M.R.O. 1—75,000—9-6-37.

(1) Number of pages 82

(2) Date of repair

(3) Initials of the Reference

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1202	Press Mis.
148-149		
Dated 20-7	18 84.	

37/38

Not to be folded or roughly handled

Read again letter from the President of the Municipal Commission, Mangalore, dated 30th May and recorded in the Proceedings of 13th June 1874, No. 991 :—

98. Read also the following letter from Surgeon-Major W. R. CORNISH, F.R.C.S., Sanitary Commissioner for Madras, to the Honorable D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Coonoor, 29th June 1874, No. 116.

With reference to Proceedings of Government as per margin, and enclosures, I have the honor to state that, in my opinion, intramural interment in Municipalities should only be permitted in exceptional cases, and that the hands of municipal authorities in closing the burial grounds of densely-crowded localities should be strengthened as much as possible.

G. O., No. 991, dated 13th June 1874, Financial Department.

2. I am acquainted with most of the Moplah burial grounds of the Western Coast Municipalities, and their usual position is in the hearts of towns, and the grounds themselves are mostly dangerously crowded with graves.

3. In regard to the question of using vaults or graves, I may state that, in a sanitary point of view, vaults only tend to retard, but do not ultimately prevent the products of decomposition from mixing with, and being absorbed by, the soil. I do not see that any sanitary advantage attaches to their use. Graves should always be dug to a depth of 7 or 8 feet, where the soil will permit.

4. The necessity for closing burying-grounds should in each case be decided by (1) the density of population around the burial-ground, (2) the space available for new burials. Whenever a ground in a thickly-peopled part is closely covered with graves it should be closed, and no further interments permitted, except by special license. The constant disturbance of a soil saturated with organic remains is considered by all authorities as most objectionable, and the protection of the living demands that mere sentimental grievances connected with the disposal of the dead should not override the sanitary regulations embodied in the Municipal Act.

5. I beg to return the enclosures.

No. 199. ORDER THEREON, 20th July 1874, No. 1203.

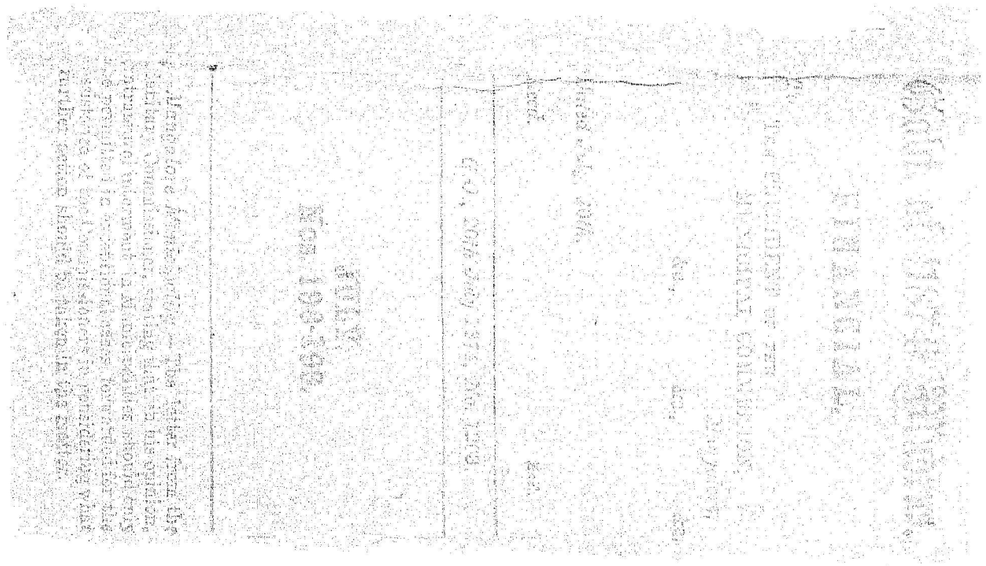
The Government in G.O., dated 11th February 1874, No. 237, intimated their approval of the closing of the burial-grounds which are already full, and to this they adhere. Dr. Cornish's letter will now be forwarded for the assistance of the Commissioners in considering what further action should be taken in the matter.

(True Extract.)

Acting Chief Secretary.

To the President of the Municipal Commission, Mangalore.
" Sanitary Commissioner, Madras.

Exd. W. H. French.



Extract from the Proceedings of the Municipal Commissioners for the Town of Mangalore dated the 24th April 1874.

Read Proceedings of Government dated 11th February 1874, No. 237, Financial Department ordering the modification of the by-law respecting the prohibition of ordinary burials in some of the grounds licensed within the Municipality, as the vault therein prescribed is unnecessarily expensive.

Read also letter No. 38 dated the 20th March 1874 from the Civil Surgeon of Mangalore stating his opinion that all burials within the Town should as a rule be prohibited.

Read also letter No. 12 dated the 11th April 1874 from the Officiating District Engineer of South Canara, stating that at the discussion which took place when framing the by-law in question the Commissioners thought that an expensive vault was unnecessary as tending to prevent entombment and proposing the dimensions of an arched vault should such a vault be resolved on.

