(1) Number of pages ——————

(2) Date of repair ——————

(3) Initials of the Reference ——————

MADRAS RECORD OFFICE.

Government of Madras.

[illegible] DEPARTMENT.

G.O. No.	1496	Press Mis.
[illegible]		124-125
Dated	[illegible]	18 75.

1496

Not to be folded or roughly handled

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8 [illegible]

Proceedings of the Madras Government, Financial Department, 19th July 1875.

Municipal—Bye-laws.

No. 124. Read the following letter from H. ST. A. GOODRICH, Esq., Acting District Magistrate, Vizagapatam, to the Hon. D. F. CARMICHAEL, Officiating Chief Secretary to Government, Fort St. George, dated Vizagapatam, 2nd July 1875, No. 365:—

I have the honor, at the request of the Vice-President of the Bimlipatam Municipality, to submit copies of the correspondence that took place between him and myself on the subject of introducing certain Bye-laws in that Municipality.

2. The Municipality desire the power of granting or withholding permission to take processions with music and fire-works on marriage and other occasions; this power has hitherto been exercised in the Magisterial Department with due precaution, when the application is considered reasonable permission is given for one night only in each case.

3. With regard to the question of putting a stop to gambling, I am still of opinion that a Municipality is incompetent to make or enforce any bye-law to that effect under the Municipal Act.

4. Should, however, the Government see fit to sanction the bye-law in respect of tom-toming, I would propose that the words "streets and public thoroughfares" may be inserted before the word Bimlipatam, as it may otherwise prevent the conduct of the religious ceremonies of the native residents of Bimlipatam in accordance with custom.

From G. RIPLEY, Esq., Vice-President, Bimlipatam Municipality, to the Collector of Vizagapatam, dated Bimlipatam, 8th November 1873, No. 39.

I have the honor to enclose copies (two) of Bye-laws for which the Commissioners request you will be so good as to ask the sanction of Government.

EXTRACT from Minutes of Meeting of Municipal Commissioners for the Town of Bimlipatam, held on Monday, 3rd November 1873.

Present.—Messrs. Ripley, Graves, E. Pernon, R. Pernon, Tammayya, and Suraj Oddin.

9. Resolved to submit the following Bye-laws for sanction of Government:—

I.—Any person found gambling, or cock-fighting, or ram-fighting in any public street, thoroughfare or open place in Bimlipatam, shall be liable to a fine not exceeding Rupees 20 for each offence.

II.—The beating of tom-toms or drums and the use of bells or loud musical instruments in Bimlipatam to the annoyance of the public are prohibited between the hours of 10 P.M. and 5 A.M., unless the written permission of the Commissioners be previously obtained.

(True Copy.)

(Signed) H. ST. A. GOODRICH,
Acting District Magistrate.

From J. W. ARBUTHNOT, Esq., Vice-President, Bimlipatam Municipality, to H. ST. A. GOODRICH, Esq., President of the Municipalities of Vizagapatam, dated Bimlipatam, 26th May 1875, No. 15.

In forwarding copies of two Bye-laws for which the Municipality solicited the sanction of Government so long ago as 3rd November 1873, I have the honor to request that you will be so

good as to inform me whether any order has been received on the subject; and, if not, may I beg that the bye-laws be again submitted for Government consideration.

From J. W. ARBUTHNOT, Esq., Vice-President, Bimlipatam Municipality, to H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, dated Bimlipatam, 11th June 1875, No. 20.

I have the honor to own receipt of your letter of 1st instant, with copy of a letter from Mr. Daniel, dated 17th November 1873, the original of which it appears was never received by my predecessor.

2. So many complaints have been made in the course of the last month of the great annoyance and inconvenience to which Europeans have been put by the tom-toming and letting off guns and fire-works on certain marriage occasions at all hours of the night, that the Commissioners request you will be so good as to forward to Government (with copy of this letter) the proposed bye-law for sanction. Last month one Ramanah had permission for music for four nights up to 11 o'clock; he also asked for two nights for procession, &c., one night only was permitted, but he gained his point by the bride's family petitioning for a night, which was granted. This case shows, we think, the desirability of placing the licensing power in this respect in the hands of some local authority, and we see no reason why the control should not rest with the Commissioners, more particularly as Government have sanctioned a similar bye-law in other Municipalities. We would take good care that on native public festivals, the usual course of procedure as regards processions, music, &c., should not be hindered.

3. The bye-law about cock-fighting, &c., (sanctioned, I may remark, in other Municipalities) was proposed by the Commissioners at the suggestion of the Inspector of Police, but as you are so decidedly opposed to it, we have no wish to press the matter.

No. 125. ORDER THEREON, 19th July 1875, No. 1406.

From a recent opinion furnished by the Advocate-General, it is shown that such Bye-laws as the two now proposed would be illegal, as without the scope of the Towns Improvement Act.

(True Extract.)

Officiating Chief Secretary.

To the Acting District Magistrate, Vizagapatam.

Ed. T. O'Connor.

Office of Municipal Commission
Bellipadam 26th May 1875

To,
The President of
Municipalities
Vizagapatam

No 15.

