M.R.O. 1—30,000—16-10-27.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 785	Press ~~Mis.~~
172-173	
Dated 15 — 5 — ~~19~~ 1863	

5/6

Not to be folded or roughly handled

No. 172. Read the following letter from A. HATHAWAY, Esq., Magistrate of Bellary; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Madras, dated Camp Hurpunhulli, 26th February 1863, No. 5.

1. With reference to paragraph 5 of the Proceedings of Government (Judicial Department), under date the 22nd December 1862, No. 2,088, I have the honor to enclose an original letter received by me on the 20th instant from the Officer Commanding the Ceded Districts, from which you will perceive that Major General Armstrong objects to the Cantonment and the Civil Pettahs being placed under the same Commission, for the carrying out of Act XXVI of 1850; and to observe that I concur in the remarks therein made by him.

2. It appears to me, that, if the introduction of the said Act in the Cowl Bazar be sanctioned, the Commission for its enforcement should be a separate one; and that a grant (independent of the sum at present allowed by Government for the conservancy purposes and the repair of roads,) be made equal in amount to the sum raised by the residents in the Cowle Bazar.

3. The majority of the inhabitants of the Civil Pettahs who were consulted on the point object to a joint Commission.

From Major General E. ARMSTRONG, Commanding Ceded Districts; to A. HATHAWAY, Esq., Magistrate of Bellary, dated Bellary, 18th February 1863, No. 13.

I have the honor in reply to your letter of 23rd January 1863, Number and subject as per margin,* to state that in my opinion it would be very inadvisable that the proposed Municipal Commission should be composed of a mixed body for joint jurisdiction in the Civil and Military limits of Bellary. The Civil Pettahs, and the Cowle Bazar are distant from each other having well defined limits, and indeed it appears to me very questionable how Act No. XXVI of 1850 can be satisfactorily applied to that part of a station under Military control like the Cantonment of Bellary, unless strictly confined to the Cowle Bazar itself.

* No. 11. Requesting to be favored with his opinion regarding the Cantonment and Civil Pettahs being placed under the same Commission with reference to paragraph 5 of the Proceedings of Government, No. 2,088.

2. From the petition of P. Annasawmy Moodelliar and others, addressed to the Chief Secretary to Government, I gather that the object of the Petitioners is to obtain control over the general conservancy of the Cantonment, and funds spent on the roads in the Fort and Military Cantonment at present vested in the Military authorities, a state of things that I am inclined to think would be very incompatible with the necessary Military authority in such matters.

3. The Cowle Bazar, moreover, beyond its own immediate limits, having no possible connexion with the various roads, parade grounds, Officers' compounds, &c., of the Cantonment.

No. 173 ORDER THEREON, 19th May 1863, No. 785.

As it appears that it would not be expedient to place the Cantonment and the Civil Pettahs of Bellary under one Commission for Municipal purposes, the Governor in Council will not press the adoption of that course. The two cases will therefore be disposed of separately.

2. On the application made by the inhabitants of the Divisions of Bruce Pettah and Cowle Pettah of Bellary for the enforcement of the Act in question, a Notification was issued in the Fort Saint George Gazette, as prescribed by Section III, Act XXVI of 1850; and the Cantonment Joint Magistrate was instructed to cause proclamation to the same effect to be made throughout the limits of the Cantonment, in view to such other of the inhabitants as might feel inclined, expressing their views on the matter.

Pro. 31st Jan. 1862, No. 153.

3. No petitions against the application of the Act have been received, and the Governor in Council, deeming it to be in accordance with the wishes of the inhabitants of the said Divisions that taxes should be imposed for Municipal purposes, resolves to declare Act No. XXVI of 1850

Proceedings of the Madras Government, Judicial Department,
19th May 1863.

in force in the Divisions of Bruce Pettah and Cowle Pettah of Bellary from the 1st July 1863, and, under Section VI, to appoint the undermentioned gentlemen Commissioners for giving it effect :—

President.
The Officer Commanding the Ceded Districts.
Vice-President.
The Magistrate of Bellary.
Members:
The Garrison Surgeon.
The Cantonment Joint Magistrate.
V. Tondroy Chetty.
V. Loganatha Moodelliar.
Seeka Chinniah Naidoo.
Hussen Seit.
Mahomed Anief Saib.
Ramasawmy Chetty.
Chukala Vencatram Chetty.
Cheedella Venkatram Chetty.
Soondaralinga Moodelliar.
K. Buda Meyah, and
V. J. Nagalinga Moodelliar.

