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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Financial DEPARTMENT

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Encl

No 277

ENCLOSURE No. 2/81

Sanjore President's Office
Vellore 8th October 1881

2420
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From

C. A. Bird Esquire
President of the
Municipal Commission
Negapatam

No Copy

To

The Honorable R. Davidson C. S. I
Chief Secretary to Government
Madras

Sir

I have the honour to inform you that a Mahazarnamah addressed by many of the inhabitants and rate-payers of Negapatam was received by me on the 3rd ultimo containing statements which induced me to go to Negapatam and make inquiries.

2 I have every reason to believe that many of the Signatures are bona-fide and there can be no doubt that matters there are not

as they should be.

3 Party feeling runs very high, so much so I think as to interfere with the proper working of the Act.

4 I enclose the Mahazarnamah from which you will see that it is alleged amongst other things that the affairs of the Town are administered by a clique. I think there is a good deal of force in this. I am of opinion that Negapatam is not yet ripe for self government. The fact of the matter is that the European members of the Committee dislike attending a meeting which they learn is presided over by a leader of a faction. I am aware that Europeans are loth to sit at a meeting presided over by a native, but I do not think that would deter them if they knew that he was a man of impartiality and independence. There can be little

doubt

doubt that at Negapatam, and in the present state of feelings, the few Europeans on the Commission have as a rule refrained from attending; and this has allowed the Vice President and his party to manage matters as they like, and I consider that they have abused their power as I shall presently attempt to show.

5. As matters have come to such a point, I would strongly recommend that the present Vice President be asked to resign and that a European Vice President be appointed by Government. I would suggest the Sub-Collector. But if the Government think it better to have a non-official, I would recommend that Mr. Dawson, the agent of the Bravel Bank, be asked whether he would accept the post, and should he agree, that he be appointed a Municipal Commissioner and named Vice President. With an

impartial

impartial person to preside
the party feeling in the Board
would be rather an advantage
than otherwise, as it would
prevent stagnation. There
are other changes necessary. There
should be on the Board more
representatives of property, and
there should be some additional
members to represent Nagore
a Town included in the Municipal
limits almost as large and
important as Negapatam.

6. This latter Consideration
leads me to one point in which
I Consider the majority have
abused their power. Nagore is
hardly represented at all on
the Board. There is only one
resident of that large Town
on the Board and he is not
one of the clique. The result
is that the interests of Nagore
have been greatly neglected;
the more so that the Member
who is a resident of Nagore
is not Constituted the Divisional
Member for that place, but a

Resident

resident of Negapatam who is
already appointed to look after
a division in Negapatam has
been deputed for this duty.

7. I went round the Town
of Nagore and it is evident
at a glance how differently
it has been treated from the
other portion of the Municipality.
There is hardly a street metalled,
drainage is utterly neglected, the
few dust bins originally built
are falling to decay - rubbish
is thrown in the Town limits
and in the most inconvenient
places, and there is hardly a
tank which does not pollute
the air with its effluvia. In addition
to this, I cannot but believe
from the few Examples of
house tax assessment that
I was enabled to Consider,
that little or no care has
been bestowed on this matter.
It is said and I can quite believe
it, that the work was entirely

left

left to low paid and irresponsible Municipal Servants namely the Nuisance inspectors, without any check. The inhabitants of Nagore refrained from putting their names to the Mahazaar mentioned above, as they are anxious to be freed from what they call the tyranny of the Negapatam Board, by being constituted a Separate Municipality.

8. With regard to the House Tax revision in Negapatam about which a good deal is said in the Mahazar I am unable at present to speak: Except to say that it seems to have been revised, or changed without much System. I could find no kind of records as to the principle on which the Sub Committee worked and there were no data on which to base an opinion when appeals came up.

9. But the chief abuse of power I consider to be the reckless way in which certain portions of the Streets have been made over to several of the Commissioners.

10 I think there is some question as to the legality of this proceeding. Under the Act (Section 13) all public Streets Existing at the time the Act came into force or thereafter made, vest in and belong to the Commission and by Section 18 they are authorized to sell any land belonging to the Municipality.

11. But two questions arise, one is, does all land suffered in the past as a street (whereon) vest in and belong to the Commissioners. I think not, but only such portion of such land as was actually a Street at the time the Act came into force, or was subsequently converted into and used as a street - Secondly, Are the Commissioners at liberty to sell such land and use it for Current Expenses and thus to dispose permanently of the

with capital? However these questions may be answered I am of opinion that it is a decided abuse of power on the part of the Board, to sell portions of public property, at low prices to members of the Commission - and this they have undoubtedly done. Several instances are given but I will confine myself to one where a certain portion of land has been sold to the Tahsildar Narayanasami Nayadoo. The facts of the case are very fairly represented in the Mahazar. But I will state them from what I learnt on inquiry made in the presence of the Vice President, the Tahsildar who is a Commissioner, and a Commissioner named Swayambuvier who is alleged to be the person who got up the agitation.

12. I must call the

3.

Special attention, to this case as it is a Revenue officer who is, what I consider, the delinquent in this matter. There is a certain piece of land in front of the Tahsildar's house. I regret that I cannot give the Exact dimensions. It is portion of a piece of land in an angle between two streets.

13. On the 25-th November 1880, the Tahsildar proposed that this piece of land should be made over to him in order to plant ornamental shrubs and make a municipal garden. Now if the matter had stopped here and the Tahsildar had made an open public garden with ornamental shrubs etc, he might be considered a public spirited man. But this is not the case.

14. At another meeting on a call from the Commissioner Swayambu Aiyar, it was very properly resolved that, the land should be measured, and that it

it was to be given over without compensation at any time, if required by the Municipality.

There is a well in the neighbourhood and in the report of measurement put in on the 9th and recorded on 11th December 1880, this well was specially excluded.

15. On the 28th April it was proposed to sink another well within some 20 or 30 yards from the old one. It appears questionable whether there is any difference in the water. I cannot imagine that there could have been any hope of finding the new well better water than that from the old which appears to have been largely resorted to. The new well cost Rs 159-12-0 and the bill for it was submitted on 21st July

16. On the 28th July it was resolved to sell the piece of land to the Tahsildar and it is now including the old well enclosed in

in ugly high brick and chunam walls, and planted with plantains, and vegetables also, I believe. At all events it is not an ornamental garden. It was sold well and all, for the absurdly low price of 100 Rs. I have no doubt that if the Commissioners wanted to purchase a piece of land in that locality, they would find they would be obliged to give at least ten times the price for it.

24 20 6

17 The Tahsildar shewed me some letters purporting to be from Europeans and Eurasians living in the neighbourhood in which the garden is said to be an improvement on the land as it was before it being said to have been left in a very filthy state. There is no particular reason why it should have been allowed to remain so and there is no reason now why the land a little beyond should not become as bad if equally neglected by the Municipal Commissioners

The

18. The account given by the Tahsildar of the manner in which the land was given to him is illustrative of the feelings of the Board or rather of the clique. It is said that there was a discussion as to whether the land should not be given free in consideration of the Tahsildar's great services in regard to the construction of the Irabatur Tank - but he refused, that then it was proposed to give it at a nominal price and he again refused - that the Commissioners Considered Rs 100 a fair price and thus the bargain was settled; the fact being that they have given the Tahsildar a valuable piece of land with a good well, and spent Rs 59-12- of public money over and above what they received from the Tahsildar in replacing the well.

19 I must here mention that the Irabatur Tank above referred to is objected to in the Maharajas

Jy20 1

as a waste of money. I cannot say whether it is or not. I was surprised I must confess at the situation as it appears to me to be either just in, or just on the borders of a salt swamp. There is a large* tank close by much resorted to. It was pitiable to see the difference. A few women came to the new Tank while I was there, it looked as if a ~~pair~~ came to convince me it was being used. It is possible that this tank may hereafter become useful and be appreciated, but that time has evidently not yet come nor do I see the necessity for so large a Tank for the purpose.

20. Now the alleged services of the Tahsildar are the energy he displayed in collecting the men to dig the tank. Had I as President and Collector known of the energy displayed I should have directed him to abate the same somewhat or at all events have taken care to insure the payment

payment of the work people.

21. The tank has been Constructed without any Estimate and I was unable to get any nominal rolls of the workmen. The Tahsildar informed me that the village Pattamanigars brought the men and that the Pattamanigars would be paid. He was unable even to tell me the names of the villages Concerned.

22. The Vice President tells me this is the usual way work is carried on. There is certainly a sad want of system in this municipality.

23. I must mention to return to the former Subject that on a previous occasion one Chokalingam applied for the whole of the land including the piece made over to the Tahsildar and it was refused by the Commissioners for the reason that it was required for public purposes.

24. I had not time to go fully into all the facts alleged in the Mahazar but I have taken the above as Specimens, and I Consider that two things are obviously

obviously needed - one is that a change should be made in the Board by appointing a European Vice President and getting some new blood into it by Completing the number in such a manner as to make it represent the rate-payers better and Secondly that notice should be taken of the Conduct of the Tahsildar. I have mentioned the general facts above, but I must call attention to the under-handed nature of the transaction: On each occasion when the matter was mooted (Except when it was objected to on the part of the opposition) the Subject was brought before the meeting without any previous notice and this with the farcical assumption of public Spirit at the Commencement Seems to me to show not only that the Tahsildar has obtained this benefit, but that he was aware that he was doing what

what I cannot but stigmatize as a dishonest Jot

25 I leave it to the Government to decide what should be done in regard to punishing him or not, but I am decidedly of opinion that he should be moved from Pegapalam where he and his family have been in power for many years and where he has shown that he can use his influence against the public weal and secondly that he should be made to disgorge his ill-gotten gains, either by giving up the land clear of walls and impediments or paying a fair price for it.

26. I enclose herewith in addition to the Mahazar, a report by the Sub-Collector in reply to a call from me to give his opinion as to whether in the present State of feeling it would not be well to have a European Vice President and a

a letter from the Vice President in answer to the Mahazar, or rather in answer apparently to what appeared in the South Indian Post as a translation of the same.

27. I have not called for a written answer from him or the Tahsildar but having made an inquiry rather into municipal matters than into the Complaint, and having formed an opinion, I have reported the same seeing that I am about to leave the District in a few days on furlough. The facts of the matter on which I have now based my opinion are clear and admitted and I hold that no Explanation can mitigate the grossness.

28 In reference to para 22 of the Sub Collector's letter, I may add that there have been so many prosecutions under the Municipal Act before the bench of Magistrates that I have been obliged to call on the

the Vice President for an Explanation of the apparently reckless System of prosecution adopted. He states in his letter that he has addressed me separately on that point — but the Explanation is not a full one. I enclose it with my Proceedings on it.

I have the honour to be
Sir
Your most obedient Servant

Comp'd H

J. D. Winn
President

Tanjore Sub Collector's Office
Negapatam 28th September 1881
Despt 29th Do

No 705.

24420/10

From F. E. Gibson Esquire
Actg Sub Collector of
Tanjore

To
The Collector and President
of Municipal Commission
Tanjore

Sir,

I am returning the original Tamil petition from the rate-payers of Negapatam or a very large number and majority of rate-payers — received with your Endorsement No 71 dated 8th September 1881, I have the honour to submit a few remarks.

2. As I gathered from you when you visited this town that

you thought it undesirable that
I should make any detailed
personal enquiry into the matters
treated of as illustrations of alleged
Municipal Mismanagement I
have with the exception only of
attending at the one meeting at
which you presided carefully abstained
from any action enquiry into
Municipal matters, and confined
myself, as hitherto, to perusal
of Minutes of Proceedings as
circulated.

3. I am constrained, however,
to observe that from what has
come before me as a Magistrate
and from what I have gathered

2420
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as a resident and as naturally
seeing something of what goes on
that, after making all due allowance
for the natural and ordinary
feelings of distrust aroused in-
evitably by any changes of taxation,
and the usual disgust at increase
I am of opinion first - that a
natural not a factitious dissatis-
faction with the present Constitu-
of the Municipal Board as well as
with its mode of working does
exist and is very widely spread
amongst both Europeans and Asia-
tics who together form an
important Element of the population
being even in numbers not less
than one hundred percent and, also amongst
natives poor and wealthy, educated

and ignorant.

Secondly - I am convinced that this distrust of the present working is not by any means without foundation; and that in reality affairs are in the hands of a clique which does not fairly represent the body of the rate payers whilst most of the more intelligent and substantial classes are not directly represented at all and there is for example practically and at meetings no representation at all of the Europeans and Eurasians some of whom are owners of house property and all of whom are rate payers under one or other head.

