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MADRAS RECORD OFFICE.

Government of Madras.

[illegible] DEPARTMENT.

G.O. No. [illegible]	Press / Mis.
Dated [illegible] 18[illegible]	

12/13

121 - 124

Not to be folded or roughly handled

Read the following letters :—

No. 111. From the President of the Municipal Commission, Coonoor, to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 26th May 1871, No. 41.

The Commissioners of the Coonoor Municipality desire me to forward for the sanction of Government the following addition to their bye-law No. 32, viz :—

"Parties bringing produce and passing through the Municipal limits of Coonoor to markets other than those where a Municipality exists shall pay the toll as already sanctioned by Government for this (Coonoor) Municipality."

Bye-Law No. 32.

Parties bringing produce to the weekly market shall pay toll as follows :—

Bandy load	½ Annas.
Bullock do.	¼ Anna.
Pony do.	¼ do.
Ass do.	¼ do.
Head do.	¼ do.

Penalty for infringement—Fine not exceeding Rupees 20.

I forward also the Vice-President's letter of the 18th instant, No. 15.

2. In the first instance, when the Vice-President sent me up this addition to No. 32 bye-law, I returned it suggesting further consideration and pointing out that, in my opinion, the Government had no power under Act III. of 1871 to give the sanction required; that by Sections 124 and 163 of the Act, Municipal Commissioners could provide markets and obtain sanction under bye-laws to levy market fees, but that they must be Municipal markets on account of which sanction to levy fees was sought: and that the addition proposed was to the effect that Government should sanction the levy by the Coonoor Municipality of market fees upon goods going to the Wellington and other Non-Municipal markets.

The Vice-President now returns the addition to the bye-law, and requests me to send it up for the sanction of Government.

3. The question had its rise in the late revival of the old market at Wellington. As this is a free market the low country traders naturally prefer it to the Coonoor Municipality market and so pass on and desert the latter for the former.

The distance between the Wellington and the Coonoor market is not, I should think, more* than a mile, and I can well believe that the former being "free" and the latter "tolled," the petty traders will leave the latter.

* By Survey Map it is less than a mile.

The Commissioners realized by market tolls in 1870-71 Rupees 1,500, and the privilege of collecting the same for 1871-72 has lately been sold for Rupees 1,250.

4. I referred the proposed additional bye-law to the Wellington Commandant and Joint Magistrate for their opinions, and I enclose their replies. They naturally oppose the bye-law in the interests of the European Soldier, and dwell on the convenience of the Wellington market in point of distance from barracks for invalids and women.

This is no doubt true, and both the officers referred to deserve praise for the revival of the market.

Still a "free" market in such close proximity to the Municipal market at Coonoor must materially damage if not ruin the latter, and at the same time the whole of the traffic to the Wellington market must pass along roads with the maintenance of which the Municipal Commissioners are charged, besides that traders on their way to Wellington no doubt avail themselves of the Coonoor chuttrums.

Neither the Commandant nor the Joint-Magistrate has touched upon the latter points in their letters.

5. When referring the proposed bye-law to the Municipal Commissioners for re-consideration, I suggested the propriety of their asking for sanction under Section 77 of the Act to toll the road leading to the Wellington market.

Apparently, however, the Commissioners do not approve of tolling roads as a source of revenue for Coonoor.

And considering that on the Ghaut Road within two or three miles of Municipal limits, there is a Local Fund toll bar which catches all the low country traders who frequent the weekly hill

markets, I am not sorry that they have come to this conclusion. Still a toll bar would be a legal source of revenue, while the proposed bye-law seems to me illegal.

6. Rather than have a toll bar, the Wellington Cantonment Committee might perhaps consent to collect the same market fees at Wellington as are collected at Coonoor, exempting from payment all produce raised and sold by the Depôt Soldiers."

From the Joint Magistrate of Wellington, to the Commissioner of the Neilgherries, dated Wellington, 15th May 1871, No. 63.

With reference to the proposed addition to the Coonoor Municipal Bye-laws, I, as Cantonment Magistrate of a place which would be affected thereby, request to explain the state of the case.

The Wellington market had been for some years allowed to fall through, but about three months ago the Commandant of Wellington and myself attempted to revive it for the sake of saving the European soldiers and their wives not only the danger and discomfort of a five miles walk in sun or rain, but also the expense of paying a cooly for coming 5½ miles instead of half a mile, the distance of the recently established market from the barracks.

To re-establish a market in a place further from the source of supply it was necessary to offer some advantage to the supplier, and this we could only do by offering them a piece of ground where their goods might be exposed for sale free of any taxes or tolls.

