M.R.O. 1—77,006—8-6-31.

(1) Number of pages

(2) Date of repair 31 7 46

(3) Initials of the Referencer CT

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	152	Press / Mis.
202-205		202-205
Dated	27-1-	1875

92/93

Not to be folded or roughly handled

Municipal—Election.

Read the following papers :—

Letter from the President, Municipal Commission,		Coimbatore,	dated	4th Aug.	1874, No.	38.
,,	,,	Bellary,	,,	5th ,,	,, ,,	88.
,,	,,	Nellore,	,,	6th ,,	,, ,,	1730.
,,	,,	Godavery,	,,	7th ,,	,, ,,	6.
,,	,,	South Arcot	,,	respectively 19th and 29th August 1874, Nos. 30 & 32.		
,,	,,	Madura,	,,	25th Aug.	1874, No.	43.
,,	,,	Vizagapatam,	,,	24th Sept.	,, ,,	1283.
,,	,,	Nilgiris,	,,	5th ,,	,, ,,	60.
,,	,,	South Canara,	,,	5th ,,	,, ,,	168.
,,	,,	Cuddapah,	,,	6th ,,	,, ,,	19.
,,	,,	Kistna,	,,	7th ,,	,, ,,	1487.
,,	,,	Kurnool,	,,	9th ,,	,, ,,	14.
,,	,,	Salem,	,,	9th ,,	,, ,,	96.
,,	,,	Ganjam,	,,	12th ,,	,, ,,	1836.
,,	,,	Tinnevelly,	,,	12th ,,	,, ,,	239.
,,	,,	Malabar,	,,	17th ,,	,, ,,	8.
,,	,,	Trichinopoly,	,,	21st ,,	,, ,,	104.
,,	,,	Tanjore,	,,	25th ,,	,, ,,	184.
,,	,,	Chingleput,	,,	6th Oct.	,, ,,	87.
,,	,,	North Arcot,	,,	27th ,,	,, ,,	74.

No. 202. Minute by the Hon. J. D. Sim, C.S.I., dated 30th October 1874.
No. 203. ,, Right Honorable the President, dated 3rd November 1874.
No. 204. ,, Hon. W. Robinson. C.S.I., dated 7th November 1874.

No. 205. ORDER THEREON, 27th January 1875, No. 152.

After a full consideration of the various replies received to G.O., dated 23rd July 1874, No. 1218, His Excellency the Governor in Council is of opinion that the time has now arrived for giving at least partial effect to the provisions for the election of Municipal Commissioners by the ratepayers contained in Section 9 of the Towns Improvement Act.

2. For the present the right of election will be limited to some or all of the non-official Members and will be introduced in the first instance in the marginally-noted towns, the Presidents of which will submit detailed proposals at an early date. In doing this they will be assisted by the early publication in the *Fort St. George Gazette* of the rules which it has been determined to introduce for the election of Commissioners for the town of Madras.

Trichinopoly.	Calicut.
Salem.	Vellore.
Madura.	Combaconum.
Bellary.	Negapatam.
Ootacamund.	Tanjore.

3. In G.O., dated 23rd July 1874, No. 1218, the Government remarked that they would defer dealing with the lists submitted in reply to G.O., dated 27th January 1874, No. 139, until the question of election had been considered. The lists in question are now somewhat out of date, and in the case of Municipalities in which election is not to be introduced for the present Presidents will submit

revised lists of any appointments they would recommend together with the names of existing Members whose term of three years has expired with a note in the remark column to the effect that re-appointment is recommended or not as the case may be.

(True Extract.)

D. F. CARMICHAEL,
Acting Chief Secretary.

To all Presidents of Municipal Commissions.

Exd. J. Wright.

No. 102. MINUTE by the Hon. J. D. SIM, C.S.I., dated 30th October 1874.

When Act III. of 1871 (Madras) was enacted, it was—as indeed it has always been—the desire and intention of the Government to introduce the elective principle, and Section 9 of that law expressly provides for the appointment of a certain number of the Commissioners by election by the ratepayers. The advantages of the principle are sufficiently obvious; the only question is whether the time has arrived for introducing it, whether municipal institutions are yet fixed on a sufficiently secure basis, whether the ratepayers generally appreciate their advantages sufficiently, whether the people themselves understand and value the privilege of electing their own representatives and would exercise it judiciously. I am constrained to answer these questions in the negative, except as regards Madras and Europeanised towns, such as Ootacamund. Much as our Municipal Commissioners have done, an enormous deal remains to be accomplished before the advantages of municipal administration are patent to all classes, and earn for them the appreciation they merit and must acquire before we can safely entrust them to popular management. An increasing number of our people are becoming alive to the benefits these institutions are conferring on the country, but the majority of the ratepayers are still blind to these advantages, and I apprehend they would choose as Commissioners men generally hostile. I feel sure that as a rule their nominees would not be better men than those now selected by the Government. I doubt whether they would be as good. In the case of the Commissioners for the care of religious endowments we have had positive proof of the very little regard the people have for the privilege of election; if our reports are true, not a single election has taken place during the ten years that the Endowment Act has been in operation. Under these circumstances I think it would be unwise to expose municipal institutions while yet in their infancy to the uncertainties and dangers of popular control until the people has learnt to appreciate them as they deserve and are therefore fit to be entrusted with their management. I think it would be prudent to await the result in Madras where the experiment will be tried under the most favorable circumstances, especially as the concession if once made cannot be withdrawn, and our means of preventing mischief under the Act are defective, and could not be exercised without great unpopularity and dissatisfaction. There is no movement among our ratepayers generally for the change, and to force it on them, while indifferent and unfitted to exercise the privilege properly, will be to incur risk without counterbalancing advantages.

J. D. SIM.

No. 103. MINUTE by the Right Hon. the PRESIDENT, dated 3rd November 1874.

The question here before us is a very important one. The creation of Municipalities was (there can be no doubt) intended by its authors as a step towards local self-government; but in its present form Municipal government is a very short step indeed in that direction. The population of a Municipality does not in any sense govern itself, except that some of its leading men, nominated by Government, are placed upon the Board. The government of a Municipality is in fact an oligarchy dependent upon a superior power, which may, directly or indirectly, control its action to almost any conceivable extent.

2. The most important step towards real self-government in large towns would be that now proposed—the choice of Native Members of Municipalities by popular election. And there can be no question but that if in any Municipality a sufficiently numerous constituency could be created which would be likely to elect men with any fair degree of capacity for government, this step ought to be taken. There is no excuse for withholding from the people any degree of liberty, except that they are likely to use it to the serious prejudice of the public security and welfare. It is not sufficient to say that the men elected by popular suffrage will not be better, or even that they will not be as good, as those now chosen by the Government. It is desirable that the power of electing their own rulers should be given to the people, irrespectively of the question whether the rulers they elect will be as good as or better than those chosen for them. Such a power is in itself an advantage of the greatest value, apart from all consideration of the degree in which it contributes or is prejudicial to good government. It is valuable chiefly because it gives an interest in public affairs to the many who would otherwise have none, because it gives elevation and self-respect to the character, cultivation and enlargement to the mind.

3. This being considered, it will be seen that the principal objections which have been raised to the measure are of less importance that might at first sight appear. One of these objections is that the inhabitants of Municipalities have no public spirit. But this is one of the strongest reasons for giving them the elective franchise, which is the best expedient for supplying the want. And it may be remarked, that besides supplying this want, the measure would not improbably go further, and diminish or put an end to one great subject of complaint as regards our Municipalities—that their Native Members take no part and no interest in the management of them. It seems quite possible that men charged by their fellow-citizens with an important trust, and no longer dependent upon the Government—the will of whose officials they dare not now dispute—will be much more inclined than they are at present to take their share in the conduct of local affairs. Another objection which has been insisted upon is that the voters will elect members who will endeavour to reduce taxation. But that taxpayers should not be taxed without their own consent, so far from being an objection to representative institutions, has always been considered as their greatest advantage. Of course taxpayers may unavoidably abuse the power so given to them in such a manner as to be disastrous to the general interests: and in that case they are not fit to be entrusted with the franchise. But it must be remembered that government with the consent of the people is better (other things being equal) than government without it: and that to obtain the consent of the people to administrative acts is worth some sacrifice of administrative efficiency. Nor do I think that in the present case there is any reason to anticipate that any considerable evil will in this respect result from the change. I believe that the elective members will neither have the power nor the inclination to reduce the expenditure of Municipalities much below what is desirable. In my own opinion indeed there is—and must be in the nature of things—a tendency in Municipalities as at present constituted to extravagance at the cost of the people; and I should view not with regret but with satisfaction the measures of self-protection which the change would render possible for the taxpayers, and which I do not believe they would (if they could) abuse.

4. I do not think that the result of the experiment in Madras (where the circumstances of the population are extremely exceptional) would be a satisfactory guide in dealing with the case of other Municipalities. And I would try the experiment, as soon as we are able, in some ten or twelve of our more important Municipalities.

HOBART.

No. 204. MINUTE by the Hon. W. ROBINSON, C.S.I., dated 7th November 1874.

I am in favor of gradually introducing the practice of election into our Municipalities. But there is no doubt that it is attended with difficulty and some cause for apprehension. The system is a complete innovation on native ideas and will almost certainly lower the stamp of men who will sit on the Boards—and perhaps create unwillingness on the part of the better classes to serve. It is remarkable that the majority of the Boards (those consulted) have recorded an adverse opinion to the proposal.

2. The beginning ought to be made only in large towns, where the Presidents are favorable—say in Trichinopoly, Salem, Cuddapah, Mangalore, Madura, Tinnevelly, Bellary, and Coimbatore. I would reserve every other appointment for nomination by Government, *i.e.*, the next vacancy might be made elective; the subsequent one reserved and so on alternatively.

I should be inclined to add Ootacamund, Cocanada, and Calicut.

3. The franchise should be kept high at first—say that each taxpayer of Rupees 15 and upwards should have a vote. This will, I should hope, prevent a demoralizing canvass and competition. No candidate should be eligible who pays less than 50 Rupees. On these points it might be well to consult Municipal Boards again—at least the Board of Municipalities to which the system is to be extended.

W. ROBINSON.

No. 6.

Guddapah District,
Municipal Office
Cuddapah 7th August
1874.

From W. S. Foster Esquire
President

To The Honorable D. Carmichael
Actg Chief Secretary to Government
Fort St. George

Sir,

In reply to the Proceedings of Government No. 1218 dated July 23rd 1874, Financial Department, I have the honour to inform you that I do not think it advisable to introduce the provisions contained in the Towns Improvement Act for the election of Commissioners by the rate payers.

I have the honour to be,
Sir,
Your most Obedt Servant
W. Foster
President

Exd. P. Ramachandrum
Head Clerk

Govt. of India Works.

FINANCIAL.

To

ALL PRESIDENTS OF MUNICIPAL COMMISSIONS.

Dated January, 27th.

Read —

G.O., 27th January 1875, No. 152.

JANUARY.
Nos. 202-205.

Municipalities.—Orders passed for the introduction into certain Municipalities of the system of the election of Commissioners by the ratepayers.

No. 38

Coimbatore Municipal Presidency Office—
Commcgy 4th August 1874—
Despd 6 August—

From,

C. Wedderburn Esqre,
President Municipal Commission Coimbatore.

To,

The Honorable D. F. Carmichael,
Chief Secretary to Government Ootacamund.

Sir,

In reply to Proceedings of Madras Government, 23d July 1874, No. 1218, requesting Presidents of Municipalities to report how far, in their opinion it would be advisable to introduce election of Commissioners by rate-payers, according to Section 9 of the Towns Improvement Act, I have the honor to report that in my opinion, a moiety of the non-official Commissioners, might be elected -

2-

As a rule, the persons already selected to serve as Commissioners, have been those whose intelligence has recommended them for a post, which necessitates views of local improvement, not yet popular; and while, as a rule, under other circumstances, the election of all the Commissioners might be by vote of rate-payers, the probability

is that rate-payers, in general, would, if they took the trouble to vote, elect such persons as would spend little on Sanitation, Hospitals, and the like -

3- The results of clean, well, lighted Streets, improved water supply, and the like, have now become more apparent to the conservative native mind, but still there is the impatience of taxation, however slight, and a reactionary policy might follow a larger admission of elected Commissioners -

4 - I think I have gone as far as prudence admits, in suggesting one-fourth of the Commissioners to be elected; as a rule, the official members represent the intelligence of the Commission -

I have the honor to be,

Sir,

Your Most obedient Servant.