The last of the Municipal Commrs.

4. There is in my opinion

v

a too great preponderance 24/30 of the non-properties upon the present Board as now constituted.

5. As to the four Europeans one is the President who has altogether five municipalities to look after; and one is the Ex-Officio Member Revenue Officer of the Division, who in Mr Austin's time as well as my own has not been able to see his way to attend at the meetings for reasons which would appear sufficiently obvious to you at the meeting over which you yourself presided.

6. Of the other two Europeans members one is the Apothecary Mr C A Morris who is very fully

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occupied with his own work as
Medical Officer of the Station
and having sole charge of hospital
and all miscellaneous duties and
the fourth is the Warden the
Inspector of Schools who of course
is merely a member ex-officio
and almost pro forma to advise
occasionally on departmental matters -

I suppose he is a Native

7. As regards the two dissidents
dissenting native members I
think you will agree with me that
these communications have not
been treated in a manner calculated
to encourage independence and
personal responsibility in public
matters -

In the matters of the

Jupe 13

House Tax I have seen enough to
convince me of two things - first
that the total gross valuation for the
whole town, and upon the whole is
very much too low; Secondly that
no system or method has been
followed in making revision of
valuation; and especially that far
too much has been trusted to ill-
paid and low placed Subordinates -
Thirdly I am disposed to think
but here I speak less confidently
having no access to records and
figures that dwelling houses
occupied by owners have been
valued disproportionately especially
amongst the poorer classes, as
Compared with shops - godowns -
warehouses and large houses rented
out to Europeans or others, this

? Which or How

last class being a most valuable species of property here the effective demand much exceeding at present the supply.

9. Passing on to Para 2 of the English petition, or rather the English version which is a fair translation of the Tamil I can only say that my experience at Tuticorin a town very similar as regards native houses leads me to think that the petitioners representations are deserving of far more careful and detailed Consideration than they appear as yet to have received.

10. Now as to para 3 in the matter of the Professional Tax - here I have grounds to go upon from what has come before me officially in various ways and from what

transpired at the meeting when you presided the 5th day and I am fully persuaded that this tax is upon the whole too large in amount even at the present reduced figure for this year and that it would be in the end if valuations are made with care far more Satisfactory and less troublesome and vexatious in the future to raise the House Tax to the very moderate rate of the Convenient 6¼ percent or one Anna in the rupee or 1 shilling 3 pence in the pound and reduce the Trades Tax by one fourth of its present high total -

11. I am convinced that it can be shown to demonstration

that many are included in the present lowest class now at 6 Rs each or V class (VI, VII VIII classes excepted) who ought not to be there at all; and if their contributions are in= dispensable a large proportion should with sanction of Government be taxed in classes VI - VIII

12. A rough superficial comparison of amount and classes and numbers of those assessed to the Imperial Licence Tax and to the Municipal Trades Tax, will throw a vivid and startling light upon my meaning as would also the petitioners task which as they do correctly and pertinently urge is also the test fixed by the Act. itself namely rental of premises.

13. It is surely sufficient to attract the attention of Government that the total amounts of 2420/13.

(1) The House Tax at 4 per cent

(2) The Imperial Licence Tax and

(3) The Municipal Tax on Professions and Arts are this year nearly the same; but you will bear me out in saying that these curiosities do not seem to have attracted the attention of any of those who rule de facto over the Collection of Municipal taxes.

14. The Tahsildar it appears to me does not take quite the part that he ought to do, as to this and other matters; and in this matter he candidly admitted; and emphatically asserted that he furnished no information or aid to the Commissioners in any shape

Does the Tahsildar also is also a Commr.

15. Passing to the matter of alienation of waste lands I must

say that here, also, I have seen quite enough in the way of business to indicate that there is considerable laxity to say the least; and that the Tahsildar has not in my opinion shown himself as vigilent for the interests of Government" as the general public as he ought to have done.

16. Consequently there seems to prevail at the Municipal Board itself a most erroneous, and much to be deprecated, notion that all waste land within the limits of this straggling "Municipality" either is or ought to be at the absolute disposal of the Municipal Commissioners and consequently there is a disposition to resent the claims of "Government" who really in this matter merely act as Agents of the general public or the Commonwealth broadly

Contd.

17. There too seductive assumptions of powers to deal with such lands in a manner not in any way authorized by either law or equity not only cause ill-considered alienations of valuable State property; but frequently endanger most vital and enduring public interests for the very petty delusive sak off of immediate "revenue" is devouring Capital that never can be replaced and handing over to individuals what should belong to all.

18. I am satisfied that this demoralizing absorption of Capital is thus proceeding unheeded and almost unchecked in this Town-

19. I therefore think myself that this alone is almost a sufficient reason for appointing an unofficial official representative of "Government" as the "Vice President"; and I go further as I am reluctantly constrained to state my conviction that the great mass of the rate-payers and I believe all the Europeans would rather see an indifferent or even unpopular Subcollector Vice President than a man who necessarily is by his position in any way pledged or embarrassed with the Connections of any particular interest or small circle.

I do not think that any independent non-official European gentleman would be willing to undertake the ungrateful task;

or accept the thankless office and the one or two most likely have intimated some their extreme unwillingness. 2420/85 137

20 I think however that if Government can persuade (as may perhaps be done) two or three leading European non-officials to accept seats under a different presidency (ie Chairman) that possibly an election by the reconstituted Board might be the most satisfactory mode of selecting a Vice President; but the success of this plan is not probable unless the President will himself preside at more than one or two executive meetings.

21. Upon the whole I am very decidedly of opinion that general discontent does exist and is likely spread and intensify unless some

searching and detailed enquiry into all the grievances be made by a government official which as far as I know has not yet been done but is I venture to submit most urgently demanded

22. I am convinced that there have been as is known to yourself far too many vexatious and unjustifiable prosecutions; and I consider from facts that have come before me now & again as Joint Registrate that there is much foundation for the petitioners representations that far too much reliance is placed upon the reports of "peons" et id genus omne; and that far too much power is indolently or negligently entrusted to low placed servants; and that the superior Executive and administrative Staff much require strengthening; and a thorough re-organization. 24 & 25/18

23. Finally I can not but state my own feeling that there is very considerable force in the Complaints of obscurantism made in Para 6 of the petition; and that benifit would result from a greater readiness to take the rate payers into confidence; and give them the means of forming Correct Judgements at present denied to them.

24. I see no reason myself why at least representatives of the public should not be invited to be present at meetings of the Commissioners, instead of being as at present practically excluded;

and I think the persons present
or any of them should be free
to publish any fair and substantially
faithful report of proceedings -

I have &c.a
(Signed) H. E. Gibson
Ag Sub Collector

(True copy)

[illegible]
President.

[illegible]

2420
19

In a letter

From

The President
Municipal Commission
Negapatam

To The Chief Secretary to
Government
Madras

Dated 8th & 3rd October 1881.
Recd

No 277

Copy of Sub Collectors
letter reporting on the
Memorial from the
rate payers of Negapatam
on the maladministration
of Municipal affairs.

No. 526. Municipal Commissioners Office
Negapatam. 1st October 1881

From. S. A. Saminada Esqr 2420/1881
Vice President Municipal Commission
Negapatam.

To. C. A. Bird Esquire
President. Municipal Commission
Negapatam.

Sir,

In reference to the Memorial that has lately been presented to you about the maladministration of Municipal affairs in Negapatam, I beg permission to place before you the following facts for your information. But the elucidation of the several matters called in question is not as complete as can be desired in the absence of the original Tamil petition and the report on it which I learn has been submitted by you to the Sub Collector. On receipt of the original petition and a copy of the Sub Collector's report for which I have applied by my separate letter, I hope to be able to place before you a fuller and more complete Statement

2. I observe to the resolution mor-
Dated 1st October 1881 finally noticed until
I have that the memorial was got-
up by Messrs P. Venkatasawmy
Raja and C. V. Saupathy Iyer, two
dis affected Commissioners on the
Board and when it was in process
of preparation the Commissioners
learned of it and at their meeting
of the 1st ultimo passed the above
resolution placing on record the
conduct of these two gentlemen
in connection with it. The reso-
-lution was unanimously con-
-firmed at the next meeting which
was presided over by yourself
in which both these gentlemen were present.
The conduct of the above gentlemen
at that meeting would have af-
-forded you ample proof (if proof
there need be) that they were the
prime movers in the matter of
the Mahazar. The memorial
purports to have been signed by
over two thousand persons, but
only a small percentage of these
are rate payers. A number
of persons appear to have been
sent round with a tray blank sheets
of papers with a representation
that a protest was being got up
against the increase in the House
Tax and the introduction of the
private Scavenging system with
a view to the same being placed
before the President and the Govern-
-ment and signatures obtained there-
-on without the contents being
communicated to them. In fact
the body of the memorial does
not seem to have been drawn
up until after the signatures were
obtained and the total number
ascertained. I observe to the memo-
-rial and papers containing signatures
will bear out the above facts. This
memorial thus got up cannot
be taken as an exponent of the genuine
public opinion of rate payers.

3. The memorial is full of
misstatements and exaggerations
and it will be a tedious work
for me to refer to every one of
them in detail. I beg therefore
to confine this letter to some of
the leading features.

2420 21

4. House Tax - Assessment in 1868

that the last assessment of the House Tax took place and during the last thirteen years the old Regulations had been standing only subject to very slight modifications. During the long period the value of house property has been steadily increasing owing to the growing importance of the Town in many respects and a very large number of new houses has been constructed. The Commissioners therefore resolved to revise the Assessment. And the result of the revision is only an excess of about Rs.200 over the last assessment and there is an increase now brought for the first time under assessment of about 800 houses. This excess is liable to reduction on appeals.

In the arduous task of valuing and assessing upwards of 10000 houses a few errors may have been committed and ample remedy is open to the house-owners by appeal to the Board.

5. A fisherman's village (Kambian Coopam) has been brought under assessment and it is stated in the memorial that the hamlet had been exempted from taxation since the introduction of the Act. This is a gross misstatement. The Board never made any such exemption nor have they the power to do so. That the hamlet was not brought under assessment till now is due only to oversight on the part of the Board which oversight has now been rectified.

2420/210

6. Private Scavenging system. This was adopted at the repeated suggestions of Government. The scheme was brought into operation in the middle of April last and has continued to work Satisfactorily upto now. Not in one instance was any Complaint made to the Commissioners. The deputation bit alluded to in the memorial as existing in the Mahomedan Quarters is purely imaginary. Men are employed Scavengers as well as male ones on the Establishment and Sashas houses that may object to the entry of male scavengers are welcome to the services of female ones. The

Mahamedan Quarters of the town have been in a most filthy and disgraceful state of Sanitation and Epidemics when they appear have been observed to rage more virulently there than in other parts. It was therefore necessary to take a step in the direction of introducing Cleanliness in those Quarters.

7. Sale of Municipal Lands. The Board has from time to time been selling, permanently leasing or exchanging lands of various descriptions within the Municipal Limits and the attached list gives a number of cases in which such transactions took place and the nature of each. This list is by no means exhaustive.

8. In regard to the sale of land to Mr. Naraniasamy Naidu Mayor state that the plot in question was a waste piece serving no useful purpose for the public. It was used as public latrine and Stray Cattle used to lie on it.

(37)

The State of the locality was a constant cause of complaint and annoyance especially among the European Residents living close by. Commissioners had the Sanitation of the Locality in view when they had leased it to Mr. Naraniasamy Naidu Garu for being converted into a garden. The Circumstances under which here was converted into a sale are these. About last May Commissioners resolved to dig a tank close to the Akbaraicolum exclusively for drinking purpose and Mr. Naraniasamy Naidoo lectured great pains and labour on the carrying out of the work. After the completion of the tank a vote of thanks was moved at a meeting of the Commissioners due conveyed to him and carried. In connection with this, one of the Commissioners proposed that the piece of ground that had been leased to Naraniasamy Naidoo might be made a present of to him in consideration of his

Sold?

Very Weird!

valuable services in the digging of the new tank. His honour was declined by Mr Naraniasami Naidu and a proposal to sell it to him was unanimously carried. The site was intended to be used only as a garden and it could not under any circumstances be used for building purposes. There is a line of buildings to the north of it and the owner and occupiers of the same have a right of easement to prevent buildings on it. In view of the purposes to which the land can be used a fair price of Rs 100 was fixed upon it.

