M.R.O. 1—77,006—8-6-37.

(1) Number of pages 6

(2) Date of repair 8-1-39

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 995 Press Mis.
216-217

Dated 30-7- 1872.

216 - 217 47

Not to be folded or roughly handled

No. 216. Read the following letter from the President of the Municipal Commission, Cuddalore, to the Chief Secretary to Government, Fort St. George, dated Cuddalore, 15th July 1872, No. 293 :—

I have the honour to submit, for the approval of Government, a copy of bye-laws framed by the Municipal Commissioners of the town under Section 78, Act III. of 1871, for the guidance of the toll collectors employed under the contractor who has rented the farm for the current year.

2. With reference to Rule 4 I would observe that it is absolutely necessary for the protection of the public to define the term "laden" which occurs in Schedule D. It is not defined in the Act, and the consequence is that every cart containing a little straw for the bullocks, the driver's meals, or a few empty sacks is made to pay toll as a "laden" cart.

3. Rules 5, 6, and 7 have been framed in consequence of the contractor having issued written orders to the toll collectors to enter in each ticket a minute description of the vehicle or animal for which it was issued, with the name of the owner, where it came from, its destination, &c., &c., to obtain which information carts, &c., were detained for a length of time at the gates to the great inconvenience of the owners and the obstruction of traffic. It was also found that carts, &c., going right through were subjected to a further detention on going out of municipal limits whilst the toll collectors satisfied themselves that the description in each man's ticket corresponded with the vehicle or animal he had with him.

4. I do not myself think that bye-laws framed under this section require the confirmation of Government as those framed under Section 163 undoubtedly do; but with reference to the wording of Section 165 the Commissioners thought it would be safer to submit them for approval. Should the Government consider that the formalities required by the last-quoted section are necessary I trust that measures may be promptly taken to give the bye-laws herewith submitted the effect of law, as at present the travelling public are quite at the mercy of the toll contractor and his myrmidons, and in the absence of any bye-laws the exactions and annoyance to which they are subjected cannot be prevented.

Bye-laws framed under Section 78, *Act III. of* 1871, *for the guidance of Toll Collectors.*

The toll contractor shall on demand furnish to the Commissioners a list of the names of the toll collectors appointed by him to receive the tolls at each gate, and, should he find it necessary to substitute other persons in lieu of those entered in the list aforesaid, the change is to be at once notified to the Commissioners.

2. The toll contractor shall furnish to each toll collector a Sunnud in the form annexed authorizing him to levy tolls at the gate therein specified, and each toll collector shall be bound to produce such Sunnud as his authority for levying tolls when called upon to do so. Any person levying tolls without being authorized as above described will be liable to prosecution under Section 83 of Act III. of 1871.

3. Toll collectors duly authorized as above described are empowered to levy tolls not exceeding the following rates, viz. :—

		RS.	A.	P.
On every four-wheeled carriage on springs		0	4	0
Do. two- do. do.		0	2	0
Do. jutka, hackery on springs, or cart drawn by men, buffaloes, bullocks, horses, ponies, asses, or mules, laden		0	2	0
Do. do. do. not laden		0	1	0
Do. buffalo or bullock, laden		0	0	6
Do. horse, laden or ridden		0	1	0
Do. do. not laden or ridden		0	0	6
Do. pony or ass, laden or ridden		0	0	6
Do. elephant		0	8	0
Do. camel		0	2	0

N. B.—No tolls are leviable for unladen buffaloes, bullocks, ponies, or asses.

4. The term "laden" in Schedule D. shall be held to mean a fair load.

Illustrations.

(*a.*) A bandy conveying only the driver with his food and forage for the bullocks or empty sacks is not a "laden" bandy.

(*b.*) A bullock or other animal with a pack, saddle, and empty sack but without a load is not "laden."

(*c.*) A led horse, pony, mule, or ass with his saddle and bridle on but not ridden is not "laden."

5. No vehicle or animal liable to toll shall be detained at any gate for a longer time than is necessary to collect such toll, and it shall be allowed to pass immediately on payment. The toll collector shall thereupon promptly furnish a ticket in the form herewith annexed. Such ticket shall give free passage in respect of the vehicle or animal for which it was issued for the time prescribed by Section 78, viz., twenty-four hours, counted from midnight to midnight.

6. On no pretence whatever is any animal or vehicle leaving municipal limits to be detained or the owners required to show tickets.

7. No ticket shall be issued in any form other than that prescribed by the Commissioners herewith appended. These tickets will be supplied by the Commissioners at cost price and the contractor will not be allowed to use any others.

8. The toll contractor and the toll collectors appointed by him shall strictly observe the provisions of Sections 78, 79, 80, 81, and 82 of Act III. of 1871 herewith appended for their information and guidance.

9. Any infringement of the foregoing bye-laws will render the offender liable to the penalties prescribed by Section 163 of the Act.

Extract from Act III. of 1871.

78. Tolls not exceeding the rates mentioned in Schedule D. annexed to this Act shall be levied upon all carriages, carts, and animals entering the municipal limits ; and the Commissioners may construct toll-bars, gates, and gate-keepers' stations, and may place the collection of such tolls under the management of such person as may appear to them proper, or may lease out the same and shall frame bye-laws in manner hereinafter provided for the guidance of such toll collectors and all persons employed in the management and collection of such tolls of any assessment or tax under this Act. Provided that this section shall not apply to carriages, carts, and animals licensed or registered by the Commissioners. Provided also that no more than one payment of toll shall be

demanded for, and in respect of, any carriage, cart, or animal in any period of twenty-four hours, counted from midnight to midnight.

