M.R.O. 1—32,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1675 Press ~~Mis~~

Dated 27-11- ~~19~~ 1918

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1675

Fort St. George, Judicial Consultation, 30th November 1858.

No. 13. Read the following Extract from the Minutes of Consultation in the Revenue Department, dated 14th October 1858, No. 1400.

Read the following Extract from the Proceedings of the Board of Revenue, dated 7th September 1858. No. 3387.

From H. A. BRETT, Esq., Collector of Salem ; to G. S. FORBES, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Ossoor, 23rd June 1858, No. 81.

SIR,

I have the honor to acknowledge the receipt of the Acting Secretary, Mr. Sim's letter, dated the 3rd November 1857, No. 3738, transmitting Extract Minutes Consultation, dated the 14th May 1857, No. 449, and requesting that the report called for by Government might be submitted at an early date.

2. In the above Extract, the Government call upon the Committee appointed on the 10th May 1856, to report, with reference to para. 3 of E. M. C., under date the 16th August 1856, No. 869 "on the means of improving the sanatory condition of Salem in communication with the leading members of the Association now formed at that station for sanatory purposes."

3. In para. 3 of E. M. C., dated the 10th May 1856, No. 493, the Government express their desire that the Committee should report "not only on the sanatory requirements of the town, but on the mode in which the assistance of Government could be afforded most beneficially, and in such manner as, while it effected the greatest amount of immediate improvement, would carry with it the co-operation of the people."

4. On the 19th May 1857, the District Engineer laid before the Committee a Memo. in which he stated that levels must be taken and a careful and accurate survey of the whole town and suburbs must be made and plotted on a scale of about 4 feet to the mile, before the Committee could properly discuss the details of any system of drainage. When this Memo. was laid before them, the Government sanctioned in E. M. C., dated 13th June 1857, No. 654, an outlay of Rupees 180 from the surplus Pagoda Funds to cover the estimated cost of the survey and levels.

5. The District Engineer, in a letter dated the 10th November 1857, No. 504, informed the Collector of Salem that the survey and levels had been completed. In the same letter he writes as follows:—"I propose to drain the town of Salem by two main drains, one on each side of the river, the course of which they would generally follow, and each about two miles in length. Into these two main drains all the street and house sewerage of Salem and Shevapett would be conveyed by sub-drains of two or three sizes, the largest following generally the direction of the principal thoroughfares and communicating direct with the main drains, to which again small drains would run from the houses and at regular intervals from the side-gutters of the principal streets." He proposed to empty the main drains into the river at some convenient point below the town, and to supply these drains with a small but constant stream of water from wells dug in a suitable place above the town, to be worked by pumps. The District Engineer estimates the cost of carrying out this project at between 60,000 and 70,000 Rupees. A copy of his letter is appended to this report.

Note.

Mr. G. F. Fischer did not attend when the Committee agreed to the report now submitted. He has since offered objections to some of the measures proposed in this report. It may be observed, however, on this point, that every measure may be considered as soon as the Government have invested the Committee with the discretionary power referred to in para. 7.

6. The Committee now beg to submit their own views on the subject. They are satisfied that so expensive a project as the one proposed by the District Engineer could not be entertained by the Government. It is also doubtful whether two wells would suffice to furnish a constant supply of water to the main drains. The plan they would recommend may be less complete in principle, but it will be within the means which the Government are willing to devote for the proposed object. They recommend *first*, that the streets of Salem should be furnished throughout with side gutters, similar to those which already exist in some of the principal streets: and that every house should have a connecting drain with the side gutters. They propose that the refuse thus conveyed into the gutters, should be from time to time, conveyed away in carts. *Secondly*, that public privies should be built at proper

places within or at the outskirts of the town. The Committee think that public privies might be tried as an experiment. The Sanatory Association have already built one of the kind ; which has been found to answer their expectations. From this fact and from general information, the Committee believe that this measure would be approved of by the people. *Thirdly*, that certain streets should be widened and houses which impede ventilation removed, due compensation being given when claimed. If the Committee should find reservoirs necessary, as places of temporary deposit for sewerage till removed, they would build such reservoirs. *Fourthly*, that certain improvements be made in the Salem river, by filling up holes and confining the water, during the hot season, to a small channel to be excavated in the middle of the bed. *Fifthly*, that certain portions still standing of the old wall which formed the fort at Salem, should be removed. *Sixthly*, that certain portions of land should be purchased and appropriated for markets and bandy enclosures or yards. An enclosure of this kind was built a few years since, at the Government expense at Shevapett* and has been found most useful. *Seventhly*, the ground now occupied for topes, plantation gardens and betel gardens within the town, should be cleared and compensation given where necessary. *Eighthly*, that a new bridge be built over the Salem river for the convenience of the inhabitants. The Committee hope that a new bridge at a certain site will induce the people on one side of the river to extend the town on the other.

* One of the Salem suburbs.

7. The Committee are unable to submit before-hand, estimates in detail for all the objects now proposed. The surplus Pagoda Funds form the capital to which they must look for defraying the cost of new works. These funds amount to Rupees 39,468. The Committee hope that the Government will allow them a discretionary power to expend that sum in carrying out the several objects specified above. If the Government should accede to this request, the Committee will take care that the work of whatever kind which they undertake shall be carried on in an economical manner, and that bills shall be ultimately submitted for the sums actually expended.