8. In connection with this it is complained that to make up for a well which passed with the land sold to Mr Naraniasami Naidu the Commissioners sank a new well near it. This is a gross misstatement. Sale to Mr Naraniasami Naidu was on the 28th July 1881 but long before this want of good wells in the locality had been felt, inasmuch as the well standing on the land sold to Mr Naraniasami Naidu was brackish and seldom resorted to for water the Commissioners resolved on the 28th April 1881 to supply the want by digging two wells one opposite to the Post office where a new well has been sunk and the other in front of Babaki shop.

Reference is made in the memorial to a piece of ground in front of the building in which Post Office is now located. It is complained that the plot belongs to the Municipality and Mr Naraniasami Naidu has improperly enclosed it as his own. The plot in question has from a long period been in the occupation of the previous owners of the locality. There is a line of old Poorsa trees to mark its southern limits all raised up by the owners. The statement that Mr Naraniasami Naidu has encroached upon the ground is beyond the least question.

Reference is made in the memorial to a piece of ground opposite to Kalamman hut in the occupation of one Veerasami. It is stated that it is a portion of the street and that

Commissioners have allowed him as a matter of favour to put up a shed on it subtant rent. It is not a portion of the Street and the Pymash Account shows that it is measured as Kalvaimmen Land. It has all along been in the occupation of private individuals. A reference to the resolution of the Commissioners dated 8th December 1869 shows that an application by a Missionary living close by praying for the removal of the shed put upon it, was refused on the Ground that it was measured in Pymash Account as Kalvaimmen land. Again on the 29th February 82 a similar Complaint preferred to Commissioners was rejected (vide Resolution No. 3. .....)

Mr. P Venkatasamy Raja's encroachment:- This is a late encroachment effected by him when he was in charge of the Division in which it exists.

This is one of the "Disaffected Commissioners" Surfaces

Mr. Streenivasa Naidu's Alodi:- Commissioners have declared the land on which the Alodi is erected to be private property (Vide Resolution dated 11th March 1880). The Statement in the memorial that this an encroachment is incorrect.

Mr. Ganapathy Pillay's flight of steps:- The site on which the flight of steps is erected was granted to Mr. Ganapathy Pillai on an application by him subject to the removal of the erection when required by the Commissioners. vide Resolution-

2420/25.

The Memorial makes a reference to an encroachment alleged to have been made by one Narayana Naik. A Sub Committee consisting of the then Vice President Mr. C. V. Suryanarayan Mesrs. Streeramalos Naidu and Bavasa Rowthur were appointed to report upon the encroachment. No report was submitted by the Committee. Some time after, the above Narayana Naik applied for permission to renew his alody. Upon the recommendation of the Divisional

Commissioner the then Vice President Mr. C. V. Suryanarayan sanctioned the construction of the Alady. The President never addressed the present Vice President to submit any report upon this encroachment.

Digging of a new tank near Kk. Karaikalmn is made one of the subjects of complaint in the memorial. Good drinking water has all along been felt as a crying want in the Municipality. So far back as 1870 the Commissioners resolved to dig a tank near Kk. Karaikalmn to supply this want. (vide copy of the resolutions dated 16th April 1870 and 14th July 1870). The same subject came before the Board on two or three subsequent occasions and resolutions were passed sanctioning the digging of the tank. In one of these resolutions the then Commissioners selected the very site wherein the tank has been now dug. No actions however seem to have been taken upon

these resolutions. The President during his visit to the Municipality in the early part of the year suggested amongst other things the desirability of digging a tank purely for drinking purposes. The proposal was thereupon made by the Vice President and the Commissioners resolved to dig the tank in the very locality where it has been dug. No provision having been made in the Budget for this purpose Commissioners applied to Government through the President for sanction to carry out the work out of savings effected under various items. The Government in their No. 933 dated 26 May 1881 Proceedings noted in the margin sanctioned the work. At considerable pains, chiefly with the assistance of the Tahsildar, Commissioners were able in two months from the date of sanction by the Commissioners to open this new tank for public use. In the opinion of the General public this new tank is a lasting boon and it is already very largely resorted

to for supply of drinking water. Mr Webster took great personal interest in this work and in recognition of the same, Commissioners resolved at their meeting of 28th July 1881 to designate it as "The Webster Tank"

In their resolution No. 12 dated 11th November 1880 Commissioners resolved to send copies of their Proceedings to the local newspaper for publication. The Proceedings used to be published for some time and then the paper ceased to publish them, very probably for want of space and the Commissioners thereupon ceased to supply the paper with copies of their Proceedings.

As regards the subject of Municipal prosecutions referred to in the Memorial, I have addressed you separately

I have &c
/Signed/ S. A. Sammandhan
Vice President
/True Copy/

Comptr

[illegible]
President

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Page	Date of Resolution.	Number of Resolution	Subjects.	Resolution.
			Sales and permanent leasing of Municipal streets and lands.	
130	1868 February 27	2	Read letter from Reverend D. Little offering to give on behalf of the Wesleyan Missionary society a piece of the land attached to the Mission House, and to pay for the purchase of the property situated between it and the continuation of Holland Street, provided the commissioners will give him in exchange the street running on the South of the Mission House.	Resolved unanimously that the offer be accepted with a view to a road being laid to afford improved communication with the Salt Depôt.

28/2/28

169	June 1868	20	4	Read Tahsildar's report to the acting Sub Collector about the premises of Ramachandra Chetty in the Bazaar Road, Negapatam.	Resolved unanimously that Ramachandra chetty be told that if he removes the tinnay on the west side of his house the Commissioners will have no objection to his retaining that on the north which is an encroachment on Municipal land.
172	June 1868	27	3	Read Rev^d Little's letter.	Resolved that immediate steps be taken for opening a road on the west of his house.
180	August 1868	8	2	Read petition from the inhabitants of Green street, Negapatam, requesting not to carry out the intended blocking up of the lane on the South of the Wesleyan Mission Premises.	Resolved unanimously that the Commissioners cannot comply with the request of the petitioners.
180	Do	8	1	Read petition from Subba chetty and others protesting against transferring to Rama=chandra chetty a portion of a public lane behind premises Nos 30 and 31, Bazaar street, Negapatam.	Resolved unanimously that the following endorsement be given to the Petitioners. Petitioners are informed that the piece of ground given to Ramachandra chetty is not a lane at all. The Commis=sioners see no reason to alter the decision at which they have arrived.
184	Do	29	2	Read letter from the Reverend H. Little, Wesleyan Missionary, requesting on behalf of the Mission to make over to him a piece of Municipal land adjoining the Mission premises, on such terms as the Commissioners see fit to impose.	Resolved that the land be put up to auction at an upset price of twelve annas per Guli & sold to the highest bidder.

190	1868 September 21	8	8, 9 & 10	Resolved that the deed of Transfer between the President and Mrs Little, dated 17th September 1868, be recorded and kept in the office. The boundaries of the piece of road measuring 12,661 Square feet referred to are as follow,— North by the wall of Wesleyan Mission compound and house, South by the walls of Comaravélupandaram and Rāma- — Sāmi Pillai's compound respectively and a lane belong- = -ing to the Municipal Commissioners, East by the road commonly known or called Padaria's road, West by the continuation of the green street.	
186	Do	5	3	Read Inspector's report on Veera Pillai's petition to repair bazaar, Nos 36 & 16, in bazaar Street, Negapatam	Resolved that the peti- = -tioner be allowed to repair on condition of payment to commis- = -sioners of 8 annas per annum for the Municipal land measuring 12 by 2 on which a portion of the building stands—
192	1868 October 10	7		Read Inspector's report on Sabapathi Iyan's petition No 672, requesting to construct thinnai on Municipal land for reading Rāmayanam	Resolved that the thinnai measuring 4 2' by 5½' be allowed, provided that rent be paid for the land occupied, at a rate of Rs 2 per 100 Square feet
259	1869 May 22	6		Read petition from Ramasamii Pillai of Negapatam	Resolved that the period prescribed in notice, No 201 of 21st April 1869, having expired and no injunction or order to the contrary having been produced, the land be at once taken possession of & transferred to the

30 24 20

276	July 8 1869	21	4	Read petition from Konstantyne Chetty praying to be permitted to occupy a lane on the north side of P. no 17 in Arianattoo street (which is not used at present as a public passage but as a place for committing nuisance) in consideration that a portion of the petitioner's own land was taken in by the Beach road.	Wesleyan Mission. Resolved that he be informed that he may make use of the land so far as the Municipal Commissioners are concerned and that they will make no objection to his use of it; but that they are unable to give him any legal conveyance of it, and that he must be alone responsible for any action that may be brought by others.
5	1869 August 7	1	1	Read petition from Chinnia Chetty & 7 others, protesting against the indulgence taken by Constantine Chetty in blocking up a public lane, and requesting	Resolved that the commissioners see no reason to alter the

that he be directed to throw it open as usual for the use of the public.

decision arrived at at a previous meeting

8	Do	23	11	Read report from the overseer on the petition of Petha perumal Chetty, requesting to lease out a piece of Municipal land in front of his house, No 37 Esparanconil East Street, Jaffna.	Resolved that the ground be leased out at the usual rate.
66	1870 April 28		1	Read Overseer's report on petition No. 1522 praying for permission to repair Muggappan's Municipal land & offering to remove it at the pleasure of the Commissioners.	Resolved that the land be offered for sale to petitioner at 8 annas a square foot.
88	July 20	14	1	Read petition from Anthoney Achee, praying that the lane encroached upon by her may be sold at a moderate price.	Resolved that the land be offered to petitioner for Rs. 150 or that she may pay rent for it at Rs 12 a year or that the Municipality are willing to accept in lieu of the encroachment a piece of land of equal

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extent on the east of petitioner's house. Petitioner to settle before next meeting.

94 1870 July 4 2 Resolved that the lanes existing within the proposed market at Kazore be sold at the rate of 4 annas the square foot to the constructors of the market

97 Do 11 1 Read petition from Sellathal, praying for the sale of the land encroached upon by her measuring 23" by 2" — Resolved that as the encroachment does not interfere with the road, Petitioner be allowed to purchase the land for Rs 20

122 November 10 9 — Read report on petition, Iro 821, detecting an encroachment of 11' by 11' in Kāyākaikaia Aliamoidien Maricar Santhu, Kazore — ? Resolved that the land encroached upon be offered to Mohomadu casa at a rate not exceeding 8 annas per square foot

112 October 6 3 Read petition from Asen Abdul Kadir Naina praying that the value of the Municipal land proposed to be sold to him be reduced from 8 to 4 annas per square foot — Refected —

222 1872 February 8 3 Petitioner from Kooma Kadir Kroidien Sahib Maricar, praying for the lease of certain Municipal lands — Resolved that the land be leased at the rate of 2 Rs. per hundred square feet —

225 Do 15 3 Petition for lease or sale of Municipal land by Attiuccanny Ammāl & Chinnatteambi Maricayar — Resolved that the land be offered for lease at Rs. 2 per hundred square feet —

" 1873 April 29 8 Proposed sale of house sites in the clearing in bazaar street, Pegapalam — Approved. The proceeds to be devoted to the improvements of sites for firewood at the Beach.

October Do 14 3 Report from the Sub committee on the encroachment made by Asen Abdul Caudir Naguda of Kazore — 22/2420 Resolved that the land encroached on be offered to encroacher at the usual rent & that if he does not consent the encroachment will be removed.