Considering that the difficulty is one affecting not only Mangalore but every Municipality in which ad interment is tending

The Commissioners would suggest the decision of the general matter being made by Government, after consultation with the Chief Sanitary Officers. If it were to enable the latter to reconsider the matter thoroughly they beg to submit Copies of every resolution they have passed and of every petition and report they have received on the subject; and they have further made it known in the Town that they have taken this step in order that all objections may be fully laid before Government.

In the meantime and in the hope that the Government will be pleased to pass early orders, the Commissioners cancel all their former resolutions restricting burials in the following places, to wit:

1 Syed Jaffars Makkam
2 Peer Badshawi do
3 Khurkana in Bibi Mari Street
4 Jantha Sahi Makkam
5 Meeran Mazid
6 Jumma Mazid
7 Kandatte Palli Mazid
8 Roman Catholic Church of Milagris
9 Ditto Ditto of Rosario
10 Ditto Ditto of Codyalbail

Resolved
M. Turner
President

Enclosure A

Copy of a letter from the Reverend Principal Cameron Brownlee to the Chief Engineer, Public Works, dated 23rd March 1874

Rec'd 24th Mch 1874

Copy of Resolution referred to in the 24th Minute of this Board.

Extract from the Proceedings of the Municipal Commissioners for the Town of Mangalia dated the 16th May 1873

Proposed that the burial question be reconsidered at next Meeting when the Roman Catholic and Mussulmans communities can be better represented.

Resolved by a majority of eight to two votes that it is unnecessary to argue the question further and that burials in the interior of Roman Catholic churches be interdicted equally with burials in closed Cemeteries.

True Extract

M. Thomas.
President

Cathedral Church, Mangalore
26th May 1873.

(5)

To

E. L. Thomas Esquire,
President of the Municipal
Commission for the Town of
Mangalore

Respected Sir,

I understand that a Resolution has recently been passed by the Municipal Commissioners, withdrawing the permission hitherto accorded for burials in the interior of the Churches, I beg to submit this representation on behalf of the Catholic Community of Mangalore, being Administrator of the Apostolic Vicariate.

I have no objection to take to the above Resolution as regards the burial of the people in general, but have only to solicit a modification regarding that of the Priests and persons of high rank among the laity. As on average, one the number the Priests may be reckoned at no more than one in every 3 years and those of the others about one or two a year.

I therefore request your Honor will take into your favorable Consideration the feelings of respect which the community bear to their Priests and persons

of

of distinction, and deign to authorise the permission of burying such persons in the interior of the Churches. If your Honor considers it necessary the parties concerned shall, in each case of Non R. C. such individuals apply for and obtain the special permission from the Municipality.

With due deference, I remain
Respected Sir
Your most obedient humble
Signed ✠ Paul Joseph
Administrator of the Apostolic Vicariate.

True Copy
M. Thomas.
President

Extract from the Proceedings of the Municipal Commissioners for the Town of Mangalore held on the 26th May 1870.

2 With reference to Petition from the Administrator of the Apostolic Vicariate requesting permission to bury the Roman Catholic Priests and persons of distinction in the interior of their churches, it is resolved that the practice in the Madras Municipality be ascertained.

True Extract
M. Thomas.
President

No 220

Municipal Commissioners Office
Madras 1st June 1878

(7)

From

John C Dick Esquire
President Municipal Commission
Madras

To

H. S. Thomas Esquire
President Municipal Commission
Mangalore.

Sir,

I have the honor to acknowledge receipt of your letter No 35 dated the 29th Ultimo requiring whether burials of Roman Catholic priests and persons of distinction are allowed in the interior of Churches within the town of Madras.

2 In such burials are permitted except in vaults which were in existence at the time the present Municipal Act IX of 1871 came into operation, and the Act expressly forbids the construction of any new grave or vault "within the walls of "or underneath any church or chapel or "other public place of worship built within "the Town".

3 In each individual case the permission of the President must be obtained in order to open an existing vault, and with

the

the practice of distinguished persons or of Clergymen who have officiated in the Church in which the person is to be buried such permission is only given for the burial of the members of the family to whom a vault belongs.

4. This rule applies to persons and Churches of all denominations.

I have the honor to be,
Sir,
Your most obedient Servant
Signed John C. Lock
President, Mund Com.

True Copy
A. Macnair.
President

Extract from the Proceedings of the Municipal Commissioners for the Town of Mangalore held on the 18th June 1873.

4 Read letter from the President, Municipal Commission, Madras, dated the 4th instant No 300, informing the Commissioners as desired by them, that burials are allowed of Persons in Roman Catholic distinguished persons in the interior of their Churches and of Clergymen in the interior of those in which they have officiated, the permission of the President being obtained in case of such order.

Resolved that the Commissioners will not object to burials within Roman Catholic Churches or, where no bodies have been buried before, within the precincts of Mussalman Mosjids within vaults, built at least two feet thick of laterite in chunam for single vaults and as much more as the District Engineer may advise for large vaults with one and a half feet of lime all round each body, unless especially embalmed, after obtaining the permission of the President, the interment being

being made in the presence of a Municipal Officer

Your Obedt Servt
M. Thomas
President

(9)

To
The President and Members
of the Municipal Commissioners
Mangalore

The humble petition of the Mussalman residents of the Town of Mangalore sheweth 15th January 1874

Gentlemen

The proposal of the Municipal Commissioners to close the existing burial grounds for our community and to allow of the unobjectionable places selected was duly communicated to people of our persuasion and they have delivered to us their statements which we beg to represent as follows:—

1 A consideration of the following facts will convince the Commissioners that it is both convenient with our religious ordinances and not beyond reason that according to the practice in observance from time immemorial, the burial-grounds should be within the precincts of the Mosques themselves.