8. The Committee think that voluntary contributions alone will not suffice at present for keeping up carts and a scavanger establishment. They therefore wish that a part of the Pagoda Funds should be expended at first towards meeting this expence. They suggest that the Government should allow from the funds for the maintenance of carts and an establishment, an annual sum equivalent to that raised among the inhabitants themselves for the same object.

9. The Committee would urge in support of this proposal, that the Government have never treated the surplus Pagoda Funds as Public revenue ; but as an accidental resource for conferring local benefits on the inhabitants of the district in which such funds have accumulated.

10. If any law existed under which taxes for municipal purposes could be enforced, the Committee would prefer to see the funds required for local purposes raised entirely in that way. But under present circumstances, it is vain to reckon upon voluntary contributions as a permanent, or at least, a sufficient means of meeting such charges.

11. More than one attempt has been made to induce the people of Salem to adopt the provisions of Act XXVI of 1850. A strong resistance has always been offered to these attempts ; though the Committee are very glad to state that the efforts of the voluntary Association which was formed in February 1857, have been attended by no mean results. The total sum collected by the Association up to the present date amounts to Rupees 350. A Memo. prepared by the Secretary, shewing the operations of the Association up to the present date, is appended to this letter.

From T. E. GAHAGAN, District Engineer of Salem ; to the Collector of Salem, dated 10th November 1857, No. 504.

SIR,

*With reference to the drainage of the Town of Salem.

In reply to your letter, No. 114. of the 7th Instant, (subject as per margin*), I have the honor to inform you, that I propose to drain the town of Salem by 2 main drains, one on each side of the river, (the course of which they would generally follow), and each about 2 miles in length—into these 2 main drains, all the street and house sewage of Salem and Shevoipett, would be conveyed by sub-drains ;* to which again, small drains would run from the houses and at regular intervals from the side gutters of the principal streets. The main drains would have an outlet into the river at some convenient place, not less than ½ a mile below the anicut near Hankey's gardens, in Shevoipett—a small but constant stream of water would flow through the main drains from wells, dug in a suitable place above the town and worked by pumps (which can be procured from England cheaply enough.)

* Of 2 or 3 sizes ; the largest following generally the direction of the principal thoroughfare and communicating directly with the main drains,

2. The cost of carrying out this project would be between 60,000 and 70,000 Rupees.

3. The Survey and Levels* for which Rupees 180 were sanctioned by Government, (Extract Minutes Consultation, No. 654 of the 4th June 1857) are now completed, but in the absence of instructions from the Chief Engineer, I have not commenced the preparation of an estimate and plans in detail of the scheme of drainage.

* Of the Town of Salem.

(True Copy.)

(Signed) H. A. BRETT, *Collector.*

MEMO.

The Salem Sanatory Association has been organized pursuant to a resolution of the community of Salem, declared at a General Meeting of its inhabitants in February 1857. The immediate object of the Association was, the devising and carrying out by means of voluntary contributions, measures calculated to improve the sanatory condition of this town. For this purpose it was agreed at the said Meeting that a scale of rates should be levied from the proprietors of houses monthly, the highest rate being 4 Annas and the lowest ½ Anna, with the intermediate rate of 2 and 1 Annas.

The management of the affairs of the Society was entrusted to a Committee of 15 members who have been empowered to add to their number if necessary, and fill up vacancies among them.

Immediately after the formation of this Society, a Fund was raised by donations for defraying the cost of making the required number of carts and tools, as well as the expenses attending the removal of the heaps of filth and rubbish existing in different parts of Salem, preparatory to commencing the daily cleaning of the streets. From this source, 1,580 Rupees was realized, of which upwards of two-thirds has been expended in buying the required number of carts, tools, &c., providing the streets of Salem with boards, indicating their respective names, marking numbers on houses, constructing a Depôt for the custody of the carts, tools, &c., and making a variety of other petty improvements to the town.

As the poorer classes objected to the payment of the monthly rates, they have been introduced only in 3 of the 6 districts into which the town has been divided by Committee for the sake of convenience. At first the subscriptions were collected for each month ; but the Committee finding that the expenses incurred in levying them absorbed a great portion of the sums realized, directed yearly rates to be substituted, offering at the same time a remission to the rate-payers of one-third of the amount which they would otherwise be liable to pay annually according to the monthly scale. By the exertions of the Native members of the Committee, about 350 Rupees has been collected for twelve months, beginning from October last, chiefly from the public servants and merchants residing in the said 3 divisions of the town, as the other inhabitants were either too poor to pay even the lowest rate or unable (in consequence of the multiplicity of Moturpha taxes that they pay to Government and the Mootahdars) to contribute any aid in furtherance of the objects of the Association.

The other 3 districts of the town are occupied chiefly by weavers and the labouring classes. Many of them already pay a variety of imposts designated Moturpha, some to the Salem Moottahdar* and the others to Government,† the addition of the rates imposed by this Association was looked upon as a great hardship, and therefore violently resisted, consequently the managing Committee of the Association has been obliged to abandon those divisions and confine their operations to the other portions of the town where the inhabitants have evinced a greater willingness to assist the Society.

* Tax for keeping Cows and Buffalows.
† Tax on looms, do. on carts. do. on pots used for dying cloths &c., Tundulvaree or as the term imports a tax for paying the establishment employed in collecting the first mentioned imposts.

Four Scavengers' carts are now working in the town, and the monthly cost of the establishment entertained by the Association amounts to Rupees 26.

