

## ROYAL PROCLAMATION OF 1812 IN TRAVANCORE STATE AND ITS SOCIAL SIGNIFICANCE

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### **Abstract**

*Although slavery and slave trade had been practiced for thousands of years all through the Indian subcontinent, no one Princely State in India took proper legislative measures for prohibition of that most barbarous evil until 1812 C.E. when the Queen of Travancore first released the Proclamation of 1812 for abolishing this evil from the society. An event connected with the sale of some children of Travancore in Malabar in 1812 was the real initiative for the Government realised that, a legislation would be necessary to prohibit slave trade in Travancore and finally the Queen Gowri Lakshmi Bai had released the Proclamation of 1812 to abolish slave trade. It was the historic beginning to put an end to the cruel practice of reducing the equal human being to the level of animals. In this research an attempt has been made to analyse the origin, growth, conditions of slaves, circumstances which were responsible for the emancipation of slaves, eradication of the institution slavery, coherent efforts undertaken by the rulers of Travancore and British Raj and the social significance of the Royal Proclamation.*

**Key Words:** *Proclamation, Slavery, Eradication, Inhuman Practice, Extirpate.*

### **Introduction**

Slavery – the inhumane practice of buying and selling of human beings more like cattle and exported them to other places from their birth place, without considering their rights over

their native land – was rather a worst tradition in Travancore. The same practice had been seen in other provinces of British India. For which some kinds of remedial measures had to be taken by the Government so as to prohibit selling human alive. The ancient Hindu and Muslim traditions recognized the maintenance of slaves for their house hold as well as agricultural activities. The practice of slave trade in India might have originated during the days of Narada (600 B.C.E) or even before that. In Travancore, such a tradition of slave trade had been allowed for hundreds of years and was then abolished by the Proclamation of 1812 by Queen Gowri Lakshmi Bai. In this paper an attempt has been made to analyse the origin, growth, condition and the circumstances that led to abolition of slavery.

### **Origin of Slavery in Travancore**

The Sage Narada (6<sup>th</sup> Century B.C.E.), in his Smriti Sastra, classified slaves into fifteen categories:<sup>1</sup> (1) *Grihajata* (one born to a female slave of the house), (2) *Krita* (one brought from someone for price), (3) *Labdhas* (one obtained from streets), (4) *Dayadupajat* (one inherited by a slave man), (5) person who sold himself to a master, (6) persons who surrendered in wars, (7) student following asceticism, (8) *Anakala Bhrita* (one cared during a famine), (9) person pledged by a owner, (10) slave for debt, (11) *Panijeta* (one won in a stake), (12) person who came to a family and said he could not live, (13) *Kritia* (slave for constituted time), (14) *Bhakta das* (person come for food), and (15) *Bhdavahrita* (slave of a man's bride). Manu (200 B.C.E.) divided the slaves into seven categories: (1) one captured in war, (2) one maintained in consideration of service, (3) one born to a female slave of a house, (4) one sold himself to a master, (5) one inherited from slave ancestors, (6) one donated as gift to a master, and (7) one enslaved by the way of punishment.<sup>2</sup> Both these ancient Hindu Laws further elucidate that slaves cannot have property of their own since what they had earned belong to their masters, and that any person who is not under any of these categories just mentioned above should not be considered as a slave.<sup>3</sup> Since Narada Smriti and Manu Smriti are supposed to have appeared between 600 B.C.E. and 200 C.E., it is concluded that, in Travancore where Hinduism was the tradition and the evils of famines and hostilities were frequent, slavery might have originated in the society much before the beginning of the Christian era. When the Brahmins migrated to south, they occupied high place in the society. The reason was that the rulers believed that they were totally devotional all the time and had morality which is defined by Hindu Laws. Further,

they convinced the Kings that the caste hierarchy was created by God and the last caste groups, Sudras, were really created by God only to serve for Bhramins, Kshatriyas and Vaisyas in the world, which was the beginning of enslavement of low caste people in Travancore. In Travancore Pulayas, Parayas, Paravas, Kuravas and Vettuvans belonged to the lowest section of the society and were generally regarded as slaves for several centuries.<sup>5</sup> The slavery that had been practiced in the state became a flourishing industry when Arabian and Dutch merchants set their feet in Travancore for trade and chosen the slave trade as one of their businesses for earning.