2 It is essentially necessary that a most fitting place should invariably be available for the Janaj (prayer) offered before the burial of a corpse, for other ceremony (Talak) read after burial for such others as are continued to

the

the 40th day of the funeral, and also to those which are observed from time to time, and several other ceremonies kept up among the religious rites.

3rd We have strong objections to the using of new burial grounds for other persons. Since the sacred precepts that the place where the dead are buried should be visible, the keeping of the footpaths and the Magnificent religious rites would be rendered impossible.

4. It will be very desirable to remove from the vicinity of Mosques the burials of our dead, because we do not bury the dead within Mosques. The site proposed is good upon, is very distant from our houses and adjacent to the Hindu burials. The Hindus do not require an assurance of the co-religionists for the burial of their dead. Necessarily people of one persuasion assemble in large numbers at a funeral for a considerable distance and certainly interfere in the observance of this practice.

5. It is not to be believed that diseases may arise from burials of our dead, because we dig the graves to the depth of the length of a man, and line them with stones, and further promote decomposition

by spices are profusely used upon them. The diseases or molestations are, we believe, to be feared from this cavilous mode of interments. It is from the impiety and sins of men that God punishes them with scourges of epidemics. This is a maxim of religion. The burials cannot be taken to have any influence on them.

We respectfully solicit the Commissioners will take into due consideration the circumstances as above set forth, by which it will be known that they are unable to change the existing places of burials without infringing the practice of religion — and allow them to continue the use of the existing places

(True Translation)

Opinion of Captain G Chapple, Asst Superintendent of Police South Canara, on the above address of the Mahomedan community of the Town of Mangalore

It has been ascertained by persons best qualified to judge and from statistics, that the burial of corpses near human dwellings is a cause of ill health to the persons inhabiting the same. I do not consider the reasons adduced by the Mussulman inhabitants sufficiently strong to justify the continuance of a practice injurious to the community. Within within the last twenty years it was the

practice

practice of Christians also to bury their dead near their churches but it has been abandoned in all large towns.

Opinion of D.C. Leggatt Esquire, Deputy Collector in charge of Treasury South Canara and Municipal Commissioner for the Town of Mangalore.

Enclosed burial grounds are extremely objectionable at all places, but they must be more so in localities like Mangalore, where the rain-fall is so great as it is. I do not agree with those of the Commissioner in thinking that it is necessary to consult respectable persons residing in the neighbourhood of burial grounds as to the inconvenience and ill results, arising in burying the dead among the living. That question has been scientifically decided long ago. The pollution of drinking water is a recognized evil, and the percolation of the rain-fall through the soil of burial-grounds in the heart of the Town, must affect the water-sources in the vicinity. Looking at the matter in a sanitary point of view, there can be no question as to the course to be followed by the Municipality in reference to the petitions before them.

It is of course desirable not to interfere more than is necessary with the religious rites of any sect; but the more intelligent members

members of the Mopilah community must feel that the steps adopted by the Municipality are for the public good, and they should exert their influence with the rest of their class to enforce them to measures which other religious bodies have considered inoperative.

Opinion of Commissioner Devappayya

I perused the Petition of the Mahomedan community of the Taluk of Mangalore. Their chief objections are that it is necessary to make burials near Mujids and that the ground now selected is very distant. Even supposing that the objections brought forward by them are valid, still I should think that interments in the vicinity of Mujids situated in the Bazar, are detrimental to the health of the people.

With a view to settle the two objections I propose that interments may be allowed in the vicinity of the Mujid at Bendrelly. There the space is much, and interments have been hitherto made.

If orders are passed as above proposed, all the objections of the Petitioners will be settled.

Opinion of Commissioner Sathia Rao

In my opinion there can be no doubt that

the

the burial of corpses even in the manner stated by Mr Ramanathan would be injurious to the neighbourhood and that a practice injurious to the community of whatever degree of time it may have been cannot be allowed. But I see no objection to the burial-ground at Cachelly being allowed and all the cost claimed for the reasons mentioned by Mr Ramanathan.

Opinion of Commissioner Morgan

I am of the same opinion as that given by Mr Ramanathan

Opinion of Mr Commissioner L. Rosario

Referring to the provisions of section 118 of the Courts Improvement Act I am of opinion that a test and Sketch should be drawn up of the several Mahomedan burial grounds in the Town of Mangalore and that evidence of competent persons should be taken as to whether the state or position of each of the grounds is dangerous to the health of persons living in the neighbourhood thereof. Respectable persons who live in the neighbourhood of each ground should also be examined on the same points.

Opinion of Commissioner Thiruvengadam

I concur in the opinion of Mr Rosario.

Opinion of Commissioner Norroja Jayatilaka.

I fully concur in Mr L. S. Rosario's opinion.

Opinion of Commissioner Abdul Rahiman

I agree with the opinion of Messrs Ramanathan and Shiva Rao.

