

(1) Number of pages 10

(2) Date of repair 28.6.73

(3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Judicial DEPARTMENT

G.O. No.	2725	S.C.)	Press
B.P. No.			Mis.
Dated	8.10.1885		197

Not to be folded or roughly handled

CONFIDENTIAL.

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

READ—the following paper:—

From W. LOGAN, Esq., District Magistrate of Malabar, to the Chief Secretary to Government, Ootacamund, dated Palghat, 17th July 1885, No. R.

In continuation of my letters Nos. D and G, dated 6th and 20th May, respectively, I have the honor to submit, herewith, (in original and in a separate cover) the Divisional Magistrate's (Mr. P. Karunakara Menon's) final report on the Mappilla outrage at Pommundam in the Ponnani taluk.

2. Mr. P. Karunakara Menon has traced the gang of criminals from the time when their design to kill the pervert Cheruman was formed up to the time when those that remained of the original gang were shot by the troops under the circumstances already reported.

3. On the 5th of March last, I received an anonymous petition stating that a design to kill the Cheruman was on foot. I forwarded it to the Deputy Magistrate for information, and he referred it to the Bettattupudiyangadi Sub-Magistrate for inquiry. The Sub-Magistrate closed his inquiry into the matter, and submitted a report on the 1st May to the effect that there was no cause to apprehend a breach of the peace, and yet the wholesale murder of the Cheruman family took place that very night.

4. The inquiry was manifestly incomplete; the Deputy Magistrate says (paragraph 64) that both sides were afraid to speak out, and even the adhikari of the amsam (a Hindu) failed to report the strained relations which had evidently existed for some time between the Cheruman and his Mappilla neighbours.

5. I am not disposed to view very severely the Sub-Magistrate's conduct in failing to ascertain the true state of the facts, for the sources of information on which we generally rely in such matters,—the evidence of the amsam officials—gave no indication of what was brewing; and, as the Deputy Magistrate truly remarks, if all anonymous information regarding alleged cases of apostasy had to be very carefully investigated, much of the time of the Magistracy would be taken up in this work alone. Moreover, it is rather a curious circumstance that the only two members of the gang, Nos. 13 and 15, who came from the amsam (Pommundam) in which the murders were committed, deserted the gang before they finally took post in the Brahman's house; and two others of the men, now in custody (Nos. 16 and 19), who had at first agreed to join the gang, and who eventually failed to do so, also came from this same amsam (Pommundam). These desertions and failures by men of the Pommundam amsam coupled with the fact that the Sub-Magistrate failed in his inquiry to obtain any reliable information from the people of that amsam, look as if the Pommundam people, although put under considerable provocation by the pervert Cheruman, had decided, as a body, to refrain from themselves interfering with him.

6. That the Pommundam people did not know anything about the design is not to be credited for a moment; they were probably merely unwilling that it

should be carried out by any of themselves, and, as a rule, the truth of which has repeatedly before been remarked; Mappillas who have religious grievances to redress often look to their neighbours or to strangers to redress them, knowing that such a design was in the air; the Ponnundam people would have been just the last persons to confess to having grievances against the Cheruman.

7. On the other hand, had the local Magistrate or the police inspector possessed the full confidence of the people, reliable information would most probably have been secretly conveyed to one or other of them of what was brewing.

8. As the matter stands, I cannot free the local Sub-Magistrate from blame in failing to discover what the real state of feeling was. As regards the adhiikari, on whom the chief responsibility lay, he is clearly unfitted for his post, and I have ordered that he be summarily dismissed.

9. The final conspiracy to murder the Cheruman and to make *pada* (war, battle) against the Government seems to have commenced on the 17th April. The conspirators were chiefly inhabitants of the neighbouring amsam of Olur. Their meeting place was at the mosque in the Omachchapula amsam in that amsam; and the Mukri of that mosque (criminal No. 20) seems to have greatly contributed towards the final decision to take up arms by various inflammatory remarks coupled with some enigmatical and mystical phrases of which he made use in the course of a consultation with him held, it seems, on 24th April, by the conspirators in the portico of the mosque. I solicit perusal of the account* given by criminal No. 13 of the details of this consultation. The

* Pages 25, 26, 27, 28 of the enclosed file of statements by criminals.

incident alluded to in paragraph 15 of the Deputy Magistrate's report,—the insult to Imbichi Koya Tangal,—seems to have been the immediate cause of the resolution taken to murder the Cheruman. But the design had evidently long been talked of.