1873 December 9	2	Sub Committee's report on the petition of Asen Abdul Cawder Maguda of Nagore —	Resolved that the overseer be required acted on his intentions expressed to the Sub Committee. Rent will be fixed at Rs. 2 per 100 square feet.
December 9	3	Sub Committee's report on the land adjacent to Sackady lane referred to in the overseer's diary —	Adopted. It does not seem to be necessary to take any action in this matter.
1874 July 14	6	Petition from Gopala Iyen of Negapatam, requesting to cancel the notice issued for removing the encroachment made by him in front of his house & to fix the usual rent for the same	Petitioner must pay the usual demand of Rs. 2 per 100 square feet
August 4	3	Overseer's report on petition, no 240, from S. Krishnasamii aiyar of Negapatam —	As this is no in = = convenience to the public, it can be allowed temporarily on pay = = ment of the usual fee of Rs. 2 per 100 square feet —
October 1	2	Petition from S. Ramiah Pillai (com = = missioner), requesting to rent out to him a piece of municipal land measuring 24 × 4½ in Sattiapper coil, East street —	Resolved that a sub Committee, consisting of messrs Smith, Oliver, & Ricketts be appointed to inspect and report.
1875 September 16	5	Read Sub Committee's report on the petition presented by Subbiamier of Negapatam —	Adopted the land to be rented at the usual rate.
November = ber 4	2	Read overseer's report on petition received from Sivasami Sastri, requesting to lease out a piece of municipal land.	Resolved that the application be complied with on condition that it be not used to stable cattle.
Decr 2	2	Read letter from the Collector of Tanjore regarding the land handed over to the Wesleyan Mission by the Commissioners in 1868 —	Referred to a sub com = = mittee, messrs Ricketts, Smith, Venkatrayalu

1873. S. C. P.

			raidu garoo, Vice President to inspect and report to the next meeting.
December 9	3	Read petition from P. Venkatasami Rajah (Commissioner) offering to purchase a piece of Municipal land in front of his house No 4 in Perumal Coil, south Street, Negapatam	Resolved that the land be leased out on the usual terms.
Do	5	Read Sub committee's report on the letter received from the Collector of Tanjore, regarding the land handed over to Wesleyan Mission by the commissioners in 1868.	Resolved that the report be adopted and that the obstruction referred to in the 4th paragraph be removed under the provision of Section 139.
1877	1877 April 19	5 Read Sub committee's report on the petition of Ponnusamichetty of Yarroosen palli street, No 47, Negapatam regarding the abodi of the said premises.	The petitioner's request is Sanctioned

1878 February 14	6	Read petition regarding the lease of the land to the west of the Powder Magazine road, formerly leased out to Muttulinga Pillai, deceased.	Resolved that the lease of the land be put up to public auction.
June 13	2	Read Inspector's diary, regarding the piece of land on the west of Powder Magazine road, leased out to one, Sattaya Pillai.	Resolved that the land be resold in public auction and the loss, if any, be recovered from the said Sattaya Pillai and that a notice of sale be published in the town.
August 8	2	Read letter from Rev. F. Oliver (Commissioner) regarding the construction of a channel through his garden, dated 25th July 1878.	Resolved that the conditions proposed by Rev. F. Oliver be accepted.

3/2/20

Temporary leasing of Municipal lands

225 1868 February 20 6 Read petition, No 1022 from Sabapathi Chetty of Peria Coud, East street, P. No 131, Vizagapatam, requesting permission to construct tiles his bazaar situated on Municipal land—

Resolved that the petitioner's request be granted on payment of an annual rent and on the understanding that the land in question be vacated when required by the Commissioners

105 1875 November 4 7 Read petition from Muttukomara Pillai requesting permission to construct a cesspool on Municipal land—

Resolved that the site be leased out to him on the usual terms and on condition that it be built according to specification and be removeable at his own expense, whenever required by the Commissioners M. R. R Venkatrayalu Naidu dissents—

12 1876 January 12 11 Read petitions from Chackrapani Aiyangar & Ramasami Reddy of Vizagapatam, requesting to lease out a piece of Municipal land—

Permitted at the usual rate on lease to be renewed yearly

139 March 30 2 Read overseer's report on petition, No 735 from Sinna Vappoo of Vizagapatam, requesting to lease out a piece of Municipal land—

Sanctioned on the usual terms. Lease to be renewed annually

2420
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139	1876 March 30	3	Read overseer's report on petition No 737 from V. Sivasami Sastri for constructing a cesspool—	Resolved that the site be leased out to him on the usual terms and on the understanding that it be built according to specification and be removeable at his own expense whenever required by the Commissioners.	

Digging and cleaning of tanks—

63	1870 April 14	6	Proposed by Venkatrayalu Naidu that as the water of Akkaraicolam is unfit for drinking, a new tank be dug for the purpose—	Resolved that in the opinion of the meeting the construction of a tank for drinking water in Gazore, and the cleaning of the two tanks in the Mahomedan quarter, Vegapolam for bathing, are projects deserving immediate attention, and that, therefore, the proposal for the construction of a new tank near the Akkaraicolam be deferred—	

2420/36

89	1870 July 14	6	Proposed that a tank be excavated near Akkarai colam and reserved for drinking purposes—		Resolved that the matter lie over for further inquiry—
208	1871 November 9	2	Read report from Tahsildar, Negapatam, respecting the completion of Akkarai Colam works—		The thanks of the Commissioners are due to R. Venkatrayalu Naidugaru for his services and the disbursement of Rs 2752-3-6 is Sanctioned—
241	1872 April 25	5	Proposed by Arunachellai chetti ar that a tank be dug and set apart for drinking purposes in Negapatam—		Deferred—
	1873 October 21	6	Read letters from Mr. R.R.R. Venkatra-yalu Naidu (Tahsildar) giving notice of the completion of the Apothecary's quarters, cleansing Meerapalli tank and levelling some of the streets—		The Commissioners are greatly indebted to Mr R.R Venkatrayalu Naidu for the trouble he has taken in executing these works, particularly the Apothecary's quarters—
48	1875 May 13	3	Read Arzahazar from the inhabitants of Negapatam, regarding the water Supply—		Recorded. This subject is engaging the attention of the Commissioners—
57	June 10	10 (a)	Proposed by Mr. R. Ry Ananikam Pillai that an advance of Rs. 50 be made for repairing the feeding channel of the Akkaicolam & other tanks in the town—		Resolved that Commissioner Venkatra-yalu Naidu, be requested to Super--vise the work—

2420

	1875				
58	June 10	11	Proposed by Mr. R R Kencatrayalu Naidu (Tahsildar) (a) That the water of Akkaraicolam being injurious to human health and another tank to the north of the said tank, as suggested formerly, be dug for drinking purposes		Resolved that a tank be excavated at a cost not exceeding 2000 Rs.— an estimate being laid on the table next meeting—
61	Do	17	10	Read estimate for the proposed tank near the Akkaraicolam	The Commissioners regret that no funds are available this year. & the unexpected cholera Expenditure estimated at nearly Rs.4000, will nearly absorb the allotment for the roads

66	July 1	8	Read letter from the Ag District Engineer, received through the President, regarding Rs. 2,000 being placed at the disposal of the Ag District Engineer, to make the necessary Surveys for a water supply—		The Commissioners consider the estimate expensive and beyond what they can afford this year. They resolved, therefore, to have these Surveys prepared and submit them to the District Engineer when ready—
72	1875 July 22	4	Read Mahazar from Thiaga-raja Ogen, Kolandavanni Pillai and other inhabitants of Negapatam	2420/38	The commissioners have had all the circumstances brought forward by the petitioners under their careful Consideration for several years. With reference to the first prayer (a) The project of bringing water

from a distance through pipes is what the commissioners are unable to devise without professional assistance, and this has been applied for, in order to ascertain the source of supply and the route along which the pipes are to be laid. The scheme will be very costly & to postpone it, until a sinking fund will enable the commissioners to undertake it, would be to postpone it indefinitely. At this point, the intention of the Commissioners is to apply for a loan as soon as a scheme is pronounced feasible by competent professional authority.

(b) The question market versus water supply is not a new one; it was fully discussed by the Commissioners & has been under the consideration of Government whose views on the subject approving of the commissioners' action will be found recorded in G. O Nos 289, 767 & 1073, dated 29th January & 3rd June 1873 & 26th June 1874 respectively.

(c) The petitioner's request that wells be dug along the high roads will not improve matters. Where good water can be obtained, advantage has been taken of the fact; nothing but brackish water can be obtained in other localities.

(d) This request the Commissioners consider utterly impracticable.

(e) This point, though one of detail, the Commissioners feel bound to notice. As a rule, the freshes are utilized as soon as possible, and a commissioner is usually deputed to supervise the work; the Tahsildar who is also a commissioner was entrusted with this work this year; but the freshes have been unusually late.

346 1878 January 24 14 — Read Inspector's report on Anahara for sinking a well in Kattaiyapar Coiri West Arulagam — Resolved that the Inspector be instructed to fill up the existing well and to prepare an estimate for a new well.

V 30/2420

5 May 27 ~~Water supply to Rezapalam emptying & Cleaning and that the construction of water~~

5 May 27 Water supply to Rezapalam — Resolved that a sum not exceeding Rs. 1000, be sanctioned for emptying & cleaning the Ramaraik tank and that the construction of the channel for supply of water to this tank be put in hand at once under the supervision of M. R. R. Venkatasayalu Naidu, Tahsildar —

10 May 23 8 Read President's memo & M. R. R. Venkatrayalu Naidu's proposals regarding the cleansing some of the tanks in the heart of the town — Resolved that the duty of thoroughly cleansing the Rama naik tank be entrusted to the Tahsildar with a request that he will complete the work as quickly as possible & on the completion of this work the Tahsildar is requested to undertake the cleansing of the Alagiar & Poondareega tanks —

24 1878 July 11 5 Supplying fresh water to the tanks of Rezapalam — Resolved that the Sub Collector of Tanjore be requested to take steps to supply water and the expenses be borne by the Commissioners —

2420/28 10

63 1879 January 9 5 — Read letter from M. R. R. R. Venkatrayalu Naidugaru (Tahsildar) forwarding a bill for cleansing Alagiar tank at Rezapalam — Bill passed & further resolved that written agreements be entered into with the

the trustees of the Alagiar coil agreeing to pay an annual rent of Rs 46 as arranged by M. R. R. R. Venkatrayalu Naidu Garu (Tahsildar)

Revision of House Tax

1873 November 4 5 — Proposed by Mr. Ricketts that a Sub Committee be appointed to re-organize the House tax as a permanent substitute for the income hitherto collected as tax on Arts and Professions which is to be abolished after the current official year —

Resolved that Messrs. Ricketts and Oliver be appointed a Sub Committee to revise the assessments with a view to their equalization they will have power to employ a temporary Establishment as assessors. Rs. 100 is voted towards the object —

1874 October 22 2 — Revision of house tax ——

Resolved that a Sub Committee be appointed for revising the appeals at Nezapatam, Veli-=-polieur; the Sub Com=-mittee consisting of

1 st M. R. R. R. Venkatrayalu Naidu,
" Moona Cawder Moidin Sahib Marikar,
2 nd M. R. R. C. V. Suryanelu Iyer,
" S. Manikam Pillai,
3 rd M. R. R. P. Venkatasami Rajah
Vice Presidents. The accounts and Petitions for each Section being dis=-tributed among the Committees.

2420/39/41

42	1875 April 29	14	Mahazar from certain Mahomedan inhabitants of Negapatam, regarding the house tax.		All appeals against house tax were referred to sub committees who have made careful and minute enquiry in each case.

About municipal working.

269	1872 august 29	1	Read letter from the President calling for the opinion of the commissioners on the feelings with which the working of the municipality is regarded by the town people.		The commissioners are of opinion that the people in general are hostile to the Act, because they are heavily taxed under it. Most of them condemn it without giving the question intelligent consideration. There is little visible result for the large expenditure incurred.

About Lollies.

54	1870 February 22	2	Petition from Mahomedan population of Nagore, requesting not to force them to allow lollies to pass through their houses occupied by Gosha women for the purpose of removing night soil and binding themselves to keep their backyards clean.		Resolved that the commissioners are willing to withdraw the scavengers from the Mahomedan streets of Nagore but they reserve to themselves the right to inspect the premises as provided in the Act.

2480

About Kamaibam coolpam

1875

97	1875 September 30	4	Reported by Hon. Dr. R. Weld (a) that measures be taken to improve the Sanitary state of the Kulpam, to arrange the huts in regular streets and to keep Sweeper and bullock with side baskets (carts cannot run on such Sandy Soil) to carry away rubbish and bury it	Resolved that the Vice President be requested to frame a report to be considered at an early meeting.

(Signed) S.A. Saminathaiyar,
Vice President.

/True copy/

(Illegible)
Ag Colombo & President.

Copy 28.

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43.

In a letter

From

The President
Municipal Commission
Negapatam

To The Chief Secretary
Government
Ootacamund

Dated 8th & 13th October 1881
Read
No 277

List of sales and permanent leasing of Municipal streets & Lands in Negapatam

Filed 27/87/8

No 92.

24420
424

Proceedings of the Court of the District Magistrate of Tanjore dated 31st August 1881.