In Travancore, the castes below the status of Nadars and Ezhavas and all the tribes were once considered and treated as slaves by high caste people who hold some priority in the caste hierarchy, because of which the Pulayas, Parayas, Paravas, Kuravas and Vettuvans got neglected for their closeness. There by the new evil of practice of untouchability began. The same was imposed on Nadars and Ezhavas during the reign of Marthanda Varma (1729-1758 C.E.). Almost all sorts of slaves, as mentioned by sage Narada, were common in Travancore, but the slaves conquered by wars and persons sold themselves to someone to escape from famine were most intense categories of slaves in this land of Charity.<sup>6</sup> Hostility with which the Kings mostly struggled in their life time was not only a threat to life of people but also put them in slavery since most rulers captured the vanquished soldiers, their wives, children and properties as their own property and used them as slaves for reconstruction of their damaged citadels, houses and others; some evidences show that the Raja Marthanda Varma had sold the women and children of eight Knights, who were extirpated in 1732, as slaves to fishermen.<sup>7</sup> During the time of severe famines, many parents voluntarily used to sell their children for petty sums of money to work in the houses or in the fields of the rich as a way to escape from the famine, but their masters most often declared their rights as permanent slaves of the family. Under certain dreadful circumstances males often sold their wives to rich people for money and they themselves sold to landlords. The way to acquire slaves for trade in Travancore was found to be very inhumane because (1) poor economic background of the low class people, the traders seduced them, purchased them and exported them to any other parts of the world, which was quite evident in cases of Kuravas, Pulayas and Parayas,<sup>8</sup> (2) they kidnapped children and free-born children from streets,<sup>9</sup> and (3) they forced the high caste women to the event of pula pedi,<sup>10</sup> meaning sexual contact with Pulaya. In which Pulaya males were motivated to make sexual contact with Nair or

Brahmin or Vellala women, which was then brought to the knowledge of their castes with the intension of declaring the women as out caste for being treated as slaves by the King. Thereby King had the right to sell them as slaves. In addition, the high caste females, who were exposed to punishments when detected in immorality or violation of caste rules and regulations, were treated as slaves. Hence, Brahmin women who lived with low caste men immediately became untouchables and naturally became slaves; Nair women who violated the rules of their caste were liable to be sold, and so was Vellala women in Travancore in those days.

Fra Palino, while writing the tradition of Travancore, makes out a point that in 1787 several thousands of persons were being sold annually like cattle and sent out of the country. The slave population in Travancore in the early 1810s was 1,30,000 persons<sup>11</sup> who were mainly put in wet-land cultivation or served as pannikars.<sup>12</sup> In 1811, Mr. Baber, whose duty was to conduct official meetings with Residents in the Royal Courts of Mysore, Coorg, Cochin and Travancore as per the order of the British Crown, had pointed out that rather a worst event of slave trading in Travancore was kidnapping children or free-born children on the streets by providing some eatables to them. Such kidnapped children were sold to Europeans planters and traders. They used them in the East India Company's administration especially as labourers in the plantation areas. In plantations, they were treated as bonded slaves.<sup>13</sup>

### **Life Conditions of Slaves in Travancore**

Slavery was an evil found to be reported in all castes, from the Brahmin to the Sudras. Greater numbers of Hindu slaves were sold to Muslims compared to the numbers of Muslim slaves sold to Hindu masters.<sup>14</sup> It is often noted that a Hindu did not lose his caste by becoming a slave. Hence we could understand that caste system was also rigid. At any cost slaves had to forfeit his master to whom he was bonded for caring and service. In no way slavery was considered as a crime as the Hindus had accepted this as their ill-fortune that had come to them by birth. It was simply presumed to be a sacrifice to the masters till their death.<sup>15</sup> The social institution of slavery did not permit the slaves to own property, even of his own earning, if not by the indulgence of master to whom he was surrendered. But there was no way for his rescue and emancipation too.<sup>16</sup> In some special case of saving his master's life, if he demanded his freedom or his son's freedom or a female slave bearing issue to her master, he or she may be released from the slavery, but it was rather a rare event in slavery.<sup>17</sup> If the slavery was a temporary event

until return of debt or servitude for a particular time point, then the slaves were freed after the approved time from bonded condition.<sup>18</sup>