The plan has been a perfect success, and the inhabitants of the Wellington bazaar have subscribed to build two market sheds one of which is completed.

The proposed bye-law of the Coonoor Municipal Commissioners is contrary to all principles of for the advantage of its nearest neighbour.

I presume the Coonoor Municipal Commissioners have represented to you the ruin of their market. I not only beg to differ with, but to contradict them, except they arrogate to themselves a right to supply not only themselves but Wellington with the necessaries of life.

Owing to many circumstances connected with the trade of these hills the supply accommodates itself to the demand; if therefore the Coonoor people stick to their own market supplies will not fail them; but if they go to the Wellington market of course it would increase the supply there, but there is no reason why they should, for prices in both markets run about the same.

I leave it to the Officer Commanding Wellington to point out why such market is of advantage to the troops.

I would further urge for the benefit of trade, that since the removal of a Regiment from Wellington the tradesmen in the Wellington bazaar (induced to settle there by Government) have scarcely earned a livelihood; many shops even closed; but since the establishment of this market, trade has revived and all the shops opened and re-stocked.

If Government sanction this bye-law, which is similar to the tax they compelled the Hydrabad Talookdars on the Godavery to give up, the Wellington market must be closed, and the British Soldier and his wife revert to his weekly six miles walk in all weathers.

From the Commandant, Wellington, to the Commissioner of the Neilgherries and President Coonoor Municipality, dated Wellington, 20th May 1871, No. 699.

In reply to your letter, No. 74, dated 19th May, in which you invite my opinion, upon the proposed bye-law of the Coonoor Municipality, imposing a toll on parties bringing produce through Coonoor to other markets, I have the honour to state that such an impost would, in my opinion, be most undesirable and unfair.

I have lately, in conjunction with the Cantonment Magistrate, attempted to revive the old market at Wellington with a view to saving the soldiers and their wives the long walk in the sun which they had to take to make their purchases at the Coonoor shandy, when that was the

nearest market to the barracks. As an incentive to induce low country traders to bring their produce to the Wellington market, we made it known that no market tolls of any description would be charged at Wellington.

Should, however, a transit toll be imposed upon these traders for simply bringing their produce through Coonoor to Wellington, the only route in fact open to them from the low country, there can be very little doubt that they will decline to come at all, and thus the whole project of establishing a market at Wellington for the good of the convalescents at this depôt will be frustrated.

I would venture to lay great stress upon the *reality* of the advantage which the establishment of this market confers upon the people under my command.

Marketing in Coonoor entailed a walk of four miles at least in the sun or rain, and great expense in coolies, and these were real hardships in the case of sickly men and women sent here for the benefit of their health.

The Wellington shandy is close to the barracks, and entails only a walk of a few minutes.

As Commandant of this Depôt, and, as such, bound, as well as anxious, to do all in my power to further the object with which Government sends soldiers, women, and children to it, I beg to reiterate most strongly my opinion that this proposed bye-law of the Coonoor Municipality will operate most disadvantageously.

Extract of the Proceedings of the Coonoor Municipality, held on the 8th May 1871.

Read letter from the President of the Coonoor Municipality, as also one from the Joint Magistrate of Coonoor and Wellington, on the subject of levying tolls on laden bullocks, &c., &c., passing

In order to prevent the total ruin of the Coonoor market which has been established for fully twenty years, it is resolved that the following addition to bye-law No. 32 be submitted to Government for sanction :—

In continuation of bye-law No. 32 parties bringing produce and passing through the Municipal limits of Coonoor to markets other than those where a Municipality exists shall pay the toll as already sanctioned by Government for this Municipality.

The above addition to be considered as bye-law No. 32.

32. Parties bringing produce to the weekly market, shall pay a toll as follows :—

Bandy load	...	...	...	...	...	2 Annas.
Bullock load	...	...	...	...	...	½ Anna.
Pony load	...	...	...	...	...	½ ,,
Ass do.	...	...	...	...	...	¼ ,,
Head do.	...	...	...	...	...	¼ ,,

Penalty for infringement—Fine not exceeding Rupees twenty.

(Signed) R. G. HODGSON, Lieut.-Colonel,
Vice-President.

Coonoor,
18th *May* 1871.

From the Vice-President of the Municipal Commission, Coonoor, to the President of the Municipal Commission, Ootacamund, dated Coonoor, 18th May 1871, No. 15.