In conclusion, the Committee direct me to add that as the above sum of 350 Rupees has been contributed by the public servants and merchants, they have every reason to believe that the support will be continued for succeeding years.

G. MOOTOOSAWMY, Chetty, *Secretary.*

(True Copy.)

(Signed) H. A. BRETT, *Collector.*

From Govt. 14th May in Con. 3rd Nov. 1857, No. 449, R. D.
From do. 9th in Con. 12th August 1858, No. 1096, do.

Resolved that the above letter be laid before Government, with reference to the correspondence noted in the margin.

No. 493, Judicial Department. In from Govt. 16th August in Con. 4th October 1856, No. 869, R. D.

2. In Extract Minutes Consultation 10th May 1856, Government nominated a Committee of gentlemen, to consider and to report on the means of improving the Sanatory condition of the town of Salem, and to confer on the subject with the leading Members of the voluntary Association formed at that place for carrying out the same object.

3. The Collector now reports that the town has been surveyed and levels of it completed, and that the District Engineer's plan of drainage is to construct a main drain of about 2 miles in length on each side of the river, the course of which would be generally followed, and to convey into these the whole sewerage of the town by means of minor drains of two or three sizes, communicating with the houses and side-gutters of the streets. The main drains are to be led into the river at a covenient point below the town, and are to be supplied with a small but constant stream of water to be raised by pumps from wells dug above the town. The District Engineer, Lieutenant Gahagan, has not formed regular estimates of the necessary works, but roughly calculates their cost at between 60 and 70 thousand Rupees.

4. The Committee consider this plan too expensive for submission to Government, and doubt whether the wells would suffice to supply the main drains with water. On the expediency of allowing the sewerage of so large a town to run into the river and thus convert it for the rest of its course into a drain, the Committee give no opinion. Their own plans are as follows:—

Note.—Mr. G. F. Fisher dissents from some of these proposals, but the Committee purpose considering his objections here after.

1*st.* To furnish every street with side-gutters, communicating by small drains with every house, the sewerage thus conveyed into the former being removed from time to time in carts.

2*d.* To construct public necessaries at proper places.

3*d.* To widen some of the streets.

4*th.* To improve the bed of the river, and excavate a small channel for its waters during the hot season.

5*th.* To remove the portions still standing of the old Fort wall.

One already built at Government expense has been found most useful.

6*th.* To purchase land in the town for the formation of markets and halting places for carts.

7*th.* To clear certain lands within the town which are now occupied with Topes, Betel plantations, &c. compensation being granted to the owners.

8*th.* To build a new bridge over the river for the convenience of the people, and as an inducement for the extension of the town on the side opposite to that now chiefly occupied.

5. The Committee are unable to submit estimates beforehand for the details of their scheme. They look to the surplus Pagoda Funds (now about Rupees 39,500) as the capital out of which the expense of their project is to be defrayed, and trust that they will be allowed a discretionary power in expending it, bills of the actual charges being subsequently submitted.

6. The scheme however involves other expenses besides the cost of constructing the works. &c. proposed. A Scavengering Establishment must obviously be kept up, and the Committee think that voluntary contributions alone will not meet these expenses. They propose, therefore, that a part of the Pagoda Funds should be expended at first for these purposes, a sum equivalent to that raised among the residents being annually allowed.

7. The letter of the Secretary of the Sanatory Association shews the difficulties that body have experienced. A monthly rate of payment varying from four Annas to six Pice was proposed to be levied from proprietors of houses, but the measure was strongly opposed by the inhabitants of three out of the six districts into which the Association divided the town, and the levy was of necessity restricted to those quarters in which the residents assented to the scheme. The proceeds of this self-imposed tax during 12 months have been only Rupees 350, and this is all that the Association can rely upon with any confidence. At the outset of their proceedings, however, the Association collected Rupees 1,580 by donations, of which they have expended more than two-thirds in the purchase of carts, &c. Their present operations are limited to the daily employment of four scavengers' carts.

8. The objections raised by the poorer classes of people to the rate proposed by the Association are based on their being already taxed with Moturpha both by Government and the Mootahdar of Salem, and the Committee report that several attempts have been made to introduce Act XXVI, of 1850, but (as in all other parts of the Provinces) without success.

9. The Board will now proceed to state their own views on the subject.

10. The sum available for Sanatory purposes from the surplus Pagoda Funds is only 39,500 Rupees, and as it is evident that the difference between it and Lieutenant Gahagan's lowest estimate will not be raised by voluntary contributions, that Officer's scheme must either be abandoned or the deficiency be made good from the public treasury. The Board presume that in the present state of the finances a special grant is out of the question, independently of the consideration, whether, if such aid is to be granted, other towns as much in need of Sanatory improvements, would not have an equal claim.

11. The plans proposed by the Committee in supercession of Lieutenant Gahagan's project would no doubt greatly improve the condition of the town, but the Board have no means of judging whether the funds available would suffice to carry them out, so far as to exercise a material effect on the unhealthiness of the place.

12. Moreover, a portion of the capital must be set apart to meet the expense of repairs and of a Scavengering establishment, without which, the full benefit of the other improvements could not be realized. The Association have evidently exerted themselves most laudably, but their enlightened views are so little appreciated that they have only succeeded in raising enough to keep up four scavengers' carts, and as these contributions are purely voluntary, the permanency of this small income is by no means assured.

