

FRANK LEACH, C.B.E., O.B.E., M.C.

b. 8 May 1898.

Military Service.

B.A., Oxon.

C.C.S. 1921 - 1947

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13 May 1921	apptd. to C.C.S.
15 June 1921	attached to the Secretariat.
15 Nov. 1922	O.A. to A.G.A., Hambantota.
1 Oct. 1923	Asst. Settlement Officer.
11 Sept. 1925	on leave.
23 March 1926	resumed duties as Asst. Settlement Officer.
22 April 1929	O.A. to the Dir. of Medical & Sanitary Services.
23 Jan. 1930	Asst. Settlement Officer.
2 Aug. 1930	on leave.
29 Jan. 1931	Additional A.G.A., Badulla.
23 Feb. 1931	A.G.A., Badulla.
21 April 1932	A.G.A., Hambantota.
July - Oct. 1935	on leave.
17 Dec. 1935	Asst. Chief Sec. and Sec. Public Services Commission.
2 Nov. 1937 to	also Sec. to Bracegirdle Commission.
2 Aug. 1938	
Nov. 1939	on leave.
March 1940	Censor.
Oct. 1942	Com'er of Commodity Purchase.
Sept. -Dec. 1945	on leave.
April 1946	Acting Com'er, War Risks Insurance.
Nov. 1946	on leave.
1947	transferred to the Gold Coast (Ghana).

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Comments on Interview with Mr. F. Leach, C.B.E., O.B.E., M.C., 20.12.1965

Having had a bath before entering a warm room I am afraid I was rather fuzzy and sleepy during the first part of the interview. I should also add that Mr. Leach had a glance at my questionnaire and particularly at the section on Land Settlement before we commenced on the recorded interview. This explains some of the references and exchanges on record: i.e. he had a sense of what I wanted and the questions were not always new.

Mr. Leach is 67 years old, a tall and well built man; a Yorkshireman who was at a semi-public school and graduated in Mathematics at Queen's, Oxford. A very practical type who could put things together: i.e. mechanically minded.

What was most useful was the relative clearness of his memory. Anecdotes apart, he remembered many of the details of his work though exact dates etc. were hazy at times. He was also able to provide examples from his own experience. Because of this he was at times worried about the impression that he was blowing his own trumpet. A very able man who was aware of his ability and naturally remembered his best achievements, he was yet modest and did not want to push himself too far.

His experiences in the L.S.D. were particularly valuable and I got on to this subject at once - But while he had considerable field experience and liked it, he also surprised me by his interest in office work and office methods. But he was far from being a Secretariat-wallah. Indeed he would have been an useful man to have there. One should note that he liked privacy and did not enjoy the social side of Secretariat work, and had no hankering for jobs like Private Secretary to a Governor. On political matters he showed a fair degree of interest. Was interested in the deeper questions of administration etc.

Undoubtedly an initiator in the field and in the office; an efficient officer; not hidebound by red-tape. Receptive to other ideas. During the interview, he was quite fair towards the politicians and not out to tar them or anything like that (as my questions on Land Settlement gave scope for).

Gimson, I believe, has a high opinion of Leach and I think Admiral Layton had a similar regard for him. I should tend to give great weight to his evidence as well as his opinions. I do not think he was trying to eulogise British achievements at all, or that he was very guarded in his statements because of the tape - the occasions when he asked me to knock the tape off usually related to something pertaining to himself of a laudatory nature. He was taking a historical and analytical view of matters and I am certain that he realised that my intentions were to get such a picture. When leaving - we had been discussing personal and anecdotal matters - he quipped about my writing a history entitled 'Scandalous Stories of the Civil Service'.

A shrewd judge of men I should think. But note that his assessment of Caldecott was higher than Gimson's or Davidson's. Seems to have been friendly with Miles - and from what he said I might be wrong in some of my points regards Miles. Conservative, I should think, in political thought. Takes the Daily Express.

INTERVIEW WITH MR. FRANK LEACH: C.B.E., O.B.E., M.C.

20 December 1965.

- I. Just for the record, what were the areas in which you did Land Settlement work?
- L. Kurunegala - the North Western Province, was my main area, but I trained in Sabaragamuwa a little bit. You see, one used to go out with Senior Settlement Officers, when you were young; one went to Sabaragamuwa or Kegalla or somewhere like that.
- I. Yes, with whom did you go out?
- L. Well, generally with the Senior Settlement Officer, who was Archibald, or Stace, or Wait, I think, it was at one time. Generally speaking, I was in charge of the North Western Province for most of my time.
- I. Would you say that in the Land Settlement Department, because of this sort of training, precedents counted for a lot?
- L. Precedents in what?
- I. In the practice; in what you
- L. Well, in all Government Service, precedents must count a lot, because a Government can't afford to treat Mr. A. different to Mr. B.
- I. No, I was not meaning that as such, but I was wondering whether the policy or the practice which you followed was something you got from paper instructions or from what you had picked up on the field from others?
- L. Well, policy was general to all; I mean, the main idea was that you settled the village. You see, what you were doing, you were marrying two claims, the Crown claim to the land, and the village claim to the land, which was really right of user, rather than ownership, you see. And if you go back in history, the main basis for it was that the land belonged to the Sinhalese King. The successor of the Sinhalese King was the Government. Well, then when the [E.I.C.?] was administering
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the country early in our occupation, they didn't bother about land. This dry land wasn't worth anything, nobody wanted it. Then when tea, coconut and rubber came in, and started giving commercial value to the highland, more than the paddy land, well then, people started - speculating came, and people started buying, what in law, you might say, rights of user. Well, it was our policy to settle the land on the villagers. I mean, there are different classes of village, you've got to remember. There's what you might call the chena village, where it was not much good dividing up the land and giving them in blocks, because they couldn't cultivate it other than as chena, and it was no good giving..... I mean I'm talking about things in Anuradhapura right in the north of Anuradhapura or the northern part of the northern part of the North-Western Province where chena cultivation for some years was the only possible ... because the soil was so poor. We had to allow for the extension of gardens, and things. Intensive cultivation, but otherwise, further south, where the land could be cultivated, the tendency was to divide the land, the chena land, up according to the inheritance of the various clans. In other words, in those villages, it became a gigantic ^{partition} ~~plantation~~ case.

- I. I see. Now the Ordinance helped the Settlement Officer to claim the land as Crown, and then to divide it up as he wished
- L. Well, the thing you've got to remember, it was a very difficult job for a Settlement Officer, because he had no judicial function. The system was that everybody - you put a notice; 'who claims this land'; and claims had to be received by a certain date. Well, owing to the inheritance, I mean, large tracks of land might be claimed by a certain family, another
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large tract - so one man might claim one thousandth part of that tract. Not a particular bit of it, but an undivided share of it. And that tract would cover everything, I mean, planted land, and everything else in that area. And roads - the things you wanted to keep were roads and reservations, and the way you settled the village was, you had to get an agreement from every claimant: 'In consideration of my being sold, given, or whatever it was, so many acres of this

I. You give up the

L. '.....I withdraw claim to the rest.' And if one man stood out, that village could not be settled.

I. Did that happen often?

L. Oh yes, sometimes, not very often. Because the alternative was, then you came on to the Ordinance, and said right, is this land Crown, or not. Then you referred it to Court. A case against that man in Court, which, unless there was some other thing like a sannas^① or some other thing like that, the Crown won. But it took a long time, and you still couldn't deal with the other villagers, because by the time that case was settled half these people had died, and left lots of heirs, and other people had to be substituted, and all that sort of thing. But that was a fundamental thing. There was no judicial thing about it. You had an agreement with everybody, that that is their share.

I. I see. And so the question of deciding whether it was Crown or private only arose when people were obstinate in this sense?

L. Yes, you went on the fundamental basis that it was Crown, but then you were prepared to divide it up. Not necessarily the whole land, because you'd probably keep up your sleeve a bit wanted for a school, or something like that, or forest,.....

① Royal grants of land written on copper or gold plate or on ola leaf.

I. Yes, that's right.

L. It might be kept as a forest reserve or road reservations, stream reservations, things like that. It depended on the population of the village. I mean, in some cases, all the land would go to the villagers. In other cases you might give three quarters of it, and leave some in reserve. In other cases, of large extents, if you were satisfied there was enough for the villages, some might go to outside capitalists. But the Settlement Officer didn't sell the land to outside capitalists.

I. Yes, you just reserved

L. [That was not his job]. Later on, the land was passed to the Government Agent, and of course, in later years, that then became - mapping out was done, and provided land for the future. It was the G.A.'s job to map out, although, later on, as far as I remember, the Settlement Officer gave recommendations in his report

I. Which would generally be followed?

L. I think so, yes.

I. This process of defining various claims. Say you decided to settle a block on Punchi Singho. Was that, in fact, proper title?

L. Indefeasible title.

I. Indefeasible title.

L. You've got to remember there were two sections of a Settlement Officer's work. One is dealing with land which had not been planted, which was under five years age at the time of settlement. That came under the Land Settlement notice, under an Ordinance. Other land, which was intermediate, was sold by the Crown as Crown land, without being declared land under the Ordinance. So normally speaking, you had - people vary

on this - but I usually had my land sale first. Then if there was a dispute, brothers claimed it, planted, and they might have claimed some of the unplanted land - I would withdraw it from sale, and leave it. Then later on, - as you know, if one brother planted the land other brothers too had an equal claim to it - ... So when it came to the settlement land, I would say, right, well, if I agree to sell this to brother 'A', he will get so many acres of the unplanted land, you see. He agrees to it, so one used to work in the sales. not under the Ordinance, in conjunction with the settlements under the Ordinance. So you did then try and divide it according to inheritance. I mean, you'd work out a whole family, what is it, panguva,^① pedigree, or whatever it is, and work out the shares of each person, and that he was entitled - I mean, his mother married so and so, and he inherited from so and so - and then eventually what had been sold, I used to go to the Land Registry, check up all the deeds on this land, and find out who had sold land, and then work out what the shares were. In other words, it was like a partition.

- I. Partition. Did you find these Kandyan marriage laws rather complicated?
- L. Well, it was complicated in the sense that it always messed up the settlement, because it was the planters, and the land speculators, who always went and bought land from a diga-married woman, or the sons of a diga-married woman,^② who really had no claim.
- I. No claim to the land.
- L. Yes, and they would try and prove that she was married in binna or somewhere. It was all hearsay evidence, but one had to go I mean, that's why these people used to buy

① Share or shareholding.

② A woman who married in diga went and lived with her husband and gave up all claim to her father's land. Those who married in binna retained this right, their husbands' coming to live with them on the family property.

all these doubtful claims from somebody who really had no title. They would go to the family, and then for five rupees or a basket of fish or something, they would get in possession, and there they were, you see.

I. Did they also sometimes buy up a whole block of land from one out of ten owners, or something like that?

L. Oh yes, yes. Mind you, the villager wasn't quite so innocent as people think; I mean T.Y. Wright^① would probably grumble at this one. A planter would probably buy from one owner a tract of land, and then, they would wait ten years, or something, till its nice rubber, and say, 'Come along, you bought this from my brother, I have an equal share,' you see, and then get a hundred or two hundred rupees out of the planter, and then another year later, somebody would come along and say, 'Those two brothers had a third brother, and I'm their children^[sic]' Of course, the planter couldn't go to court because, having bought from one brother he opened the door to all the others, so he was open to blackmail.

I. Yes, but this is where T.Y. Wright is wrong in saying that he pretends that he checked up and got a definite title, when, in fact, quite probably, he had only bought from one brother.

L. May be, or may not. But of course, it still goes back to whether he was right in buying it at all, you see.

I. But what strikes me, is that sometimes the planters were quite foolish in this sort of thing. What was essential for them was security of title, and they yet went and bought land on a very flimsy?

L. But they got possession, and planted the land.

I. Yes, but still, it's on an insecure basis.

L. Yes, subject to settlement. But if the land was worth 1,000

① He had seen my questionnaire where I raised a complaint ^{Col.} which J. Y. Wright makes in his book (Ceylon in My Time, (1951, Colombo) p. 59). namely, that the L.S.D. claimed a section of one his estates 25 years ^{or so} after he had purchased it from a native - though he had investigated this native's title beforehand.

rupees an acre of planted rubber, it's worth giving somebody 200 rupees an acre of planted rubber, to get rid of that bit of title, and so on. And don't forget, these planters were not the estates. I mean, there were well-known speculators who used to buy up the land

I. Yes, intermediaries.

L. as individuals and then sell it to the estates. Thornhill, E.K. Thornhill was it? a well known man in Sabaragamuwa.

I. Oh, I see. Well, was there a class of what you would call Ceylonese land brokers?

L. In other words, certain proctors, who sort of specialised in land and that sort of thing, yes.

I. Did you feel that other proctors, I mean, sometimes having villagers bringing cases to them, sometimes, well, the villagers were so poor that they got into debt over this, and the proctors secured the land.

L. I think that did sort of happen. In fact, I know one case where I was selling a land, the proctor appeared and bought it, and all the claimants for the land were in Kurunegala waiting for his arrival for a case. He got them all in Kurunegala on the day of the sale, and bought the land himself.

I. Can you remember who he was?

L. I don't think I can. He was a Kurunegala man. He was well known as a rogue, but I can't remember

I. Jayatilaka?

L. Frank ... something or other ... There were two brothers, but I can't remember

I. Reverting to this land settlement work, what about chena land? How did the villager establish his right to a particular part of chena land?

L. He didn't.

I. He didn't?

L. Because villages didn't have a ... Oh! you mean as a garden, do you mean, or what?

I. No, if it was chena.

L. Well, unless he bought it off a dealer, or ... an individual villager normally did not claim a particular bit of land. He claimed a share of a what they called a yaya, a stretch.

I. He claimed a share, as a

L. Of the whole stretch. I'm talking about a village where chena was cultivated as chena, because you normally divided it up into - they would clear 20 acres, and then divide that up.

I. Yes, I see. The whole village would clear 20 acres, and then divide that up.

L. Or they might have just cleared an acre here and an acre there, but it wasn't his acre, if you see what I mean.

I. Yes, I see what you mean. But that was in the Northern parts. But further South, even in the more fertile areas, where they had paddy fields, weren't there supposed to be chenas attached to these paddy fields? That is, theoretically?

L. Well, I'm very - theoretically yes. I'm very doubtful about this myself, because if you look at any developed village, and follow the paddy fields and then follow the highlands adjoining it, it's generally only about an acre. Well, you can imagine the depth of a square acre. Much of the highland, if you follow ordinary deeds, didn't seem to go with that, what they call the appurtenance to the paddy field, but in the North-Western province, they got an agreement from government, I forget, this was the Kegalla thing, that there should be three acres of highland to one

acre of paddy land.

- I. Yes, but that was the general practice in the 19th century everywhere. At least 3 acres. In some places it was more.
- L. But I don't - I didn't myself, I haven't seen much evidence of that going in the records of the villagers themselves. It's when the chena began to have a value of its own, that this sort of doctrine came in.
- I. Yes, that's in the Coffee Period, and, well, certainly in the 1830's and 1840's the officials believed that they were entitled to at least three times the amount. This is throughout the Kandyan provinces.
- L. Yes, but it was only - I haven't got the date of it. It was the Chilaw something or other, I mean, that they got the government agreement to the three acres.
- I. But that was only in the North-Western Province?
- L. It only applied in the North-Western Province as a settlement. You see, I was a Settlement Officer, we offered to get all these claims, and then I would say to them from the beginning, 'now I can give you so many acres of land free, in settlement of your claim, but I am not going to divide it up. I'm not going to give you any title to it'.
- I. Oh, you gave it to the whole village.
- L. 'I am just going to say, the Crown doesn't claim it. Now on the other hand, if you like, we can go ahead in the other way, and I can divide up all your shares', - and, in the case of the North-Western Province the charge would have been 15 rupees an acre or 10 rupees an acre, getting up to the Matara district, 15 as a rule - which was far less than the cost of even the landmarks on it, or the Crown grant -' I would then divide it up according to claims, and that will save you from litigation for years and years over these lands'. And if you got anywhere south of Wariapola you ^[sic. the villagers] would generally prefer to
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have it settled that way.

I. Divide it up?

L. Divide it up. And it was astonishing, going back years afterwards, because I have a good visual memory, and I could remember villages, you know, by looking at a plan I could remember what had happened, you would find that where villagers had divided it up, the things ^[sic] was a prosperous grown ... planted over with coconuts, because it's adjoining the coconut estate areas. The other villages where it had not been divided up, it was still chena.

I. It was still chena, I see.

L. Well, mostly, I mean, you would get some planted

I. Where it was not divided up, was there a great tendency for quarrels to develop?

L. Just the ordinary land cases going on, for years and years, of course. One strong brother plants up more than his share, or some brother plants it up, and another brother claims half, or whatever it may be.

I. Since you had a bit of experience in Sabaragamuwa, what happened to chenas there? Could they claim chenas as an appurtenance to a field or as private?

L. I'm afraid I only went to Sabaragamuwa in my early days, when I just ... I can't remember. I dealt with lands up in Trincomalee, I dealt with them in Hambantota and

I. It is a question of 30 years' occupation. I was wondering how it applied to chenas in places like Sabaragamuwa.

L. Well, I think it would be the same, generally speaking, that occupation by chena cultivation wasn't regarded as against the Crown, you see.

I. So that meant that it was decided - they generally defined it as Crown land?

- L. Defined that as Crown land.
- I. But what if an individual needed it?
- L. Yes, but you see, you've still got to divide the country into those which are dependent on chena, with no foreseeable hope of turning it into gardens or not. Now in Sabaragamuwa the population pressure and land pressure was so large, that there was no sense in keeping it as chena cultivation, so that chena was then divided up according to the claims.
- I. And these chenas were being turned into gardens?
- L. Turned into gardens, yes. Particularly, you see, in the North-Western Province, I could say anywhere near the coconut estates where people worked on coconut estates, their gardens would be developed on estate lines; similarly, in Sabaragamuwa with tea or rubber, as the case may be, you see. So it would be economically developed, and they would prefer to have their own sub-division.
- I. Reverting to this question between five years and after five years, I didn't clearly understand you there. If they hadn't been using it for more than five years, what did you do to the land?
- L. For not more than five years?
- I. Yes.
- L. It was then brought under the Land Settlement Ordinance. The Land Settlement Ordinance - you couldn't bring anything over five years under it.
- I. Yes, I see.
- L. You see, the five years covers the cost of survey, because whenever an area was going to be surveyed for Land Settlement, there was a tremendous rush, of planting up and claiming this and that, you see. So you still brought that under the Ordinance, if it was chena land, and that was why you had a habit of lot sales of 20-year old coconut trees; these
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used to be planted and when the Settlement Officer came round, the survey description would say, 'coco, 20 years.' You see, what would happen - I mean, they didn't get away with it as far as I was concerned -, but, you would have an old garden, here, and chena there. Well, with a small bribe to the surveyor, that would be surveyed like that, containing one, two, three ..., so the description of that would be, 'garden containing coco, 20 years, or 25 years.' Equally, I used to go around sometimes and I'd see people putting in trees, 15 years old, or digging them up and planting them, hoping they'd take root, and in 2 or 3 years' time when the settlement officer came round, there were established trees there. I'm speaking from memory, but I don't think you could bring under the Ordinance anything which was over five years old and planted.

I. Yes. So, what happened to the land over 5 years?

L. Well then you'd advertise it for sale as Crown land.

I. Over 5 years! No, this is under 5 years?

L. Over 5 years, you advertise it for sale as Crown land; and normally speaking, as I say, you either sold it, and if you had a dispute you might be able to - I mean, disputes can be all kinds of things, but I mean, supposing it was just a matter of 2 brothers claiming and one brother had planted it and the other admitted he hadn't, well you might make a note, or either postpone the sale or make a note, to allow more to that brother when you made the settlement, you see. Generally speaking, it was agreed amicably. And equally, the other thing was, when you got these, what I call these dubious claims. I mean, people [prospective claimants?] claimed it also. Then again you'd probably postpone the sale until you'd had the settlement of the village when you'd had all the deeds before you.

I. Yes, I see. When you say that a land was brought under the Land Settlement Ordinance, what happened then? It was Crown land?

L. The Land Settlement Ordinance, you see, the land was surveyed. You then published a notice in the Gazette, and in the papers, saying that the, I forget what the wording was, but it is brought under this Ordinance that the land is claimed by the Crown. Anybody having a claim to this land must present it in writing by such and such a date, three months, or something like that. Well, then, those all came in. They were all registered as claimants, and then the Settlement Officer would go out somewhere near the village and hold an enquiry. A Settlement Officer had already been and inspected every lot in the village first. I mean, that's what you did at first. You went and inspected every land, noted down the names of any claimants while you went round, described the land, what age cultivation it was, and as I say, you had these odd fake cases where somebody would slip something to the Surveyor, well in that case you just had to have that resurveyed.

I. Did you find that happening often?

L. Oh, quite a lot, yes.

I. So the Surveyors were open to bribes, then?

L. Oh, I think so, yes. And not only that, mind you, there was the genuine case. There was also the case of the old garden which had gone out of cultivation. One could tell, generally speaking, by looking at it, by the line of the village, by the way the village had gone, because you always compared any old plans of the village as well, you see. For example, in some parts of the North Western Province there were areas which had been surveyed about 1910, this is the country between Chilaw and Kurunegala, I mean, that area there.

I. From where did you fish these plans out?

L. Oh, you took all the land records of the village from the Kachcheri. Any settlements, any cases, and of course, sometimes there would be law court cases, which you'd get from the law courts, so you could read that up, you see. That also gave you a lot of insight into claims, and things like that. They were generally wrong, I might tell you, the cases were!

I. The decisions?

L. Yes.

I. That's because they were made on the Bench and not on the fields?

L. No, no, no! It's because you were dealing with one little bit of land. I mean, I'm not saying they were wrong on the evidence before the judge. But you see, a judge is dealing with one bit of land which is surveyed, somebody produces a deed, somebody, another somebody, produces a deed. When, for example, I was dealing with a whole village, I'd got all the deeds, except for the old planted land, all the deeds of that village before me. From that, I could work out these pedigrees, you see, and what the shares were, and from that you'd And time after time I'd find the court case wrong. Not that the trial was wrong, but

I. But the evidence was

L. there was insufficient data, you see. When you've got, of course, if somebody suppresses something, or doesn't produce it in court, or they don't know, it doesn't appear, you see.

