M.R.O. 14—10,000—21-4-12

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1319 Press ~~Misc.~~

65-66

Dated 28 — 9 — 1859.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, from 24th September to 4th October 1859.

No. 65. Read the following letter from W. GREY, Esq., Secretary to the Government of India; to J. D. BOURDILLON, Esq., Secretary to the Government of Fort Saint George; dated Fort William the 20th September 1859, No. 1881.

I am directed to communicate the following observations with reference to your letter No. 934. dated the 23rd of July, on the subject of the order issued by Mr. Hathaway, the Acting Collector of Salem, prohibiting the holding of village markets on Sundays.

2. From the printed Proceedings of the Madras Government of the 1st of April, the Governor General in Council concluded that Mr. Hathaway's order had been cancelled, but by a subsequent letter from that gentleman, addressed to the Board of Revenue, which is forwarded with your letter above mentioned, it would seem that the order has been acted on, and that it continues in full force.

3. The printed Proceedings of Government referred to, showed that Mr. Hathaway had issued what the Board of Revenue have described as "a peremptory and general order," prohibiting the holding of village markets on Sundays; that the Board had thereupon pointed out the objectionable character of the order, and desired him to withdraw it; and that the Government had approved of the Board's Proceecings in the matter.

4. It now appears, however, that Mr. Hathaway, in reply to the Board's order, informed them that as the instructions prohibiting markets on Sunday had been already acted up to without dissatisfaction, "it would create confusion were he (I) to remove existing arrangements."

5. This explanation was sent by the Board of Revenue to Government, and has apparently been received without eliciting any further expression of opinion from the Governor in Council. It is therefore to be inferred that Mr. Hathaway's original order is in full operation, and that nothing has been done to inform the people of that gentleman's District of the decision come to by the Madras Authorities, so that they might be aware that they are at liberty to act according to their own wishes in the matter.

6. The Governor General in Council is of opinion, that the case cannot properly be permitted to remain in this state. He can conceive nothing more mischievous and wrong than that the Civil power should lend its authority to impose upon the natives of India, in the transaction of their own affairs, any obligation with regard to the observance of Sunday, which does not accord with their own convictions and their own inclinations, and which is not needed for the securing of public peace and order. Nor does His Excellency in Council feel any confidence in Mr. Hathaway's assurance, that his instructions have been acted up to 'without dissatsfaction.' This is the common delusion of all over-zealous, indiscreet persons who effect an object which they have at heart, so long as it is effected without an absolute and open breach of the peace. It is not credible that such a vexatious interference with the customs of a District could be received without dissatisfaction, even if it were unconnected with considerations of religion, but when the whole body of Hindoos and Mahomedans in a District are forbidden to meet together on a particular day for the purpose of buying and selling, because their doing so is opposed to the religious opinions of a small minority of Christians, it is impossible, the Governor General in Council believes, that the greatest discontent should not be excited. Nor is it likely that such discontent could be confined to the District of Salem.

7. The view originally taken of Mr. Hathaway's order by the Board of Revenue, and concurred in by the Madras Government, was a most proper one, and I am desired to request that the Government of Madras will cause full effect to be given to the Board's instructions, and that the people of Salem District may be made clearly to understand that Mr. Hathaway's order has been withdrawn.

No. 66. ORDER THEREON, 28th September 1859, No. 1319.

A copy of this letter will be sent to the Board of Revenue, with the request that they will report whether Mr. Hathaway's order remains in force, and if so to what extent. They will report also whether the views of Government as signified in the order of the 30th March have been made publicly known in the Salem District.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Cons: 29 July 59 No 3-4.
— 1st Ppnb — 81-82.

Copies & Ext. to L. & C.
of 2 Dec. 1859. Vols

From the Bd of Revenue
9/12th Nov 59 Ult.

Revenue 1859 Sept.
Rec'd of Govt. 4 Sett.

No 1782

From the Secretary to the
Govt of India.

Dated 20th September
Rec'd 27th " 1859
Ansd 4th Oct 1859

Requesting that
the people of the
System Distt may be
made clearly to unde-
stand that Mr Hutta-
way's order prohibit-
ing the holding of
Village Markets on
Sundays has been
withdrawn.

No 1319-28th Sept 1859.
Letter on Table

No 1319

A copy of this letter
will be sent to the Board of Re-
venue, with the request that
they will report whether Mr
Hathaway's order remains in
force, and if so to what extent.
They will report on the subject
the views of Government as
expressed in the order of the
3d March have been accord-
ingly followed in the Southern
Distts.

Sect. Govt
28th Sept 1859

No 65 & 66.

6 Copies Board of Revt
with Letter

Copies 29th