A Mackenzie

President -

(1)

Rec'd 5th Aug 1874
Rec'd 8th Aug 1874
No. 38

Submitting opinion
regarding extension of
Commissioners by Vote
System.

From
The Collector of Bellary
To
The Chief Secretary to Government
Madras
No. 88 Dated 5th August 1874

Sir,

I have the honor with reference to the first Para of Government Order Financial No. 1218, dated the 23d. Ultimo, to state that, in my opinion, it would not be advisable to introduce the provisions for the election of commissioners by the ratepayers in the two smaller Municipalities of Gooty, and Anantapore. The population is small, and the introduction of the measure would create grievous discord.

2. With regard to the two larger Municipalities Bellary and Adoney, the case is different, and in these, I would recommend that at first the three official members be allowed to be elected by the ratepayers;

The official members for the present, till the working of the system of election be tested, being appointed by Government as before.

I have the honor to be
Sir
Your most Obt. Servant
R. Master
Collector & President

Et: H.I.H.M.

(2)

Finance DEPARTMENT.
BELLARY COLLECTOR'S OFFICE

Dated 5 August 1874 No. 88

To,
The Revd J. Cain, Wesleyan
Mission
Bellary

Enclosure.
Received 7 August 1874.

Reverend Sir,

The Municipal Commissioners of the Municipality of Bellary having resolved to elect their Chairman and Vice-Chairman at their next meeting, I have the honor to request that you will be so kind as to favor me with your opinion as to the number of votes which each of the Commissioners should be entitled to give at the election of the Chairman and Vice-Chairman.

I have the honor to be
Reverend Sir
Your most obedient
Servant

[illegible]

No. 1780.

Bellary Collector's Office
6th August 1874.

From

G. Cain Agnew Esqre.
President Municipal Commissioners Bellary

To

The Honble D. F. Carmichael
Actg Chief Secretary to Govt.
Fort Saint George

Sir,

Adverting to para 1 of Government Order, Financial &c. dated 23d July 1874, No. 218, Parliament,

I have the honor to state my opinion that it would be very inadvisable to introduce the provisions for the election of Commissioners by the rate payers of the town of Bellary.

2 For a true picture of the light in which Municipal institutions are regarded by the town people of

of Bellore, I beg to refer the Government to my letter of 22nd July 1872, embodied in Government Order, Financial Department, dated 9th September 1872, No 1193. The Government would only render themselves unpopular by attempting to force upon the people functions which the latter are utterly incapable of appreciating, and consider it a decided hardship to be asked to perform.

I have the honor to be
Sir
Your most obedt servt

[illegible]
President

Ms.

SOUTH ARCOT.

No. 30

President
~~COLLECTOR'S~~ OFFICE.

Camp Pondicherry
19th August 1874.

From

J. H. Garstin Esquire
Ex. Municipalities
President ~~Collector~~ of South Arcot.

To

The Hon. D. F. Carmichael
Chief Secretary to
Government
Madras.

Sir,

In reply to the Proceedings of Government of the 23rd July 1874 No 1218 Financial Department, I have the honor to state that in my opinion it is not advisable to introduce the provisions contained in Section 9 of the Towns Improvement Act for electing the Commissioners by the rate-payers into either of the Municipalities in this District.

I have the honor to be
Your most obedt Servant

J. H. Garstin
President
of the Municipalities
S. Arcot

(3)

From
Vice President (Municipalities)
Chingleput
To
The Chief Secretary
to Government.
No 1858
Financial Dept
Dated 6. 8. 74.
Despd 7. 8. 74.
Rect 11. 8. 74.
No 1730.

Adverting to G.O. No. 2312 dated 23rd July 1874 No 1218, Financial Department, submits opinion that it would be very undesirable to introduce the provisions of Section 9 of the Towns Improvement Act for the election of Commissioners by the rate-payers in either of the Municipalities of this District.

J. Thomas

Received 1874. SOUTH ARCOT.

From

The Collector of

South Arcot.

To The Chief Secretary to Government Madras.

Dated 19th August 1874.

Received 25 August 1874.

ENCLOSURE No. 30 / No. 1756

Subject.

Stating that the document considered inadvisable to introduce in this District the practice of electing Commissioners by the rate-payers

No. 32

COLLECTOR'S OFFICE.
Cuddalore
29th August 1874.

From

J. H. Garstin Esquire
President ~~Collector~~ of South Arcot
Municipalities.

To The Honorable D. F. Carmichael
Acting Chief Secretary
to Government
Fort Saint George.

Sir,

In continuation of my letter of the 19th Instant No. 30 I have the honor to forward copy of a communication from the Vice President of the Chedambaram Municipality dated 24th Instant No. 54 stating his views on the question of the election of Municipal Commissioners by the voters of rate payers in that Municipality.

I have the honor to be
Sir
Your most obedient Servant

J H Garstin
President S.A. Municipalities

(23)

No 43

President's Office
Madura
25th August 1874.

From,

W. McDuhpe Esquire
President of the
Municipal Commissioners
Madura & Dindigul

To,

The Honorable D. F. Carmichael
Acting Chief Secretary to Government
Financial Department
Fort Saint George.

Sir,

With reference to the Proceedings of Government, Financial Department, dated 23rd July 1874 No 1218, I have the honor to report that in my opinion it would not be advisable to introduce the provisions of law for the election of Municipal Commissioners in Dindigul. It is a small place with few educated inhabitants and the majority of the Commissioners are opposed to any change.

2. In Madura the experiment might be tried but at least half the number of the Commissioners should continue to be appointed by Government. To the Honorable people

Annual 1874. Sept 1874.

SOUTH ARCOT.

From Receiver

The Collector of South Arcot Municipal Council

To Mr Chief Secretary to Government

Dated 29th September 1874

Received 5th October 1874

ENCLOSURE

No. 32

Subject.

Submitting copy of a letter from the Vice President, Chairman Municipality stating his views on the question of election of Municipal Commissioners by voters of rate payers

people the idea is novel and unintelligible and I have extracted no opinion on the subject from those I have consulted. The weak point of the Municipality is the executive. There is more talking than thinking and working and I doubt whether any improvement will be effected by introducing election at present. What we really want is a good and energetic Vice President and many of the Commissioners think he should be paid.

I have the honor to be
Sir
Your most Obed. Servt

W. McLaren
President

(6)

1874 Municipal Reforms
From
The Presidents
Municipal Commissioners
Madras
To
Chief Secretary to Government
Fort St. George
Dated 25th August 1874
Received 3rd Sept 1874
No 43

Referring to G.O.
No 1218 dated 23rd July 1874 on the
subject of the election of
Municipal Commissioners
by the rate payers -

No 1283

Vizagapatam 24th September 1874

From

A. McC. Webster Esquire
Ag President Municipal
Commissioner

To

The Honorable D. F. Carmichael
Ag. Chief Secretary to Government
Fort St. George

Sir,

In reply to G O No 1218 dated 23d July 1874, I have the honor to forward for the information of Government copies of the replies received from the Vice Presidents of the three Municipalities in this District on the question of the election of Municipal Commissioners by the rate payers - Two of the three Vice Presidents are in favor of election, and the third while of opinion that the proposal would be acceptable to the higher classes of natives in the Town, does not consider it desirable at present -

2 In my opinion I think it would be

very advisable to allow a certain number of the non-official Commissioners to be Elected by the Rate payers, and would fix the proportions at one half. If the result is sucessful, the principle might be hereafter applied to all the non-official members.

3 Regarding the franchise, I would as a beginning at all events fix it rather high, and would suggest that it should be restricted to house holders paying 10 Rs and upwards per annum House Tax.

I have the honor to be
Sir
Your most Obed't Servant.

B W.J Wallace
Ag President M.C

No 26

To
The President M.C.
Vizagapatam

Sir

Referring to your Enquiry on my letter of the 15th Instant, I have the honor to propose a House franchise, as the Rate payers, are considerably more than those under "Profession" and there would thus be a wider field for electioneering, tho' the money-income is greater under the latter than under the former head, as shewn below.

House Tax	Profession Tax
No of persons 1854 Amount 2055	No of persons 462 Amount 1,12

Vizagapatam
icipal Offic
ugust 1874

I have &c &c
(signed) J.W. McMurray
Vice President M.C.

True Copy

B W.J Wallace
Acting President M.C

Rec'd 19th Aug

1874 Despatch
Enclosure No 1.
A letter from the
President Municipal Commrs
Vizagapatam dated Septr 14th
1874, No 1283

Copy of letter from
the Vice President, Mpl Commrs
Vizagapatam to the
Collector -

Office of Municipal Commission 31 Municipalities
19th August 1874.

To, The President of Municipalities
Vizagapatam.

Sir, I have the honor to acknowledge receipt of your Circular of 14th Instant on the subject of G.O. No 1218 dated 23rd July 1874.

I scarcely think it would be advisable for the present at all events - to give rate payers a voice in the choice of Municipal Commissioners. So far as my experience goes native Commissioners have not shown that amount of active and intelligent interest in Municipal work as to lead me to think it desirable to strengthen the native element (if I may so express myself) in the constitution of the Commission, and this, I apprehend, would be the effect of adopting the principle of popular election. I do not believe it can be shown, that officers appointed by popular election would give more satisfaction in the administration of Municipal affairs than officers selected as they hitherto have been - At the same time, I must add that the proposed concession would doubtless be acceptable to the higher classes of natives

in

in this town.

I have the honor to be

Sd / G. Ripley.

Vice President

(True Copy)

A W. Thomas

Ag President Municipal Commission

№ 45

To The Treasury Deputy Collector
for President M. C. Vizianagrum
Vizagapatam

Sir.

With reference to your Circular
No 1156 and para I of G.O. No 1218 dated
23d July 1874, asking my opinion as to how
far it would be advisable to permit rate
payers to elect Commissioners under section
9 of the Municipal Act. I have the
honor to say that it would be advisable
for a certain number of Commissioners
(say 4 out of 8) to be elected by educated
and creditable citizens who form the
rate payers under the Act

I have &c. &c.
(Signed) P. Jaganatharaz
Vice President M. C.
Vizianagrum

Vizianagrum
18 August 1874

[True Copy]

B. W. J. Williams
Acting President M. C.

18 Sept
Executive No 2.
Sir Letter from the
President M. C. Vizianagrum
dated 18th August
1874 on subject
Municipal Act

Copy of Letter from
the Vice President M.C.
Vizianagrum &c.
dated 18th August 1874
&c. &c.

Rec'd 18 Sept 74

No 57.

To,

J. H. Garstin Esquire
President to the
Cuddalore Municipal

Sir,

Adverting to your letter
No 29 of the 15th Instant, I have
the honor to inform you that
the scheme of allowing rate-
payers to elect Councillors
by votes may do well enough
elsewhere but not here, in this
Town there are very few learned
heads and a still smaller
number possessing with enough
to use their judgment to aright
in so important an affair,
for excepting the officials of the
Court and the Cutcherry and
some School-masters who for the
most part are outsiders, there are
few

Despatch No 3.
A letter from the
Cuddalore Municipal
Council dated 15th
September 1874
Forwarded

Copy of letter from the
Vice President Municipal
Council Cuddalore, to the
Collector.

Received 17th Sept 1874

few in number in whom the
privilege can safely be vested.
And although I am of opinion
that the present choice of Com-
missioners is none of the very
best or at least susceptible
of no small improvement
yet I cannot strongly recom-
mend the scheme being
applied to this Town. This
Municipality is yet in its infan-
cy being but about ten
months old; and was strug-
gling for its very existence for
months after its introduction.

I have &c
Signed/ P. Kennaspal
Vice President.