I. Don't you think that, this sort of land settlement work, if it had been done in the nineteenth century, with an itinerant body, you know, like L.S.O.s, a lot of trouble would have been

- L. Oh, yes, it would have saved a tremendous amount of litigation, there's no doubt about it. Mind you, I still saved a lot of litigation. Of course the main trouble was to get ahead of the development, if you can understand. That's why we had the settlement going up in the North-Western Province, the north of the North-Western Province, as well as the south, I mean, you take
- I. Yes. I was wondering how the department, the heads of department, chose which areas were to be settled, and which areas were
- L. Well, it was a matter of ... You see, you've got to remember, it's much easier to survey a large chena area than to settle a village, so you get a large quantity done, so the Settlement Officer in consultation with the Government Agent - the Government Agent would give his views, the Settlement Officer would go out and look at it, and of course he might In some areas there was so little Crown land left that it wasn't worthwhile surveying all the villages, you see.
- I. Would that apply to the Kandyan Provinces?
- L. Oh yes. I am regarding North-Western Province, most of it as being Kandyan, it was, you see
- I. No, I mean, the Kandy District area was not settled?
- L. Well, that's probably because it was all so completely occupied and settled for many generations that there wasn't any Crown land, and they'd probably deal with a bit of forest by itself, you see, and not settle the whole village.
- I. But wouldn't it have been helpful for a Settlement Officer to go in there and to unravel the local claimants and?
- L. There was no power for a Settlement Officer interfering into private land like that. It was either Crown land or not Crown land, and if it wasn't Crown land, he'd got no power to deal with it at all.
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- I. But what about in the North-Western Province, for instance. Say, there were about three claimants to a patch of land, which was private. You couldn't do anything in that area?
- L. No. All they could do was to go to Court, there was no.....
- I. But what if the deeds which you had gave an insight into who the proper claimant was?
- L. Time and time again I found land cases wrong. In fact on one occasion, I remember finding a land case - this was a bad land case - I remember reading the evidence of the case, and it all pointed to Mr. A. being the owner, and the judgment was given in favour of Mr. B. That I sent back to the Attorney-General and asked him to look at it, because one never knows whether it was bribery, or a sheer honest mistake. All the evidence in the case led to Mr. so and so. I mean one can't do anything but put it right by balancing something, you see. By saying to that man, 'Look here, you got away with murder on this one, we're giving more to so and so.' Mind you, in front of the whole village. The whole village knows it, you see, and they'd agree.
- I. Yes. And while you were in the field, for instance, if you found that one chap had been cultivating a patch of land on and off, say chena, and perhaps having a few jak trees, and things, for 25 years or so; would you settle it on him?
- L. Oh, no! I mean, 25 years, after all, you can't guarantee within five years, one would probably say it's private under the 30-year rule, you see.
- I. If it was established as cultivated for 30 years he got a prescriptive right to it?
- L. Yes, I mean, after all, one didn't argue between 25 and 30 years. You see, one looked at it and said, well that looks to me as though he's had it for 30 years.
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As I say, you've also got to go into the configuration of the village. What looks as though it's been settled you see. You don't normally find a bloke miles out from anywhere else having a thing like that. If it was adjoining an old garden, you'd give him the benefit of the doubt, you see.

I. Yes, I do know that you all gave them the benefit of the doubt. How did you settle it on him? Was it a C.Q.P.?^①

L. No, that was a thing that was dealt with only by a Government Agent. There was no power for a Settlement Officer to deal with a C.Q.P. No, one gave a Crown grant. No, if you settle it, you'd just say, 'It's private, I'm sorry.' As far as I'm concerned, when we finished the village, it was private or Crown, you see.

I. And do you mark it 'private, Mr. Singho', so that

L. No! No!

I. You wouldn't. But wouldn't it have helped him to have a sort of prima facie proof if someone else contested it?

L. No, because one hadn't enquired into that land. One hadn't found out whether there were any other claimants. He may be in possession of it, but time and time again you'd get a proctor with a nice flourishing coconut garden. He ends up by owning a third of it, and you'd sell the rest to some of the other villagers.

I. How did that happen?

L. Because he jumped in on bad claims, on bad title. I don't mean bad Crown title, but bad village title. And just by sheer force he

I. And so you'd claim it back for the Crown and then sell it to the village?

L. Well, I mean, the settlement, I'd get that man to sign 'In consideration of being sold, 20 acres at 200 rupees an acre, not 15, he withdraws claim to the rest that he's

① Certificate of Quiet Possession, in accordance with Clause 7 of Ordinance No. 12 of 1840.

planted.' But you've got to convince him. You've got to get him to agree, you see; you've got to say, 'Well, there's the case.'

- I. So would you say that it was the policy of L.S.O.'s to protect the village and villagers from these outsiders?
- L. Oh, we delighted in twisting the tails of these speculators. We couldn't stand any
- I. But how effective was this in practice?
- L. Well, it was effective except where the man was in possession. I mean, we couldn't
- I. If he could prove cultivation for twenty, thirty years, he
- L. Oh, well, we didn't interfere in that at all. But I'm talking about younger possession than that. I mean, if a man had been there ten or fifteen years, you couldn't deprive him of the whole lot, I mean, it was a matter of making some adjustments, saying, 'Right, you can have half, at such and such a price,' and something like that. And it was generally better for him, I mean, he had half with a good title. It was better than having lots of lawsuits to his title, whether or not
- I. And you felt that some of these speculators were unscrupulous in the way they got the land?
- L. Oh, they did. As I said, generally speaking, it was getting hold of some diga - married women and getting, either through her or her children, getting some paper title,. Well, then they start planting up, it's no good taking a criminal case against the man for criminal trespass, because all he does is produce the deed, and the Court says 'Ah, civil case,' you see.
- I. Would you say that it was partly because of your success in deterring the gains of these speculators that you got this
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political attack on the L.S. Department and on land policy?

L. I think partly that, yes.

I. So you think that some of

L. No, I think there was a certain amount of genuine - you see, these lands had developed a strong paper title way back to about 1840, 1850. I mean, it had been going on, and people had been operating that when the Crown hadn't paid a lot of attention to these chena lands. I'm not talking about the remote chena land, because that was kept under control with chena permits. But I'm talking about the occupied village, I mean, fairly well developed village, and their land. And so you had developed a title, I mean, it's quite likely a man wants a bit of land, and that's the only way he has of getting it, other than by applying to the Crown for a purchase, when he'd got no guarantee he'd get it. The thing's put up to auction - he applies for it, and puts up all the money and everything else, and deposits a few rupees an acre, and then when it's up for auction he may never get it. It was a very bad system.

I. But you felt that some of the politicians who were criticising Government were speculators themselves and had an eye

L. Well, I don't say - I don't know which came first. I mean, after all, they all want land, the Sinhalese wants land, and if the only way they got land was to do it this way, even prepared to settle later on. You see, if they're in possession, rightly or wrongly, they would obviously want the Crown not to interfere, in most cases, you see. They would want the land private instead of Crown, you see. It's a moot point. I think historically the Crown was right, and economically I think it was a good thing. In other words, you were subsidising a partition case. The Government

didn't make money out of it.

- I. Yes. I was wondering how far these politicians, and the articulate public who were criticising Government, represented the villager? Was it a grievance on the part of the villager?
- L. I don't know; I think they came to accept, and my experience is, but I don't know that - I mean, villagers were organised against this, and I can understand villagers feeling that the Crown was jumping their rights. I mean, it's quite an understandable thing. Generally speaking, I found it accepted as a thing that had to be gone through by the villager, and generally speaking they preferred to have it divided up and save them from litigation. I mean, one used to talk to them, they were sensible and that that was the outcome. But I wouldn't go so far as to say that it was all a lot of trouble inspired by land speculators who wanted to have it their own way. No, there must have been some feeling behind it.
- I. No, I was wondering whether these critics were acting in response to a village grievance, or
- L. No, I think it was more, what I might call a grievance, an inspired grievance by the educated people, but even then I wouldn't go so far as to say that such and such a village - they didn't feel that it wasn't an interference. Because they'd been left alone with it for so long, you see.
- I. There was a certain amount of grumbling?
- L. I think so, yes. But I found, when it came to a settlement it was accepted and welcomed, because, as I say, in the North Western Province I had to offer them three times the extent of paddy land private, and generally speaking, they preferred to settle it. In the poorer districts where they couldn't
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afford 10 or 15 rupees they'd say, 'No,' and take the risk.

I. What happened to a chap who didn't have any paddy land?

L. There was no question of saying you've got an acre of paddy land, you can have 3 acres of paddy [sic, chena] land. All we said was, 'There are a hundred acres of paddy in this village, you can have three hundred acres of chena. Fine, I'm settling those areas privately, the rest is Crown.'

I. But south of Wariapola they preferred to divide it up, didn't they?

L. Roughly speaking. There may have been individual villages where they

I. Well, if they wanted to divide it up, and there was one chap who didn't have any paddy land, but yet claimed chena?

L. Well, there was no question that the highland belonged to the paddy field owners. I mean, all these things had got divorced years ago, I mean, by sales, and marriage. The two economies had got divorced. All you had appurtenant to a paddy field was a threshing floor, or something like that. That happened in the old past, because the highland had suddenly acquired a value more than the paddy.

I. So it just depended on the claimants?

L. It was the pure physical size of the village. I mean, how much highland, chena land, there was, and paddy field, and then whether the claimants preferred to have it partitioned; that's what it amounted to.

I. What about before the Land Settlement Officer came on the scene? How far were G.A.s and A.G.A.s trying to prevent these incursions by speculators? Were they trying?

L. Oh yes, but it very much depended on the headman reporting an encroachment, and then they would take a case against him, and then the man would produce deeds to show it was his, and then the Courts, the criminal court, would say,

'Ah, it's a civil case!' you see. So then the G.A. would have to have the land surveyed, and do a little independent settlement on his own, so to speak. In fact, in the North-Western Province, it was very common there, I did quite a lot of this, where a man with a large claim, probably where he claimed it on a sannas or something like that, would apply for the settlement of that area. It was done like that. I can give you rather an amusing story about that. There was one R.M. Madahapola who claimed a village or two, now, where was it, ... north of Kurunegala, on the Dambulla road. Well, I had been in the Land Settlement Department, and then I did a year in the Medical Department, then I went to the Land Settlement Department for about three months before I went on leave. Now in that three months, they said, 'Ah, here's an application from Mr. Madahapola for a settlement of this area;' I think he had paid the survey fees, or something like that. So I went out on a preliminary inspection, at least, I got his claim, what he claimed; I then had to inspect it, and give the instructions to the Survey Department, as to what to survey. Well, this was all rather like Sabaragamuwa, jungle covered hills, low-lying hills. Madahapola was about 60 at that time, and so we said, 'Right, we'll go round the boundaries.' And so we went round - I mean, the boundaries were on the East by a kukul tree, and on the North by the brook with a shining face, or something like that; and anyhow, we walked up these ridges, and went round ... drank toddy and said, 'So that's your claim.' And he said, 'Yes, that's my claim.' I then located it, and gave instructions to the survey. Went on leave; when I came back, the Land Settlement Department. Oh, the survey, Mr. Madahapola's survey. I went and it was about four times the area. He'd taken in another range of hills, and everything else, you see. And I said to

Mr. Madahapola 'This is a bit peculiar, we walked round these boundaries! Shall we walk round them again?' The man said 'No, no, I don't claim that.' He'd persuaded the surveyor, you see, to extend that considerably during the survey.

- I. There has been a criticism, at least, couldn't it be said that the L.S.D. should have worked in closer touch with the surveyors on the field?
- L. It's a matter of time, I think. We did work very closely in touch. There was a period, about 1910 or '12 when it first started, when there was quite a lot of emnity between the two departments. I mean when Fraser was Settlement Officer and the surveys weren't very good, and they were always sending stuff back and they got rather But there were very friendly relations in my time. I don't know that there ..., because I used to go round an area before it was surveyed, to give general instructions, I mean what areas, and what form of survey, because some villages, you could tell by old plans, or going round, there was hardly any Crown land. It wasn't worth surveying it, so one might say, 'We'll cut out those villages, that block of villages,' you see, or only survey road reservations, or something like that.
- I. But generally there was no contact in the field? You depended on the
- L. No, because it took time, you see. I mean, the surveyors would work to a plan, according to the weather, and then they'd go up to Diyatalawa and work it out on the field [sic?] that sort of thing. And you see, then what happens, having got the plan, you'd get a batch of 40 or 50 thousand acres planned. Well, then you'd get what was called a tenement list, that is a sheet describing every lot, plot no. 1, name
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of the land, extent, claimants. Well, in the office, they had to write up what they called Field Books. All this information had to be copied down into little field notebooks. Then, when those were ready, then you went round the village, and inspected every lot of land, made your own notes about it, and then at the same time you went to the Kachcheri, collected all the village files, and I mean, sometimes there would be quite a lot of information on these claims, particularly in the Kandyan areas. Dealing with particular lots of land, or stretches of land, all that sort of thing, you'd get a lot of notes. Who were the claimants in 1870, and all that sort of thing. You'd get a lot of information.

I. After you had settled a village, how effective do you think your mapping out process was in keeping speculators and land buyers away from the village?

L. Oh, well, once - after a village had been settled, you're talking about - what are you talking about?

I. Individual settlements.

L. Crown land or what, I mean

I. No, after you had settled it on private people. There was really nothing to prevent them from falling under the temptation of a wad of notes and selling this title?

L. No, no, there was nothing to stop that. Except, you've got to remember that the Sinhalese would ^{rob} his own grandmother of land. I mean, land is what he wants. And so, they don't normally part with their land, except they might mortgage it, or mortgage the crops, but it's a last resort to sell the land.

I. Did you find occasions when chaps sold a part of their land in order to get capital to develop the rest of it?

L. That might have happened, I don't know. You see, what I found was - after all, we were charging 10 rupees, 15 rupees an acre, I mean, it was more than that in some parts. - Sabaragamuwa perhaps, - but I'm talking about the villager, - I mean, you'd charge more for the speculator or the man from outside - generally speaking they could cultivate that and get that. In fact I found that you kept a few acres, what you used to call charity acres, when you were dividing this up roughly, allowing for roads, reservations and things. You got the odd widow who had nothing left, and she was a villager, and quite often those were not cultivated. Where they had to pay for the land they scratched it and made it pay. It was a sort of blessing in disguise, if you know what I mean.

I. Yes. I notice that you had very wide powers, which I think is a good thing, but do you think that one of the reasons why politicians attacked the Department was just because it had these wide powers, and certain speculators could never know what sort of price they could be charged for the land they had cultivated?

L. Well, that probably was true. Now there was a Land Commission

I. In the mid 1920's there was a Land Commission.

L. Oh, I think there was - wasn't there one later than that? At any rate, it was decided at one stage, I think this was when Senanayake was Minister, in the Donoughmore stage, it was then decided that these lands should be divided according to inheritance, and they had a right of appeal to the Governor. I forget whether that was an amending Ordinance, or a special Land Ordinance at that time, but there was that change, in other words it wasn't so completely at the discretion of the Land Settlement Officer. In other words, if

you gave a brother 20 acres, there was then a right of appeal if another brother with an equally similar claim didn't get 20 acres, whereas in the old days there wasn't.

- I. Well, there was considerable danger in having this sort of appeal, because it tends to further litigation and quarrels?
- L. Well, it is an appeal to the Governor, which is an administrative matter, and then I, as Settlement Officer, would then have to report to my own boss, I mean, through the Governor, while it was settled. I don't know whether you want these digressions on this case, but in the North Western Province - it was about the worst area for petitions there is, you see - and of course, whenever you settled a village, you've got to remember you'd have the whole village round you, and in front of you, and you'd get the bad hat; and you sort of said 'Well, all you get is one acre, chum, you see, and will you agree to that?' Well, he might, because all the village knew he hadn't any more claims. In fact, he was probably lucky to get the one acre if anything. He'd sign it, and then immediately go off and send a petition to the Governor, you see. Well, I used to get a lot of these, I mean, in the North Western Province the people are, and one went through them and, I'm not saying you didn't make a mistake; if there was one, you rectified it, and then reported it to the Governor, suggesting amending so and so. But, I used to get so many of these, that the Settlement Officer himself decided to take over one of my enquiries, which I'd got scheduled, say for next month. I remember the name of the village, Wanahepola; and he came along with me, and he and his interpreter conducted the enquiry. I didn't agree with what was going on in some cases, but I knew the village,
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I'd been round it, and so and so, I came and said my little say, but I think within 5 days he had 90 Government petitions; so I didn't have any more trouble from the Settlement Officer.

I. Who was that?

L. Archibald. I didn't have any more trouble from the Settlement Officer.

I. This change you mentioned must have been in the 1920's if the appeal was to the Governor?

L. Well, it wasn't - I don't know whether it was by law or simply administrative dictum, you see, that due consideration should be given to the claimants by inheritance, or something like that. I can't remember.

I. I've seen a thesis on this

L. When was the Donoughmore? I can give you the date from that.

I. 1931 was the Donoughmore.

L. I seem to remember it coming in after Senanayake was Minister for Agriculture, but I'm not sure on that.

I. This Land Commission that they had in the 1920's, it meant several amendments quite often at the instance of these politicians and critics, and did you feel that these changes had hindered your work?

L. I can't remember the details of that. You haven't got a copy of it, or anything like that?

I. No, I haven't really been able to - there is a 50-year rule here, you see, and I haven't had the time to go into it in that detail.

L. No, you see, I just can't remember the details, because, when you said the 1920's, I'd just started my Land Settlement in 1922, so I don't know whether it was the established principal when I started, you see; I don't remember the change.

I. Another criticism of the L.S.D. is that they took so much time to release a village which they were doing.

- L. Yes, I can understand that. It was a long process. You see, when you got the plans from the Surveyor General you then put a stop on any land activities by the G.A., and got the files from the G.A. You then inspected the village. You then advertised lands for sale, I think it was, what, six weeks notice in the Gazette.
- I. These are the Crown lands?
- L. What I said, lands between 5 and say 25 years old cultivation. You then published a Land Settlement Notice. Well, all that had to be prepared, and put in the Gazette, and it also meant a plan of the village had to be drawn for the Gazette, a rough plan, sort of thing. That allowed two months, I can't remember, for claims.
- I. Now, was the Gazette in Sinhalese, or in English?
- L. Sinhalese and English, yes. And I forget what it was, two months allowed for claims, and all those had to be settled, and then you had to hold an enquiry. Well, not everybody attended the enquiry; Some were sick, some had died. You had to go to Court. If a man had died leaving children as heirs, you had to then apply to Court to have somebody made his guardian. All these processes took a long time. Sometimes you'd rattle through a thing, you'd finish the thing in a day. Others might take two or three years. Then, if somebody claimed the land against the Crown and he had a Court case, it might be years. I mean, it's not just one village. I mean, you'd probably deal with 80,000 acres of villages at one time, all in different stages.
- I. Yes, I can quite see why it took a long time. Just a small point. What did you do about villagers who could not read, either Sinhalese or English? How did you
- L. Oh, you went round the village, don't forget.
- I. So they knew that it was being
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- L. So they knew it was being settled. You said, 'who claims this lot and who claims that' and you wrote down their names. And all those people whose names you wrote down were served with a notice. If they couldn't read, somebody else in the village could.
- I. Yes, that's fair enough. What was the specific....
- L. I mean, they knew the land intimately. Surveyors had been living in the village, and surveying, separating, they saw the land marks go up, that sort of thing....
- I. If you took a long time to release the village, in what ways did it hinder the A.G.A.?
- L. Well, it meant that he couldn't sell any land in that village. I don't know that it hindered him very much in other ways. I think that's more a technical... I mean, it did take a long time in some cases; particularly if you had a land case, it might be seven years before it went back. But normally speaking, I would say about two years would clear the lot, you see, in one area.
- I. From your experience in Settlement work in the N.W.P. did you find that the headman had a lot of land? You didn't feel that the head
- L. No, just a minute. The village headman, no. The Rate-mahatmaya, yes. But he was a landed proprietor.
- I. That's why he was chosen as the Ratemahatmaya?
- L. I mean, I remember I had an interpreter who was paid 100 rupees a month, something like that, and he used to consult me about buying a 300 acre extension to his coconut estate. I mean, he came from the Southern Province; well, he was of a Ratemahatmaya's, or a Mudaliyar's in that case, family, you see; he was a clerk learning the Government business before he got on to the headmanship. I mean, he was worth about several times more than I was.
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- I. Oh, I see; well, I was wondering whether these village headmen had made a good thing of their position?
- L. I don't think so. It wasn't the village headmen, it was more the village shopkeeper, or the man who sold seed paddy, or
- I. Were these usually outsiders or village men?
- L. No, generally villagers. Quite often, and in fact there were some notorious ones in Sabaragamuwa, I mean, who had deeds in every village round. He'd be the moneylender, you see, who'd get hold of land as security.
- I. Yes. Did you feel that many of the villagers were in debt, or had their lands mortgaged heavily?
- L. Oh, I think there was a lot of it, yes. Crops in particular. Where it was planted with coconut trees, the tendency was to mortgage the crop.
- I. What about Freeman's criticism of the L.S.D?
- L. I've forgotten what it was, now.
- I. Well, I think he said that they were too strict in granting chena reserves or chena permits.
- L. I didn't grant chena permits at all. I think he was right. I think what he said was the land reserved for chena was not enough. I think he was probably right in that, because chena cultivation depreciates the land. You might say that you go to a village, and when you say, 'Now, how many years do you wait before you re-cultivate this land?' Well, it rather depends how much land there is, you see. Because, as there's less land to go for, the more often do they have to cultivate it, and it starts with a 12 year cycle, 10 year cycle, and gets down to a 6 year cycle, when it no longer becomes economical. There's a rapid deterioration after that. And it rather depends on how the stuff grows up. So that one had to make allowances
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for that when you settled a chena reserve.