Read Extract from the Register of Summary Trials held by the Bench Magistrates of Negapatam Town on the 20th Instant.

Remarks

It appears from the above that the 14 cases of offences under Sections 67 & 76 and 138 of Act III of 1871 resulted in acquittal.

*878-928-959-877
876-874-886-864
865-896-1096-1056
888-1198-

The Vice President of the Municipal Commission is therefore desired to explain the Cause of this apparently reckless prosecution.

(Signed) C A Bird
Ag District Magistrate

(True copy)

President

Compd Receipt

2420
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In a letter

From

The President

Municipal Commissioner

Negapatam

To

The Chief Secretary

to Government

Colombo

Dated 8 2
Recd 3 October 81.

No 277

Copy of the Proceedings of the Court of the Magistrate of Tanjore dated 31st August 1881.

Filed 2787/81

No 96.

2420
416

Proceedings of the Court of the District Magistrate of Tanjore dated 7th September 1881.

Read Extract from the Register of Summary trials held by the Bench Magistrates of Negapatam Town on the 23rd August 1881.

Remarks

It appears from the above that the marginally noted cases

*1041. 957. 1150 - 1134 - 885 — of offences
1062 - 860 - 864 - 1113 - 884 — falling under
1036. 1020 - 882 - 881 - 891 — Sections 67 & 76
892. 893 894 896 - 897 — of Act III of 1871
900 - 903 - 901 - 902 - 1093
890 - 905 - 912 - 923 & 1158.

were acquitted. The Vice President of Negapatam Municipal Commission is therefore desired to explain this apparently reckless prosecution.

which results in almost every case being acquitted -

(Signed) C. A Bird
as District Magistrate

(True copy).

President

Compd
Dic Clerk

2400
45 47

In a letter

From

The President
Municipal Commissioner
Negapatam

To

The Chief Secretary to
Government
Fort St. George.

Dated 8 2 October 88.
Rec'd 3 3

No 277

Copy of the Proceedings
of the Court of the Dt
Magistrate of Tanjore
dated 7th September 88.

Filed 27 87/8

5

24330/46 48

The President
Municipal Commissioners
Tanjore

The Humble Memorial
of the inhabitants of
Negapatam, Vellipallam,
Kadambadi, Papanachary
Kottagam and Nagore,
places comprising the
Negapatam Municipality

Most humbly sheweth.

That the Negapatam Municipal Board at present consists of 13 members 4 Europeans and 9 Natives. The European members neither attend the Municipal meetings nor evince any interest in Municipal matters. The chief cause of this as far as your memorialists are aware is that the Vice President is not a European. As the

Native members one is the Deputy Inspector of Schools of this Division. Being obliged to be on circuit for the most part of the year he attends the meetings only occasionally. Of the remaining 8 members two being elected by the rest are indifferent. The names of the remaining 6 are

1. Mr. Ganapathy Pillay Avergal
2. " Narayanasamy Naidu Garu
3. " Venkatasamy Raju Garu
4. " Streeramulu Naidu Garu
5. " Ganapathy Pillay Avergal
6. " Bavasa Raoulher Sait Balodu

Of these Mr Streeramulu Naidu garu is the Cashkeeper of the Branch Bank of Madras here Ganapathy Pillay Avergal and Bavasa Raoulher are merchants of this place. Having, as such,

constant dealings with the above bank, they invariably rhyme with the views of Mr Streeramulu Naidu Garu. The other three, seeing this inseparable combination fall in with their views. Thus this Municipality is at present under the control of 6 members; and they do things with one accord.

Your Memorialists most humbly beg to represent the sufferings that the people of this town are subjected to, by the above named 6 members.

1. As houses in the Municipality tax was assessed on three former occasions. On each of those occasions Commissioners took the trouble of inspecting the houses and made a reason-

- able assessment carefully taking into their consideration the commodiousness, comfort, and locality of each house. The tax thus imposed on the last occasion was continued to bee paid tell the end of the last official year. But this year the commissioners resolving that the House tax bee revised, appointed a sub committee of 4 members, (namely Mr. R. Ry. Sheeramooloo Naidoo Garu, Ganapathee Pallegar & Bavaca Rawther and Venkatasam Rajo Garu.) for the purpose. Though the commissioners failed to adopt the wise plan of making the assessment in a body as their predecessors had done, the

Sub Committee members at least should have made the assessment jointly and reasonably, but without doing so, they assessed separately in some parts. While doing so they seem to have interpreted the term "Revision of House tax" to mean nothing but raising the tax. The outcome of such a procedure is that the tax in those parts has been raised unreasonably and enormously. Then sometime after seeing that assessment had not been completed, the commissioners appointed a new sub committee consisting of two

members viz^z. Mr Sivanandoo Naidoo Garu of the members of the former sub committee and Mr Saminathen Esq. the Vice President to make the assessment in Nagore and Kottagam two very important parts of the municipality. Did these take the trouble of doing themselves the work given them? No. As both of them live in Negapatam proper four miles away from the parts in which they were appointed to make the assessment, they deputed the two Nuisance Inspectors of those places one on Rs12 and the other on Rs 15 to do the work for them. The assessment made by those two Nuisance Inspectors who, perfectly aware of the intention of their superiors were bound to please them is enormous.

Further while certain houses whose annual rental is less than Rs 6 should be exempted from assessment under section 41 of the municipal Act, the commissioners have illegally included such houses also in the present assessment.

Besides a fishermen's village standing on a sand hill on the sea shore away from the town has also been

brought under assessment now though the village has been exempted from taxation ever since the introduction of the Act into the town.

The fact that house tax has been raised unreasonably will be clearly seen by the few cases noted below simply as instances.

	Former Day.	The present Day
Vellipalliam Perumal Covil North Sander Premises No. 26. — Saminatha Pillay	0—3—10	1—3—2
do. Maraamman Coil street, No. 10. Annamala Pillay	0—5—9	4—5—1
do Sanara Street No. 19. Thamboosami Pilla	1—10—11	4—12—10
do do do No. 20 do	0—11—6.	2—6—5
Nagapalam Kot Coopoliam Street No. 14 Singaram	1—7—0.	3—5—9
do Peroomal Covil North Street No. 37 38. Vathandy	1—15—4.	2—6—5
do Puliamarathoy street No. 34 Seppa Pillay	1—3—2.	2—2—6.
do Kittangammen Covil street No. 2 Singaram	0—3—10.	0—11—6
do Kattoopoliam street No. 21 Da- matchi	0—13—5.	1—14—9
do Kattupoliam Street No. 23 Ka- nagapathan	0—7—8.	0—15—4
do Kura Kollai street 2d. Sundoo No. 3 Veerasamy	0—7—8.	1—3—2
do Kura Kollai Railway gate puram street No. 3 Savoondaraja Pillay	0—11—6.	1—10—11
Backyard door of do No. 43.	0—0—0	0—7—8
	9—5—7	27—9—6

The above houses have not in any away been improved since the last assessment, so as to admit of the tax being raised. In the same way the new assessment is in most cases far in excess of the old one. If, for no valid reason whatever, the assessment has been raised enormously according to the whim and fancy of the commissioners the position of those who are too poor to pay the tax and appeal could only be imagined.

Comparing the old house tax registers with the new ones it will be clearly seen that the total of the present assessment is about 3 times as much as the total of the former assessment.

Although the commissioners are at liberty under the provisions of the Act to revise the House Tax as they deem it fit to do so this town is at present altogether in a disadvantageous position for the tax being raised inasmuch as the house property has considerably decreased owing to the failure of many of the merchants of the town.

and the extreme dullness in almost every kind of trade since the famine of 1877. Therefore your memorialists most humbly submit that it is simply inequitous to make the tax heavier, just at the time when justice demands that it should be made lighter than before.

2. In this Municipality people for the most part resort for calls of nature to public latrines and to the fields outside the municipal limits;

consequently only a small portion of the houses have privies. Of these few many have no way for scavengers to go by to the backyard. So that the number of houses having privies which could be cleaned by scavengers is comparatively very small and they have to be cleaned at a very cost of the owners or

Further, about half the number of houses in the town are inhabited by Mahamedans. Their women called Zoshas in most of even such of their house as have privies scavengers are not allowed.

to pass through to the
backyard. Thus the sca-
vengers employed by the
Municipality are of no use to
most of the houses. Therefore
"the private scavenging system"
is superfluous and unpracti-
cable. This being the case
the above named commissioners
who oppress people have
without ascertaining the [illegible]
ings of the pub[illegible]
for the purpose
even on the [illegible]
and bankshalls having no
privies. Your Memorialists
beg to submit that people
are already groaning under
the burden of heavy taxation

and to be compelled to
pay an additional tax is
nothing but their great mis-
fortune.

2420/55

3 When people are assess
for professional tax the
commissioners do not pay
any attention to that part
of the schedule of the Mu-
nicipal Act which requires that
in certain cases, the annual
rental of the place of business
should be taken into account
when making the assessment
but they assess according
to their pleasure. To make
the matter worse they tax
even those poor people

who could hardly earn their livelihood by means of their honest trade. When people appeal to the commissioners for a reduction or exemption they get no justice. Oh then what could they do since the Act provides no place to seek redress in beyond the Municipal Board. Therefore the hardship of the poor is inexpressible.

4 What follows will clearly show the sales of public land that have been made to some of the Commissioners and their friends and the allowing of certain Commissioners to use Municipal land rent free.

24720
56

(1) In Negapatam proper there runs an important road by the name of Holland Street. Opposite to this road on the northern side there is a piece of public land stretching from the eastern boundary wall of the Lutheran church to the bazaar road. It is an important piece of ground on which the public have had the right of pass and repass. The western portion of that land is situated just opposite to the new house of Mr. P. Rz. R.C. Saravanai Naidu Garu one of the Commissioners and the Tahsildar of this Taluq. The above

Narayanasamy Naidu petitioned the commissioners in November last asking them to make over that portion to him, on the condition of his converting it into a Municipal garden and giving it up to the Commissioners whenever they pleased. The commissioners accordingly gave him the piece. He then put up a wooden fencing round the piece of ground leaving out the Municipal well which existed on the site and the waters of which was largely used by the public for drinking purposes. Subsequently about 3 weeks ago the Commissioners

2429/57

sold to him at his request the above piece of ground (together with the public well that had previously been excluded and worth about Rs 150-) for the comparatively trifling sum of Rs 100-. Thereupon he has built a Compound wall taking in the above well. To begin with the above piece of ground is so important that it ought not to be sold however much the commissioners gain thereby but granting that the commissioners had the right and necessity to dispose of it, it is so valuable that it might have fetched more than Rs 1000 if the public has been invited to bid for it.

Therefore it is apparent that the commissioners have abused their powers in disposing the above important and valuable land together with the public well for the nominal price of Rs 100. When the Commissioners had resolved to sell the land in question to Mr R C Narayanasamy Naidu Garu, Mr Swayambu Iyer avergal one of the Commissioners sent a protest to the Vice President taking objection to the resolution of the Commissioners to sell the land to Mr R.C. Narayanasamy Naidu Garu a commissioner and the Tahsildar on the ground that Rs 100 was no price for the land, and that it might

bring in more than a thousand Rupees, if sold at a public auction. He asked the Vice President at the same time to lay his protest before the next meeting of the Commissioners so that they might not confirm their former resolution. The protest was accordingly laid before the next meeting of the Commissioners, but even then not seeing the folly of so disposing away a public piece of ground and entirely slighting the protest sent in by Mr Swayambu Iyer they resolved that

there was no necessity for reconsidering the question and confirmed the sale. Mr. R.C. Narayanaswamy Naidu Garu and Mr. S.A. Saminadaker avergal the President were present at every one of the meetings in which the above things were done.

Moreover one Chockalingam Pillay petitioned the Commissioners in Dec. later 1871 to lease out to him the whole of the above public piece of ground. On which the Commissioners at their meeting

of the 12th of that month refused to grant him his request saying that the land asked for should be left open for the free use of the Public.

Again about 2 years ago the late Revd. Mr. Percival applied to the commissioners for permission to fence on both sides the way that leads to Saint Peters Church, the same forming a portion of the above piece of ground; but the Commissioners refused to grant him the permission on the ground that the land in question should in no way be blocked up

against public passage.
Thereupon he addressed the
President on the matter
who asked the commissioners
to reconsider their resolution
but got the same answer
from them.