Municipal
Commissioners
office, Clyde
Otago 24th
August 1874

/True Copy/

H Gaulter
President

In a letter from
the President of
S. Ared Municipalities No 32 Dated
29th August 1874.

Fwl 182/74

(43)

Commissioners Office.

No 60 Otaraamund 5th September 1874

From J. R. Cockerell Esqre
President Municipal Commissioners Nilgiris

To The Chief Secretary
to Government
Otaraamund

Sir

I have the honor to refer to Government Order No 1218 of 28th July 1874 calls for reports from Presidents of all Municipalities upon the expediency of the members of those bodies being chosen by election.

2 The following resolution on the subject was passed by the Otaraamund Municipal Commissioners at a meeting held on the 15th August 1874.

"Read Government Order dated 28th July 1874 No 1218 Municipal and Local Fund Boards. All Presidents of Municipalities called upon to report how far in their opinion it would be advisable to introduce the provisions for the election of Commissioners by the rate payers contained in Section 9. of the Towns Improvement Act. In the case of Local Fund Boards no reappointments to be notified in the Gazette of existing members whose term of three years has not

(8)

15/74
Municipal Chairman
No 1874
To
The President Nilgiris
&c &c &c

Chief Secretary
to Government
Otaraamund

Dated 6th September 1874
Rec'd 14th September 1874

No 1253
Enclosures 3 (illegible)

Returning address
with following Rules to be
enacted as laws by
the Commissioners
of the Municipalities.

not expired but the President to report to Government on the expiry of any members term of service whether he would recommend his re appointment or the appointment of a new member."

"He Commissioners are of opinion that the time has not arrived as far as this Town is concerned for the introduction of the provisions of the Act for the election of Commissioners by the rate payers."

3 He Honor Commissioners passed the following resolutions at a meeting held on the 12th August 1874

"Read Government letter dated 28th July 1874 No 1218 Municipal and Local Board Acts. All Presidents of Municipalities called upon to report how far in their opinion it would be advisable to introduce the provisions for the election of Commissioners by the rate payers contained in Section 9 of the Towns Improvement Act. In the case of Local Board to re appointments to be notified in the Gazette of existing members whose term of three years has not yet expired but the Presidents to report to Government on the expiry of any members term of service whether he would recommend his re appointment or the appointment of a new member"

(45)

"Resolved that in the opinion of the Commissioners it is not advisable to introduce the provisions for the election of Commissioners by the rate payers contained in Section 9 of the Towns Improvement Act."

4 In submitting these resolutions it is proper I should state that they testify a difference of opinion with a former commission composed as follows:-

J. W. Brooks Esqre
Captain Woodhouse
Vacant
H. R. Dawson Esqre
G. J. Glasson Esqre
H. J. Selmont Esqre
F. Clarke Esqre
C. A. Gatton Esqre

which on the 12th September 1870 expressed itself as follows with reference to a similar requisition to the present, made in Government letter dated 28th August 1870-

"He adoption of the elective principle in the appointment of Commissioners is expedient. That all the Non official members should be elected by the rate payers that 2/3 of the Non official Commissioners should be elected by the European and East Indian Community and that the

proceeding

remaining 1/3 should be the representatives of the native community and that all persons paying a tax on houses or lands and paying a trade tax shall be entitled to a vote."

5 The foundation of the view adopted by the present Commissioners may be shortly stated. They observe that the power of government under the Municipal Act is limited to sanctioning the proposals of the Commissioners and that all the taxes permitted by the Act, but the profession tax which is in abeyance are taxes of which the minimum rate is not prescribed. They observe further that the Act provides for the interference of Government only so far as relates to the exemption of the Municipal Accounts In these circumstances it seems obvious that if the Municipalities became entirely elective they might reduce taxation to a minimum and very much accommodate the benefits the Act is calculated to confer.

6 There is a strong feeling in some quarters outside the Cantonment Municipality in favor of election and of the class of arguments employed for the principle, one that rate payers know their own interests and would discern the advantage to the community of raising funds sufficient for all reasonable Municipal objects. and that other that tax payers have an inherent right to dispose of the funds the produce of rates.

7. With regard to the first argument there are several considerations to be weighed It must be remarked in the first place a universal complaint is that people are not as a rule capable of discerning their own interests and in a place like Cantonment no lack of public improvements would prevent the resort of visitors to the station or diminish the gains now secured from visitors by residents.

8 As regards the second argument it is sufficient to draw attention to the fact that the Municipal Boards owe much to Government assistance and that therefore Government have a claim to intervene in Municipal affairs so far as that can be arranged. There in principle there is no difference between local and Imperial taxation and no tax payer can claim to administer the latter in toto

9. It may be well here to note what the feeling of rate payers regarding the Municipal Act is. That feeling has not altered since Municipalities were first introduced. In Government Order Public Department dated 8th August 1866 No 295 the residents

residents petitioned Government to exempt Potacaumma from the application of the Municipal Act and the Government in declining the prayer called upon the loyalty of the Inhabitants and trusted there would be found "sufficient public spirit" to enforce the Act "with energy and success."

10 The feeling of rate payers in the sense described is further testified by Government letter Public Department dated 28th October 1868 No. 1348 wherein the Government expressed themselves as not prepared to admit that the House Tax could not be; as the Commissioners affirmed; fairly raised to 7½ per cent.

11 In Government letter Public Department dated 18th April 1869 No. 480 the Government observed "No class is more directly interested in the reputation of Potacaumma as a Sanitarium than the owners of Houses" Yet the Commissioners would not raise the House tax from 5 to 7½ per cent as they were enjoined to do.

12 The above relates to European residents. The native residents have not as far as I am aware given expression to any opinion regarding the Municipal Act as applied to Potacaumma.

13 In conclusion I beg to annex a list of residents who have been asked to become Municipal Commissioners at Potacaumma

and have refused..

Mr. Mc Ivor
" J. Murray
" F. Fletcher
Col. Scott
Mr Allamby
" Mercer
" Mosquitte

It has been urged that some of these gentlemen would join the Commission if the elective principle was introduced If this is so the implication is they would act for their own purposes and not from public zeal as the latter sentiment would have induced them to act on the present Commission.

I have the honor to be
Sir
Your most obedient Servant

E. Corbett
President

(51)

No 168.

Municipal Commissioners Office.

Mangalore 5th September

From

The President of the

Municipal Commission.

Mangalore.

To

The Ag: Chief Secretary to Government

Fort Saint George.

Sir,

In conformity with G.O dated 23rd July 1874 No 1218 calling for a report as to how far it would be advisable to introduce the system of election of Municipal Commissioners by the rate-payers, I have the honour to state that I laid the matter before a meeting of the Commissioners and that after well weighing the arguments for and against such a step they unanimously come to the Conclusion that the introduction of such a system would be highly undesirable.

I have the honour to be,

Sir,

Your most obedient Servant

M. Thimel.

President

K.M.

(53)

No 19 Cuddapah, Municipal Commissioners
Office - 6th September 1874.
Dr 10 dr- dr.

From

W. D. Horsley, Esquire,
President Municipal Commissioners
Cuddapah

To The Honorable D. F. Carmichael
Off Chief Secretary to Govt.
Fort Saint George.

Sir,

With reference to G.O. No 1218, dated July 23/74, Financial Department, I have the honor to state that the members of the Cuddapah Municipality are in favour of the election of Commissioners by the rate payers being tried as an experiment.

2. I am also in favour of a trial of the system. It will certainly do no harm, and it remains to be seen whether it will do good. I am inclined to say that the rate payers will not trouble themselves very much about the election. They do not

From 1874 Septr
Municipal Department
No 19
Cuddapah
Dated 6th September
Rect 12. — No 1083
Electorate: and
stating as to reference to G.O. dated
23rd July 1874 No 1218 the Commissioners
are in favour of the election by the
rate payers being tried as an experiment
2. I am also in favour of a trial of the
system. It will certainly do no harm
and it remains to be seen whether it will
do good. I am inclined to say that the rate payers will not trouble themselves

not care who are the Commissioners so long as the measures adopted by the Municipality are beneficial to the town.

I have the honor to be

Sir.

Your most Obt. servant

L. Ramaswamy

A.J. Deputy Collector

for President

To

C. Sankara Menon Esq.

President

Krishna District 5
Collector's office.
Masulipatam.
7th September 1874.

No 1487

From G. D. Leman Esquire,
President, Municipal Commissioners
Krishna District

To The Honorable D. F. Carmichael
Ag: Chief Secretary to Govern.
= ment. &c &c &c

Sir,

I have the honor to reply to G.O. No: 18 dated 23d July 1874. F. D., that I am not of opinion that the introduction of the provisions for the election, by rate-payers, of any of the Commissioners is

advisable at present.

2. There is very little interest taken in the working of the Act by the people of this District; and there would be no interest taken in the election.

I have the honor to be

Sir

Your most obdt

Servant

S Sherman

President

No 14

Municipal Commrs Office
Kurnool 9th September

From

James Hope Esqre
President Municipal Comrs
Kurnool

To,

The Chief Secretary
to Government
Fort Saint George

Sir,

With reference to Govern-
-ment Order No 1218 dated 23d July
I have the honor to subjoin a Copy
of the Resolution passed by the
Municipal Commissioners recom-
-mending that two members may
be elected by the rate payers and
to state that the rate payers of
Kurnool who are generally house
-holders are not sufficiently intelligent
or wealthy to warrant the appoint
-ment of a larger number by election.

I have the honor to be
Sir,
Your most Obedient Servt

James Hope
President

Received 14th September 1874
No 1692
From
The Chief Secretary
Municipal Commissioners
Kistna District
To
Municipality Chief
Secretary to Govern-
-ment Municipal
Department.
Cottamunch
Date 7th September 1874
Received 14th —
Reply
Notify that the resolution
has been published & the
provisions for the election of
rate payers, & any 7 the
Commissioners is admissible
at present

Extract from the Proceedings of Burnie Municipal Commissioners dated 27th August

Read Government Letter No. 1218 dated 23rd Inst. & 16/71 requesting the President to report how in his opinion it would be advisable to introduce the Provisions for election of Commissioners on Rate payers contained in 9 of the Towns Improvement Act.

At present it is desirable to increase the number on the Board by 6 members. It is proposed by the Commissioners that 2 out of this number be elected by the Rate payers as an experiment.

[Signed] J. Hope
President

(True Extract)

Burnie
Mr. Com's Office
9th Sept. 1871

L. Hake
President

Burnie Municipal Commissioners
Extract from Proceedings
dated 27th August 1871
Re Election of 2 Commissioners by Rate payers
Encl. 1
Enclosure 1
Copy of Resolution forwarded to Colonial Secretary by the Chairman of Commissioners for separating the election of the Municipal Commissioners by Rate payers

Enclosure
to Updates 9th Sept
1874 from the Pr
Municipal Co
Received

No. 96. Municipal Commissioners' Office
Salem 9th September 1874. (65)

From

The President
Municipal Commission
Salem

To The Chief Secretary to
Government.
Fort Saint George

Sir,

In acknowledging receipt of G. O. No. 1218 of 23d July 1874, I have the honour to state I propose that the provisions of the act be tried as an experiment in the case of some of the Commissioners whose term of service as the Commission exceeds six years. Four of the Commissioners as per margin have informed me that they are quite willing to seek re-election at the hands of the rate payers.

x
Messrs Small.
" Gorinda Ras.
" Abib Saib.
Francis.
Modaliar.

2

2. I think it premature to elect the whole of the commissioners by vote and would first see how the system works in the case of the above mentioned four gentlemen. I should propose the election be conducted by ballot.

I have the honor to be
Sir
Your most Obedient St.

C. J. Langley
President.

From
The Acting President
Municipalities
Georgetown

To
The Acting Chief Secretary to Government
Financial Department
Colonial.

No 1836. 67

Dated Chatterpore, 12th September 1874.

Sir,

With reference to Government Order dated 23rd July 1874 No 1218, in which I was called upon to report how far in my opinion it would be advisable to introduce into the Municipalities in this District the provisions for the Election of Commissioners by the rate payers contained in section 9 of the Town's Improvement Act, I have the honor to inform you that on the 18th ultimo the Municipal Commissioners of Chicacole passed a resolution to the following effect.