79. In case of non-payment of any such toll on demand the officer appointed or duly authorized to collect the same may seize any carriage or animal on which it is chargeable or any part of its burden of sufficient value to defray the toll. If any toll together with the cost arising from such seizure and custody remains undischarged for forty-eight hours the Commissioners may sell the property seized for discharge of the toll and of all expenses occasioned by such non-payment, seizure, custody, and sale. Any balance that may remain shall be returned on demand if made within twelve months to the owner of the property, and if unclaimed after such period shall be credited to the Municipal Fund. After seizure of property as aforesaid the Commissioners shall forthwith issue a notice in writing that after the expiration of two days, exclusive of Sunday, they will sell at such place as they may state in the notice the property by auction. Provided that if at any time before the sale has actually begun the person whose property has been seized shall tender the Commissioners or other officer appointed by them the amount of all the expenses incurred and of all the toll payable by him the Commissioners shall forthwith release the property seized.

80. No tolls shall be paid for the passage of troops on their march, or of military or Government stores, or of Military or Police Officers on duty or of any person or property in their custody, or of conservancy carts or other such vehicles belonging to the Municipal Corporation ; but no other exemption from payment of the tolls levied under this Act shall be allowed.

81. It shall be lawful for the Commissioners to compound with persons living outside the municipal limits for a sum to be paid annually or half-yearly in lieu of all tolls payable under the provisions of this Act in respect of carriages, carts, or animals entering the municipal limits ; and the Commissioners shall issue licenses for such carriages, carts, or animals, and while such licenses shall remain in force, such carriages, carts, and animals shall be exempt from all tolls as aforesaid upon entering the municipal limits. Provided always that such composition shall include all the carriages, carts, and animals possessed by the person compounding.

82. In all cases of resistance to the lawful authority of the toll collectors all Police Officers shall be bound to assist the toll collectors when required, and for that purpose shall have the same power which they have in the exercise of their ordinary Police duties.

Form of Sunnud to be issued to Toll Collectors.

I, , having rented the privilege of collecting tolls under Section 78 of Act III. of 1871 on all carriages, carts, and animals entering the municipal limits of the town of Cuddalore from the Commissioners of the town aforesaid, do hereby appoint you , son of , to be toll collector at the Gate No. . You will strictly observe and be guided by the bye-laws framed by the Commissioners under Section 78 of the Act, copy of which is herewith furnished to you, and by the provisions of the Act itself, failing which you will be dismissed from my service and will further render yourself liable to the penalties provided by law.

Form of Ticket.

CUDDALORE MUNICIPAL COMMISSION.

Gate No. I.	RS.	A.	P.
Four-wheeled carriage on springs	0	4	0

Date.

N. B.—This ticket is available for twenty-four hours, calculated from midnight to midnight.

(Signed) H. E. SULLIVAN,
President.

Proceedings of the Madras Government, Financial Department,
30th July 1872.

No. 217. ORDER THEREON, 30th July 1872, No. 995.

Under Illustration *c.*, Rule 4, a rider might evade payment of the toll by dismounting from his horse and leading him through the toll gate. A proviso should be added to the illustration to prevent this. Subject to this amendment the Governor in Council approves and confirms the proposed bye-laws and directs that they be published for one month in the District Gazette.

(True Extract.)

Acting Under Secy. to Govt.

To the President of the Municipal Commission, Cuddalore.

Exd. A. S. Rodgers.

Govt. of {1872} Madras.

FINANCIAL.

To

THE PRESIDENT OF THE
MUNICIPAL COMMISSION,
Cuddalore.

Dated July, 30th.

Recd. Encl.

G. O., 30th July 1872, No. 995.

JULY.
Nos. 216-217.

Approving, subject to a certain amendment, the bye-laws proposed by the Municipal Commissioners of Cuddalore for the guidance of toll collectors.

Fwd Regd
From
The President of the
Municipal Commrs.
Cuddalore.
To The Secretary to
Government
Fort St. George.
No. 293.
Dated 15th July 1872.
Recd 3 19

White Ants Order

Enclosure
No 1378
Submitting for the
Sanction of Government
certain Bye-Laws
framed by the Muni-
cipal Commissioners
under section 78 act
III of 1871 for the gui-
dance of Toll Collectors
employed by the
Committee.

Cotacamund 30th July 1872 No 995

Under illustration C rule iv a rider might make payment of the toll by dismounting from his horse and leading him through the toll Gate. A proviso should be added to the illustration to prevent this. Subject to this amendment

The Governor in Council approves and confirms the proposed Bye-laws, and directs that they be published for one month in the District Gazette.

To The Presdt of the Muni Comm. Cuddalore

Govt. of 187 } Madras.

Financial

To The Secretary of the Municipal Council Cuddalore.

Dated 30 July
Recd.

G. O. 30 July, 1872, No. 995.

Nos. 21617

Approving, subject to a certain amendment, the bye-laws proposed by the Municipal Council of Cuddalore for the guidance of Toll Collectors.