4. The Governor in Council will be prepared to grant an annual sum equal to that now spent on the conservancy of the Cantonment, in aid of the Municipal funds. The Officer Commanding the Division will be called upon to report what the annual expenditure has been for the last five years.

5. In respect of the Civil Pettahs of Bellary which it is proposed to place under a separate Commission, the prescribed Notification of an application having been made for the enforcement of the Act has not been published in the Fort Saint George Gazette. This preliminary will now be gone through, and a copy of the Notification will be published in the District Gazette; and its contents will be proclaimed by beat of tom-tom in the Bazars to which it is proposed to apply the Act.

6. At the expiration of one month, the Acting Magistrate will report whether he has received any petitions against the introduction of the Act.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exc. T. McMootry.

Judicial Department

Proceedings of the Madras Government
Read the following letter from
the Magistrate of Bellary —
(Rec'd Enter 26th Febmary 1863. No 5)

Order thereon 19th May 1863. No 785.

As it appears that
it would not be expedient
to place the Cantonment
and the Civil Pettahs of
Bellary under one Com-
-mission for Municipal
purposes, the Governor
in Council will not
press the adoption of that
course. The two Cases
will therefore be disposed
of separately.

2 On the application
made by the inhabitants
~~of the inhabitants~~ of the
Cantonment

Divisions of Bruceppettah & Cowlepettah

Cantonment of Bellary for the enforcement of the Act in question, a Notification was issued in the Fort Saint George Gazette as prescribed by Section III. Act XXVI of 1850; and the Cantonment Joint Magistrate was instructed to cause proclamation to the same effect to be made throughout the limits of the Cantonment in view to such other of the inhabitants as might feel inclined, to express their views on the matter.

Recd 31 January 1862 No 153

3. No petitions against the application of the Act have been received, and the Governor in Council, deeming it to be in accordance with the wishes of the inhabitants of the said Divisions Cantonment that taxes should be imposed for municipal purposes, resolves to declare Act No XXVI of 1850 in force in the Divisions of Bruceppettah & Cowlepettah Cantonment of Bellary from the 1st July 1863, and, under Section VI, to appoint the undermentioned Gentlemen Commissioners for giving it effect.

President

The Officer Commanding the Ceded Districts

Vice President

The Magistrate of Bellary

Members

The Garrison Surgeon

The Cantonment Joint Magistrate

V. Tondroy Chetty

V. Loganatha Moodelliar

Seeka

Seeka Chinnah Naidoo
Hussein Seit
Mahomed Ariff Saib
Ramaswamy Chetty
Chuklala Venkatram Chetty
Cheedella Venkatram Chetty
Soondaralinga Moodelliar
K. Bada Meyah
V. J. Nagalinga Moodelliar.

4 In respect of the Civil Settlers of Bellary it is proposed to place under a separate Commission, the prescribed Notification of an application having been made for the enforcement of the Act has not been published in the Fort Saint George Gazette. This preliminary will now be gone through, and a copy of the notification will be published in

Her Governor in Council will be prepared to grant an annual Grant as such new Grant as the Commissioners of the Municipal funds. The Officer Commanding the Division will be called upon to report what the annual expenditure has been for the last five years.

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5. At the Expiration of one Month, the Acting Magistrate will report whether he has received any petitions against the introduction of the Act.

To The A. J. Magistrate of Bellary
The Military Department } Despd. 21

Pro. Diary

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No 785.

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5/19 May/63.

Ex. No. 1168. omis. Oct. 349. Return
" " 1180. 2 Jan 63 - Oct 366.
" " 550/65
" " 920 " "

Extending the Municipal Act 26 of 1850 to the Cantonment of Bellary and publishing a Notification in the Gazette respecting the application made for the enforcement of that enactment to the Civil Pollahs of that Town