"Resolved

From the Acting President Municipalities Georgetown to the Chief Secretary to Govt Financial Dept Colonial. Dated 12th September 1874. No 1836. Encloses (1). Proposes that the election by vote be tried in Municipalities to certain Commissioners.

"Resolved to intimate to the President
"that it is not advisable to introduce
"into Chicacole the provisions contained
"in section 9 of the Act, as most of the
"rate payers are agriculturalists, and
"unable to read and write."

2. In the face of so decided an expression of opinion in regard to the inexpediency of substituting an elective element in the place of the present mode of nominating Municipal Commissioners, I am not prepared to advocate a contrary policy as regards Chicacole.-

3. The case is different, however in the Berhampore Municipality, where education has made greater progress.-

4. It is very desirable that an effort should be made to induce rate-payers to take a more active interest in the general welfare of the Municipality and in the measures which from time to time are adopted to promote the interests of the general community, and I think it would be worth while trying the experiment in a small way of introducing the provisions of section 9 of the Act, in the case of two members.-

5. I have no expectation that the services of better men than those now in office will be obtained, but I see no reason to suppose that inferior men would be elected, so that some measure of good however small will be gained if the rate payers are stirred up from their present state of apathy and are induced to take a little interest in Municipal matters which are of the greatest importance to them, though they will

will not recognise the fact.-

(15)

I have the honor to be
Sir
Your Most Obedient Servant
R. Sandson-
Acting President.

Col. Ley
Rajaswaram
Engl. Clerk

Dd
M&R

Judicial 874 Jan.
Local Boards
Electing Municipalities
&c Election
Chief Secretary to Govt.
Chief Secretary to
Government
Financial Dept. to
Collectorate

Date 12.9
Rec'd 12.9 Septr. Tinnevelly
Rec'd 23.9 No 1836.
No 1819

Public Government
Tinnevelly Collectorate 23 Sept 874
No 2039 Tinnevelly Courtalam 12th September 1874
From. R. K. Puckle Esqr
President of the Municipal & Local Fund Boards
To The Honorable D. F. Carmichael
Chief Secretary to Government
Madras

Sir,

In reply to Government Proceedings No. 1218 dated 23 July 1874, I have the honor to inform you that I see no objection whatever to the election of Municipal Members by the rate payers - I recommended that this course should be adopted some years ago and as we have the rate payers registered, nothing can be easier than to call on the registered rate payers of each division of the town to elect a member to represent their interests on the Board.

2 This might be done when the present 3 years tenure of office expires, and it would be preferable I think to elect a member for each division or

ward of the town than to elect a given number of Commissioners by a general vote of the rate payers.

3 In the Case of the Local Fund Members, I enclose a list showing the date on which each Member's tenure of office expires up to the end of last month. I propose the reappointment of all of these and the appointment of Saravana Mudali of the Tenkarei Taluq to make up the number of non official Members on the Tinnevelly Local Fund Board.

I have the honor to be
Sir
Your Most Obed Servt

A K Ruckle
President

Compd A. de Pe

List showing the date of appointment and of the expiry of the term of 3 years of each Member of the Local Fund Boards of the Tinnevelly District.

73

	Names of Members	Date of appointment	Date of the expiry of the term of 3 years	Remarks
	Tinnevelly Circle			
	Officials			
1	A. J. Arundel Esqre officiating Additional Sub Collector & Vice President	23d May 1871	23d May 1874	
2	The District Engineer			
3	The Zillah Surgeon			
4	The General charge Deputy Collector			
5	The Inspector of Schools			
6	The Tahsildar of Tinnevelly			
	Non Officials			
1	Ramaier of Tinnevelly	do	do	
2	Ramakrishnaier of Tenkarei			
3	Darmaraja of Strivilliputtur			
	Shermadevi Circle			
	Officials			
1	Sub Collector - the Vice President	do	do	
2	The Inspector of Schools	22d August 1871	22d August 1874	
3	The Deputy do			
	Non Officials			
1	Subbaier of Tenkasi	23d May 1871	23d May 1874	
2	Ramakrishnaier of do			
3	Subramania Karayala Pillai of do			
4	Sami aier of Ambasamudram	22d August 1871	22d August 1874	
5	Kuppaniengar of Kanguneri			

Tinnevelly Collector's Cutcherry
Cutcherry Encastallaum
12th September 1874

A K Ruckle
President

Compd A. de Pe

1874

Dept.

Enclosure in a letter from the Secretary Municipal and L.S. Boards, Limerick to the Chief Secretary to Lord Lieutenant dated 12th Sept. 1874 No 239

Lists showing the dates of appointment of the expiry of the term of 3 years of each member of the Local Fund Boards referred to in the above letter.

Irl. 1537/74.

(16)

Municipal President's Office
on Circuit
Tellicherry, 17th September 1874

No. 8.

From

A. Maclgregor Esqr.

President, Municipal Commissioners,
Malabar.

To

The Honorable D. F. Charmichael
A. Chief Secretary to Government,

Ootacamund.

Sir,

Adverting to G. O. No. 1218 dated 23d July last. I have the honor to forward extracts from the Proceedings of the Commissioners of the Municipalities in this District expressing their views regarding the election of Commissioners by the rate-payers.

2. It will be seen from the above extracts that all the Municipalities * excepting Tellicherry are against the introduction of the measure. The Commissioners

* Cannanore
Tellicherry
Calicut
Palghaut
Cochin.

Commissioners of Killicherry are desirous of introducing it as an experiment, and they restrict the power to certain class of rate-payers.

3. I do not myself believe that the measure would succeed. If the whole constituency were polled, there would be an overwhelming majority in favor of the abolition of all Municipalities. Such a prospect would possibly secure voters, but for the mere election of Commissioners I much doubt if any considerable numbers would record votes. If they did, it would only be by dint of canvassing, possibly on the part of some objectionable individual. No well qualified party anxious to become a Commissioner is under the present system denied the honor. —

The

(Copy)

73

Extract from the Proceedings of a meeting of the Municipal Commissioners of Cannanore, held on the 8th August 74.

× × ×

IV. Read G. O. Financial No. 1218 dated 23d July 1874 and the Memo. appended thereto by the President.

Resolved that the President be informed that, whilst the Commissioners recognise the general desirability of the appointment of non-official Commissioners by the vote of the rate-payers, they are of opinion that this arrangement is not well adapted to the peculiar circumstances of this Municipality, and that its introduction at present would be calculated to influence injuriously the interests of the community.

(True Extract)

by J. C. Johnstone
Vice President.

Extract:

Extract from the Proceedings of the
Tellicherry Municipal Commissioners,
Dated 1st October 1870.

× × ×

2. Resolved that the opinions of the
Commissioners on the following points in
the new Town Improvement Bill be —
communicated to the President with reference
to G. O. No. 140 dated 23d August 1870 and Circular
No. 117 dated 16th July 1870 from the Assistant
Secretary to Government in the Legislative
Department.

I. Section 9. The Commissioners are of
opinion that giving to the whole body of
ratepayers the right of electing Commis-
sioners would not be appreciated by any
but a small portion of the community,
but at the same time they think that the
Ex-Officio Members of the Commission
and the Chief Local Native Revenue Officer
and all rate payers who contribute Rs. 50 —
and upwards to the Municipal Fund
should be entrusted with the selection
of

of Commissioners at meetings to be —
specially held for the purpose.

True Extract,
Sd/ C. Kanaran
Vice President.

Municipal Office
Tellicherry 26th August 1874.

No. 12.

From
M. R. Ry. C. Kanaran
Vice President, Tellicherry Mun. Com.

To
A. Macgregor Esqr.
President, Tellicherry Mun. Comrs.

Sir,

With reference to G. O. No. 1218 —
dated 23d July last, calling on Presidents
to report on the advisability of introducing
the Provision of electing Commissioners
by the rate-payers which I circulated to
the Commissioners and was considered
by them in two of the meetings, I have
the

the honor states that 3 out of the 4 Commissioners present in the last meeting were in favour of introducing it as an Experiment. But they considers it desirable to limit the number of rate payers on whom the power may be conferred. There are 1800 rate. payers within this Municipal limit, of whom 1300 pay rates less than a super rack. That a novel measure such as proposed should be left to the guidance of the latter mentioned portion of the rate. payers they are not prepared to recommend.

Their view once before expressed is appended for your consideration.

Mr. Commissioner Ramsay is against the proposal, his reason being that there is none within this Municipality more competent than Government to elect the Commissioners.

I have &c
By C. Kavanagh
Vice President

Extract

× entered first

Extract from the Proceedings at a meeting of the Municipal Commissioners of Calient held on 8th August 1874.

× × ×

3. The Commissioners are of opinion that the rate. payers would not take the trouble to come forward and vote, if the right of election were conferred on them.

(True Extract)
By A. Macgregor
President

Extract from the Proceedings of the Municipal Commissioners of Balshan dated 13th August 1874.

× × ×

18. Read G. O. No. 139 dated 27th January 1874 calling for reports as to how far the system of election of Commissioners by rate. payers would be useful.

The Commissioners prefer the present

present system and think that election is not suitable to this Municipality.

(True Extract)

Sgd W. T. Knox
Vice President.

Extract from the Proceedings of a meeting of the Municipal Commissioners of Cachin held on Tuesday the 11th day of August 1874.

Read Proceedings of Government dated 23rd July 1874 No. 1218, calling for report as to how far it would be advisable to introduce the elective principle in the appointment of Commissioners.

Resolved after careful consideration of the subject that the President be informed that in the opinion of the Commissioners the time has not arrived for the introduction of the provisions for the election of Commissioners by the rate-payers contained in section 9 of the Towns' Improvement Act. The same objections

objections apply now against the adoption of the elective principle as in 1870 when the matter was referred for the opinion of the then Commissioners of this Municipality.

(True Extract)

Sgd D. Noble.
Vice President

(True Copies)

A Macaulay
President

The difficulty is to find people able—
and willing to be Commissioners.

I have the honour to be,
Sir,
Your most obt. Servt

Alex Spencer
President

Encl. A letter from the
President Board
Commissioners Madison
elected 1st Tuesday
April 1834

Encl. A letter from the
Proceedings of
Court of Commissioners
of the Recovered
Lands ceded
Feby 20th 1832.

Received 5th May 1834.

(17)

Trichinopoly, Municipal Office,
21st September 1874.

No. 104

From

The President
Municipal Commissioners of Trichinopoly.

To

The Chief Secretary to Government,
Financial Department,
Fort Saint George.

Sir,

Potacamund

With reference to Government order No 1218 dated 23. July 1874 and Official Memorandum No 257 dated 1st Instant I have the honor to state that I have personally no objection to the election of Commissioners being tried as an Experiment; but I am not sanguine as to the result.

2. I have delayed replying to the order of Government as I was anxious to have the opinions of the Commissioners themselves on the subject; but as I have not yet received a single written communication from any one I can only communicate my impressions of the general opinion as derived from several discussions; and

I am

The Municipal Office
Trichinopoly
Received 24th Sept 1874.

To
The Chief Secretary to Government
Financial Department
Fort St George

Sir,

Having entered upon the duties of the Commissioners appointed by G.O. No 1218 dated 23rd July 1874 to the Municipal Council of Trichinopoly I have the honor to submit my views on the subject.

I am

I am quite safe in saying that there is a strong party in favour of election with a carefully restricted franchise; and there is also, I believe, a considerable party on the other side who are opposed to election and think it altogether unsuited to the present state of Society.

3. I am myself inclined to agree with the latter, as I do not believe the privilege of election would be appreciated (or if it was it would only result in the election of Commissioners pledged to oppose all taxation, and all interference, especially in Sanitary matters-) and I am sure the franchise would require to be narrowly restricted, altho when the elective principle is once admitted it is difficult to see how it could be fairly contended that every Ratepayer should not have an equal right to vote, at any rate in proportion to the amount of taxes.

But

4. But the great body of Ratepayers do not yet feel sufficient interest in Municipal reforms to make them reliable electors; & as observed before, if they took any interest in the matter all (which I doubt), their tendency would be to elect Commissioners who would follow the great principle of Laissez faire.