Sir,

In forwarding copies of 2 bye-laws for which the Municipality solicited the sanction of Government so long ago as 3rd November 1873, I have the honor & request that you will be so good as to inform me whether any order has been received on the subject, and, if not, may I beg that the bye laws be again submitted for favourable Consideration.

I have the honor to be,
Sir,
Your most obed. servt
(Signed) Jos. Fr. Arbuthnot
Vice President.

(True copy)
A Gordon
Ag Magistrate

Govt. of 1875 [illegible]

FINANCIAL.

To THE ACTING DISTRICT MAGISTRATE [illegible]

Dated July, 1875.

Issued

Read

G.O. No. 1004 July 1875, No. 1496

JULY.
Nos. 124-125.

Municipal Bye-laws.—The Magistrate of V[illegible] Esquire, informed that bye-laws of the [illegible] those sought to be introduced into the [illegible] Municipality would be illegal, as without the [illegible] of the Local Improvement Act.

Extract from Minutes of Proceedings
at a Meeting of Municipal Commissioners
held on 3rd Novembr 1873.

No 9. Resolved & Submit the following
Bye Laws for Direction of Govt

1. Any person found gambling or Cock
fighting or ram fighting in any
public Street, Thoroughfare or open
place in Municipal Limits shall be liable
to a fine not exceeding 20 Rupees for
each Offence.

2. The beating of Tom-toms or drums
and the use of Bells or loud Musical
instruments in Municipal Limits to the
Annoyance of the public, are pro-
hibited between the hours of 10 P.M.
and 5. A.M. unless the written per-
mission of the Commissioners be
previously obtained.

(True copy)

(Signed) Jas. B. Arbuthnot
Vice President

(True copy).

H Gordon

Ag. Magistrate

Office of Municipal Committee
Bimlipatam 11th June 1875.

To
The Collector of
Vizagapatam.

No 20

Sir

I have the honor to own receipt of your letter of 1st instant with copy of a letter from Mr Daniel dated 17th May 1875 the original of which it appears was never received by my predecessor.

I transmit herewith to have been made in the course of the last month of the great annoyance and inconvenience to which Europeans have been put by the non-coming into attendance of Jurors and Witnesses at certain Marriage ceremonies all of which notices of the kind that the Commissioners expect you will be good as to forward to Government with copy of this letter the required by-law for alteration. Last month the Chairman had permission for Brodie for 6 hours up to 11 o'clock: he also asked for

2

Dear Collector please
find enclosed Magistrate's
Office Circular to
the Chief Secretary
to Govt. No 358
dated 22 July 1875

Yours

Copy Letter No 35
dated 22nd July 1875
Forwarding Circular
Office Circulars etc

2 Rights for procession &c — one right only was permitted, but he gained his point by the bride's family petitioning for a right which was granted. In case 'Howe' we think the desirability of placing the licensing power in this respect in the hands of some local Authority. And we see no reason why the control should not rest with the Commissioners, more particularly as Government have framed similar Bye-laws for other Municipalities. We would be good care that in future public festivals the usual course of procedure as regards processions should not be hindered.

3. The bye-laws about cockfighting &c (sanctioned 9 May 1882 for other Municipalities) were proposed by the Commissioners at the suggestion of the Inspector of Police, but as you are so decidedly opposed to it we have no wish to press the matter.

I have the honor to be
Sir,
Your Most obedient
(Signed) Jas. W. Abbott.
Vice President.

/ True Copy /
A Goodwin
Ag. Magistrate

110

No 39.

Office Municipal Commrs.
Bimlipatam 2nd Nov. 1875.

To The Collector, Vizagapatam

Sir

I have the honor to enclose copies (two) of Bye laws for which the Commissioners request you will be so good as to ask the sanction of Government.

I have &c
(Signed) J. Ripley
Vice President

/True copy/
B. Govindiah
Ag Dist Magistrate.

To The Collector Vizagapatam

Dist Magistrate
Bimlipatam

Sir

I have the honor to acknowledge the receipt of your letter No 39 dated 2nd July 1875 —

Inclo. IV

/True copy of the letter No 39 dt 2nd July 1875 from the Vice President Municipal Commrs Bimlipatam/

/True copy/
B. Govindiah
Ag Dist Magistrate

Vizagapatam
2nd Nov 1875

1803

Extract from Minutes of Meeting
of Municipal Commissioners
for the town of Bunderpatnam
on Monday 3rd November 1803

Present. Messrs Ripley, Graves
E. Vernon, R. Seman, Sammuyya
and Seraj Oddeu.

Resolved to submit the following
Byelaws for sanction of Government

1. Any person found gambling
or cock fighting or ram fighting
in any public Street, thorough
fare or open Place in Bunderpatnam
shall be liable to a fine not ex-
ceeding Rs20 for each offence

2. The beating of tom toms or drums
and the use of bells or Cord musi-
cal instruments in Bunderpatnam
to the annoyance of the Public
are prohibited between the hours
of 10 PM and 5 AM unless
the written permission of the
Commissioners be previously ob-
tained

True Copy
A Bonnicastle
Asst Magistrate

Vizagapatam
1st June 1875

No 985

To The Vice President-Municipal
Commission-Bimlipatam

Sir,

With reference to your letter No 15 dated 26th ultimo, I have the honor to inform you that the subject of the bye-laws therein referred to was disposed of by Mr Daniel in November 1873. Copy of his letter to the Vice President dated 17th Novr 1873 is herein enclosed for your information.

