and before meal, that slaves are obliged to leave the road to avoid contaminating them.

Para. 20. From the above remark, I except the southernmost talooks of Coombla and Neelesheram, where the local prejudices are everywhere the same, and, if possible, more inveterate than in Malabar, the chief portion of the people consisting of Nairs, and the Neelesheram rajahs being related to or connected with those of Kotiole and the Samoon rajah of Calicut. In it is Tarakad, the seat of the Pianoor Grammum, one of the sixty-four Grammums, of which the ancient Kerula (the whole tract lying between Gokernum and Kanya Coomari) was originally consituted, the head female of which, called, *par excellence*, the Taiakād Amma Tiroomoomba, is the only Namboory Brahmin family who adopted (or can by the constitution of Keulla) the peculiar ājārom (custom) of the Nairs in regard to the law of inheritance called Maramakataiam (nepotism,) and

(g) Mr. Baber's Circuit Report on Sessions 2d of 1823, para. 61. Slavery in India documents, fol. 927 & 928.

(h) Slavery in India documents, fol. 854.

(i) Ditto, ditto, fol. 856.

(k) Ditto, ditto, fol. 858.

(l) Ditto, ditto, fol. 859.

(m) Letter to the Board of Revenue, dated 10th July 1819, para. 4. Slavery in India, fol. 843.

(n) Ditto, ditto, fol. 844.

(o) Letter ditto, para. 5, fol. 844.

and by whom it has, and will, it is feared, until the people are more enlightened at least, be perpetuated. T. H. Baber, Esq.

Para. 21. In Travancore and Cochin there is no reason to suppose that the slaves are better treated than in Malabar, further than that the inhabitants are more lightly assessed, and consequently in better circumstances : and if " by the ancient laws of Malabar (as that late distinguished officer, General Walker, reported) (P) a jelinkār (proprietor) is accountable to no person for the life of his own cherumar, but is the legal judge of his offences, and may punish them by death," it is feared that the only check upon the unrestrained exercise of this power, is the presence of our resident, and the degree of influence he is allowed to exercise over the councils of those states. Among the documents in the East India Slavery Papers before Parliament, will be found very striking instances of the great advantage that has resulted (Q) to the best interests of the state of Travancore, as well as of humanity, from the British resident's superintending presence and firm conduct in insisting upon the punishment of those British subjects who were carrying on that detestable traffic in human flesh I discovered in 1811 and 1812; and there can be very little doubt that, without such interference, the slave trade would be revived with all its horrors. At the period Fra Paolino wrote (1787) " several thousands of persons were being sold annually, like cattle, and sent out of the country (R)."

Para. 22. The domestic slaves of Malabar consist of the descendants of outcaste persons (called jāde brishta and poliotta penna) who had been excommunicated, either through some aberration from caste rules, such as eating with, or the food cooked by, men of low caste, or from cohabitation with persons of lower caste than themselves, or within the prohibited degrees of kindred, and of brahmins convicted of robbery or theft, who had been sold by former governments into slavery to Chetties, Moplas, and to whomsoever would purchase them.

Para. 23. There have been also a great number of kidnapped persons, like the free-born castes discovered in the Angarandy plantation in 1811 and 1812 (S), and elsewhere, and I have no doubt that Mr. Brown was quite correct, though he did assert the fact in justification of his own conduct, in saying, " that he would produce hundreds of them in every town in Malabar, there being few Moppilla and Christian houses in which there were not some of them." The provincial court judges, while protecting Mr. Brown, could not deny " that numbers of the inhabitants of Travancore had been introduced in a state of slavery, and but too often reduced to this situation by the most criminal means, into Malabar and the adjoining province of Canara." (T).

Para. 24. The rest of the domestic slaves are persons, or their offspring, natives of Arabia, but chiefly of Abyssinia, and called Wadawar and Goolams, who came over with, and are either the personal attendants of their masters the Seynds, (who pride themselves upon being descendants from the Prophet, and who are very numerous on the coast) or employed in navigating the Arab, Moppilla or Lubbee vessels, or in the service of the tanguls or high priests of the Moppillas, in all the great Moppilla and other Mussulman families in the towns of Mangalore, Munjeeshwar, Coombla, Bekkul, Cavar, Paiangady, Belliapattam, Cananore, Tellicherry, Quilandy, Barragurry, Calicut, Parperengady, Tirnwangaddy, Condooty, Ariacotta, Kootai, Parony, Panany, and in fact in all the great towns throughout Malabar and Canara, these descriptions of slaves are to be met with.

Para. 25. The

(P) Slavery in India Papers, fol. 866.

(Q) East India Slavery, fol. 737, 738. Col. Munro's Letter to Mr. Baber, dated 29th November 1812, where 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 Aleppo, I received numerous complaints of the disappearance of children, but all my inquiries at the time could not develop the causes of them." Also Col. Munro's Letter to the Madras Government, dated 7th February 1812, 4 & 5 paras. relative " to this traffic in children carrying on by the inhabitants of Tarkanehery, both by Messrs. Valley and Mr. M. Brown," fol. 791, 792.

(R) Page 153 of the translation from the German, by William Johnston: London, printed by J. Dean, Chancery-lane, 1800.

(S) Slavery in India Papers, *vide* Mr. Baber's Reports to the Madras Government; viz. 29th February 1812, fol. 565 to 583; 9th January 1813, fol. 725 to 731; and Advocate-general's opinion upon the subject, fol. 787.

(T) Mr. Brown's Supplemental Petition to the Provincial Court, claiming their protection against Mr. Baber, one of His Majesty's justices of the peace, for depriving him of the kidnapped persons found in his possession, para. 2, fol. 750; Advocate-general's Letter, para. 2, fol. 78 & 689.

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Para. 25. The agrestic slaves, or, more properly, conditional labourers, in the upper country of Wynâd, are Koorcher, Kooramer, Kadder and Pannier, the first inhabit the Ghaut mountains, and, with the Kadder, attend to the cardamum cultivation; they also cultivate a variety of hill products, under the name of koomerec; the Kooramer cultivate both the hills and lowlands, and also work in the gold mines in Parakameetel; both these are laid claim to by the hill proprietors, but are never sold, they barely in fact yield obedience to their yejaman or lord; the Kadar are more submissive, though they are never sold, and invariably desert if beat or otherwise ill-treated. The Pannier alone are liable to be disposed of, but never out of the country of their birth: their employment is to cultivate the rice lands.

Para. 26. Besides these there are other rude tribes, such as the Moola, or Kadda Cooramar, in Wynad, the Naiadee in Malabar, and the Malaseer of Palgât: the former acknowledge no superior, and are so low in the scale of human beings as not to be suffered to touch the lowest of the slave castes; they are, in fact, almost in a state of nature. The Moola Cooramer inhabit the forests that separate Wynad from Mysore. The following is taken from Abbé Dubois, and gives a most correct account of them:

“Tous ses malheureux sont entièrement nues, les femmes n’ayant d’autre vêtement que quelque feuilles d’arbre, cousues ensemble, et attaches autour de la ceinture. Les racines et autres productions spontanées de la terre, les reptiles et les animaux qu’ils prennent au piège ou qu’ils attrapent à la course, le miel qu’ils trouvent en abondance sur les rochers escarpés ou sur les arbres, au sommet desquels on les voit grimper avec l’agilité des singes, leurs fournissent ce qui est nécessaire pour apaiser leur faim.” The Abbé might have added, “they carry on a kind of barter with the nearest civilized tribes, of the products of the forests, which they leave at night on the outskirts of the village, and return the following night for the grain and salt that may be left in exchange.”

Para. 27. The Naidees, on the other hand, inhabit the more open parts of the lowland country<sup>(u)</sup>; they build their miserable huts under trees, out of the haunts of their more civilized countrymen: the only work they will do is to watch the paddy fields, and accompany the hunters to beat the jungles, for the sake of a portion of the game that is killed; they will eat all animal food, except beef, and even alligators; they are very troublesome to travellers, whom they will follow for miles, distorting their bodies, and making the most hideous noises, until their necessities are relieved, which is done by laying the food or money on the ground, which they will then come and pick up, but will never approximate any person, European or native, nor have they ever been known to molest the most unprotected stranger, further than by following and howling after him for miles. Nothing can be more descriptive of them than the following extract from Abbé Raynal’s work, vol. 1, page 54: “Lorsqu’ils ont faim ils hurlent comme des bêtes, pour exciter la commisération des passans. Mais le plus charitable des Indiens veut déposer du riz ou quelque autre aliment, et se retire au plus vite, pour que le malheureux affamé vienne le prendre sans reconstrer son bienfaiteur, qui se croiroit souillé par son approche.”

Para. 28. The Palgât Malaseers chiefly inhabit the Anamalla forests, patches of which they cultivate with hill grains; their chief means however of livelihood are in the collecting of honey, wax, stick-lac, drugs, and other wild products of the hills, for the person to whom they are farmed by Government. Neither of these three tribes yield obedience to any superior, consequently they are not liable to be bought or sold.

Para. 29. I should not omit to mention that there is also a rude tribe of mountaineers in Canara called Mallakooder. The following extract<sup>(s)</sup> from one of my circuit reports, on the trial of two of them for the murder of three travellers, will give an insight into their character: “The deceased, a man, his wife and child, were on their way from the Mysore country to the celebrated pagoda at Durmastalla, and had put up while passing over the mountains in the eastern part of the Euntwall talook, at the house of the prisoners, who, under the pretext of showing them the road, took them to an unfrequented part of the jungles, and there they inhumanly murdered all three of them. The prisoners are of that wretched class  
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<sup>(u)</sup> Col. Welsh’s Military Reminiscences, vol. ii. p. 111.

<sup>(s)</sup> Circuit Report, 2d Sessions, 1821. para. 2.—Not in Slavery in India documents.

of people called Malla Kooder, or mountaineers; and having little or no intercourse with their more civilized neighbours in the lowlands, are in a most deplorable state of ignorance and barbarity, destitute of any moral feeling, and hardly possessing sufficient perception to be aware of, or feeling to dread, the punishment attendant on crime. They were led to the commission of these murders for the sake of the little property about the persons of these victims of their brutality."

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(F) Para. 1. I have already said that agrestic slaves are employed in the whole labours of husbandry, and that they have no days of rest during working seasons, but work by day and keep watch by night; all the wet grain lands are cultivated almost exclusively by them under the direction of krishikara and pannikara (hired labourers); these lands are called Bail Magalee, Betta, Benna, and Potla, in Canara; and Paddum, Oobaium, Wail, Ulpati, Pallialil and Caicondum, in Malabar. In all these a great many different kinds of rice seed are sown, according to the soil and seasons, all which are enumerated by the late General Walker, in his able report on the land tenures of Malabar; the hill (modun) or dry grain cultivation is carried on by Tiyers and other free labourers, the mountain or ponum, by slaves named Karimbalara, Panniar, as also by Koorcher and Kadiler; the Tiyers also work upon the plantations.

Para. 2. It has been shown from reports furnished by the collector himself, (Mr. Vaughan) that slaves are subject to the lash, as also to imprisonment, putting in stocks and chaining. Repeatedly I myself have observed on their persons marks and scars from stripes inflicted by the rattan, and even wounds; the worst instances of the kind I recollect seeing "were on the persons of some of Mr. Brown's slaves, whom I had cited to give evidence in a case of murder, several of whom bore the marks of severe flogging, one of them in particular, upon whose back and shoulders were several deep sores, and the flesh of their legs much lacerated (7);" and on a subsequent occasion, during the search upon Mr. Brown's plantation for the kidnapped children, two of the slaves complained to my officers of severe treatment (2), one of them having been recently punished with 25 stripes from a rattan, the other with 24. Paras. 16 & 17 of (E).

Para. 3. The only occasions I have observed of working the slaves in gangs, are when they have been pressed to make or repair the high roads, to carry the luggage of the public servants, and their establishments; of marching regiments and of travellers; or when carrying treasure remittances from the several talook cutcherries to the collector's treasury at Calicut (and scarcely a week passes that parties of 10 to 100 of those slaves do not arrive); or when bringing stolen property with parties of robbers, sent in by the different police officers; or when carrying the Company's tobacco from the several depôts for sale to the talook and revenue cutcherries; on all which occasions they are guarded by kolkars (armed peons) or chooralakar (persons with canes) to prevent their running away; and it must be confessed that it is no less a source of complaint to the masters, than grievance to their slaves, to be so worked.

Para. 4. During my inquiries into the causes of the discontents that led to the disturbances in the mountainous region of Wynnâd in 1812, the seizure of their slaves was one of the most prominent, and I, in consequence, pledged myself that this oppressive practice should be discontinued; repeatedly, however, have I had to witness the disregard on the part of the other executive servants, of this my solemn promise to the people of that country. On one occasion, while on my return from delivering the gaol at Seringapatam, in July 1820, I was met in the Peria Pass by several hundred coorchers, all armed with bows and arrows, "who (8), after reminding me of my promises that they should not be seized and made to serve as coolies, complained of the almost daily violation thereof by the revenue servants; and four of the principal inhabitants having followed me to Tellicherry to complain of these and other grievances, I forwarded their petitions to the magistrate, with directions to afford them prompt and effectual redress, and especially to issue positive orders to the local servants to desist from pressing and seizing coorchers, panniar and cherumar (slaves), or any description of cultivators; as also from demanding supplies of any kind from those of the inhabitants who

(7) Correspondence with Mr. Brown forwarded with my Letter to the Madras Government, dated 20th April 1810.—Not in Slavery in India documents.

(8) East India documents, fol. 602.

(\*) Extract from my Letter to Government, dated 15th August 1820.

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who had not the means of providing them (b);” instead, however, of obeying these my instructions, the collector justified the practice, in which, I regret to say, he was countenanced by the Government itself, so far as to maintain that it was a necessary evil; since then the coorchers and slaves of the inhabitants of Wynâd have been subject to this most intolerable grievance, and which would have again been resisted by them, but that they stand in awe of the power of Government. Of the extent to which this evil at present exists, an idea may be formed by the fact, that the native servant, “the cutwal at Kuddalore in Wynâd threw up his appointment rather than be instrumental in such oppression and cruelty (c).”

