M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 333 Press ~~Mis.~~

232-234

Dated 28.2.1862 ~~19~~ .

3/8

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 28th February 1862.

Read the following papers:—

No. 232. From A. HATHAWAY, Esq., Magistrate of Bellary; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 17th February 1862, No. 5.

With reference to the Notification, dated the 11th instant, and published at page 260 of the Fort Saint George Gazette, of the said date, I have the honor to request that you will inform me, whether it is the intention of Government that the wishes of the inhabitants of Bruce and Mellor Pettas of the town of Bellary, should be obtained, as to the introduction therein of Act No. XXVI of 1850.

2. The Government have already (in their Proceedings No. 1,357, dated 6th July 1861,) sanctioned the adoption therein of the said Act, and granted an annual allowance of Rupees 4,000 for that purpose. The rules prepared by the Commissioners for carrying out the provisions of the Act, have also been sent to Government for approval, with my letter, No. 32, dated 27th September 1861.

3. The application now made, and referred to in the Proceedings of Government, No. 153 of the 31st ultimo, is by the inhabitants of the Military Cantonment of Bellary, which is distinct from the two Pettas alluded to in paragraph 1.

No. 233. Proceedings of Government in the Revenue Department, dated 19th February 1862, No. 359.

Returning under the circumstances explained the Rules submitted for the approval of Government by the Magistrate of Bellary under Section VI, Act 26 of 1850, for the guidance of the proposed Municipal Commissioners for the Town of Bellary and offering certain observations on the subject. } (Vide Proceedings Revenue Department, dated 19th February 1862, Nos. 392 and 393.)

No. 234. ORDER THEREON, 28th February 1862, No. 333.

This letter was addressed to Government by the Magistrate of Bellary prior to the despatch to him of the Government Proceedings No. 359, dated 19th February 1862, which disposed of the subject matter of this communication. Mr. Hathaway is referred to it for a reply to the question he now asks. He will observe that he is quite mistaken in supposing that Government in any way authorized the introduction of Act XXVI of 1850, into the town of Bellary by their Order, dated July 6th 1861, No. 1,357, Revenue Department.

2. The Order of Government, 31st January 1862, Judicial Department, No. 153, referred only to the Military Cantonment, and its object was to ascertain thoroughly what were the real wishes and sentiments of the inhabitants of that Cantonment in regard to the introduction into it of the Act. The adoption of the Act within the Civil limits is a distinct question and must be dealt with in the manner pointed out to the Magistrate in paragraph 3 of the Order of the 19th instant, Revenue Department, No. 359. It is however much to be desired that with the full and free consent of the inhabitants the Act could be carried into effect both within the Civil and Military limits.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F Cartledge.

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Proceedings of the Board of Revenue, dated 14th December 1860, No. 5,863 :—

Read the following letter from A. HATHAWAY, Esq., Collector of Bellary, to W. HUDLESTON, Esq., Acting Secretary to the Board of Revenue, Fort Saint George, dated Naranapur, 30th November 1860, No. 209.

SIR,

With reference to the Proceedings of the Board of Revenue, No. 2,464 of 28th June 1859, I have the honor in forwarding the enclosed Memorial from the inhabitants of the town of Bellary, to request that the Board of Revenue will be pleased to obtain the sanction of Government for the introduction in the above town of the Municipal Act No. XXVI of 1850 ; and for the annual contribution by Government of Rupees 4,000, being a sum equal in amount to that raised by the inhabitants.

Ordered to be submitted to Government, with the Board's recommendation that the contribution solicited towards the Municipal Fund of Bellary town be granted subject to the condition of an equal amount being raised by the inhabitants among themselves and paid in to the credit of the Fund.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Acting Secretary.*

ORDER THEREON, 9th January 1861, No. 48.

The Board are requested to report approximately the average annual proceeds and expenditure of the Bellary Local Fund and the sources from which its income is derived.

(True Extract.)

(Signed) J. D. SIM,
Acting Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Proceedings of the Board of Revenue, dated 3rd June 1861, No. 2,859 :—

Read letter from the Collector of Bellary, dated 26th April 1861, No. 84.

(In Cons. 29th April 1861, No. 2,664.)

Resolved that the statement of receipts and expenditure of the local funds received with the foregoing letter be submitted to Government, with reference to their Order, dated 9th January 1861, No. 48, Revenue Department. It will be seen from the statement that the Ferry rent and Cattle fine fund are the only sources from which the income on the local fund is derived. The marginal abstract exhibits the collections and expenditure made on account of the local fund during the past three official years. The excess expenditure in each year over the receipts was provided for from the balance at the end of 1857-58 which amounted to Rupees 14,256. The amount at the credit of the fund at the close of the last official year amounted to Rupees 5,045.

In Cons. 10th January 1861, No. 170.

	Proceeds.	Expenditure.
1858-59	7,431	10,604
1859-60	7,413	13,374
1860-61.....	14,949	15,026

(A true Extract.)

(Signed) W. HUDLESTON, *Secretary.*

ORDER THEREON, 6th July 1861, No. 1,357.

1. The Governor in Council readily accedes to the request of the inhabitants of the Town of Bellary, and sanctions an annual grant of 4,000 Rupees from the local fund of the District, on the condition of at least an equal sum being raised annually by the inhabitants for municipal improvements, and of the Magistrate being ex-officio President of the Committee of Management.