I. Wasn't anything done in answer to his?

L. Well, there was no policy. I mean, I did quite a lot of giving chena reserves; cattle reserves too.

I. It all depended on the individual L.S.O.'s ^{who} did it?

L. Well, yes, except that in your report it had to be passed by the Senior Settlement Officer as well, but, you see, you can't take them village by village, because you'd find the villagers from one village would chena in another village, possibly because in years past their families came from there, or they had no chena in their own village, and so one had to map out large stretches of land. I did a lot of that at Hambantota, and giving access ways for cattle, and seeing they had access to water. I mean, mapping it, chena reserve, as a large block

I. In Hambantota you did it while A.G.A...?

L. No, I did it as Settlement Officer as well, down there. But you see, the thing I advocated was, that I always wanted to set aside a chena reserve, and then I used to recommend to the G.A. that nobody was allowed in that chena reserve for three, four years, because - I'm talking about the North, where there was other land available - I said, 'Let them chena that other land, which is not chena reserve, for a few years, and let the chenas grow up, and then you'd get to the stage where it was all of, not equal growth, but of cultivable growth, and then you would give 20 acre blocks, or 40 acre blocks.' It was trying to put it into a proper pattern, whereas now you get 10 acres there, 15 acres there, and on a map you simply couldn't draw a line to say, 'That's the block this year.' But where there was plenty of land available, I was aiming at

I. Concentrated cultivation?

- L. ... Concentrated; 200 acre block this year, 200 acre block next year. It would help towards administration, because you would know which block was being done, and it would be one large block, fencing and everything else would be economised, but that was the sort of thing that you had to leave to the G.A. later on, you see. But that was the sort of recommendation I used to make in the report.
- I. Yes, I'm very interested to know how far you found that G.A.s, before you came to an area had, how far their policy had been effective in keeping speculators and others out?
- L. By and large I think it was fairly good, but there came that horrible period when the G.A. couldn't do anything because the thing was being surveyed for settlement. I mean, there was an interregnum when he couldn't interfere, because it would have taken him nearly as long to deal with it as a Court case, as to wait until the Settlement Officer was dealing with it. It just wasn't worth it, you see. But I think so, I mean, I'm just going back to, as an A.G.A. - mind you, it was much easier for a G.A. to deal with things when the thing was mapped, but by and large I think they dealt with it fairly well.
- I. Were there many cases of C.Q.P.'s? Was that a tendency in your time?
- L. I've only know it in the North-Western Province, where, as I say, these people used to apply for a Certificate of Quiet Possession, and then the thing would be surveyed on their behalf, and then, either the G.A. would do it, or in large, complicated cases, the Settlement Officer used to do it, you see. As a separate thing, you see.
- I. Getting on to wider aspects of policy, was the land policy really thought out at the centre?
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- L. Well, it was, because you had a man called the Controller of Revenue, who was in charge of all land, even above the G.A.s; I mean, it was his policy, but
- I. Ellis was one wasn't he? Oh, that was before your time.
- L. Yes, Alexander was the one I knew. But, you see, when you're dealing with these things historically, you've got to take into account changing opinions. I mean, policies change with opinions, and things like that. I noticed you had a question about the agriculture. Well, at one time, agriculture was centred rather, and mostly on tea, rubber and coconuts, not the village agriculture, and
- I. That was earlier on, in
- L. Well, as I say, there was a change made, I mean, and
- I. Now, for instance, in the 1920's, there was this, well, obvious policy of fostering these cash crops, and therefore selling land to large-scale planters, whether Ceylonese or British, and also
- L. In the 1920's?
- I. Say in the 1920's. And also, would you say there was a tendency to try and protect these village smallholders, at least, to conserve the smallholdings?
- L. No, I don't think there was any policy aimed at conserving the smallholder other than the L.S.D.'s work at that time. Largely it was Brayne who brought in the change when he became Controller of Revenue, and it was after that there was much more attention paid to the villager. In fact, G.A.s, you see, individual G.A.s used to protest against the previous system. What happened was, a man wanted land, a villager wanted land, he paid a deposit of 3 rupees an acre, then it was surveyed, it was then put up to auction. Probably the village shopkeeper bought it. The man had no
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chance of getting it, whereas, after Brayne's administration, you had what was called a Land Kachcheri, you took applications from people, and went round, I did a lot of this in Sabaragamuwa, no, in Uva. You went to the village, or nearby the village; sat down; all the villagers came up who wanted land; you located it next to their gardens, or went round the village again, if necessary, located them all: 'You want an extension of an acre there, that land's available.' You can have it surveyed and give it to him.

I. And so they were sure of getting this land?

L. Sure of getting it, but then Brayne brought in a new tenure, it was like a 99 year lease or something like that.

I. Yes, I know quite a lot about that.

L. ... but, still, the point was, the villager did get his land, I mean, that was the

I. So, before Brayne's time, A.G.A.s were protesting against this?

L. Individual A.G.A.s, yes. When you say A.G.A.s, you've got to remember they were different people. One A.G.A. would be interested in road development, another would be interested in rice development, another would be interested in forest, another in social services. I mean, the emphasis would be different for different people.

I. Obviously this was so. But didn't you feel that there was a need for some sort of consistent policy in this field, as in Brayne's time?

L. Yes.

I. What sort of man was Alexander?

L. He was a good administrator of the old school. I don't think he had a lot of imagination; I mean, like Brayne. You see Brayne was

I. An initiator?

L. No, he was, shall I say, a gadfly. He was in the outer wilderness for a long time, because he was a gadfly. He worried people. I think it was just the same in the Army. If you get the real keen soldier - I'm talking about the old days, similar days in the Army, - if you got the keen soldier, he wasn't welcomed in the regiment, because it wasn't the regimental life. But Brayne had a lot of disciples, and

I. Was he conceited?

L. No, I don't think so, no. A very simple man, I think.

I. And what was the attitude to this question of conflict between planter and villager? A question of plantation land and village land?

L. Now, do you mean the conflict between plantation land and village land, or planter and villager, which?

I. Both.

L. Well they are not the same, I mean the

I. Alright, plantation land and village land?

L. Well, now there, the trouble is there, looking back on it, a lot of the plantations say the tea plantations, they were cultivating land which the villagers did not cultivate either as chena or anything else, required a lot of capital to put into developing stony hillsides, but there's no doubt about it that it did get too near the village. In fact you see estates right down to the paddy field edge, partly because the villagers sold their private land as well. But there's no doubt about it, the village life was tied down to the plantation, as the only means of employment became work on the estate. A bad thing.

I. Precarious, wasn't it?

L. No, no, ~~I~~ I don't think it was precarious.

- I. Well, in a sense that, well, as wage earners they could be chucked out for indiscipline or for anything like that?
- L. Oh yes, yes, precarious from that point of view. But there was that trouble and then the other trouble was that the old system of selling land. I mean if there was some chena land you had two values: The land would be worth 15-30 rupees an acre to a villager for village crops; it would be worth 250 or a 1,000 rupees an acre for tea or rubber. Well if that land in the old way was put up for auction who bought it?
- I. Well, a planter.
- L. Yes, well that's it you see. That was the bad thing in the old system.
- I. I was very interested to hear your remark: you said it was a bad thing for the villager to have to work on these estates.
- L. No. Not necessarily. I mean, it provides employment. I said it was a bad thing because the estates swallowed up all the land in certain villages, in some villages, in Kandy District, particularly the tea areas, you get the tea estates coming right down to the paddy fields with no land for expansion, no growth, nothing for the villager.
- I. At one stage wasn't there a policy of sometimes buying back some of this land?
- L. Well that is more since it became self-government.
- I. Oh, it was after 1931?
- L. Yes. I think Brayne altered it a little bit in some Kandyan [areas]; in Uva, yes; in Kandy.
- I. Yes. What was the general attitude of the Civil Service to the question of villagers working on the estates? Perforce or by choice.
- L. I don't think they had an attitude. I think they probably
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thought the Sinhalese were an unreliable labour force and, therefore, it's understandable that the planters imported more reliable Tamil labour force. There again you've got the two economies. I mean, the Sinhalese doesn't want a motor car; he doesn't want this; he wants leisure; and so if he can get enough to live on by working three days a week he's happy to sit in the sun. It's a good philosophy of life; I'm not saying it's wrong.

I. Yes.

L. ... but the fact is that the estates could not rely on the local labour.

I. Yes that is

L. There was no question of compelling labour. In fact I only know of one case compelling labour in the whole of my Service and that was in 1860.

I. What was this?

L. Well this was the, when they were going to have a railway up to the North.

I. Yes?

L. And for some reason, I don't know if the villagers didn't want the railway, but they, there was a complaint they [Government] couldn't get any labour to clear the track, you know the survey lines, and the villagers wouldn't do it. I don't know whether there was a quarrel or they didn't like the idea of a railway or what, but they wouldn't do it. So the Government Agent at the time sent down a message saying that he would inspect the railway tracks on such and such a day, well then in those days rajakariya had not died down, so it then became the duty of the villagers and the headman to clear the way for the Government Agent to walk.

I. Oh yes, I see.

- L. That's the last known case I have known.
- I. I know that the Sinhalese never worked as, well, very few worked as permanent hands on the estates. I was wondering what would have been....
- L. Except craftsmen and masons and people like that.
- I. Yes. What would have been the attitude of most A.G.A.'s if a villager sold all his land to an estate and in fact became a landless villager?
- L. Oh there wouldn't be any....
- I. Any attitude?
- L. I mean he'd have to get work of some kind to live, I mean there was no attitude.
- I. I was wondering if this sort of thing was frowned upon?
- L. Of course it would be. But it was a question of, you couldn't interfere with him. I mean the villager, we didn't interfere with the rights of individuals. He had the right of doing that and one didn't interfere with him.
- I. Did you feel that
- L. Wouldn't come to your notice until it had been done anyhow.
- I. In your case, for instance, did you feel that it was good for the village to have an estate fairly close by but not too close?
- L. I think it did; it was good. I haven't had experience of that in any of my districts, but, for example I was in Hambantota which is essentially a chena district, but we had the salt cultivation. Well, now villagers used to swarm in from the most remote villages to collect salt; a horrible job, but it gave them cash. I mean they didn't work for cash, they didn't get money to buy clothes very much and that sort of thing. It was all done by barter in their villages and shopkeeper, they sold their produce to the shopkeeper
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and got things from him, paraffin and whatever it was, and they very rarely had rupees in their possession, and this was the one chance of the year to get cash to buy things to advance there... and also to get them out of debt too for that matter.

- I. Regarding this private alienation by the villagers of their land, did you feel that, did you know of many instances when this had happened to the detriment of the village?
- L. Well, looking round, thousands and thousands of villages; I mean any village in the estate areas. Because there's no more chance of expansion, the whole land having been sold. But I mean that's a matter of change of life. I mean they then become employees or craftsmen or whatever it is; they change and are no longer agriculturalists except for their own little garden. But it's not, I mean one wasn't controlling the villagers, they were individuals and ~~not~~ entitled to do what they liked with their own.
- I. Yes but I was just thinking of the fact that in some other colonies, Gold Coast for instance, they had this rule about non-alienation of native land.
- L. Yes but they had also got the tribal rule that it didn't belong to the man to alienate in the first place.
- I. Yes, that's true.
- L. Oh yes, that is so. Of course on the Gold Coast you've got hardly any estates at all. You've got two or three, I think, but that's all. They're very small. Timber concessions yes, but that again is a right of user. The land isn't going.
- I. Yes, to jump to an allied sphere. This question of chena licences in areas like Hambantota and Anuradhapura: did you feel that some A.G.A.'s and G.A.'s were rather too strict in granting licences?
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L. Strict in not granting them you mean?

I. In not granting them, yes.

L. Possibly.

I. Because this is Woolf's criticism of the Government's orders in the early part of the century and I think Freeman was making the same criticism?

L. Yes, I think it caused - I think you got the theoretical man in the office who said this is destroying the land.

I. Yes, but it was useless land, generally.

L. Well not necessarily. I mean if you look 50 - 100 years ahead it probably isn't useless; you've got different methods - fertilizers and things coming in and so on and so on.

I. Yes but I don't think the man in the office was thinking in such terms?

L. He probably was.

SWITCHED OFF

L. Chenas weren't we?

I. Chenas yes. Yes in the Dry Zone, you said that it would be valuable in 50 - 70 years time, but was that the chief consideration in the Secretariat?

L. No, I think, the Secretariat hadn't got a lot to do with it. It was the Controller of Revenue; well, he was the adviser. I think it was generally accepted that it did spoil the land and you had all these stores of the dust bowls in America and things like that. I think that was uppermost in their minds. They didn't want to get arid deserts. That was what they were trying to stop and the idea was to wean the peasant cultivator to more permanent cultivation. That was done through the Agricultural Department distributing seeds, coconuts and things like that. They gave that service in quite a lot of areas.

- I. Did the cultivation of coconuts increase noticeably within your ... period of service ?
- L. It's difficult to say. I mean, it was the, there were lots of new areas particularly in the Southern Province, but equally the old areas were dying off. I mean it....
- I. ~~I~~ Did ^{you} notice ~~that~~ ^{if} they were trying these coconuts in Anuradhapura, when you said permanent cultivation, were they
- L. Well I said not necessarily coconuts. I mean, that would apply in the Southern Province more; depends on the water, I mean the rainfall.
- I. Because you see where there was no irrigation for rice cultivation, obviously they had to depend on chena and one couldn't be too strict about this....
- L. Well, not obviously, because there are green manures which can be grown and manuring and things like that have been - cultivating techniques - could have improved the land, but as I say the rainfall was the main consideration, the main factor.
- I. Jumping on to another topic with regard to the remark you made. When I asked the question regarding conflict between plantation land and village land and planter and village you said they're not the same thing, what was the, what exactly do you mean?
- L. Well, the planter and the villagers: if there was any trouble it was chiefly over unsatisfactory labour supplies; People would work on the estate, then go off for three or four days. The planter wanted the work done, the villager wanted a holiday. I mean that was the main source of disaffection. I don't think there was, I don't know of any serious trouble between planters and
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I. Was there any trouble over cattle trespass?

L. Yes there would be that, yes.

I. There was certainly in the 19th century.

L. Yes, I'm sure there was trouble about cattle trespassing.
I'd forgotten it.

I. What did the planters do? Did they seize the cattle or...?

L. They seized the cattle and made them pay for it, a rupees
or whatever it was.

I. Did they shoot them?

L. I don't think so. They might do, I mean individuals might
do after several warnings. It's possible, it's not impossible.
I don't know of it though.

I. No, it was certainly happening in the 19th Century when people
were less regulated and....

L. Yes. I do remember cattle trespass always was a trouble.

I. And, Oh yes, what sort of man was Freeman himself? Did you
know him?

L. Yes. I did know him. I never worked with him. I liked him.

I. Would you say that he was impractical...?

L. It's difficult to say because I didn't work with him until...
I knew him latterly when he was a member of the Council. He
had certain bees in his bonnet and as you say there was right
on both sides. I mean he had right. A friend of mine, Miles,
you've come across him, G.C. Miles, he worked under him, he
was very fond of Freeman. He worked under him and knew him
better.

I. If you don't mind, I'm sort of jumping from topic to topic.
While you were working as an L.S.O. or A.G.A. did you find
that there were many peasants who were absolutely landless?
Say in the North Western Province?

L. Yes, you wouldn't know that you came across them as such you see.

As an A.G.A. - I was an A.G.A. in Uva dealing entirely with land, I mean I was a sort of land A.G.A., well, then I used to hold Land Kachcheries, well then, of course, I naturally came across the man without land, because I was giving land to him. But it is not a thing which would, I mean you'd get the individual who wouldn't make a claim to land because he hadn't got a claim and as I say one always used to keep, if you could, if you weren't settling the whole village under the three to one rule, you'd probably keep a few charity acres up your sleeve. Of course, when you are dividing a tract of 200 acres you can't divide it meticulously, you've got to allow roughly for roads, access, access to each individual block so that people aren't shut off there are always - you've got to allow a leeway of a few acres; what you try and fit in at the end - what you call a few charity acres - but there weren't many of them.

- I. That's what I wanted to know, whether it was very prevalent or not. And what about ... in Badulla when you were dealing with these people, how had they come to be landless? Did they tell you...?
- L. Well, where land was available in Badulla it was the remote villages not the ones just round Badulla, I mean, they would be the villages where there was Crown land left. Well they were landless because their father had the land. They were children and they couldn't sub-divide any more so they became landless. I mean that's the main cause of it.
- I. Yes, and this....
- L. Just as in England you get the sons and daughters getting married and wanting to get another house; it's the splitting up of the family.
- I. This Brayne's scheme. Did you have any experience of its
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working in the field?

L. Oh, quite a lot. I mean, I mapped out the whole of the Hambantota district, every village.

I. Under his species of tenure?

L. No, I mapped it out, and then went on to giving land under his tenure. Well, it wasn't very popular. They didn't like it.

I. Oh, I see, that's very interesting.

L. Well, it wasn't their own ownership, and I don't think they fully understood it. They took it, and I'm not sure that there wasn't pressure afterwards, just about the time I was leaving Ceylon, to have these converted into freehold. I don't know what happened. I think there was a pressure coming to have it. But they took it because they got occupancy of the land and as far as they were concerned, it was like leasing the land.

I. What did you think of the idea in theory?

L. I thought it good, but it should have been done 100 years ago. It's rather like the African system of not alienating the land. It kept a control, as I say. You see you had the case - I told you the case of the one acre of land when I pulled down the hut.^① Well, that was under this lease, because the land was still Crown. If I'd sold it to the other man, all I could have done was to advise recourse to Court, you see. Because it was Crown, it was going on my land, not....

I. Yes, I see. What about in practice? Wasn't it very difficult to work administratively?

L. No.

I. Well, when you were giving out thousands of these long leaseholds, or whatever they were called, you lay down lots of conditions, haven't you to keep an eye on them to make sure

① Before the interview began when he was looking at my questionnaire: in Hambantota on one occasion the village bully had evicted the owner of a plot of land (his brother?), built a shack etc. Leach had ordered the villagers to pull the shack down etc, once he ascertained the facts, and restored the land to the rightful occupant. [This is the gist of his story in so far as my memory is reliable].

that these conditions were...?

- L. Yes, well, it doesn't take long to do that, village by village. I mean, you can't do it.... You've got other work to do. But you see you would hold what you call a Land Kach-cheri and sit near the village, near enough so that if you couldn't locate a land a man wanted, you could go along early in the morning before breakfast and look and it, and locate it. Well, then, equally, your A.G.A. could go round that village and have a look at the land quite quickly. But I never got to that stage of checking up, because I was no longer an A.G.A. in the district. But I did it for paddy cultivation, where there was a subsidised scheme for the Malays of Hambantota, where they were paid so much an acre. Well, there, I used to go round fairly often, and pay the grant according to the work done on the land.
- I. Well, I should have thought that, in a populated area especially, it involved an awful lot of work for the A.G.A., who had lots of other work to do, to check on each of these plots and make sure that these conditions were being fulfilled?
- L. Well, when you are inspecting a village for land settlement, you do something like 90 odd - it depends on the configuration of the land. I mean, in Sabaragamuwa, where things were going up to the mountains, it was quite a different matter - but you do, 90 or a 100 lots a day. It is not likely that you'd have 90 or 100 new lots in a particular village. But of course, the point is, when I was in Uva I was the land A.G.A. My work was nothing but land, so....
- I. Now the purpose of this scheme was to have an economic unit, wasn't it, to stop...?
- L. To stop its fragmentation.
- I. But what was there to prevent this occupant share-cropping the thing?
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- L. There wasn't. That was the trouble, as I say, with these Malays. The idea was a decaying civilisation, so to speak, in Hambantota, tailors and tradesmen, and relics of the old Malay Rifles, to get them on the land, to save their souls. Well, half of them were share-cropped with the Sinhalese layman, and were still back in the town, but by paying surprise visits, one found that out, one got to know them individually, because it was only a couple of hundred, perhaps, and one got to know....
- I. What happened if they did share-crop it?
- L. Well, then one stopped the subsidy until he got onto the job.
- I. I see. Because, apart from share-cropping it to one man, it was quite possible for an occupant of plot A, to share crop it to 10, and in effect defeat the purpose....
- L. Oh yes. But don't forget, in Ceylon it doesn't, because Ceylon's ruled by petition. If a man did that, there'd be a petition giving the game away in no time. I mean, these people always have an enemy of some kind.
- I. That's true. What about mortgagee cultivation? Did you feel that there was a lot of that?
- L. I don't know, I never had - it didn't come across me ^[sic] administratively at all.
- I. And what is your personal view of the system of share-cropping?
- L. Well, it's not a bad system. I mean, what do you mean by share-cropping?
- I. Ande tenants.
- L. You see, the usual way, I'm talking about coconut land now, not in ^[sic] any other land, the usual way is that a land owner gave half or a third of the land for the man planting it up. So that's not exactly share cropping; I mean the man does
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get share title to the land, you see, he gets a half share, or a third share....

I. No, I'm not thinking of coconut land.

L. But that's the more common way of the absentee landlord cultivating land, that way.

I. Of giving the man a portion of land in return for cultivation?

L. Yes, yes. I mean, that was the commonest way in my time. Particularly in the coconut area in the North Western Province.

I. No, I meant really in paddy cultivation in which a man allowed A to cultivate his field, and he got half the crop, or something, and they shared the crop. But next year he could give it to B. The tenants....

L. Aah, this is a political question, getting on to communism, I think. That's the solution. Absentee landlords. I mean, it did happen, there's no doubt about it.

I. What about the depression itself? Do you think that affected the peasantry? The big depression?

L. Not so much. Not too hard. I mean, they have a very much hand to mouth existence, and I don't think it affected them. I mean, money didn't mean so much to them as physical goods, barter, and things like that.

I. While in Badulla did you find, in the Badulla highlands, was chena still practised, or was their ^{much?} land chena?

L. No, chena was all in the lowlands. You could see the fires from the hills. It was either tea or bleak hillside. No chena....

I. What did the villagers in the highlands live on? Paddy?

L. Well, they probably had paddy, or tea of their own in their gardens.

I. So you see, in the 19th Century chena was a complementary

crop. While they had paddy they also had this Kurakkan and also their garden products, so presumably at some stage in between they had got used to managing without chena.

- I. Well, I don't know what the position - yes, they had, because they'd got a commercial crop, I mean, tea became a commercial crop.
- I. You mean the villagers had....
- L. Oh, a lot of smallholdings.
- I. Yes, well, it was like that with coffee. Coffee was coming in in the 19th Century.
- L. Yes, but I think by and large there wasn't a lot of chena there. I mean, in the hills....
- I. What about this co-operative credit movement in your time, the one started by Campbell in the 1920's?
- L. You mean for an agricultural co-operative credit? I think it was a very good thing.
- I. What was the peasant response?
- L. It was alright where the village was homogenous. In fact, I remember putting up an idea, particularly for the rice people in Hambantota, where I got villagers from all over the place, of different castes and things, and adjoining lots, and after a lot of trouble, got them to agree, that I should run a dummy co-operative scheme; in other words, I would keep it under my control for two years, but going through the motions of keeping the books and having offices, but just to see that nothing went wrong while I was trying to weld them to trust each other. But I think it worked where you had people of the same caste, of the same village, or whatever it was, together. But the Sinhalese, as a rule, doesn't trust one another commercially. I think that's the main trouble. It's all right if you've got all the people -
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the same type of person as a member of the society. I think it did very good work, I mean....

I. What were the aims?

L. Well, you see, they would...take seed paddy. They would have to pay 50%, 100% for this whereas they'd get it for 9 or 10% through the society.

I. Would you say that one of the aims was also to, through this means and other means, to reduce indebtedness?

L. It did, of course, because it meant that the man was getting his seed paddy without having mortgaged his crop before he started - if they had got him clear at any time.

I. And did you feel, for instance, when you were selling land to villagers, that they had the capital to develop it?

L. The capital for a villager to develop it is a couple of arms and a mamoty.

I. Manure, in certain cases?

L. You didn't get manure in - I mean, they hadn't got round to manure. I mean, I must admit they should have. They had cattle, but they don't bother to collect it, they don't bother that they can grow some flowers in their paddy fields - they don't bother.

I. Yes, well, alright. While he was working on it, he still needed - there was a period where he had to wait it out, so that he needed capital for that period?

L. Capital or savings, which he wouldn't have, but he'd have credit. I'm talking about the Sinhalese villager.

I. But the credit in turn could hit him? Until the co-operative...?

L. Oh yes, yes. But then I think the average Sinhalese has a criterion of good standing, if you are in debt. I mean, if you've got credit, you must exercise it. There was no stigma attached to indebtedness.