(G) Para. 1. No exception is made of slaves in the General Regulations; neither has any specific provision been made for their better treatment, or more effectual protection against kidnappers, though so far back as the year 1812 (before the receipt in India of Act 51 Geo. 3, c. 23), I submitted, through the prescribed channel of the Provincial Court, such rules as appeared to me to be wanting to put a stop to the then prevailing traffic carrying on by land in slaves, and even free-born children; and amongst them a particular clause (4, sect. 27 (d)) “to secure to slaves, whether sick or well, able or unable to walk, on all occasions, a daily allowance of wholesome food, and suitable provision in clothes and habitation;” and repeatedly since (e) have I reported to my superiors the necessity of some such measure, but without any effect whatever. It is doubtful, indeed, whether the subject was brought to the notice of Government, as I find the Honourable the Court of Directors, so recently as the 12th December 1821, say, “We are told that part of the people employed in the cultivation of Malabar (an article of very unwelcome intelligence, they add) are held as slaves; that they are attached to the soil, and marketable property (f).”

Para. 2. Mr. Warden, late second judge of the Provincial Court, seems to think that a simple chastisement will be overlooked by the collector (magistrate) and by the court (g); this, I presume, is upon the supposition that the Mahomedan law (the criminal law of the land) sanctions such inflictions; but upon a reference to what that law really is on this question, it will be found that no man, except a Mussulman, can have the right of property over another, and then only when he was an infidel, taken in arms fighting against the faith, thereby implying a country under Mahomedan and not under British rule.

Para. 3. On the other hand, as regards the Hindoo and common law (the civil law of the land), it will be obvious to every person acquainted with that law, that, as far as regards protection to a slave, it is, to all intents and purposes, a dead letter, seeing that the commission of violence, or of any offence upon the persons of slaves, does not affect their state of bondage, and that the ruling power has not the right of granting his manumission: and what slave would, let me ask, under such circumstances, dare to appeal to the laws? Again, there is the difficulty of informing slaves of the laws, from their want of intelligence, and the distance they are kept at by the native establishments; the expense and uncertainty of obtaining relief under them; and, above all, as I before hinted at, the dread of attempting to oppose a power beneath which it has become habitual to bend; all which must and do give almost impunity to tyrannical masters.

Para. 4. And here I beg to call the Board’s pointed attention to the following extract from one of my circuit reports, as well in confirmation of the above observations, as to prove how very erroneous are all such notions as “that the slaves are protected;” “that cruel treatment is punished;” that, “a slave does apply to the courts of justice;” and “that a court of justice requires a master to support his slave, &c. (h);” and more especially Mr. Vaughan’s assertions, namely, that “the slaves are as well protected by the laws as any other race of beings,” and that

(b) To which I received the following reply: The Governor in Council fears that the hardships and sufferings to which the inhabitants are subjected by being pressed to serve as coolies cannot be entirely prevented. \* \* \* \* In Malabar they are aggravated by the difference of climate above and below the Ghauts, and by the fatal effects of either climate upon persons accustomed to the other. \* \* \*

(c) I have within the last few months received a letter from the cutwal himself to this effect: the letter is forthcoming.

(d) Slavery in India documents, fol. 739.

(e) Ditto, fol. 760, 761, 815, 825, 907, 928.

(f) Slavery in India documents, fol. 909, para. 108.

(g) Evidence before the Select Committee of the House of Lords, Question 1898.

(h) Evidence of Mr. Warden before Select Committee of House of Lords, Questions 1874, 1880 & 1887.



that "they may be viewed in any light but that of an abject and horrid state of bondage<sup>(i)</sup>." T. H. Baber, Esq.

(k) "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 had 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 sue 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 those provisions of the Regulations that require all complaints to be preferred in writing were dispensed with in favour of the slaves; and they were exempted from the payment of tolls at the numerous ferries they would have to pass; and though an allowance was 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."

Para. 5. As I have already said, no exception is made of slaves in the General Regulations. There was an objection started by the Provincial Court of Circuit in 1812 (but it was quite a novel doctrine), relative to the depositions of the kidnapped 76 slaves and freeborn children I discovered in the possession of Mr. Brown, namely, "that a prosecution could not be supported against the perpetration of that heinous offence, unless a charge shall have been previously preferred by the owners of the bondsmen, parents and relations of the freeborn children, and other evidence adduced thereof;" and another reason assigned for refusing to proceed to trial was, that "the law officer objected to the legality of the Sirkar vakeel (Government pleader) being appointed a prosecutor, whilst the parents or relations of the freeborn children, who had been kidnapped or sold as slaves, were existing:" the consequence was, that all these dealers in human flesh were suffered to go unpunished. These cases were fully reported to the Madras Government.

Para. 6. The following were my observations upon these dicta of the judges and of the law officers of the Court of Circuit: "Why the declarations, and above all the concurrent testimonies of so many individuals are to go to nought on the present occasion, I cannot comprehend; evidence of slaves has never before 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 (slaves); 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 with 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."<sup>(l)</sup>

Para. 7. Again I observe<sup>(m)</sup>, 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

(i) Mr. Vaughan's letter to the Board of Revenue, dated 20th July 1814, para. 14 & 20. Slavery in India documents, fol. 846.

(k) Circuit Report for 2d Sessions of 1823, para. 64. Ditto, fol. 928.

(l) Letter, dated 29th February 1812, para. 85. East India Slavery documents, fol. 582.

(m) Para. 61. Ditto, 577.



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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 freeborn children, stolen as they are from the most remote parts of Travancore, ever will know<sup>(n)</sup> 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 a 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."

Para. 8. Those absurd distinctions in the Mahomedan law which excepted the evidence of slaves, whether *quasi* slaves, or because not of the Mahomedan religion, or that they were prosecutors, or stood in the situation of prosecutors, from having been injured by their master or person accused ; or that they were women, or any other personal distinction, have been superseded by a specific enactment<sup>(o)</sup> passed on the 29th August 1829. Now, therefore, there can be no pretext for denying to slaves the right to prosecute and give evidence the same as freeborn persons ; and it is but justice to the whole of the slave castes to say that I have generally found that their evidence is to be depended upon fully as much as (Mr. Warden thinks their evidence is as much, if *not more*<sup>(p)</sup> to be relied on than that of) freeborn persons, provided, that is, their master has not been tampering with them, when, through apprehension of his anger, they would hardly dare to depose otherwise than he had tutored them.

Para. 9. I have already shown, that by the ancient laws of Malabar, a master was accountable to no person for the life of his own slave, but was the legal judge of his offence, and might punish him by death. This severity was moderated<sup>(q)</sup> so far in Malabar as to make a master amenable to punishment, if he put his slave to death without a cause ; and since the establishment of British rule, numerous instances of conviction of free persons for the murder and maiming of slaves, brought to light chiefly through the agency of the police, will be found on the calendars of the criminal courts of Malabar and Canara ; at the same time it cannot be denied that the laws<sup>(r)</sup> do not extend to them adequate protection, or they would not so frequently seek an asylum in the neighbouring states of Coorg and Mysore ; no people in the world, miserable as their condition is, are more attached to their *natale solum* than they are, and they would be the last to fly it, if they could possibly live in security, and enjoy that comfortable state of existence which they might acquire by their labour, and are, I conceive, especially entitled to from their masters.

(H) Para. 1. Domestic slaves in general are entirely independent of, and owe no sort of obedience to, any person but their master or his family ; not so with the agrestic slaves on the Malabar coast ; who, as far as relates to caste distinctions, may be considered as under bondage to all Hindoo freeborn persons : these are, however, confined to leaving the road, and other external marks of inferiority ; and in this point of view, more of a religious than a civil obligation, and could, I apprehend, be exacted only as long as the slavery or caste continued. These absurd distinctions, however, are rapidly wearing away, especially in Canara ; and in North Malabar they are much less attended to than in the Southern division. At Calicut, indeed, though the seat of a zillah court, and head station

<sup>(n)</sup> Col. Munro, the British Resident, reported (*vide* his Letter to Mr. Baber, 29th Nov. 1819) that he had received numerous complaints of the disappearance of children, but all his inquiries at the time could not develop the cause.

<sup>(o)</sup> Reg. VII. A. D. 1829, Fort St George.

<sup>(p)</sup> Evidence before a Committee of the House of Lords, Question 1875.

<sup>(q)</sup> See First Commissioner's Report, 11 Oct. 1793.

<sup>(r)</sup> See concluding para. to Answer 15 of this Paper.

station of the principal collector, they are perhaps even more prevalent than during the period of the native government.

Para. 2. I recollect, not many years ago, a Tiyer (whose house was situated in a narrow part of the high road at Calicut) used to daily place himself in such a situation in front of it, that there was no possibility of any one of the slave caste passing without polluting him, which he dare not do. The Tiyer in his turn made a profit of this his situation, and actually exacted money, or a portion of whatever the poor slaves happened to have at the time, before he would stir from the spot<sup>(\*)</sup>.

Para. 3. Another instance of this caste tyranny occurred also at Calicut in a person of the Tiyer caste : a servant of a gentleman (Sir James Home) having been taken suddenly ill, his master humanely, and probably through ignorance, or more probably disregard of these absurd caste distinctions, sent him to his home in his palanquin. As it was contrary to custom for Tiyers to be so carried, a party of Nairs waylay the Tiyer servant, and severely beat him, besides doing great damage to the palanquin. It is true such instances of tyranny are not very common, even at Calicut, and they are merely mentioned to elucidate the nature of the deference or submission exacted by other persons than masters over slaves.

Para. 4. The following extract from one of my circuit reports is still more characteristic of this peculiar feature in Malabar observances :

“ The prisoner, a Nair, named Chatanchata Wallia Ramen, was charged with the wilful murder of Cheria Ramen, the brother of the prosecutrix. The law officer declared the charge proved by the testimony of eye witnesses, and that the prisoner was liable to death, which tutwa was confirmed by the law officers of the Foujdarry Adawlut, by which court the prisoner was adjudged to suffer death. This was one of the most wanton and unprovoked murders that has ever come before me. The deceased was the prisoner's own nephew, and was returning from his daily occupation, with his labourers, one of whom was a slave ; when they met the prisoner in a narrow lane returning from bathing, who called out to the low caste people to give him the road ; but not doing so with the expedition prisoner expected, he flew into a most violent rage with his nephew, and without any the slightest provocation, went up to him with his drawn knife and stabbed him to the heart<sup>(†)</sup>.”

(I) Para. 1. I have already given my opinion, that all the agrestic slaves on the Malabar coast were originally attached to the soil ; there are many, I am aware, most respectable authorities who think otherwise, but who admit that if the soil be overstocked the surplus slaves are sold, at the same time acknowledging, that their numbers have been decreasing<sup>(‡)</sup>, while all other classes of the people have been increasing.

(J) Para. 1. Hindoos worship, like their free countrymen, a variety of gods and goddesses, which are represented by rude stones, logs of wood or pottery ; these are placed on a pedestal or stool, called Peetum, on hearths or pavements called Taras, in the open air, or under cover, in buildings called Kotum-kawa, Mannabawum and Airiyumkootiyum, under the shade of the ali-poola or kanyera trees ; some are inclosed within walls. In those of the higher castes, an image of granite stone (Sheela bimmen) is placed, upon which oil is poured ; it is also decked out with flowers. On many of these peetums, or altars, there is nothing but a tri-shoola, trident of iron, or walla, a sword<sup>(§)</sup>, and generally a curved one, called Kadatila (similar to the Akinokee of the ancient Scythians). Every mountain, hill, forest, field, river, &c. has its appropriate deity ; those generally worshipped are Mariama, Mariappen, Badrakalli-chamony-kariatten, Kooty Chatten, Kariwilly, Poolakooty and Bhagawady, for which latter, as nature personified, or mother of all things, all natives of Malabar have a particular veneration. Their Poojacheyoonawara, or officiating priests, are persons of their own castes respectively. At particular ceremonies they have lights, and beat drums called Kotum and Waddium, and sacrifice fowls, and make Oota, offerings of meat, rice, cocoa nuts, honey and spirituous liquors, to propitiate Boothangul (evil spirits), Meediamar (mediators), or to Prathangul (souls or spirits of departed relatives), also to Goorikanuar and

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(\*) Col. Welsh's Reminiscences, vol. ii. p. 110.

(†) Circuit Report, 2d Sessions, 1821, para. 61.

(‡) Mr. Warden's Evidence before Committee of House of Lords, Question 1903.

(§) Col. Welsh, vol. ii. p. 22.

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and Moorakanner, the protecting deities of their country ; their ideas of a future state of rewards and punishments is, that bad men become Pishasha (evil spirits), while good men continue to hover about their earthly or mortal dwellings ; some believe in transmigration : they have also some confused notions of a place of torment, called Naragum, and of beatitude, called Swargum or Mocksham.

Para. 2. The higher castes burn, others bury their dead, then they drink toddy, but fast that day. They observe a ceremony called Puta Nâtee and Kakooka ; the higher castes observe the former, which is as follows : as soon as life is departed, they set up a green leaf of the karimpanna (brab tree), upon which it is supposed the waiou, breath or soul, lights ; upon this they pour maddium (liquor) : after the 7th, 9th, 11th or 13th day this leaf is deposited in the poodikallum (earthen pot) containing the ashes of the deceased, which is then buried under a tree at or near the place of their birth. The kakooka literally is an offering to crows ; it is a sort of cake, made of kawaga grass, leaves of the cheroloo plant and seed of ella, mixed up with channanum (cow dung) and ghee ; if the crows eat it, it is a good omen, if not, a bad one.

Para. 3. In Canara they worship also numerous deities, represented by stones, wood and pottery, on petums or pedestals in open places, under trees and inside buildings ; they have also swords and shoola (tridents) on these altars ; bells suspended under trees are not uncommon. In the houses of some of the castes a swinging shelf is suspended, on which an earthen jar of water is placed, dedicated to their household gods. The general names of their gods are Kilu Dawum, Gooli, Masti-haigooli, Sami, Kadiya, Moodali, Maroo or Mari, Poonjootooli, &c. ; but the most common worship is to Boot, the Devil, represented by a stone on a peetum, in an open square inclosed by a wall, to which fowls, fruit, grain and liquor are offered, to propitiate him or appease his wrath.