10. The design having been finally approved by those concerned, arms, &c., were collected, the Omachchapula mosque-sword being one of the weapons; and two of the criminals, Nos. 12 and 14, went to Ponnani to buy English gunpowder and caps, and "to obtain † his consent and *carkath* (blessing)." The first intimation of this came in a casual way from criminal No. 15, and the full details from criminal No. 14. They are given at length in paragraph 23 of the Deputy Magistrate's report. It appears that this consent and blessing were to be obtained from Valiva Jarathingal Imbichi Koya Tangal, the recognised head of what is known as the Ponnani faction of the Mappillas,—the faction which comprises perhaps as much as 90 per cent. or more of the Mappilla population, which has always given trouble, and which alone commits these outrages. It seems the Tangal was absent from home when they (Nos. 12 and 14) arrived; but a man who accompanied them carried a gift into the Tangal's house, while Nos. 12 and 14 stood at his gate-way.

11. There was nothing to connect this Tangal with the design beyond the fact that the criminals evidently looked to him for countenance and support in their murderous undertaking. So I have taken no notice of the incident beyond pointing out to the Tangal that he alone knows whether the criminals would have received such countenance from him; that the criminals evidently expected it from him; and that he had personally incurred very grave responsibility by omitting to point out to the misguided people of his faction how wrong they are in their interpretation of the Muhammadan doctrines. For it was this very man to whom, among

† Printed with G.O., dated 2nd May 1885, No. 1169, Judicial.

others, I alluded when I pointed out in my report ‡ (paragraph 65) on the Trikkallur outrage what were the views of the more enlightened Muhammadans, and this very man had, only a few weeks before this last outrage happened, come to see me at Calicut, and, while professing sentiments of the profoundest loyalty to Her Majesty's Government, had reiterated to me the views I have already described in detail in the report above quoted. I have told him plainly that his professions of loyalty to Her Majesty have no longer

the weight which was formerly accorded to them, and that I shall, in future, expect, if his professions are of any value at all, that he will do his utmost to spread abroad the enlightened views which he had personally expressed to me, and which no doubt he himself truly holds.

12. I do not, however, in the least anticipate that this will have any effect. I shall probably have fewer visits from him than formerly, and shall be spared the infliction of listening to his enlightened views and professions of loyalty, and that is about all that will be achieved, unless the Government increases my hold over this man and the Kâzis, Tangals, and Mullas generally. I reserve this point for treatment in making my recommendations further on in this report.

13. On the return of Nos. 12 and 14 from Ponnani, the gang was formed that very night (night of 1st May) at the mosque and proceeded to the house of the doomed family. The Deputy Magistrate has entered into full details of the progress of the gang towards the house, and of the murders and arsons which they committed there; and I have only to remark that it seems probable, from the medical evidence, that all six persons were killed by stabs and cuts before their house was set on fire. The little girl who survives was wounded,* and it was severely burnt before making her escape. The body of the mother, there can be no doubt, was horribly mutilated; but, judging from the position of the body when found, this mutilation must have taken place after she had been killed by a cut severing the vertebra of the neck.

14. After committing the murders, the gang made straight for the Kalpakancherry police-station, with a view to possessing themselves of the arms and ammunition there stored. Fortunately, however, the scout whom they sent forward to reconnoitre, found two police constables at the station, and this served to turn them from their design.

15. Some precautions have, I understand, been already adopted at all police-stations to frustrate such designs in future; and it would be well to make such precautions effectual, for the temptation to seize the police arms will be increased, now that the country has been disarmed.

16. From Kalpakancherry the gang passed rapidly northwards into the Ernâd taluk (Special Assistant's division) and halting only to drink some sugar, and water; they ascended to the Hindu temple situated on the highest peak of the Urôtt hill, the central signalling station held by the Oxfordshire Light Infantry as already described in my report, No. 1871, dated 1st May 1885 (G.O., dated 21st May 1885, No. 1337, Judicial) in the disarming operations in February last. Their information was bad, for they had evidently contemplated taking post in this temple, and they were disappointed at finding no water there. It was clear they could not hold it under such circumstances, so they abandoned the idea at once. They doubt expected to obtain additional eclat for their performance by holding out in a temple in such a conspicuous situation (it is visible over the half of South Malabar) and by occupying a post which had been held by the British Infantry in February last.

