

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1403

Press
~~Mis.~~

309-310

Dated 28-9-1865 19

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Not to be folded or roughly handled

1403

*Proceedings of the Madras Government, Judicial Department,
28th September 1865.*

No. 309. Read the following letter from J. I. MINCHIN, Esq., President, Municipal Commission, Kurnool, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Kurnool, 31st August 1865, No. 35.

With reference to the Government Proceedings, dated 23rd August 1865, No. 1164, I have the honor to forward, for the sanction of Government, rules drawn up by the Municipal Commissioners of Kurnool, for defining the persons and property within the town, to be taxed for raising the monies necessary for purchasing the water supplied by the Irrigation Company, and distributing the same.

2. The Commissioners are at present bound only to purchase the water supplied by the Company for the current year, at a cost of Rupees 1000, but they have proposed terms to the Agent for the supply of water for a term of years, and it is not their intention to incur any further expenditure on works for distributing the water, unless the arrangement they have proposed be acceded to by the Company.

3. The rules now forwarded for sanction are needed to collect the rates for payment of the amount due to the Company, and expenses of distribution for the current year.

RULES prepared by the Commissioners of the Kurnool Municipality for defining the persons and property within the town to be taxed for raising the monies necessary for purchasing the water supplied by the Irrigation Company, and distributing the same.

Rule I. That the water rate be raised by a tax on the occupants or owners of all houses in the quarters of the town to which water is supplied.

II. That all houses where water is supplied on the premises be entered in the 1st Class, and their occupants or owners be charged from Rupees 1 to Rupees 5 monthly.

III. That all houses and shops situated in streets along which a public channel runs, or in off streets within 200 yards of a cistern, or open channel, be entered in the 2nd Class, and their occupants or owners be charged from Annas 4 to Rupees 1 monthly.

IV. That all houses situated in any quarter of the town for which a distribution channel is constructed, not falling under either of the previous classes, be entered in the 3rd Class, and their occupants or owners be charged from Annas 4 to Rupees 3 yearly.

V. The amount of rate to be levied on any of the above classes to be fixed by the Commissioners, within the above limits, on consideration of the circumstances and position in life of the occupant or owner, and exemptions or reductions to be granted in special cases, on the ground of poverty.

VI. That the water rate be payable quarterly, in arrears, on the 1st October, 1st January, 1st April, and 1st July of each year.

VII. That the occupants of houses be in the first instance responsible for the water-rate, but that where a house is untenanted, the rate be levied from the proprietor.

VIII. When any sum is due on account of water-rate, the Municipal Commissioners shall cause to be presented to the person liable to the payment thereof a bill for the amount.

IX. If the bill be not paid by the person liable to pay the same within 10 days from the presentation thereof, the Municipal Commissioners may cause to be served upon such person a notice of demand, in the form No. 1 annexed, and if such person shall not, within seven days from the service of such notice of demand, pay the sum due, or show sufficient cause for non-payment of the same, such sum, with all costs, may be levied by distress, and sale of the moveable property, wherever found, of the defaulter, under a Warrant, in form No. 2 annexed, to be issued for that purpose by the Commissioners.

*Proceedings of the Madras Government, Judicial Department,
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X. The Officer charged with the execution of the Warrant of distress shall make an inventory of the property seized under any such Warrant, and shall at the same time give a notice in writing, in Form No. 3, annexed, to the person in possession thereof at the time of the seizure, that the said property will be sold as therein mentioned.

XI. If the Warrant is not discharged, or suspended by the Municipal Commissioners, the property seized shall be sold under their orders, and they shall apply the proceeds, or such part thereof as may be necessary, in discharge of the said Warrant and costs, and the surplus (if any) shall be returned, on demand, to the person in possession of the property at the time of the seizure; the fees payable upon distrains being as per Table of Fees annexed.

(Signed) J. I. MINCHIN,
President, Municipal Commission.

No. 1.

