

- (1) பக்கங்களின் எண்ணிக்கை \_\_\_\_\_  
(2) புதுக்கித் திருப்பிய நாள் \_\_\_\_\_  
(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம் \_\_\_\_\_

## தமிழ்நாடு ஆவணக் காப்பகம்

தமிழ்நாடு அரசு

Judicial துறை

அரசாணை எண்.	1228	அச்சகம்
மு. கோப்புத் தாள் எண்.		பலவகை
நாள்:	5-9-1908	20

மடிக்கவோ கண்டபடி கையாளவோ கூடாது.



-1 G. I.]

10,000 - 25-0

Jud!

DEPAR

# CURRENT FILE.

other

No. 1228 JdL

CONTENTS. 5-9-1908.

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[Aug. 4739] Inia offu	-	3-8-08.	1-2.
Refers to Dm. tuncuak	-	1-9-08	3.
[Aug. 4739] From the Dm. to	-	2-9-08	4-5

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Box No. II  
Bag

Circd. 3.8.

Recd. 10.8.



CURRENT  
4739  
JUDICIAL

By 3.8.08

- \* 8. Sir Henry Cotton,—To ask the Under Secretary of State for India, whether his attention has been drawn to the sedition case recently tried at Tinnevely, in the South of India, in which Subramania Siva has been sentenced to 10 years' rigorous imprisonment and Chidambaram Pillay to transportation for life; whether he can state what the specific charges were in this case and by what court the offenders were tried, and whether any appeal will lie to a higher court.

wer to Sir Henry Cotton's Question, No. 8, dated 14th July 1908.

.....0.....

The Government of India reported that the proceedings in question were instituted under sections 124(a) and 153(a) of the Indian Penal Code, and that the result of the trial was as stated, except that the punishment was transportation in both cases. The charges are understood to have had reference to speeches in February and March last which preceded the serious rioting at Tuticorin and Tinnevely. The case was tried before the Sessions Judge at Tinnevely: an appeal lies to the High Court at Madras.

Hon. Mr. Hammick C.A.D. & Circ.

Dec. 8. 08  
H  
A. V. 11  
15/8/08

Sir H. Cotton —



*Sir H. Cotton: Is it not the fact that in one case the charge was sedition, and in the other merely abetment.*

*Mr Buchanan: I have given all the information we have received from the Government of India, and the hon. Member will probably be able to ascertain for himself whether it corresponds with the facts.*

*Sir H. Cotton asked if the Judge who tried the case was not assisted by two assessors, one European and one native, and whether, while the European found the accused guilty, the Indian assessor found them not guilty.*

*Mr Buchanan: I believe the two assessors did differ.*

*Mr Keir Hardie: Is it the fact that the riots had their origin in an attempt to boycott the steamship company and had nothing whatever to do with sedition or with the Government of India.*

*Mr Buchanan: I do not think that quite arises out of the Question on the Paper.*

*Mr Rees asked whether the comprehensive rights of appeal provided by the law of India were ever denied to any class or nationality, whatever the offence committed.*

*Mr Buchanan: Certainly these two persons have full right of appeal.*



Tue! sept.

[No. 4739]

Defer.

✓  
Desptd  
11/9/08.

To Mr D. M. Tinnelly.

826x Please telegraph [the] name  
of assessors in [the] ~~two~~ sections  
against Subramania Siva and Chid-  
baram Pillai in both cases and what  
assessors differed in opinion.

OK  
31-8-08

Qad  
1-9-8.



C. 1.

INDIAN



TELEGRAPHS.

NOTICE.

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Charges to pay.

Rs.

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Tinnevely Bridge

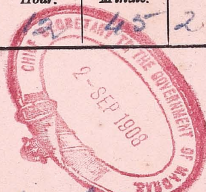
4

52

state

TO

Madras City



CURRENT NO.

5306

JUDICIAL

14.2.3.9.06

In first case against Seda and pillai  
native Christian assessor martin  
luther found both accused guilty  
bramin assessor K R Krishnair found  
both accused not guilty. Second  
Case against pillay alone both assessor  
+ anantanaracanian and ramachendran

N. B.—The name of the Sender, if telegraphed, is written after the text.



C. 1.

INDIAN



TELEGRAPHS.

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Sound accused guilty +  
= Distrate

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25-2-08

# NOTES.

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## JUDICIAL DEPARTMENT.

QUESTIONS IN PARLIAMENT AND ANSWERS THERETO RE:  
TINNEVELLY SEDITION CASE.

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(C.No.4739) From the India Office.