17. The Deputy Magistrate has commented severely (paragraphs 149, 152) on the conduct of the Kannamangalam adhiikari, a rich and influential Mappilla, in not taking steps to surround the gang and force them into surrender when they passed through his amsam and ascended the Urôtt hill. I agree with the Deputy Magistrate that the adhiikari had ample time to do this, as the gang passed through his amsam early in the forenoon, and that he showed a great want of public zeal in not following up the gang, in not raising a hue and cry, and in taking no steps beyond sending an amsam peon after them to warn them apparently to clear out of his limits, and beyond reporting the occurrence to his superiors. In the present state of Mappilla feeling on the subject of the perpetrators of these outrages, it would be to expect more than is ever likely to be realised if we rule that this Mappilla adhiikari, by not raising a hue and cry, has shown himself to be unfit for his

post. But there can be no question of our just right to expect such a thing from all classes of public servants, and more especially from all Mappillas. When such a favorable opportunity occurs; and I have accordingly directed that the adhikari shall be dismissed from his post.

18. The gang descended the Urutt hill on the west, and after passing a Hindu temple and the house of a well-to-do Hindu (Nayar), they apparently made as if going for Mambram where lies buried the Tangal who is credited with having first organised these outrages in 1836—1843. By this time, they were hungry having lost a bundle of provisions during the confusion and excitement at the Cheruman's hut; they bought rice at a shop, but the people refused to give them appliances for cooking it; and it seems they were really afraid that the inhabitants (chiefly Mappillas) intended to seize them and hand them over to the authorities. So they concealed themselves till after nightfall, and two of them, Nos. 13 and 14, took the opportunity to desert at this point. This failure to supply the wants of the gang appears to be a hopeful sign for the future in case sense, for such criminals have hitherto been all too readily comforted and helped by their co-religionists. These co-religionists on this occasion had probably something to lose, and did not want to jeopardise it; for this is precisely the country visited by Mr. B. Kamaram Nayar during his last recess, where he found the Mappilla caste in possession of the bulk of the lands, and the Hindus "being pushed to the wall," as he expressed it. (See my letter No. K, dated 10th June 1885.)

19. During the night they made their way back to Ponnundam and lay down very tired and hungry at the Nambūtiri Brahman's gate, waiting for it should be opened. No. 15 then took the opportunity to desert, and, when the gate was opened very early in the morning, they passed in and took possession of the house in the way described in my previous report.

19(a) The house was much too strong for them to force if the people had done nothing more than merely bar the outer doors, so it was manifestly the gang's wisest plan to take possession of it by stratagem. They most effectually concealed their numbers, and, even when the troops arrived on the scene, it was thought that the gang was twenty strong; and this impression was not known to be incorrect until after the house was taken and the number of dead bodies was counted.

20. The Deputy Magistrate describes (paragraph 51) an omission in his previous report, which, coupled with an incidental allusion in paragraph 12 of my covering letter, led the Government to the conclusions that the criminals at the time the troops attacked them had been starving for three days, and that they could probably, under such circumstances, have been speedily starved into submission. The facts were—

- (a) that the men were in a starving condition when they took their post in the Brahman's house;
- (b) that they there found ample provisions stored,—provisions which at the rate of about 1½ lb. of rice per man per day, besides condiments and vegetables, would have served them for at least three weeks;
- (c) that they at once set to work to cook a meal for themselves;
- (d) that while thus engaged apparently a deputation arrived to parley with them;
- (e) that they broke off the parley with the deputation on the plea that they were very hungry, having fasted for three days and wanted to cook some food; and,
- (f) that this happened long before the troops came on the scene.