Slaves were classified into two, based on the nature of their service. One was *agrestic slaves* who were put in agricultural works and another one was *domestic slaves* who were employed in houses of rich people. There was also a custom in which slaves were shifted from one master to another master at times when there was demand of slaves. In which the master, who needs slaves, had to pay *jenmum* (sale price) to the original master. After the payment the slave had to work for the new master as he was under the previous master<sup>19</sup> sometime slaves were purchased for the safety and protection of masters. In some occasions, slaves were shifted from one master to another master for *kanam* (contract). In which the proprietor would get two thirds of the price of the slaves and certain quantity of paddy every year. When he claimed the slaves back, they had been returned on reimbursement of the money he had borrowed<sup>20</sup> another way of exchange of slaves between the masters was *pattam* or rent. In which the price fixed for a male slave was eight *Panams*<sup>21</sup> and for a female slave was four *Panams* as annual rent. In all such exchange of slaves, if a slave died while he was in the custody of the alien master, he should return a slave of equal value to the proprietor.

Slaves were denied any kind of exposure. They did not have the right to get any kind of tutoring. Their dwelling place was nicknamed as “*Cheery*”, their huts were called “*Kuppakacha*”<sup>22</sup> and their children were often known as “*Monkeys*”. With the fear of their master, the slave did not speak to him by looking at his face and if he wanted to speak to the master, he had to place the hand over the mouth so as to keep his breath not going forth to pollute his master.<sup>23</sup> If not so, he was given the punishment of beating on his back with bamboo stick again and again harshly. There were many unpopular taxes in Travancore state. An unusual tax called *adimakasu* was imposed on persons for having hairs on the head, moustache on face, wearing cloth before knee level, wearing cloths above hip and for wearing ornaments, and, as all these expenditures had to be offered by the master, for whose escape from such unjust taxation by the government, the heads of the slaves were shaven into bald, male slaves were not allowed to have moustache, female slaves were not permitted to wear even silver ornaments, and again slaves of both sexes were not allowed to wear cloths above hip and below the knee level.<sup>24</sup> These are of course the indirect consequences of unreasonable taxation on slaves that were left unnoticed by the Government at that time. Owing to this reason, those who were making use of

this situation for their own favour had extracted more blood and flesh of slaves and treated them even less than cattle in their houses. For the benefit of the master, the slaves had to work without rest all through the day, from morning to night, under the scorching sun, for which they could get inadequate amount of food. That too if they had work only they would get otherwise it was hard to obtain for their hunger.

Masters thought that slaves were born to work under them. As they were treated as they were not given necessary care. Further, not only masters but also high caste people in their vicinity looked at them with an evil eye that even if the slaves were killed or ill-treated in rather most horrible manner of teasing or throwing pebbles over them, no one would really question them. Hence the upper caste people committed many atrocities over the slaves.<sup>25</sup> As has been revealed elsewhere in this part, there was a nastiest tradition in Travancore that low caste people and slaves were prohibited for coming near the high caste people and they had no right to walk through public roads, to enter the market and public places, to fetch water from public well and to take bath in temple wells and tanks.<sup>26</sup> The high caste people believed that these low caste people were not only untouchables but also unapproachable too. So that they were worthless things eating the flesh of dead animals and settling in huts hither and thither in the locality.<sup>27</sup> The only ceremony to which slaves were called for was funeral of caste Hindus, wherein they were let to beat the traditional beating instrument called "*Thappattai*" before the dead corpse and while carrying the corpse to the funeral yard or graveyard, for whose participation they were given some *panam* (money) and rice.<sup>28</sup> Since they maintained distance from the caste Hindus all the time in their life, such death ceremony seemed to be the best occasion for them to approach the closeness of high caste people and it often gave them a feeling of relax from lifelong negations and neglects.<sup>29</sup>