Para. 4. Both in Canara and Malabar some of the slave castes are supposed to have commerce with evil spirits, and to possess Mantrum (the magic art, and literally the Manteis of the Greeks). The belief is, that sickness to man or beast is occasioned by the prayogum (spells) or odi (incantations) ; they also foretell events. Mr. Warden has stated (y), and correctly too, " that the superstition of the country is so great, that neighbours very often resort to these slaves, for the purpose of letting loose destruction among the cattle and families of those whom they have any hatred against." The delusion is carried so far, that the slaves themselves believe they possess this supernatural gift.

Para. 5. I will quote one instance of this kind that came before me while presiding at a court of sessions of gaol delivery in Malabar : " There were two prisoners, both chermar slaves, named Cooty Velloota and Chengaly Wallia Velloota, charged with the murder of the prosecutor's elder brother, by beating him, forcing him to swallow mud and obnoxious medicines, and visiting him with evil spirits, in consequence of which he died the third day afterwards ; they were both acquitted, and ought not to have been committed for trial, the only evidence against them to the fact of murder being their own alleged confessions before the talook, wherein they accused themselves of having caused the death of the deceased, by means which, consistently with the law of nature, they could not possess ; nothing in fact could exceed the absurdity and incredibility of their relation, or show in a stronger point of view, the extent to which the natives carry their superstitious belief in the agency and power of evil spirits (z).

Para. 6. Throughout Malabar, especially amongst the koorchers and other mountaineers, they have Wellachapad (delivery of oracles) on stated ceremonies, on which occasions the officiating person works himself up to the highest pitch of frenzy, and when inspired, or *the Daive comes upon them*, as they say, they begin to shiver, then to swell, foam at the mouth, gnash their teeth, tear their hair, cut their flesh ; during all which time they are thundering out all sorts of anathemas, attributing all their calamities to the neglect of their Moorikarmar. In times of public commotion, these Wellachapad were universally resorted to by the Pychè Raja (a) and other rebel leaders, and most powerful instruments they were in their hands,

(y) Evidence before the Committee of Lords, Question 1912.

(z) Circuit Report, 2d Sessions, 1821, para. 66.—Not in East India documents.

(a) See copy of the Neayogum or mandate of the Moorikarmar, proclaimed by the Pychè Raja, and the universal panic afforded thereby, communicated by Mr. Warden, the Principal Collector, to Mr. Baber, in November 1805.

hands, not only to overawe the people in general, but to work upon the imaginations of the natives in our own service; and their influence has been so great as actually to unnerve the most loyal and gallant of our soldiers, and to expose our officers to the most imminent perils. On one memorable occasion in Wynnâd, our sepoys actually threw down their muskets, believing them to be enchanted, and that they would not go off, saying it was unavailing to contend against the enemy while the gods were on their side; and, but for the speed of their horses and the night coming on, nothing could have saved our officers (b) from certain destruction.

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With respect to the morals of the slaves, I should say there is much less profligacy and depravity among them than their more civilized countrymen; drunkenness is their besetting sin, when they can get liquor; but except pilferings in plantations and grain fields, the higher crimes of gang or highway robbery are by no means common; when they have gone on plundering excursions, it has generally been as coolies, to bring away the booty: circumvention, chicanery, fraud and perjury, so common to all other natives, are hardly known to them; but acts of ferocity and cruelty are too common, as will be seen by the following wretched picture given of them by one of the Provincial Court judges:

“In three cases of wilful murder, the perpetrators were of that wretched and degraded class of human beings who have been so frequently described under the names of Pooliar, Chermer, Parriar and Adiar; they are born in a state of slavery, and treated as such by their masters, who transfer them from one to another by sale, mortgage or hire. They are, as might be expected from the state of degradation to which they are reduced and held, absolutely brutal in their conduct, and destitute of the knowledge of right and wrong. They are extremely malicious and vindictive, carrying the latter spirit to the most shocking extremities on occasions of the slightest provocation, apparently regardless of, or perhaps incapable of reflection on, the consequences (c).”

Para. 7. The Coochers, or mountaineer bow-and-arrow men, are, I know, considered treacherous, and in general have been the first to take up arms against us; this is partly owing to their extreme simplicity, and the facility of being worked upon by their more wily and designing countrymen, the Lowlanders. I have, however, invariably found them faithful, after they have once submitted to me, and on the numerous occasions (d) I have put their fidelity to the test, never have they betrayed me, though no man has made more frequent and awful examples of them than, unhappily, my public duties have rendered unavoidable. They are sensible of, and acknowledge by every means in their power, the unvarying protection (where I could afford it) they have received from me, in spite of every opposition; and this has engendered a sentiment of respect and gratitude bordering on veneration, and which will only cease with their lives; so notorious is this feeling, that nothing is more common than to use my name as a sort of oath or talisman (e), (Baber sahibainda anna ittu are the words used) on every oppression they are subject to. Many European travellers have also found my name efficacious in procuring their wants in those parts, where a purwanna order from a person in authority has failed to do so.

Para. 8. Although the ceremony of marriage is observed, the contract is not indissoluble; the man may separate from his wife, and also, provided he has her consent, part with her to another, on his paying back to his master his marriage expenses; which seems but just, since he originally defrayed them, and must again if his slave takes another wife. These separations are not by any means common, and when they do happen, are less owing to themselves than their masters; for no people are more attached to each other, or to their families than they are; none carry their resentments farther where the wife is unfaithful (f). I re-  
collect:

(b) In the Rebellion of 1803. Captain Watson was in command of this party.

(c) Circuit Report, 2d Sessions, 1815.—Not in East India Slavery documents.

(d) See my notice of the two Coorchers, who lost their lives while using their best efforts to persuade their brethren, then in open rebellion, to deliver themselves up to me, para. 11 of my Letter to Government, May 12, 1812.

(e) Col. Welsh, Captain Bevan, and other officers now in England, have repeatedly witnessed this extraordinary attachment.

(f) Mr. Vaughan writes that he has observed, “whilst the contract lasts, a wonderful degree of jealousy and tenaciousness of family honour, when contrasted with the general appearance, habits, and apparently brutish stupidity of these castes.”

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collect trying a slave for the murder of another, merely for receiving his wife into his hut during a short period he was obliged to fly his home, in consequence of his master's severe treatment of him; and many such instances are to be found in the records of the criminal courts.

Para. 9. In the volume on "East India Slavery" laid before Parliament, will be found a striking instance of this tyranny of masters in prohibiting a female slave living with her husband. Mr. Warden, the presiding judge's notice of it is as follows (g): "The two cases tried in Canara, wherein the accused were charged with causing the death of their slaves by severe chastisement, induced me to make inquiry at Mangalore regarding the prevailing custom in instances wherein 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." Mr. Warden, upon satisfying himself that "it was usual for the female slave to reside with her husband, suggested that, under the authority of Government, the obligation be enforced upon owners to allow their married slaves to live together." The Government saw no necessity for the enactment of a new Regulation (h).

Para. 10. That the courts and magistrates were bound, by the general provisions of the Regulations, to enforce the observance of the reciprocal obligations of masters and slaves, as a general principle, I admit; and that it was intended by the Legislature, that in all cases, strict justice be impartially administered: but how stands the fact between the slave and his master? Can it be denied that their excluded condition, their ignorance, their poverty, their impurity, compared with the ability, the affluence, the influence, and high bearing of those they have to contend with, do present insuperable obstacles in the way of their getting redress, unless their masters step forward to see justice done to them; and can there be a stronger fact of the want of adequate protection from our courts and magistrates, than the case of this poor slave, who had no other means of visiting his wife than by stealth as it were, and this at the risk of his life!

Para. 11. There is no legal objection that I am aware of, to slaves possessing property of their own, independent of their masters. Out of all the examinations sent up by the late collector, Mr. Vaughan (i), there are but three wherein it is contended that "whatever slaves may acquire, the master has a right to;" and those are from the principal inhabitants of the less civilized country of Wynad, where they have, I know, many peculiar customs. It is to be observed that in neither of the other depositions is the right unequivocally admitted, they merely allow the possibility of the thing, coupled or rather qualified with the condition of doing their master's work (k). Mr. Warden mentions as a fact within his knowledge, "One of the Zamouin's slaves holding property of his own, though it is the only one he can call to recollection;" Pandara Kanaken, an inhabitant of South Malabar, is, I imagine, the instance in question. In North Malabar there is one also named Karimbai Poolla, who has considerable property of his own, and is, I understand, quite independent of any master. Some of the slaves sow dry grains and cultivate yams, and I have seen also a few plaintain trees, and now and then a solitary jack tree, in the ground adjoining their chalā huts, the fruits of which they enjoy, but the right in the soil and in the tree, is in the master: not so in Canara; there they are allowed to possess a small slip of ground of their own, and occasionally I have met with a Dher slave, who had a few articles of value about his person.

(K) Para. 1. It has been shown that slaves have been sold at the pleasure, or more commonly, according to the necessities of their masters, off their estates and separate

(g) First Session, 1825, fol. 936.

(h). Their words are, "If 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 the circuit judge's suggestion, that the magistrate should be required to enforce that obligation; and again, 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 court and magistrates are bound to respect the one, and yet without power to enforce the other."

(i) East India Slavery, fol. 850.

(k) Evidence before Committee of Lords, Question 1893.

separate from their families; and this by authority, namely, in execution of judgments and in satisfaction of revenue arrears<sup>(1)</sup>. Entertaining doubts how far I ought to sanction with my authority such a practice, I have invariably resisted all such acts, and have the satisfaction of reflecting that, owing to my repeated remonstrances, orders were issued (I find it so stated in a document in the volume of East India Slavery, for though living in Malabar to the end of 1828, I never heard of it before<sup>(m)</sup>, under date the 13th May 1819,) prohibiting the sale of slaves in future on account of arrears of revenue in Malabar, where alone the Board observe, "the practice has obtained;" it has not however been prohibited in execution of decrees, and it would appear from the examinations taken of all the principal inhabitants in every talook of Malabar, forwarded by Mr. Vaughan himself to the Board of Revenue, under date the 20th July 1819, that proprietors had not discontinued at that period selling their slaves indiscriminately one to another, and even in discharge of revenue arrears, or as deposition No. 18 says<sup>(n)</sup>, "When proprietors are in want of cash to pay the revenues;" all which sales are, if out of the place of their birth, in my opinion, at variance with ancient usages, and are, moreover, in direct contravention of a positive law, since, at least, April 1826, (when the Act 51 Geo. 3, c. 23, was enacted into a Regulation (II. of 1826) by the government of Fort St. George) which, according to the meaning and definition given of that law, in the Regulation in question<sup>(o)</sup>, is declared to be "the offence of carrying away or removing from any country or place whatsoever, any person or persons, as a slave or slaves, or for the purpose of being sold or dealt with as a slave or slaves;" and "which applies," according to the opinion of the Advocate-general at Madras, "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<sup>(p)</sup>."

Para. 2. The Advocate-general of Bombay took the same view of this statute, observing<sup>(q)</sup>, although "these words certainly do not abolish slavery, for West India slavery is recognized in the same Act, but they appear to me peremptorily to interdict all interference on our part as to the restoration of slaves to their masters; for I cannot see how such interference could be construed otherwise than as aiding and assisting in the carrying away the person so restored, to be used or dealt with as a slave." On the same principle, I think, they impose a duty on the magistrate of liberating slaves who complain of being forcibly kept in their master's service. The slave who liberates himself cannot be restored to his master without danger of felony; and, I think, he might prosecute any man on the statute who assisted his master to retake him for the purpose of being used as a slave<sup>(r)</sup>."

Para. 3. In the southern Mahratta country the sale of slaves was expressly prohibited by the Governor-general in Council<sup>(s)</sup>, under date the 18th December 1819, and this in opposition to the opinions of two of the most able and humane men India has ever produced (the Honourable M. Elphinstone and Mr. Chaplin)<sup>(t)</sup>, namely, "that any restrictive measures would be an innovation upon established customs and an infringement of private rights," that is, "what had hitherto been deemed a marketable commodity."

(L) Para. 1. There is no local Act to that effect; and all that the inhabitants themselves, according to the depositions furnished by Mr. Vaughan, say is, that "it is not usual" and "is not practised;" and though the Hindoo law will not allow to the ruling power the right of granting manumission, there is no interdict against masters doing it.

Para. 2. I have already mentioned two instances of slaves possessing property and being independent of masters; and Mr. Vaughan himself<sup>(u)</sup> incidentally includes slaves as amongst those who pay taxes, which implies the right to hold property,

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(1) East India Slavery, fol. 815.

(m) East India Slavery, fol. 900. Board of Revenue Proceedings, para. 45.

(n) Vide Answer to Question 15. East India Slavery, fol. 805.

(o) Vide Preamble to Regulation II. of 1826.

(p) East India Slavery Papers, fol. 711.

(q) Ditto, fol. 338. See opinions of the same officers, fols. 329, 331.

(r) *A fortiori* all sales of slaves in execution for revenue arrears have been in contravention of this statute.

(s) East India Papers, fol. 340.

(t) Mr. Elphinstone's Letter to Captain Briggs, fol. 339; Mr. Chaplin's ditto to Captain Pottinger, fol. 341; also his General Report of 1822.

(u) Letter to the Board of Revenue, dated 24th August 1822. East India Slavery, fol. 910.

T. H. Baber, Esq. property, which is akin to liberty, or they could not enjoy it. Mr. Græme has mentioned (\*) having purchased a family of slaves for the sake of emancipating them; and I myself made the same experiment in 1803, of two slaves, a boy and girl, one of whom rose to be a gentleman's butler, the other a lady's aya.

(M) Para. 1. With respect to agrestic or indigenious slaves, like those of Malabar, the only ancient books that make any mention of slaves are, Keruloolpati-wiwahāra Mālla and Vitynāna Shooriam Granddham, and all that is narrated therein of them, to the best of my recollection (for I have them not to refer to) is, "that they were the first and sole cultivators in Kerula Rajium, having been created exclusively for the use of the Brahmins (y);" since which period all castes have become proprietors of land and slaves, and also cultivators, excepting Brahmins, and the only reason that prevents *them* from being actually operatives is, that they either possess slaves or can afford to employ pannikera (hired labourers); but very many of them are their own krishikara, and are to be seen, during seasons of agricultural labour, out in the fields, superintending and even aiding their workmen; the slaves alone remain unaltered and stationary.