21. I regret much that the omission in the Deputy Magistrate's former report was not noticed by me when forwarding it, and that I made the incidental allusion in paragraph 12 of my covering letter without correcting the Deputy Magistrate's omission in such a manner as to make my own allusion more intelligible. I can only now sincerely apologise for having, by these omissions, misled the Government on a point the practicability of starving the criminals into submission, about which no doubt could possibly, I think, have arisen, had the facts been all set forth

in order. It is not always possible in the hurry, excitement and fatigue incidental to such outbreaks, to set forth in due order all the facts in a first report.

22. It will be observed, however, that the statement in my letter No. D, dated 6th May, paragraph 12, viz.: "They told the deputation sent to parley with them that they had no food for three days, and were very hungry;" and the statement in paragraph 2 of my letter No. G, dated 20th May, viz.: "There was ample provision (husked rice, curry-stuff, condiments, ghee, cocoanut-oil, pickles, &c.,) in the Nambūtiri's illam to feed the gang for at least three weeks," are both strictly correct, and are reconcilable with each other under the above explanation.

23. In paragraph 146 of his report the Deputy Magistrate sums up his recommendations for dealing with this case, and these are—

- (a) Confiscation of the property (such as it is) of those who were killed, Nos. 1 to 12, excepting the child No. 3.
- (b) Criminals 13, 14 and 15 to be put under restraint for life, unless they are to be put on their trial.
- (c) Criminals 16, 17, 18, 19, 20 and 21 to be put under restraint for a shorter time.
- (d) Criminals 22, 23, 24, 25 and 26 to be put under police surveillance in Eastern Coast districts.
- (e) The dēsam of Omachchapula and Ayyāyi of Olur amṣam, the whole of Ponnundam and Kannamangalam amṣams to be fined under the Special Act.
- (f) The making of suitable provision for the sufferers by this outrage.
- (g) The closing, until further orders, of the Omachchapula mosque.

24. As regards these recommendations, the Deputy Magistrate has, I see, gone fully into each point, and no detailed remarks beyond what follows are necessary from me:—

- (a) No remarks are necessary. If Government approve, I will make the application required by section 3, Act XX of 1859.
- (b) As regards criminals 13, 14 and 15, I am inclined, looking to all the circumstances detailed in paragraphs 53 to 102 of the Deputy Magistrate's report, to recommend that they be put up for trial before the Court of Session for murder, arson and any other offences which the circumstances proved may seem to justify; and I beg that sanction, under section 196 of the Code of Criminal Procedure, may be afforded for the insertion in the charge of counts under Chapter VI of the Indian Penal Code. I also beg to recommend that one of the law officers of Government be specially deputed to conduct the prosecution in this very important case.
- (c) and (d) The case of criminals Nos. 16 to 26 (paragraphs 103 to 121 of the Deputy Magistrate's report) need not, I think, be disposed of until after the trial of criminals 13, 14 and 15, as in our treatment of them much would depend on the help given, or obstruction offered, by them at the trial of Nos. 13 to 15. If these men (Nos. 13 to 15) were convicted and hanged on a gallows erected at the site of the Cheruman's hut, several of the other criminals (Nos. 16 to 26) might safely be released. So I recommend that no final determination be arrived at, at present, in regard to their cases, but that such of them against whom charges of abetment of murder, &c., might successfully be prosecuted, be put on their trial along with Nos. 13 to 15, or separately. I trust that Government will depute a special law officer to help in preparing the cases against them.
- (e) The Deputy Magistrate has not explained his reasons for recommending that only two dēsam of the Olur amṣam be fined, while he recommends that the whole of the Ponnundam and Kannamangalam amṣams be fined. The amṣam, as the unit of revenue administration, should, I think, be fined in each case; but, of course, the Omachchapula and Ayyāyi dēsam of Olur amṣam should be dealt with in

- more exemplary fast. Chelavil dēsam (place) should be treated more severely than the proposals, so far as they regard sufferers, have my approval. I have not taken into account the four wounded, who require to be made under the whole matter of compensation. I leave the fines will amount to what the fines will amount to until further orders, of which I prefer to see some steps taken. I will submit some remarks on this subject.
- (f) The Deputy Magistrate has made a provision for the ever, omitted to take to whom compensation the Special Act. I leave it over till we know.
- (g) As regards the closing of the mosque, I would in Kāzis, Mullas and better control, and closing this letter.