13. With every desire to take a favorable and sanguine view of the matter, the Board must admit that the scheme contemplated by Government has little prospect of success. In Salem, as elsewhere, but a small section of the community are enlightened enough to appreciate, and liberal enough to pay, for municipal improvements. The bulk of the people do not care and will not pay for advantages which they do not understand, and which they have never yet experienced. This class is of course by far the most numerous in every town, and so long as the introduction of Municipal Institutions is left dependent on the consent of a majority, their establishment is hopeless. It is by no means easy, even in England, to induce people to tax themselves for such purposes, and in this country there is an universal repugnance to any new impost; simply, because it is new, although to European ideas it may, in principle and practical working, be preferable to an existing tax submitted to without opposition. The mere novelty of being asked to tax themselves is, the Board apprehend, too often considered a sign that Government are at least indifferent to the matter. The Board have already in their letter dated 11th April 1855, reported on the complete failure of the Municipal Act (XXVI of 1850) throughout this Presidency, and it is unnecessary to dwell on the subject on this occasion.

14. The unsatisfactory result of the labours of the Sanatory Association of Salem will, the Board trust, induce Government to reconsider the original proposition of applying the Moturpha Revenue to Municipal purposes.

15. Of the objectionable character of that tax in many respects, and the difficulty of applying a remedy so long as it continues a source of public revenue, the Board are fully aware. In so far, however, as it taxes many classes (Merchants, Shopkeepers, &c.) who otherwise make no direct contribution to the resources of Government, although they have profitted most by its administration, the Board think the Moturpha sound in principle in a country where direct tax-

ation is the rule, and they are also of opinion that many of the evils in the practical working of the impost would be removed, if its collection were placed on a different footing.

16. The Board, however, by no means advocate the retention of the Moturpha, as such. What they propose is, that, in consideration of its abolition in the towns at least, Government should require the people to introduce Act XXVI of 1850, and to raise by a house tax or by any other impost more acceptable to themselves, provided its sufficiency and permanency be assured, such a sum as may be deemed reasonable by Government to be expended wholly for Municipal purposes.

17. The Board consider it hopeless to expect that Act XXVI of 1850, will ever be introduced into this Presidency in any other manner, for the difficulty of applying it even if its voluntary character be altered, will be greatly enhanced by the success with which every attempt to introduce it has hitherto been resisted. But by refusing to remit the Moturpha until its introduction, the Government have perhaps the means of indirectly removing these difficulties and exerting a powerful influence on the very classes whose opposition to the Act is most to be apprehended, and the Board see no reason why Government should deprive itself of these means of endeavouring to introduce a measure of admitted benefit. When the transit dues were abolished, the expected deficiency of revenue was made good by an addition to other taxes, and the justice of the measure remains unimpugned. In like manner the Board think the Government may, without justice, require the people, as a condition of the unreserved abolition of the Moturpha, to raise funds for their personal benefit. The Moturpha of Salem amounts to about 12,000 Rupees per annum, and its population may be taken at 25,000. The Moturpha however is paid by certain classes only, and the Board therefore think that a similar amount might be raised without difficulty from the entire population of the town. Such a scheme would of course meet with opposition from those who now pay nothing, but the Board purpose to meet this by extending to them advantages which they will appreciate besides those Sanatory improvements, the benefits of which they do not yet understand.

18. The Board would suggest the following scheme for consideration:—

Various provisions of the Madras Police Act (Sect. LXXXI, for instance,) might be made applicable to the town, and some Regulation enacted for the settlement of disputes between master and servant.

1st. The establishment of a local Police Court to be presided over by an Uncovenanted Officer, permanently resident in Salem, and performing the functions of a Magistrate and Municipal Commissioner.

2d. The placing the Town Police on a footing of thorough efficiency, their control and management however resting with the Commissioner of Police.

3d. The opening of a Court of Small Causes to decide cases within certain limits. This Court in default of other arrangements, might consist of one of the European or Native Judges sitting at stated intervals, and with the aid of a jury of three or five residents finally disposing of cases with no other record than the plaint and finding.

4th. The appointment of a small working Committee of Rate-payers, with the Judge or Magistrate as President (ex-officio) to carry out Sanatory improvements, collect the rates, &c., &c.

19. If Government approve of the proposition the Board have thus generally suggested, the Collector might be instructed at once to ascertain the feelings of the people, and consult the Sanatory Association on the subject.

20. In this case the Board would advise that the District Engineer's plans of Sanatory reform be again considered, and estimates prepared. The sum available already is nearly 40,000 Rupees, and if a Municipal Fund be formed as the Board have suggested, Government might advance on that security (to be repaid principal and interest within a certain period, say 20 years) a sufficient sum to admit of a thoroughly efficient system of works being carried out systematically from the outset.

21. The Board have in these Proceedings purposely avoided entering into any lengthened detail of their scheme, as their object is merely to elicit the sentiments of Government on the subject.

22. It seems to them that some earnest practical effort should be made to introduce Municipal self-government, and to relieve the State of the necessity, now imposed on it, of acting for the people in every matter whether of local or Imperial concern. The experiment, if successful in Salem, can be tried in other large towns, while, if it fails, Government will be in no worse position than at present, and whatever its result may be, they will be free to follow it up elsewhere, or abandon it at their pleasure.