I have the honor to be
Sir
Your most obed[t] Servt

J. B. Pennington
President

Compd
A. Starbuck
Translator

(18)

Received 18th September 1874 Referred to
from
The Provincial
Commissioner
Kruisdorp
No
The Chief Secretary's
Government
Natal

Date 21st
Rec'd
Despd 22nd } Sept 1874
Regd - No 104 No 1984

Report on C.C.
No. 1218, dated 23rd July/74

Approved

Copy

Laing's Nek's office
Laing's Nek 25th September 1874

No 184

From,
The President
Municipal Commission
Laing's District

To
The Honorable D. F. Carmichael
Chief Secretary Government

Sir

With reference to the
letter of Government dated
23rd July 1874 No 1218, I have the
honor to report that I do not
think that the time is yet come
for giving effect to the provi-
sions contained in Section
9 of the Town's Improvement
Act regarding the election of
the Commissioners in Munici-
palities by the Ratepayers
in this District.

The lower classes of the
ratepayers who, of course, form
an overwhelming majority
are

are hardly, I believe, except reconciled to the provisions of the Town's Improvement Act and are not likely therefore to realise the privilege conferred on them. The Conservancy provisions of the Act interfere in many ways with the time honored practices and the additional burden of taxation which it imposes adds, of course, to its unpopularity. The benefits conferred by these capabilities which are seen in the general results they are not capable of perceiving. In saying this I include of course, the lower & ignorant classes, but as these classes will form in a general election by ratepayers an immense majority, the member that is elected is not likely to be the fittest & the most suitable person. The ignorant ratepayers who take but little interest in the Municipal Proceedings cannot be more than ordinarily capricious in their choice, if they exercise an independent judgment at all, and if they do not, it is the most troublesome and mischievous characters that will get elected.

I suppose that if the privilege is conferred at all, it must be conferred under section 9 of the Act and the ratepayers alike cannot be confined to a particular description of them so as to secure intelligent electors. I think it would therefore be advisable to

to wait till the lower classes become better educated and more intelligent.

The present system of appointments by Government has at least this recommend it viz that the members chosen are always respectable men, but it is often difficult to get even these men to take an interest in Municipal business.

I have the honour to be,
Sir,
Your most obd. Servant,
D. Kirkwood
President

93

(19)

1874 Fwd. Despatches

No. 201

From The President
Municipal Commissioners
Conjeveram

To The Chief Secretary to Govt.
Fort Saint George

Dated 28th October 1874
Rec'd 29th do
No 184

Referring to the Govt. Order
of the 23rd July 1874 No. 1218 on the
subject of the Municipal Commissioners
for Conjeveram, I have the honor to
report that the Commissioners have
not yet come to any decision on the

Chingleput District Collector's Office,
Saidapet, 6th October 1874

No. 87

From

W. E. Stokes Esqre
President of the
Conjeveram Municipality.

To

The Honorable D. F. Carmichael
Chief Secretary to Government
Madras.

Sir,

Referring to Government Order
23rd July 1874 No. 1218, I have the honor
to forward copy of a letter from the
Asst Collector Mr Crole and to
state that I concur with him in his
opinion as to the inadvisability of in-
troducing election of Municipal
Commissioners in Conjeveram. The
experiment should in my opinion be
confined to a few of the very largest
Municipal towns.

I have the honorable
Sir
Your most obedt Servant,

H Stokes
President

Chinglepet Sub Collector's Office
28th September 1874.

No 528

101

From,
C. S. Crole Esqre
Actg Sub Collector of Chinglepet,

To,
H. E. Stokes Esqre
Actg Collector of Chinglepet.

Sir,

I have the honor to acknowledge your Docket on G. O. Financial Deptt dated 23d July 1874 No 1218, and in reply to state that the Municipal Act depends for its success entirely on the exertions of the officers of Government, and is not generally understood or appreciated by the people. This taken along with the entire absence of any public spirit or interest in such matters on the part of the rate-payers, renders the election of Municipal Commissioners in my opinion, most unadvisable. It would be a pure farce, and the power, if used at all, would certainly be only availed of in the interest of some clique for its own private ends. —

† dated 31st Augt 1874 No 1290.

I have &c
(signed) C. S. Crole
Actg Sub Collector

(True copy)

H Stokes
Ag President.

Ex 16

In a letter from the
President of the
Conferaum Municipality dated 6th October
1876 No 87.

Encl 2103/74.

No. 74.

North Arcot Magistrates Office
Camp Palmanair 27th October 1874.

105

From,

W. S. Whiteside Esqr.
President Municipal Commission
North Arcot

To,

The Honorable D. F. Carmichael
Chief Secretary to Government
Fort Saint George

Sir,

I have the honor with reference to the order of Government in the Financial Department dated 23 July last No. 1218 to report that the opinion of the Municipal Commissioners of Vellore and Wallajapett having been canvassed, the former have submitted that one third of the Commissioners forming a Municipal Board should be elected by the rate-payers, but that the votes should be restricted to householders who pay an annual house tax of Rupees 2 and upwards to the Municipality.

2. The Municipal Commissioners of Wallajapett have stated as their opinion that the time has not yet arrived, as far as their Municipality is concerned for the introduction of the provisions of the

Rec'd 6/10/1874 Dept

From,

THE PRESIDENT
OF THE CONSERVANCY
Municipality

To

THE CHIEF SECRETARY
TO GOVERNMENT.
Madras.

Rs. 2/100
Dated 6 October 1874
Received 8

ENCLOSURE.
No. 87

Stating that the election of Municipal Commissioners for the Rate-payers could not advisably

Act for the election of Commissioners by the rate payers.
Thus, I beg to inform the Government, is the bona fide and unbiased opinion of a purely Native Municipality. I was anxious to learn the real views of the Commissioners on this important question, and to that end I most carefully abstained from in any way communicating to them either indirectly or directly any expression of my own thoughts on the matter. As such, their opinion is entitled to respect, and in it I beg to express my concurrence.

3. I have now had considerable experience of the working of Municipalities in various Districts, and have taken pleasure in the work thus thrown on me, being fully alive to the immense advantages which result to the Towns where the Municipal Act has been brought into operation both as regards actual improvements to roads, drains, tanks &c. &c, and also in the General health and well being of the people. I can therefore venture with confidence to declare as the result of my experience that in spite of the advantages they derive from the operations of the Municipalities, and which they are usually very ready to admit, the inhabitants of the

several Municipalities are not yet in such a state as renders it safe to entrust to them the appointment of their own Commissioners. (16)

4. Hindus generally have no public Spirit or individuality of character. They are as a rule afraid to express openely their opinion on public matters, unless on some emergency when they consider their own peculiar interests are concerned. Apathetic by nature, they readily follow any lead given them by those to whom they look up, or are in any way subordinate. And nice should find if the nomination of Commissioners is entrusted to them that the parties so nominated and elected will invariably be the most wealthy coolies and Merchants of the Town, and not those who from their intelligence evince a real desire to maintain a steady improvement in the condition of their fellow Townsmen.

5. I believe that if the Government decide on making such a change in the mode of appointing Commissioners, we shall speedily have to note increased difficulty in working the Act. Even now, after the time that has elapsed

since Municipalities were first introduced, the management of a large Municipality is by no means a matter of simplicity. Occasionally questions of a delicate and difficult nature crop up which require the very best men we can get for their consideration and disposal.

6. Natives are intensely conservative. What suited and was good in the eyes of their forefathers is good enough for them, and if they possibly can resist any innovation they generally do, even though the proposed change would manifestly be to their benefit. Witness, for instance, the insuperable difficulty the Municipalities of Cuntoor and Mangalore have experienced in persuading the Native Tax-payers to give up the use of the open cesspools in every back yard which poison the air, and are a fruitful source of disease. As a rule they will put up with changes and improvements even though they do not really like them, but they will never initiate such changes, & as I have observed, if they have any opportunity, they oppose them. (I should explain that I am here alluding more especially to Sanitary improvements, one of the most important duties of

every Municipality). If then we now proceed to throw the selection of their own Commissioners into the hands of the native Communities, I entertain little doubt but that the individuals whom they will select will not be those (as now is the case) who are known by their education and enlightened ideas to be more disposed to encourage suitable improvements, but rather such as will resist inconvenient advancement and alteration, and keep things in the good old style in vogue in the days when Sanitary or any other improvement was unheard of. I do therefore I do not believe that the transfer of the selection of Commissioners to the rate-payers will result in the selection of any better class or stamp of Natives than we obtain under the existing System, I beg respectfully to deprecate for the present any change.

I have the honor to be
Sir
Your most obedient Servant
C. Whitehead
President Mun: Commission

North Arcot
Magistrates Office
Cane of Palmaner
27th October 1874

To
The Chief Secy. to Government
Ft St George.

(21)

Transmitted (1874) Diary
& Municipality
from the Revenue
Municipal Commissioner
North Arcot

No. 2283
of the Collector
to Government

Date 27 October 1874
Despd 31 Oct 1874
Regd - 2 Nov 1874
No. 74

Despatching the election
of Municipal Commissioners
chosen by the Tax payers

Précis

Reports on the advisability or otherwise of introducing the provisions contained in Section 9 of the Town Improvement Act for the election of Commissioners by rate-payers.

Godavery	District Municipality	President's opinion - adverse. Vice-Presidt of Chedumbrum
South Arcot	" "	Presidt's opinion only
Tanjore	" "	- Do Do
Kistna	" "	Presidt & Vice-Presidt's opinion
Conjeveram	Municipality.	Presidt's opinion
Nellore	"	
Chicacole	"	
Vizagapatam	"	
Gooty	"	Presidt's opinion only
Anantapore	"	
Mangalore	"	
Ootacamund	"	
Coonoor	"	
Chedumbarum	"	Vice Presidt's opinion
Bunderpatam	"	
Tanjore	"	
Salicat	"	
Palgaut	"	
Cochin	"	

These Municipalities are against the introduction of the measure - The President of the Nilgiri District Municipality reports that the resolution of the Commissioners testifies a difference of opinion with a former Commission in 1870 which considered the adoption of the elective principle in the appointment of Commissioners to be expedient

Trichinopoly
Salem
Cuddapah
Berhampore
Kurnool
Madura
Tellicherry

Of District Municipalities
" "
" Municipality
" "

These Municipalities are in favor of the election of Commissioners by rate-payers being tried as an experiment. The Kurnool Municipal Commission proposes the election at first of only 2 Commissioners by the rate payers. The President of the Madura Municipality considers that at least half the number of the Commissioners should continue to be appointed by Govt.

The Commissioner of Madura agrees in opinion.

President

Viagapatam
Vizianagram
Tinnevelly.

The Vice-Presidents of the Viagapatam and Vizianagram Municipalities are in favor of the elective principle, and the President of the Municipality in the Tinnevelly District in recommending its introduction, states that it would be preferable to elect a number for each division or ward of the town than to elect a given number of Commissioners by a general vote of the rate-payers.

Bunlipatam

The Vice-President, Bunlipatam Municipality, while

Bellary
Adoni.

while of opinion that the introduction of the system of election would be acceptable to the higher classes of natives, does not consider it desirable at present.

The President of the Bellary and Adoni Municipal Commissioners recommends that at first the non-Official Members be allowed to be elected by rate-payers, the Official Members for the present being appointed by Govt. as before.

Salem.

The President of the Salem District Municipality proposes that the provisions of the Act be tried as an experiment in the case of some of the Commissioners whose term of service as the Commission exceeds 6 years, & that the election be conducted by ballot.

Coimbatore.

The President of the Municipalities Coimbatore District, states that in his opinion a majority of the non-Official Commissioners might

might be elected.

The President of the Viragapatam District Municipalities is of opinion that it is very desirable to allow a certain number of the non-official Commissioners to be elected by the rate-payers & would fix the proportion at one-half at the commencement.

Viragapatam.

The majority of the Tellicherry Municipal Commissioners who are in favour of introducing the elective principle as an experiment, consider it desirable to limit the number of rate-payers on whom the power may be conferred.

Tellicherry.