25. Fanaticism, which has been rampant, and (in the words of the means of this fanaticism, "the people of the adverse persuasion have obtained benefits to the aggressive because they enter upon in this report what "community by these exhibitions of fanaticism."

26. There is no doubt, whatever as rebels, and that they characterise as wage war (*paṭa*) against Government.

27. There have been three important fanatical outrages in the months,—a number which has not been exceeded in any one. These are not the only cases in which excitement have been manifested, nor are these (as remarked in G.O., dated 16th May, No. 1297) the only cases reported to Government. Other such case was reported to you in my telegram of 26th June. That matter was disposed of under the ordinary law, and it is necessary to report any further particulars. There was quite such cases, all dealt with under the ordinary law, after the 1st December last. Besides the one already alluded to, there was a fight over a water dispute; in a third case, a Māppilla entered (*nāga* or serpent shrine) of a Nāyar, and shot a pigeon, and on the 1st with, felled his opponent to the ground with the butt of his gun; some Hindus proceeding quietly in procession to a temple were unprovokedly attacked by Māppillas; and in a fifth case, which was a Mulla from South Canara came to the temple and began fanatical preaching. The Mulla and about the 1st of the Prophet's words seems to me, that one day's delay in quelling the Trikkalhir temple to our inability from lack of guns and explosives to force their way a regular wave of fanaticism to pass over the district; and the followed this last outbreak is due, I have not the slightest doubt vigorous and successful measures taken to suppress it. The people did, as the Deputy Magistrate's inquiry shows, assist and encourage and if any doubt as to their real feelings on the subject exists experience of more than one of the officers engaged, who had been through the locality singly at the time, would furnish Government of what the real state of feeling was. The people are quiet now we are too strong for them and we have shown it.

28. I have already stated in paragraph 6 of my letter, No. G. 1885, that I do not see my way to accepting the responsibility of nipping such risings in the bud as promptly and as sharply as of late. Before this policy is changed, I would very respectfully beg the Major Hole, and myself be personally sent for and examined if

than the rest of that amān amān (where) more severely than the proposals, so far as they regard sufferers, have my approval. I have not taken into account the four wounded, who require to be made under the whole matter of compensation. I leave the fines will amount to what the fines will amount to until further orders, of which I prefer to see some steps taken. I will submit some remarks on this subject.

that these fanatics looked their intention in this instance.

important fanatical outrages in the months,—a number which has not been exceeded in any one. These are not the only cases in which excitement have been manifested, nor are these (as remarked in G.O., dated 16th May, No. 1297) the only cases reported to Government. Other such case was reported to you in my telegram of 26th June. That matter was disposed of under the ordinary law, and it is necessary to report any further particulars. There was quite such cases, all dealt with under the ordinary law, after the 1st December last. Besides the one already alluded to, there was a fight over a water dispute; in a third case, a Māppilla entered (*nāga* or serpent shrine) of a Nāyar, and shot a pigeon, and on the 1st with, felled his opponent to the ground with the butt of his gun; some Hindus proceeding quietly in procession to a temple were unprovokedly attacked by Māppillas; and in a fifth case, which was a Mulla from South Canara came to the temple and began fanatical preaching. The Mulla and about the 1st of the Prophet's words seems to me, that one day's delay in quelling the Trikkalhir temple to our inability from lack of guns and explosives to force their way a regular wave of fanaticism to pass over the district; and the followed this last outbreak is due, I have not the slightest doubt vigorous and successful measures taken to suppress it. The people did, as the Deputy Magistrate's inquiry shows, assist and encourage and if any doubt as to their real feelings on the subject exists experience of more than one of the officers engaged, who had been through the locality singly at the time, would furnish Government of what the real state of feeling was. The people are quiet now we are too strong for them and we have shown it.

