

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	3012	Press.
B.P. No.		Mis.
Dated	29.5.1877	197

Not to be folded or roughly handled.

TAMIL NADU ARCHIVE

GOVERNMENT OF TAMIL NADU

DEPARTMENT

Press	G.O. No.
Misc.	131
Dated	

Not to be taken to court

17-4-81-20001-1

3012

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

24th May 1877, No. 1285.

Negapatam Disinterment Case.

Read the following paper:—

No. 205. Despatch from the Most Honorable the Secretary of State for India.

Judicial, INDIA OFFICE, LONDON,
No. 4. 26th April 1877.

MY LORD DUKE,—The despatches of your Excellency in Council in the Financial Department, dated 28th September and 15th November, Nos. 28 and 36 of 1876, and in this department the 2nd of February, No. 5 of 1877, relative to the circumstances under which you have deemed it your duty to remove Mr. M. R. Weld, of the Civil Service, from his appointment of Acting Head Assistant to the Collector and Magistrate of Tanjore, and to suspend him from all employment for a period of two months, have been considered by me in Council.

2. I have also received and considered in Council a memorial addressed to me by Mr. Weld, who is now in England, protesting against the proceedings of your Excellency in Council in his case.

3. It appears that on the 30th April 1876 an aged Sanyasi died, and was, on the same day, in the presence of a very large concourse of people, buried on the north side of a tank, called Akkaraikulam, within the municipal limits of Negapatam.

4. On the 6th of May the Acting Joint Magistrate, Mr. Weld, addressed an order to Seshappa Iyen, the Village Munsif of Negapatam, a son of the deceased Sanyasi, directing him to exhume and remove his father's body, and informing him that, if this order were not complied with on the 13th May, a prosecution, under Section 188 of the Penal Code, would be commenced against him. It was added that the body would then be "removed on behalf of Government and buried in the place called Hathaway's Park." The Village Munsif, Seshappa, was also dismissed from his post.

5. The justification alleged for these proceedings was, that the proximity of the spot in which the Sanyasi was buried to the tank would render the water liable to contamination, and that, therefore, on sanitary grounds, it was necessary that the body should be at once removed.

6. The sanitary considerations appear to me exaggerated. The place of burial was from fifteen to twenty yards distant from the tank, and was separated from it by a thick brick wall and a large flight of steps; but it is not necessary to dwell upon this question; the real point for consideration is, whether Mr. Weld, when entertaining certain opinions on sanitary grounds, gave effect to those opinions in a proper and conciliatory manner.

7. I cannot think he did. He seems to me to have acted with great harshness. No attempt appears to have been made to induce the sons of the Sanyasi to render the grave impervious by the use of brick or concrete, or any other method. The exhumation of a body must always be repugnant to the religious feelings of natives, and, in the present case, Mr. Weld's order was addressed to the son of the deceased, a Brahmin Sanyasi held in high respect, and was aggravated by the cruel threat that, if not removed by the direction of Government a dishonouring and disgraceful burial would be effected. The place of burial was Hathaway's Park, a place in which

8. It appears to me that in acting as he did Mr. Weld altogether failed in that watchful regard for the religious feelings of the people which the English Government have traditionally exhibited, and which is one of the most essential qualifications of a Civil Servant.

9. I approve, then, of the proceedings of your Excellency in Council with respect to Mr. Weld, and I also concur in the condemnation of the tone of the comments of Mr. Thomas, the Collector and Magistrate of Tanjore, on the case. With respect to Mr. Weld, the censure with which his conduct has been visited will, probably, be sufficient to mark the views of your Government, and to impress on him the necessity of greater caution in the application of sanitary principles. Under these circumstances, your Grace in Council will, probably, be of opinion that the suspension of Mr. Weld from the exercise of magisterial functions need not be further continued.

I have, &c.,
SALISBURY.

To His Excellency the Most Noble
The Governor in Council, Fort St. George.

No. 206. ORDER THEREON, 24th May 1877, No. 1285.

Communicated to the District Magistrate, Tanjore, and to the Board of Revenue.
Copy will be laid on the Editors' Table.

(True Extract.)

D. G. [Signature]
Offg. Chief Secretary.

To the District Magistrate of Tanjore.
" Board of Revenue.

Revenue Dept.

30/12/77

3012

Revenue Department

No 2664

Obt. of 1877

JUDICIAL.

To THE DISTRICT MAGISTRATE

or TANJORE.

Dated May, 24th.

Issued

Recd. 28 May

G.O. 24th May 1877, No. 1283.

MAY.

Nos. 205-206.

Notification Disbursement Ops. — Forwarding
despatch from Secretary of State communicating
remarks regarding this case.

No 3012

Adopted