Even for simple things to do, they had to acquire permission of their masters. They should call their masters as "*Thirumeni*"<sup>30</sup> because the masters were all for the slaves. For instance, if a Pulaya slave wanted to marry a girl, the first thing he had to do was getting permission of his master to whom he was bound. The reason was that the expenses of the marriage would be met by the master. After the marriage the newly married wife of the slave should serve her husband's master all through her life and all children who were born to them were actually inherited slaves of the master.<sup>31</sup> If the master found out any guilty of the slave, the

husband, wife and children were brought to the market like cattle and sold or auctioned without kindness.<sup>32</sup>

The status of slave women was full of threats and sorrows due to dominance of the caste Hindus who happened to be their master in the slavery by the God's grace. They were compelled to do various manual works such as transporting the seedlings, transplanting, weeding, thrashing the paddy and cleaning in the agriculture fields and road construction, building works and others, for which they were given only low-wages.<sup>33</sup> Further, such slave women were most often sexually exploited by villagers and the masters in public places and even in their houses but they could not resist such violence, rape and atrocities done by caste Hindus.<sup>34</sup>

In Travancore administration, the rulers had appointed local landlords as tenants of government lands for the purpose of cultivation in the fields. For which the government had collected taxes from them like crop tax, poll tax, cattle tax and others along with prescribed tax in the form of produces and rupees. The government never minded the atrocities and cruelties committed by the landlords on the slaves in order to increase the agricultural production. Slaves were compelled to render their *Uooliyam*.<sup>35</sup> In fact, this approach of rulers was rather encouraging the high caste people to put the low caste people as slaves without any fear of government and to do untold cruelties upon their peasants.<sup>36</sup> Indirectly rulers thought that it would boost up the economy of the country. So slave institution was perpetuated in Travancore by the rulers and the wealthy high caste people. They have no mercy on poor slaves.

### **Proclamation for Abolition of Slave Trade in Travancore**

Some historians stress that Rani *Gowri Lakshmi Bai* after realizing the evils of slavery released the Royal Proclamation of 1812 to abolish slave trade in Travancore. While some others argue that the Queen had enacted this proclamation as she was requested to do through the Resident cum Dewan Colonel Munro. Literatures however reveal that a dispute relating to sale of children of Travancore in Malabar and inappropriate judgment for it was the real reason for the Dewan to urge the Queen to release the Proclamation of 1812 to abolish slave trade in Travancore.

Mr. Baber, who was the British officer appointed to inspect Travancore, Cochin and Malabar. He had found out in 1812 that eleven children of higher castes were kidnapped and sent to Malabar where they were put into slavery at *Anjarachandy* Company's Plantation for growing