Things standing thus
it is altogether unfair that
the commissioners now should
have sold a very considerable
portion of the above land
together with a public well
to Mr R.C. Narayanaswamy
Naidu for a ~~Rs~~ Commissioner
for the paltry sum of ~~Rs~~ 100.

Having thus given away
the well the water of which

4

was largely used by the public
for drinking and other purposes
the Commissioners have sunk
a new well not many yards
from the above at a cost
of about Rs 150 to the Munici-
pality.

2420/60

Besides Mr R.C. Narayanaswamy
Naidu has encroached upon
municipal land in front of
his building where the Post
office is now located. He has
put up a wire fencing around
the encroached portion. He
pays no rent to the Municipality
for it. The Poovarasa trees
that were standing on the land
have been cut down and
the memorialists do not know

how the commissioners have disposed of them.

Further Mr. R. Navayna vani Nain about a month ago bought the house of one Apparoo Veerasami adjoining his (K. R. Chavayanavani Naidnjaru) buildings. He was made to vacate the house at once and was allowed to put up a hut without rent on street land opposite to Kaliamman Kottagu in Perumal Covil East Street. A shady poovarasa tree was cut down from the spot on which the hut is put up. depriving thereby the passers along that street of the much wanted shade in the hot season. 24/8/00

Under these circumstances your Memorialists most humbly beg here to submit that to seek redress for the unjust proceedings of one, who, in addition to being a commissioner, is invested with Majisterial and Revenue powers. they see no other way than of appealing to your honor.

(2) Some years ago a small portion of street land before his house had been leased out to commissioner Mr Venkatasami Raju Garu, but now the commissioner to please him

Lone sold that portion
to him for Rs 20.

Besides this he is allowed
to enclose a piece of Municipal
land in the front of his
house and use it as a flower
garden without paying any
rent to the Commission.

(3) D.V.R.R. Ganapathi Pillay
A.D.C. saw one of the Com-
missioners first built on
the Municipal ground before
his house an Andaz (a
platform) without the
sanction of the Commissioners
and then applied for
their sanction to use it.

8

But the Commissioners re-
solved that sanction would
be given if he would pay rent.
He thereupon caused the plat-
form to be removed saying
it was not required. Some-
time after he again presented
a petition stating that the
land was his own and the
Commissioners admitting his
statement allowed him out
of regard for him to build
the platform. He has accordingly
built it again.

4 D.V.R.R. Ganapathi Pillay
also a Commissioner has a
flight of large steps built

on Municipal ground before his office house on the Beach Road, but pays no rent whatever.

(5) Annasamy Iyer a pleader of the District Court being a friend of the Vice President and some other Commissioners a portion of Vaipar Road has been sold to him for Rs 50 so as to enable him to construct an Anlody (a platform) in front of his house which is being built now. In so selling the Commissioners seem to have forgotten that it was a part of a public road that they were selling

and that the anlody constructed thereon would be a projection beyond the line of the adjoining houses. For such sales there is no provision in the act. 24 & 62

(6) The next door to Annasamy Iyer's on the northern side belongs to one Narayana Naik. Sometime ago he constructed an anlody in the front of the said house. The Inspector reported that it was an encroachment. Thereupon Mr. Swayambu Iyer the then Vice President and Commissioners Bavaso Raouther and Streeramooloo Naidu were appointed as a sub Committee to inspect

and report on the matter.
They accordingly inspected
the spot and finding it to
be an encroachment ordered
personally the removal of it
and it was accordingly removed
Then sometimes after, the above
Narayana Naik managing
to get into the favour of
Streeramooloo Naidu by
helping him in canvassing
votes for an election got
permission through his re-
commendation and re-
constructed his Anicut
The President on a complaint
made to him against it
asked the [pmnt] Vice President

Mr Sammiadu Iyer to report on
the matter, but he has not done
so as yet, because it would be
offending his friend and colleague
Mr Streeramooloo Naidu, nor
has he taken any steps to re-
move the encroachment.

(7) The Commissioners some
leased out a piece
of Municipal land to Mr Rhy
Andapillai Chettiar of Nagore
in front of his house for an
annual rent of Rs 5. Subse-
quently he petitioned the com-
missioners asking them to sell
to him the above piece of
land. It is worth 25 or
30 Rupees. The Commissioners

resolved thereupon that the land would be sold to him for not less than 200 Rupees. The piece of land is not even one fiftieth of the land sold to Mr R.R. R.C Narayanaswamy Naidoo Garu. Would he (Mudaliar chettiar) fail of getting it at a cheap rate were he a Commissioners?

Would there be room for such unjust and biased proceedings were the sub collector Vice President of the Commission and were European members to attend the meeting? No, not at all.

5 Seeing that the people of the town suffer a good deal from want of good drinking water, the Commissioners resolved that a small tank be dug to relieve their thirst for water. For this they selected a spot, north of Kerai Kolam where the soil is well known to be salticish and they have dug a tank spending upon it Rs 2500/- of the money exacted from the people. The water of this tank may be used for 10 or 15 days from the time that fresh water is let in. Afterwards it turns out brackish and altogether useless.

There is a pool to the west of Akkorai Kolam, generally known as Vanian Koattai. Had this been enlarged into a tank, it would have been very desirable. Not doing anything of the kind money has been wasted. Thus for digging a tank for which there is no provision in the budget and for thus doing things as they like, they need money and to supply this need they have unreasonably increased the House Tax.

6 As it takes two or three months for the proceedings

2480 / 65

of the Municipal Commissioners to be published in the District Gazette, the commissioners had resolved to publish them in the local newspaper free of charge for the immediate information of the public. Accordingly the public had been kept informed of the proceedings through the medium of the newspaper until a year became the vice President. Since then the practice has fallen into disuse. The consequence is that the public are now entirely in the dark as to what is being done by the commissioners at their

meetings and therefore are unable to protest at once against any things that they do amiss.

7 th - Relying solely on the report made by the peon waiting on the Vice President and whose pay is Rs 6 the commissioner sanctioned prosecutions before Bench Magistrates against many persons under the charge of their having kept vehicles and animals without taking out licences for them for the half year ended 31st March 1881. On enquiry the magistrates finding in about a hundred of such prosecutions, that some had actually taken out licences and that in the case of others the Municipal Prosecutor was quite unable to adduce any evidence to show that they were in possession of animals and vehicles at all dismissed all those cases and remarked in their judgment that if such vexatious prosecutions were continued to be brought by the Municipal Prosecutor they would, under the provisions of the Code of Criminal Procedure, order compensation to be paid to the aggrieved parties; at the same time they asked the Municipal prosecutor to withdraw the remaining prosecutions already filed

34 of 66

In spite of each warning the Commissioners persist in annoying the public.

(2) Refusing to grant licence this year for a cart-stand that had been in existence for a long time in a convenient locality. the commissioners opened a cart stand of their own near the market and also altogether inconvenient and compel even the cartmen of the town to take their carts into that stand. Some of them refusing to do so were prosecuted before the Bench Magistrates on the charge of causing obstruction on public roads. But on enquiry the Magistrates found

that the cartmen so prosecuted had not caused any obstruction but had their carts away from public roads when they were taken up and accordingly dismissed the prosecutions. Your Memorialists crave permission to submit here that the sufferings of the people accruing from being thus hauled up before Magistrate Court at the pleasure of the commissioners are unbearable. 2420/67

Such a state of things, Memorialists assure, can never exist if the Sub Collector were the Vice President

8. Memorialists humbly

venture to accede all the above said unjust proceedings of the Commissioners chiefly to the facts that the Sub-Collector is next on the Board as the Vice President and the non attendance of the Sub Collector and the other European members, a native being the Vice President.

The present Vice President is the public Prosecutor and a pleader of the North Tanjore District Court and as such has to go to Trangabar for the sessions every months and to Tanjore, Combaconum and other places as Vakil in Civil Cases; Consequently he generally finds it impossible to stay at Negapatam even for two weeks consecutively in a month. 1480/68

Since the introduction of the election system into this town, the proportion of Europeans and Eurasians on the Board has been small The present Vice President thought knowing this well to be a desideratum has, with a view to strengthen his hands thought it fit to request the President to recommend two of his brother pleaders Vizt Srs. Rathnasabapathy Pillay and Sreenivasa Ayengar to the two Government appointments of commissioners lately sanctioned

sanctioned for the Municipality
The two gentlemen named by
him tried at one time to become
Commissioners by election and
they were not able to secure
more than two or three votes
Therefore your memorialists
venture to say that what
the Vice President has done
in this affair is entirely objectionable

Therefore your Memorialists
who have already suffered much
and are still suffering
from the misdeeds of the above
named 6 commissioners most
humbly implore your honor
to be pleased to come to Ne-
gapatam and to be pleased to
make full enquiries into all
that they have stated and
to grant them the following prayers.

I To cancel the present
unreasonable and enormous
assessment of House tax and to
cause the old tax to be collected;

2 To abolish the private
scavenging system as it is
superfluous and impracticable
in this town; 2420 69 -

3 To cause the professional
tax to be assessed fairly and
in strict accordance with the
provisions of the Act;

4 To annul the illegal sales
of lands mentioned in the body
of this memorial

5 To fill the Government
appointments of commissioners
with Europeans and Eurasians

6 To recommend to Government
to rescind the power given to
the Municipal Commissioners

of the town to appoint their own Vice President, and

7 To remove the present Vice President and to appoint the sub Collector of the station to that office.

They further request that if Your Honor could not come here as they request, Your Honor will be pleased to cause full enquiries to be made into their complaints either by the Sub Collector or by any European Gentleman of the town and ascertain the truth in view to granting their prayers

As the inhabitants of Nagore and Kottagam are getting up a Memorial with the chief request that those ports be organized into a separate Municipality, they have not signed this Memorial

A similar Memorial will be forwarded to the Government of Madras.

The total Number of Signatures is 2468-

Negapatam
22nd August 1881

(True Translation)

for Collector & President

57

24420
~~88~~
71

In a letter

From

The President

Municipal Commission

Legaspi

To

The Chief Secretary

Government

Manila

Dated 8 2 October 1901.

Rec'd 3

No 277

Translation of Resolution

from the inhabitants of

Legaspi Albay against the

Local administration of

Municipal affairs of

Filed 277/8

Fort St. 189
R.D. 6-
2 OCT 81

From

The President
Municipal Commr
Negapatam

To

The Chief Secretary
Govt
Madras

Dated 8th October
Recd

No 289

Enclosure

CURRENT No.

Reporting on a
from the rate payer
Negapatam Municip
on the road adjoin
of Municipal offic

No. Genl 3278/81

President's Office
Trichinopoly 15th October 1881.

No 289

CURRENT No. 2846

From

D.C. Gibson Esquire,
President, Municipal
Commission, Negapatam

To

The Honourable R. Dawson.
C.S.I.
Chief Secretary to
Government, Madras.

2420/1872

Sir,

In continuation of this office letter No 277 dated 8th October 1881, I have the honour to enclose for the information of Government copy of a letter from Dr R.Ry. R.C. Narayanasami Naidu Garu Tahsildar of Negapatam addressed to the Municipal Commissioners of Negapatam.

2. I must say that I do not consider the Tahsildar's apologies are satisfactory in either matter or manner; and when he visited me quite lately at Negapatam and explained

x dated 9-10-81.

his ~~liberty~~ action in these matters I thought that he may undoubtedly betrayed a lack of habitual scrupulousness as the guardian of public interests.

I have the honour to be
Sir,
Your most obedient servant.

F. G. Gibson
President

Comm D No

Negapatam
9 October 1887.

P. 2422/15 & 73.

C. A. Bird Esquire,
President, Municipal
Commission, Negapatam
Tanjore

Sir,

I beg to enclose for your information copy of a letter addressed by me to the Municipal Commissioners of Negapatam, placing at their disposal the piece of land opposite to my house which had been sold to me by them, and intimating to them that I have resolved to effect a cancellation of the sale.

I beg &c.
[signed] R. Narayanaswami
Naidu
Bhatiar
Negapatam.

[Duplicate]

Comm D No

F. G. Gibson
President

In a letter

From
The Secretary
Municipal Comm.
Negapatam

To The Chief Secretary
to Govt.
Madras

Dated 15th October 1881
Recd
Ino 289

Copy of a letter from
the R.R. R.C. Narayanasami
Comm. Comm. Tahsildar
of Negapatam &c &c
dated 8th Octr 1881.

Fuel 2846/81

Negapatam
8 October 1881.