2. I am quite of opinion that a Municipality is incompetent to make or enforce a bye-law against gambling.

3. In accordance with custom leave for processions with music and fireworks is granted from time to time to families in whose houses marriages take place. The leave granted is granted by the Magistrate only and is limited to one night in each case. I have ordered that a copy of the Magistrate's order be invariably forwarded to the Municipality in order that should persons exceed their license or conduct processions and employ music after 10 P.M. without one the Commissioners will be able to represent the matter.

I have &c
(Signed) H Goodrich
Dy Collr.

(True Copy)
H Goodrich's
Dy Magistrate

Copy of Letter from the Vice President Municipal Commissioners Bimlipatam to the Dy Collector & Dy Magistrate Vizagapatam dated 1st June 1875

Subject

Bye Laws

Forwarding copy of letter from the Vice President Municipal Commissioners Bimlipatam dated 17th Novr 1873 for information

Received 3rd June 1875

Dated 1st June 1875

Entered in Despatch Book

Dispatched by ——

Land 1874 p 65

No. 196

Camp Vizianagaram
17th November 1873.

To
The Vice President
Municipal Commissioners
Bimlipatam

Sir

In reply to your letter 8th Instant No. 39, I have the honor to state that there is an order of the Sub Magistrate forbidding the use of tom toms &c in processions after ten o'clock at night, and this should be enforced, it was made in 1861, if it be the Sub that is disregarded I will direct it be again published and any one disobeying it will be liable to punishment.

2. I shall be obliged if you will inform me whether this old order is not enforced or whether it is found insufficient to prevent annoyance to the people.

3. In regard to the Bye-law against gambling, it seems to me doubtful whether Government would confirm it, because it is not made for any of the purposes mentioned in Section 163 of the Municipal Act for which

Ref. Cont.

Re. Letter from the Sub Collector &c. Magistrate of Vizianagaram, to the Chief Secretary to Govt. No. 39 dated 2nd Feby 1873.

Copy of letter No. 196 dt. 17th Novr 1873 from Collector & Dist. Magte. of Vizianagaram to the Vice President Municipal Commissioners Bimlipatam

which Commissioners shall make
bye laws - & is rather a Magis
terial than a Municipal question

Hon. & C
I have &c
Signed J. R. Daniel
Ch. President A. M. C.

(True Copy)

Approved
Ag. Dist. Magistrate

Copy of Letter from the District Magistrate of Negapatam dated 20th July 1875 Received 22nd July 1875 Read 29th July 1875 Replied 30th July 1875 Recorded in Book No. 1875 Forwarded to Port Office

Received 29th July 1875

Read 30th July 1875

Replied 30th July 1875

Recorded in Book No. 1875

Forwarded to Port Office

Sub Collr

Dist Magt

Copy of Letter from the District Magistrate of Negapatam dated 20th July 1875 Received 22nd July 1875 Read 29th July 1875 Replied 30th July 1875 Recorded in Book No. 1875 Forwarded to Port Office

Encl 1.

Copy of Letter to the Vice President Municipality Negapatam

Dated 15th Oct 1875

Received 16th Oct 1875

Negapatam District Magistrate's Office 20th July 1875

No 365

From

H. Stokes Goodrich Esquire

Dy District Magistrate

To

The Honorable W. J. Carmichael

Dy Chief Secretary to Government

Fort St George

Sir

I have the honor at the request of the Vice President of the Municipality to submit copies of the correspondence that took place between him and myself on the subject of introducing certain Bye laws in that city.

2 The Municipality desire the power of granting or withholding permission to take processions with music and fireworks on marriage and other occasions. This power has hitherto been exercised in the Magisterial Department with due precaution when the application is considered reasonable permission is given for one night only in each case.

3 With regard to the question of putting a stop to gambling, I am still of opinion that a Municipality is incompetent to make or enforce any bye law to that effect under the Municipal Act.

4. Should however the Government see

see fit to sanction the bye-law in respect of Conservancy, I would propose that the words "streets and public thoroughfares" may be inserted before the word "Bimlipatam, which may otherwise prevent the conduct of the religious ceremonies of the native residents of Bimlipatam in accordance with custom.

I have the honor to be
Sir
Your Most Obedient
(Signature illegible)
Acting District Magistrate

Home 1875
Judicial Deptt.
From (Munic. Bye Laws)
The Dist. Magistrate
Vizagapatam
To
The Chief Secretary
to Government
Fort St. George
Dated 2nd July
Recd. 12th
Enclo. 5
No. 365

No. 1044

Submits at the request of the Vice President Bimlipatam Municipality copies of correspondence that passed between that officer and the Dist. Magistrate relative to the introduction of certain Bye laws in that Municipality

Recorded 19 July 1875 No. 1146