coffee, pepper, cinnamon and Cassia.<sup>37</sup> Besides this, the kidnapped people from the Travancore were carried by merchants and travelers to western provinces and sold as slaves. Even the King Rama Varma, the predecessor of Gowri Lakshmi Bai, replied to a Judge of Malabar, when he was questioned about slavery of Travancore, that the practice of kidnapping for slavery had been exceedingly common among the free-born people but was not confined to bondmen who had been settled in houses.<sup>38</sup> This Magisterial enquiry also noted that there were several children, who were kidnapped from Travancore and sold as slaves in the farming places of Malabar. Further the enquiry noted that Mahe and Irvanad, the two criminals residing in Allepey, were found associated with the slave trade. In the reply to the magisterial enquiry, Mr. Brown who was the managing authority of plantation strongly opposed that the sale of slaves was specifically permitted by Mohammaden Law that was followed in Malabar. And no question was raised against him for about 13 years as he had purchased slaves from other provinces.<sup>39</sup> When the government issued order to release the slaves from the plantation of Mr. Brown, he replied that he did not know whether they were kidnapped or purchased from their parents. But it was Baniyan Belle who had brought them to his plantation until his return from some other business, and that he could not have objection to hold them because he had realized that the complaint was already lodged before the Magistrate.<sup>40</sup> From further enquiry it became clear that Mr. Brown had sent Wallabagatta Assen Alli, who was the culprit in this case, down to Travancore to purchase 15 slaves for the plantation and 10 slaves for himself. But he, instead of purchasing 15 slaves, had purchased 25 slaves on Brown's money and 17 slaves on his account, which led him in trouble that, while he had tried to dispatch nine slaves, he was stopped by police officers of Travancore Government and produced him in the *Cuttchery* (court) at Mavelikara, where he had been imprisoned and a penalty of Rs.1000/- was charged.<sup>41</sup> As the matter that Assen Alli was fined Rs.1000/- appeared on Malabar Daily, Brown had realized that the children had been illegally brought there and sold to *Maplas* who were merchants intended to carry them to the north. Having known what had been going on in this case, the magistrate informed the Resident cum Dewan of Travancore, Colonel Munro, about his arrival to enquire Assen Alli. To which Resident Colonel Munroe had a special interest because he was too absorbed in the matter that about 400 children had been exported from Travancore in the last seven months as per police records.<sup>42</sup> By the words of Assen Alli it became clear that as soon as children were kidnapped they were sold to Europeans or Jews who were interested to have such slaves in their houses and

plantations for works. Since the matter was concerned with two provinces and Mr. Brown was in Malabar where Mohammeden Law was the rule, the Resident wanted a Magistrate enquiry of this case with the intension that in whatever way he should rescue the children from Mr. Brown by way of legal measures of Travancore.<sup>43</sup> On 5<sup>th</sup> November 1811, Assen Alli said that he had bought five Pulaya children for 312½ *panam*, one Kolakaran boy and a girl for 125 *panam*, two children of Mannan Pulayan caste for 211¼ *panam*, and one boy and a girl of Cooty Panney for 125 *panam*, which implied his rights over the slaves as his own property and thereby Mr. Brown's.<sup>44</sup> The absolutely unanticipated thing that happened in the judgment was that the magistrate of Malabar was totally on the legal side because "*without any prior information he had removed the children from the plantation in which Mr. Brown had placed them for works and it deprived the service of children to their bondsmen, which would affect the Brown's business in his premises.*"<sup>45</sup> Further, the magistrates told that Regulation XI of 1809 C.E. could not consider the kidnapping of children as theft, so that the kidnappers could not be treated as thieves. Further, the master who purchased became the holders of property (slaves) which was again too distant from degrees concerned with this act. The most essential point the court had stressed was that *some new Regulations should be introduced in Travancore and adjoining province of Canera for preventing the export of subjects of Travancore to other provinces*<sup>46</sup>, which was to put an end to such traffic for while as there was no legislation to cope with.

From the above judgment, the Resident Munro had come to a clear idea that unless Travancore Government had adopted and carried into strict execution of necessary regulation it would not be possible to prevent its subjects being exported as slaves to other countries.<sup>47</sup> Therefore, the Dewan urged the Queen Gowri Lakshmi Bai to make a Royal Proclamation for abolition of slavery in Travancore. It was the first bold step taken by the Britishers to prevent slave trade in the Princely State of India. After realizing the necessity for an Act to prohibit slave trade, the Queen Gowri Lakshmi Bai announced the Royal Proclamation on 21<sup>st</sup> Vrichikam 987 M.E. (7<sup>th</sup> December, 1812) notifying the abolition of slavery in Travancore.<sup>48</sup> According to that proclamation, irrespective of their native man, no one should purchase boys and girls of low castes at cheap rates and sell them at higher prices anywhere in Travancore and other provinces for sake of economic profits; taking them to a distant places where there was demand and pay tolls at sea ports and thus make a regular bargain of them was an offence. Since slavery was an inhuman practice that has to be prohibited. From the government side it was declared that no

person should be involved in slavery in any form. Therefore, it was proclaimed that land holders were prohibited to have slaves. No one was allowed to buy and sell children. Those who violate this Royal Proclamation of Travancore would undergo severe punishments. Their property would be confiscated and they themselves would be banished from the country. This was the first native law in India to prohibit the evil social institution called slavery in India.