Para. 2. I am aware it has been contended by a person who has been upheld as a sort of oracle in questions of native customs, that "the slaves (z) of Malabar are condemned, without alternative, to cultivate the earth for the benefit of others," and that "it is not in the power of man to alter their relative station in society;" but knowing at the same time that he was himself a slave owner, I considered these opinions as those of an interested party, and I should not have condescended to notice them, had I not lately seen, in the volume of documents on "East India Slavery," that the same opinions had been adopted by a high public functionary (a), so far as maintaining, "that by the laws and customs of the country it is as impossible to reduce a freeborn subject to a state of bondage, as it is contrary to them to emancipate a slave," and "that 'once a slave always a slave,' may be considered a motto to be prefixed to the subject of slavery in Malabar;" which is nothing more or less than to argue that it is the awful pleasure of the Almighty that the slaves of Malabar are, and should continue, a reprobated people; a conclusion much too appalling, I am confident, to meet with supporters even amongst the most pertinacious advocates for the preservation to the people of India of their religious caste usages and institutions.

Para. 3. Happily, however, we see those barriers of superstition and ignorance being daily thrown down by the natives themselves; and already has Mr. Vaughan himself been forced to admit, and this only three years after expressing himself as above, "that no line or distinction can be drawn between the inhabitants of Malabar and other parts of India, as relates to their agricultural pursuits, nor are their customs or religion any bar to their engaging in those occupations (b)."

Para. 4. And here do I rest my main argument in favour of emancipating the unfortunate slaves, since now that all castes and classes of people can and do till the earth, there can be no longer any excuse for confining the industry of slaves to any particular occupation, or continuing them in their present degrading thralldom; nor any reason for refusing to them a participation in all the privileges their countrymen enjoy, so far, that is, as engaging in any honest occupation that inclination prompts or capacity fits them for.

(N) Para. 1. Not on the Malabar coast, though I have observed amongst the slaves in the vicinity of large towns a growing spirit of industry and independence, which, but for the countenance their masters have received from us in these their unnatural acquisitions, would have ripened into an assertion of their liberty long ago; and, unhappily, the subject has an appearance of such magnitude as to deter or produce an indisposition, at least in the ruling authorities, from adopting any specific measures to improve their condition, or even to extend to them the full protection which it was the intention of the Legislature that all classes of people should receive from the laws; nor can this be matter of surprise, when we see such opposite and conflicting assertions and opinions as are to be found in the official records, a few of which I will here recapitulate.

(\*) East India Slavery, fol. 923, para. 58.

(y) See my Evidence before Committee of House of Lords. Mr. Commissioner Græme's Report, para. 32; East India Slavery, fol. 915; also Major Walker's Report, para. 3, fol. 866.

(z) Mr. Brown's Letter, dated 24th May 1798; East India Slavery documents, fol. 597.

(a) Mr. James Vaughan, late Principal Collector and Magistrate of Malabar, Letter to the Board of Revenue, dated 20 July 1819, para. 8; East India Slavery documents, fol. 845.

(b) Mr. Vaughan's Letter to the Board of Revenue, dated 24 August 1822, para. 3; East India documents, fol. 910.



## SLAVERY IN INDIA.

23

T. H. Baber, Esq.

Mr. Warden, late Principal Collector of Malabar, and late Second Judge of the Western Division.	Mr. Vaughan, late First Collector of Malabar, and late Second Judge of the Western Division.	Mr. Francis Buchanan, appointed by the Governor General, Marquis Wellesley, to inquire into the State of Malabar, &c.	Mr. Commissioner Græme, late Member of Council and Senior Judge of the Sudder Foujdarry Adawlut, and latterly Acting Governor of Madras.
Cruel treatment to slaves is punishable by the Regulations. Slaves are not excluded from the protection and benefit of the laws.	The slaves are as well protected by the laws as any other race of beings.	The slaves are very cruelly treated.	Slaves have been too entirely dependent upon their masters.
They can apply to the courts of justice; does not recollect any case of the kind.	Does not recollect any instance of a slave appealing to a court of justice for protection from the ill usage of his master.	—	The interference of the magistrate has been so systematically withheld, that they could not with any prudent regard to the interests of themselves and families, resort to a higher power.
It is the duty as well as the interest of the master to see that the subsistence, called Walli, is regularly served out to his slave.	The measure of subsistence to be given to the slave is fixed, and the owner is bound by the prescribed customs of the country to see it served out to them daily.	The slaves receive but two-sevenths of what is a reasonable allowance.	The allowance to slaves on days they have no work is only half of what is fixed when they are employed; in several places they are not paid when they do not work.
—	—	—	The slave in the interior 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.
—	—	There can be no comparison between their (the Malabar slaves) condition, and that of the slaves in the West Indies.	—
—	—	They erect for themselves small huts that are little better than large baskets.	The slave alone has a sieve of a hut in the centre of the rice fields.

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.

“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, than as capable of being improved



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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 (c)."

(O) Para. 1. Under the latitude here given, I have entered as fully as the subjects touched upon in the preceding questions seemed to call for, and illustrated them, as I proceeded, with all the facts within my knowledge; there may be, and no doubt are, other points that will occur to the Board upon perusing these painful details, upon intimating which I shall of course reply to them to the best of my ability; at present all that occurs to me to notice are the cases of the four slaves which were so irregularly and oppressively sold to Mr. Sheppard (a discharged serjeant in the 12th regiment, who some years ago succeeded to the hemp manufactory at Beypoor) for the sum of Rs. 32. 3. equal to 3*l.* 5*s.*! as also of the two slaves who were brought up from South to North Malabar (d), and would have been carried on, it is impossible to say how much farther, until a purchaser was found for them, but for my timely interference.

Para. 2. The Board of Revenue have noticed the first of these cases in the (e) 36th, 37th and 38th paragraphs of their proceedings, under date the 13th May 1819, but in a way that shows the strong disposition that exists in that controlling authority to palliate such glaring instances of neglect of duty and of oppressive abuse of power as the whole proceedings of the collector exhibit.

Para. 3. The principal features of this horrid case will be found in my Report to the Foujdarry Adawlut (f); I shall, therefore, confine myself to observing in this place, that it was not one petition only, as would be inferred from the Board's notice of the subject, but ten, that were presented to the collector and magistrate, and no redress whatever was afforded petitioner, though he regularly attended the collector's cutcherry a period of eight months. The order issued by the collector for the restoration of the petitioner's slaves and seed grain, is not among the documents, but it will be apparent, from a perusal of his second petition (g), that the collector had ample time to see that his order was obeyed; instead of which he allowed the petitioner, an old man of 82, to be thrown into gaol, on, as it was proved on the trial, a false charge (h), got up against him by the revenue servants, who seized his slaves and seed grain in retaliation for having complained against them to the collector. Only one out of my three precepts to the magistrate is given in the printed volume of papers (i), but that one, and the return to it, will sufficiently show how unavailing must all efforts be to protect the people when executive officers are suffered to disregard not only their complaints, but even to refuse obedience to the orders of those who are put in authority over them with impunity (k).

Para. 4.

(c) East India Papers, fol. 911.

(d) East India Slavery documents, fol. 898.

(e) 36 Para. 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 Para. The Board observe with great regret that this order was not obeyed, but that the four slaves were sold for 32. 3. rupees!!

(f) Dated 31st December 1810, fols. 824, 825.

(g) Folio 832, para. 2.

(h) Extract from Calendar, 2d sessions, 1818, fol. 828.

(i) Folio 826.

(k) Board of Revenue's Report, para. 38, fols. 898, 899.

38 Para. 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 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 he could call upon me, as magistrate, to give him information on revenue points, viz. whether chermars (slaves of the soil) were sold for arrears or 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 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 of retaining the slaves on it?"

Para. 4. Neither is the letter which, it is pretended, had, "through some mistake in Mr. Vaughan's office, not been received by the Board of Revenue until 11 months after it was written," forthcoming, though sufficient of it is given in the Board of Revenue's proceedings, to show that Mr. Vaughan admits "the sale of slaves for arrears of revenue is as common as the sale of land;" which is shown by Sir Thomas Munro<sup>(1)</sup>, in this year (1818), amounted to 1,330 estates in one talook alone.

Para. 5. This disgraceful practice, in the instance in question, is suffered by the Board to be defended by a fallacy, namely, "If the soil is sold, what can be the use of retaining the slaves on it?" the Board of Revenue knowing at the time that the burthen of the petitioner's complaints, in all the ten petitions, is, that "if the collector does not prevent the sale of his seed grain, and his slaves, his land must go uncultivated, and himself and family must inevitably be ruined," and yet they do not attempt even to expose it; no wonder, then, the Government and the authorities of this country are deluded into the belief that there is no necessity for their direct interference in ameliorating the condition of their slave subjects<sup>(m)</sup>.

Para. 6. The case of the two slaves was first brought to Mr. Vaughan's notice through the Provincial Court of Appeal and Circuit, of which I was the third judge at the time, in order, as the precept expressly stated, "that no time might be lost in arresting the sale and eventual removal of the two slaves further from their native country<sup>(n)</sup>."

Para. 7. As I have already stated, it was at my instance the court so acted: I was walking along the high road, and met the two slaves being hawked about for sale by two revenue officers. One of them addressed me, complaining that had two orphan children who must inevitably perish, now he was taken from them; the other, a fine young man, said that he had a father, mother and sisters, who depended upon him for protection; and both entreated of me not to suffer their being banished the country for no cause; even to Mr. Vaughan<sup>(o)</sup> himself, to whom they were sent, these poor creatures expressed "the grievance it would be to be sold away at such a distance from their family."

Para. 8. Instead, however, of Mr. Vaughan expressing his acknowledgments for bringing such flagrant abuses to his knowledge, as every man of common humanity, or who had the slightest regard for the character of his employers, or the national honour, would have done, he addresses a letter to the Board of Revenue<sup>(p)</sup>, wherein he "protests against having such extraneous and forced obstacles thrown in his way to contend against in the collection of the revenues, as has been experienced by him on this occasion," and actually avows his determination to support and protect natives "in the legal discharge of their ordinary and domestic duties and practices, however inconsistent with his own nicer feelings of humanity;" or in other words, to uphold this indiscriminate sale of slaves away from their families and country of their birth.

Para. 9. I shall not condescend to notice his illiberal observations, as regards my motives, further than that I fling them back with utter disdain and contempt, as well to the vituperator himself, as to those who could allow such a calumnious document to remain upon the public records, without at least giving me an opportunity of vindicating my character against such unfounded aspersions.

Para. 10. And here it will not be out of place to notice Mr. C. M. Lushington's most wanton attack on me in his Report, dated the 1st July 1819<sup>(q)</sup>, (for no other reason that I can see, than that, like his brother, the late Governor of Madras, he would persecute every man who had not his political prepossessions, for I never saw the man in my life), wherein, after vindicating this custom of "selling human beings like so many cattle<sup>(r)</sup>," and this "system of perpetual labour" (as he himself writes), he insolently observes, "It is, however, possible that the advocate of freedom may think, with Cicero, and the third judge in Malabar<sup>(s)</sup>, 'Mihi liber esse

(1) Sir Thomas Munro's Report, dated 16th July 1822, states that in one single talook (out of 63 in Malabar) 1,330 plantations and rice fields were sold, in order to satisfy public balances. See Madras Revenue Selections, vol. iii. p. 547.

(m) East India Slavery, fol. 911.

(n) Provincial Court's Proceedings, dated 12th November 1819, fol. 897.

(o) Folio 883.

(p) Dated 25 December 1819, fol. 877.

(q) Folio 840.

(r) Para. 14.

(s) Mr. Baber.

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esse non videtur qui non aliquando nihil agit ; ” and this further calumny (instead of returning the letter, as every authority that did not countenance these attacks upon character would have done) the Board of Revenue actually incorporate in their own proceedings (<sup>(1)</sup>), without a single comment upon the impropriety of such personal allusions in official documents.

Para. 11. There is one more subject upon which some information might be expected from me, and that is, the custom of slaves seeking protection in foreign states.

Para. 12. In the volume of East India Slavery documents will be found an application from Mr. Collector Vaughan to the Board of Revenue (<sup>(2)</sup>), relative to thirty slaves, natives of Wynnâd, who had deserted their owner and taken refuge in the Coorg and Mysore countries, wherein that officer suggests that those rajahs respectively be required to make “ pecuniary compensation to their owners, as an equivalent for the loss of them.”

Para. 13. The Board, in forwarding the collector’s letter to Government (<sup>(3)</sup>), say, that the inhabitants of Wynnâd complain that their slaves are enticed from them by the subjects of the state of Coorg and Mysore ; though nothing is said by the petitioners, either to warrant the belief that these migrations are encouraged by, or even are with the cognizance of those princes, or that their subjects entice them, as the Board say, unless giving them employment and paying them for their labour, can be so called ; and it would be hard indeed to deny these poor creatures this last resource, after being driven out of their own country by a series of ill usage which had at length become insupportable to them.

Para. 14. In the instance in question the slaves belong to the Tiranelly Devasson (<sup>(4)</sup>), or Pagoda, which is at the foot of the range of the Brimmehagiri mountains, that divide Wynnâd from Coorg. I know well the overseers of that pagoda, namely, the Waddaka Mootanan and Tekka Mootanan ; repeatedly have they applied to me for letters to the Coorg rajah to have their slaves taken up and sent back to them, but I have always resisted their applications, telling them that they have the means in their own hands of recovering them, if they choose to use them ; for that there can be no doubt their slaves will readily return to their families upon receiving an assurance of being well treated in future.

Para. 15. It is only in those parts of Malabar which border upon Coorg and Mysore that slaves take refuge in those countries ; many others farther removed have and do, I am aware, make the attempt, but they have been almost always overtaken ; and as it is the only way they have of showing their sense of ill-treatment, and enjoying security of life and limb, it would be cruel in us, and only an aggravation of their hard lot, so long as our tribunals are so hermetically closed against them (as I have already shown), were we to throw any obstacles in the slaves’ way, or to look to the rulers of those countries for any indemnification to their tyrannical masters.

Para. 16. One good effect has attended our non-interference hitherto, and that is, that the slaves in that part of both the upper and low countries which border upon the states of Mysore and Coorg, namely Tirunelly and Trichalary, Bâwala, Pulpelli, Kangnara, Coorchiât, Eechakoon, Eddaterra and Moopeyanad in Wynaad ; and at Aralet and Kittoor in Cotiote, Varatoor, Paratoo, Paiawoor, Chorilly, Ichilkoon and Poortoor in Kollatnad, are better fed, better clothed, and better housed than in any part of Malabar.

