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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

REVENUE

DEPARTMENT

G.O. No.
B.P. No.

2257

Press
Mis. ✓

Dated

28-9-1896 196

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By
E.C.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter papers

Petition from the inhabitants of Negapatam of
5th June 1876, complaining of certain proceedings
connected with the exhumation of the
body of a Brahmin Sanyasi buried on
the bank of the Akkarai Moolam Lake
at Negapatam.

Report thereon by District Magistrate of Sanyore
of 22nd July 1876.

Petitions from Kistnaxami Syer, Head Sheristadar,
of North Arcot of 5th and 11th July 1876.

From District Magistrate, Sanyore of 25 July 1876.
do do do 15 August 1876

Order thereon dated Cotacamund
2nd September 1876 No. 1585.

The Governor in Council has
perused these papers with the utmost
regret. It is clear that the place
of interment was and had been

a customary burial place for Brah-
min and Sudra Sanyasis, and that
no steps had been taken by any
authority to prohibit such burials,
or to prohibit the use of the place
as a place of burial under the powers
of the Municipal ^{any} or other law. There
can be no doubt also that any
danger of contamination by impurity
from decomposition of one body buried
at a distance of 15 or 20 yards from
the water, with a thick wall and
a large flight of steps intervening,
might have ^{been} entirely prevented without
the removal of the corpse from the
grave.

2 Under such circumstances,
the Joint Magistrate hastily, and
without investigation of the circumstances,
proposed to put in force the utmost
powers of the law; and, without taking
warning from the doubt suggested
by

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by the letter of the Acting Collector,
issued an order purporting to be
under the Statute, but in which he
incorporated a threat entirely un-
justified by the Statute, and which
was an insult to the feelings of the
Family and of the entire Brahmin
and Hindoo Community, as well as
an outrage to decency.

3. Mr. Weld has shown himself
to be at present at least, entirely
wanting in the qualifications ^{essential}
to the due exercise of judicial or
Magisterial functions. He will accord-
ingly be removed from his appoint-
ment as Acting Head Assistant
in Tanjore and suspended from all
employment for two months, and
it is further ordered that the exercise
of all Magisterial functions be
withheld from him, until powers
are again properly conferred by order.

of Government.

4. The Governor in Council has also to consider the action of the Acting Collector in this matter, and while the Government is able with satisfaction to recognize Mr. Thomas's strenuous efforts for improved administration in Tanjore, and to allow due weight to the fact that Cholera had for long raged in Rega-
patam and spread thence with most fatal effect over the length and breadth of the Presidency, and that he was ignorant of the crowning offence offered to the people concerned by his subordinate, they cannot disguise from themselves the fact that he omitted to institute close examination in a most delicate case where he admittedly entertained doubt,
and

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and that his action failed to secure reasonable consideration for those who claimed and were entitled to claim from him protection from the acts of his subordinate and a due regard for the religious customs of the community. They regret also to have to condemn the tone of his comments on the facts of the case. But they are willing to credit him with an exaggerated idea of the imperative necessity for supporting the action of his subordinate in a town which had been stricken with disease of a malignant type, and in a line of action which he thought could be held to be within the letter of the law. This feeling appears unfortunately to have led him to forget that the very large discretion granted by the Statute imposes a corresponding increased

increased responsibility upon those
who enforce it, and thus an unnecessary,
harsh, and unfeeling procedure was
allowed against those whom it was
his special duty to protect from
anything like oppression or wrong.
His continued severity, however, in
sanctioning the steps taken with
regard to the Municipal officers, when
he was aware that the case was
under appeal to Government, appears
not only to have been harsh in
itself, but unjustifiable and ill
judged in the extreme, and the Governor
in Council regrets to be obliged to
record his marked condemnation
of it.

5. The Governor in Council directs
that Leshappier, the son of the deceased,
be at once restored to the post of
Village

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Village Magistrate from which he
was dismissed, and that the family
be informed of the extreme regret
with which Government have
learned the distress to which they
have been subjected, and of the
desire of Government to relieve
them from all expense connected
with the provision of the second
burial place and the ceremonies
in the re-interment. The Collector
will endeavor to ascertain the
amount from them and will at once
reimburse it, reporting his proceedings
for confirmation.

6. The Municipal Commissioners
will no doubt act, in regard to their
dismissed servants, in accordance
with the spirit of this decision.

7. The case of the Sahaidar
appears to depend on some distinct
considerations.

Considerations. The Government however
desire that this present matter may
in no respect prejudice its disposal.

8. In Conclusion His Grace the
Governor in Council desires to record
his marked approval of the course
adopted by the family of the deceased
and their fellow townspeople in
the circumstances which arose
after the funeral. The temper and
moderation of their representations
under extreme provocation, and
their entire abstinence from any
violent acts or language, under
circumstances which were calcu-
lated to excite the warmest feelings
of grief and anger, are entitled to the
highest commendation.

(True Extract)

L. M. D. G.
Chief Secretary

The Revenue Dept.

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Ms. 4006 B
Doubt. of 1876-2
Doubt. of 1873

To Dan, Phil & Ags

Dated 22
Recd. 23 } Sept 1876 No. 1580

Nos.

Rephatation
 Reproduction of
 material in a
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28 July 1896

Copy sent to Board of War
21 Feb 1876.

Dated _____

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