The President of the Ganjam District Municipalities thinks that it would be worth while trying the experiment in a small way of introducing the provisions of Sec. 9 of the Act in the case of two members.

Ganjam.

Octacamund
24th October 1874

GP.

Précis

Election of Municipal Commissioners by rate-payers

The copy as order as amended in pencil! then copy [illegible] JS

For	Against
Mr. Pennington	Copy
Mr. Tupley	given
Mr. Anstey	next
Mr. McC. Webster	page
Mr. Hope	
Mr. McLulae	
Mr. Puckle	
Mr. Stokes	
Mr. J. H. Master	
Mr. Wedderburn	
Mr. Davidson	

For Orders

~~No~~ 118

In G. O. d/23rd July 1874 Govt called on all Presidents of Municipalities to report how far in their opinion it would be advisable to introduce the provisions for the election of Commissioners.

In replying to this G. O. some Presidents have given their own opinions only, while others have consulted the Commissioners.

~~To [illegible] opinions only in the first instance.~~

The views of the different ~~marginally noted~~ Presidents who have reported are ~~[illegible]~~ favor of the ~~shown as in the margin~~ ~~introduction of election~~, Mr. Stokes though apparently in favor of its ~~[illegible] would confine~~ introduction would confine the experiment to a few of the largest Municipalities, ~~while~~

~~[illegible] the [illegible] of its being tried is not sanguine of the result. Most Presidents who go into detail would prefer a somewhat restricted franchise. That however, it is [illegible] is a question which may be left for subsequent consideration. If it is decided to try the experiment copies of the rules in force in other provinces may be obtained before detailed [illegible] are

Hon. Foster
Hon. Gaudin
The Hon. D. Arbuthnot
Hon. Leman
Hon. Vaux Agnew
Hon. H. S. Thomas
Hon. Cockerell
Hon. MacGregor
Hon. Whitelaw

agreed.

The marginally noted Resolutions and Order in Council

The Hon. D. Arbuthnot remarks "The ignorant ratepayers also take "but little interest in the Municipal "proceedings must be more than "ordinarily capricious in their choice "if they exercise an independent "judgement at all, and if they do "not it is the most mischievous and "timid Grumbler character that will "get themselves elected - - - - "The present system of "appointment by Govt has also "been this to recommend it in "that the members chosen are "always respectable men - - - - "

Hon. Leman says no interest would be taken in the elections

Hon. Vaux Agnew is of opinion "that the Govt would only render "themselves unpopular by attempting "to force upon the people functions "which the latter are utterly "incapable of appreciating, and "consider it a decided hardship "that the Govt should interfere"

Hon. Cote the Vice President

of the Conservative Municipal Councils "that the Municipal Act depends for "its success entirely on the exertions of the "officers of Government and is not "generally understood or appreciated by "the people. This taken along with the "entire absence of any public spirit "or interest in such matters on the "part of the rate payers renders the "election of Municipal Commissioners in "my opinion, most unfavourable. It "would be a pure farce and the power "if used at all would certainly be "availed of in the interest of some "clique for its own private ends"

Hon. MacGregor writes "If the "whole constituency were polled there "would be an overwhelming majority "in favor of the abolition of all "Municipalities. Such a proposal would "possibly secure votes but for the "mere election of Commissioners I "doubt if any considerable number "would record votes. If they did it "would only be by dint of canvassing privately on the part of "some Objectionable individual. "No well qualified party aspires "to became a Commissioner is under "the present system devoid the "honor"

It is also noted that
the Govt accept the Resolutions

would try election as an experiment
there is considerable doubt regarding
the result. Mr Crocker Brown
writes "as a rule the persons"
already selected to serve as Com-"
missioners have been those whose "
intelligence has recommended "
them for a post which necessitates"
views of local improvement "
not yet popular: and while "
as a rule, and under ordinary circumstances,
the election of all the Commissioners, "
might be by vote of rate-payers "
the probability is that rate-payers"
in general, would find little "
trouble to vote elect such "
persons as carried out spend little on"
Sanitation, hospitals & the like "

Mr Davidson says "I have"
no expectation that the services "
of better men than those now in"
office will be obtained, but I"
see no reason to suppose that"
inferior men would be elected to"
that some measure of good how-"
ever small will be gained if"

In Election	Against election
1. Salem	1. Bangalore
2. Cuddapah	2. Vizagapatam
3. Kurnool	3. Cannanore
4. Bellary	4. Bimlipatam
5. Veltore	5. Cannanore
	6. Calicut
	7. Palghaut
	8. Cochin
	9. Chicacole
	10. Vellajapatt

"the ratepayers are stirred with even"
"their present state of apathy - - -"

In cases where the Municipal
Commissioners were committed the
result was as unsatisfactory
noted. In the cases of Cuddapah
Bellary and Vizagapatam no
definite opinion was obtained
from the Commissioners but there
appears to have been a diversity of views.

~~The Commissioners of the~~
Salem report that the Vizagapatam
Municipal Commissioners "deem
"that the power of taxation under
the municipal act is limited to
sanctioning the proposals of the
Commissioners - - - - -
- - - - It seems obvious
that if the Municipalities became
entirely elective they might reduce
taxation to a minimum - - - -"

All the cases generally
in which paragraph 108
Cockerell has thus pointed out
what seems to be a real danger.

In sections 29 and 33 of the
Municipal Act the Govt have
reserved to themselves ample
control over the expenditure
of Municipalities, but all

Note
Under Sec 29 Govt may
prescribe rules for the ap-
propriation of municipal funds.
Under Sec 33 they may pass
"such orders as they shall think
fit" on the budget" and such orders
are binding on the Commissioners "so far
as the means at their disposal will permit"

provision for the imposition of taxation commence "It shall be lawful for the Commissioners with the approval of the Governor in Council to levy - - - " or with words to that effect.

Should the Commissioners decide to reduce taxation below what the Govt consider requisite for the wants of the town the Govt would be powerless to increase.

It must be remarked however that with a large body of official members such a state of things is not likely to occur often. Such indications are not wanting that Commissioners have a tendency to insist on their form of taxation which they recommend or in default to say that they will not adopt the substitute recommended by Govt.

H.

28/10

Election by the rate-payers of Munt Commissioners

No. 202. MINUTE by the Hon. J. D. SIM, C.S.I., dated 30th October 1874.

When Act III. of 1871 (Madras) was enacted, it was—as indeed it has always been—the desire and intention of the Government to introduce the elective principle, and Section 9 of that law expressly provides for the appointment of a certain number of the Commissioners by election by the ratepayers. The advantages of the principle are sufficiently obvious; the only question is whether the time has arrived for introducing it, whether municipal institutions are yet fixed on a sufficiently secure basis, whether the ratepayers generally appreciate their advantages sufficiently, whether the people themselves understand and value the privilege of electing their own representatives and would exercise it judiciously. I am constrained to answer these questions in the negative, except as regards Madras and Europeanised towns, such as Ootacamund. Much as our Municipal Commissioners have done, an enormous deal remains to be accomplished before the advantages of municipal administration are patent to all classes, and earn for them the appreciation they merit and must acquire before we can safely entrust them to popular management. An increasing number of our people are becoming alive to the benefits these institutions are conferring on the country, but the majority of the ratepayers are still blind to these advantages, and I apprehend they would choose as Commissioners men generally hostile. I feel sure that as a rule their nominees would not be better men than those now selected by the Government. I doubt whether they would be as good. In the case of the Commissioners for the care of religious endowments we have had positive proof of the very little regard the people have for the privilege of election; if our reports are true, not a single election has taken place during the ten years that the Endowment Act has been in operation. Under these circumstances I think it would be unwise to expose municipal institutions while yet in their infancy to the uncertainties and dangers of popular control until the people has learnt to appreciate them as they deserve and are therefore fit to be entrusted with their management. I think it would be prudent to await the result in Madras where the experiment will be tried under the most favorable circumstances, especially as the concession if once made cannot be withdrawn, and our means of preventing mischief under the Act are defective, and could not be exercised without great unpopularity and dissatisfaction. There is no movement among our ratepayers generally for the change, and to force it on them, while indifferent and unfitted to exercise the privilege properly, will be to incur risk without counterbalancing advantages.

J. D. SIM.

No. 203. MINUTE by the Right Hon. the PRESIDENT, dated 3rd November 1874.

The question here before us is a very important one. The creation of Municipalities was (there can be no doubt) intended by its authors as a step towards local self-government; but in its present form Municipal government is a very short step indeed in that direction. The population of a Municipality does not in any sense govern itself, except that some of its leading men, nominated by Government, are placed upon the Board. The government of a Municipality is in fact an oligarchy dependent upon a superior power, which may, directly or indirectly, control its action to almost any conceivable extent.

2. The most important step towards real self-government in large towns would be that now proposed—the choice of Native Members of Municipalities by popular election. And there can be no question but that if in any Municipality a sufficiently numerous constituency could be created which would be likely to elect men with any fair degree of capacity for government, this step ought to be taken. There is no excuse for withholding from the people any degree of liberty, except that they are likely to use it to the serious prejudice of the public security and welfare. It is not sufficient to say that the men elected by popular suffrage will not be better, or even that they will not be as good, as those now chosen by the Government. It is desirable that the power of electing their own rulers should be given to the people, irrespectively of the question whether the rulers they elect will be as good as or better than those chosen for them. Such a power is in itself an advantage of the greatest value, apart from all consideration of the degree in which it contributes or is prejudicial to good government. It is valuable chiefly because it gives an interest in public affairs to the many who would otherwise have none, because it gives elevation and self-respect to the character, cultivation and enlargement to the mind.

3. This being considered, it will be seen that the principal objections which have been raised to the measure are of less importance that might at first sight appear. One of these objections is that the inhabitants of Municipalities have no public spirit. But this is one of the strongest reasons for giving them the elective franchise, which is the best expedient for supplying the want. And it may be remarked, that besides supplying this want, the measure would not improbably go further, and diminish or put an end to one great subject of complaint as regards our Municipalities—that their Native Members take no part and no interest in the management of them. It seems quite possible that men charged by their fellow-citizens with an important trust, and no longer dependent upon the Government—the will of whose officials they dare not now dispute—will be much more inclined than they are at present to take their share in the conduct of local affairs. Another objection which has been insisted upon is that the voters will elect members who will endeavour to reduce taxation. But that taxpayers should not be taxed without their own consent, so far from being an objection to representative institutions, has always been considered as their greatest advantage. Of course taxpayers may unavoidably abuse the power so given to them in such a manner as to be disastrous to the general interests: and in that case they are not fit to be entrusted with the franchise. But it must be remembered that government with the consent of the people is better (other things being equal) than government without it: and that to obtain the consent of the people to administrative acts is worth some sacrifice of administrative efficiency. Nor do I think that in the present case there is any reason to anticipate that any considerable evil will in this respect result from the change. I believe that the elective members will neither have the power nor the inclination to reduce the expenditure of Municipalities much below what is desirable. In my own opinion indeed there is—and must be in the nature of things—a tendency in Municipalities as at present constituted to extravagance at the cost of the people; and I should view not with regret but with satisfaction the measures of self-protection which the change would render possible for the taxpayers, and which I do not believe they would (if they could) abuse.

4. I do not think that the result of the experiment in Madras (where the circumstances of the population are extremely exceptional) would be a satisfactory guide in dealing with the case of other Municipalities. And I would try the experiment, as soon as we are able, in some ten or twelve of our more important Municipalities.

HOBART.

No. 204. MINUTE by the Hon. W. ROBINSON, C.S.I., dated 7th November 1874.

I am in favor of gradually introducing the practice of election into our Municipalities. But there is no doubt that it is attended with difficulty and some cause for apprehension. The system is a complete innovation on native ideas and will almost certainly lower the stamp of men who will sit on the Boards—and perhaps create unwillingness on the part of the better classes to serve. It is remarkable that the majority of the Boards (those consulted) have recorded an adverse opinion to the proposal.

2. The beginning ought to be made only in large towns, where the Presidents are favorable—say in Trichinopoly, Salem, Cuddapah, Mangalore, Madura, Tinnevelly, Bellary, and Coimbatore. I would reserve every other appointment for nomination by Government, *i.e.*, the next vacancy might be made elective; the subsequent one reserved and so on alternatively.