(P. & Q.) Para. 1. This part of my subject, I must confess, I approach not without considerable diffidence ; not that I have any the smallest hesitation in declaring my sentiments, as the whole tenor and tendency of my exertions must prove, in favour of an unqualified abolition ; but that I feel my own inadequacy to the task of individually suggesting such measures as shall effectually secure the great object in view, with the least possible temporary inconvenience to the slaves themselves, to their proprietors, or to the general interests of the country.

Para. 2. Another difficulty, and a very great one it is, arises out of my utter hopelessness of being able to impart that confidence in the expediency and practicability of the views I myself might entertain, and this not from any idea of the  
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(<sup>(1)</sup>) Folio 893.

(<sup>(2)</sup>) Dated 21 December 1831, fol. 911.

(<sup>(3)</sup>) Letter, dated 2 January 1823, fol. 914.

(<sup>(4)</sup>) Folio 911.

rising generation (in whom the duty of carrying into effect the resolutions which the Government in this country will and must come to, when they know the real condition of the slaves on the Malabar coast) imbibing any of those prejudices<sup>(z)</sup> against which I have had to contend; but from the obvious disadvantage they must labour under, for years to come at least, of not possessing that intimate knowledge of the language, the habits and customs of the people, and above all, that acquaintance with individual families, and a thousand localities so essential to the success of a measure of this magnitude.

Para. 3. Twenty years ago there was indeed an opening prospect of preparing the way for its introduction; it was at the close of that incipient rebellion in 1812, consequent on the additional burthens that had been imposed upon the people by those indirect taxes, the tobacco and salt monopolies, stamp duties, &c. &c., and the oppressive mode of administering the Revenue department in general<sup>(a)</sup>, and accordingly, among other necessary measures for securing the public tranquillity from future interruption, I took the earliest opportunity, after I had re-established<sup>(b)</sup> the authority of Government, of introducing in the body of a general police regulation a few rules which appeared to me urgently called for, to put a stop to the horrible traffic in human flesh at that time so prevalent, as well as for the amelioration of the condition of the slaves in general, so far as restraining their owners from selling them out of the country of their birth, and from separating families; and also by rendering it compulsory on them to make the slaves a suitable provision in food, clothes, and habitation, in sickness or health, young and old, at all times and in all seasons<sup>(c)</sup>.

Para. 4. Unfortunately the measure was not supported by those in whom the Legislature had reposed the controlling authority over the acts of the executive administration, but, on the contrary, I had to contend even against their systematic opposition in those individual acts of violence and cruelty<sup>(d)</sup>, which it was my province to bring to public justice; the conspiracy that was formed against my life<sup>(e)</sup>, through the machinations of the principal slave owner, was one of the natural consequences of that illegal combination; but all this had no effect in deterring me from persevering in that righteous cause I had engaged in, and it was not until I found myself deserted by the Government itself, by an avowal<sup>(f)</sup> of their apprehension of repeating the expression of their approbation of my conduct, lest it should aggravate this distempered feeling<sup>(g)</sup>, as the struggle between the ardent zeal of an individual and the selfish views of a party, was called.

Para. 5. Since that time I have confined myself to occasional notices of the condition of the Malabar slaves, as often as my public attention has been drawn to the subject, but with little or no benefit to the unfortunate slaves, who continue the same reprobated people as ever, as their half-famished persons, their sieves of huts,

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(z) Some of which have been adverted to in the course of these observations.

(a) See 19 & 20 paras. of my Report to Government, under date the 12th May 1812.

(b) Lest this might expose me to the imputation of a vain boaster, I here extract the orders of the Honourable Court of Directors regarding my termination of this rebellion:

“The prompt and effectual interference of Mr. T. H. Baber, magistrate of North Malabar, on occasion of these fresh symptoms of contumacious resistance to our authority in Wynaad, so lately restored to tranquillity by his zealous exertions, deserves our strong acknowledgments. The death of Kalloo, the leader of the rebels, as well as that of some of the other principal chiefs alluded to by you, encourage us to hope that the peace of the county is not likely to be again disturbed. Under these circumstances we instruct you to express to Mr. Baber the high sense we entertain of his meritorious services during the whole period of his employment as a judge and magistrate of that district, and he may be assured that we shall, with pleasure, see the opportunity occur for his receiving, at your hands, a solid testimony of your approbation in any advancement consistent with his rank in our service, and in the line of his official destination.”

(c) East India Slavery documents, fol. 739, 740. Section 27, clauses 1, 2, 3, 4 & 5. Section 28, clauses 1, 2, 3, 4, 5 & 6.

(d) Some of them are noticed in the course of these observations; for the rest, see East India Slavery documents.

(e) See my Letters to the Madras Government, dated 12th October 1812, fols. 766, 767, and dated 10th January 1813, fols. 784, 785; also the report of the trial of the conspirators as published in all the India newspapers. The following sentences were passed by Sir Thomas Strange and Sir John Newbolt: Mr. Brown, jun., to be imprisoned two months and two weeks, and pay a fine of 100 pagodas; Mr. Douglas, to be imprisoned five months and two weeks, and pay a fine of 1,000 pagodas; Mr. Gahagan, to be imprisoned three months and two weeks, and pay a fine of 100 pagodas, and all of them bound over to keep the peace for three years.

(f) Government Minute, dated 22d January 1823, fols. 789, 790.

(g) “And again the simple intimation that Government approves of the conduct of Mr. Baber, might even increase these evils.”

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huts, and the diminution of their numbers, while every other class of the people is increasing, abundantly testify.

Para. 6. I have explained, as well as I could, what appeared to me to be the common law, the Hindoo law, the Mahomedan law, and even the English law, on the question of slavery, and shall now close these observations by suggesting to the wisdom of the Commissioners for the Affairs of India, and eventually both Houses of Parliament, the expediency of the appointment of a Committee, both in this country and in India, the latter to be composed partly of natives, those who are most intelligent, most enlightened, and most influential from property in land and slaves, to inquire and report upon the measures best calculated to extend the blessings of freedom to this most wretched, most helpless, and most degraded portion of our Indian subjects.

*Thomas Hervey Baber,*  
Late First Judge, Western Division, Madras Territories.

### ANSWERS of Colonel *James Welsh.*

*Col. James Welsh.*

1. I CERTAINLY had many opportunities of observing the state of slaves in domestic and agrestic employ, in various parts, during a very long service in the East Indies; but those opportunities, which consisted in temporary residence at different stations, and frequent and extensive marches all over the peninsula, were unfortunately not embraced by me, to search beyond the surface. I can, therefore, only speak to the general appearance and outward condition of the people in question.

2. Great numbers used formerly to be kidnapped from a distance, and sold by dealers for both domestic and agrestic purposes. Others are born of parents in a state of slavery. Many have been and still are sold in infancy, by parents and relations, particularly in times of famine and scarcity, to any one who will purchase them; and others used to be captured in war, particularly by Mahomedan conquerors.

3. Although inclined to think the number very great, I had no opportunities of ascertaining the total amount; nor could any individual (from the immense extent of the country, and the great diversity of the kingdoms and governments into which it is divided) definitively answer the general question.

I had opportunities of personal observation on the Island of Ceylon, from the time of its capture from the Dutch in 1796, till early in 1799, having been on the staff at Point de Galle, and among other public duties, conducted all trials, both civil and military, in that district. Almost every inhabitant of any property on the island, European and Native, had some slaves (Malay, Lubby or Chengalese); indeed, all the work, domestic and agricultural, was performed by them. The domestic ones appeared to be generally well treated, and considered more in the light of children than slaves.

I had again particular opportunities, during the years 1817-18 and 1819, while residing as an independent staff-officer on the Malabar coast, and living occasionally entirely with the natives, and subsequently from that period till 1826, while commanding in the first instance the provinces of Malabar and Canara, and afterwards the subsidiary force in Travancore and Cochin. I can, therefore, speak more particularly to the state of slavery all along that coast, than in any other part of India.

From Cape Comorin to Goa, including Wynaad and Soonda, I believe that there were nearly 300,000, and from the nature of the caste distinctions (not admitting of any kind of personal contact between the upper and lower order of the Hindoo aborigines of that country), by far the greater numbers were field slaves.

4. The laws, as administered under the British Government, do not sanction or recognise a state of slavery, but they have not the power entirely to abolish it, even in places under our immediate control.

5. The general condition of the agrestic slaves is bad everywhere. They enjoy little comfort, have coarse, precarious and scanty food, bad clothing, frequently none at all, and no provision (that ever I could learn) for old age or sickness. The domestic slaves are for the most part better off, but still subject to the despotic will of their owners, in every thing short of life.

6. The

6. The agrestic slaves are employed in tilling the ground, planting, watering and weeding gardens, rearing trees, raising indigo, cotton shrubs and dyes, sugar cane, Indian corn, jowarry, cholom, paddy grain, and every kind of grain. I never saw them working in regular gangs, nor do I know that they have any regular drivers. The nature of the climate, its great fertility and produce, in general do not call for much continued labour, but they have no particular hours which they can call their own, not any one day in the week set apart for rest or devotion. The lash, or at least coercive strokes, are, I fear, too commonly used, and indiscriminately to both sexes.

7. The condition of the slave, in point of law (though not of practice), is the same as that of the freeman, when able, from proximity, to claim the protection of the civil magistrate. They can certainly be witnesses for and against freemen, in every English court of justice, and their masters cannot take their lives with impunity in any place either subject or tributary to the British Government.

8. I believe they are for some purposes free with regard to strangers, as far as caste regulations will admit.

9. I always understood the majority to be *serfs*, particularly on the Malabar coast, and consequently transferable as a part of the soil. I do not think it can increase under our government.

10. The slaves profess, generally, either the Mahomedan or Hindoo religion, with a small portion of Christians; but as far as mortal can judge, their religion consists chiefly in outward observances; their morals being, like their persons, most wretchedly debased. They can and do marry, but not with freeborn subjects, and I do not think they can have the means of acquiring any property, or the power of holding it, against their master's consent.

11. Slaves can be, and are, sold at pleasure; I have myself purchased several for small sums in different places to give them their liberty. They may be seized and sold for debts in native states, but not in an English settlement. Our laws, I have already stated, do not sanction any kind of slave traffic (although till lately they were not generally enforced), but no restriction I fear exists among the natives as to separating unfortunate individuals of both sexes from their families.

12. I am unacquainted with any law to hinder or promote manumission, neither do I know of any means by which they could purchase their own freedom, and I suspect their children are necessarily slaves. The only way by which they are generally liberated is the one I have already alluded to, by being purchased by British subjects, which act, in itself, amounts to manumission.

13. Very material changes have taken place in the state of the slaves, wherever the British sway has extended; for this obvious reason, that no person immediately under our control dare inflict any severe punishment on or ill use another with impunity.

On the Malabar coast, in particular, where the native laws even allowed a Nair to put to death on the spot any one of an inferior caste who should presume to approach him within a certain number of paces. No man, at the present time, of whatever rank or elevation in point of caste, can enforce the original Regulations, by punishing in person any undue familiarity in one of subordinate caste, although the British authorities will protect him from any improper aggression on the part of an inferior.

14. Measures have been everywhere adopted by the British Government to prevent the open sale of slaves, and to ameliorate the condition of those originally in that state among the natives in our own territories.

The consequence has been (as far as I have ever learnt), a very considerable diminution in their number when taken in comparison with that of the free population. The existence of the British rule in India must affect both the extent and character of slavery there, because it has gradually tended to enlighten the minds of all classes of the natives, to raise them above ridiculous caste prejudices; and the increase and practice of Christian piety among the European population, with the zealous exertions of some of the clergy and missionaries, have lately contributed greatly to soften down the feelings of the natives towards each other.

15. I shall here endeavour to particularize the slaves in the East Indies:

Those under the Mahomedan princes, rulers and people, were for the most part descendants of Arabs and Abyssinians, who had either been originally kidnapped, and sold by seamen and others on the sea-coast; or Mussulmans, born in slavery; with an admixture of Hindoos of every denomination, who had either been captured in war or purchased from slave dealers; and as their masters have no caste prejudices,

Col. *James Walsh*.

judices, but strive to make proselytes of all, even the lowest castes, and then associate with them in common, those slaves are generally used and trusted as domestics, and better treated than by those of other persuasions.

The Hindoo princes and rulers had also Arabs and Abyssinians among their slaves, but the people in general have slaves of their own and inferior castes.

In the Carnatic, Mahratta and Mysore countries, the slaves are mostly Pariahs or Dhéres, who, even when free, are so abject and debased, as hardly to be so well off as those in actual slavery.

On the Malabar coast the slaves are almost exclusively Churmern, Pullians and Puneers. In Wynaad, the Corchers (or archers) are also slaves, but being always armed, and the most active soldiers in times of disturbance, they are generally well treated.

16. I do not conceive the British Government, if inclined, could entirely abolish slavery in the East Indies, nor would it, in the present degraded and imbecile state of the people, be altogether desirable; but amelioration ought certainly to be put in practice in the first instance, and time will then, no doubt, render emancipation a blessing to all.

17. The measures which occur to me as proper, and within our power to be immediately adopted, are the promulgation of laws to afford protection to the slaves, by enforcing a kind and equitable treatment of all such as come within our jurisdiction; apportioning their food and clothing, with a certain time for rest and recreation; giving them the Sabbath-day in every English settlement; declaring children of slaves to be free born, and only subject to their parents in youth; and utterly prohibiting a continuance of the traffic in future.

Bideford, Nov. 3, 1832.

*James Welsh*,  
Colonel, Madras Establishment.

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ANSWERS of *A. D. Campbell*, Esq.

*A. D. Campbell*,  
Esq.

Sir,

2, North Bank, Regent's Park, 4th Nov. 1832.

IN annexing replies to the questions on slavery in the East Indies, which were enclosed in the letter you did me the honour to address to me on the 27th August last, I have to express my regret that the circumstances explained in my letter from Paris should have delayed their transmission; especially as the information which, at this distance from India, my memory enables me to furnish, is so imperfect.