/True Copies/

A. Rosario.

Assistant

Clk

List of Mahomedan Burial-grounds in the Municipal Town of Mangalore

No.	Localities	Remarks	Opinion of the Sub-Committee
1	To the westward of the Military Tank alongside the Public road leading to the Mission premises and the Bazaar	Few graves exist in this small compound. It is said to be owned by one Syed Akbar, Son of Syed Gulam, now residing at Nagpur, in the Central Country. Kojee Ally Moll one of the Commissioners is here in charge of the place. It appears that only the relatives of the owner's family are buried here, and sometimes any of the Military men of the Cantonment. No burials are said to have taken place in this compound since fifteen years.	Should be Closed.
2	Syed Jaffer's Makbara	These three places are situated within a few yards of each other, and they are a	
3	Pir Badsha's do	West of the road. East of do	
4	Ashurkana ah Babee Mawee		

No.	Localities	Remarks	Opinion of the Sub Committee
		a very short distance from the Mission House, almost full of graves. The immediate vicinity is thickly populated chiefly by Hindus. They are in the heart of the Town, and on both sides of a Shubbe thoroughfare, partly surrounded.	Should be Closed.
5	Majid of Hawildar Sahib Mahomed	There is a small decayed Majid here. The Site is only a few yards from the three above	Ditto
6	Compound owned by Abbas Ally	There is a monument in this compound which is situated in front of the present Police Station house, on the northern side of the high road. On the east it is surrounded by a line of shops, and the body of the garden is full of small dwelling houses. It is said that it is out of use as a burial ground now.	Ditto
7	Jalal Saibs Makkan	Situated in the Choodiva Gully Street. This is a garden owned it appears by the family of the late Jallah Saib and allotted for their self use. Contains very few graves, and is rather in a secluded locality	Recommended that burials be permitted for the present.
8	Jantha Saibs Makkan	Situated at Dongarkeri, near the late George Coelho's house. Has three divisions, one used by Surty Mahomedans, one by Memons, and another by townsmen of the vicinity generally. There is no Majid in the locality. A high road runs to the north leading to the great Bazar and the vicinity is thickly populated by all classes of men	Should be Closed.
9	Memon Majid	This is the big Majid belonging to the Memon Community, on the opposite side	

No.	Localities	Remarks	Opinion of the Sub Committee
		side of the Police Office and overhanging the large tank known as "Dasappa Tank Kere" — Very few graves are apparent. The vicinity is thickly populated and there are many private drinking wells close by, the water of which and of the tank itself is apt to be polluted by the burials of the dead—	Should be Closed
10	Majid at Bolar	This place is situated to the South of the town beyond the Government salt works, adjoining the high road leading to the ferry at Bolar. It is almost covered with graves. There are no other burial places in that direction, which is moreover a considerable	Recommended that burials be permitted
		considerable distance from those cemeteries which are situated on the Bazaar side, except the one recently formed by the Municipality at Jeppu.	for the present
11	Shamere Majid near Kadar Saibs house	This is situated beyond the house of one Kadar Saib on the road leading to the Kadrawally bridge — not much used — Vicinity thickly populated by Moodoos chiefly —	Should be Closed.
12	Jumma Majid	This big Mosque is in the centre of the Bazaar. The place is full of graves. The vicinity very thickly populated. Many shallow wells of drinking water around; and a big tank used by attendants in the mosque —	Should be Closed.
13	Boo Beary's Majid	This is adjoining the old Fish Market	

	Localities	Remarks	Opinion of the Committee	Opinion of the Sub Committee
		Market in the centre of the Bazaar, exclusively allotted for the family of Boo Beary. There are only a few graves in the place		Recommended that burials be permitted for the present.
14	Kondat Pally Majid	Situate about the Bat Kolli Bazaar - crowded by graves vicinity thickly inhabited. Many drinking wells and a Tank about the place		Should be closed
15	Tussalman (Fishermans Majid) Cudrolly	This is a Market & a Mosque built by Mussalman Fishermen. Known as Tussalman - Crowded with graves and in the immediate vicinity of the town. Recommended to be kept up		Not to
16	Sadoo Pally Majid Cudrolly	These two places are situate in Kudrolly - Though the burials are extensive, there is sufficient vacant space which will suffice for some years to adopt burials of the people - as other places which have been recommended to be closed		Recommended that it may be permitted for the present
17	Jodoo Pally - do - do			
18	Sjarah Makhan	This is an isolated place in the immediate vicinity of the Jodoo Pally away from the high road		Should be closed

(Signed) R. Alexander

6

List of papers on the subject of the Monument in Cumbum forwarded with letter No 84 dated 30th May 1874.