I should be inclined to add Ootacamund, Cocanada, and Calicut.

3. The franchise should be kept high at first—say that each taxpayer of Rupees 15 and upwards should have a vote. This will, I should hope, prevent a demoralizing canvass and competition. No candidate should be eligible who pays less than 50 Rupees. On these points it might be well to consult Municipal Boards again—at least the Board of Municipalities to which the system is to be extended.

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3. This being considered, it will be seen that the principal objections which have been raised to the measure are of less importance that might at first sight appear. One of these objections is that the inhabitants of Municipalities have no public spirit. But this is one of the strongest reasons for giving them the elective franchise, which is the best expedient for supplying the want. And it may be remarked that besides supplying this want, the measure would not improbably go further, and diminish or put an end to one great subject of complaint as regards our Municipalities—that their Native Members take no part and no interest in the management of them. It seems quite possible that men charged by their fellow-citizens with an important trust, and no longer dependent upon the Government—the will of whose officials they dare not now dispute—will be much more inclined than they are at present to take their share in the conduct of local affairs. Another objection which has been insisted upon is that the voters will elect members who will endeavour to reduce taxation. But that taxpayers should not be taxed without their own consent, so far from being an objection to representative institutions, has always been considered as their greatest advantage. Of course taxpayers may unavoidably abuse the power so given to them in such a manner as to be disastrous to the general interests: and in that case they are not fit to be entrusted with the franchise. But it must be remembered that government with the consent of the people is better (other things being equal) than government without it; and that to obtain the consent of the people to administrative acts is worth some sacrifice of administrative efficiency. Nor do I think that in the present case there is any reason to anticipate that any considerable evil will in this respect result from the change. I believe that the elective members will neither have the power nor the inclination to reduce the expenditure of Municipalities much below what is desirable. In my own opinion indeed there is—and must be in the nature of things—a tendency in Municipalities as at present constituted to extravagance at the cost of the people; and I should view not with regret but with satisfaction the measures of self-protection which the change would render possible for the taxpayers, and which I do not believe they would (if they could) abuse.

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HOBART.

Proof

Same heading as in Mr Lee's minute.

9

No. 104. MINUTE by the Hon. W. ROBINSON, C.S.I., dated 7th November 1874.

I am in favor of gradually introducing the practice of election into our Municipalities. But there is no doubt that it is attended with difficulty and some cause for apprehension. The system is a complete innovation on native ideas and will almost certainly lower the stamp of men who will sit on the Boards—and perhaps create unwillingness on the part of the better classes to serve. It is remarkable that the majority of the Boards (those consulted) have recorded an adverse opinion to the proposal.

2. The beginning ought to be made only in large towns, where the Presidents are favorable—say in Trichinopoly, Salem, Cuddapah, Mangalore, Madura, Tinnevelly, Bellary, and Coimbatore. I would reserve every other appointment for nomination by Government, *i.e.*, the next vacancy might be made elective; the subsequent one reserved and so on alternatively.

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W. ROBINSON.

alternate

First Def.

Nov Instituted by the Bombay
CSI dated 30 Oct 1871 13

When Act III of 1871 (Municipal
Law Amendment) was enacted, it was
intended that the election of the
first Commissioners by election by
the rate payers. The advantages

of the principle are sufficiently obvious. The only question is whether the time has arrived for introducing it. Whether Municipal Institutions are yet firmly and sufficiently based - whether the rate-payers generally appreciate their advantages sufficiently - whether the people themselves understand and value the privilege of electing their own

4

representatives and would exercise it judiciously - I am 15
constrained to answer these questions in the negative - Ex-
perience in the Province and abt as regards Kingston and Hamilton
Burlington, Brockville, Niagara, Port Hope, Cobourg, Peterboro, Belleville
& Toronto, Municipal Corporations have been productive of
general & incalculable benefit - the advantages of Municipal
institutions are patent to all classes, and
care for them the appreciation they

merit & must acquire before
he can safely entrust them
to popular encouragement - An
increasing number of our people
are becoming alive to the
benefits these institutions confer
confering on the Country - but
the majority of the rate-payers
are still blind to these
advantages - and I do believe
that ~~they~~ they would
~~elect~~ elect a Committee generally
hostile - I feel sure that on a

5

11

Rule that nominees should
not be better known than those
now selected by the Post. &
would make them stronger
to act as such. In the case of the
Committee for the care of Religious
Institutions we have had
positive proof of the very little
beyond the bribe have for the
privilege of election - if our
reports are true, not a single

election has taken place
during the ten years that
the Endowment Act has been
in operation - Under these circ
cumstances I think it would
be unwise to exhaust Municipal
Institutions while yet in their
infancy & the uncertainties
& dangers of Popular control
until the people has learnt to
appreciate them as they deserve
and are therefore fit to have

entrusted with their manage
ment. I think it would be
prudent to await the result
in Liverpool, where the experi
ment is under the least favorable
circumstances - especially
as the ~~Municipal~~ concession of Municipal
Control cannot be withdrawn -
or means of ~~controlling~~ the
existing Municipal under the
Act are defective - and could
not be exercised without

port in substance of Dr Lushington - "There is no instrument among our Roots - happy combination for the change - and Force

L. D. Lush

30/10

it is time, while it is distant and impossible to calculate the penalty for party strife be to incur risk of its direct consequences on any individuals.

No 202

Private

The Right Hon. The President Charles Fish Dept

3 Nov 1874

The question before us is a very important one. The creation of municipalities (was undoubtedly intended) as a step towards local self-government: - but it does not present from municipal government is a very short step indeed in that direction. The jurisdiction of a municipality does not in any sense govern itself, except in the election of its body, which is, consequently, placed upon the Board. The government of a Municipality is in fact an oligarchy dependant upon a superior power, which may, directly or indirectly, control it even to almost

any conceivable extent.
The most unfeeling & cold towards real self-government a large town could be that now proposed - the choice of mayor councillors & Municipal officers by popular election - And there can be no question but that if in any Municipality sufficiently numerous constituency should be created which would be likely to elect men with any fair degree of capacity for government they ought to obtain - There is no reason for withholding from the people any degree of liberty, except that they are likely to use it to the serious prejudice

of the public interest and welfare. If is not sufficient to say that the men elected by popular suffrage will not be better, or even that they will not be as good, as those now chosen by the Govt. It is desirable that the powers of electing their own rulers should be given to the people, irrespectively of the question whether the rulers thus elected will be as good as or better than those chosen for them - Such a power in itself an instance of the highest value - apart from all consideration of other objects in which it contributes or is prejudicial to good government. It is valuable chiefly because it gives an interest in public affairs

any conceivable extent.

The most unpleasant step towards real self-government in large towns would be that now proposed - the choice of mere members of Municipalities by scholars under - And there can be no question but that if in any Municipality sufficiently numerous constituency of the country which would be likely to elect men with any fair degree of capacity for government there step ought to be taken - There is no reason for withholding from the people any degree of liberty, except that they are likely to use it to the serious prejudice

of the public security and welfare. It is not sufficient to say that the men elected by popular suffrage will not be better, or even that they will not be as good, as those now chosen by the Govt. It is desirable that the power of electing their own rulers for the people, irrespectively of the practical wisdom of the rulers they elect will be as good as or better than those chosen for them - Such a power in itself an instrument of the greatest value - apart from all consideration of other objects in which it contributes or is prejudicial to good government. It is valuable because it gives an interest in public affairs

to the man who s[hall] attentively have consi-
dered, pari passu elevation and self-refined
the character - cultivation and
enlargement of the mind.

This being considered, it will be seen that
the principal objections which have been raised
to the measure are of so unimportance that might
at first sight appear. One of these objections
is that the inhabitants of Municipalities have
no public spirit. But this is one of the
strongest reasons for giving them the elective
franchise, which is the best safeguard for
supplying the want. And it may be
remarked, that besides supplying this want,
the measure would unquestionably so soften

and diminish a part at least of the
present subject of complaint as regards our
Municipalities - that those who have not
taken no part & no interest in the
management of them. It seems quite
possible that even changed by their fellow-
citizens with an impartial trust, and
no longer dependent upon the pr. the
will of whose opinions they dare not
now dispute - will be much more
inclined than they are at present to
take their share in the conduct of
local affairs. Another objection
which has been raised upon this last
head is that voters will elect members who

will endeavour to reduce taxation. But that the taxpayers shd. have entire control over current, so that from being an object to representatives institutions, has always been considered as their greatest advantage. If ever taxpayers cannot have the power to give them in such a manner as the Directions of their general interests: and it that case they are not fit to be entrusted with the franchise. But it must be remembered that the Government with the consent of the people is better, than the Government

being agreed that per. retrenchment: and that to obtain the consent of the people to the administration will in every case require administrative efficiency. Now do I think that in the present case there is any reason or principle why considerable retrenchment should result from the change. On the contrary, I believe that the elective members will neither have the power nor the inclination to reduce the expenditure much below what is desirable. In your opinion, indeed, there is - & must be in the nature of things - a tendency in the Municipalities as at present constituted to extravagance rather than

of the people: and I did view not with regret ~~but~~ but with satisfaction the measures of self-protection which the late change ~~occasion~~ had rendered possible for the taxpayers, and which I do not believe they would (if they could) abrogate.

I do not think that the result of the experiment of Madras (where the circumstances of the population are extremely exceptional) would be a safe guide to be applied in the case of the Municipalities. And I wd. try the experiments, as soon as we are able, in some ten or twelve of our more important Municipalities.

No. 203 - Ashbd 3/11/74

Minute by the Hon W Robinson C.S.I. Chief Secretary
7th Nov 1874

No 4

29

Same in favor of gradually introducing the practice of election into the Municipalities - But there is no doubt that it is attended with difficulty & some danger of precipitation - The System is a complete innovation on Native ideas and habits - must certainly lower the Standard of men who will sit on the Boards - and perhaps create unwillingness on the part of the better classes to serve - It is remarkable that the majority of the Board (Mr Greenfield) have recorded an adverse opinion to the proposal - The Assessment being on the annual rental in large towns, where the Presidency are favorable. Say in Trichinopoly Salem Cuddapah Mangalore Madura, Tinnevelly Bellary & Coimbatore - Wd. restrict every Municipality for nomination & Govt. to be made elective; the latter present one Member & so on alternately

The franchise should be kept high at first - say that each Ratepayer of Rs 52 upwards should have a vote

Qu. Should be added Mr. Cocanada & Calicut

This bid does not present a fair & legitimate Canvass & competition. No contractor can work the public interest for less than $100 per day. On these points I might be able to consult Municipal Bond Dealers at best. The Treasurer has no capabilities to do this duty. The Auditor is the Defendant.

7/11 J. H. Whissell

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following ~~letter~~ papers.

Letter from the President Municipal Commission Coimbatore dated 4th August 1874 No 38.
Do Do Do Bellary, dated 5th August 1874 No 88
Do Do Do Nellore dated 6 Aug 6 1874 No 1730
Do Do Do Godavery & 7 Aug 6/74 No 6
Do Do Do South Arcot dated respectively 19th and 29th August 1874 Nos 30 & 32.
Do Do Do Madura dated 25th Augt/74 No 43.
Do Do Do Vizagapatam & 4th September/74 No 1283
Do Do Do Nilgiris & 5th September/74 No 60
Do Do Do South Canara & 5th Septr/74 No 168
Do Do Do Cuddapah & 6th Septr/74 No 19
Do Do Do Kistna, dated 7 Septr/74 No 1487.
Do Do Do Kurnool & 9th Septr/74 No 14.
Do Do Do Salem & 9 Septr/74 No 96
Do Do Do Ganjam & 12 Septr/74 No 1836.
Do Do Do Tinnevelly & 12 Septr/74 No 239.
Do Do Do Malabar & 17 Septr/74 No 8.
Do Do Do Trichinopoly & 21st Septr/74 No 104.
Do Do Do Tanjore & 25th Septr/74 No 184
Do Do Do Chingleput & 6th October/74 No 87.
Do Do Do North Arcot & 27 October/74 No 74.