- I. No, there wasn't. Did this co-operative societies undertake anything in the way of rural marketing?
- L. I think there were two or three. I think Kegalla, I mean, it's only just a matter of general knowledge, but I think there was a vegetable project in Kegalla, which sold things in Colombo. Of course, then there was the, not so much co-operative, there was the cottage industries place, where they made things and sent them....
- I. I was wondering whether an A.G.A. or A.G.A.'s generally thought about these things, and tried to improve the roads to a village, or improved connections?
- L. Oh yes, yes. I mean, you say A.G.A.'s. I can give you my own experience, because it's - I'm not saying 'I,I,I,' but I can only speak from my own experience, but I tried to improve the marketing of fish in Tangalle, when I found out what was happening was that it was all going to the local big boy, you see. So I started a local bye-law that it should be sold by auction. One morning I attended the auction, and I found the fish had been sold to a man from Matara, so I said, 'Isn't that good.' He said, 'Yes, that's alright, but it goes to Mr. so and so just the same, at the price he'd been' - it was all fake. It's the same thing, you see. They won't be helped.
- I. Just like in this case when you tried to get them to grow cotton?^①
- L. Well, yes, but you see, the second year they grew cotton. I had another case when - somewhere you asked me a question about the agricultural department and its relation to village agriculture. Well, as I said, they had these agricultural stations where they grew village crops. Well, I found that in Hambantota they were introducing a very good strain of rice,

① Related before the recorded interview began.

called suthihinithi^(?) which was disease resistant, and was very good for the district, but the villagers wouldn't take it up. And you'd ask them why, and they said well, they use Indian cattle, as though that had anything to do with it. They said, look how much it must cost them to grow this rice in the agricultural station. They wouldn't touch it. So that's a case where the agricultural department wasn't able to get it over. The agricultural officer in charge of the district tried to persuade them to take it. They said, you'd get a better crop, you won't lose so much. So I was then officially asked by the agricultural department, would I do my best to see that this suthihinithi got over. Well, my solution to that was, knowing what the villager was like, instead of me trying to persuade him, I got hold of two or three of the people who were going to stand for the local council. I mean, village tribunal... gansabha, and said, 'Look here, you got a reputation for good work and political acumen, and you've got to show you've earned it. Now,' I said, 'Look at this paddy. I'll guarantee you won't lose on it. You try it in your fields, you see, and I'll guarantee you won't lose on the crops'. So I got them to try it. Next year I got 90% of the people on to that, you see. I mean, they'd got somebody to start them. They'd learn from themselves, but they wouldn't learn from the agricultural department.

- I. Yes, I see. Well, admitting that this was so, as a general point, couldn't it be said that sometimes these scientific officers tried to force certain scientific techniques on the villager, without adapting these techniques to the conditions, and to the prejudices of the people?
- L. No, I don't think it's that. I think the main trouble is that the average agricultural officer didn't understand that the rural - a villager's economy is different from a planter's
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economy. In other words, if a villager could get 20 rupees by putting nothing into the land, he wouldn't aim to get 40 rupees by putting 20 into the land, you see, or even 30. In other words, he gets the best returns for the minimum of effort. I'm talking about the Sinhalese now.

- I. Well, there's something to be said for it, if they survived. What about land sales themselves? I know that you charged minimal amounts, but do you think that systems of instalment paying or even free land, wouldn't have been better?
- L. Well, mind you, when they buy land it's partly by instalments, don't forget. I mean, they're given a fair latitude. Not so much as a year, but anything up to 3, 4, 6 months; they've got to pay a 10% deposit, and then they are allowed time - I remember in the Land Settlement Department we used to allow them one year or more. We'd charge them 9% interest, but one year or more; in fact, it was only when you were winding up the village that you started being fierce about it, you see.
- I. Looking back, in what respects do you think that British land policy, that is pre 1930, could have been better adapted to help the peasant?
- L. Well, it could have been better adapted by - you see, you can't map out without plans. It's that pure mechanical thing which stopped a lot of development. Unless you're going to spend a colossal fortune on an army of survey departments [*sic*]. You had to wait while surveys were made. That is why you planned your survey. You did the easiest part and the most difficult part first. The easiest part because you got a large acreage done very quickly. And the same with the settlement, I mean, I've told you about dealing with Trincomalee. That's the northern part of Anuradhapura and south of Trincomalee, nearly all forest, and nobody claimed it or anything else.
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I mean, you'd merely got to look after a few little hamlets. Well, there were thousands and thousands of acres settled in 6 months, finished. And the G.A. could get on with his development schemes and everything else, you see. But equally, at the same time, you've got to go where the pressure is increasing so that the thing doesn't get too complicated. Well, it all takes time to do that, and you can't really map out until... first of all you want to settle a lot of the demand. I mean, you don't want to have people waiting hungrily for years and years. You want to be able to absorb most of it, and give them a breathing space, before you hand it over, before you map out, because you don't know what the demand is going to be for one thing.

- I. One also has the feeling that this agricultural department hadn't been given sufficient priority till Senanayake came along, and Brayne.
 - L. No, I think it's true that they paid more attention to the commercial crops, and the others were rather more remote. I mean, they did do other crops and things. I mean it was there, if you read it. But that wasn't getting down to the villager. I don't know whether you know, but every G.A. and A.G.A. writes a monthly diary which goes up to the Governor. Now that must not be used as a method of complaint against any particular department, but you can sometimes get ideas over. Well, I remember I was in a remote village in Uva, down in the jungle at the foot of the hills. And I had to write a diary, and I had nothing much to write about, so I described the cultivation in the village, and just threw off my chest, 'it makes me wonder if these agricultural inspectors, if one shouldn't live here in this village for a year, and go round.' And I described pineapples growing up under the
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dense shade of cocos when they should have been out in the open, and that sort of thing. You know, live in these places for a year, and do a group of villages. And by example, you know, developing example is better than precept, and show what can be done. Months later, I was away on circuit somewhere else, and I heard a motorbike come up. It was the local agricultural officer. My thing had gone to the Governor, and come to the Director of Agriculture, and the Director of Agriculture wasn't a very good bloke - a man called Young - said 'Where is this village?' I mean, I was talking generally. It didn't matter two hoots where this village was. You know, this agriculture bloke had been told, 'Get on your motorbike. Go out at once. Find Leach.'

- I. It shows a certain lack of imagination, doesn't it?
- L. Incomprehension. Oh yeah. But that was the sort of thing - you see, you were able to push those ideas over.
- I. Relating to land, this question of law rather than justice. Since much of the litigation was over land, it pertains to this aspect. Do you think the system was too formalised?
- The judicial system.
- L. To my mind, I don't think you can decide any land case without going and seeing it. At least, very rarely can you. There was very little provision for time or anything else which helps to do it. I'll give you an example of that, I mean, just a very simple case. An A.G.A. is the first court of appeal against a village tribunal case. Now I remember having an appeal, a case of a boundary dispute, where the man said he had planted a live hedge so and so, and the other man had pinched a yard, and planted another hedge. Well, that was decided in favour of the man who was said to have pinched it. He hadn't pinched it, it wasn't believed. It comes to me in an appeal. Well I put that aside, because I knew I
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was going near that district. I went to that village. Only said I was going there the night before. When I went along there I saw two live hedges. One had been cut down, and was just growing up above the ground again, and the other was the garden fence. Now who was right? Which was the original live hedge? It had been moved, you see. The man had never bothered to uproot it. He'd cut it down, and by the time I went along, it had started growing again. Case decided in one minute like that, and I think with justice. But you see you can't blame the - I mean, the man has to go on whatever is said. He's got to believe one or the other. And, as I say, about these land cases, when you've got this system of inheritance over large tracts of villages, how you could decide properly on one individual piece of land - I mean, you can in some cases, because it might have been one man's possession, or one family's possession for 30 or 40 years undisputed.

I. Yes. Would you have liked to see informal proceedings which they had in the village tribunals extended to a wider number of cases?

L. I think so, yes. Well, it was within limits. The ordinary Police Courts, what they called a Commission Request Case wasn't very complicated.

I. What about these village tribunals themselves. What is your opinion of their working?

L. I don't know, I didn't have many appeals.

I. Corruption?

L. Well, there can be corruption. But I don't know. All I can say is, when I was -

INTERRUPTION

I. If I may ask, what made you join the Colonial service?

- L. Well, first of all, I wanted to join the Civil Service, with restrictions. I joined just after the First World War, when there was a big pressure. I mean, there were a lot of people all wanting jobs, so a job was one thing. It appealed to me, the Civil Service. But only dealing with live departments. For example, in the U.K. service which I applied for I only wanted certain departments dealing with the public, I didn't want any research departments, or something like that.
- I. You wanted something personal?
- L. No, not personal. Shall I say, current-day problems if you know what I mean, current affairs. I don't know, it just appealed to me. Ceylon was the second one I tried for. The English Civil Service was the first one. But I turned down the I.C.S. I remember the interviewer saying, 'Why don't you want to go to the I.C.S.' I said, 'Well, there won't be a Civil Service there for a long time.' As a matter of fact, you found the same thing in Ceylon.
- I. Did you say that?
- L. This was way back in 1920.
- I. Can you remember what your first impression was of the Civil Service as a whole - the Ceylon Civil Service?
- L. It's a bit difficult, because I was in the Secretariat to start with. I mean, one gets quite a different outlook. No kachcheri work to start with. I did my second accounting exam without having seen a cash book.
- I. Did you feel that the types in the Secretariat were very much the Secretariat - wallahs, rather theoretical, and divorced from the...?
- L. Well, I've been in the Secretariat twice, you see. I was there as a cadet, in which case I wasn't in a position to judge anybody, not knowing what the outside world was like. And when I was there later, 1935, when I, along with Miles and
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one or two others, I evolved a personal policy of militant here-on-earth, reform from within, so I mean, rather than being a Secretariat, well, I was an anti-Secretariat wallah and here again, not for publication....

SWITCHED OFF ...

- I. ... Work in the fields, for instance, when you were doing administrative work? When you were picking it up as O.A., Hambantota, I suppose. Were you supposed to pick your G.A.'s brains, or did you....
- L. Well, then there was a rule, I think cadets and anybody else, I'd never been a cadet, you see, because, at least, I was a cadet in the Secretariat, so I didn't get any field work. I think cadets were supposed to spend 8 nights a month out with the G.A. on circuit, learning it up; there was rather an amusing story about that, when Mr. Hoare went out on circuit with Mr. Dyson. Mr. Dyson was a very boyish looking man, and all the villagers were addressing Mr. Hoare as G.A. But when I was O.A. I think the same thing applied, but one was always too busy. In Hambantota, with two people only, was quite a busy spot. Because I was Magistrate as well, you see.
- I. So would you say that even in your time the British method of rule of thumb, learning by experience, still applied?
- L. Learning by experience. Is that rule of thumb?
- I. Yes, just sending ~~officers~~ ...
- L. Yes, I think I....
- I. ... out into the field and a....
- L. ... yes you've got a certain - you were supposed to pick things up but you get a certain amount of training as a cadet and the normal thing is you go out with the G.A. and see how things are handled and then you're normally sent out
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to do something on your own and what you do is vetted. That is the normal way. Generally speaking, I'd say, the English in nearly all walks of life keep people in too junior jobs too long - it's like the Army when you're now allowed to speak to so and so until you become a Lieutenant or something like that. I mean, I'm talking about the old days. Cadet was the last creature God made, you see, and you were made to feel it and that sort of thing, which I think is wrong. I mean, you, it took some time to get real responsibility. But you did, as an O.A. you were more or less running the Kachcheri on behalf of the G.A.

I. I'm far from being a theorist, but do you think cadets could have done with more instruction, either in Ceylon or England, preferably in Ceylon? Before they went into the field?

L. It varied. You see the trouble is it could have happened - it might have been better if they'd had 3 months or so in, perhaps in Colombo and got certain groundings before they went into the field, because different G.A.'s vary you see. Some people got very good training. People under Campbell got very good training for example. People under other people got hardly any at all, merely suffered and so it did....

I. So Mr. Newnham said....

L. Yes.

I. I don't think he liked his G.A.'s.

L. Yes, it did vary a lot you see.

I. And the point being, don't you think that some theoretical knowledge of land matters and tenurial questions...?

L. Well you're supposed to do that. You study your law for your law exams, I mean you are learning Kandy~~an~~ Law, Mohammedan Law and Common Law.

- I. Not only the question of Law I was thinking of administratively-the problems: well, that you faced in the field with the question of sub-division, what are the alternatives, the question of alienation...?
- L. Yes, that's the sort of thing, which I say it was haphazard because it just depended under which G.A. you were, and as I said earlier on this evening, different G.A.'s had different interests. I mean one was for the development of roads, another was for the development of paddy or rice or whatever agricultural ... and others were social and so on.
- I. Taking....
- L. So it had a lot to do with who you were under first as to what your development was.
- I. Taking the administration as a whole, did you feel that there was too much reliance on routine and precedence. Obviously some was called for, but...?
- L. I don't think so. It depended what stages you go to. You see most G.A.'s consider themselves a law unto themselves; and they were quite a powerful sort of person, G.A.'s, and they were dealt with tenderly and with kid gloves. A G.A. was allowed his personal - a lot of freedom in most things, but he couldn't go diametrically opposed to established routine; I mean, without fighting it out. But I think, generally speaking, in the system you might say it's inefficient in the early stages but it dealt with rather wise and fairly efficient administration later on. You see people get swopped about, they do different jobs; you might say nobody [sic] doesn't become a good - an expert land settlement officer - he might be a good land settlement officer, but not an expert. He equally doesn't become an excellent office-wallah but might be a good one. But by the time
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he's collected - so many different ... probably District Judge or Magistrate - by the time he's collected some of those and starts getting up to a G.A. and A.G.A. ^[level] he's got a lot of experience, and varied experience, behind him and they do dovetail.

I. Yes, regarding this point, of course, you've been in both positions, but quite often you get a man in the Secretariat who's had experience in the field and has, perhaps, had experience, say, in Matara and the A.G.A.; Matara proposes something and this fellow thinks he knows this....

L. Ah well that's wrong.

I. ... and he tells the man on the spot what he should do some-times.

L. No. Well, it depends what level you're going at. This is the Secretariat-mind which I personally have been trying to fight and so has my friend Mr. Miles, and you, the man's job is if, of his own knowledge, he knows something or he can see some fault or something like that, is to point it out when he's dealing with it. It's then the Chief Secretary or somebody like that who has to make a decision because policy, money and various other things come into it, and if you're going to do it in March you must do it in so and so and there may be something wrong there, I mean all these considerations come in. I quite agree. It's not for the junior man in the Secretariat to override - and it is a valid criticism. I know Newnham has that criticism to make. It is a valid criticism. I came ... could you stop....

SWITCHED OFF

I. I raise the point about routine because I read some memoirs by Stace and he's

L. By Stace?

I. Stace, a typescript.

L. Well, I'd like to read those. I haven't seen it.

I. It's in London in the....

L. Yes.

I. ... and he said that one of the failings was routine; he even uses the word 'blind routine', but I was wondering whether he was pushing the point too far?

SWITCHED OFF

I. Yes it's certainly how I read him.

L. Yes, but I say that because I tried not to be subject to blind routine. Routine has to be followed because, as I said you've got to deal with Mr. A. the same as Mr. B. in the same circumstances. That's what makes Government business slow sometimes, because you've sometimes got to determine what it is.

I. Did you feel that while you were A.G.A. or out in the field and not in the Secretariat, that either the Provincial Headquarters or the Secretariat people tended to clamp down on new ideas?

L. No, not at all. In fact I was surprised how much I was left alone. I had Brown as my G.A. most of my time. Of course, anything on policy one had put up through the G.A. I found he was good; and I remember on one occasion - this is not quite the same - as Police Magistrate I got a very polite letter from the Secretariat saying 'Was I aware that my fines in the S.P.C.A. cases were the lowest in the land and although they couldn't, of course, give any instructions about it, perhaps I'd take it into consideration.' Well, I don't know whether you know the R.S.P.C.A. used to get half-fines in the cases their Inspectors brought to the Court. My reply was quite simple. I said 'The wages of the inhabitants are

the smallest in the Island' and that's all I said. It wasn't interfering. It was done very politely. They gave me the opportunity of replying. No... - because it took a long time. I mean the trouble about the Civil Service is, as Kipling said, is, you initiated, somebody else gets the credit. I remember electrification of the salterns at Hambantota and electrification of towns proposed by me, but 5 years later somebody opened it with (?) power.

- I. In this connection would it be correct to say that in the 1920's the Secretariat was rather a bottleneck?
- L. Yes, by and large, it was. Because I think the 1920's just after the war was a state between two ... I mean, evolution was occurring, but it hadn't occurred enough to stop it. You have got to remember in the old days going back to the 1840's, the Chief Secretary was the big bug. He was head of the P.W.D., I mean, and anything else came under him as a Minister so to speak and so you got lots of things went into the Secretariat which later on, of course, didn't go because they had their own Ministers. But I remember - I was rather keen myself on office management and administration - and I remember looking up one return, if you've got a new bridge going up, a monthly statement - a progress statement - used to come, a colossal thing giving you man hours work and so and so and so and so. And I watched this and it came back initialled and I said, 'Well, you see, this probably started about 1880 when the Chief Secretary was very much concerned with the number of days and things spent on this thing you see, the man hours and all the rest of it, and these things probably take hours and hours of some poor miserable little clerks to prepare, and all he [the Chief Secretary] did was just look at it ... and all he really wants
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to know is that the bridge is three-quarters completed, and has been held up by heavy rain.' I mean, just two sentences. Well, I personally - (again it's 'I,I,I,') - but I was interested, and I went into that, and got the thing stopped. That's why I say it's up to the ... I mean, I did a lot on that kind of thing.

I. Yes. Wasn't L.J.B. Turner also interested in this sort of thing?

L. Yes, he was specially appointed to do it.

I. And what did you think of his...?

L. Well, he was a little academic. The trouble was he couldn't get it over. His main trouble was he couldn't get it over with Sir Wilfred Woods, who was in the Treasury. He didn't get the backing he should have done; and also, I think, he went a little bit too far, he went too quickly, too deeply. You see, he studied in America, under a man called Taylor. Taylor has written several ~~times~~^(?) on office administration. Well, Taylor at one stage goes into the timing of blotting a letter. Well, what's the good of going into refinements like that when you really want a shovel to shovel a lot of stuff away. And again, this was a thing I was keen on; I mean, I was keen as Turner but I thought he wasn't quite sensible. I mean, he was trying to go into niceties and finesse without - you know, he should have done it in stages, bulldozed a lot of the stuff out of the way. Well, you remember, I said that in the Land Settlement Department one had to write up a field book. You know, copy every lot out and so and so. Well, that used to take, before you got 40,000(?) - it would be three months before you could go out in the field and inspect it. It was a colossal job, writing all these details out for village after village.

Well, an example is: I went into that with the Survey department, and said what happens to your manuscript tenement list; that is a thing with a description of about 20 lots of sheets(?) and it comes to us typed, you see. But there's a manuscript one prepared for those files. 'Well, now, why can't you prepare these; instead of doing 20 on one sheet, do 20 little sheets in manuscript (the surveyor of the Camp) and then, bind those and make our field book.' Could be done. So the result is the field book then became a loose-leaf collection(?) with no mistakes. Mind you, you've got the human error. Mind you, when you went out to inspect a village the night before you had to go through that field book, the tenement list, because clerks in copying 791 acres would probably put 719; they got tired and you'd suddenly get this transversal. You had to check that - I mean, cut all that out, I mean, you've got the original, bound, so that you could go and start inspecting by next week. I mean, that's the sort of - I'm giving you an example of Turner's going into things. You know, basically. Another - I'm giving you an example of routine. We had in the medical department a discharge of a lunatic from a lunatic asylum. Well, it's fairly common. I mean, you get one a month, two or three a month, and they could be discharged on bail, or things. Well, that had to be approved by the Governor. So the medical department - I mean, the superintendent of the medical asylum - would write him a letter, asking him for the authority for the discharge of so and so. That would then be submitted to the C.S.O. - draft a letter to the C.S.O., yes, that was approved, that was typed, that went up to the C.S.O., that was typed, approved and returned. Well, a small cyclostyled form, and then we said, 'Need he address the medical ... can't he go

straight to the Secretariat, contrary to all general orders.' I mean, we couldn't get over the law; I mean, you couldn't alter the law (you didn't want to in this case). I mean, the thing was approved in one day, time saved meant ... - That's the sort of thing that Turner was going after, you see, and that's an example of the thing that one was able to do after, as a result.

I. Was Wilfred Woods a bit sticky on this?

L. Woods wouldn't have Turner anywhere near him, in his office. He wouldn't have any of his methods in his office at all.

I. This was personal rivalry, or something?

L. I don't know, I don't know whether it was. Not getting the Treasury backing was ...; rather, stopped a lot of Turner things.

I. Apart from these routine questions, taking general policy, did you feel that there was a tendency to preserve the status quo?

L. What status quo? No change, you mean; [unreceptive?] to change? Tropical disease, you know. The heat. Some people yes, some people no. I mean, you've got the Freemans, so and so and so and so, I hope myself a little, who were willing to take action to do things.

I. This is of course Mr. Newnham's great point. He levels it really at the Governor, and the Chief Secretary. He said that the Governor wanted quiet because he had reached the top, and the Chief Secretary knew that, and on his way to promotion he tried to keep things quiet. What would you say of that?

L. Well, of course, Newnham was a disappointed man, in that he wasn't Chief Secretary himself; and he might have been if he'd kept his tongue to himself. He was able enough, but he couldn't forgive the personal - I mean, he couldn't get over

the personal quip in correspondence with anyone else; which spoiled him. I mean, he was regarded as being unstable, but he was very - he was clever and capable. Would have made a good job. Except, as I say, for this love of a joke. I don't know. It's difficult to say, because my Secretariat experience was in a period of change. It was just before the war, preparing for the war, or preparing in case of war.

- I. No, I was thinking more of the pre-1931 period of course. Did you feel for instance that - this was purely British rule, of course - that in this period there was something missing, a sort of lack of drive? Did you feel, in the sense of ultimate ideals, that they were seeking efficiency as an end in itself rather than...?
- L. No, I think it was money. You see, economists like Jaya..., do you know N.U. Jayawardena, have you ever met him? And a lot of your up-to-date Sinhalese, you say, 'What we have done and what the British have done,' forget that we had in mind we were doing it with their money. And we kept budgets... I mean, I admit, when you look back in retrospect, we didn't do enough development of social services, and things like that, because we hadn't got the guts to tax the Sinhalese to get the money. I mean that's really the trouble. We kept our budgets low. We put in essential services, roads, railways, you know, things like that and really kept our budgets low. I mean, you're comparing a post-war attitude with a pre-war attitude, with economy at all costs; I don't mean cheese-paring economy, but keeping things running at a level, watching the budget and not letting it go, and not taxing the people unless it really had to be done, so to speak. Because, post-war, now, the money doesn't matter. That's really as I see it. There's the problem of keeping
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those two economies.