Reply to No. 1. The opportunities I had of acquiring personal knowledge of the state of slavery in India were derived, during my residence there for 22 years, from the official situations I held as secretary, and subsequently member, of the Board of Revenue at Madras, superintendent of police at the presidency, registrar to the Foujdary Adawlut, judge of circuit in the provinces, and principal collector and magistrate in Tanjore, and in the Bellary division of the Ceded Districts.

2. In the territories under the Madras Government, slaves are of two distinct descriptions; the one includes the great slave population termed "agrestic slaves," or such as are usually employed in the field, though occasionally also in other labour. These consist exclusively of Hindoos, who become such by birth alone, in the peculiar castes which the usage of India has doomed to hereditary bondage. This species of slavery does not exist at all in the central provinces of the Indian peninsula, such as the Ceded Districts, or Mysore, peopled by the Carnatacka nation; and I believe it is also unknown in the Northern Circars, Nellore, &c., or in the country where the people speak the Telinga language; but it is common in the southern provinces of the peninsula, or wherever the Tamil language is spoken, and it assumes its worst form on the western coast of the peninsula, or in the provinces of Malabar and Canara. The other description of slaves consists of those who may be termed domestic, from being employed only in the house itself. This kind of slavery may be found all over the Madras territory, but is exceedingly rare. Individuals generally become domestic slaves by being sold when children by their parents, in years of scarcity approaching to famine; for famine itself, in the British territories, is happily now nearly unknown. A Hindoo, however, who buys a child on such an occasion, treats it as a Briton would; not as a slave, but rather as a servant to whom food and raiment are due, and whose wages have been advanced to maintain the existence of the authors of its being, authorized by nature to contract for its service until it is old enough to confirm or cancel such compact



compact. The text of the Hindoo law, as well as its practice, clearly maintains such compacts to be temporary only, for it expressly mentions the gift of two head of cattle as annulling them, and entitling the child to legal emancipation; but such fine is entirely nominal; it is never practically exacted; and on the child attaining maturity it is, in practice, as free amongst the Hindoos as amongst Britons, unless long habit or attachment induces it voluntarily to acquiesce in a continuation of its service. The Mussulman law acknowledges the legality of treating as slaves all infidels conquered by the faithful; but its text is entirely opposed to the purchase of free children for the purpose of reducing them to a state of bondage; yet, in practice, compacts such as are described above, confer permanent rights on the Mahomedan purchaser; for, under the spirit of proselytism which characterizes the Mussulman's faith, a male infant is no sooner purchased than it is circumcised: and, whether male or female, it is invariably brought up in the Mahomedan creed, which, if it be a Hindoo (as is usually the case), irrevocably excludes it from all return to its parents or relations. Besides the purchase of children in years of scarcity, I have heard of natives, to cancel a debt, voluntarily selling themselves as domestic slaves for a certain number of years, but this is unusual; and though classed as a species of servitude, it more resembles that of persons serving under written articles in Europe, than slavery of even the most qualified description. There can also be no doubt that children are sometimes kidnapped and sold as slaves, without the knowledge of their parents. As superintendent of police at Madras, I succeeded in 1818 in restoring several such children to their parents, amongst the lowest and poorest of the Hindoos; and their anxiety to recover infants, whom they in all probability found it very difficult to support, would have done honour to the highest classes of European society. I may add, that from Malabar, a province on the western coast of the peninsula, where the ancient institutions of the Hindoo government have descended to our own times nearly unimpaired, I recollect one trial having come before the Sudder Foujdary Court in 1830, in which the members of a high-caste Hindoo family, to conceal the disgrace to which they would have been exposed from retaining one of the daughters whose chastity was more than suspected, forcibly carried her off to a distant province, where they were taken up, on account of endeavouring to dispose of her as a domestic slave.

3. In the Madras provinces, it is the collectors and magistrates alone who can give any correct returns of the population. In the Bellary division of the Ceded Districts, where I first held that situation, I have already stated that no agrestic slaves whatever exist. In Tanjore, on the contrary, they amount to many thousands; but I cannot, from memory, give any correct estimate of their number. The house or domestic slaves in neither district can exceed one or two hundred, in a population of above a million of souls, in each of these provinces respectively.

4. There is no doubt that the Hindoo law recognizes slavery, domestic as well as agrestic, though practically amongst the Hindoos under the Madras Presidency, domestic slavery, as before explained, can hardly be said to exist, except as regards female children, occasionally purchased by dancing women, for the purpose of bringing them up to their own unhappy profession of prostitution, or the dancing women themselves, attached to the several Hindoo temples. I have already stated that the Mussulman code, though opposed in its text to the reduction of free Mahomedans to a state of bondage, not only recognizes and sanctions, in practice, slavery in general, especially that of conquered infidels, amongst whom it may fairly include the Hindoos, but encourages domestic slavery in particular, especially by the purchase of children, in order to increase, by their conversion, the number of the faithful. Notwithstanding the modification of the Hindoo and Mahomedan laws respecting slavery, recommended in the papers on that subject printed by order of the House of Commons, I am sorry to state that the Government of Madras have hitherto left them entirely unaltered by any enactment of their own. At the close, indeed, of the papers in question, notice is taken of a former enactment by the Government at Madras, contained in clause 14, section 18, Regulation II. 1812, prohibiting the exportation of slaves from the province of Malabar: but the result of the reference mentioned to have been made to the Advocate-general, was the formal repeal of that enactment, on the just ground that the Act of Parliament of the 51 Geo. 3, c. 23, against the slave trade, sufficiently prohibits this traffic by sea, and that its more severe penalties supersede those formerly established by the local Indian legislature.

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As connected with this subject, however, I may be here permitted to point out, that in any future Act of Parliament on the subject of India, a modification of the Slave Act above mentioned is imperatively called for. Offences against it, by traffic in slaves by sea, may take place in any part of the extensive coast, either on the Coromandel or on the western side of the peninsula, under the Madras Government, and by natives of distant provinces many hundred miles from the Presidency. The removal of such persons, with the witnesses on either side, from their own peculiar climate, as for instance, from Malabar to Madras, would be attended by an inevitable mortality, similar to that of Europeans, if sent for trial to the deadly climate of Sierra Leone: yet the Slave Act makes all offences under it, even when committed by natives in the provinces, cognizable only by the distant Admiralty, or King's Supreme Court of Judicature, confined to the presidency itself, to the criminal jurisdiction of which they are otherwise not amenable. The local provincial courts, possessing power of life and death in matters of the highest criminal jurisdiction, ought, as regards a breach of the Slave Act, by natives in the interior, subject to their jurisdiction, to have power concurrent with that of the King's Court of Admiralty; for to carry into effect the law as it now stands in this respect, would, in such cases, be no less inhuman than revolting to the prejudices of the people. Indeed, like all laws at variance with the feelings of the people, the Slave Act, as it now stands, must remain a dead letter everywhere in the Madras territory, except at the Presidency, until Parliament give power to the tribunals in the provinces to enforce its penalties. In doing so, however, the punishment to be annexed to the breach of its provisions in the provinces should be proportioned to the punishment for other offences in the interior. Death is there the punishment of murder alone; transportation is the next grade of punishment, but never takes place except for life, on account of the great civil forfeiture of caste, by which, in India, it is ever attended; and confinement in fetters, or hard labour, for 14 and seven years respectively, alone are the punishments equivalent to transportation from England, for these several periods.

5. In regard to food, clothing, employment, treatment and comfort, there exists the greatest contrast between the domestic and agrestic slaves in the territories under the Madras Government. The domestic slaves, confined principally to the Mahomedan families, being brought up invariably in the creed of their master, are at once amalgamated with the family itself, who treat the males indulgently, with something of that privileged familiarity allowed in all countries to those who are permanently attached to a family, and are rather its humble members by adoption, than its servants or slaves. They are well fed, well clothed, and employed in domestic offices, common, except in families of the highest rank, to many of their master's relatives. The free communication with others, and facility of access to the British tribunals, which the want of all restraint over egress from the house ensures to the male domestic slaves, combines with the indulgent treatment of their masters to qualify their bondage, so as nearly to exclude it from what the term slavery implies. Such, however, is not the lot of the female domestic slaves, employed as attendants on the seraglios of Mussulmans of rank: they are too often treated with caprice, and frequently punished with much cruelty. Once admitted into the haram, they are considered part of that establishment, which it is the point of honour of a Mussulman to seclude from all communication with others. The complaints made to me as superintendent of police at Madras, against the nabob of Arcot, and subsequently, when magistrate of Bellary, against the brother of the nabob of Kurnool, gave me an insight into transactions committed in the recesses of the female apartments of these two personages, which has left on my mind a strong impression of the cruelty and wanton barbarity with which this class of female slaves are subject to be treated. The murder of more than one female slave, alleged to have been committed by the brother of the nabob of Kurnool, induced me repeatedly to address the Madras Government; nor was it until he added to them the murder of his own wife that he was confined as a state prisoner, instead of being brought to trial for his life, as I suggested. Indeed little doubt can be entertained that the seclusion of female slaves in the harems of Mussulmans of rank, too often precludes complaint, prevents redress, and cloaks crimes at which Europeans would shudder. The agrestic slaves, on the other hand, are invariably Hindoos of the lowest and most degraded castes, such as the Pullers, or outcasts altogether, such as the Parriahs in the Tamil country, residing usually in the out-

skirts of the village ; food dressed by them being abomination, and their touch defilement to their masters. In Malabar, indeed, the master is attended, wherever he moves, by an imaginary halo ; for the distance which the slave must keep from any of the pure castes, including the lowest, or Soodra, is defined with extraordinary precision, by local rules, which in the southern part of the province are exceeded in practice. This removal of the agrestic slave from the dwelling and person of the master, which the wide difference established between their castes induces, whilst it no doubt tends to relieve him from the ill usage to which the personal character of a violent Mahomedan master may sometimes expose the domestic slave employed in the house, at the same time deprives him of that habitually indulgent treatment which a constant interchange of household duties seldom fails to produce, especially on the part of the milder Hindoo. The food, clothing and comforts of the agrestic slave are, in consequence, everywhere inferior to those of the domestic one. In the Tamil country, the agrestic slaves are entitled to a certain proportion of the harvest reaped on the land they cultivate, and to prescribed fees in grain at each stage of the previous cultivation, as well as at certain national festivals. Some of them who are outcasts possess also a right to all the cattle which die from disease ; and they eat the flesh of such animals, as well as that of snakes and other reptiles ; but in general their food is the coarsest grain ; and if a judgment may be formed from their appearance, which is generally that of stout athletic men, it is not deficient either in quantity or quality. Their clothing, indeed, is scanty, but not always from defect. When I first went to Tanjore, I found, in the spring of the year, most of the fields occupied by the female agrestic slaves, transplanting rice, generally to the tune of some popular air, sung by one of them, in the chorus of which the rest joined ; and was surprised to find that these women left the whole of the body, from the waist upwards, naked, the bosom being invariably exposed. Attributing this to the want of sufficient clothing, I employed myself in investigating measures calculated to increase its supply, and thus prevent a breach of the natural rules of modesty common to civilized life ; but I found that, like certain classes of Hindoo females on the western coast, covering the bosom, in the minds of this caste, is considered equivalent to a declaration of prostitution itself : fear, therefore, of a greater moral evil, obliged me to abandon my intention of attempting any change in this revolting custom. Besides food and clothing, the master also defrays the expense of the marriage of his slaves, and in the Tamil country presents them with small gifts on the birth of each child. The description of the agrestic slaves given in my reply to this query, is confined to the Tamil country ; my personal knowledge being derived from that portion of it which consists of the fertile province of Tanjore. I must add, that the landed tenures on the Coromandel coast, which vest most of the land, and of the agrestic slaves who cultivate it, in the hands of corporate village communities, and of Hindoo temples, or other bodies, instead of in the hands of individual landowners, as on the opposite coast, contributes materially to the superiority of the agrestic slave on the eastern coast over his unhappy brethren on the western side of the peninsula ; for from the official reports that have come thence before me, both in the Revenue and Judicial departments, I know that agrestic slavery assumes there a far worse aspect, particularly in Malabar. The creatures in human form who constitute, to the number of 100,000, the agrestic slave population of that province, being distinguishable, like the savage tribes still to be found in some of the forests of India, from the rest of the human race, by their degraded, diminutive, squalid appearance ; their dropsical pot-bellies contrasting horribly with their skeleton arms and legs, half starved, hardly clothed, and in a condition scarcely superior to the cattle they follow at the plough. I am by no means satisfied that due provision is made for the support of agrestic slaves, in sickness or in old age. Their masters are no doubt bound to support them ; but, in the absence of any summary means on the part of the civil magistrate to enforce this obligation, I fear the poor and infirm slave is too often left to the slow and doubtful remedy of a lawsuit against his master, or to the uncertain charity of his brethren, stinted in their own means.

6. The agrestic or field slaves in the Tamil country are employed by their masters in every department of husbandry : the men in ploughing the land and sowing the seed, and in all the various laborious works necessary for the irrigation of the land upon which rice is grown ; the women in transplanting the rice plants, and both sexes in reaping the crop. Their labour is usually confined to the rice, or irrigated lands : the lands not artificially irrigated, watered only by the rains

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of heaven, and producing what in India is technically termed dry grain, being seldom cultivated for their masters, whose stock is concentrated on the superior irrigated soils; and any cultivation by the slaves in unirrigated land, is generally as free labourers for others, or on their own independent account. In Tanjore, the liberality of one of my predecessors, Mr. Hains, now member of Council at Madras, induced the Government to attach to each house of the slave, in common with the other householders who are not landowners, a small piece of land as garden, tax free. The agrestic slaves work in bodies together, the village accountant registering the work executed by them, which he inspects; but they are not personally superintended by any one, nor placed under any driver: they usually work from about sunrise until sunset, with the intermission of a couple of hours for their meal, during the middle of the day. They are not exempted from work on any particular day of the week, but obtain holidays on all the great native festivals, such as on those fixed for consecrating implements, the new year and other great days. No particular task-work is assigned to them daily; it is sufficient that the slaves of each master execute the work necessary for the cultivation and irrigation of his lands. These slaves are also often employed in erecting temporary rooms or pandols, used by their masters on marriages or other festivals; and occasionally are called on, by requisition of the collector or magistrate, issued to their masters, to aid in stopping any sudden breach in the great works of irrigation conducted at the expense of Government, or in dragging the enormous cars of the idols round the villages or temples, to move which immense cables, dragged by many thousands, are necessary: in Tanjore in particular, from the great number of the temples, and frequency of the festivals, this is a very onerous duty. The lash is never employed by the master against his slave in the Tamil country, but it is in Malabar; and its legality, under the Mahomedan law, has been recognised by the Sudder Foujdary Court; though violence and cruelty on the part of the master are also punishable under it. I have ever been of opinion that the master should be altogether deprived of such power in India; and that, if exercised at all, it should be transferred to the public local officers.

