M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 329 Press ~~Mis.~~

30-31

Dated 12 — 3 — ~~19~~ 1931

Not to be folded or roughly handled

No. 30. Read the following letter from V. H. LEVINGE, Esq., Acting Magistrate of Tinnevelly; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 18th February 1859, No. 69.

SIR,

Para. 1. As directed in para. 36 Extract Minutes of Consultation, dated 28th January 1859, I have the honor to report, that the pagoda servants are very numerous, and that I was not able to bring a charge of rioting, or stone-throwing against any one of them. The pagoda has several entrances, and a great number of people got into it; had the servants even the wish to do so, they could not have turned out the intruders. On being severally questioned, the servants, of course, either declared they were absent that day, or could not name any of the mob. The Durmakurta who should be answerable, and who is a respectable man, and who, I am sure did not, and would not, countenance the rioting, has very little authority over the servants; he was not at the pagoda that day, and could not himself give any testimony regarding their conduct. I found during my enquiry that when any accusation was made, it was to be supported by very doubtful testimony, and that the party accused was either at enmity with the accuser, or was a moneyed man, accused, apparently, for the purpose of drawing on him. I therefore dropped the enquiry as far as the pagoda servants were concerned, being certain that the lesson they had received was sufficient. Several of the house-holders who have been held to security are pagoda servants. The signal man who waved the cloth was also a pogada servant; this man unfortunately was acquitted, and only held to security, on account of the contradictions in the evidence given against him by the Peons. Whether these contradictions arose, as the Peons declare they did, from the excitement and confusion at the time, and owing to their different observations, or from their having been paid to prevaricate and contradict, which is generally believed to have been the case, it is difficult to say; seeing I had to rely almost entirely on such evidence, I gave up all thoughts of prosecuting the rioters for fear of its being turned into an opportunity for extortion or revenge. Besides, as all attempt at opposition had ceased, I thought it best to let the affair die out.

2. The Bazar-men are all Hindoos of different castes, and Musselmen, and though I examined some 130 of them, not one of them deposed that the shops were shut by order of any persons, or in consequence of threats; all stated that they closed their shops for their own security, seeing a great crowd. This is partly true; but the closing commenced by order, and threats, and pulling down pandals. I cannot get any evidence against the parties who closed the shops, and instigated the mob in their opposition, which would be admitted in the Court.

3. Saravanapermahl Pillay, and a few others, were outwardly the parties who took a prominent part on the 22nd, but the only evidence against them would be, that they sat in the pagoda gate taking a Mahazurnamah from the passers by that there was no custom for bodies to be taken by the pagoda, and that they must be taken to the Arasan Oday, near the old hanging ground and no where else.

4. The Village Moonsiff was not present in the Town on the 22nd and there is no evidence whatever against him, but his having closed the shops on the first occasion is sworn to. I have made him give heavy security to keep the peace, and dismissed him. Tinnevelly is not considered a whole Town or Village, though a more compact Town is not any where to be found. For revenue purposes it was divided into 5 blocks, in an arbitrary way, without any reference to Police or Civil matters. The proposal of the suspended Head of Police was to appoint to each Division a Moonsiff, for the purpose of gaining an influence over the people. He had already appointed 2, and was searching for 3 other suitable persons so that there would have been 5 Village Moonsiffs in the Town, to harrass the people with false petty suits, if they did not submit and obey orders. I have dismissed both the new Village Moonsiffs, and restored the old system of a Police Ameen, and Cutwall with Peons and Cavulgars under them.

5. The Town was never more orderly than it is now. It may be, partly, owing to the absence of Saravanapermahl Pillay, and others, who were always troublesome characters; and also to the circumstance that of the men killed, 8 were men of the worst character in the Town. I am happy to say that the only woman wounded has recovered, also a young lad.

6. Since the occurrence of the 22nd another Christian died in the Dispensary. The empty bier was brought from Palamcottah by the high road by the pagoda, in open day, to the Dispensary, and the dead body taken for interment, the same way, and no interference whatever occurred.