- I. Do you know if anyone ever suggested having an income tax?
- L. Yes, in 1925, I was on leave in England and I was told I was going to the New Department of Income Tax as being, what they called the Liaison Officer for Ceylon...(?) with the two experts who were coming out from England. And when I was on the boat going out to Ceylon the State Council threw the Income Tax Bill out. The Ceylonese threw it out. I'd bought all sorts of electrical stuff, knowing I was going to live in Colombo, and I was suddenly pushed out to Uva, or somewhere.
- I. Was the Ceylonisation ever in issue in your time, in the early 1920's?
- L. Within a fortnight of landing in Ceylon, I was made Secretary of the Ceylonisation Committee, or something - to report on the Ceylonisation of the Public Services.
- I. Who was on the Committee?
- L. Oh, I've forgotten now. Wilfred Woods was the Chairman.
- I. Was Bowes on it? Freddy Bowes?
- L. I don't think he was on the Committee. It was a very small Committee. There was... Oh, I can't remember... a Sinhalese member of Council,... with a distorted face. He died. I can't remember him.
- I. I'll probably find out in time.
- L. It was 1921.
- I. And what was the decision?
- L. Well it was, I mean, if a man was available I think that the administrative Civil Service should be recruited... I mean, if a Ceylonese qualified, he should be given the appointment. Only recruit Europeans if there were insufficiently qualified [Ceylonese]. Previous to that it had been a 50/50 basis, I think. And the various departments were the same.
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- I. Oh, I see. Was the higher employment of Ceylonese ever...?
- L. Oh no, higher employment ... in the public services, or something. There was a coloured Police, Civil Service and everything.
- I. No, I was wondering whether some of the Civil Servants - or rather, whether as a matter of policy, there was still doubt whether Ceylonese should be made G.A.'s? You see, because there was certainly a feeling among the Ceylonese Civil Servants that they were excluded from these posts.
- L. I think it's true. I think the change was about my time. Wasn't Wadia the first G.A? The change was just about that time. As I say, I became the Secretary of the thing. But being there under a fortnight, and not knowing what these alphabetic letters meant, or anything; I think the change was made then, you see. I think it is true. Mind you, there weren't so many of them.
- I. It was a matter of policy then, before this?
- L. I don't think it was - when you say policy....
- I. It was a tendency, I mean?
- L. ... I agree that it happened, and I think it was largely.... I don't know whether it was that they suspected their administrative capacity - There weren't many of them, you know at that time.
- I. Yes. Mr. Strong said there were very few above him, and that he himself thought that those few who happened to be there at the start were, like many of the other Englishmen, the types who wouldn't have made G.A.'s anyway.
- L. Yes. I mean, I think the decision was fairly on in life. It probably depended on the early start, which is perhaps unfair, because I remember Luddington was one of those who was not in the Ratcheri line - I mean, for years he was a Police
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Magistrate, and he was suddenly made G.A., Uva or Kurun-
egala, and he made a very good G.A. But he was a man who
had been kept out; but he was a very good Magistrate, mind
you.

- I. I have seen a memo written by Bowes in 1923 arguing against
it, but I think B. was a bit of a diehard.
- L. Oh he was! You mean, argued against having a Ceylonese?
- I. Against the higher employment of Ceylonese. Against their
having them in the top posts.
- L. You remember - I can see he has a point. A Ceylonese I'm
talking about, not the exclusion of the Wadia's and Roberts',
and people like that. It can be said - I mean this is perhaps
not applicable to persons - that a certain amount of personal
interest can arise through a local man. But I think the
Ceylon Civil Service were good, the people were good, and
I think they were not tarred with that brush, by and large.
But, you remember, I said I was going to be transferred to
A.G.A. Eastern Province? That was because they'd tried a
Sinhalese. No good. They'd tried a Tamil. No good. And
they thought going back to a neutral might be the answer,
because, there, there were factions, Tamils, Sinhalese,
Muslims. And they tried all three, and that failed and
that was a case where a neutral - I'm not saying that the
others had racial interests, but like Caesar they had to be
above suspicion, you see. There was a case, I think, for
arguing like that. In theory. But when you get down to
personnel, I don't know of anybody to whom it might apply.
I'm not quite sure about Rodrigo. Well, he might be rather
active politically. I mean, in his mind. He might have had
the Sinhalese interest to the fore, but that's purely personal.
- I. Yes, certainly. One of Bowes' arguments was that 'the
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stability of Government' would be undermined - whatever he meant by that - and the other was that they could be worked upon, because they would be involved in local politics, and then, as part of this I suppose, he said, however good they were, the people would never trust this [sic].

L. Well, I think that is true, the last one. Because they are a suspicious crowd. I mean, they don't trust their own brothers, and you would get that sort of thing, because if he gave a judgement for the Sinhalese against a Tamil, and he was a Sinhalese, it would at once be said ... because he was pro-Sinhalese. I mean, he wouldn't get any credit for an honest judgement. However honest his judgement was. I think that is true. But it's rather an ideal state. I mean, you might go on to religions as well. I mean, 'I'm a Roman Catholic, therefore I'm not giving justice to so and so.'

I. Anyway, you couldn't apply this to the West Indians or Indians?

L. No. That's why an Indian was the first G.A. [coloured].

I. Of course, well looking at it politically, the people and officers could only swim if they were thrust into the water?

L. That is true. But sometimes, when you have to be rescued from drowning you pull somebody in with you.

I. Would it also be possible to say that, especially at the outset, the Ceylonese were not very good at accepting responsibility? I know Mr. Ferguson felt it so, he felt that they tended to shelve responsibility.

L. Who's that? Police?

I. Yes.

L. Yes, he might know that there in the Police. It is possible, because I think that's where training comes in. Public schools training, or whatever you may have. I mean, the

system; you don't have that in the Ceylon schools.

I. Did you find the public school training helped you?

L. Well, I wasn't... I was semi-public school. I was grammar school, but I had Army experience as well; I think, yes, I'd been able to make decisions early in life. I think.

I. Turning to political sphere, did you find much political interference in your administrative work in the 1920's and 1930's?

L. I was going to say 'a lot' but....

I. Even as L.S.O?

L. Oh no, not then. A.G.A. Hambantota, the Crown Proctor was the local member of Council, and he tried to pull things politically, but luckily, Senanayake, who was then the Minister, wouldn't have it. I mean, he knew the man, and he supported me when I had to be supported. And that was good. But when I was in the Secretariat and dealing with Public Service Commission matter, then, I saw it. I mean, a poor blighter in the Medical Department said 'What can I do when the Minister said that all the new appointments of Sanitary Inspector shall be in the proportion of so and so and so and so,' contrary to the Constitution. Poor man, he's marked for life. You see, that sort of thing.

I. Who was this who had to do that? I mean, not the Minister, who was the...?

L. Rajendra. I mean, I don't say he did. He had the guts to come along and explain the position, and things had to be put tactfully to the Minister, but it was a bit difficult without getting Rajendra in bad books for the future, because those sort of things were remembered. And I know of occasions when, and I won't mention Ministers now... Oh... he won't mind; he is dead, Bandaranaike, as Chairman of the...(?) Executive

Committee recommended the appointment of Mr. A. and as soon as the letter is sent he comes round to see the Chief Secretary and says, 'Good heavens, don't appoint Mr. A, appoint Mr. B. I had to recommend Mr. A. because if we hadn't voted for Mr. A, they wouldn't have voted for so and so to succeed me when I go on leave,' something like that. And that sort of thing happened.

- I. This is in the 1930's. In the 1920's was it happening?
- L. I don't know of it at all. Well, you mean to say interference in appointments, things like that? That's about the only - trying to interfere in appointments, that sort of thing.
- I. Well, from listening to Mr. Strong, I think even in the 1920's when he was in Matara, Forrester Obeyesekere used to go above him to the Colonial Secretary, you see.
- L. Well, Forrester Obeyesekere was a political.., I mean, a bit of a firebrand, you see, that sort of thing. He did have that trouble, I know. As I say, in my case, where my man tried, Senanayake - it was always on land matters - knew his subject, was no fool, and fortunately I was giving right advice.
- I. Rather strange coming from a Crown Proctor!
- L. Do you know he was the longest-winded bloke I have ever met, and in the old, this was before Donoughmore, this was when I was in the Secretariat again as a cadet, the Tamils always like to leave the State [sic] Council at 6 o'clock on a Friday night so that they could catch the night train to Jaffna. So this man, Wickremanayake, was always put up to talk at about 4 o'clock on Friday afternoon, and he'd talk and he'd talk round the subject for about 2 hours until the Tamils gradually rose up to catch their night train to Jaffna, and then the thing would be brought to a conclusion. He'd talk and talk and talk. Well, I knew that as a cadet, and then when
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I went to Hambantota I had him as a proctor. Well, Hambantota's about 25 miles away from his place, and they always liked postponements because they got fees for their cars, 25 miles each way, and I had a very long trial roll when I took over, about 13 weeks, which was ridiculous for a place like that, and I set out to reduce it, you see and so I'd - you can't stop a proctor from talking - I mean, but I'd say, 'Mr. Wickremanayake you have said that already.' Similarly, 'That's the third time. Mr. Wickremanayake, we're staying on in this court until the case is settled. I live just there. You live 25 miles away, but don't let me be' - went on and on, till I cured him.

- I. Well, I also found out that Sir Murchiston Fletcher was not very popular because he decided on this politician's report, and sent an order....
- L. I believe that is so, yes. He'd hear one side of the story, and then make a decision, but I wasn't senior enough for that sort of thing, to know about that. Only hearsay.
- I. And this Constitution of 1924 which Clifford declared 'unworkable' what did you think of that Constitution? The one in which officials had financial power, because they were in command of the Council. Just before Donoughmore.
- L. Well, you had to certify certain things as a result. Not very much, I think passages were.... But I think it seems to have become accepted as the development because it was followed by many other colonies afterwards, so it can't have been so bad.
- I. I was surprised that they had such a Constitution, because it was based on very bad constitutional principles.

INTERRUPTION

Well, I was coming to the Donoughmore Constitution really.

But in the 1920s, did you ever reflect on events in India and feel that the same sort of thing would develop in Ceylon?

- L. Not very much. We had the very militant body, Victor Corea and his Chilaw crowd. I remember, of course, this was just at the time when I had just left the Secretariat, but there was a lot of disappointment over the proposed 1923 amendments, which didn't come through at all. That was where Manning (1923 or '21, I forget)... Governor Manning wanted to make local councils democratic as a forefront of self-government, by getting councils run by the people. They'd give training, and things like that. But that wasn't accepted by the Council. They wouldn't have it. They thought it was putting off independence. I think that was a mistake. I think that would have been a good thing if it had gone through, because it would have got more people interested in
- I. What sort of man was Manning?
- L. An army general. He was
- I. Nothing brilliant, but able?
- L. ... nothing brilliant but able. That's what it was. Wasn't a brilliant administrator, but he had commonsense.
- I. The Donoughmore Commission said that-referring to this period they said that the political interference and criticism in Council was such that the Civil Service was demoralised?
- L. That was so. There were several cases. There were the Forrester Obeyesekere types trying to do things in Council which they couldn't. Of course, it's this power of the purse. There was one case where, rightly or wrongly - its very difficult to find out - the head of the technical department wasn't persona grata. I don't know why, I mean, there were reports
- I. Persona grata with whom?
- L. Well, with the Ceylonese, shall I say? I don't know. Anyhow, the Council said he was not efficient, and that he should be got
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rid of. But instead of doing that, they just didn't vote his salary, which was - and the Governor had to certify it, even though he then took disciplinary steps. They framed a lot of charges which they couldn't prove. It was just one of those very rare cases where 'the Queen had no further use' for his services. I mean, you just couldn't prove that there was anything wrong with him, but he just didn't go down, you see. But it was there they tried to jump in. One or two things like that. I can't remember in detail much happening, but there was trouble.

- I. Of course there were all types of politicians. But I was surprised to see in Bowes' memorandum strange arguments: he says that Ceylonese who had come to England, and got a University education, should 'show their gratitude' by 'working smoothly with Government'.
- L. He was a diehard, that wasn't the common I think if you've had a University education, you want people to think for themselves.
- I. Yes, exactly. There was some sort of discrepancy between Clifford's description of the Constitution and Stanley's, because Stanley said that 'co-operation outweighed opposition' - this is the '24 to '30 constitution - and Clifford said it was utterly 'unworkable'!
- L. Yes, co-operation in the minds of Civil Servants, if that was what (?) meant, selling (?) the past. Time and time again, co-operation meant giving in to the Minister. You see, it starts in a small way. I'm referring more to Public Service now because that's what I knew. The Public Service Commission shall do this, shall do that. Well first of all the Minister's Permanent Secretary, you know what I mean. Well, it's not unreasonable that the Minister should have a choice in the
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Permanent Secretary you see. Right, step number 1. It's not unreasonable, But he chooses somebody who's junior, and considered not particularly able in the eyes of the administration. Somebody (?) comes in. Well, there you are, you've sold that one.

I. This was happening later in the 1930s?

L. I'm talking about, this was under the Donoughmore, that sort of time. And then, you get - they start a new department, Co-operation. Well, the Public Services appoints so and so. No they don't want him. 'In 1898, he kicked a coolie', or something like that. I don't know what happened. Something like that, you see; and have so and so. Again, outside promotion, and the post is then raised up, and so he's paid more than the G.A. You see, it's the sort of thing that did happen. But it's the little - each one in itself wasn't enough to make a fight about, but that - ?? you said there was demoralisation in the Civil Service, but it was this co-operation which meant, as I say, giving in to a large extent.

I. What do you think of the Donoughmore constitution?

L. Well, it, I think it was good as a preliminary constitution, in that it gave a certain amount of training without undue responsibility, and the Committee system, you see, they were jointly responsible, not individually. Well, it did give them an insight into things.

I. This is a retrospective view. What was your initial reaction?

L. I probably wasn't concerned at the time very much, except in the immediate day to day working of it, you see.

I. I mean, things like granting of universal franchise. What did you think of that?

L. Well, it's the sort of thing that comes in a bit (?) - as I said,

it's one of those things that you had to have. I think one regretted it, but one had to accept it.

- I. From a comment made by Stubbs, or by some Governor, I was wondering whether the general tendency was to consider this Constitution as a whole a madness, or something akin to madness.
- L. What? The Donoughmore constitution?
- I. Yes, universal franchise and Committees.
- L. Well, I probably wasn't old enough, or hadn't seen enough - you know, I didn't talk to senior people about this sort of thing in those days. I expect I was too busy to bother about it.
- I. Do you know if in its working there was much friction between these three Officers-of-State and the Ministers, at the start especially?
- L. It didn't go down well. I think Tyrrell was Chief Secretary. A mistake made - I'm comparing this with the Gold Coast - in the Gold Coast, with a similar development (going over to self-government) Arden-Clarke said, 'If you do this, so and so will happen. But I'm not stopping you'. Whereas Tyrrell would say, 'If you do this so and so will happen, and you mustn't do it'. And the result was you got to a stage when, if the Financial Secretary advised against a thing, there was no need to argue the thing any further in Council, the thing was passed. You see, the mere fact that he uttered a warning about it was sufficient for the thing to be passed. That's what I mean when I say friction.
- I. Oh, I see. Because they were so much against him that whatever he opposed
- L. They were not against him personally; against interference, you see, in their own matters. It was going to decide. And I say, time and time again the thing went through without Whereas, as I say, in the Gold Coast Arden-Clarke would say, "That's a
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bloomer, you've made a bloomer, that's cost you £35,000 you see. You've got to the stage then - I remember being in Accra, two or three years afterwards." - Arden-Clarke was still the Governor General, before Nkrumah was - he was Prime Minister but then ... and Nkrumah was having trouble with his own political party. Well, Arden-Clarke was on leave at the time, and the Chief Secretary was there, but he (Nkrumah) was up three times that day for advice. I mean, they were working in co-operation, because, as I said, Arden-Clarke didn't interfere too much. He gave them warning. He said, 'If you do, something will happen, but you could do it'. Well the other one, they tried to stop them doing it, you see, which just didn't go down. It was wrong in effect, you see. The principle was all right, but the method was wrong.

- I. But don't you think that they were in rather a difficult position, the Officers-of-State?
- L. Of course they were, but you see they were - I don't think they had the imagination, you see, to
- I. Were they rather of the old school?
- L. I think so, yes.
- I. And also, personal characteristics, was Tyrrell inclined to stand on his dignity?
- L. Well, he was a very upright sort of a man, I mean, he wouldn't have anything wrong ...
- I. What about Bourdillon?
- L. Oh, I don't know very much about him. He was very pleasant. He was Governor rather than ... No, I think that was the trouble. It's what I call the Davidson complex.¹ I mean, although they weren't Davidsons by any means. You know, they'd say, 'That's the proper way, no other way shall it be done,' rather than the

1. G.L.D. Davidson of the C.C.S. whom Leach felt to be "perfectionist-mad".

compromise way, 'Well if we don't do that but do this --.'

I. What about the Ministers themselves, weren't they unreasonable?

L. Senanayake, once he got in the saddle, I think was good, because he knew his subject. He wasn't bamboozled by anybody. He had bees in his bonnet, though.

I. Like?

L. For example, there was a system of having firewood contracts with estates, where blocks of forest were leased to estates for firewood for the factories on the grounds that they were re-afforested. Replanted. Of course this did alienate a certain amount of high land which - and the first thing Senanayake did when he came in as Minister of Agriculture was to send for the Conservator of Forests and say, 'Cancel all these contracts.' So the Conservator of Forests, who was Lushington - not a bad chap, but he wasn't a particularly brilliant man - consulted the Attorney-General, who said right, 'You'll be liable for damages and I don't know what, if you do that.' Whereupon he reported to Senanayake, who said, 'Who the hell told you to do that. I'm the Minister. I told you to cancel those contracts.' Well, life became so miserable for Lushington after that that, just everything was against him, that he was out, you see. That was an idea fixed ... - I mean, he had that idea of getting rid of these before he came into the [Ministership]. But later on he mellowed. I remember another case of the sort of thing you were up against. He wanted long-staple Egyptian cotton to be grown in Ceylon. Well the Agricultural Department said, 'We've tried it. We tried it in 1910, we tried it in 1917, and the climate is not suitable for it. It gets boll rot and boll weevil and this and that and so and so.' 'I want you to try long staple cotton' - and in a couple of years, reported failure. 'I will not have this non-co-operation,' you see, so and so

- I. Fixed idea?
- L. Fixed idea, you see. It wasn't non-co-operation. Because, and the idea that it was non-co-operation with the Civil Service was sometimes - I think they had this wrong. I think most Civil Servants, I mean 99% want to do a good job decently. There may be the odd man who has got political views, but of the Bowes I don't mean he did anything, but that type of
- I. Weren't Civil Servants in a rather peculiar position? Not the top men, but the juniors, and all the ranks, so to speak. You had these - you had this Chief Secretary, who was in effect the head of the Civil Service, and whether he liked it or not, he was representing British interests where there was a clash. If you see what I mean
- L. Not necessarily.
- I. And these Ministers who were the Heads of Departments and sometimes directly over them. Didn't you feel a conflict of loyalties?
- L. Oh, there was, yes. There was. I mean, that was the trouble, because the man's future depended on the politician, because the English were going. I'm talking more about Sinhalese, rather than European. The European wasn't so bad, because he had the right of retirement if it became too hot there. But it was the trouble with the Sinhalese, that went on - I mentioned the case of Rajendra which was a typical example of where he was told to do something diametrically opposed to Government policy.
- I. Did you feel at times that the Chief Secretary felt - wanted you to be his man rather than the Minister's man?
- L. I think at the beginning there was that. A little bit. And he was to a certain extent, but it worked all right. It soon got down to - the Ministers realised that if they were sending a circular which affected other Ministers and it had to go through the Chief Secretary, I mean the Ministry of Agriculture couldn't
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lay down what - you see, as a G.A. you dealt with each Minister direct on his own subject. Well, it did overlap sometimes, and it made a

- I. Yes. Would you comment on the working of this Executive Committee system? I mean these Committees, the different
- L. Well, I only met it in war time. I was dealing with Labour, Industry and Commerce when I was made Commissioner of Commodity Purchase. I was buying and selling all the copra and cococut oil, and plumbago and things, and I had to deal with the Committee then, but I found them quite reasonable.
- I. You said that the Constitution as a whole gave political training, but didn't it also
- L. Well, it gave a little training to the Committee. In other words, you had 10 men becoming concerned with administrative detail, whereas normally only one does; I mean, administer. That is the point. On the other hand, they didn't always have a collective sense of responsibility. There was an awful lot of 'you scratch my back and I'll scratch yours'. 'You vote for this, and I'll vote for that'.
- I. Was there a lot of squabbling within committees?
- L. There was some, but I don't think a lot.
- I. I was wondering whether, while it did give them some insight into administration
- L. Oh, it did, because they had to deal - they had to make decisions on lots of questions. You see, the Minister, as he was then, was only the Chairman of the Committee. I mean, he only voiced the....
- I. But at the same time didn't it give them a bad training, concentrating on the wrong things? Lack of responsibility, perhaps.
- L. There was a lack of responsibility, but which is better, to be pushed into administratorship knowing absolutely nothing, with no experience of responsibility, or some experience of the problems
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you're up against. There was some responsibility, not personal, individual responsibility, but there was a responsibility as a Committee. On the whole, I think it worked all right. But not efficiently, in the sense that it's easier for one man to make a decision than for a committee. I mean, I could get a decision out of a Minister in 10 minutes, whereas I couldn't out of the Committee.

I. Yes, but wasn't it also a practice for some Ministers to make a decision and act and then go to the Committee?

L. Yes, particularly as the war progressed, because decisions had to be made.

I. Returning to this point of interference. There was a lot of attention devoted to appointments. Do you think it was wise on the part of the Donoughmore Commission to give them this power to look at appointments?

L. I don't think it was, and there was a stage when Senanayake sent a letter asking that things be not referred to the Ministers, because they were getting so much pressure from constituents that it was embarrassing them. I mean, that did occur sometime afterwards.

I. Would it have been better to go the whole hog and give them the power?

L. No, he would have lost the confidence of the Civil Service then. Anecdote: Mr. Brown, as G.A. Galle, in his diary said, 'I'm glad to see that my nominee for so and so has been appointed.' Governor, with a good memory, said, 'Please ask Mr. Brown to explain, because this man was the second on his list.' Mr. Brown: 'I always put my best man second, because I know the Committee will never accept my first recommendation.' Quite true.

I. What you call devious administrative methods!

L. I know, but that's what he said. 'If I recommend A, he won't

get the job.' Just sheer perversity, and that's perfectly true. Brown got a ticking off from the Governor, but it was

I. Regarding relations, how did Wedderburn get on with the Ministers?

L. Oh, he got on all right, except over that Bracegirld case.

I. Now, whatabout - you said that in Tyrrell's time they didn't quite hit off. Francis Tyrrell's

L. Didn't hit it off with whom?

I. With the Ministers.

L. Well, as I say, there was just that attitude with the three Officers-of-State; ^[though] the Legal Secretary never came into it very much.