A draft order recording is submitted.

N.V.K.  
10-8-08.

But is it a fact that the assessors differed? They were in fact both Hindus I think; at least one was not a European.

C.A.S.  
12-8-08.

FOR THE U.S.

The assessors were Mr.K.Krishna Iyer and Mr.Martin Luther-vide the report in the Madras Mail of 5th June 08. The assessors did not differ. Both of them found the accused guilty on both counts-vide Madras Mail d. 4-7-08.

N.V.K.  
18-8-08.

C.S.

This may be recorded. The discussion on the question is not quite accurate, but there seems to be no need to take action on it.

C.A.S.19-8-08.



Recd 24. 8. 1908

Recd. 25.8.1908

## NOTES.

Page 2

Am

I almost think that in women he works  
while to address to U.S. India office,  
& push on that the answers did  
not differ & that neither was a  
European - ~~to~~ "Martin Luther" being  
a native of it.

Yps. W. Martin Luther" being a  
Native of the & the other a  
Brahmin.

37

Please pick up draft, but I think the  
apennos did differ in the first  
case - please make certain of the  
facts first - There were two heat &  
two diff sets of apennos in each.  
I think -

$\frac{h}{28 \text{ min.}}$

For the U.S.

There were as stated by the C.S. two cases in the first case the Assocns, Messrs Martin Luther & Knish



appear to have differed in their opinion - viz page 6 of the Madras Mail of 9<sup>th</sup> July 08. In the second case the two assessors, both educated English speaking Brahmins, seem to have been unanimous in their opinion. The names of these Brahmins is not given in the newspaper report. To make certain of the facts <sup>the D. M.</sup> Timmell may perhaps be asked to telegraph <sup>(a)</sup> the names of the assessors in both the cases & <sup>(b)</sup> whether they differed in their opinions. A draft is submitted.

UK  
31.8.08

Issue

Oct  
1.9.08

[Refce by wire to D. M. Timmell of 1.9.08.]

[Circ 6306] Telegram from - DO - of 2.9.08.

For the U.S.

Pages 4-5 of CF.

From the D. M.'s report it will be seen that in the first case, which was against Subramania Swa & Chidambaram Pillai, Native Christian Assessor Martin Luther found both accused guilty. While the Brahmin Assessor Krishna Aiyar found both accused not guilty. In the second case which was against Chidambaram Pillai alone, both the Brahmin assessors - Ananta Narayanaiah & Ramachandra Aiyar - are said to have found the accused guilty.

2. A draft letter to the Under Secy of State for Justice pointing out that there was no European Assessor & explaining that there were two cases with two sets of assessors - submitted.

CS.

UK  
3.9.08

Please see Draft below.  
Copy may go to India. Y. J. M.  
Oct 3.9.08



READ

I  
[ Cus. 4739 ] From the India Office 27.3.08

II  
Refer to the S. M. Timmely 27.1.9.08.

III  
[ 11-8306 ] From the S. M. - do - 27.2.9.08.

Letter

ORDER

No. 1228, dated

5<sup>th</sup> Sept. 1908.

1908.

~~How~~ 2/9  
Copus 11/7/98

MRS

2/9/10.9

To the U.S. of State for India

Sir,

I am directed to refer you to the  
no. 8 dated the 14<sup>th</sup> July 1908  
question in Parliament asked by Sir Henry  
Cotton in regard to the Division cases  
recently tried at Timmely and to the  
discussion which followed the answer  
2. with reference to the inquiry as  
whether the Judge who tried the case was  
not assisted by two assessors, <sup>the a</sup> one Euro,  
<sup>the other a</sup> and one native, and whether, while  
European found the accused guilty,  
Indian Assessor found them not guilty.  
I am directed to state that ~~there is~~  
European Assessor <sup>was</sup> accompanied in the case

the question  
on page 2 of it.

Sir Henry's



sup  
aggr  
barau

Chidam

3. 2

Christian, 4

<sup>in</sup>  
Korahing

impounded as assassin

found both accused guilty <sup>in</sup>

latter found both accused not guilty

In the second case <sup>three men two</sup> ~~both~~ <sup>of whom</sup>

~~assassin~~ found the accused

39.08.

4.9.8.

DESPATCHED  
7 SEP 1908

Copy to G. D. I. H. D.

[with C. D.]

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1357/21/29

15337/11

373/RI

~~2669/20~~

~~RI  
119516 RH~~

1168/RI 88

~~1329/RI 85~~

5102/87.

210/4/97/DBR

6.09 RI  
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RH

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