23. On the other hand Salem offers a peculiarly favourable opportunity for the experiment: not only is there a large sum available for preliminary expenses, but a portion of the residents appreciate the object in view.

24. Finally, as regards Government, the measure proposed involves only the earlier abandonment of taxes, which it has been determined to give up as soon as the state of the finances permit.

25. If however Government do not concur in their views, the Board would recommend that a portion of the surplus Funds, sufficient (by its annual interest) to defray the expense of an Establishment for keeping the town of Salem clean, be invested in the 5 per cent Loan, and the remainder, with such sums as can be raised locally, be employed in carrying out the plans of the Committee.

(A true Extract.)

(Signed) J. D. SIM, *Secretary.*

Referred for consideration in the Judicial Department, with reference to Extract Minutes Consultation in that Department, dated 27th April 1857, No. 480 (para 5), and 24th July 1858, No. 998.

(A true Extract.)

(Signed) T. PYCROFT, *Chief Secretary.*

No. 14. ORDER THEREON, No. 1675; dated 27th November 1858.

In Extract Minutes Consultation Judicial Department, dated 10th May 1856, No. 493, the Government passed orders on a letter from the Magistrate of *Salem*, who agreeably to instructions, had reported "what measures are adopted for cleansing and draining the town of Salem." At the date of Mr. *Brett's* letter (15th April 1856) it seems that, beyond requiring the householders to keep clean the roads in front of their respective premises, no system prevailed. At one time, the Magistrate had the use of a gang of Convicts and of a considerable annual sum derived from the District "Cart Fund." Both these privileges, however, had been resumed; the Inspector General of Jails declining to sanction the employment of Convicts as "Scavengers;" and the Government having objected to the appropriation of the latter resource.

2. The Government adverting to the position of *Salem* as a rendezvous of commerce and traffick, and to its notorious insalubrity, professed themselves willing to use the public funds in the matter, but, before taking the question more directly into consideration, called upon Mr. *Brett* to form a Committee (to consist of the leading officials at the station with a selection of European and Native gentlemen) who "should report not only on the sanatory requirements of the town, but on the mode in which the assistance of Government could be afforded most beneficially, and in such manner as while it effected the greatest amount of immediate improvement would carry with it the co-operation of the people."

3. About a year afterwards (during which the Committee as above appointed, remained silent) the Government disposed of an application from the "Salem Municipal Sanatory Association." This body asked *first*, that the Mohturpha proceeds* be handed over to them; and *secondly*, that the Surplus Pagoda Funds, amounting to about Rupees 40,000, should likewise be vested in them, for the purposes of their Association. The Government declined to accede to the first request, but "fully recognising the propriety of applying the latter sum towards the sanatory improvement of the town," said they would defer passing orders to that effect pending the receipt of the Report of the *Committee* above alluded to.

* Rupees 12,165 per annum.

Extract Minutes Consultation, 4th June 1857, No. 654.
Extract Minutes Consultation, 24th July 1858, No. 998.

4. Subsequently, on the *Committee* alleging that a survey of the town was required, Government sanctioned Rupees 180 for the purpose, and a year afterwards were enabled to communicate to the Collector the orders of the Honorable Court on the foregoing correspondence. The Honorable Court "observe, with satisfaction, that the inhabitants of *Salem* have associated

themselves together for the purpose of improving the sanatory condition of the town, and approve the encouragement afforded them by Government."

5. The Collector's report on behalf of the Committee, now submitted by the Board of Revenue, through the Revenue Department, is dated the 23rd June last. The Committee, first of all, hand up the District Engineer's scheme, which proposes to drain the town effectually, at a cost of between 60 or 70 thousand Rupees.

Rejecting so " expensive a project," the Committee submit their own. It will be found at para. 4 of the Board's present letter, divided into eight branches. They submit that, though " less complete in principle, it will be at least within the means which the Government are willing to devote for the object." They have no estimates of its cost, but hope that Government will allow them a discretionary power to expend the 40,000 Rupees Surplus Pagoda Funds, in carrying it out, pledging themselves to correct accounts and thorough economy. Without the assistance of Government, they apprehend that even the Scavenger establishment would cease to be maintained, and they pray Government to assign to this head a sum equal to that subscribed by the people. The total collections of the Sanatory Association are Rupees 350 a year, and none but the officials and some wealthy merchants give towards it.

6. The letter of the Committee has been submitted by the Board of Revenue with a counter scheme of their own ; which is, to offer to the inhabitants of *Salem* the abolition of the *Mohturpha*, on condition that they forthwith introduce Act XXVI of 1850, and raise by house tax or other tax of a permanent nature, such a sum as may be deemed reasonable by Government, to be expended wholly for Municipal purposes ; and inasmuch as numbers of the people are not immediately interested as payers of *Mohturpha*, they hope to induce these classes to tax themselves, by the establishment of a local Small Cause Court and an improved Town Police, both of which would be maintained from the levy made under the Act.

With the security of a regularly constituted Municipal Fund, Government might advance the 40,000 Rupees, (Surplus Pagoda) to the Municipality—the principal and interest to be paid back in 20 years.

7. If Government do not concur in these views, then they suggest that a *portion* of the Rupees 40,000 be vested in the 5 per cent loan and its interest go to keeping the town clean ; the *remainder*, with local subscriptions, to be employed in carrying out the plans of the Committee.