Printed Papers,  
Slavery in India,  
p. 908, para. 11, 12.

7. All slaves in India are under the protection of the law; masters cannot take their lives, without incurring the penalty of murder. They are perfectly competent witnesses in all cases, civil or criminal, whether against free men or others; but I do not think that the civil magistrate has sufficient summary power to interfere for their due protection.

8. The view I take of agrestic slavery in the Tamil country, corresponds much with the relation stated in the question to have existed between villains and their masters, during the later period of villainage in England. Thus a parriah, the slave of his landlord, may, with his permission, enlist in the army as a native soldier, or in the service of an European gentleman, as a servant (and many have done so without their permission), exercising all the rights of free men. Indeed, even if he remains with his master as a slave, I apprehend that, as regards all acts between him and strangers, he possesses the same rights as free men; but these can be properly secured to him only by an enactment of the local Indian legislature, whose silence involves such questions in doubt.

9. The agrestic slaves, in the territories under the Madras Presidency, are not necessarily transferable with the land itself; but in the Tamil country they are almost invariably transferred with it. From this being done, either in a deed separate from that disposing of the land alone, or without any deed at all, a few of the local authorities, from imperfect inquiry, have been led to question the fact, which is notwithstanding broadly stated by others; but I entertain none of the general practice. On the western coast, the slaves, on the contrary, are often disposed of independently of the land. The cause of this difference may be traced to the local peculiarities distinguishing the opposite coasts of the peninsula, as explained in my reply to the Query No. 11.

10. Under the Madras territories, nearly all the domestic slaves are Mahomedans. In the Tamil country, the agrestic slaves generally are worshippers of Shiva, the destructive power of the Hindoo triad, under the form of one of the female energies of that deity, represented often by the village goddess. Several of them, however, are Catholic, and a few Protestant Christians; for I recollect, in Tanjore, objections being raised by the missionaries to their employment in dragging the Hindoo idol-cars. The omission of the magistrate to enforce the attendance of any slaves on this duty, in a neighbouring province, greatly impeded the Hindoo festivals, and created a religious enthusiastic hostility dangerous to the

the Government, which nearly broke out into open rebellion. Orders were therefore issued to cause their attendance as usual. I was consequently unable to relieve any particular class of the slaves from this part of the long-established civil duties common to all, and told the missionaries that such as from conversion entertained religious scruples against it, should find substitutes, or get their masters to send others in their stead; and that, at any rate, I should overlook their absence, unless the matter came officially before me, by the stoppage of any of the established Hindoo festivals, and their masters calling on me to enforce their attendance, which I should do only after proof of its ancient and established usage. On the western coast, I fear it will be found that the slaves generally propitiate the evil spirit alone, and many of them are believed to practise sorcery.

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11. With respect to the sale of slaves, I do not think that domestic slaves are ever sold; indeed I doubt whether such slaves are legally transferable under the Mahomedan law, which, as this particular description of slaves exist only in Mussulman families under the Madras Presidency, seems the only code there applicable to them. But the sale of agrestic slaves is common. They may be sold for the debts of their master; but in the Tamil country, the removal of them from their village, and consequently from their families, would be contrary to ancient usage or Indian common law; and hence the practice of transferring them with the land when it is sold, which, though not necessary in law, is in the Tamil country almost invariably the practice. On the western side of the peninsula, on the other hand, the people, except immediately on the sea coast, are nowhere congregated in villages. Each landlord there is resident on his own estate, and the slaves may be removed from one estate to another, however distant. I have long considered it desirable, as regards the slaves on the western coast, that the Government of Madras should pass enactments similar to those contained in the Bombay code, which provide that infants shall not be separated from the mother until a certain age; and, I think, also prohibit the separation of the wife from her husband.

12. There is no enactment of the British Government, under the Madras Presidency, either to hinder or to promote the manumission of slaves. Children bought as domestic slaves, under the Hindoo law, may purchase back their freedom; but I have already stated that, on attaining maturity, it is usually conferred on them without purchase; and that, whatever may be the text of the Mussulman law, the conversion of such children to the Mahomedan faith, by their Mussulman masters, renders restoration to their families impossible; nor, under the indulgent treatment of the males, is it perhaps desired by them. Their female domestic slaves are seldom made free; but if they have children by their master, such progeny is free; and the children of a male domestic Mussulman slave, married to a free woman, would I think be exempted from bondage. With regard to agrestic slaves, I never heard of any instance of manumission. In the Tamil country they occasionally desert their masters, and thus acquire their freedom; otherwise their children are doomed to hereditary bondage.

15. During the 22 years that I resided in India, or since 1808, no material changes have taken place in the condition of the slaves, in the territories subject to Madras.

14. I am not aware that any measure has been adopted by the Government at Madras, either to abolish or ameliorate the state of slavery on that part of the continent of India which is subject to their dominion, unless the prohibition to sell slaves for arrears of revenue due to them, contained in my letter of the 23d December 1819, be considered of that description. The existence of British rule, the principles of which are hostile to all restraint on liberty, and the maintenance of such principles in the local code of laws passed since 1802, by the Government of Madras, for the internal rule of their provinces, without any enactment on the subject of slavery itself, have no doubt tended to check many gross abuses, previously practised under the native governments, by masters towards their slaves. The vicinity of some of the Tamil slaves to the presidency itself, where the existence of the British code renders slavery altogether unknown, and the facility with which some have taken refuge there, and entered into the service of Europeans, and even into the native army, combined with the circumstance of most of the Tamil slaves belonging to a village community, rather than to individuals, and with the ancient usage or common law against their removal from their native village, have perhaps raised them above their brethren on the other coast; but much remains still to be done, to improve the condition of both.

*Papers on Slavery in India, p. 873.*

*The enlistment of slaves or Parriahs in the native army has of late years been prohibited.*

*A. D. Campbell,*  
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15. In my replies to the foregoing queries, I have given all the information I possess with respect to facts connected with slavery in India.

16. I have ever been of opinion that British policy ought to be directed, not only to the immediate practical amelioration of East India slavery, but to its ultimate, though gradual, abolition.

Printed Papers on  
Slavery in India,  
p. 818.

p. 817.

para. 14.

p. 873.

p. 886.

p. 887.

p. 899.

para. 43, &c.

p. 900.

para 48.

17. In drawing up the Minute of the Board of Revenue of the 5th January 1818, whilst I pointed out the injustice of interfering with the private property which masters possess in their slaves, and the danger of too suddenly disturbing the long-established relations in society subsisting between these two orders, I induced the Board to call for information, from the several provinces, for the purpose of defining by a legislative enactment the power to be exercised by masters over their slaves, and thus preventing abuse or oppression; and with respect to those on the western coast in particular, a legislative enactment was suggested, to prevent their being removed against their will from the place of their nativity, or being exposed to sale by auction, in execution of decrees of court, or in realization of arrears of revenue. In my subsequent letter of the 23d December 1819, the practice of selling slaves for arrears of revenue was directed, by the Board of Revenue, to be discontinued, in the only district under the Madras Presidency where the practice had occurred; and in laying before the Government, on the 13th December, their proceedings of the 25th November 1819, with the information which had been received from the provinces, that Board, at my suggestion, proposed that, by an enactment of the Madras Government, it should be declared, first, that the purchase of free persons as slaves should be illegal, and of course subject to penalties; secondly, that the children of all slaves, born after a certain date, should be free, contemplating of course a registry of slaves, and of their children born previously to such date; thirdly, that voluntary contracts to labour for a term of years, or for life, should bind the individual alone, and not his wife, nor children after the years of discretion; fourthly, that slaves should be competent to possess, and dispose of their property, independently of their master; fifthly, that the purchase of children to be brought up as prostitutes, should be subjected to special penalties; sixthly, that the local civil officers should by a summary proceeding, have power to cause masters to provide wholesome food and decent clothing for their slaves, and to prevent their neglecting them in sickness, age or infirmity; seventhly, that the power of corporal punishment should be transferred from the masters of slaves to the local civil officers; eighthly, that slaves bought by their masters should, by repayment of the purchase-money, recover their liberty; ninthly, that all slaves attached to lands or estates escheating to Government should be declared free; and tenthly, that slaves, on being ill treated by their masters, should be allowed to claim the privilege of being sold to another; and that the breach of any of these rules by the master should, at the option of the slave, entitle him to liberty. It was also recommended, that the share of the harvest granted to the agrestic slaves in the Tamil country, should be augmented at the expense, not of their masters, but of the Government itself.

Having soon afterwards left Madras for duties in the provinces, the fate of these suggestions remained unknown to me, until my attention was recalled to the subject by the receipt of your letter, enclosing the queries under reply; when, on reference to the papers on Indian slavery, printed by order of the House of Commons, I perceived that, by the Madras Government, they were merely "ordered to be recorded."

p. 900.

A *vis inertiae*, hostile to all change, seems inherent in the local governments of India, imbibed perhaps from the people subject to their rule, whose characteristic peculiarity is a tenacity of long-established customs. Even when improvements are suggested by the constituted authorities, the voice of their servants has little weight in favour of new measures. Responsibility is avoided by following the beaten track, and silence is the safest reply so those who propose a deviation from it, even for the sake of humanity. The outcry raised in India against the suttee was long powerless, until it returned reverberated from the British shore; and that against slavery will continue disregarded, unless it receives support from all the energy of the Home Government.

I am unable to suggest any measures for the amelioration and eventual abolition  
of

of slavery in India, less free from objection than those above stated<sup>(h)</sup>. Subsequent occurrences have since induced, from the highest court of judicature<sup>(i)</sup>, a proposal similar to the first; from Mr. Græme, when a member of the Government at Madras, a proposal similar to the eighth; and from him and Mr. Baber (than whom no one possesses a better knowledge of the western coast) proposals similar to the latter part of the tenth of my suggestions. Whilst Mr. Baber himself also advocates one similar to the sixth rule proposed by me. The late Mr. Munro likewise submitted a proposal similar to the fifth of my suggestions, which is the only one of the whole against which I am aware of any objections having been stated. The arguments against it will be found in Mr. M'Leod's letter of the 13th January 1826; but they appear inapplicable, inasmuch as "preventing parents or guardians from assigning children in the customary modes," to be brought up as dancing women, is quite distinct from "the purchase of children" on that account.

But setting the fifth suggestion aside, the absence of any objection against the other enactments proposed by me, and recommended by the Board of Revenue at Madras for adoption by the Government, confirmed as the expediency of several of them has been, by the other authorities I have mentioned, will, I trust, under the moderation, caution and attention to vested rights which I hope will be found to pervade the proposal of the whole, find, for some of them at least, a more able and successful, though not a more zealous advocate.

Your's, &c.

A. D. Campbell.

A. D. Campbell,  
Esq.

p. 923.  
p. 907.  
pp. 907 and 923.  
p. 907.  
p. 934.

p. 935.

pp. 818 and 900.

#### ANSWERS of Captain *Henry Bevan*, 27th Madras Native Infantry.

DURING a period of 23 years' actual military service in India, the principal part of which was actively passed in the field, on the Madras establishment, also in the Dekan, Hindostan and Guzerat, and other states subject to the control or immediate government of the Honourable East India Company, and for the last eight years mostly in the provinces of Malabar and Wynaad, I have had constant opportunities of learning, from personal inquiry and intercourse, what state of vassalage or slavery the lower classes of the inhabitants of the two latter provinces were held in by the landed proprietors and people of substance, tradesmen and shopkeepers; and to which two provinces only, it must be distinctly held in mind, my present observations and replies solely refer.

Capt. *Henry Bevan*.

Reply to the 1st Query.—I know of no description of house slaves. As it would be contamination to admit slaves within the threshold of any house, they are solely employed in cultivation, herding cattle, carrying grain, &c. to market, and in other out-of-door labours, seldom under the immediate superintendence of their proprietor, who when he does attend is obliged to undergo ablutions and other ceremonies previous to entering his own house, which would otherwise suffer pollution, though, during the time of superintendence, he might not have come in contact with his slaves: their proximity while working in the same field is sufficient to cause the supposition of defilement. Such is the degraded state of the slaves of Wynaad and Malabar, denominated chermars, koombers, niades and paneers; such the condition of these unfortunate and debased beings, who are considered as outcasts, and who, previous to the introduction of British rule in India, were placed out of the pale of the civil and social rights of society: even at present they are not allowed to build their miserable huts in the vicinity of their masters' abodes.

2. These slaves are supposed by the Hindoos to have been such from time immemorial, and to have continued in the same state, by the usages of their ancestors, from the most remote ages. Their religion specifies their duties to be of the most servile nature, for which purpose they suppose Providence created them.

3. It is out of my power to state the number of slaves in Malabar, but should suppose that about 10,000 formed part of the population of the district of Wynaad.

4. The

<sup>(h)</sup> In reply to the Queries No. 11 and No. 17.

<sup>(i)</sup> *Vide Papers on Slavery in India*, p. 907.

Capt. Henry Bevan.

4. The protection of the laws is equally extended to these slaves as to all other classes of the native community in India. Slavery is not recognised any more than as an usage, and is merely tolerated in the same manner as the other customs, and civil and religious rights, guaranteed to all Indian subjects, when taken under the laws and government of Great Britain.

5. The food of the slaves is generally a proportion of the rice and other grain which they cultivate, after thrashing it, from which their women prepare their food with various sorts of vegetables, roots, &c. Some have a few buffaloes to milk, rear fowls, and get the refuse victuals of their masters, with salt. Tobacco, to a certain extent, they are allowed to cultivate for their own consumption.