With reference to the annexed bye-law submitted for sanction, I have the honour to point out the very great hardship to which our Municipality will be subjected by carts, bullocks, &c., &c., being permitted to go to Wellington market without paying toll to the Coonoor Municipality through which they pass, as we have to keep the roads which they use in repair, provide police, and keep up the chattrum in which the bandy-men halt at night before going on to Wellington, should Wellington be allowed the privilege of having the produce brought to its market free of toll while that going to Coonoor has to pay it; the latter market will be ruined as although established for

twenty years; sellers will naturally resort to the Wellington market where there is no toll, instead of to Coonoor where there is one.

No tax is levied on the market people for using the Coonoor chattrum although we have to keep them in repair.

In conclusion I am requested to remark that the Commissioners do not urge this bye-law for the sanction of Government with a view to increase the Municipal funds, but with the more important end of protecting the Coonoor market, which is already fast approaching ruin, market produce having risen 25 per cent. and the vegetable market now no longer exists to the great inconvenience of the residents and inhabitants of Coonoor; and therefore with all due deference to your opinion as to the illegality of the Commissioners in forwarding this addition to their bye-law No. 32, they request that you will be so good as to assist them in procuring the sanction of Government.

The Commissioners will feel obliged if you will kindly send a copy of this explanatory letter to accompany the bye-law when forwarding the same for sanction of Government.

No. 112. From the Commissioner of the Neilgherries, to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 26th October 1871, No. 82.

I have the honour to request early orders on my letter, No. 41, of 26th May last, in reference to an addition to Bye-law No. 32 of the Coonoor Municipality on the subject of market tolls.

No. 113. From the President of the Municipal Commission, Coonoor, to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 26th March 1872, No. 18.

I beg to invite your attention to my letters noted in the margin, relative to an addition to Bye-law No. 32 of the Coonoor Municipality, and to request the early orders of Government on the same.

No. 41, 26th May 1871.
No. 82, 26th October 1871.

2. Copy of letter from the Vice-President on the subject in question is herewith submitted. From it you will gather how anxious the Commissioners are to have the matter settled as soon as possible.

From the Vice-President, Coonoor Municipality, to the President, Coonoor Municipality, Ootacamund, dated 19th March 1872, No. 119.

I have the honour to annex a copy of a resolution being paragraph XVII. of the Proceedings of the Coonoor Municipal Commissioners held on the 18th March 1872.

2. I have delayed since the date of my last letter to you on the subject referred to in this paragraph, hoping that an answer from Government would have been sent through your office before this time; the importance however of the subject is such as to preclude its being allowed to remain any longer unnoticed.

3. Lieutenant-Colonel F. G. Hodgson, the then Vice-President, pointed out in his letter of 18th May 1871 what the Commissioners then thought and still consider a great disadvantage—I had almost said injustice—to the inhabitants of Coonoor the permission of a free pass to the Wellington market.

4. The rise in the price of all produce as pointed out by Colonel Hodgson still continues, and the inhabitants of Coonoor are now being fined heavily, so to speak, in order that an advantage might be given to the soldiers which has proved apparently of little value to them, the market at Wellington having, I am informed, entirely ceased for the last fortnight.

5. I would again urge that a toll may be allowed to be collected upon the bullocks, &c., &c., proceeding to the Wellington market as referred to in the Resolution of the Municipal Commissioners as above alluded to.

Proceedings of the Madras Government, Financial Department,
6th April 1872.

6. In conclusion I have further to point out that a suggestion made some time ago to the effect that the Coonoor one should be a free market is quite untenable, a considerable portion (about one-fifth) of the entire income of the Municipality being due to the tax upon the market imports.

An extract from the Proceedings of the Coonoor Municipal Commissioners, held on the 13th March 1872, paragraph XVII.

No answer having been as yet obtained in the matter referred to in Colonel F. G. Hodgson's letter of 18th May 1871, nor to that of the present Vice-President—Resolved that the Commissioners of the Neilgherries be addressed on this subject, and further that permission to toll the road be requested.

(Signed) W. FARQUHAR DAVIS, M.D., F.R.C.S.,
Vice-President.

No. 114. ORDER THEREON, 6th April 1872, No. 453.

The Government entirely concur with the Commissioner and the Cantonment authorities at Wellington as to the inadvisability of the proposed addition to the Coonoor Municipal bye-law No. 32, whereby it is proposed to impose a toll on traders resorting to the Wellington market. The legality of the proposed bye-law is also open to question, and sanction cannot be granted.

2. The suggestion made in paragraph 6 of the first letter is for the consideration of the Wellington Cantonment Committee.

(True Extract.)

Officiating Chief Secretary.

To the Commissioner of the Neilgherries.

Ed. T. Cartledge.

Govt. of [1872] Wellington

FINANCIAL.