8. Resolution.—The Government are not now prepared to consider the surrender of the *Mohturpha* revenue of the town of *Salem* or its commutation into a Municipal tax for local objects. At present the question could not, they apprehend, be discussed with advantage. They are however disposed to assist the inhabitants of *Salem* in carrying out their measures for the sanatory improvement of the town, but they feel assured that such aid cannot be afforded beneficially unless in such a manner as to act as a stimulus to local contributions and efforts. The Government therefore resolve to direct that the Pagoda Surplus Funds be invested through the Accountant General in the 5 per cent Loan at the price of the day, in the name of the Collector of *Salem* for the time being ; the bonds being lodged in the Treasury—and that from the interest thence accruing, a sum be placed yearly at the disposal of the Sanatory Association for cleansing the town of *Salem*, equal to the amount which they may raise by local subscriptions.

9. The objects specified in para. 4, of the Board's Proceedings as those recommended by the Committee, would constitute great improvements, and some of them at least, particularly Nos. 2, 5, 6, would not seem likely to be attended with much expense—not more than could be gradually defrayed from the balance of the interest of the Pagoda Funds, especially if aided by any special contributions on the part of the residents. To enable however a more definite course to be pursued, the Government resolve to call on the Collector and District Engineer to furnish estimates of the cost involved in projects 2, 4, 5, 6 and 7. Towards some of these, especially No. 5, (removing the old Fort wall,) and No. 6 (purchasing lands for markets and halting places,) the Government would be disposed to make special grants, on receipt of further information as to the probable cost, and as to whether the services of Convicts can be obtained. The proposal for building a new bridge over the river, may be revived at some future time when circumstances are more propitious to the execution of Public Works.

(Signed) W. H. BAYLEY,
Acting Secretary to Govt.

Rxd. F.Carlledge.

Judicial Dep.t 6

Memo: for orders.

Extract Min. Cons. Revenue Dep.t:

d/ 14.th Oct/56. No 1400.

It is vain to try to help people who will not help themselves. The Pagoda Funds are intended for the benefit of the whole District not for that of the town of Salem alone. I should be glad to see the Moh-turfa tax applied to the principal purposes but that is out of the question just now. Meantime all that seems feasible is to contribute an equal sum to that raised by the Community for the Scavenging Establishment. & that can be paid fr. the interest of the Pagoda Funds. MC

The Pagoda funds are thus made immediately available for the Improvement of the large town of Salem which likely to be withheld away without benefit to any one — or any plan that be beneficial to any one — or any plan

In C. M. C. Jud. Dep.t d/ 10.th May/56 No 493, the Govt passed orders on a letter from the Mayr of Salem, who, agreeably to instructions, had reported "what measures are "adopted for cleansing & draining "the town of Salem". At the date of Mr. Bretts letter (15.th April/56) it seems that, beyond requiring the house holders to keep clean the road in front of their respective premises, no system prevailed. At one time, the Mayr had the use of a gang of convicts and of a considerable annual sum derived from the distinct "Cart Fund". But these privileges, however, had been rescinded; the Inspector of Prisons, that authority, declining to sanction the employment of convicts as "Scavengers"; and the Govt having withheld sanction to the appropriation of the latter resource.

2. The Govt, adverting to the position of Salem,

Should wish to take of the P.F. in the 5 per cent loan - the account - the Head at the disposal of the local Committee - purpose of the Schemes proposed by the Committee the Govt of Madras should carry out - for which

No 2 -

No 5 -

26 -

No 8 - The account

E.M.C. No 480

d/ 27th April/57

Municipal Towns

& in addition to

the interest of the P.F.

Rs 12, 165

per annum.

to be added by

Mercantiles -

Vide

as a rendezvous of commerce & traffic, & to its notorious unsalubrity, proposed themselves willing to use the public funds in the matter, but, before taking the question more directly into consideration, called upon Mr Boyle to form a Committee (to consist of the leading officials at the station with a selection of European & native gentlemen) which "should report not only on the sanitary requirements of the town, but on the mode in wh the assistance of Govt could be afforded most beneficially & in such manner as while it effected the greatest amount of municipal improvement wh carry with it the cooperation of the people".

3. About a year afterwards (during wh the Committee as above appointed remained silent) the Govt directed an application from the "Salem Municipal Sanatory Association". This body asked first, that the Mokhtuphah proceeds be handed over to them; and secondly, that the Surplus Pagoda Fund amounting to about Rs 40,000, likewise be vested in them, for the purposes of their association. The Govt declined to accede to the first request, but "fully recognising the "propriety of applying the balance sum "towards the sanatory improvement of

Govt. 4th June/57
No 654.

Govt. 24th July/58
No 996.

the Town", said they would defer passing orders to that effect pending the receipt of the Report of the Committee above alluded to.

4. Subsequently, on the Committee alleging that a survey of the town was required, Govt sanctioned Rs 100 for the purpose; and a year afterwards were called to communicate to the Collr the orders of the Hon. Court on the foregoing correspondence. The H. Ct "observe, with satisfaction, that the inhabitants of Salem have associated themselves "together for the purpose of improving the "sanitary condition of the town, & approve the encouragement afforded them "by Govt"

5. The Collector's report on behalf of the committee, now submitted by the Revd. Mr the Revd. Dept, is dated the 23d June last.

The Committee, first of all, laud up the Dr Engis scheme, wh proposes to drain the town effectually, at a cost of the trifling 60 & 70 thousand rupees.