Their clothing is rather scanty, as they seldom get more than a comby, or country blanket, for each male, and a piece of coarse cotton cloth for each female, in the year. Some may get more, in proportion to the circumstances and good nature of their masters, who will permit their slaves to hire themselves out as day labourers, sell wood, grass, &c. when their services are not required in their farms, &c., in order that they may earn something to add to the comforts of their families, and also with a view to relieve themselves from some part of the burthen of their entire support, which is often felt heavily, "the care of these poor beings" not being merely incumbent on their masters from motives of self-interest, but being a duty enjoined by their religion. Sickness among them causes no additional attention on the part of their proprietors, who frequently lose many of their slaves when an epidemic gets among them. Wild herbs are their only mode of treatment when not in the immediate vicinity of European medical aid, which is always administered readily and gratis, when applied for. This, however, seldom occurs, except when the case is desperate, there being a prejudice among those Indians to the European practice, where it is rarely applied and not well understood, although the Government are most liberal, and have native medical practitioners to assist and afford medical aid, especially in the vaccination department, which is, I believe, general throughout the territories under the dominion of the Company. The patients not only receive medical aid, but are even fed while under treatment for small-pox. Of course, these charitable and highly praiseworthy endowments for the good of those poor Indians who have not the means of procuring medical treatment and sustenance while suffering under disease, ought to be generally diffused, and carefully watched and guarded from the abuses to which they are liable, as well as all other institutions.

6. The first part of my reply to Query 1 applies partly to this :

Slaves are never worked in gangs or by drivers. The length of time devoted to labour is generally from six to eight hours, as the urgency of the employment may be, which is more or less according to the season. Coercion, or the lash, is seldom if ever had recourse to, as it would cause the slaves immediately to run away, to the great detriment of the farmer, who has no means of supplying their loss to cultivate his land.

There is no such thing as task-work, and it is only at the season when tillage is carried on that the slaves are expected to work uninterruptedly. The number of actual days-work in each year may be averaged at about 200, deducting days of feasts, and those on which there is no employment.

The slave women and children assist in transplanting the rice, cleaning the corn, and other minor avocations, when required by their masters.

7. The evidence of a slave in the courts of law, under the present state of British jurisprudence, is equally valid as that of any freeman. The slaves in like manner enjoy the same protection and privileges as freemen, both with respect to life and property. Of course these rights, like all others, are liable at times to be invaded, from the following causes : 1st. Distance and difficulty of immediate European interference ; 2d. The venality of the native local civil servants ; and 3d. The want of energy and of a spirit of inquiry for the redress of grievances on the part of persons in authority, who often leave the investigation of complaints to their cutcherry native servants. The latter often possess so great an influence over their European masters as to bias their actions and better inclinations, by the plausible turns they can give to any inquiry carried on in a strange language.

8. I am not aware of the existence of any description of slavery which resembles that of the villains in England.

9. The major part of the slaves of Malabar and Wynaad are attached to estates



as serfs. The rest are attached to traders, shopkeepers, &c., and are used for the purpose of carrying loads, getting wood for fuel, herding cattle, &c. Capt. Henry Bevan.

I should suppose that the slave population was on the decrease, partly owing to the number who have absconded into the Mysore and Coorg countries, which bound Malabar and Wynaad, and partly to other natural causes.

10. The religion of the slaves of Malabar and Wynaad is the Hindoo, somewhat like that of the Nairs of Malabar, but mixed up with more absurd and superstitious ceremonies. They intermarry exclusively among themselves. Their moral habits arise more from the dictates of fear than from innate principle. They will pilfer if they think they may escape detection: perhaps this may be owing to their degraded state. Their character is pusillanimous, ignorant, superstitious and listless. Their appearance is diminutive; they are very dark, have rather flat features, and thick black matted hair; the tone of their voice is guttural and disagreeable; their actions are guided more by natural instinct than by any other principle. The acquirement of real property by them is out of the question, and they can only acquire personal property as far as stated in my reply to Query 5.

11. I am not aware that the practice of selling slaves separately prevails. Slaves are only transferable when an estate or tenement is sold, which bears a proportionate high or low value according to the number of slave families on the property. The quantity of cultivated ground is according to the slave population, and this causes an immense proportion of the waste land in most parts of Malabar and Wynaad to remain uncultivated for want of hands. The cultivated land forms only about a fiftieth part of the territory of those provinces. The law does not sanction the sale of slaves, nor are they liable to be sold for the debts of their masters, except with the estate, as above stated. Slaves are never divided from their families.

12. There is no law, that I am aware of, to prohibit or promote the manumission of slaves; nor is there any hindrance to their purchasing their freedom, which never occurs to my knowledge, either from their apathy of character or from their not knowing if freedom would better their condition. The children are born slaves, and remain so from generation to generation.

13. I know of no change that has taken place since the introduction of British rule in the East, affecting the slaves, except what I have stated in the latter part of my reply to Query 1, viz. the extension to them of the protection of the laws equally with all other classes of the native community.

14. The British Government has discountenanced slavery as far as it has been in its power to do so without breaking its faith with the natives of India, who were guaranteed that all former usages and customs, both civil and religious, should be respected and protected in the same manner as when they were under the sway of the native governments. I am not aware of any immediate amelioration of the state of the slaves. I will hereafter state how far any ultimate arrangements may be effected towards their well-being and improvement.

15. In the year 1821, as adjutant of the corps of pioneers, while employed in the neighbourhood of the Portuguese territory of Goa, I enlisted several African slaves or Caffres, who offered themselves as pioneers, having an impression that the act was perfectly allowable. A few days after they had joined the battalion, a letter was received by the officer commanding the corps, from the Governor of Goa, directing their restoration to the Portuguese families from whom they had eloped, being their slaves, and therefore considered in the light of private property. Captain Richardson, the commanding officer, refused, at my instigation, a compliance with the request, as the demand could not be insisted on, under the plea that slaves and all sorts of slavery were not recognised by the British Government. The Governor of Goa referred his request to the general officer commanding the district, who recommended the adoption of conciliatory steps, by the restoration of the slaves; but the recommendation not being conveyed in the peremptory light of an order, Captain Richardson objected to comply with it, on his former ground of refusal. His non-compliance was ultimately overruled by the interference of the Government of Madras, "who were appealed to by the Governor of Goa," and induced to issue an Order of Council, directing the immediate restoration of the slaves in question to the Portuguese, which was of course complied with, as emanating from the highest authority.

I witnessed, some months afterwards, the marks of harsh treatment endured by



Capt. Henry Bevan.

these unfortunate beings, who had been most cruelly lashed at intervals, and their wounds rubbed each time with red pepper and salt, to make their sufferings more refined and excruciating, which was ordered by their masters as a punishment for their having absconded, and as a warning to deter others from committing a like act.

Although this case may appear irrelevant to the subject immediately under consideration, I trust the liberty I have taken to adduce it, as a fact connected with the question of slavery, and as an occurrence exciting our commiseration and interference, will be pardoned, and that my motives will be considered a sufficient apology; for the case shows in some degree the consequences of slavery, and to what extent it may be carried by an ally, whose very existence in the East is tolerated, if not protected, by the presence of British power. The Portuguese settlements in the East are too weak otherwise to protect themselves, or to make good the footing they are allowed to possess there, their power having long since dwindled into insignificance and disrepute.

16. The British rule, and its best policy, ought to be directed, and may be directed with advantage, to the amelioration of the condition of the slaves of Malabar and Wynaad. To abolish the system altogether, at once, I consider to be totally impossible, without effecting a complete revolution in the manners and habits of all classes, who are divided and subdivided into such numerous castes, as to form a system of subordination and perfect order, which, by assigning in the most precise manner to every individual his rank and duties in the great community, allows no one to remain idle, and provides in the most efficacious manner for the wants of the whole, as a people living under a form of government founded on so solid a basis, that no human effort, no kind of opposition or oppression, has till now been able to subvert or even to shake it.

These sentiments have been expressed by the most enlightened men of all nations who have visited these countries, and I can confirm them from close observation and investigation, which the history of India most satisfactorily illustrates by facts.

17. I would propose that the British Government in India should use its utmost endeavours, by every possible conciliatory measure, to induce the proprietors of slaves to better their present condition, not only from motives of humanity, but for the purpose of trying to effect a change in their habits and character, which are now sunk and debased below the standard of humanity.

Where the masters of slaves opposed the exertions of Government, the slaves might be emancipated, and have ground given them to cultivate for themselves, as the slaves of Malabar and Wynaad have the most insurmountable objection to quit those parts in which they have been born and nurtured.

Immunities in common with all other classes of the native community might be granted these emancipated slaves, after they had acquired ideas and understanding to appreciate these advantages, and had become capable of thinking for themselves. All this must be a work of caution and time.

Tippoo Saib tried conciliation, and, after finding it ineffectual, used coercion and the most unjustifiable methods to subvert the Hindoo system of government, the religion, the usages, and the customs of Malabar and Wynaad; which however failed, partly owing to the means he used, and partly to the causes alluded to in the preceding reply. His bigotry and zeal to force the unfortunate Hindoos to become proselytes to the Mahomedan faith disgusted all. The loss of lives, and the total extinction of some of the most valuable classes, as artisans, &c. in the finest parts of Malabar and Wynaad, are felt to this day, and traces of most flourishing towns, villages and hamlets, may still be discovered throughout those provinces, now overgrown with jungle and vegetation.

It is only for visionary enthusiasts to think of changing the religion and other institutions of the Hindoos. This is my firm belief, after a patient, impartial and strict inquiry, and after 23 years' actual, uninterrupted residence among them, where of late years I have seen every effort of the numerous missionaries fail to convert any Hindoos, or alter their usages, except where some few poor wretches have adopted their opinions from motives of interest, or in consequence of the most pressing distress. No sincerity, or conviction, has ever made a convert to our own faith and religion.

An intimate colloquial knowledge of some of the principal languages spoken in the Madras Presidency, and, I may perhaps add, a conciliatory behaviour and  
respect

respect at all times shown to the religion, customs and institutions of the country, Capt. Henry Bevan. enabled me to gain some information.

I have attempted to show, in this report, that it would be extremely difficult, if not impossible, to change long-established forms among the Hindoos, and also that the slavery, or rather vassalage, in Malabar and Wynaad, is totally different from that of the West Indies, where slaves are not aborigines as in Malabar and Wynaad.

Bideford.

EVIDENCE given before the Lords' Committee, 1830, relating to Slavery in the *East Indies*.

A MODIFIED degree of slavery exists in the Deccan, principally confined to females. There are few Mahratta families who have not female slaves, but it is a domestic and mitigated sort of slavery, not agricultural. In Ramgan there are a considerable number of bondsmen, who in fact have sold themselves for a certain sum, to work for their masters for life; but they may redeem themselves by paying up that sum whenever they please. They come and cultivate for their masters when they like, and they are not forced to work contrary to their will; the only mode of forcing them to work is to withhold their wages. There is no corporal punishment; they are not resold. It is said that the practice of parents selling their children exists; such sales would be valid under the Hindoo, but not under the Mahomedan law. It is only in one district that the bondsmen are numerous; they are regarded almost as children of the family. Under the Mahomedan law, there is some disqualification in regard to the evidence of a slave. Chaplin, 187.

Domestic slavery exists, but there are no agricultural slaves; it is the mildest species of servitude. The slaves are persons purchased in times of scarcity; children purchased from their parents; they grow up in the family, and are almost entirely employed in domestic offices in the house. They are not liable to be resold; there are no avowed sales; children have been kidnapped clandestinely. It is doubtful whether slaves can possess property; perhaps, by the Mahomedan law, they cannot. Persons who have sold their children in times of scarcity come to redeem them, paying back the purchase-money; it is doubtful whether, under the Mahomedan law, they have a legal right to have them back. Slavery is recognised by the Hindoo law. Enfranchisement would not be an acceptable boon to the domestic slaves; to the agricultural, who have mortgaged their labour, it probably would. The children of domestic slaves are slaves; those of mere bondsmen are not. A degree of slavery has existed, in the city of Nagpore particularly, but to a very small extent. In seasons of famine, it has been the practice for people to purchase the children of the poor, who, in order to subsist themselves, are compelled to part with their offspring. These are brought up in the family; and instances occur in which the purchasers are not particular in retaining them. If the parents or relatives claim them, they are generally willing to give them up; otherwise they are used as domestic slaves. There are none attached to the soil. Fleming, 72; and Robertson, 106.

It is not believed that the children of slaves are also slaves. There is no difference in value in the testimony of a slave and that of another person. In Arcot there are about 20,000 slaves; they generally go with the land, and are transferred when the land is sold; they are never sold by themselves, but if the land is sold they go with it: they are so well protected by their masters, that they can scarcely be considered as slaves. The children of slaves are also slaves, but they are never sold. Enfranchisement seldom takes place. Slaves are not capable of possessing property. In Malabar and Canara there are slaves attached to the soil. They are, in fact, a distinct caste of Hindoos. They are born slaves; they are transferred with the soil; and if the soil be overstocked, the surplus slaves are sold or mortgaged, or let out on rent to neighbours. Their evidence is as much relied on as that of the common inhabitants of the country. The master is bound to support his slaves; he may punish them, but cruel treatment is punishable by the Regulations. The slaves have diminished in number, but not by voluntary manumission. Fleming, 73.

The slaves in Malabar are absolute property, as much as cattle; they are bought and sold. A slave generally sells at from 5 to 20 rupees; when leased out, the usual rent is about 2s. a year. There are upwards of 100,000 in Malabar alone. Robertson, 106.

and Rickards, 283.  
 Baber, 204.

Baber, 211.

Baber, 197.

Baber, 207.

They are in a most abject state of wretchedness; they are employed in agriculture, never in domestic labour, by the Hindoos, though sometimes by the Mahomedans. There are none imported now; some were kidnapped from Travancore and Cochin, and many of them found on the plantation of a native-born British subject. There are two instances in Malabar of persons who have been in the situation of slaves becoming proprietors of estates; but, generally speaking, they are not permitted to hold lands; their owners lay claim to everything they possess. In Canara, Cochin and Travancore slavery is of the same character. Perhaps the whole population amounts to 400,000 souls. In Canara the slaves are better treated than in Malabar, as the landholders are in better circumstances, and better farmers. Slaves have been sold as cattle in Canara, for arrears of revenue. The persons employed in searching for gold are the slaves of the proprietors.

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SLAVERY IN INDIA.

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PAPERS

RELATIVE TO

SLAVERY IN INDIA.

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