To

THE COMMISSIONER OF THE
SUBSIDIARY FUND

Dated April, 72.

Rec.

C. O., 66 April 1872, No. 111.

APRIL.
Nos. 111—114.

Extract of the Proceedings of the Common
Municipality held on the 8th January 187[illegible]

Read letter from the Treasurer of the Common
Municipality, as also one from the Joint Magistrate
of Common and Wellington on the subject of levying
Toll on Horse Buffaloes &c &c passing the Common
Toll & Buttermans on Market days, but passing on
afternoons to the Wellington Bazaars

In order to prevent the total ruin of the Common
Market which has been established for fifty Twenty
years, it is resolved that the following addition
Bye-Law to No 32 be submitted to Government for
Sanction

In continuation of Bye-Law No 32 page 6 of
bringing produce and passing through the Municipal
limits of Common to Markets other than those where
a Municipality exists shall pay the Toll as above
sanctioned by Government for this Municipality

The above addition to be considered Bye-Law No 32.

32. Parties bringing produce to the Market by Horse shall pay
a toll as follows:-

Dray load ------	2 Annas
Buffalo load ------	1½ Annas
Pony load ------	1 "
Cart ------	½ "
Head ------	½ "

Penalty for infringement Fine not exceeding Rupees Twenty

Common
15th May 72
Municipal Office

Alf Hamilton Lieut Col:
Vice President C.

P 1871 d
Inv. Nr. 1099

Commissioners Office
Ootacamund 26th Octr 1871

6 10

No 82

From

A. D. Brooks Esqre
Commissioner of
Nilgherries

To

The Chief Secretary to Government
Public department
Ootacamund

Sir,

I have the honor to request early Orders on my letter No 41 of 26th May last in reference to an addition to Bye-law No 32 of the Coonoor Municipality on the subject of market tolls.

I have the honor to be
Sir
Your most obdt. Servant
A D Brooks
Commissioner

I. 4.25

Vide Proc.
Council 18 May 1871
No. 25

Bye-law
to levy market tolls
within the Municipal limits
of Coonoor Ootacamund
Municipality

Proc. 25
18 May 1871

11

Ootacamund
20th March 1872

No 18

No 112

From
J. W. Breeks Esqr
President Municipal Commission
Coonoor

To
The Chief Secretary
to Government
Fort Saint George

Sir

No 41 - 26th May 1871
No 32 - 28th Octr 1871

I beg to invite your attention to my letters noted in the margin relative to an addition to Bye Law No 32 of the Coonoor Municipality and to request the early orders of Government on the same.

2 Copy of letter from the Vice President on the subject in question is herewith submitted. From it you will gather how anxious the Commissioners are to have the matter settled as soon as possible.

I have the honor to be
Sir
Your most obedient Servant
Henry S. [illegible]
Ag Asst Commissioner
for President.

Inclosure

1872. Dept

No. 18

Date 20th March 1872

Rec'd 25

Commissioner's Office
Queensland

To

The Chief Secretary
Government

No. 589 Port Albert Cargo

Enclosures (2)

Bye Law No 33

SUBJECT.

Forwarded copy of letter from the Hon Secretary Burrum Shire Council forwarding additional Claims to — and requesting early Issue of Government in the Shire —

[illegible]

Public 1871. Sept

Nº 1049

Enclosures from the Secretary

Bye-Laws

Connoor Municipality

Submitting New Draft

Letter proposing certain additions to the

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letters.

From the Commissioners of the Nilgherris 26th May & 26th October 1871 Nos. 41082. & 20th March 1872 No. 18.

Order thereon. 6 April 1872 No. 453.

The Govt entirely concur with the Commissioners & the Cantonment authorities at Wellington as to the advisability of the proposed Connoor additions to the Municipal bye-laws No. 82, whereby it is proposed to impose a toll on traders working to the Wellington market. The legality of the proposed bye-laws is also open to question and sanction is refused.

2. The Commissioners proposed suggestion that the municipality should

to be under section 77 of the Act, the road leading to Wellington seems inadmissible. It is presumed that the road between Coonoor & Kellington is meant; and therefore the proposed Rule would be an traffic bearing Coonoor municipality.

2. The suggestion made in para 6 of the first letter is for the consideration of the Wellington Cantonment Committee.

H.C.I

To the Commissioner of the Nilgherries.

Govt. of {1872} Madras.

Financial

To

The Commr. of the Railway Mills

Dated Oct. 6
Read. } 1872, No. 483.

Nos. 111. 114.

Declining to sanction the proposed reduction in the Coimbatore Spring Cotton Rate. Cotton in bales according to the Railway Mills.