

MALACCA LANDS.—We have received within these few days the following Petition addressed by a numerous body of the Malacca tenantry to the Governor General, accompanied by the letter to ourselves preceding it, requesting its insertion in this paper, which of course we most willingly afford:—

TO THE EDITOR OF THE SINGAPORE FREE PRESS.

Dear Sir,

We are obliged to you for the way in which you have more than once advocated the cause of the people of Malacca, and you will be doing an additional favor, by inserting the accompanying copy of a Petition, addressed to the Bengal Government.

We have the honor to be,

Sir,

Your most obedient Servants,
J. B. DEWIND.
J. H. VELGE.

Malacca, 31st. July, 1838.

TO THE RIGHT HONORABLE GEORGE LORD
AUCKLAND, C. G. C. B., GOVERNOR GENERAL OF INDIA IN COUNCIL.

*The humble Petition of the
Undersigned Cultivators of
Land in Malacca.*

Humbly Sheweth,

That your Petitioners in throwing themselves on your Lordship's favorable consideration the more readily do so, being aware from the known and established character of your Lordship for dispensing justice to those who are oppressed, that their case will be thoroughly enquired into, and the ruin pending over them thereby arrested.

That your Petitioners and their ancestors for many generations, have cultivated Lands for the purpose of agriculture under different Landholders.

That your Petitioners have inherited their Lands from their said forefathers and have invariably held them under a fixed and immutable system, namely the system of tithes, which has obtained for upwards of a hundred and fifty years; which system on all occasions, has been acknowledged both by the Dutch and English Governments, and alluded to in proclamations, restricting the Landholders from exacting more than the tenth of the produce.

That your Petitioners beg your Lordship would enquire into the state of cultivation at Malacca, when it will be found that the seasons are so very uncertain that the cultivator can never depend upon a good crop—3 Crops out of 4 being generally unproductive, and scarcely leaving enough to subsist upon for half the year, driving the cultivators into the Jungle, to obtain there whatever nature in its bounty may furnish in common with the beasts of the forest, for the other six months.

That in the year 1828 the said Landholders in consideration of a fixed annual income being agreed upon to be paid "to them and their heirs for ever," so long as the Settlement continued under the British Flag, by the agents of the said Hon'ble East India Company, have respectively agreed to transfer their rights, under a proviso, that in the event of Malacca being afterwards transferred to any other power, Government was to reinstate the Landholders and their heirs in possession as formerly.

That in the said agreement or contract the Landholders acknowledge themselves "to stand possessed of the right of levying from the tenants on all the Lands stated in the said documents, one-tenth of the produce of the said Lands on the terms and conditions therein provided," which right is all your Petitioners humbly

think, that the said Landholders could be said to transfer to Government by the said agreement.

That it is with the greatest sorrow and surprise, that your Petitioners have to notice the Draft of a proposed Act which appeared in the "Singapore Free Press" on the 5th Instant, "for regulating the Assessment and collection of the rents payable to Government in the Settlements of Prince of Wales Island, Singapore and Malacca;" your petitioners humbly think that sections 2nd and 3rd especially of the proposed Act, ought not to be made applicable to the Lands in the Settlement of Malacca, where the only title that the cultivators have upon their Lands are, occupancy, and the payment of a tenth of the produce, and where Lands have been held in perpetuity from time immemorial, the Landholders having *no right* to deprive the tenants of their perpetual occupancy so long as they continue to pay the tenth of the produce, which said rights have been recognised more than once by Her Majesty's Court of Justice.

That considering the fearful losses which your petitioners must sustain upon the conversion of their perpetual to leasehold tenures, which are now in agitation and the privileges which they must then forego, your petitioners respectfully and earnestly entreat that your Lordship in Council after reconsidering the proposed act, will not permit it to be in force in the said settlement of Malacca.

And your petitioners will ever pray.

(Signed) By upwards of two
hundred Planters.

Malacca, 16th July, 1838.

Our private correspondence from Malacca states that besides this petition, another in the Malay language, of similar tenor, signed by upwards of 500 Agriculturists, had been forwarded through the Commissioner to the Governor-General—and that several hundred persons more would have signed the one which is published above, and which was also forwarded through the Commissioner, had time permitted the parties to come from, or the petition to be sent to, the remote parts of the territory in which they were residing. But without such an addition, the above facts speak for themselves, and, as appears to us, satisfactorily prove the existence of a great deal of discontent and apprehension among the Malacca tenantry regarding the proceedings of government in this matter of the Lands.—It has been alleged that the European landholders are themselves the cause of the excitement which prevails, having fomented the discontent of the natives by representing the objects and intentions of government as being different from what they really were, and filling their minds with vague alarms. This of course is advanced by the party which maintains that the whole body of the Malacca tenantry would otherwise be willing and ready to adopt the new system proposed by the Government, and resign their old rights and privileges; and in proof of this we are referred to the fact of between three and four hundred tenants having accepted twenty-years' leases of their lands. To this again it is objected that the parties who took these leases, for the most part came from districts where the personal influence of the assistant Commissioner Mr. WESTERHOUT prevailed, from the circumstance of his having formerly been an extensive proprietor in that neighbourhood. Under these circumstances government must at least acknowledge the necessity of inquiry—for by one or other of the parties it is brought into discredit. If means have been taken, by those acting under government, to create a general opinion among the Malacca tenantry that it was the intention of government to introduce a system of leases as a *measure within its own option and the exercise of its legitimate authority, and which if resisted would be enforced*—then the government has been discredited by the acts of its own servants, in thus unauthorisedly representing it as meditating the adoption of a most unjustifiable course of proceeding. If, on the other hand, any set of private individuals possessing influence among these people, have commenced a system of agitation for ends and purposes of their own, inflaming the minds of a large body of the population, and exciting disaffection towards the government, by misrepresenting the nature and tendency of its proposed plan regarding lands—government is not the less brought into unmerited discredit; and in either case, it is equally incumbent on it to disabuse a large body of its subjects of a delusion, so prejudicial to its good name, and which cannot too soon be dispelled. Considering the case on the side of government, in the best point of view which we think it will, under the circumstances, admit of, we should say, that proper means had not been seasonably taken to explain to the native tenantry, that the proposed change would not take place unless with their own full and free consent, that government recognised their rights, and that it lay solely with themselves to adopt or reject the proposed system of leases—but that on the contrary the acts and language of official understrappers must have given rise to the belief that government would enforce compliance with its own wishes if resisted. The form of the lease itself, the only documentary evidence in the case, so to speak, is indeed in a manner a witness against the government—for, although it has been alleged that at the expiry of the term of twenty years, it shall be optional with the lessee to enter upon a new lease, or return to the present custom of paying a tenth, there is no clause whatever expressive of his power so to do, but the land is leased to him under an instrument precisely of the same form as the Grants of land formerly issued by the government in this island, varying only as to the length of the term, & as if his right to it wholly and entirely ceased when the twenty years were ended. How can the government, when it is thus inattentive to appearances, claim exemption from suspicion as to its final intentions, especially among a people who are incapable of distinguishing between what is required and due from them as subjects of, and what, as tenants under, the government, and who cannot therefore correctly apprehend the position which they occupy relative to the ruling powers!