28. I have already stated in paragraph 6 of my letter, No. G. 1885, that I do not see my way to accepting the responsibility of nipping such risings in the bud as promptly and as sharply as of late. Before this policy is changed, I would very respectfully beg the Major Hole, and myself be personally sent for and examined if

Government are still not satisfied with what I have set forth above. Of one thing the Government may rest assured, and that is, that if we, the district officers, only could catch these fanatics alive, nothing would give us more complete satisfaction; but the thing has never yet been done, although often mooted, and until it is done, I shall be sceptical as to its practicability. What better chance was offered than in the case of Mr. Conolly's murderers? They were only (5) five in number; rewards were offered of Rs. 300 per man if taken alive; the Government were willing to pay even as much as Rs. (5,000) five thousand per man taken alive, but this fact was not known at the time; they were surrounded in a house, very similar to the Brahman's house occupied by this last gang; the force surrounding them consisted of European Infantry, Native Military police, and two howitzers and Artillery men, and yet the fanatics were all slain. I beg further to solicit very careful consideration of what Mr. Conolly wrote on this subject on 29th November 1851, No. 53. You will gather from that letter (Māppilla Outrages, volume I, pp. 227, 228) that, so long ago as in 1841, he recommended "the employment of disciplined soldiers in place of undisciplined police, in the hope that the wholesale destruction which had hitherto occurred might be prevented and the wounded fanatics at least secured for trial by the Civil Courts;" and his experience on the point is thus recorded: "Judging from the terribly frequent experience we have had, it would seem impossible to restrain the fury of the troops against parties who will receive no quarter and fight like mad men."

29. If the thing can be done, the Government may rely on our doing it; but on two points I am quite clear, and these are, that if the doing of it is to entail any considerable delay in suppressing the criminals, it had better not be attempted at all, and that there must be no uncertainty about the instructions issued on the subject. Uncertainty breeds indecision, and indecision in the treatment of these fanatical gangs will surely end in some deplorable disaster.

30. In conclusion, I would observe regarding the Arab priests or Tsangals, who are popularly supposed to fan this fanaticism for their own ends, that I do not think they, any more than Roman Catholic priests in Ireland, can be said to be the prime movers in the matter. They are so circumstanced that, to retain their hold on the people and to secure the comfortable incomes derived from them, they are forced to go with them in this popular movement; and I believe that, if by a recasting of the Kāzis Act, we could give them power over the people, which means, of course, an assured income from their congregations, they would as readily as not help us to put a stop to this fanaticism.

31. To do this, each Jamāth mosque should elect its own Kāzi, who would be removable as now by Government, and that Kāzi should have an official position giving him authority over the members of his congregation in the matter of fees for services rendered and power to enforce that authority. This would enable him to secure a steady income, and he would readily enough, I think, stop fanaticism if this steady income were endangered thereby. All mosques having no officially recognised Kāzi should be simply shut up until the people were agreed as to their choice of a man approved by Government.

ENCLOSURE.

(Here enter Deputy Magistrate's report, printed separately.)

ORDER—dated 8th October 1885, No. 2725, Judicial.

In the above papers, Mr. Logan submits the final report on the Māppilla outrage, which was committed on the morning of the 2nd May last. The inquiry into the case has been conducted by the Divisional Deputy Magistrate Mr. P. Karanākara Menon, whose report is written with care and intelligence. The Government will now proceed to pass orders in detail on the proposals made.

2. The recommendation that the

13. Nadattalivil *alias* Narungilparambil *alias* Viran Meidin.
14. Edamarattungal Pari Meidin *alias* E lathparambil Pari Meidin.
15. Vedarvan *alias* Aripparambil Kuruhi Ka

Excellency the Governor in Council in the charge of counts under chapter

3. As regards the remaining

16. Tattari *alias* Attuvindé Sayad Ali, son of Attu.
17. Pulattottattil Pekkari, son of Chékka.
18. Váriyattél *alias* Neelchikkattil Kunhali.
19. Kannanchéri Kunhali.
20. Naduvil Nalagath Kunhali Haji.
21. Karavattil Sappi.
22. Pudukkalergalkoya Kutti Haji.
23. Máttummal *alias* Neelchikkattil Kunhali.
24. Pulattottattil Kunhali.
25. Pekkuth Alavi.
26. Váriyattél *alias* Neelchikkattil *alias* Vá tala Meidin Kutti.

made for the forfeiture of the property killed by the fire of the soldiery, is to be taken under section 3 of Act XX of 1859.