I. And Woods, I suppose, was one. I was wondering what sort of man Sir Graeme Thomson was?

L. Well, he was a bit sick as a Governor, I mean, he wasn't very well in health. But he wasn't out to do anything

I. No, I was wondering if he had the imagination to work this sort of Constitution?

L. Well, difficult to say, because I wasn't senior

I. Stubbs?

L. Oh, Stubbs was a cynical old bloke, but

I. Yes, somebody else said he was a cynic. Looking as his record, I was wondering whether he was a Secretariat-wallah.

L. He was, yes.

I. Well, in this sort of thing, the personal factor counts a fair amount, where - between Ministers and top level

L. Yes. I think Caldicott was very good.

I. Was he an able man?

L. Yes, except - he was able, but he got a bit ill towards the end. He used to suffer from arthritis, which upset his temper a bit badly, but

- I. I know he was fairly popular, so
- L. He was quite able. He was very very good at drafting - making his point, putting his points over, and that sort of thing.
- I. Yes, I know quite a lot about this Bracegirdle affair, and I notice that you were Secretary
- L. Nearly lost my eyesight correcting proofs. It was a colossal volume in the finest of print.
- I. The Commission decided that Jayatilaka was lying, and that the directive ^{was}/ultra vires? But regarding Bracegirdle himself, do you know what sort of chap he was?
- L. He was merely a pawn in this. Just a Communist who was regarded as undesirable, that was all. An Australian Communist, or something like that.
- I. Why was he deported? I mean, what exactly was
- L. I don't know what his conduct has been. That didn't come up in - that was quite apart from the case. I mean, the enquiry wasn't on that, it was just the decision to deport him under those
- I. Do you know what the Governor's attitude was to the L.S.S.P. or rather the British Government's attitude?
- L. L.S.S.P?
- I. The Marxists. The party whome Bracegirdle allied with. N.M. Perera and ...?
- L. Well, they were hardly in being at that time. I mean, they hadn't developed. The party then was the Labour party and Goonesinha. You see the Communist party hadn't got going. Handn't any strength then. Personally, I've always contended that there shouldn't be a Communist party in Ceylon. I said there should be a good Labour - It's because there's no good Labour party that there is a Communist party. I don't think Ceylonese are Communists by any means, do you? They're very much property minded, and - I mean, I'm talking about true Communism.
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- I. Yes, did you ever have much contact with A.E. Goonesinha, the Labour man.
- L. I met him occasionally, yes. I think the funniest story about - didn't he become Minister of Labour?
- I. Yes, later on.
- L. I think the funniest story was when the Post Office people went on strike. 'How dare they go on strike when we've got self-government. I will have them shot.' From the man who was organising more strikes than anybody else.
- I. He mellowed quite a lot I think.
- L. Yes, but still, I mean, that was
- I. Oh yes, quite rich. Under the Donoughmore Constitution, what did you think of the elections, and the electioneering methods?
- L. The elections were run straightly enough, at the beginning, anyhow.
- I. Impersonation?
- L. Oh, a lot of that, yes.
- I. Enough to sway the results?
- L. I don't think so. I remember being an election officer, and I think I had 50 people in jail until it was sorted out and
- I. This was in Badulla, was it?
- L. No, I don't remember where it was, frankly. Around Hambaritota somewhere. No, Badulla I think it was. Anyhow, the point is, 99% of them were the genuine people, and the impersonators had got in first, you see and been caught. These were the real people who'd come along secondly.
- I. Did you feel, for instance, bus companies and other people had too much influence?
- L. This was a thing which did occur. There was a time of rowdiness with bus companies. You know, having rowdies at their beck and call, that sort of thing. I don't know how long that lasted. It
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was just towards the end of

- I. It is said sometimes that this Constitution prevented the growth of parties, but do you feel that it was not so much the Constitution but the social situation with caste, and other local factors ...?
- L. I told you before, my impression of the Sinhalese, whether good or bad, was that they don't trust anybody, and it's only when you get people of similar background that one can have cohesion. In other words they're either all Goigamas or all Durawas or all Roman Catholics, or all Buddhists or something like that. I think they've got to have some cohesion, but just very rarely do you find Mr. A. trusting Mr. B., a Sinhalese or a Tamil (?). I think that's why - I mean, you get things going on racial and religious lines, as the case may be.
- I. And at this time, of course, the politicians refused to grant the European officers these passage allowances. Was that taken seriously?
- L. What do you mean 'taken seriously'? It was by the Europeans.
- I. Yes, by the Europeans. Was it resented?
- L. Oh yes. Because they felt it was the thin end of the wedge, you see, this start. Because this was the first time that the power of the purse, so to speak, had affected them, apart from cutting out this project or that project. And there was a lot of feeling as to whether the Governor would or would not certify it. Because they did certify it. And the result is that occasionally an annual ordinance I mean, just out of pride they refused it the next year and the Governor then certified it the next year. I think that had repercussions in the Colonial Empire, because I know in Ghana when the Governor should have certified something, the Secretary of State told him not to do so. So you had another dissatisfied Civil Service.
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- I. Yes, I was going to come on to this. It's very interesting because of your experience of the two countries, and, just before the switch-over in each case. Would you care to draw some comparisons and contrasts?
- L. You can't compare. The African, by and large, is a very simple peasant. Simple, cheerful. You've got again the lawyer caste, the few educated people at the top, - but you haven't had the, although they've had their chiefs and so on, - the average Sinhalese peasant is much more educated than the average African peasant, if you know what I mean. Sophisticated on his own subjects, country matters, and things like that because he'd had his - everyone had chiefs, but they are very primitive, and things like that. If I may just give you an example of what self-government means to people; my cook happened to be the treasurer of the cook's union, well, not that that means much, but it means that he was the office-bearer of his union.
- I. This is the Gold Coast?
- L. In the Gold Coast, yes. When they got self-government he said to me, 'When are they going to divide the money in the banks;' among all the people, you see, that's what self-government meant to him. Well, I don't think the average Sinhalese bloke was as ignorant as that, you see, as to what self-government meant. I mean, that's the sort of thing you're up against. But things went much more easily in the Gold Coast. As I say, the Governor was wise, he let them make mistakes. The point is, his theory was, 'Well, let them make a few mistakes, if it's not too costly. They are learning. They're learning to take advice. They are learning to think twice.' You see ... it worked.
- I. Yes, what was the difference from the administrative point of view, the switch-over?
- L. Well, it was to be welcomed and most of it because to start with
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I'm not talking about now because I've very little experience of now because of corruption and all sorts of political interest - but at the beginning - and the same applies to Ceylon, very much more to Ceylon - if you got the Minister interested in a thing, the thing went through very much more quickly than it ever did under the old Secretariat.

I. Why?

L. Because the Minister had the power to put things through. The Secretariat, you know, the if's and buts and minutes, and so and so. I mean, I've been to Nkrumah, on a visit there - for example, I was training apprentices over here. We'd got about 200 artisans. I was looking after them when I was Commissioner. And when they went back to the Coast the idea was that the Industrial Development Corporation, a thing I'd started out there, should lend them money to finance them. I mean, if he was a watchmaker, buy him a few tools or lathes and things, on hire purchase, or whatever it was. Well, certainly because of some defections on rather a larger scale, they decided no grants. With the result that I said, 'What's the good of spending two thousand on each one, training them, if they've then got to go back to flint instruments, or something.' Anyhow, I was on the Coast, and I saw Nkrumah on a Friday night, and he said, 'I'm too busy to see you now, you see me at my party tonight.' And talking to guests in between, I got my words in and on Monday morning I got the thing altered in Council. I mean, that sort of thing. The same in Ceylon with Corea. I was dealing with commodity purchases, well, we had to make certain quick decisions on commercial matters and

I. How did you find Corea as a Minister?

L. Oh, he was very charming. I liked him.

I. Which Corea was this?

- L. C.E. Corea, who later became Ambassador in U.K. But you see, it was difficult with Corea, because I was put in that department against his wishes. He had Balfour before me, and the thing was in a terrible mess. I'm not blaming Balfour for that, because they had to start buying all the copra in the country at three days' notice. There was not an office, not a ... nothing in hand. I mean, it was just chaos. And the Commander-in-Chief said, 'I'm not having all this' There was transport waiting outside Colombo a mile and a half long, waiting for a week before it could be unloaded. Which was because Ministers tried to do things too - they hadn't sold any copra for 18 months, and every estate was bunged up to the eyebrows with copra, and when they got the go-ahead, they tried to do things too quickly. I mean, Jayawardena did a marvellous job in getting things going as he did. But it was inevitable, every estate in the country was bunging copra into Colombo when they had to build the stores, they had to find weight-scales, and everything else. And so the Commander-in-Chief, after about three months of this, it didn't get any better, and transport was being held up for a week, and the roads were about 6 inches thick in bullock manure, and everything else, the Commander in Chief said, 'I'm not having this.' He said, 'The man to put this right is Leach,' and I went in over the Minister's head. Apart from that initial bad start, if you see what I mean, we got on extraordinarily well. He got confidence in me after a bit, and I had confidence in him, and we worked well
- I. Yes, did it strike you, even in an earlier period, that many of these Ministeries rushed into various schemes with very sanguine expectations?
- L. Oh yes, I mean, they discounted the - anything which you put up as a warning against it was 'non-co-operation'. Like Egyptian
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cotton not growing in Ceylon. I mean, it was the Department of Agriculture's 'non-co-operation' that did it.

I. Did you find that they were too touchy on that?

L. Touchy on that, [yes]. They were - I don't know - they thought the Civil Service was against them, you see, and that sort of things.

I. Going back in time, even to the 1920s, again, raising a point made by Stace with regard to the whole British community - and he is generalising, of course - He said that one of the faults was 'arrogance' - he's referring now to the planters and others too - and I was wondering whether you would comment on that. Did you feel that some were arrogant?

L. Oh some were, certainly. But whether you - it's not a thing I'd recognise. You may not recognise it in yourself. That I'm better than they are, that's why I've come here to administer the Ceylonese. I personally - I mean, Stace was a pre-war man - I would say there was a distinct difference between the post-war people and the pre-war people

I. You mean the Civil Servants?

L. Yes, people who'd had service in the army, navy and come up into contact with other people, didn't come straight out from the cloistered university, and that sort of thing.

I. Of course, I know by implication in what he has written elsewhere, he includes Clifford as one of these types.

L. Oh yes. Although Clifford has a reputation of knowing the Malayans quite well, you see, of course he was a bit ... then.

I. Dotty?

L. But Stace was a funny man. I used to go for long walks with him, and of course, apart from his philosophy, he could be very down-to-earth, earthy.

I. Oh, he could be?

- L. Oh yes. He was never much in this administrative game, I mean he was kept in Land Settlement for a long time because ... - I don't think he was good with the public, you see. He was a bit ponderous.
- I. It's very funny that Land Settlement Department got, did such good work, but has historically got a bad name because this political attack is believed by so many people. I know you didn't consider it part of your duty, but it would appear that you have - taking the British as a whole - failed to interpret your land policy to the educated classes. You see what I mean; to explain it to them, and make them see your side of the case.
- L. That is possible. But it rather begs the question of whether there was a real land policy! There was a land procedure, but ...
- I. Yes, procedure, that's right.
- L. That is so, but there again, I think you hit the nail on the head. The intelligent classes who were interested were probably the people who were interested in getting the land too. I think that has a lot to do with it. If you put it fundamentally, I'm not saying that the Sinhalese has not suffered by the land policy. I think he has. I mean, the villager I'm talking about particularly. Because land has been absorbed which economically is better for Ceylon, but not for the individual villager. In other words, from the Ceylon point of view, it's better producing tea and rubber than it is just a few coconuts, or whatever it may be. But apart from that I think there was a certain amount of foresight among the Scots pioneers - the planters - in developing these estates, in hardships, in great trouble - I mean malaria and things like that. They developed them, and when they were bearing - were showing the profits - that the Ceylonese land owners came along into it, you see. By which time a lot of the land, not all by any means, but a lot had gone.
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And so they rapidly swamped up the rest, and it was then - that was the trouble. They hadn't had the foresight to develop it when they could have done you see. As a class, I'm talking about, not an individual.

- I. Yes, but they didn't have the capital then. I mean, in the 19th Century.
- L. No, No, No. But even so, I say they didn't use their capital for a lot of their coconuts. It was done on this half-share basis.
- I. Reverting to Stace's point about arrogance, I mean, where it was found, considering the fact that, whether you thought of yourself or not, you were in effect a ruling race, you were ...
- L. I don't think ... I said, this is where you've got to distinguish between the post-war and the pre-war people. I didn't come to Ceylon to rule the Sinhalese or
- I. No, I'm not saying that you thought in those ways, but from the Ceylonese point of view that's the way they looked at it, and therefore when a few planters and the like, and even perhaps a few officials, did show traces of arrogance, it was the educated middle classes who felt it more. And it invariably needled them, and in this
- L. With considerable justification in some cases I've heard of, anyhow.
- I. It was not a very wise thing, wise trait to show
- L. No, but I want to go back to that, I'd like your opinion on this historically. No, I say, I think the fundamental - it was a job, it so happened it was doing administration in Ceylon, and one tried to do the best one could, a good job. Now later on we were told we were not working for the Secretary of State, we were working for Ceylon. And at least on one occasion in my history, have I more than once, I've fought with the Secretary of State in
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the interests of Ceylon, and certainly in the Gold Coast. When I say the Secretary of State I don't mean him because I've got a high regard for that office because he was acting as a post office for other ministeries - and the same in Ceylon. One was for Ceylon.

- I. Yes, now I have no doubts on this point. I mean
- L. As I say, in most things, one would kick against official pricks because one wanted to do a good job. I mean, that's the average person. There were some people who were just time-servers, but not many.
- I. No, I was just - my main point was that it was very unthinking of these people who did act arrogantly from their own point of view.

[The spool ended at this point. Mr. Leach went on to relate the story of how he was reprimanded by the Chief Secretary, Drayton, over one case where he, Leach, was fighting for Ceylon's interest. See my "Unrecorded and Confidential" MSS for this.]

20 and 21 December 1965. *

Southern 'Looking back' he would agree with Woolf that Southern was not very brilliant. 'Adequate' but not a man 'who would set rivers on fire'.

Mark Young a man of higher calibre than Southern.

G.L.D. Davidson 'one of my bete noire'; Leach considered him 'efficiency-mad' and perfectionist; 'a cynic'.

Sir Robert Drayton Obviously did not care much for him. Thought him unprincipled and untrustworthy (I think). Drayton gave way to political pressure.

Sir J.C. Howard Also a type who gave way to pressure. A 'yes' man who sought quiet and popularity.

G.S. Wodeman A small made man and 'cocky' like most little fellows. Implied that he was aggressive.

Sir Charles Collins Also a small chappie. Agreed that he could be vindictive. Repeated E.H. Davies case. Implied that he gave way to pressure like Drayton.

N.B. Wodeman and Collins were compatriots in the Secretariat in 1935-36. Hence he was naturally reluctant to say much against them. But it is, perhaps, significant that he did not speak highly of them.

H.E. Newnham (vide recorded section for some comments) could not resist quips even in official correspondence. As Chairman, Colombo Municipal Council he was often rude to Government, 'with reason' at times - not that rudeness was not called for at times. It was because of this that he was passed over in favour of Wodeman for the Deputy Chief Secretaryship. Mr. Leach implied that this was a shocking decision yet hardly surprising in view of Mr. Newnham's quips, etc.

In reply to my query 'Was Mr. Newnham unpopular with the politicians?', he said that Newnham had once made fun at the expense of the Sinhalese - i.e. related anecdotes re faux pas and broken English - at a Rotary meeting in Wales only to find that this reached Ceylon; result: severe criticism in the Legislative Council.

* This is a retyped version. It was originally typed in elite and copies in London and Oxford are in that form.

Leonard Woolf had a high 'reputation' among villagers of Hambantota District even in Leach's time (1920's, 1930's). Leach felt that Woolf's autobiography would make it appear that he was 'a bit of a prig' and rather 'egotistical'. He was also inclined to think that Woolf was too harsh on the hearty young officials who were not as sensitive or intellectually-minded as Woolf but who were capable in many ways and achieved much in colonial administration. Woolf would not have liked the drinking set or those who threw 'firece young parties' - the 'tough guys' - like Dowbiggin or Forrest; but these men rose to high posts. He imagined W.K.H. Campbell would have been the sort Woolf would have disliked, but Campbell initiated much - eventually became U.N.O. expert on Cooperatives.

S.W.R.D. Bandaranaike Agrees with Davidson's point that he had a chip on his shoulder. Always seemed 'anti-European'.

D.B. Jayatilaka A nice old gentleman; the father of the nationalists; implied that his powers were waning in the 1930's.

Before the interview began Mr. Leach had a glance at my questionnaire and read the portion on land matters with care. When he came to the question: 'Did you consider that some of the politicians participating in the attack on land policy and on the L.S.D. were also interested in land buying and ulterior motives?', he laughed and said, 'I like this one...', smiled and asked, 'do you know Victor Corea?' 'C.E. or Victor Corea', I asked. 'C.E.? No, Victor. There was a C.E. though', said Mr. Leach. Mr. Leach implied that Victor was a notorious land buyer; called him a 'bad hat'.

A European, Thornhill, was also noted for such activities in Sabaragamuwa.

There was a class of intermediaries who bought up dubious village claims and sold them again.

He recalled one or two examples of racial arrogance - in Badulla one planter warned his wife that if she went to the races with certain Sinhalese as intended, the Leach's would never be invited to their bungalow again.

Two young planters entered the dining room of Haputale when Mudaliyar Solomon Dias Bandaranayake was there and refused to eat in the same room.

He agreed that sometimes Ceylon saw slights where there were none.

He felt that often Civil Servants were too busy to think. There was too much routine paper work. This was possibly what Stace was referring to.

Towards the end of the war, the authorities in London - the Colonial Office was not behind this - only offered a reduced price for graphite (plumbago) though there was inflation in Ceylon. Leach, thinking of the interests of Ceylon, suggested that they ask the Secretary of State for Colonies for the price offered to Madagascar; and if he could not give it, to try the military government of Madagascar. This was rejected by Governor Caldecott and Drayton though endorsed by the Minister, Corea. Drayton accused Leach of being 'disloyal' while Caldecott seriously considered an official censure on Leach but deferred this because of his good service during the war. As it was the high powered Government Advisory Committee considered the point and strongly supported the views put in Leach's rather 'flippant minute'.

The Colonial Office knew quite a lot of what was going on behind the scenes in Ceylon. Sidbottham was quite a wise old bird and pretty well informed.

Gimson A bit 'snooty'; a 'quiet' sort; did very good work in Kegalla during the malaria epidemic.

Tambimuttu He considered him rather crooked.

MR. F. LEACH'S ANSWERS TO SUPPLEMENTARY QUESTIONS

SENT BY M.W. ROBERTS

January, 1966.

You have really given me a problem - it would take several days to answer all your questions fully. However I shall try and deal adequately with your questions and shall deal with the Dr. Leach problems and your questions arising from our interview separately. Firstly dealing with your questionnaire.

There are certain fundamental matters to accept in dealing with my answers and they are: -

- (a) I have no books of reference and so cannot verify or date points.
- (b) I deal with legal principles on a broad basis - black and white - but you will realise that due to policy instructions, court decisions, etc. there are many intervening shades of grey.
- (c) My experience is mostly in the Kandyan provinces and the dry low-country zones - land problems as a whole vary greatly with the intensity of land hunger.
- (d) I write chiefly of my own experience. G.A.'s, L.S.O's, etc. were different people with differing outlooks and different methods of application. Some were casual and others very thorough - at least in some or other aspects of their work. Some looked ahead and others tackled problems on a day-to-day basis. I think I looked ahead and so where I describe actions involving thought for the future you may take it that they were by and large general but not entirely so.

Secondly, before I answer your queries I must explain the working of the Waste Lands Ordinance - the one of ? 18?? under which Land Settlement Officers worked. Under that Ordinance only waste (i.e. uncultivated land) could be dealt with and that included land cultivated only within the last five years. That brought under the Ordinance lands which had been waste but were cultivated prior to survey and settlement with a view to establishing claims not only against the Crown but against other villagers and land-owners.

The procedure was that a notice was published in the Gazette, newspapers, in the village and a copy served on all known claimants as determined by the surveyor at the time of survey and the S.O. at

the time of his first inspection (after survey and issue of plans) of the village. Within three months claim had to be made to the Settlement Officer. They were all registered and in due course each claimant summoned to an enquiry held near the village.

I should have explained that the notice gave a sketch map of the area under notice and described the boundaries and lot numbers and (I think) gave a list of lands within those boundaries not being claimed under the notice.

At the enquiry each claimant gave evidence for himself and perhaps for a whole clan of his claim - the lands claimed, the basis of claim (inheritance by devious routes, purchase, planting agreements, etc.). Guardians were appointed by the Courts for minor claimants (on the initiative of the S.O.). The S.O. identified the lands claimed - whether particular lots or shares of lots or undivided shares of large extents. This usually necessitated a visit to the village.

Claimants handed over deeds they had and abstracts were made of these during the enquiry and deeds handed back then and there or later if there were too many of them to deal with at once. Action then differed according to the nature of the enquiry. In an uncomplicated dry zone village the S.O. would immediately proceed to make his settlements but in a more complicated village he would have to delay matters while he checked up on court cases, entries in the land registry (it was surprising how the extent of a piece of land grew with the number of transfers made - thus by tracing back one could find that the original deed was for say two acres though now claimed as 200 - bounded on the north by a Kumbuk tree etc. led to this sort of thing).

Then the S.O. made agreements with the individual claimants. In consideration of Appuhamy being declared the owner of (or the purchaser of) or the land being admitted Private (not Crown but no owner specified) of lots , , , , and so many acres of lot as roughly defined overleaf (by a sketch made by S.O.) ... (for the sum of ... in case of purchase) the said Appuhamy withdraws his claim to lots ... and to the remainder of lot

Thus in a straightforward settlement we have the waste land divided up, landmarked and title plan given (or a copy of the agreement) and settled on individuals, families or whatever the settlement may have been. The consideration might well have been - setting aside ... acres of lots ... as roughly described overleaf as a chena reserve, pasture reserve.

That settlement gave the claimant undefeasible title to any particular lot settled on him.

If a claimant would not consent to the settlement offered and no reasonable compromise could be made then the claim was referred to court and the issue was Crown land or not - not whether Mr. A. was entitled to x acres if B had got y acres. That action would hold up the settlement of the whole village as all lots had to be cleared of counter-claims. Such action was not common and it was usually the land speculator (villager or outsider) who wanted to get full credit for dubious paper title (often deriving from digg-married women or their offspring, who of course had no title).

Another source of claim against the Crown was based on a Sannas - a land grant by Sinhalese Kings. These Sannasa had had to be registered (? 1870) and there had been great activity in producing spurious copper sannasa.

Where a claimant produced one written or scratched untidily on a piece of copper I used to remark that if they produced that before a king for authentication they would have had their heads lopped off. Trouble was being 50 or more years old the false sannasa were prized as genuine by descendants. An authentic sannasa was usually beautifully incised and was accepted against the Crown. Thus several whole villages were unclaimed by the Crown in favour of temples, old landed families and their successors in title. Any sannas produced was vetted by an expert such as Codrington, Wait (and the Dr. who was first Commissioner in London ? Pieris).