Report

No of Letter	Year	Month	Date	
1	1871		May 15	Petition of the Musalman inhabitants of the Town of Margoture stating their inability to change the existing burial-grounds without infringing their religious rites & asking for the intervention of the Commissioners thereon
2	"		June 22	Remarks on the several burial-grounds made by the Sub Committee appointed to inspect them
3	1872		" 4	Petition of the Moors requesting permission to allow burials in their Masjid
4	"		" 9	Resolution of the Commissioners on the above Petition
5	"		" 20	Municipal Notification under the operation of which the Closing of certain objectionable grounds situate within the Town
6	"		Augt 7	Petition of the Mahomedan community praying that the above Notification may be modified.
7	"		" 31	Resolution of the Commissioners on the above Petition
8	"		Septr 14	Petition of the Sunny Mahomedans requesting that interments may be allowed in Ja Mulla Khan Mahlla
9	"		" 21	Petition of the Memon community requesting permission to use the Memon Masjid as a burial ground
10	"		Octr 3	Resolution of the Commissioners on Petition marked No 8
11	"	"	"	Ditto Ditto Ditto No 9
12	1873		May 16	Resolution of the Commissioners in selecting Ground within Municipal Limits
13	"	"	" 26	Letter from the Administrator of the Mahomedan Community requesting

Mangalore 23rd June 1874

Copies forwarded to
Mr Baker Esqr
Cuddapah
Mr Thomas
Coimbatore
Mr Goodwin
Pondicherry

respecting a modification of the above Resolution in respect of Chrysoprase and Jasper of Chrysoprase and Jasper of Distribution

14 1870 May 26 Resolution of the Commissioners transmitting the Letter to the Madras Municipality, regarding the burials in Chintadrepet

15 " June 7 Letter from the Recorder, Municipal Commissioner dated 30th No 300 furnishing the information required in the above Resolution

16 " " 18 Resolution of the Commissioners on the above letter

17 " " 30 Resolution of the Commissioners referring the question of removal of interments to a Sub Committee consisting of Messrs Lee and two other members

18 " Augt 7 Letter No 33 from Mr Lee forwarding the report of the Sub Committee

19 " " 19 Resolution of the Commissioners on the above letter

20 " Oct 20 G.O No 525 passing orders on the report submitted by the Commissioners regarding the repairs of the Muhammadan Sepulchres to be carried out in the said order

H. Thomas.
President

Extract from the Proceedings of the Municipal Commissioners for the Town of Mangalore held on the 30th June 1873.

2 Resolved that as regards the Muss.- -man burial-grounds not yet closed by the Municipality ordinary unwalled interments be allowed only at the Jodu Kelli and Station Kelli grounds and at the Municipal Jeppu ground and that interments in the other open Muss.a burial grounds be allowed only in vaults under the terms of Resolution II of the 15th June 1873 — And the question whether interment in vaults can be allowed in any of the grounds closed to ordinary interments be referred for Dr. Wallenstein's report to the Marquis M.R.Ry Abdoo Rahiman Bawa " Hajee Ali Sett

monied Committee and that the new Magistrates the Sett Kotwan gate be simultaneously reported on by them.

[illegible]

[illegible]

[illegible]

Dist. 1155/74

For column 2.

Ltr a letter from the Police Court Bench of Magistrates Mangalore dated the 3rd Instant forwarding for Sessions Muss.a Ali Sett and 3 others

Ltr 30th May 874
Copy 1st Pros 874
Do Do

Ltr to Magistrate
Police & ditto
Dy 115

Dist. 1355/74

No 33 Municipal Engineer's Office

From

A Dauphin Esqrs

Municipal Commissioner

To

H. S. Thomas Esqre

President of Municipal Council

Sir,

With reference to your letter No 399 dated 23rd July 1872 I have the honor to forward the recommendation of the Committee on the Mahomedan burial grounds

1 Westward of the Mosque } Very small
Very Small & irregular do } Ditto
Double room

2 Syed Jaffar Makkan — Room for vaults

3 Peer Bukkas do — Ditto

4 Khurkana in Bibi Alaci Street — Ditto

5 Saki Mahomed Majid — Very small room for vaults
Very small room for vaults not formed

6 Abbas Alli's Garden

7 Jamba Sahi Makkan — Room for vaults

8 Mowar Majid — Ditto

9 Shamsa Majid — Small no room for vaults

10 Jumma Majid — Room for vaults

11 Kandat Palli Majid } Room for vaults outside Majid wall

12 Jussalmani Majid — No room for vaults

13 Gira Makkan — Ditto

The Committee recommend that the undermentioned grounds be kept open for ordinary burials for the present

1 Sadolie Palli Majid
2 Jodolie Palli Majid } at Cudroly
3 Jodal Sahib Makkan
4 Pir Bavas Majid
5 Bolar Majid on the road leading to the ferry

I have the honor to be,

Sir,

Your most obedient Servant

Signed) A Dauphin

Municipal Commissioner

Mangalore

True Copy

H. Mowat.

President

Extract from the Proceedings of the Municipal Commissioners for the town of Mangalore held on the 1st August 1873.

2 Read Report of the Sub Committee dated 7th instant on the Mahomedan burial grounds as required by Resolution 11 dated the 30th June 1873 and in explanation of all previous Resolutions on the subject the following Resolution is passed viz:

That unrecorded interments are only permitted in the undermentioned grounds until further orders.

1 Kadalee Bally Majid
2 Joolu Bally do } at Cudroli
3 Jalal Sahib Makkam
4 Bu Bary's Majid
5 Bolar Majid on the road leading to the Fort.