### **Success of the Royal Proclamation of 1812 and its Social Significance**

After the Royal Proclamation of 1812, there was notable decline in the open slave trade in sea ports and other areas in Travancore. But there was no evidence for complete abolition of slavery in Travancore. One report that encourages this assumption is that Colonel James Welsh, during his travel from Cape Comorin to Goa through the West Coast in 1832, had seen about 3,00,000 slaves. They were Hindu aborigines, moving here and there in agriculture fields and plantations.<sup>49</sup> Further, in 1832, the Judge Baber had surveyed that there were 48,000 slaves in Travancore while the slave population was 1,00,000 in Malabar and 3,24,000 in Thirunelveli.<sup>50</sup> From this data researcher could assume that the Royal Proclamation of Rani Gowri Lakshmi Bai might be the reason for the decline of slave trade in Travancore. Hence, it paved the way for the removal of slave system in Indian society.

After about 30 years, the Government of India had enacted the Act of 1843 for complete emancipation of slavery in all areas of British India and provinces which were under the protection of the East India Company. However slavery existed in many places including Travancore. Christian Missionary activities dominated in Malabar region. They noticed the existence of this inhuman practice in Travancore. They brought it to the notice of General Cullen and requested him to liberate all the slaves in Travancore. He took this matter to the Resident in Travancore. Hence, the Resident requested the Utram Thirunal Maharaja to relieve all people from slavery. In response to it, in June 1855, the King issued the Revised Proclamation for prohibition of slavery in Travancore state. However, slavery and slave trade came to end when the Indian Penal Code having sections 370 and 371 to punish anyone who was found guilty of involving in slave trade. Due to the efforts undertaken in the Travancore region, the evil institution disappeared and the Indian Penal Code also supported it. Though the seeds were sown in 1812 in Travancore State for the abolition of slavery, it was completely eradicated in Independent India. It is a mile stone in the history of mankind. Otherwise this indecent practice

would have been perpetuated and large number especially lower castes in the Indian graded social structure may be affected by this evil institution.

### Conclusion

It is therefore concluded that a Judgment made the Resident Colonel Munroe of the Malabar region to think and initiate for the declaration of historic proclamation in the Travancore State in 1812. The Resident thought that the children could be rescued by a mere Magisterial Enquiry but he was shocked when decree of enquiry was not in favour of children because there was no act to prevent the sale of Travancore children to adjacent provinces at that time as it was a custom in the society. The Magistrate stressed the Resident that some new Regulations should be introduced in Travancore and adjoining province of Canara for preventing this cruel practice. It was the real motivation for the Resident cum Dewan to urge the Queen to enact such a proclamation. The Queen Gowri Lakshmi Bai, after critical examination of need for an Act, released the Anti-slavery proclamation on 7<sup>th</sup> December, 1812 C.E.

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12. At that time the slave population of Cochin was 1, 50,000, of Malabar was 98,386, of Canara was 80,000, of Arcot was 3, 04,306, of Bombay Presidency was 40, 00,000, of Dehradun was 24,527, of Bogipur was 20, 60,000, of Assam was 8, 00,000, of Hyderabad was 1,50,00,000, and of Bihar was 27, 55,150, which implies that slavery was common in other provinces of India.
13. William Adam, *op.cit.*, p.145.
14. Report of Official Documents, Slavery and Slave Trade in British India, Thomas Ward & Co, London, 1841, p.i
15. *Ibid.*, p.iv
16. *Ibid.*, p.7.
17. M.K. Sanu, *op.cit.*, p.43.
18. *Ibid.*, p. 58.
19. T.H.P. Chentharassery, *op.cit.*, p.36.
20. *Ibid.*, p.39,
21. Panam (also fanam) was a type of coin issued by Travancore Government; 1 panam = 64 coins (kasu); 7 panams = 1 Travancore Rupee; 1 Travancore rupee = 1 British India rupee.
22. The Malayalam term “Kuppakaacha” means “*ash boiling place*”.
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