During Settlement a village was 'closed' and that meant the G.A. took no land action in that village - kachcheri files being handed over to the S.O. The L.S.O. then acted as the G.A. in land matters - an L.S.O. was appointed in two capacities - a Settlement Officer under the Waste Lands Ordinance and a Land Settlement Officer.

I repeat that as Settlement Officer under the W.L.O's he dealt only with land which had not been planted for more than five years. As Land Settlement Officer he stepped into the G.A.'s shoes and dealt with land planted for more than five years but under 33 1/3 years (in practice say 25 years to make sure).

Fundamentally and in very broad lines all possession of land derived from the king-paddy lands, gardens, etc. and so by succession to the Crown.

The Crown then, wishing to settle the land, advertised the lands by lot number, name and area, for sale or settlement.

In going round the village on his original inspection (after receipt of plans) the L.S.O. noted against each lot either 'private', 'sale' or 'W.L.O.' meaning land admitted private, to be advertised for sale or brought under the Ordinance.

The general practice was to hold the sale of these planted lands (over 5 years) before the proceeding under the Ordinance. This got a lot of village cleared up and also gave the villagers more time to pay for the land.

Prescription by possession against another claimant was ten years but did not hold against co-heirs to the land. Thus a brother might have planted the land but another brother might have been entitled to a half share and vice-versa for another piece of land. At the sale an attempt was made then and there to sell these lands to the planter unless he had no objection to title passing to his co-heirs as well and so one had a large number of little land cases to deal with on the day of sale. Thus I usually restricted my sales to about 25 lots a day. If a reasonable settlement among the lands up for sale was impossible because part of the claim referred to land being brought under the Ordinance then the sale of the particular lot would be postponed and the L.S.O. in making settlement under the Ordinance would get agreement as to whom and in what shares the postponed lot would be sold. Usually one would have re-advertised the postponed lots for sale or settlement on the last day of the Ordinance enquiry and so could tie up these loose ends while there was time and room for manouvre.

As the G.A. was not operating the L.S.O. would sometimes acquire land either on the G.A.'s initiative or his own. He had no money for this but could usually arrange for an exchange for some available land. The L.S.O. could sell land by auction - e.g. an arrant encroachment by someone without a vestige of real claim but this was rare. The job of the L.S.O. was to hand the village back to the G.A. with all claims to Crown land cleared and not to sell the remaining Crown land. Thus he did not sell land by auction as a rule.

The prices charged varied. Nominal for a villager Rs. 10-15 in the Wannu per acre - 30-50 in South of N.W.P. but might charge a speculator who had been in possession long enough on insufficient title (I mean village title) the full economic value.

If land was available one usually kept some 'charity acres' up ones sleeve for the deserving landless - some whose fathers had sold all etc. but only cases arising out of occupation or claim - not a general settlement on landless - that would be the G.A's job after release of the village back to him.

Rather a long pre-amble. Now for your questions some of which I have answered.

1. Q. What exactly does one mean by "bad village title" as distinct from "bad Crown title"?

A. Speculators bought anything to get deeds for the land. In Kandyan districts a woman who married in diga - out of the village - forfeited her claims to ancestral lands. She would not object to selling a share for a few rupees. The purchaser would then try and get possession of some uncleared land and if anyone objected - as they would - then it would have to be court case to get him ejected. At a land enquiry he would purport to prove that the woman was not married in diga and was in binna or had returned in binna or merely in possession. It was common for a large speculator with probably a mixture of good village title and bad village title to institute a partition case to get his portion defined by the Courts. Having taken the initiative he stopped any one else taking a case (already before the court) and then he would take the minimum of action in the Courts. If the Judge insisted on getting on with the case it would usually be found that one party had died so the case would be postponed while heirs were substituted, guardians appointed for minors and so on ... meanwhile the speculators rubber grew and grew and the other claimants were powerless to do anything short of murder.

Bad Crown title would be very rare and could only occur where it could be shown that the land was not the Crown's to sell.

So bad village title is 'title' derived from a bad source - not title at all. Another source of bad title would be where extent of land has been fraudulently increased or stated.

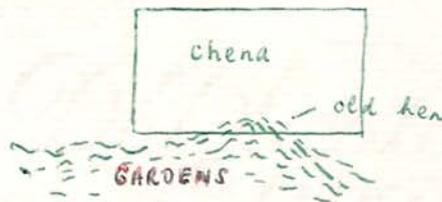
2. I am not clear about certain points regarding the L.S.D. operations and the procedure. I will proceed to give a description in question-form of how I read the process, so that you can confirm, clarify and/or elaborate. Questions in the middle of sentences will be a query pertaining to the correctness of the preceding word or phrase.
- (a) Before an area was surveyed for settlement, an L.S.O. went round on a preliminary check?
 - (b) Or was this preliminary check after the survey?
 - (c) As far as I gather your own practice was to work in the sales of Crown land together with your settlement work?
 - (d) After the preliminary check and the survey, the L.S.O. advertised Crown land - i.e. land not being brought under the Ordinance (?) - for sale and called for claimants?
 - (e) If there were claimants or a claimant to any one such lot (or lots) this lot (or lots) was not put forward for sale but reserved for settlement?
 - (f) What about encroachment on Crown land deemed to have been five or less years before the investigation: were they advertised for sale as Crown land even if there were claimants (and presumably there would be if they had taken the trouble to encroach)? ... or were they reserved for settlement?
 - (g) The point is that at one stage you say "over five years you advertised for sale as Crown land". I should have thought this should read "under five years"? If it was "over five years" - i.e., an encroachment of 5 to 25 years standing with trees of that age - I should have thought it was brought under the Ordinance (?) and reserved for settlement?
 - (i) Perhaps I am confused regarding the phraseology. Does "brought under the Ordinance" not mean that it was claimed as Crown? When this was done does it mean that it was, invariably, also "reserved for settlement" - i.e. settled on the claimant at the L.S.O's price?

Answer:

- (a) Not always the practice but usually the Chief Settlement Officer would go round an area with a senior Survey Officer prior to surveys being made to determine general principles of survey. Thus in old areas he may decide that villages should not be surveyed and isolated blocks of forest dealt with by themselves. In some areas the
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waste land would be claimed in small blocks and then the instructions would be 'survey according to claim' the waste land then being shown as a number of individual lots. In other cases large stretches of waste land would be left as one lot.

- (b) After issuing general survey instructions the L.S.D. would not do anything more until the receipt of the plans, usually of the whole Korale at once. The L.S.O. then inspected every lot in the village, recorded action to be taken, added other names (of the land) if necessary, names of other claimants not noted by the surveyor, description of land. Information from older surveys, perhaps from court cases mentioned while he inspected. He might require some lots to be re-surveyed before action taken e.g. where obvious fraud in including an old tree in a large block of waste land so description could be 'coco - over 25 years'.



- (c) Answered in preamble.
- (d) Yes but did not call for claimants. He had noted claimants on his inspection - there might be other claimants who would appear at the sale.
- (e) Answered. Not necessarily. A decision might be made at the sale but if any difficulty settlement postponed until fuller facts ascertained at say the W.L.O. enquiry were available. Claimants might agree then and there.
- (f) The L.S.O. could either advertise them for sale or settlement or bring them under the Ordinance. Much depended on the village and whether the land in question was tied up with larger blocks or not.
- (g) Answered. You have got the positions reversed. Land under 5 years cultivation under the Ordinance. Perhaps you are confused with the word sale. Lands advertised for sale were in fact advertised for 'sale or settlement' and in most cases it involved settlement on occupier or claimants.
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(i) Yes. Brought under the Ordinance means claimed as Crown. The land may not all be settled on claimants - one man might claim 1,000 acres - he might get 2. A claim is not necessarily a rightful claim. In some cases no land at all might be settled on a claimant. For example a man might claim some Crown Forest which had never been claimed or worked by villagers. It might well be that that claimant would get nothing at all. You might not remember that when the Colpetty road was being widened (Colombo) there were false claimants to every land. As the G.A. could not reconcile these counterclaims he would have had to refer the acquisition and the claims to court but for a consideration paid by the real landowners they withdrew their claims so the G.A. could settle and pay then and there (The simple Sinhalese villager).

3. (a) It would appear that when a G.A. or A.G.A. took up a case against a chap who had encroached on Crown land on dubious title the Courts did not deem it a criminal case and administer criminal punishment but referred it to a civil court?
- (b) If so, why didn't G.A's and A.G.A's take them directly to the civil courts?
- (c) But why did Judges act as they did in (a)? Did not the Waste Lands Ordinance explicitly permit eviction and punishment if the encroachment was less than a certain number of years?
- (d) Did the Courts refer back cases in this manner very often?

Answer:

- (a) A bit hazy on this. Normally an encroacher would not claim as against the Crown. If the land had been settled he would not be able to make such a claim and the matter would be dealt with summarily. I cannot remember whether there was action in criminal courts or whether it was in civil courts. I think trespass on Crown land was criminal. It would only be in a rare case where title against the Crown was claimed and then if there was a prima facie case the Court would refer action to civil remedies.
- (b) Must have been a remedy in criminal courts.
- (c) No powers (if I remember correctly) for eviction or punishment under [the] W.L.O. It was a matter of ascertaining title. Once title [was] established then action would follow civilly or under other powers.
- (d) Answered above.
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4. In connection with the whole of judicial administration, did you think that the legal distinction between criminal and civil cases was pushed too far - i.e. a nuisance and/or impractical and/or rigid? It is interesting to remember that in 1832 Charles Hay Cameron (as far as I recall) was against such a strict separation.

Answer:

Surely it is a matter of definition. The criminal courts dealt with coded law. If an offence came under that law then the court had to deal with it. It did happen that a defence in a criminal court would often be the assertion of a civil right and a harrassed magistrate might jump at the excuse offered to refer to civil remedy and get rid of the case but normally a real criminal case would not be brought unless an illegal assertion of the civil right had been made. The 1832 point of view was alright with 'father' summarily righting wrongs, but could not apply to a legal minded people.

5. Regarding a possible criticism of the L.S.D. work let me present a scheme, under which the L.S.O. and a Surveyor could have worked in the field together, for your critical comment.

The two would go out together. While the L.S.O. made preliminary enquiries, the Surveyor would make a plain-table survey of boundaries. He would not bother about a detailed land-marked survey. In the meantime the L.S.O.'s enquiries will reveal three categories of land from the Crown point of view; viz, how much was valuable, how much was of doubtful value and how much it was pointless laying claim to. This last category would be the significant type in that it would represent land which was simply not worth an expensive survey to establish Crown title and in that it might as well be passed on to the villager. Thus in effect the only expensive survey would be the demarcation survey. Under the existing system, on the other hand, the Crown enforced its claim regardless of cost and value.

Answer:

Your scheme would be practicable only for a small block of land. Time is the most important factor. Ascertainment of claims another. To survey a whole korale would take one or two years, allowing for all the paper work of the surveyors in recess after the field work. A plain-table survey could

not be keyed in with a major survey or identifying Triangulation points, old Crown grants (undefined by landmark, etc.). Claimants may reside abroad or the other side of Ceylon and at the inspection real claims might not be ascertained. The Surveyor would take much longer than the S.O. Paths have to be cleared to get survey lines - you cannot survey blocks of jungle without that. The main categories would have been settled as described in my preamble. Do not forget that an L.S.O. would be working in several districts or divisions at once and while awaiting survey work in one area he would be doing something elsewhere. The whole basis is accurate delineation of land and title relating to that land.

The last sentence - The Crown did not enforce its claim regardless of cost and value. I can think of areas (villages) in the south of N.W.P. where the village was not surveyed at all as not worth it. Also at the survey of a village large blocks of chena are landmarked only on the boundaries and only subdivided if necessary as a result of settlements.

6. What would you say to the view that selling land claimed under the Ordinance to its occupant - the villager - even at a nominal price, "meant selling it to the speculator"? i.e. What may have been nominal to you was a great deal to a villager short of ready money, and he would have to pledge his land, etc. to get the money?

Answer:

Generally not true. The villager has known for a year or two before L.S.D's arrival of the coming of the enquiry and, if he could, could save. Usually a Settlement officer gave time for payment until the village was nearly complete and ready for return to the G.A. He would normally have time to plant one or two crops on the land while paying. He might have had to pledge his land - in fact the average villager would pledge anything available, in debt or not.

7. Moreover, re land sales in general, could it not be argued that the system of Banda paying for 5 acres in ten instalments was not as good a system as that which gave him $\frac{1}{2}$ an acre for the first instalment with a right of pre-emption to the rest and the dole of $\frac{1}{2}$ an acre for each instalment actually paid up? In this way defaulters would not have been so badly hit?
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Answer:

Rather supposes lots of land available. 4½ acres denied to anyone else for a term of years! Much inspection required and as time of senior officers [was] not available for large numbers of such lands, the villager would probably spend more on bribes than on land instalments. The compromise attained was 1 acre he could pay for and land reserved for further development in village (where available) whence he could get more land in future. Divided lots preferable to no land. In later stages of Brayne's system it would be small token payment for two years, then bigger payments, but land must have been partly developed.

8. Another criticism of the L.S.D. is that in the Dry Zone they treated the ತಿಸ ಬಾಂಬಾ (tis-bamba) as sacrosanct. That is, while the reservation of tis-bamba was a very good idea, with the increase of population in each village this land became a strait-jacket - not so much perforce, but because the L.S.D. refused to create another tis-bamba around the existing one and open the existing one to settlement?

Answer:

Do not agree. Firstly the settlement officer as such had little to do with the development of the village once title [was] determined. The existing tis-bamba became an open space, useful for children, cars, etc. and as the village spread other tis-bambas should be made (matter of mapping-out).

As a sanitary measure it was desirable to retain the tis-bamba as an open space even if planted up each side but the G.A. could have altered it - the L.S.D. would only describe it as 'tis-bamba' and as Crown.

I am not quite sure whether at later stages the L.S.O. did 'mapping-out'. I rather think he did, but at any rate long before mapping out policy was introduced the L.S.O. in writing up the village settlement - village statistics, etc. contained in the final report - he used to give suggestions for the development of the village in relation to others. e.g.

reserved areas, outline of main and minor road development, reservation for villagers (usually after consulting villagers) re most suitable land for village gardens of the future), sites for schools and so on.

9. Were the principles on which you did your L.S. work those picked up during your training and/or those laid down on paper? Apart from the terms of the Ordinance were there any paper instructions?

Answer:

Principles were: -

- (a) The Ordinances
- (b) Government circulars re their application.
- (c) Court judgements affecting the Ordinance.
- (d) Rulings received by the Department from the Attorney General on interpretation of Acts., actions, etc.
- (e) Rulings of the Department itself arising out of past work.

Method was picked up during training and practice in easy areas. At one time Mr. G.A. Hunter and myself prepared one or two complete dummy files showing at all stages the settlement of a village with village plan and all actions explained. This became a valuable guide to new officers.

10. Regarding the change you mentioned - which permitted people to appeal from an L.S.O.'s decision to the Governor - did you feel that it opened the door to political pressure?

Answer:

No evidence of it in my time. The change was mainly that x could appeal if his share was not correct in relation to y and z. Although previously S.O.'s settled on the basis of family pedigrees for title by inheritance, on deeds, etc. the value attached to each part of the claim would not be precise and different S.O.'s might settle differently. As one village was normally dealt with by one officer this did not make much difference to relative claims. The change was that when a man appealed the S.O. would have to justify his settlement or he (or his superiors) recommend a new deal based on any new facts or new emphasis brought forward.

11. Could one go so far as to state that during mapping out and the process of dealing with dubious claims "first consideration [was] given to the village claimants before giving attention to outsiders, irrespective of whether the land was planted or not, and [irrespective] of the bona fides of the purchase"?
-

Answer:

There is some confusion in your thoughts here. Mapping out and dealing with claims are two entirely separate functions. Mapping out was recording for settled or admittedly Crown land its future development and was so recorded on maps, i.e. land for communal use (schools and public reservations, land for village development, land for middle-class or other village development, land for development in estate or large holdings, etc.). In such a case first attention was given to anticipated requirements of the villagers for many years ahead. As for settlement of dubious claims one had to observe the law - possession over 10 years prescribed against others and one had to settle accordingly. If a planted land was considerably in excess of the title and there was no prescription one might settle part on other claimants or give them shares in the title to the whole and other variations. The S.O.'s sympathy was generally with the villagers but one must not forget that in sophisticated areas such as the estate areas of Uva, Sab., [and] Kandy many of the villagers were rogues themselves in land matters and were not above engineering claims and selling on no title.

12. What would you do as L.S.O. if you found that Mr. X, a proctor, had purchased a large block of village pasture (badly needed) from the village headman or village bully or from several villagers?

Answer:

Your question supposes that the village headman and bully had no title. In that case one would fight the claim and the Mr.X. would probably get nothing even after possible recourse to the courts. If he had bought from villagers who had 'village Title' and the land was wanted for a reservation one would give value to his claim and probably give him land in another part. If the land was wanted as a pasture reserve then all the villagers would have to be accommodated in like manner.

13. What would you do as L.S.O. if you found that Mr. Y. had bought a plot (of say, 48 acres) 20 years before from co-parcener B, who had not consulted the other parceners B¹, B⁴, and B⁵, and if this plot had been planted with rubber (aged 15-20 years when you inquired into the claims and decided that the B's had only used the land for 6 years before the sale?
-

Answer:

This would not come under the Ordinance (over 5 years) and would have to be settled according to law - much as if the matter was in court with all parties there. [That] is to consider prescription against other co-owners, no prescription against certain classes of co-owners (brothers who had not divided their inheritance). There are many possibilities but basically the land would have to be settled on the legal rights.

14. A owned $\frac{1}{2}$ an acre. He encroached on neighbouring Crown land to the tune of $8\frac{1}{2}$ acres cultivating 2 acres of the total in garden products (i.e. asweddumising $1\frac{1}{2}$ acres) and chenaing the other 7. This was 15 years before the L.S.O. arrived. What would you do as L.S.O.?

Answer:

The land would be advertised for sale or settlement. At the survey the land which was asweddumised could be shown separately from the chena portion which would be shown separately or not according to the general method of survey of waste land (see preamble - according to claim or in whole blocks for later division). The paddy land would be settled on him (sold), the chena land would be dealt with under the Ordinance and the garden part settled at a sale according to possession. There are many variations, but unless possession and cultivation justifies settlement one would lump the land in with the rest for settlement according to 'village title'.

15. Take a similar situation but one in which 5 years after A had encroached on these $8\frac{1}{2}$ acres, Z, the local apothecary, had seized the 9 acres from A as payment for a debt. Since then, in the ten years before Mr. Leach arrived on the scene Z had share-cropped the land to 2 relatives while A eked out an existence as an andé tenant elsewhere in the village, only to revive his claim before Mr. Leach?

Answer:

Again age of cultivation precludes dealing under the W.L.O. So decision made at an advtd. sale. This would have to be according to law. If the apothecary had seized the land I presume you mean as a result of a court judgement. That would normally be honoured (after all the villager had had his land so Z had no real title but one would not dishonour the arrangement between A and Z. If however the land had not been occupied for ten years then the S.O. would divided up the land fairly taking into account the planted and unplanted areas.

Share croppers would not come into it. It is a settlement of title not a welfare session. If there had been planting agreements (i.e. half the land for planting the whole up to a standard)- then those would be honoured. In the settlement one might be able to re-establish A by a 'charity allocation' - depending on the availability of land not being settled on other claimants.

16. Village No. 24 to the north of Kurunegala had regularly chenaed about 60 acres in the vicinity. Planter Fernando came along and purchased 40 of these acres together with 10 acres of garden land and another 40 acres on the outer fringe which Village No. 24 had used very irregularly if at all. This was 7 years before Mr. Leach came to settle the village and a good proportion of the land was under coconut. The villagers had inadequate chena land and pasture land but some worked part-time for Mr. Fernando, who was fast becoming the overlord in the area.

Answer:

Land planted over 7 years therefore not coming under the W.L.O. Mr. Fernando would have had no claim against the Crown so one would probably settle part of the planted land on Mr. F. and take away the rest and sell to others. I did this on many occasions in the Hettipola and further south districts of the N.W.P. as one naturally resented this acquisition of village land by force of possession. The garden land would be dealt with separately on merits, probably admitted private.

One would not condemn planted coconut land to revert to chena or pasture. Cattle can be pastured on coco[nut land]. Coconut is better than chena.

17. Mr. Madawela had bought a large block of private land in Village No. 25 twelve years before Mr. Leach arrived, pauperising several peasants in the process in that those improvident men had quickly run through the money received and were now reduced to share-cropping, etc. The land in question was admittedly land which the villagers had had title to except for a small plot of 15 acres which was probably Crown. Mr. Madawela had only planted up 1/10th of the land including 5 of the dubious 15 acres. There was only 5 acres of Crown land in three scattered plots in the village area. What would you do as part of your mapping out process?
-

Answer:

One could not touch Mr. Madawela's purchase of private land. The Crown land would be mapped out in accordance with village needs. The matter of landless villagers would have to be dealt with by the G.A. (Govt.) who could acquire land back for re-settlement on villagers. Cf. acquisition of tea estates under self govt. for division and settlement. Mapping out dealt with Crown land and not private land. As mapping out officer I would report on [the] landless state of villagers and if in mapping out in other villages I could not find land for them I might recommend later acquisition of land. In bad cases one might try and get the villagers to emigrate to new paddy land areas under irrigation schemes.

18. With regard to Brayne's scheme of indivisible leaseholds was it not very difficult for an A.G.A. or G.A. to prove default of conditions? And even if proved was it not rather a heartless task to turn the chaps out?

Answer:

Rather depends on availability of land. Object was to develop land for benefit of villager and nation. Not policy to let villager squat on large areas of land not being worked when other villagers would, if they could get it, work it. One was lenient. Warnings would be given in cases of default. Can't be general about it as each case required its own decision. As I shall deal with in commenting on Dr. Leach's statements land was regarded as a national heritage and I do not think it proper to allow the idle villager to freeze much wanted land if one had the control to prevent it.

19. Didn't the administration of these lands bring the G.A. and A.G.A. into contact with villagers in a rather odious form, underlining the despotic side of paternal despotism though no doubt with good intentions?

Answer:

I do not think so. The villagers well understood the conditions

and among themselves they knew the defaulters. The G.A. would be letting the deserving have all the help he could give and the action against defaulters would not imperil the good relationship.

20. Have you any idea what the aims and methods of the Forest Conservation Department were?

Answer:

Conservation and development of the forest. In dealing with chena and forest do not forget that it was the accepted belief that in a country like Ceylon large areas in the various climatic zones had to be kept under growth of a dense nature for conservation of rainfall etc. - a policy not endearing to a villager who wanted some of the land, but in the interest of the country as a whole. The aims and methods of the Dept. would be found in the annual administration reports.