Minute by the Honorable J. D. Sim b. C. S. dated 30th October 1874.

Do Do the Right Honorable the President dated 3d November 1874.

Do Do the Honorable W. Robinson, b. C. S. dated 7th November 1874.

Order

Financial Dept
No
Minute by the Hon'ble W. Robinson, C.S.I.
Dated 7th November 1874
No 2202 @ 204.-
Rs. 152 @ 27-1-75

No 204

Order thereon

In G.O dated 23d July 1874, the Government called on all Presidents of Municipalities to report how far in their opinion it would be advisable to introduce the provisions for the election of Commissioners.

In replying to this G.O some Presidents have given their own opinions only while others have consulted the Commissioners.

The views of the different Presidents who have reported are shown in the margin.

Mr. Stokes though apparently in favor of its introduction would confine the experiment to a few of the largest Municipalities. Mr. Pennington though holding views adverse to the proposal would not object the experiment being tried. The Honorable D. Arbuthnot remarks "The ignorant rate payers "who take but little interest "in the Municipal proceedings "must be more than ordinarily "capricious in their choice if they

For	Against
~~Mr Pennington~~	Mr Foster
" Langley	" Garstin
" Horsley	The Worshipful Arbuthnot
" Mc Webster	Mr Leman
" Hope	" Vans Agnew
" McQuhae	" H. S Thomas
" Puckle	" Cockerell
" Stokes	" MacGregor
" J.H. Master	" Whiteside
" Wedderburn	" Pennington
" Davidson	

(122)

"they exercise an independent "judgment at all and if they "do not it is the most ~~mis~~ ill- "~~chievous~~ mischievous "~~Cheeses~~ and ~~troublesome~~ "characters that will get them- "selves elected. The present "system of appointment by "Government has at least this "to recommend it viz that "the members chosen are "always respectable men".

Mr. Leman thinks that no interest would be taken in the elections. Mr. Vans Agnew is of opinion "that the Govern- "ment would only render "themselves unpopular by "attempting to force upon "the people functions which "the latter are utterly incapa- "ble of appreciating, and "consider it a decided hard- "ship to be asked to perform"

Mr. Cole the vice President of the Conjeveram Municipality

remarks

remarks" that the Municipal
"Act depends for its success
"entirely on the exertions of the
"officers of Government and
"is not generally understood
"or appreciated by the people.
"This taken along with the
"entire absence of any public
"spirit or interest in such
"matters on the part of the
"ratepayers renders the elec-
"tion of Municipal Commissioners
"in my opinion most un-
"advisable. It would be a pure
"farce and the power if used
"at all, would certainly only
"be availed of in the interest of
"some clique for its own private
ends". Mr. MacGregor writes
"If the whole constituency were
"polled there would be an
"overwhelming majority in
"favor of the abolition of
"all Municipalities. Such a
prospect
"prospect would possibly
"secure voters, but for the
"mere election of Commissio-
"ners I doubt if any con-
"siderable numbers would
"record votes. If they did,
"it would only be by dint
"of canvassing possibly on
"the part of some objection-
"able individual. No well
"qualified party anxious
"to become a Commissioner
"is under the present system
"denied the honor.". It is
also noted that even
amongst the Presidents
who would try election
as an experiment there is
considerable doubt regarding
the result. Mr. Wedderburn
writes "As a rule the persons
"already selected to serve
"as Commissioners have been
"those whose intelligence
how

"has recommended them
"for a post which precipitates
"views of local improvement
"not yet popular; and
"while as a rule, and under
"other circumstances the elec-
"tion of all the Commissioners
"might be by vote of rate-
"payers the probability is
"that rate payers in general,
"would, if they took the
"trouble to vote, elect such
"persons as would spend
"little on Sanitation,
"Hospitals and the like".
Mr. Davidson says "I have
"no expectation that the
"services of better men than
"those now in office will
"be obtained, but I see
"no reason to suppose that
"inferior men would be
"elected, so that some
"measure of good however

"small will be gained
"if the ratepayers are stirred
"up from their present state
"of apathy".

In cases where the Municipal Commissioners were consulted the result was as marginally noted. In the cases of Madura Trichinopoly and Sirungam no definite opinion was obtained from the Commissioners but there appears to have been a diversity of views. - In the case of Salem the whole body of the Commissioners or most of them were consulted.

The Government after giving the matter there most careful consideration are satisfied that the objections against the introduction of election in Provincial Municipalities are not such as to justify any further delay in introducing

For Election	Against Election
1. Salem	1. Mangalore.
2. Cuddapah	2. Potacamund
3. Kurnool	3. Coonoor
4. Tellicherry	4. Dindigul
5. Vellore	5. Cannanore
	6. Calicut
	7. Palghaut
	8. Cochin
	9. Chicacole
	10. Wallajapett.

introducing it as an experiment in a few of the more important towns. The creation of Municipalities was intended as a step towards local self government but little is really done in that direction so long as the power of election is withheld from the residents within Municipal limits. There is no sufficient reason for withholding from the people any degree of liberty except that they are likely to use it with serious prejudice of the public security and welfare. It is not sufficient to say that the men elected by popular suffrage will not be better or even that they will not be so good as those now chosen by the Government.

It is desirable that the power of electing Municipal authorities should be given to the residents within Municipal limits irrespectively of the question whether the men they elect will be as good as, or better than those chosen for them. The power in itself is an advantage of the greatest value apart from all consideration of the degree in which it contributes, or is prejudicial, to good Municipal administration. It is valuable chiefly because it gives an interest in public affairs to the many who would otherwise have none, because it gives elevation and self respect to the character - Cultivation and

and enlargement to the mind. This being considered, the principal objections which have been raised to the measure are of less importance than might at first sight appear. One of these objections is that the inhabitants of Municipalities have no public spirit. But this may also be looked upon as one of the strongest reasons for giving them the elective franchise which is the best expedient for supplying the want and it may be remarked that besides supplying the want the measure would not improbably go further and diminish or put an end to one great subject of complaint as regards Municipalities in this country that the natives take no part or interest in their management. It seems quite possible that men charged by their fellow citizens with an important trust, and no longer dependent upon the Government, will be much more inclined than they are at present to take their share in the conduct of local affairs. Another objection which has been insisted upon is that the voters will elect members who will endeavor to reduce taxation. But it must be remembered that Government with the consent of the people is better (other things being equal) than Govt. without

without it and that to obtain the consent of the people to administrative Acts is worth some sacrifice of administrative efficiency. The Government however dount think that in the present case there is cause to anticipate that any considerable evil will in this respect result from the change. They believe that the members appointed by election will neither have the power nor the inclination to reduce the expenditure of Municipalities much below what is desirable.

For the present the right of election will be limited to some or all of the non-official Members and will be introduced

Order

after a full consideration of the various letters received by G. O. No 1218 dated 23d July 1874 H. E. the Governor in Council is of opinion that the time has now arrived for giving at least partial effect to the provisions for the election of Municipal Commissioners of the rate payers contained in Sec 9 of the Towns Improvement Act.

Have made selection of the names proposed & thereby fixed

In the Presidency Division

		Voters	
9,534	Vizagapatam	~~Cuddapah~~	8,279
50,912	Salem	~~Trichinopoly~~	21,912
51,487	Madura	~~Tinnevelly~~	21,044
37,766	Bellary	Coimbatore	18,210
9,962	Malabar	~~Cocanada~~ Cumbaconum Negapatam Tanjore	10,870
47,902	Calicut		

In the Mysore Province and also Large Native Capitals

Masulipatam	36,184
Cuppuram	37,927
Vellore	38,022
Cuddalore	40,290
Cumbaconum	44,444
Negapatam	48,525
Tanjore	52,175

I wish instead of the 4 largest towns to have the 4 next largest

The Bd of the Municipality applied to Government to send a copy of the rule in force there & will have to wait for the order before I can proceed

in the first instance in the marginally noted towns the Presidents of which will submit detailed proposals at an early date. In doing this it will be necessary to give full publication in the Fort St George Gazette of the rules which it has been determined to adopt in conformity with the election of Commissioners for the Town of Madras.

In G. O. dated 23d July 1874 No 1218 the Government remarked that they would defer dealing with the lists submitted in reply to G. O. dated 27th January 1874 No 139 until the question of election had been considered. The lists in question are now somewhat out of date and in the case of Municipalities in which election is to be introduced for the first time the Presidents will submit revised lists of any appointments they would recommend together with the

the names of existing
Members whose term of
three years has expired with
a note in the remark column
to the effect that re. appoint-
ment is recommended or not
as the case may be.

H.
17/12

Elections in Municipalities

8.

Govt. of Mad. } 1874

To

Dated
Recd. } 187 , No.

Nos.

Secy to Govt. order
which is to go on [illegible]

Consult with
reference to the
last Resolution
proposed to
shorten the draft.

Report at the Case
Marked

Dr. 5/1/5

a few amendments - after
full consideration should be
time has arrived for

19/12

Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following ~~letter~~ papers

Letter from the President Municipal Commission.
Coimbatore dt 4th August 1874 No 38.
Do Do Bellary dt 5th August 1874 No 88
Do Do Nellore dt 6th August 1874 No 1730.
Do Do Godavery dt 7th August 1874 No 6.
Do Do South Arcot dt respectively 19th
and 29th August 1874 Nos 30 and 32
Do Do Madura dt 28th August 1874 No 43
Do Do Vizagapatam dt 24th September 1874 No 1283.
Do Do Nilgherries dt 5th September 1874 No 60.
Do Do South Canara dt 5th September 1874 No 168.
Do Do Cuddapah dt 6th September 1874 No 19.
Do Do Kistnah dt 7th September 1874 No 1484.
Do Do Amjore dt 9th September 1874 No 114
Do Do Salem dt 9th September 1874 No 96
Do Do Ganjam dt 12th September 1874 No 1836.
Do Do Tinnevelly dt 12th September 1874 No 239.
Do Do Malabar dt 17th September 1874 No 8
Do Do Trichinopoly dt 21st September 1874 No 104
Do Do Tanjore dt 25th September 1874 No 182
Do Do Chingleput dt 6th October 1874 No 84
Do Do North Arcot dt 27th October 1874 No 74
Minute by the Honorable J. D. Sim C.S.I dated
30th October 1874
Do Do the Right Honorable the President
dated 3rd November 1874
Do Do the Honorable W. Robinson C.S.I.
dated 7th November 1874.

Order thereon — 27 January 75 No 152 — After

Order.

After a full consideration of the various replies received to G.O. dated 23d July 1874 No 121 His Excellency the Governor in Council is of opinion that the time has now arrived for giving at least partial effect to the provisions for the Election of Municipal Commissioners by the rate-payers contained in Section 9 of the Town Improvement Act.

For the present the right of Election will be limited to some or all of the non-Official members and will be introduced in the first instance in the marginally noted towns the Presidents of which will submit detailed proposals at an early date. In doing this they will be assisted by the early publication in the Fort Saint George Gazette of the rules, which it has been determined to introduce

Tuticorin
Salem
Madura
Bellary
Vizagapatam
Calicut
Vellore
Combaconum
Negapatam
Cuddapah

introduce for the election of Commissioners for the town of Madras.

In G.O. dated 25th July 1874 No 1218 the Government remarked that they would defer dealing with the lists submitted in reply to G.O. dated 27th January 1874 No 139 until the question of Election had been considered. The lists in question are now somewhat out of date and in the case of Municipalities in which Election is not to be introduced for the present Presidents will submit revised lists of appointments they would recommend together with the names of existing Members whose term of three years has expired with a note in the remark column to the effect that re-appointment is recommended or not as the case may be.

K.

23/1

All Presidents of Municipal Commrs

155 C

Desp 3-2-75

Fort St. George Gazette

107

Govt. of {187 } Madras.

Fin'l

To

Dated 29 May.
Recd. } 187 , No. 152

Nos. 202-5-

Mun^cis - Orders passed for the institution into certain Mun^cis of the System of the Election of Comm^rs of the Calt Farms.

Order withheld as Recd in Council - 2 Dupls sent