2. This grant will have effect for three years, subject, however, to withdrawal at any time during the said period if the inhabitants of Bellary fail to fulfil either of the conditions above referred to.

3. The delay on the Collector's part to afford the information called for in Government Order, 9th January 1861, No. 48, should be suitably noticed by the Board.

4. The Magistrate will annually report, through the Board of Revenue, the operations of the Committee.

(True Extract.)

Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from A. HATHAWAY, Esq., Magistrate of Bellary, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Bellary, 27th September 1861, No. 32:—

SIR,

With reference to Section VI of Act XXVI of 1850, I have the honor to forward herewith for the approval of Government, the Rules prepared for the guidance of the Commissioners in carrying out the said Act in the Town of Bellary, and to suggest that the Commission be composed of as follows:—

The Magistrate, *Ex-officio President.*

Ordinary Members.

The Cantonment Joint Magistrate.
The Treasury Deputy Collector.
The Garrison Surgeon.
The District Engineer.
G. Srinavasa Ráu, Sarishtadár, Sub-Court Bellary.
S. Vencoba Ráu, Translator, Collector's Department.
Y. Hanumanta Ráu, Vernacular Head Clerk do.
Aurumugham Mudaliar, Pensioner.
K. Koturappa, Sahukar.
B. Hira Mullesapa, do.
S. Karadappa, do.
Zainodin, Pensioner.

ORDER THEREON, 19th February 1862, No. 359.

1. With this letter the Magistrate of Bellary submits for the approval of Government, under Section VI, Act XXVI of 1850, certain Rules for the guidance of the proposed Municipal Commissioners for the Town of Bellary.

2. In the preamble to the Rules the Government are stated to have in their Revenue Proceedings dated 6th July 1861, No. 1,357, sanctioned the introduction of the Act in question into the said Town. This is an error; the Government did not give any such authority. By that order they only authorized an annual grant of Rupees 4,000 for Municipal purposes on the condition of at least an equal sum being raised by the inhabitants and the Magistrate being allowed a voice in the expenditure of the money. A reference to the Act will at once convince Mr. Hathaway that it cannot be introduced unless the preliminaries enjoined in Sections III and IV have been attended to, and in the present instance such has not been done.

3. Under these circumstances the Government resolve to return the Rules to Mr. Hathaway. The inhabitants must either work without the assistance of any Legislative enactment like the Municipal Associations at Salem and Vizagapatam, or if they elect to have the Act introduced, they must show to Government that the greater part of the population of the Town are earnest on the subject, and if so, send in a fresh and separate application for the purpose.

4. The Government regard the movement with much interest and approbation, and trust that the Committee will succeed in convincing the majority of their fellow-townsmen of the advantages of Municipal self-government.

(True Extract.)

(Signed) J. D. SIM,
Secretary to Government.

To the Magistrate of Bellary.
„ Public Department.

Exd. S. T. Augustin.

Judicial Dept.

Dupl

Proceedings of the Madras Government

Read letter from the Magistrate
of Bellary
dated 17th February 1862.
Pro. of Govt. Rev. Dept. 19th Feby 1862 No. 359

Addr. Thurlow
28th Feby 1862 No. 333.

This letter was addressed to
Government by the Magis-
trate of Bellary prior to the
despatch to them of the
Government Proceedings No. 359
dated 19th Feby 1862,
which disposed of the sub-
ject matter of this comu-
-nication. The Magistrate
is referred to it for a
reply to the question he
now asks. It will hereafter
that he is quite mistaken
in supposing that Govern-
-ment in any way can-

thorized the introduction of
Act XXVI of 1850 into the town
of Kellary by their Rdcs
dated July 6. 1861 No 1357. R. D.

2 The Magistrate has failed to
state whether Bruce & Sultan
Pettahs are situated in such
circumstances as render it
unadvisable to extend the
Act to them. but if those
localities form part of the
Town of Kellary, & the Act
when introduced would
be in force there the
wishes of the whole body
of the inhabitants must
undoubtedly be carefully
learned before any thing
can be definitely settled.

R. S. M.

2. The order of Govt. 31 Jan.y 1862.
Govt. Dept. No 153 requires only
the Military Cantonment &
its Sphere & maintain Boundary
Stones but the real wishes &
sentiments of the inhabitants
of that Cantonment in regard
to the introduction into it of the
Act - The selection of the Act-mile
Civil limits is a distinct question
and must be dealt with in the manner
pointed out by the Magistrate in para
3 of his order of the 19th inst. Rev D. No 359-
This however must be decided that
with the full & previous consent of the
inhabitants & all comers carried
into effect both within & Civil & Mil.y
limits

J.P.

To the Magistrate of Bellary.
Dep.d 28th "

Dist of Mount

Pro: of Govt

Dated 28 Feby 1862

Observe that the Mayr of Ballary is quite mistaken in supposing that Govt in any way authorized the introduction of Act XXVI of 1850 into the town of Ballary by their order 6th July/61 & 2d the order of Govt 31st Jany/62 I.D. referred only to the Military Cantonment -

202 to 204

232 to 234