21. How would you appraise this Department's work? Any criticisms?

Answer:

Not answering as one would have to know the whole work of the Dept. to answer correctly and not the isolated examples in one's area as G.A. or A.G.A.

22. How capable was Lushington as head of this Department?

Answer:

[As above.]

23. Generally, how was the liaison between the A.G.A's and G.A's and the Conservators of Forests? What was your own experience?

Answer:

In my experience good. I was always prepared to fight Depts. but had no occasion for such with that Dept. One discussed release of forest land, straightening of boundaries etc. amicably.

24. Was any cooperation called for between the L.S.D. and the Forest Department? How did it work out in practice?

Answer:

When a village was being taken over for settlement there was automatic consultation with other departments dealing with land (Forest, Irrigation, etc.) as to whether they had any interest in the village. If for example the Forest Dept. wanted to retain or create a forest reserve in relation to the village one would take note of that interest and consider it, after consultation with the Dept. if necessary, during the settlement of the village.

25. You state that Tyrrell and some of the other Officers-of-State used the wrong methods and tended to lay down the law at times and get the Ministers' back up. On the other hand I have heard criticisms of Tyrrell on the ground that he compromised and gave in to pressure on several occasions. These two points seem inconsistent though I suspect they are not irreconcilable?

Answer:

The two points are not irreconcilable as they refer to different times. When the Officers of State had no power over Ministers and their departments then the manner of giving advice might have been resented. When they had power (i.e. in field of appointments) then criticism of succumbing to pressure might have arisen. The trouble was that resistance to pressure could precipitate a political crisis and any one subject was in itself not worth the risk. Thus there was a gradual encroachment on the authority of the C.S. in particular. My own view is that a firm stand on rights right at the beginning would have been better but I agree that that would have accentuated the division of the two groups and it may well be that in the interest of harmonious deterioration (i.e. to the inevitable present state) the action taken was proper.

26. What were the aims behind the creation of a State-Mortgage Bank in 1934? Did it mean a great change in the financial structure? Any criticisms?

Answer:

No experience. It obviously provided facilities to land developers but I did not ever have to work with this scheme. Davidson might be the one to ask.

27. Did either the Chief Secretary, his Deputy or the other Officers-of-State attend all Executive Committee meetings at the outset? ... later?

Answer:

Yes - in my time.

28. Were the terms for retirement offered by the Donoughmore Commission reasonable, over-liberal or inadequate?

Answer:

I think they were generally regarded as inadequate judging by standards in other Colonies. There was a clash of interest. The officer needed a pension to compensate for loss of career and difficulty in getting other employment. It was then very difficult for a Colonial Adm. officer whose experience was of the Colony and so not generally helpful in England to get a decent job. The Govt. on the other hand did not wish to see officers leaving all at once and so was concerned to make the terms as little attractive as possible (also question of economy).

Later terms as in Ghana etc. provided for guarantee of terms over a period of years, re-employment on contract etc. and other means of ensuring continuity of administration till ready to replace.

29. Would you comment on Sir R.E. Stubbs' view (in a despatch) that the L.S.S.P. was "a small local party run by young men with more money than brains" and that these men were "generally regarded as half-wits and degenerates"?

Answer:

No real knowledge of the position.

30. What was the attitude of other nationalist leaders - D.S., D.B. Jayatilaka and crowd - to the L.S.S.P. and Communists in the late 1930's and early 1940's?

Answer:

Do not know.

31. How did Pieter Keuneman strike you? Did the cooperation of the Communist Party and its trade-unions aid the Ceylon Government much during the course of the war(i.e. after Russia was attacked)?

Answer:

P.K. returned to Ceylon when I was Chief Cenosr. He did not develop much authority during the war and the Communist party was not at all strong and able to sway matters during the war. Harbour labour was about all that was affected.

32. Have you any idea if the planters brought pressure to bear on the Chief Secretary and Governor to have Bracegirdle deported?

Answer:

I do not know.

33. How effective was the work of the rural marketing department in your time?

Answer:

Fairly good but a difficult task to develop organisations involving mutual trust. Some marketing organisations in Kegalla with a Colombo market did well. Handicrafts found an outlet through the Colombo shop.

34. What sort of man was R.H. Bassett?

Answer:

Very good bloke. Knew the Sinhalese and Tamil and got on well with villagers, etc. Was keenly interested in his work and always taking off his coat to experiment himself (canning pine-apples, etc.).

35. I have a feeling that there was a tendency - a failing one might say - to regard the cooperative credit and rural marketing movements as a panacea for numerous evils, a tendency the more pronounced under the Ceylonese ministries than in the 1920's partly, perhaps, from their love of catchy slogans, etc. Would you comment on this view.
-

Answer:

They were a panacea for numerous evils but they did not eradicate them all. Failures were usually due to breach of trust. I told you about the artificial development by channelling supplies through Co-ops during the war. Some of the Agr. Dev. Co-ops worked well as mutual advantage developed from mutual trust.

36. Did you find that there were a class of Ceylonese who specialised in buying up dubious land claims and could be classed as land-brokers? Were there any Europeans who did this sort of thing even on a part-time basis? Can you recall the activities of Clarke in the Sabagamuwa area (you have already mentioned Thornhill)?

Answer:

Yes - particularly Kegalle, Kandy and Sab. districts. Not so much in Uva where Crown title had been more rigorously defended. Cannot recall names but there were several - Sinhalese as well as European.

37. Apropos of your view that Judges on the bench could hardly reach a correct decision on land disputes from their ivory towers, would it not have been better to divide the Island into smaller territorial units and vest an officer with judicial as well as executive powers in the Munro, and indeed the old Ceylonese, tradition? Thus instead of a large unit with an A.G.A. and a Judge one would have two or three units with one man in complete charge and with powers to decide on cases on the spot while on circuit. As an alternative system, couldn't the A.G.A. have been vested with judicial powers as well and some cases referred to him by the D.J. for settlement while on circuit (the recorded evidence of the Court case being sent to him for guidance)?

Answer:

Quite an expensive possibility. Land cases (and here I am referring to disputes between parties and not settlement of Crown lands) are not easily decided (on the spot). Deeds, records etc. have to be consulted. My point was that judges had to decide on the evidence before them and that in settling

a village the S.O. had other evidence before him which, had it come before the judge, might have affected the issue. Another point I made was that in some cases it was desirable for the judge to see the land. There is alternative and often workable provision. A Court could always appoint a person to visit the land and report on certain questions and factors.

It was Govt. policy to keep the judiciary and Executive independent as far as possible. It was not always possible in remote areas, where an A.G.A. or O.A. may be a magistrate as well, but even he took pains to show that in acting as P.M. he was not influenced by his Executive side. It worked. I have sued myself.

An answer might have been to multiply the number of judicial officers and allowed for case hearings on circuit. This could have been done by intensive activity by these extra officers in selected areas for a term of years passing onto other areas later. But they would have had to have had extra powers to cut out legal delaying tactics. For example guardians for minors - the Court to initiate action instead of waiting for a motion by one of the parties. Same for substitution of heirs. One must not forget that all interested parties may not reside near the subject of a case and so there must be delay to allow time for news to spread, notices to be served etc.

Well that is the last of the questions. I hope you have now got settlement under the W.L.O. and outside in perspective.

Under the W.L.O. land not planted (as against the Crown) for more than five years.

Outside the Ord. land not planted for more than $33\frac{1}{3}$ years (in practice 25 years to allow for error in assessment) where there is a Crown interest.

I have checked my appointment as an L.S.O. It reads "to be ... an Assistant Settlement Officer and a Special Officer under the Waste Lands Ordinance ..." so in my notes where I have referred to S.O. it means Special Officer and not S.O. in the cases where action under the Ord. was concerned. One, in practice referred to an officer as an S.O. (Settlement Officer) in both capacities except when dealing with legal notices when the correct term Special Officer would be used.

If there are any other points you want clearing up let me know.

P.S. Age of a coco[nut] tree. Seven series (of branches?) on trunk each 2 years of growth. I think that was it.

5 October 1967.

38. Recently I have met some conflicting opinions as to whether the British Civil Servants in Ceylon had a sense of mission (akin say, to that of the missionaries in some degree at least, or the V.S.O. today). Did they? Or didn't the majority do their job responsibly and conscientiously without idealistic inspirations? Presumably there were a quota of time servers as well? I would appreciate your comments with reference to the Ceylonese in the C.C.S. as well. In addition, I wonder if you can recall your own attitude in the twenties and thirties?

Answer:

Only a few had a sense of mission in accepting an appointment to C.C.S., Ceylon. Most were interested in an interesting job in which responsibility came earlier in life than in the U.K. There were a few - very few - time servers. A point worth noting is that many developed special interests particularly in Provincial Administration. Some were keen on road development, others irrigation or agriculture and many developed a sense of mission in protecting the villager from his rapacious compatriots. My own line was 'Militant' in that I saved no effort to put things right in the Government sphere if that was harsh on some e.g. revision of maintenance law so that costs could be recovered from defaulters who avoided payment just to put the woman to expense not covered by maintenance; recovery of land interests sold for a song (or a basket of fish); abolition of half fines to Society for Prevention of Cruelty to Animals (this system led to blackmail); settlement of landless on irrigable land, etc.

39. Would it be correct to say that there was an ethos of impersonal guardianship in the C.C.S.? an attitude of mind that placed the Civil Servant in the role of an arbiter above the tumult? a pocket-Plato (without being derogatory)?

Answer:

Yes. A G.A. would often try and settle disputes which he could have rejected as not his concern.

40. Would an administrator in the field in (a) the 1920's (b) the 1930's be able to represent popular needs and/or aspirations in (i) a provincial town like Kurunegala or Badulla and its immediate environs, (ii) outlying areas like Welimada or Dandagamuwa and (iii) remote areas like Tissamaharama District, better than the 'average' politician of the day (I would not class D.S. as 'average').

Answer:

I think so though less so in the case of towns. My local M.P. would put causes before, say, the Min. Agr. [Ministry of Agriculture] but I often knew more about both sides than he did. Quite often it was the person of influence who got his 'case' represented to the detriment of someone without a spokesman. Also his intervention did not often envisage the wider concepts. Thus my variation of Velvidanes' areas so that their duties were governed by the input and output of irrigation water rather than on caste of field-owners and so made a vel-vidane in control of the water in his field-area fully caused caste objections to change.

41. One of the criticisms made against Civil Servants in the last few decades is that they have been rather disdainful of local public opinion and of the local political representatives. How far was this so in your day? Would an A.G.A. or G.A. tend to treat the local politicoes as of little account? and even ride roughshod over them? I am, of course, aware that some of these politicoes may have had little nests of their own and may not have been pleasant characters, but would like general comments on the subject in the light of the fact that revenue officers did have considerable power and prestige and had been used to exercising these powers (till the 1920's) untrammelled by State Councillors and their ilk.

Answer:

Partly true where self-interest and partisanship was evident. I used to use local politicians by getting them to introduce new ideas on their own lands and so spreading these ideas by example. For instance I could not get a new strain of resistant paddy (Suduheenati) introduced in the Tissa area although it was growing well in the agricultural demonstration farms near-by until I got the local members to try it out under my guarantee. Then when they could sell the seed it spread like wildfire - it also gave them a talking point for themselves.

Later I think Ministers got full co-operation and I do not think that loss of power or even prestige affected this. For myself I found that I could get quicker results under the Ministers (if I got them interested) than under the old regime where there was reluctance to spend if that meant increasing taxation etc.

42. With the reform of the Legislative Council in the 1920's in Manning's time, did the British officials realise that self-government was on its way and would overtake them eventually?

Answer:

Yes - after all we could see what was happening in India.

43. How useful were the annual G.A.'s conferences? Did it further liaison between the Secretariat and the fields?

Answer:

Though these Conferences gave rise to social occasions much good work in getting conformity of practice was done. G.A.'s could argue their views on problems of the day. Brayne, for instance, who was at first rejected for his land reform ideas got much across at these conferences. I don't think liaison between Secretariat and the field was helped a lot but complaints were made and dealt with. Any G.A. in visiting Colombo would use the opportunity to clear matters with the Secretariat because they would in most cases be dealing with friends and could make points freely.

44. To quote an extract from an article by a Briton in Ceylon named John Diandas for your comments, with reference to the 1920's in particular:

'(a) The professed functions of the Colonial Public Service were briefly as follows:- (i) To govern with the least oppression and least cost; (ii) To foster developments of the colonial agricultural economy; (iii) To maintain the empire defence link; (iv) To develop social services and education to the extent necessary to fulfil the first three functions; (v) To provide education in such manner and to the extent necessary that Ceylonese could ultimately (if slowly) take over the administration without upsetting the first three objectives.

(b) The fostering of loyalty to the British Crown, to British culture, to British social patterns and to the English language was at all times incidental to and helpful to the above functions.'

How valid are these comments? Were the functions ever 'professed'? Even if they were not deliberately formulated did the structure of government and the process by which decisions were reached entail such functions for the C.C.S.?

Answer:

I agree generally except for (iii). Except for the Secretariat no Civil Servants was concerned with defence. Internal Security was within their province but this was not an Imperial matter but the maintenance of Law and Order.

There was a report on the Further Ceylonisation of the Public Services in 1921 or 1922 which paved the way for a greatly increased share by Ceylonese in Administration. One of the stumbling blocks in the way of such development was the fear of the 'English' that the Ceylonese would have difficulty in avoiding local pressure so it was not until late that very competent Ceylonese Civil Servants were put in charge of Districts. This was no reflection on individuals. About 1946 after trying a Sinhalese, a Tamil and I think another as G.A. for Batticaloa where there was a lot of conflict between Moor, Sinhalese and Tamil the Ministers asked for an Englishman. I was selected but did not take up the appointment because there was no-one ready to replace me in the time as Commissioner for Commodity Purchase. It showed that however straight a Ceylonese may be he would be suspected by other races of partiality so there was some justification for the earlier view though the answer would have been to insist on Ceylonese taking these jobs and showing that they could and would be impartial (again one or two exceptions).

Generally speaking the Civil Service wanted to do a good job and this necessarily entailed progress. I am not aware of any decisions being made with a view to 'keeping the Ceylonese in their place as a subject race.' One did not think of such a thing. The Ceylon Govt. was the employer not the S. of S. and this became much more the guide after, say, 1920. In my job as Commissioner Commodity Purchase one 'fought' the U.K. Ministries of Food and Supply on behalf of Ceylon.

45. Was Clifford's paper (or speech) on land policy circulated among officers in the field and widely discussed within the C.C.S.? Can you recall what you thought of his views?

Answer:

At the time I was not concerned with land but I think I generally subscribed to them - however I am vague about this.

46. Did you feel that most of the Civil Servants of the 1920's had an inadequate grasp of the local tenurial conditions as well as agricultural matters?

Answer:

I guarantee that most of those Civil Servants who dealt with land knew more about these conditions than, say, the local proctors. As a Magistrate I have often had to bring out evidence on these matters which the proctors had not realised.

47. To what extent did the Civil Servants depend on the Ratemahatmayas and the hierarchy of headmen? On many agrarian matters - e.g. ascertaining encroachments and/or the ownership of land - were they not at the mercy of headmen?

Answer:

Considerably as they were the people in touch with individuals. They were at the mercy of the headmen in matters of encroachments and ownership (within a limited sphere as ownership often depended on legalities). Who but a headman could report who cultivated. By and large the headman did a good job. Their prestige - for they were not paid much - depended on that, but of course there was partisanship.

48. A noticeable feature of British rule - and even of the present day to a lesser extent - was the paucity and the unreliability of statistics on such matters as yields of paddy, average acreages, the extent of tattumaru and ande land, the extent of indebtedness and the degree to which land was mortgaged etc. Don't you think that this was a serious shortcoming? What contributed to this state of affairs? Wasn't the headmen system wholly unsuitable for such purposes?

Answer:

I think here you have to realise changing views on the relief of indebtedness and the provision of funds to remedy it. A lot was done by the Co-operative Dept.

As the years went by and social welfare came to the fore in the world generally then the need for these statistics became more apparent. I think a lot of criticism of the 'Imperial Govt.' ignores the change in world thought through the years. What would be obvious now was not, in world opinion, fifty years ago.

One did not interfere so much then in the private affairs of the individual.

49. How far could headmen influence elections in the 1930's? Were Civil Servants able to check the way they prepared electoral lists and to prevent them favouring a particular candidate? How far did their general influence count? Could a politician bribe them through favour and interest and thereby win a seat?

Answer:

Probably a lot. Civil Servants could not check electoral lists other than by the Statutory Process of publishing the lists and hearing claims and objections.

I think caste had more power to influence elections than Headmen though in remote areas the headmen could do a lot. In other areas the influence of the headmen was not so strong. There was always the petitioner ready to complain to Caesar.

50. In your time in the 1930's, and the 1940's, did Government find it difficult to collect the irrigation rates? Was there constant and pronounced default? Were the sums collected worth the trouble entailed in collecting them?

Answer:

Yes. Yes. No. But in principle I agreed with the idea that payment should be made even if at a loss. I believed that services were not appreciated if not paid for. Give someone free land and it would be scratched - not cultivated. Make him pay for it even at uneconomic prices (too low) and cultivation would be done to get the money.

51. How efficient and useful were vel vidanes in maintaining village irrigation works? Was there a progressive decline in their efficiency as the influence of headmen waned?

Answer:

Fairly efficient but partisan as elected with the help of influential field owners (caste considerations applied also). They were useful in reporting sabotage and failure of the field owners to maintain works (for then other field owners would complain). If they were supported by the G.A. then I think they did useful work.

52. Sir Andrew Caldecott does not seem to have been popular with the planting sector. Is this so? Is it true that both he and Lady Caldecott were subject to a social boycott? If so, why?

Answer:

I do not remember details. I think there was a time when he was unpopular as you say, but this recovered and generally he was liked. Certainly as a person if not his policies. He was up against the reactionary element - the very conservative planter.

53. Have you any idea how the planting and mercantile sector regarded the close relations established by Caldecott, Drayton and Nihill with D.S. and the leading politicians? Did they accuse them of conspiring against Britain and her interests?

Answer:

I don't think so but they probably viewed the change as not in the British interests. They were not primarily Imperialist but more concerned with what would happen to their estates under a National Govt. and so deplored the loss of the protection they had had.

54. Can you recall the case of the Barnes' land? How did the matter arise? Did it lead to a minor contretemps between D.S. and, I think, Wedderburn?

Answer:

Yes. It was confidential and not a matter I can discuss any more than I did to you verbally. The contretemps was over the custody of the files. Was it an agricultural matter or one for the C.S. as a matter of discipline and the restoration of harm done? As you know I plumped for Agriculture and let D.S. have the file.

55. While D.S. Senanayke achieved a great deal was he unreasonable in his attitudes to some of the heads of department, particularly those in the Irrigation Dept.? Was he not undermining his own aims in driving the more experienced European personnel away? On the other hand, did he have reason to do so in that they were being needlessly obstructionist?

Answer:

Very unreasonable. Before he was a Minister he had several phobias. One was the use of forests for estate fuel (and replanting of those areas by estates). He ordered the

cancellation of all contracts as soon as he became Minister. The Conservator of Forests (Lushington) consulted the Att. Gen. re possible damages against the Crown. When he heard this the Min. got rid of the Conservator as non-co-operative. Again the Agr. Dept. was ordered to grow Egyptian long staple cotton. They reported that they had tried without success. He was angry and told them to try again. Another failure. Another charge of non-co-operation. Would not an Agriculturalist wish to grow what previously had not been grown - it is his whole life to improve agriculture. And so on. He did not believe the European was willing to co-operate and treated any adverse opinion as a sign of that.

56. Have you any idea why D.S. and Edmund Rodrigo did not hit it off? There is some suspicion that D.S. wanted 'yes' men.

Answer:

This stems from 55. Rodrigo put forward his views and they were not accepted by D.S. if contrary to his opinion (or was it O.E.G's).

57. I have managed to acquire a copy of the Land Manual (or Land Orders) which was finalised by August 14, 1937. According to this Manual, allottees were supposed to be classified as (a) landless (b) not entirely landless but having inadequate land for their support (c) those with sufficient land. It is then stated: 'the idea that only landless villagers are to be provided for is quite unsound. Further, it does not follow that (a) are to be preferred to (b) ... Where land is scarce, applicants of class (c) cannot, of course, be considered.' Have you any idea how far this was followed? Would officers have the time or inclination to go through a Manual of 79 pages?

Answer:

The manual was followed fairly closely - cf. the inspection and the mapping out of villages to this end. The villager was consulted at an open meeting and the most suitable land reserved for them.

Anyone dealing with land would read it to get the general principles. It was a manual of reference to study in more detail when dealing with any particular aspect.

58. What was the term 'landless' held to connote? Would tenants with stable access to land on a share-cropping basis be considered landless?

Answer:

Whatever the Manual defined. A share of a land would be evaluated.

59. I have discovered that another consideration governing the selection of allottees in the early 1950's was the number of children a man had, a man with a greater number being preferred to another landless chap with fewer children, where it came to a choice. Did this consideration prevail in the late 1930's and 1940's? If so, was it officially supported at central headquarters?

Answer:

As a guide yes with a view for providing for the coming adult population but other considerations arose. A bachelor with dependants, neighbouring holders etc.

60. Wasn't this new form of tenure very foreign to the people? Prior to this, freehold rights existed within the web of reciprocal obligations which existed in each village but the concept of individual units which the 1935 Ordinance brought into being would appear to go against traditional notions? Did the unpopularity of this form of tenure stem, in part at least, from the fact that it had no roots in custom? The point of popularity and acceptance seems important because the less acceptable it was the more the people would seek to evade the conditions of tenure.

Answer:

Yes. I think the main objection to the new tenure was that the land was not available for sale or mortgage. Villagers accepted the new idea as they could not otherwise get land-leaving the future of the tenancy to look after itself.

Give me an example of any restrictive form of tenure that a Ceylonese could not evade. You have to remember that this new tenure was also bound up with the allotment of land to an applicant who previously had to bid at an auction and so, on the whole, became acceptable. We discussed this fully.

61. Did you ever come across any of the following either as land

speculators and/or as land grabbers: Vanderpooten, Charles Batuwantudawe, E.A.P. Wijeyeratne, A.A. Wickremasinghe, Madewela, (?) Wijeyratne (of Sabaragamuwa), Ruxton, the two Berry's, B.K.(?) Thornhill, Meedeniya Adigar, Henry De Mel?

Answer:

Only Sir Henry de Mel first hand - N.W.P. lands. Berry's and Thornhill at second-hand as I attended but did not conduct land settlement enquiries in which they were interested. I knew of Batuwantudawe's activities.

Sorry not to be more comprehensive but without means of verification I cannot write much more fully.

Finally may I once more appeal to you to consider the changing times in evaluating the impact of the former Government on Ceylon. In general they did their best to improve without making such improvement a financial burden.

Increased taxation for social benefits was left largely to a self-governing country.

It was the Ceylonese who threw out the first Income tax bill which would have ensured a large part of estate profits remaining in the country - it was the old Government that tried to introduce it and persisted for the benefit of Ceylon (the U.K. lost income tax from the Estates as a result).