5. Before passing orders on the amsams implicated in the crime of further and more detailed information incidence of the fine should be submitted on the Deputy Magistrate to state the desams of the Olur amsams; while to increase the heaviness of the fine on a

6. As regards the provision with murder, orders will be passed when by the fines is known. The District considers necessary, and he is authorized any necessary expenses for the support of his daughter. Compensation will also be made for the house which was seized and occupied by the British troops and for the damage incurred by the fire of our troops and for the damage incurred. The suggestion that compensation be made under Act XX of 1859 to the British soldier made under a misinterpretation of section 19 of the Act.

7. Mr. Logan's proposals regarding the amendment of the Kázi Act, XII of 1859, appear to His Excellency in Council to be too vague to be dealt with as a technical question; nor is His Excellency in Council prepared to sanction the Deputy Magistrate's suggestion that the Omachchapala mosque should be ordered to be closed.

Regarding the important question of the manner of suppressing such outrages in future, the Government do not wish to hamper the discretion of the District Magistrate, who must be guided by the circumstances of each case. Against the advantages to be gained by a prompt suppression of disturbance are to be set the advantages of capturing the criminals alive and subjecting them to the ordinary course of justice; while against the evils of delay,—evils which His Excellency in Council considers Mr. Logan somewhat exaggerates,—is to be opposed the consummation of their object by their own persistence of these crimes, and all vigilance

are marginally-named criminals, Nos. 13, 14 and 15, in the list given by the Deputy Magistrate, should be put on their trial on charges of murder and arson is accepted, and the Government Pleader will be instructed to undertake and conduct the prosecution of these men. His Excellency the Governor in Council is not, however, able to sanction the insertion of these persons, Nos. 16 to 26, in the Deputy Magistrate's list, the papers will be forwarded to the Government Pleader for his opinion whether a prosecution is advisable or not. While against certain of these persons, especially No. 20, there is evidence of intimate association with the arrangement and carrying out of the crime, against others, such as Nos. 22 to 26, whatever their guilt may be, there is very little evidence of complicity.

4. The District Magistrate's recommendation that application should be made for the forfeiture of the property of the eleven adult criminals who were mentioned, and the necessary action should be taken under section 3 of Act XX of 1859.

5. Before passing orders on the amsams implicated in the crime of further and more detailed information incidence of the fine should be submitted on the Deputy Magistrate to state the desams of the Olur amsams; while to increase the heaviness of the fine on a

6. As regards the provision with murder, orders will be passed when by the fines is known. The District considers necessary, and he is authorized any necessary expenses for the support of his daughter. Compensation will also be made for the house which was seized and occupied by the British troops and for the damage incurred by the fire of our troops and for the damage incurred. The suggestion that compensation be made under Act XX of 1859 to the British soldier made under a misinterpretation of section 19 of the Act.

7. Mr. Logan's proposals regarding the amendment of the Kázi Act, XII of 1859, appear to His Excellency in Council to be too vague to be dealt with as a technical question; nor is His Excellency in Council prepared to sanction the Deputy Magistrate's suggestion that the Omachchapala mosque should be ordered to be closed.

Regarding the important question of the manner of suppressing such outrages in future, the Government do not wish to hamper the discretion of the District Magistrate, who must be guided by the circumstances of each case. Against the advantages to be gained by a prompt suppression of disturbance are to be set the advantages of capturing the criminals alive and subjecting them to the ordinary course of justice; while against the evils of delay,—evils which His Excellency in Council considers Mr. Logan somewhat exaggerates,—is to be opposed the consummation of their object by their own persistence of these crimes, and all vigilance

should be maintained by the Magistracy and Police. The effectual guarding of police stations, referred to by Mr. Logan in paragraph 15 of his report, should be a special object of care. In conclusion, His Excellency in Council expresses his sense of Mr. Logan's anxiety to maintain the tranquillity of the district under his charge, and of the ready support the District Magistrate has received from the officers subordinate to him.

(True Extract.)

(Signed) W. WILSON,
for Chief Secretary.

To the District Magistrate, Malabar.
Government Pleader, with records.
Inspector-General of Police.
Accountant-General.

G.O. 11885, 29th Oct. 1885.
JUDICIAL.

Issued.

Recd.

Encl.

G.O., 8th October 1885, No. 2795.

OCTOBER.

Mappilla Outrage.

Passing orders on the final report on the — committed in May last at Ponnundam in the Ponnani taluk, Malabar district.