That recorded interments are permitted in the following places only under the conditions and arrangements proposed in the Proceedings of the 18th June 1873. (Resolution XI)

1 Syed Jaffar Makkam
2. Bee Badshah's do.
3. Ashurkana ni Bibi Mairi Street.
4. Jaratta Sahib Makkam.
5. Meman Majid.
6 Jumma Majid until the spot available for a few months is made use of.
7. Kandat Balli Majid outside the wall.

That the following grounds be closed altogether as hitherto.

1 Church of the Military Lines alongside the public road.
2. Saki Mahomed Majid
3. Abbas Abby's Garden
4. Shamere Majid.
5 Tussabmal's Majid
6 Gana Makkam.

True Extract
H. Rowan.
Resident

To the Municipal Commissioners
for the Town of Mangalore,

The Petition of Messrs Mob-
tepore, Maje Shett, 2 Maje
Subbanna Shetty, 3 Maje Shett
Shetty, 4 Maje Mesrs Shetty
5 Maje Lobo Shetty, 6 Maje
Saad Shetty and 7 Mesrs
Shetty elected Mangalore,
4th June 1872.

Sheweth to understand that certain
Europeans, viz. 1 Subbanje Majed 2 Jubal
Sahib Mashkan 3 Kodroddy Jodu & 4 grou-
and 5 Kolar Majed, have been allotted
for burials & not that burials have been
prohibited in the other places we beg to
make the following representation -

It is inconvenient to bury the dead
of our caste in the above-named grounds -
There is no sufficient space in the first
ground - The 2nd does not belong to the com-
munity nor to government but it belongs
to a certain individual - The last two
grounds are very distant and there the
poor are being buried - In these grounds
it is inconvenient to carry on our religious
ceremonies

ceremonies. Our caste people are very few and we have got a Mazid. It gets no Assistance from Government nor has it a large revenue. The expenses of the Mazid are carried on by the burial fees ranging from Rs 300 to Rs 200 for each individual. Should we bury our dead in to other grounds we will be subject to difficulties and will be unable to carry on our ceremonies according to our religion, and Moreover not be sufficient funds to meet the expenses of our Mazid. There is no fit Space in that Mazid plot to be used for our people. We therefore pray that on a consideration of this order may be passed permitting us to bury our dead in our Mazid.

(True Translation)

M. Moosa.

President

Extract from the Proceedings of the Municipal Commissioners for the Town of Mangalore held on the 19th June 1893.

Read Petition No 113 dated the 4th June 1893 put in by Hajee Ali Sheit and 29 others requesting permission to bury the dead of the Memon Set into the Memon Mazid.

The Commissioners have very carefully considered and reconsidered this matter, and cannot make an exception in favor of the Petitioners.

(True Extract)

M. Moosa.

President

Notification

In pursuance of Section 134 of Act III of 1871 the Municipal Commissioners hereby give notice that the Mahomedan burial ground named in the margin and situate in the Town of Mangalore will be closed on and after the 20th September 1872, and that whoever after that date buries, or causes to be buried, any corpse therein, will be liable to a fine of R. 50.

1 Westward of the Military Road alongside the public road
2 Syed Jaffar Makkan
3 Ba Badshah do
4 Nekkarkeri or Bibi Mari Road
5 Sahib Mahmud Majid
6 Akbar Ali's Garden
7 Saulla Saib Makkan
8 Nowas Majid
9 Shamsee Majid
10 Jumma Majid
11 Kaudathi Pally Majid
12 Insrahmans Majid
13 Gaia Makkan

The Commissioners further give notice that the undermentioned places are available for interments till further orders, to wit:

1 Kodeka Pally Majid
2 Jodka Pally — do } at Cudroli
3 Jalal Saibs Makkan

L Rice

4 Du Beane's Mazjid

5 Bolar Mazjid on the road leading to the Jail.

Mangalore. 20th June 1872 } Signed/ H. S. Thomas Resident

True Copy//
H. Thomas
Resident

Encl

(25)

To
The Municipal Commissioners for the Town of Mangalore

Petition of the Mahomedan people residing in the Town of Mangalore dated 7th August 1872.

Regarding the order that no dead bodies can be buried in Mazjids where no interments have taken place from time immemorial and that burials should be made in a way opposed to our religion and in places where burials are deemed to be disrespectful we had presented a Petition signed by about 5000 people. This Petition was not taken into consideration and the former order was confirmed. We therefore beg to make the following representation.

The Municipal Commissioners for the Towns of Cochin, Alleppy, Ponany, Calicut, Tellicherry, Cannanore and other places have allowed burials according to Mamool in Mussulman burial-grounds, as they found that burials therein had been no nuisance.

The order of the Municipal Commissioners

for this Town that burials cannot be made in Mahomedan grounds and that they can only be made in grounds where the sick and indigent are buried, is opposed to justice, the Mahomedan practice, and to the religion.

The dead bodies of the Mussulmans are buried in pits of more depth than a man's height, wherein vaults are formed of stones built with Chunam. This custom is well known. The remains are never removed from the graves. As the burials are made in this manner they cannot affect the public health in any way. No complaint has as yet been made since the British rule that they are injurious to the public health. Many complaints have already been made regarding the bad smell from Hindu grounds and not from those of the Mussulmans. Therefore it was only necessary not to allow the Hindus to bury. On an inspection of our grounds it will be discovered that they cause no annoyance of any description.