Rejecting "so expensive a project" the Comtee submit their own. It will be found at Para 4 of the 13 dis present letter, divided into eight branches. They submit that, though "by complete in principle, "it will be at least within the means wh "the Govt are willing to devote for the object" They have no estimates of its cost, but hope that Govt will allow them a discretionary power to expend the 40,000 Rs surplus Pagoda funds, in carrying it out, pledging themselves to correct accts & Borough economy.

apprehend
Wd not be assistance of Govt, they think
that even the Scavengers establt wd ~~have~~ lead
to be maintained
~~remunerate~~, & they pray Govt to assign
to his Head a sum = to that subscribed by the
people. The total Collections of the "Sanatory
Association" are Rs 950 a year, & none but
the officials & some wealthy merchants
give towards it.

has been
6. The letters of the Committee ~~were obtained~~
submitted
by the Bd of Revenue ~~for 8 of the members~~,
~~during which a Retreat has taken~~ with a
scheme of their own - wh is -
to open to the inhabitants of Salem the abolition of the
Mohtumpha, on condition that they forth-
-with introduce the XXVI of 1850, & raise
by house tax or other tax of a permanent
nature, such a sum as may be deemed
reasonable by Govt, to be expended wholly
for Municipal purposes; and, inas-
-much as numbers of the people are not
immediately interested as payers of
Mohtumpha, they hope to induce these
classes to tax themselves, by the imposition
-tion of Assessment
~~of the Rent~~ of a local Small
Cause Court & an improved Town Police,
both of wh would be maintained from the
levy made under the Act.
With the security of a regularly constitu-
-ted Municipal Fund, Govt might ad-
-vance the Rs 40,000 (Surplus Pagoda) to
the Municipality - the principal &
interest to be paid back in 20 years.
7. If Govt do not concur in these views, then
that a portion of the Rs 40,000 be vested in the
5 Per cent loan & its interest go to keeping the
Town clean - the remainder, with local subscrip-
-tions, to be employed in carrying out the
plans of the Committee - D.F.L. Oct 20/58.

The first have already
27 April 57 etc a tax that
they were willing to pay
when Mohtumpha abolished
-pose of the Association
and the fee of Rs 1 a year
instead to pay into the Mohtum-
-pha without any specific
end

EM[illegible]

JJP

CMDen
R 26"

JJP

Zemindar subject as in the Brinjaree Karnam case ——

The first are ~~not~~ now prepared to consider
the question of the Municipal Income
of the Town of Salem or its Communica-
-tion with a Municipal Body for local
objects - At present the Question could
not they apprehend be discussed with
advantage - They are however disposed
to assist the inhabitants of Salem in
carrying out their measures for the
Sanatory improvement of the Town but
they feel assured that such aid can-
-not be afforded beneficially unless
in such a manner as to call out Stimu-
-lus to local contributions and efforts.
The first therefore resolve to direct that
the Pagoda Surplus funds be invested
thro' the Accountant General in the 5 %
Loan at the price of the day in the name
of the Collector of Salem for the time being -
the bonds being lodged in the Treasury -

and that from the interest thus accruing a sum be placed yearly at the disposal of the Sanatory Association for cleansing the Town of Sehore equal to the amount which they may raise by local subscription

9. The objects specified in para 4 of the Board proceedings as then recommended by the Committee would constitute real improvements, and some of them at least - particularly No 2 - 5 - 6 - would not seem likely to be attended with much pecuniary return more than could be gradually defrayed from the balance of the interest of the Pagoda Funds - especially if aided by any special contributions on the part of the residents - To such known, more definite terms the proposal for reference to the Collr & District Engineer to furnish estimates of the cost involved in projects 2 - 4 - 5 - 6 - 17 -
In proposing for building a new

bridge over the river may be deferred at some future time when circumstances are more propitious to the execution of public works -

Judicial Departt.

No. 1675.

Extract from the Minutes of Consultation.
Dated 27th November 1858.

Read the following Gen. Dr. C.
Rec'd Dept.

(Here enter 14th Oct. 1858. No. 1400)

The G. D. C. Judl. Dept. of 10th May 1856 No. 493, the Govt. passed orders on a letter from the Magistrate of Salem, who agreeably to instructions, had reported "what measures are "adopted for cleansing and drain "ing the town of Salem." At the date of Mr. Brett's letter (15th April 1856) it seems that, beyond requiring the Householders to keep clean the roads in front of their respective premises, no system prevailed. At one time the Magistrate had the use of a gang of Convicts and a considerable annual Sum derived from the District "Cart Fund." Both these pre-vileges, however had been re-sumed, the Inspector of Prisons declining to sanction the employment of Convicts

as

as "Scavengers"; and the Govt having objected to the appropriation of the latter resource.

2.— The Govt adverting to the position of Salem as a rendezvous of commerce and trafficke, and to its notorious unsalubrity, professed themselves willing to use the public funds in the matter, but, before taking the question more directly into consideration, called upon Mr Brett to form a Committee (to consist of the leading officials at the station with a selection of European and native gentlemen) who should report "not only on the sanatory requirements of the town, but "on the mode in which the "assistance of Govt could be "afforded most beneficially, "and in such manner as while "it effected the greatest amount "of immediate improvement "would carry with it the co-ope-"ration of the people."—

3.— About a year afterwards (during which the Committee as above appointed remained silent) the Govt disposed of

+ Rs 12,165 per annum.

of an application from the "Sa-lem Municipal Sanatory Associa-tion". This body asked first, that the Mohtupha proceeds be handed over to them; and secondly, that the Surplus Pagoda Funds, amounting to about Rs 40,000, should likewise be vested in them, for the purposes of their Associa-tion.— The Govt declined to accede to the first request, but "fully recognising the pro-"priety of applying the latter "sum towards the sanatory im-provement of the town", said they would defer passing order to that effect pending the re-ceipt of the Report of the Committee above alluded to.