NOTICE OF DEMAND

1. Take notice that the Municipal Commissioners of demand from you the sum of due from you for for the months of 18, and that if the sum due is not paid into the Office of the Municipal Commissioners at, or if sufficient cause for the non-payment of the sum is not shewn to the Municipal Commissioners within seven days from the service of this notice, a Warrant of distress will be issued for the recovery of the same with costs.

Date,

(Signature of the President).

No. 2.

DISTRESS WARRANT.

To (here insert the name of the officer charged with the execution of the Warrant).
Whereas of has not paid or shewn sufficient cause for the non-payment of the sum of Rupees, due for the rates (or taxes) mentioned in the margin, for the months 18, although the said sum has been duly demanded in writing, from the said, and seven days have elapsed since the service of the notice of demand: This is to command you to distrain the property of the said to the amount of the said sum of Rupees, and such further sum as may be sufficient to defray the charges of taking, keeping, and selling such distress, and, if within seven days next after such distress, the said sum shall not be paid, together with such further sum as may be sufficient to defray the charges of taking, and keeping such distress, to sell the said property, and having paid and deducted out of the proceeds of the sale the said sum of Rupees, and the charges of taking, keeping, and selling, such distress, to return the surplus (if any), on demand, to the person whom you shall find in possession of the said property. If sufficient distress cannot be found of the property of the said you are to certify the same to us, together with this warrant.

Date.

(Signature of the President).

No. 3.

FORM OF INVENTORY AND NOTICE

(State particulars of Goods sold).

Take notice that I have this day seized the property specified in the above inventory for the sum of Rupees, due for the rates (or taxes) mentioned in the margin, for the months of 18, and that unless you pay into the office of the Municipal Commissioners of the amount due, together with the costs of this distress, within seven days from the day of the date of this notice, the property will be sold.

Date.

(Signature of the officer executing the Warrant of Distress).

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TABLE OF FEES PAYABLE UPON DISTRAINTS.

Sums distrained for		Fee.	
		RS.	A.
Under 1 Rupee ...	...	0	4
1 and under 5 Rupees...	...	0	8
5 " 10 " ...	...	1	0
10 " 15 " ...	...	1	8

(Signed) J. I. MINCHIN,
President, Municipal Commission.

No. 310.

ORDER THEREON, 28th September 1865, No. 1403.

Under the existing Act, XXVI of 1850, the Commissioners are wrong in making the process for recovery of dues issue from themselves. Rule IX will, therefore, be altered as shown in the margin, and Rules X and XI, and forms 2 and 3, and the Table of fees will be omitted.

2. With this alteration the rules are sanctioned.
(True Extract).

Acting Secretary to Government.

To the Municipal Commissioners, Kurnool.

Exd. J. H. Burns.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the President Municipal
Commissioner, Karnool.

(Here enters 1st September 1865 N. 35)

Order thereon 28th September 1865 N. 1403.

Under the existing
Rule IX. If the bill be not paid
by the person liable to pay the same
within 10 days, from the presentation
thereof, the Municipal Commissioners
may cause to be served upon such
person a notice of demand in
the form N. 1 annexed, and if
such person shall not, within
7 days from the service of such
notice of demand pay the sum
due, or shew sufficient cause
for non-payment of the same,
the Commissioners shall
apply to the Magistrate to recover
the amount due under Sec. X & in
XII of Act XXVI of 1850.

act XXVI of 1850 the Com-
missioners are wrong in
making the process for recovery
of dues issue from them.
Rule IX will
therefore be altered as shown
in the Margin. and Rule
X & XI and forms 2 and 3

and the Table of fees
will be omitted.

With this alteration
the rules are sanctioned.

J. W. C. W.

To The Municipal Commissioners
Humboldt } despatch 2/10

Turner & Co. (1)

Gen. no. 165:70
23/8/65

309-310.

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Prochla 1865 Department.

No. 1403.

PROCEEDINGS OF GOVERNMENT.

Dated 28th September 1865

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