From
The R.R.
R.C. Narayanasami Naidu
Garu, Tahsildar,
Negapatam.

To
The R.R.
S. A. Saminada Iyer Avergal
Vice President, Municipal
commission, Negapatam.

Sir,

2420/Ino 289/74

I have the honour to inform you that I have resolved to effect a cancellation of the sale to me by commissioners of the piece of land opposite to my house.

2. Before I took up the piece of ground it was lying waste in a very bad state of sanitation It had been used as a public latrine and stray cattle used to find a place there to the great annoyance and discomfort of the public at large especially the European residents living

close by.

3. My object in taking it up was, as the commissioners are aware, to improve the sanitation of the locality by converting it into a small garden. I have accordingly done it by throwing a compound wall round it and raising a few plants.

4. It was in view of the object to which the plot of ground could be used viz gardening, that the commissioners resolved to fix a price of ~~Rs~~ 100. If ~~I~~ I had understood circumstances be used as a site to erect buildings on, owing to the existence of a line of buildings to the north of it, whose owners and occupiers have a right of easement to prevent erection of buildings opposite to them.× This may be appropriate

5. As however, my actions in the matter have been misconstrued and objections have been raised to the sale to me, I have resolved to cancel the same.

6. I have placed the price of land together with the compound wall erected by me at the disposal of the commissioners from the date of this letter. In the course of a day or two I shall forward to your office a registered release cancelling the sale.

I have &c.

(Signed) R C Narayanaswamy
Chetty

(True copy)

(Signed) R C Narayanaswamy
Chetty.
9.10.85.

(True copy)

24/20
17-75

F. I. Gibson

F.I.G. Comptd Thl President

In a letter

From

The President
Municipal Commission
Negapatam

To

The Chief Secretary
Government
Rotaemum

Dated 15th October 81
Read 20 289

Copy of a letter from
the Pt Ch to Negapatam
Municipal Board, forwarding
& requesting
the cancellation of the
sale of a
land.

Fwd 2846/81

From

E F Webster Esquire
Collector of Tanjore
On Special duty.

R.D.
SEP 81

To

The Hon'ble R Davidson C.S.I
Chief Secretary to Government.

2420

Sir,

With reference to your Mems: No. 1816 dated the 11th Inst: I have the honour to submit the following remarks:-

The principal charge against the Tahsildar seems to be that he dishonestly bought from the Negapatam Municipal Commissions a piece of land worth ten times as much as he paid for it. Mr Bird appears to have been so satisfied with the case for the prosecution as to consider it a waste of time to call on the Tahsildar for any explanation he might wish to offer, and has expressed his opinion (~~in very indifferent English~~) that "no explanation can mitigate the grossness" (end of para 27).

2 The truth is that the facts alleged against the Tahsildar are not clearly brought home to him: It is not shown that he was

aware that the final disposal of waste lands did not rest with the Municipal Commissioners and there is good reason to suppose that he was not aware of this fact A reference to para: 16 of the Sub. Collector's letter to Mr Bird will shew clearly that the Commissioners (and the Tahsildar is one of them) believed they were acting within their powers in disposing of such lands.

3. In the next place Mr Bird says – (para: 12) he is unable to state what extent of land was sold to the Tahsildar. This being so, it is difficult to understand upon what data he arrived at the conclusion that the land was bought for one tenth of its value (Concluding words of para: 16).

4 Again in para: 12 the land is said to be situated "in front of the Tahsildar's house" in an angle between two streets." Now from my knowledge of the locality I am able to say that this description is inaccurate. There are no streets in front of the Tahsildar's house, It is situated on the edge of a broad esplanade and as it is built in European style with a large garden in front of it I do not understand how Mr Bird came to make such a mistake.

5 In para: 25 Mr Bird expresses a decided opinion that the Tahsildar ought to be removed from Negapatam "where "he and his family have been in power "for many years, and where he has shown "that he can use his influence against the "public weal" It is not correct to say that the Tahsildar has been in power at Negapatam "for many years," he was appointed on the 12th May 1879, and as for the random statement that "his family have been in power" it seems sufficient to say that it rests on no evidence whatever. 24DA 20-7

In para: 19 Mr Bird mentions a tank which the Tahsildar took an active part in constructing but he seems to have learnt very little indeed from his visit to the work. "The large tank close by much resorted to" is the Akarakolam tank (of evil memory) close to which the Sanyasi was buried in Mr Thomas' days. The water of this tank is filthy to the last degree and the new tank was commenced at my suggestion in order to supply by means of a river channel good potable water to the people of Negapatam; very little public money was to be spent on it as the landed proprietors in the neighbourhood promised

to contribute labour. I am unable to say whether plans and estimates were prepared as of course they ought to have been.

7 It would seem advisable to direct the Collector to forward a plan of the land purchased by the Tahsildar from the Municipal Commissioners together with his explanation of the facts alleged against him and any documents which may bear on the subject. The Tahsildar's letter to the Vice President which is put up with these papers is nothing more than a relinquishment of his claims to the land in question.

8 In regard to the general question of Municipal Administration in Negapatam I beg to add a few words:-

9. The Commissioners are authorized by law to choose their Vice President and I would strongly deprecate this power being taken from them. It is true that party feeling runs high in Negapatam and that there is a good deal of jealousy and back biting among the Commissioners, but all this (unamiable as it may be) affords no reason why the Government should summarily interfere in the manner suggested by Mr Bird.

2420/78

If the Collector as President would take a personal interest in the affairs of the Municipality and from time to time preside at their meetings matters would doubtless mend. The recent raising of the house tax may perhaps press hardly on some people. The private scavengering of houses may possibly be unsuited to the requirements of Negapatam (though I very much doubt it) and the town of Nagore very probably would be all the better for closer supervision than it has received of late. But these are matters of detail which the President himself should investigate and dispose of and I submit that at present the interference of Government is unnecessary and inexpedient.

I have the honour to be
Sir
your most obedient Servant
Forster Webster.
Collr of Tanjore
on
Special duty.

22nd November 1877
Madras

24420
89

Financial (1881) Despatch
Negapatam municipality.

Dated 22 } November 1881
Rec'd 26 }

Encs 2

To 24 to 1881

Submits his remarks on Mr Bird's letter, regarding the mal administration of the Negapatam Municipality.

Financial Department.

No. 2787

From The President of Municipal Commissioners Tanjore Dist. Reporting on a memorandum presented to him by a large number of the inhabitants of Negapatam complaining of the inadequate administration of that municipality.

24/22
75

FOR ORDERS.

The President reports that the affairs of the Municipality are managed by a Chairman including the Vice President and consequently the European members do not attend, certain parts of the district and others neglected, and the Hon'ble Mr has been visited in a wholly unsystematic way.

The chief abuse however has been the sale of portions of streets to several of the Commissioners. As to this the President raises two questions - (1) whether the land entered in the Municipal as street belongs to the Commissioners or

The whole affair is I consider a deplorable one and shows that at Negapatam at any rate the Municipal Board should be reorganized. The present Vice President removed and a European appointed in his room but I would rather appoint a non official if possible & not the Collector.

The Taluk Board should most certainly be made to do its proper work and should be worked for it by Negapatam - a change I

Fin. Dept.
E. F. Webster Esqre
Coll. of Tanjore
on Special duty

Mr. H. Sublette

For orders. (with power to rely).
Suggested that Mr. F. Webster's recommendations in para 3). be adopted.

H.T. 24 Eth.
29.11.81

Mr. H. Sublette

only what was actually stated when the Act was passed or has any bearing on it? (2) Whether the Comm^rs have any authority to sell portions of a Street? With regard to the first question it is submitted that the latter view is clearly the right one. vide sec 13 and the definition of "street." Regarding the second question it is submitted that the Commissioners are liable to a civil action for any act of theirs tending to prejudice the public of an established right of way. The ~~unfortunate~~ President cites as the most glaring case of alienation of land the sale of the Talavera (a member of the Commission) of a piece of land in front of his house for R.100., the said land being worth fully ten times as much & retaining - well recently sanctioned by the Municipality at a cost - of R.150-12. The excuse was that the Talavera had disbursed much money in contesting the "Webster Tank" which appears to be in the President's opinion an useless work

Act to Cuddapah & Kurnool might be beneficial

Is there not a G.O. prohibiting alienation of land within Municipal limits without the sanction of Govt.?

WS

Withdrawn Mr. Forbes

Further remarks when the question comes before Council.

Agreed. The Madras Municipal Act does not provide for the Election of Commissioners by Ward. Mr. Forbes' proposal is very desirable in some respects & if the Govt. of India would give power to the Govt. of Madras to introduce it, it would be a good thing. But I am afraid that the Govt. of India would not be willing to give the power. Mr. Forbes' proposal is adequate. The first alternative is also adequate. The second alternative is not adequate.

WS

Mr. Forbes' remarks about the Commissioners having no right to sell portions of a street. I think it is clear that the "street" vested by the action of the Commissioners does not include open waste spaces. But it is open to doubt whether the Govt. have not power to sell such spaces if the Commissioners or Municipality do not object. Whether the Govt. would do so is another question.

WS 31/10/81

No such transfer is necessary. The land has been handed over

which it seems very doubtful whether the work people employed were properly paid. The way in which the sale of the Commissioners compliments is decided & the President as a very underhand-

The President accordingly recommends

That the present Vice President be asked to resign and that the Sub Collector or some other European be appointed instead. And that the Bd be reconstituted so as to secure a better representation of the ratepayers.

That the Talaricker be punished, removed from Negapatam, and compelled to restore the land clear of the walls he has raised on it, or else to pay a fair price therefor. The Raja must add that the facts on which his opinion is based are clear and admitted and that no explanation can mitigate their grossness.

Suggested that the first recommendation be adopted and that a full inquiry

like the Collector's can-
not be ordered.

Sth.
13/10.

FOR ORDERS.

Financial Department.

No. 2767
" 2846
" 3278

From

The President, Municipal Commission,
Negapatam, 8th & 15th Oct. 1881, & 27th Dec.

E. F. Webster Esqr., Coll. of Tanjore, on Special
Duty, 22d November 1881.

FOR ORDERS.

and I am confirmed
in my original opinion
that Mr Bird's view of
the case was hasty
& exaggerated. That
there was much & bad
said on the other side
that there is a good
deal of party feeling in
the town is very evident
& nothing struck me
more forcibly at the
Guildhall as the
"Mr. Opposition" is
denounced as a very
contemptible
administrator &
certainly we have the
Elective privileges
of the Law confirmed
on the Ratepayers
selecting a picture
of the Councillors &
the Council selecting
their Vice Pres.t. &

24/20
83

think it is very evident
that Mr Gibson as a
member of the Council
has in forbearing abstained
from attending meetings &
taking part in the Proc.s
in Mr. de Lanes Law
invited his predecessor
if the chief Magistrate
Alderman the most
probably the most
influential Resident
adopts the course
of sporting & joining them
& has members is
sacrificed & the blame
is due rather to the
European official
Element: if the Europ.s
allow of it the Europ.s
Element must perhaps
be strengthened by adv.
for Nominations - &
the present Mayor might
lead the Corporation
to point. I don't
consider it necessary
& grave for me to
the matter of the sale
of the land & the Jail

2425
29

Financial (1881) Despatch
Negapatam Municipality

Dated 22 November 1881
Rec'd 26 " "

Ens 2

No. 3276

To Secretary to Government

Submits his remarks on Mr Bird's letter regarding the mal-administration of the Negapatam Municipality

Sent.
E. J. Webster Esqre
Coll of Tanjore
On Special duty

Financial Department.

No. 2787

From The President of Municipal Commissioners Tanjore Dist. Reporting on a mahazar purporting to have been presented to him by a large number of the inhabitants of Negapatam complaining of the mal-administration of that municipality.

Dated 22/26 Nov 1881

FOR ORDERS.

The President reports that the affairs of the Municipality are managed by a clique including the Vice President and consequently the European members do not attend, certain parts of the Municipality are utterly neglected, and the Honorary Fund has been misused in a wholly unsystematic way. The chief abuse however has been the sale of portions of streets to several of the Commissioners. As to this the President raises two questions - (1) whether the land entered in the Patta as Street belongs to the Commissioners or

The whole affair is I am afraid a bad one but I do not think it would be advisable at present to make a separate Municipality for Negapatam. The Municipal Board should be reconstituted. The present Vice President removed and a European appointed in his room but I would not appoint a non official if possible & not the Collector.