4.— Subsequently, on the Com-mittee alleging that a survey of the town was required, Govt sanctioned Rs 180 for the pur-pose; and a year afterwards were enabled to communicate to the Collector the orders of the Hon: Court on the foregoing correspondence. The Hon: Court "observe, with satisfaction, that "the inhabitants of Salem "have associated themselves together

E. M. C. 4th June 1834 No. 654.

E. M. C. 24th July 1838. No. 998.

"together for the purpose of im-
"proving the sanitary condition
"of the town, and approve the
"encouragement afforded them
"by Government. —"

5.— The Collector's report on behalf of the Committee, now submitted by the Board of Revenue thro the Revenue Deptt., is dated the 23rd June last.

The Committee, first of all, hand up the Dist. Engineer's scheme, which proposes to drain the town effectually, at a cost of between 60 or 70 thou-sand rupees.—

Rejecting so "expensive a project" the Committee submit their own. It will be found at Para 4 of the Board's present letter divided into eight branches. They submit that, tho' "less complete in principle, it "will be at least within the "means which the Govt. are "willing to devote for the object" They have no estimate of its cost, but hope that Govt. will allow them a discretionary power to expend the 40,000 Rs. Surplus Pagoda funds, in carrying it out, pledging themselves to correct accounts

and thorough economy. Without the assistance of Govt. they apprehend that even the Scavenger Establishment would cease to be maintained, and they pray Govt. to assign to this head a sum equal to that subscribed by the people".

The total collections of the Sanitary Association are Rs. 350 a year, and none but the officials and some wealthy merchants give towards it.—

6.— The letter of the Committee has been submitted by the Board of Revenue with a counter scheme of their own; which is, to offer to the inhabitants of Salem the abolition of the Mohturpha, on condition that they forthwith introduce Act XXVI. of 50, and raise by house tax or other tax of a permanent nature, such a sum as may be deemed reasonable by Govt., to be expended wholly for Municipal purposes; and inasmuch as numbers of the people are not immediately interested as payers of Mohturpha, they hope to induce these classes to tax themselves, by the establishment of a

a local Small cause Court and an improved Town Police, both of which would be maintained from the levy made under the Act.

With the security of a regularly constituted Municipal Fund, Govt. might advance the Rs. 40,000. (Surplus Pagoda) to the Municipality - the principal and interest to be paid back in 20 years.

7.— If Govt. do not concur in these views, then that a portion of the Rs. 40,000 be vested in the 5 per cent loan and its interest go to keeping the Town clean; the remainder, with local subscriptions, to be employed in carrying out the plans of the Committee

8.— The Govt. are not now prepared to consider the surrender of the Mohturpha revenue of the Town of Salem or its commutation into a Municipal tax for local objects - At present the question could not, they apprehend, be discussed with advantage - They are however disposed to assist the inhabitants of Salem in carrying out their measures for the sanatary improvement of

the Town, but they feel assured that such aid cannot be afforded beneficially unless in such a manner as to act as a stimulus to local contributions and efforts.—

The Govt. therefore resolve to direct that the Pagoda Surplus funds be invested thro' the Accountant General in the 5 % Loan at the price of the day, in the name of the Collector of Salem for the time being; the bonds being lodged in the Treasury — and that from the interest thence accruing a sum be placed yearly at the disposal of the Sanatary Association for Salem, equal to the amount which they may raise by local subscriptions -

9.— The objects specified in para: 4 of the Board's proceedings as those recommended by the Committee would constitute great improvements, and some of them at least particularly No. 2-5-6 would not

not seem likely to be attended with much expense - not more than could be gradually de-rayed from the balance of the interest of the Pagoda Funds - especially if aided by any special contributions on the part of the residents - to enable however a more de-finite course to be pursued the Govt. resolve to call on the Collector and District Engineer to furnish estimates of the cost involved in projects 2 - 4 - 5 - 6 & 7. ^

The proposal for building a new bridge over the river may be received at some future time when circumstan-ces are more propitious to the execution of public works.

D.P.C. 3/11-58.

WKL

Dis'pd 3rd Dec'r

50 - 2 2 10 -

^ Towards some of these, especially No 5 (removing the old Fort Wall) and No 6 (purchasing Lands for markets & bathing places) the Govt. will be disposed to make special grants, on receipt of further information as to the probable cost, and as to whether the services of convicts can be obtained

Rec'd Dept. recommendation & Est. of Sales

Dept P.W. _____

Acct. General _____

Sub Treasurer _____

C4 nour
Rg.

Jud^{l} Lr^{s} to Engr^{a} 15th Febuary
No^{s} 7 of 1859 Page 18-

In Dy. to Cons: 30 November

Judicial 1858 Department

No. 1675.

Extract Mins. Cons.

Dated 27th November 58

Views of the Government on the Subject of the Sanatory Improvement of the Town of Salem.

13014

Madras:—Printed at the Government Press.