7. The declaration of Government contained in the latter part of para. 35, which I have published over the District, has had an excellent effect. Towns and Villages which were always in a chronic state of fend and disturbance, owing to the pretensions of certain castes, have been quieted, and the question of the right to use the high streets and roads, disposed of, and submitted to.

8. With respect to the conduct of the Head of Police, after his interview with me on the night of the 21st, he went to his house in Tinnevelly, and says, he did not tell any one what my order was. In the morning he went to the Cutcherry, and then the order became known. A crowd collected about the Cutcherry. Of those who were prominent in it, he names 2; one of them is one of the 10 rioters, and has been convicted, the other is not to be found.

9. The Head of Police read a Proclamation that if any persons formed crowds, they would be punished. He says, that, on that Proclamation, many went away, and came again after the Catechist came at 9½; but that he was afraid to seize these prominent parties for fear of a disturbance, and yet, after he had been stoned, and his Duffadar and a Peon wounded, he without further disturbance till I came, caught one of the prominent men, and 6 others. The mob saw their leaders taken, and the leaders gave themselves up, and went into confinement, without the slightest opposition; the truth being, that the Head of Police was determined not to use any influence or authority to disperse the mob, or to persuade them of the folly and risk of resistance. He and all thought that, seeing the opposition and crowd, I would give way, and that I would not dare to risk a breach of the peace. After receiving my order, the Head of Police waited, sullenly, to see who would conquer. His Proclamation was a pretence, just sufficient to cover him Officially, but not intended to be obeyed or carried out; for though some dispersed on it, they only went to collect stones; whilst the mob kept on increasing till it became irresistible by the force at his disposal.

No. 31. ORDER THEREON, No. 329; dated 12th March 1859.

In Extract Minutes Consultation No. 122 dated 28th January last, the Government after reviewing the circumstances of the late serious riot in the town of Tinnevelly, desired the Acting Magistrate (para. 36) to inform them "of the result of his enquiry as to the behaviour of "the Pagoda servants and closing of the bazar, as well as into the conduct of the Village Moonsiff both on the last and previous occasion." They further directed that the Head of Police should remain under suspension, pending full enquiry into *his* conduct.

2. Mr. Levinge now reports that the Warden of the Pagoda is a highly respectable person, and quite incapable of taking part with a mob of rioters against the authorities; but that there is reason to believe, that many of the Pagoda servants, over whom the Warden possesses very little actual authority, were very active on the occasion; and these he has required to furnish security. The Village Moonsiff has also been held to bail, and has further, very properly, been dismissed from Office, it appearing that it was by his order that the shops were closed on the first occasion. On the second he was absent from the town.

3. It remains to notice the conduct of the Head of Police. The Government concur in the opinion of the Acting Magistrate, that the tenor of this Officer's proceedings leads to the conclusion, that he "was determined not to use any influence or authority to disperse the mob, "or to persuade them of the folly and risk of resistance." He will consequently be dismissed the service, on receipt of these orders.

4. The Government in conclusion remark with satisfaction that the town of Tinnevelly is now perfectly quiet, and that not only in its precincts, but throughout the whole District, the question of the right of all classes to a common use of the high streets and roads, is considered finally settled.

(Signed) T. PYCROFT,
Chief Secretary.

Ext. F. Cartlidge.

Judicial Dept

No 329

Ft St. G. d/ 12th March 1859.

Following letters } Have entered No 69
from Mag.t of Tinnevelly } d/ 18th Feby 59

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4. The Govt. in concluding remark with satisfaction that the Town of Tumwell is now perfectly quiet, & that not only in its precincts, but throughout the whole district, the question of the right of all classes to a common use of the high streets & roads, is considered finally settled.

D.T. 14/3/54.

To the Mayor of Tumwell. Liverpool 15

Sud. Dr. to Engr. 3d May
No. 114 of 1859 -

By 4th Con. 15 March
Judicial 1859 Department.

No. 329.

Extract Minutes of
Consultation

Dated 12. March 1859

Recording certain observations on the report of the acting Magistrate of Tinnevelly regarding the result of his enquiry as to the behaviour of the Pagoda servants and closing of the bazar in the late Tinnevelly Riot - and approving the punishment awarded to the village Moonsiff also directing the dismissal of the Head of Police

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C. Hand
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