The Hindus bear malice towards the Mussulmans regarding the burial and other questions. The decision arrived at by them at the Municipal Meeting is opposed to law and justice.

The burial grounds of Jodia Pally and Nadu Pally situate at Kudroly are intended for helpless men. The respectable men do not like to have interments made there. From the Order passed by the Superior Courts regarding burials it appears that there is no reason for any objections proceeding from Mussulman grounds.

We thought that the Municipality was established to maintain the health of the people. But when we look into the present state of things we find that it is a source of many troubles to us. We do not see anything done by it for the maintenance of our health.

Jamaja, Nuiaj, Shalkhein, Jayanathal, Khubar and other ceremonies have to be performed in our burial-grounds. We are subject to great troubles as we are unable to perform those ceremonies, and we are also obstructed from performing the religious rites.

We therefore pray that on our attention

to

Extract from the Proceedings of the Municipal Commissioners for the Town of Mangalore dated the 31st August 1872

Read a Petition from the Mahomedan Community praying either that the present order prohibiting the burial of their dead in several of their Mosques in the Town may be rescinded on several grounds therein stated or to permit them to bury their dead in their Mosques as usual for one year with a view of making an application to Government and obtaining an order.

Resolved that this matter having been deliberately and fully considered and as the time having already been given to the Petitioners, the Commissioners are not prepared to modify their last orders.

+ + +

(True Extract)

M. Thomas.

President

dk

(28)

To

The Municipal Commissioner
of the Town of Mangalore

The humble Petition of 1. Hyder
Ally Sheth son of Sir Hy
Abdul Rahiman Sett, 2. Ab-
-dul Caly Sett, 3. Nana Bhay,
4. Nasimjee Sett, 5. Karim
Bhay, 6 Rahemathulla, and
7 Abdul Caly, inhabitants of
the Town of Mangalore dated
14th September 1872.

With reference to the Notification which
we are given to understand, has been issued
by the Municipal Commissioners directing the
discontinuance of the burial of the Mahomedans
of this place, from after the current month of
September, anywhere within the Town of Man-
-galore, except in the following places, viz 1.
Jodu Pally at Kudroli Pally, 2 Hoode Pally, 3 Bu
-bari Pally, and 4 Jokal Sahebs garden in
rear of Chudvatteri, i.e. Rice-beaters' Street,
we most respectfully beg to make this
representation for a favorable consideration
of the Commissioners and solicit for a relief.

We beg to state that a long period

has

has elapsed since the people of our sect are being buried in the place called "Lathulla Thaw-ha-Thakeya" in the vicinity of Fola Gadda, which is situated outward of the thickly populated part of this Town.

2. The said place having been endowed for the purpose of interments, was made over to Lathulla Thaw by the former Government of Lippu Settam, and since that time our funeral rites are being performed there duly according to our Law in a Manner recited for the Same.

3 It is well known throughout that the Corpses of our caste people are not at all buried within the locality of the Bungalows or anywhere in the vicinity of other burial-grounds where other Mahommedan sects are buried.

4 Consequently, it was only for interment of the people of our sect that the above mentioned ground was on the 25th of January-Gulakhie in Mahommedan Era 921, purchased by our people from Lathulla Thaw, and a period of 69 years has expired since after the people of our sect are being buried therein, and the ceremonies for the bliss of the deceased performed there by our people. Besides, no allowance is paid by Government

for

for that ground.

5 We humbly beg to bring to the notice of the Commissioners, that in this Town, the houses of the people of our sect are only 60 / exceed the number of males and females will not be more than 25. It is only once or twice during a space of 4 or 8 years, that we are occasionally obliged for the purpose of burial to visit the said ground, while the people of other Mahommedan sects are not at all buried.

6 We are given to understand, that the late Madras Court at Madras have on the 11th January 1874, decided that any piece of ground formerly endowed for all purposes of the aforesaid description, should never be deprived of its appropriated use- "Vide Page 162 of the Rulings of the Madras Court in S. No. 120 of 1853."

7 The aforesaid 4 pieces of grounds specified in the Notification are those, where other sects of the Mahommedans are being buried, as usual from a long period. Out of them, the 3rd and 4th are situated in the middle of the Bazaar of this Town.

8 On completion of the position of our burial ground, and of those specified in

the

the Notification, will satisfy the Commissioners, that there is no reason shall to prohibit us from interment in our ground and from the performance of the funeral rites customarily observed by us from a long time.

9. Such being the case, the orders of the Municipal Commissioners prohibiting us to perform our burial affairs and the funeral rites in our above mentioned place, will appear to be in quite opposition to the local usage, Mohammedan Law and to the customs hitherto observed from the days of the former Government and further subjects us to loss, injustice and difficulties.

10. We therefore most earnestly pray that the Municipal Commissioners will, on a favorable consideration of the aforesaid circumstances, be graciously pleased to pass orders, permitting us to perform, as usual, the funeral ceremonies &c., as well as our religious rites in the above-mentioned ground which is apparently situated at a remote of the thickly populated part of this Town. For this act of benevolence we shall ever remain grateful to the Commissioners, and as in duty bound, ever pray.

True Copy
M Moosa
Resident

Mangalore, 21st September 1872.

(30)

To

The President and Commissioners
of the Municipality of
Mangalore.