The Tahsildar should most certainly be made to resign and should he refuse he should be removed from Negapatam - a change of

For orders. (with pencil papers).
Suggested that Mr. E. Webster's recommendations (in para.) be adopted.
[illegible] 27.11.81

To Secretary to Government
Submits his remarks on Mr Bird's letter regarding the mal-administration of the Negapatam Municipality

and I am confirmed
in my original opinion
that Mr Reid's view of
the case was hasty
& exaggerated. That
there was much to be
said on the other side

That there is a good
deal of party feeling in
the Town is very evident
& nothing struck me
more than the
manner in which the
"Anti-Opposition" is
deemed a very useful
counterpoise to
administration & I
certainly do not think that
the Elective privileges
of the Town ought
to be exercised
as the Ratepayers
selecting a portion
of the Councillors &
as the Corpn. selecting
their colleagues. -

2480
83

think it is very evident
that Mr Gibson as a
member of the Comm.
has in property abstained
from attending meetings &
taking part in the Proc.
in Mr. de Lanes & have
imitated his predecessor
& the chief Constables
& evidently the most
prudential Accident
adopted the course, the
opportunity from these
two natural members is
sacrificed & the blame
cast on the native members
is due rather to the
European official
members. If the civil
element of the Council
be strengthened by add.
Govt. Nominations - &
the present Chairman
leaders be considered
to point. I do not
consider it necessary
I grant for me in
the matter of the sale
of the land & the Jail

Financial Department.

No. 2787
" 2846
" 3276

From

The President, Municipal Commission,
Negapatam, 28 & 15 Oct. 1881, & 27 Dec.

E. F. Webster Esqr, Coll. of Tanjore, on Special
Duty, dated 22d November 1881.

2420
2487

FOR ORDERS.

Have again gone thro'
these Municipal
papers, and also
the Proceedings
from Mr Gibson when
Act Collr. Giving over
to the Tahsr. letter
relinquishing the Land
Cess, the Tahsr. Circular
thereon, condemned. &
the letter of Mr. Worsley
to Mr. Collr. & Dist.
of Tanjore Municipal

FOR ORDERS.

Put up for the Tahsildar's con-
duct be ordered.

Sth.
13/10.

Rate payers

3rd appeal

Before we proceed
to the Petitioner
look up the proceedings
passed by the
Municipal Council
Mr Gibson
Petitioner
Mr Gibson
Mr Worsley
Mr Collr.
Mr Worsley
Mr Collr.

14/10. 21/11/81

only what was actually stated when the test was proved or has any weight so? (2) whether the Commrs have authority to sell portions of a street? With regard to the first question it is submitted that the latter view is clearly the right one. vide sec 13 and the definition of "street." Regarding the second question it is submitted that the Commissioners are liable to a civil action for any act of theirs done depriving the public of an established right of way. The most glaring Precedent cited is the most glaring case of alienation of land the sale of the Talus Pier (a member of the Commission) of a piece of land in front of his house for £100, the said land being worth fully ten times as much & containing a well recently sunk by the Municipality at a cost of £1500. The excuse was that the Talus had displayed great energy in contending the "Webster Tank" which appears to be in the Pres's opinion an useless work

air & Caddapah & Kurnool
weight - be beneficial
Is there not a G.O. prohibiting
alienation of land within
Municipal limits without
the sanction of Govt?

H.S.J.

With the Hon. Mr. Justice
Parker's remarks on the
foregoing notes.

I gather that the Legislature in
the Forest Law intended that
Electoral Systems for Coorg
& N. Arcot & Nilgiris &c.
Mr. Lecil & Ld Brassey
this. There is evidently
a good deal of fuss
opposition to the Pier being
Reserved for Mr. Talus
Predecessors in very
in some respects
the Talus & the Land
done to him.
be that the price was
inadequate. & the fuss
with view. Entirely

Please have all documents
about work & the Court
Hay Law Revenue Records
file that they can be found
for this may not clear
the Talus Question
Court's decision Collector
Mr. Kindall's letter the
provisions of Sec: 21.

I think it is clear
that the "street" within
the section the Commrs
do not include open
waste spaces. but in
any Municipality the Govt
should have power over all
such spaces & the
Commrs or Municipality
be asked to declare
Regard to is among
them. H.S. 31/10/88

No such transfer is
recorded & in no case
can Municipal waste
land be transferred

Publish it seems very doubtful
whether the work people
employed were properly
paid. The way in which
the sale of the land was
completed is described & the
President as undue-
The President accordingly
recommends
That the present Vice
President be asked to resign
and that the Sub Collector
or some other European
be appointed instead. That
that the Act be so amended
as to secure an
elective representation of
the rate payers.
That the Talus Pier
be purchased, removed
from Negapatam, and
compelled to restore the
land clear of the walls
he has raised on
it, or else to pay a fair
price therefor. The Resi-
dent adds that the facts
on which his opinion is
based are clear and ad-
mitted and that no ex-
planation can mitigate
their grossness.
He suggested that the first
recommendation be adopted
and that a full inquiry

hit the Solicitor's can-
not be ordered.

Sth.

12/10.

FOR ORDERS.

Financial DEPARTMENT.

No. 2787
2846
3278

From

The President, Municipal Commission,
Negapatam, 28 & 15 Oct. 1881, & 27 Oct. 1881.

E. F. Webster Esqr., Coll. of Tanjore, on Special
Duty, 3 & 22 November 1881.

FOR ORDERS.

Have again granted
leave to the Solicitors
papers, & mad also
the for the comm.
from Mr Gibson when
Appointed. Giving cover
to the Tahsr. letter
Enquiring the Land
Rent, the Tahsr. time
was condemned. &
the letter of W. Worthy
Webster. to Collr. & Dist.
of Tanjore Enquiries.

Rate Peons.

FOR ORDERS.

3rd accountant

Before referring
to the Tahsildar
look up the Proceedings
raised by the
Government upon the
Mr. Collins's

Boy

Rec'd 14/10. Desp'd 15/10/81

and I am confirmed
in my original opinion
that Mr Bird's view of
the case was hasty
& exaggerated. That
there was much & be
said on the other side

That there is a good
deal of party feeling in
the town is very evident
& nothing struck me
more at or the
dinner as an
unmitigated evil.
"The Opposition" is
deemed a very useful
counterpoise in
administration & I
certainly do not think the
Elective privileges
of the Lower orders
or the Ratepayers
of electing a portion
of the Committee
in the Town is objectionable
their vice principle. I

24 Feb
83

think it is very evident
that Mr Gibson as a
member of the Comm.
has in pursuing a strenuous
& straightforward course
in Mr Le Lacy's
interest his predecessor
& the chief Post Master
& incidentally the most
powerful influential resident
in the town. & adopted the course, the
opposite of which is the
natural tendency of
the native character
is due rather to the
European official
character. If the civil
element in the Council
element might perhaps
be strengthened by add.
Govt Nominations - &
the present Mayor might
be asked to preside over
the joint. I do not
consider it necessary
to go any further in
the matter of the sale
of the land to the Govt

Local. Administration
the Negapatam Municipality

but I wd. observe that it was altogether unfair to condemn him so strongly without taking his defence.

It is however very evident that the Negapatam Commrs. have very erroneous views as to their powers in regard to waste land in Municipal limits which are apparently shared by the Col[lector]. & these shd. be forthwith corrected – Their attention shd. be drawn to the provisions of the Act. & the definition of "street" (Secs. 13. 14. 15 & 19) & it shd. be impressed upon them very strongly that Govt. waste within Municipal limits which is not formally made over to them – & which is not strictly "Poramboke" or expressly assigned & reserved for specific public purposes & for such only is not at their disposal.

I wd. tell the present Actg. Colr. that the Govt. believe that judicious & considerate action on his part with the Commrs. & a hearty interest manifested in Municipal proceedings will go far to allay the existing irritation. & that the manifest desire of the Commrs. to make their offices a living force shd. not be denounced but shd. be used by wise direction for the benefit of the town. The whole thing is a curious contrast to the views we constantly hear expressed that Munic. Commrs. in India are a sham & subject to official dictation.

L.H. 6/12/81

FOR ORDERS.

M 2/12

Fund

2420 / 85

Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

READ the following letter

From the President of the Municipal Commission. Vizagapatam. D 8th October 1881. no 277.

The same. D 15th Octr 1881. no 287.

E. F. Webster Esq. A. Collector of Vizagapatam. on special duty. D. 22nd Novr 1881

Ordered 12th Decr/81, No 2420

These Papers relate to the manner in which the Vizagapatam Municipality is at present administered by the existing Vice President and Municipal Commrs.

2. That there is a good deal of party feeling in the town is very evident, nor is this, in the opinion of Govt, a thing to be wondered at—

Financial (1881) Department.

Current No. 2787 & 2846/81.

No 1876

Referred to
Mr. Foster. Webster C. S.
for remarks.
2. It is observed that
under G.O. 18th July 1871
P. 1084. the Municipal
Commissioners are au-
thorized to elect their
own Vice President, and
that under para 5 of
Govt. of India Resolution
dated 6th February 1872
No. 1141. (G.O. 6th June 1872
P. 641) alienations
of Municipal lands
required the sanction
of the Local Government

J. Davidson
Asst. Chief Secretary

From
The President Municl.
Commissioner
Negapatam

No. 289.

Dated 15
Reed. 17
} October 1881

No. 2846.

CURRENT No.

Subject.

Enclosing for the
information of Govt. Copy
of a letter from the
Tahsildar of Negapatam
regarding the cancella-
tion of the sale of
a portion of Municipal
Land &c.

In Fnl 3278/81

to be denounced as an
unmitigated evil. Still
less is it a sufficient
reason for summarily
withdrawing the elective
privileges which have
been conferred on the
Ratepayers of electing
a portion of the Com-
missioners and on the
Commissioners of electing
their Vice Pres[t]. It is
quite clear that the
present Pub. Off[rs] and
Joint Magistrate, as a
member of the Comm[rs],
has improperly abstained
from attending meetings
and taking part in the
Proceedings, in which
he seems to have imi-
tated his predecessor.
If the Chief Govern-
ment officer resident
on the spot and pro-
bably the most influential

resident adopts this course,
the opportunity for influencing
the native members is sacri-
ficed and the blame cast-
on the native members
one rather than the European
and official member. If
the circumstances allow
of it, the European element
might be strengthened by
additional Govt nominations. The present 4 Sections. The present 4 Sections
Gov[t] is requested to consi-
der this point. 1882.

In regard to the sale of
waste lands within Munici-
pal limits it is clear that
the Comm[rs] hold any erro-
neous views which are ap-
parently shared by the Gov-
Gov[t]. The attention of
the Comm[rs] must be drawn
to the provisions of the Act
(ss. 13, 14, 15, 18, 19) and to the
definition of "street" in s. 2.
as well as to para 5 of
Govt of India Resolution
6th February 1872 no 1141
(G.O. 6th June 1872. no 681)
forbidding the sale
alie-
nation of Municipal land

without the sanction of the Local Govt. It should further be impressed on them very strongly that Govt. land within Municipal limits if not formally made over to them and if not strictly "Poramboke" or expressly assigned and reserved for specific public purposes and for such only is not at their disposal in any degree whatever.

In conclusion, the Govt. are of opinion that judicious and considerate action on the part of the Govt. acting with the Commrs. and manifesting a hearty interest in their proceedings will go far to allay the existing irritation and that the manifest desire of the Commrs. to make their office a living force should not be denounced but should be made use of to arrive at a direction for the improvement of the town.

(Endorsed) G.O. 7/12/80

Govt. of {1881} Madras

DISPOSED OF

DEC 81

No. 2620 (Fin

Dated 4th Nov 1881

Rcvd. 12/11/81

188 , No.

Nos.

To the President M.C. with original Minute & copy of Pub. G.O. 6/12/80

E.F. Webster Esq C.S. on special duty at Madras

BACK PAPER, No. OF 188 .

FURTHER PAPER, No. OF 188 .

READ AGAIN ORDER OF GOVERNMENT, DATED
188 , No. , MISCELLANEOUS.

24-20

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT .. .. .. A A

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

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[7]

ORDINARY, MS.

27-8-90 ✓
5-3-07 ✓

Financial DEPARTMENT.
G.O., DATED 12th Decr 1882
No. 2420

1324 of 97 87

When given for copying

[Despatch Abstract.]

Negapatam Municipality

Orders passed on papers relating to the municipal administration of the _____