

- (1) பக்கங்களின் எண்ணிக்கை _____
- (2) புதுக்கித் திருப்பிய நாள் _____
- (3) ஆதாரங் குறிப்பூர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்

தமிழ்நாடு அரசு

Judicial துறை

அரசாங்க எண்.	1228	அச்சகம்
மு. கோபுத் தாள் எண்.		பலவுறை
நாள்:	5-9-1908	20

மாநகராட்சி கலைஞர் போகுமிக்கு வேலை செய்து.

Jull.

DEPAR

CURRENT FILE.

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No. 1228 5d

5.9. 1908.

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Box No. II

Bag 3.8.

Circ'd 3.8.

Rec'd 10.8.

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 Tinnevelly, 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.

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

.....

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 Tinnevelly. The case was tried before the Sessions Judge at Tinnevelly: an appeal lies to the High Court at Madras.

Hon Mr. Hammick Esq. & Circ.

10.8.08

X VIII 8 Dec 8.08

Mr. Cotton —

10.8.08

10.8.08



Page 2 C.P.

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.

Tudl. dept.

[Cus. A739]

Refec.

Desptd
1/9/08.

Telegram (defend)

To the D. M. Tinnevelly.

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

Ch
31-8-08

Ans
1-9-08

C. 1.

INDIAN TELEGRAPHHS.

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	Tinnevelly Bridge	12	45	2 State

TO

Madras Ooty

CURRENT NO.

5306

JUDICIAL

14.7.3.106

In first case against Siva and Pillai native Christian assessor Martin Luther found both accused Guilty. Bramin assessor K R Krishnaiyer found both accused not guilty. Second case against Pillai alone both assessor Anantnaracaner and Ramachandra

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

C. 1.

INDIAN



TELEGRAPHHS.

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Found accused guilty +
= Distress

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

35-2-15

NOTES.

JUDICIAL DEPARTMENT.

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

(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.

Circ'd 24. 8. 1903.
Dated 25. 8. 1903.Nth

I always think that it would be worth while to address to U.S. India Office & ask me that the answers did not differ & that neither was a European - ~~to Martin Luther being a Native~~ ^{to Martin Luther being a Native}
~~Native~~ ^{to Martin Luther being a Native}

24 VIII 03

Yes. Mr. Martin Luther" being a Native & the other a Brahmin.

25 VIII 03

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

25 VIII 03

For the U.S.

There were as stated by the C.S. two cases - in the first case the Assessors, messrs Martin Luther & Krish

appear to have differed in their opinion - two pages of the Madras Mail of 9th 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 are not given in the newspaper report. To make certain of the facts the ^(a) Dr. Tumewell may perhaps be asked to telegraph the names of the Assessors in both the cases & ^(b) whether they differed in their opinions. A draft is submitted.

U.R.
31.8.08

Issue
Cas
1.9.08

[Referred by wire to Dr. Tumewell of 1.9.08.]
[Enc 6306] Telegram from - do - 1.9.08.

For the U.S.

Pages 4-5 of C.F.

From the Dr. Tumewell's report it will be seen that in the first case, which was against Subramania Siva & Chidambaram Pillai, Native Christian Assessor Martin Luther found both accused guilty while the Brahmin Assessor Krishna Aiyer found both accused not guilty. In the second case which was against Chidambaram Pillai alone, both the Brahmin Assessors - Ananta Narayana Iyer & Rama Chendu Aiyer - are said to have found the accused guilty.

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

U.R.
31.8.08

C.S.

Please see Draft below.
Copy may go to Indian U.S. Consul
Cas 1.9.08.

READ

I

[Cus. 4739] Form the India Office 27-3-8-08

II

Refer to the S.M. Tinnevelly 27-1-9-08.

III

[1-6-806] Form the S.M. - no - 27-2-9-08.

Letter

ORDER No. 1228, dated

5th Septm 1908.~~From 7/8~~
Copied
7/9/8

T.M.S.

27/9/08
10.9.

To The U.S. of State for India

Sir,

I am directed to refer you to the question in Parliament asked by Sir H. Cotton in regard to the trial cases recently tried at Tinnevelly and to the discussion which follows the answer 2. with reference to the inquiry as whether the Judge who tried the case was not assisted by two assessors, one European and the other a Native, and whether, while European found the accused guilty, Indian assessor found them not guilty. I am directed to state that ~~there was~~ European assessor ~~was~~ empanelled in the case.

~~the question
on page 2 of C.~~

Sir Henry's

say

again

barau

Chidam

3 - 2

Christian

was

prosecuting

unqualified as assessor

found both accused guilty the
latter found both accused not guilty
In the second case ~~there were two~~
~~both of whom~~
Assessor found the accused

Mr
3-9-08.

Ady
4-9-08.

Copies to G.O.I. & D.

[with C. L.]

Mr
5-9-08.

825 R H
34.78/R I ~~22~~
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1557/81/29

15339/11

373/R I

2669/20

1168/R I ~~188~~

1529/R I ~~185~~

~~5702/87~~

216/4/97/05R

6/109 R I

3332 6/109
R I

1778 18/8/60
R I