The humble Memorial of the
Moonoo Community respectfully
Sheweth,

That your petitioners are a sect of the Mohammedan Community of Mangalore - that they have a separate burial ground in which all members of their community are interred. That since the introduction of the Municipal Act the Commissioners have issued a notice to the effect that the above burial ground will be closed on and after the 20th Septr. 1872, and that on and after that date whoever buries, or causes to be buried any corpse there, will be liable to a fine of Rs50

That the carrying out of the above order will entail great hardship, unusual and cruel vexation and material loss on your petitioners.

2d. Your petitioners respectfully submit that the making use of the Moonoo Mazid is in no way prejudical or injurious to the neighborhood - that it in no way interferes with the convenience of the Public, and is perfectly unobjectionable on sanitary

or

or other grounds. The nature of the locality is such that prima facie no position might appear as objectionable as a Christian burial ground would on the same site, but your petitioners humbly submit that a consideration of the peculiar rites of a Moorish funeral ceremonial completely alters the state of the case. The principal ingredient of danger present in the one is absent in the other. The following your petitioners humbly submit is the process of an interment according to their rites. An excavation is made about 7 feet deep. A chamber of four walls of brick and chunam and capable of containing the body is built up in the excavation, the walls are then chunammed with four chunam and a quantity of camphor is scattered on the bottom of the grave, the body is then placed in this vault which is closed with large stones cemented together with chunam. The earth is then replaced around and over it to the depth of 3 feet. Sepulture of this kind is no wise more prejudicial to the public health than the custom of interring dissimilar men in a Christian Cathedral

2d Your Petitioners humbly submit that the Mosque Majid is a private burial ground belonging

belonging to the community from time immemorial. That it is supported by private funds. In the burial ground stands the Majid, a handsome building erected at a cost of Rs 30,000 and supported entirely by burial fees and subscriptions from the community. In the event of the site of the burial ground being changed the building would lose the support of the burial fees which amounts on some occasions to as much as Rs 200, and as a natural consequence, the building which at present is the pride of the community would go to ruin.

3d That a sanitary point of view the present site of the burial ground is more advantageous than one which necessarily would have to be more remote. Under existing circumstances the process of interment is a matter of some six hours' duration, it is therefore a matter of almost imperative necessity that the burial ground should be conveniently situated in the immediate vicinity of the Mosque Quarters.

4th Your Petitioners humbly submit that the hypothetical and doubtful advantage to the public caused by the closing of the burial ground cannot for one

one moment be compared to the mental
and positive loss resulting to your peti-
tioners by an enforcement of the above
order.

Your Petitioners therefore humbly pray
that the injunction be removed in regards
the Memon Majid and your Petitioners
ever pray.

[Sd] M. Thomas
President

Ld

Order on the above Petition dated
the 3rd October 1872

"Considered the subject matter of this
petition has already been very thoroughly
considered and the judgment arrived
at is adhered to."

[True Copy]
M. Thomas
President

Ld

(87)

Extract from the Proceedings of the
Municipal Commissioners for the Town
of Mangalore dated the 3rd October 1872

Read Petition of Sunthey Mygoo Ally
Sett and six others dated 11th September
1872 praying that they may be allowed
to bury the dead of their caste in the
burial ground named "Tathulla shaw"

Resolved that a portion of the Mu-
nicipally burial ground about 25 yards
square be measured off by the Inspector
and separated at the Municipal ex-
pense the rest of the burial ground
by a wall half-yard high and allotted
to the Sunni Mahomedans.

[True Extract]
M. Thomas
President

Ld

Note

The question of allowing intramural interments is a difficult one for Govt. to decide as from Section 135 it would appear that their allowance is contemplated by the Act ~~of~~ It runs thus "The Commissioners shall .... provide fitting places to be used as burial or burning grounds for the use of the inhabitants" – ~~But~~ At Mangalore these "fitting places" are

provided outside the Municipal limits. This however appears to be hardly what is contemplated by the Act. If the Municipal Commissioners can manage to have extramural interments acquiesced in - it will undoubtedly be a sanitary triumph but it is hardly possible for

that to be directed as seems to be hoped by the Commissioners who are apparently unwilling to undertake responsibility for

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Financial 1874 Dept.
No. 13
The Sanitary Commissioner
for Madras.
No. 116
Dated 29th June 1874
Recd 1st July 1874
No. 1355

With refer. to Pro.
of 20th Octr. /73, No. 1526,
Fwds. states that in
his opinion intramural
interment in Municipalities
should only be permitted
in exceptional cases.

Write [illegible] on the
Enclosure

[illegible] that this order - the
Comr. has cancelled all the pro-
hibitions respecting intramural
interment & now throws the matter
on Govt. for decision. He must be told
that no such proceedings are under-
stood & that the decision lies in such
matters with the Comr. [illegible]

1914

Financial.

To
The Presdt. Rural Commr.
Mangalore

Dear Sir

G. O. July. 20 1914. No. 1203.

Read 198. 1914.

Mangalore Rurals. The letter from the Sanitary Commr. stating that in his opinion intramural interments in Municipalities Shd. only be permitted in Exceptional cases forwarded for the assistance of the Commrs. in considering what further action Shd. be taken in the matter.