

Local & Munl. (189⁶) Department.

MISCELLANEOUS.

G.O., No. 748 M

DATED 7th May 1896

[Despatch Abstract.]

Bye-law.

Directing, with remarks, the Municipal Council, Tuticorin,
to suggest the exact wording to be adopted to amend --- No.25.

@ 1285 hrs 22/5/96

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

[7]

INDEXED.

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.	
G.O., DATED	7-5-96
No.	778m

When given for copying.

[Despatch Abstract.]

Brydau

Directing, with remarks,
the Muni. Council, Intention
to suggest the enact
working to be adopted to
amend ——— No. 25.

BACK PAPER, No.

OF 189

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

FURTHER PAPER, No. *Ans 1633* OF 189

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

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IN ORIGINAL (not paged).

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Copied by

Examined by

16/11/96
1/15

Tuticorin 27th February 1896.

The Collector

of Trimmerville

19 MAR 9

With reference to the recent stranding of the "Idgumi Maru" off Tuticorin we have the honor to bring to your notice that shortly before mid night and after she stranded, the Captain fired about a dozen guns as distress signals.

The reports were heard by various people in Tuticorin including the Post Officer, but Captain Baker informs us that he thought it was only the usual firing of bombs that is indulged in periodically by the natives in the town or at the Catholic Churches. The result was that no assistance was sent to the steamer till an officer came on shore, about dawn say six hours afterwards.

Although the steamer got afloat again without damage, about 40 hours afterwards, still the consequences to life and property might have been most serious, that many valuable lives, besides a steamer & cargo worth probably one hundred and thirty thousand pounds sterling, should be left without assistance within view of this port for about six hours, all because her signals are mistaken for native bomb-firing is a fact which requires

Yours respectfully

the most urgent attention of Government. We do not of course blame the Port Officer as though the writer did not hear the signals if he had heard them he would doubtless have attributed them to the same Cause as the Port Officer did.

This firing of bombs by natives is no new question. All the Europeans & all the better Class of Natives have most strongly protested against it while the Municipality has passed a resolution requesting Government sanction to a by Law absolutely prohibiting the practice within Municipal limits. But the Government declined to interfere. See "G. O. of 20th April 1893 No. 535 M. Nos. "!

We beg to request that you will be good enough again to bring the question before Government with a view to absolutely prohibit such bomb-firing. Should Government still decline to move in the matter, we beg to record our opinion that a most serious responsibility will rest on their heads should another similar case arise.

We have the honor to be

Sir
Yours most obedient Servants
sd. A. & J. Harway
Agents Kippon Yuen Kricha

Agents
 Mr. J. B. Harvey
 of our most excellent
 live
 We have the honor to be

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by *John*

Extract from the Proceedings
of the Municipal Council Introver
in their meeting held on Tuesday
the 6th March 1896 at 5.30 Pm.
Present.

M. R. Py J. M. B. Roche Victorias Greusel
Schumann

Y. S. Baker Esq

Y Harvey Ezy

Surdy J. L. Mathew Greengal

H. North German & Gringal

" C. Chinaman. Grey, a very good

" P. Viravagu Pillai Quengal

S. Prüfung zur Lectionen Inscriptur

S. 29. Moving Toward Shaw

Monte Rio Negro
Rev. C. O. Guaman Bar. B. S.

9 Read letter from J. Harvey Esq.
dated 26th February enclosing a copy
of his letter to the Collector of
Sinnerelly regarding a serious evil
likely to result from allowing
bombs to be fired in the town.
Resolved that the Council
agree with the tenor of Mr. Harvey's
letter and that the Chairman
introduce Government with a
view to put a stop to bombs.

Letter within Municipal
Limits

(Signed) J. M. B. Roche-Victoria
Chairman

(Enc. Extract)

J. M. B. Roche-Victoria
Chairman

No. 116 Municipal Council Office
Intercom 16th March 1896
From 1024 M

Mr. J. M. B. Roche-Victoria avonpl.
Chairman - Municipal Council
Intercom
To The Chief Secretary to Govt
Fort St. George, Madras.
Sir.

I beg to submit a copy of letter
addressed to the collector by Messrs. A. & F. Hunter
agents of Japan line steamers calling at
this port together with a copy of the resolution
of the Council on the subject of firing bombs
in this town.

The practice of firing bombs up to a
very late hour in the night is numerous
in this town in all festivities especially
during festivals in the Roman Catholic
churches and Hindu temples although
it forms no part of the religious cere-
monials. It is not only a great nuisance
but is liable to cause serious accidents to the
people at any time - and it is difficult to
bring the offenders to punishment under
bye-law 25 sanctioned in G.O. dated 15th
February 1892. No. 298 M. Misc. —

for the following reasons:— 2 or 3 barrels
of iron are attached perpendicularly
to a small log of wood which is made handy
& portable at pleasure and fuses are
shipped into it and ignited. The Catholic
churches are situated in the heart of the
busy part of the town occupying a very
large compass all around and any attempt
on the part of the Municipality to stop
this nuisance is simply frustrated as
the distance from which the bombs are
fired does not come within the purview
of the above bye-law and in some instances
the bombs are removed to a distance saved
by the enactment at the approach of
any Municipal or other officers. Besides,
the nuisance caused by the blowing of
small Cannons or bombs is in no way
abated whether it is fired within or
beyond 300 ft prescribed.

The matter was once before brought
to the notice of Government with a
request to modify the bye-law, or decisively
restricting the firing in any part of the
town - and it was disposed of in G.O.
dated 20th April 1893. N. 535 M. M. S.
as being more stringent.

The necessity of the modification of the
bye-law is now clearly set forth in the Copy
of the agent's letter enclosed and the Council
fully agrees with his view. The danger
signals of steamers are no doubt liable
to be mistaken, as it has been, for ordinary
bombs fired in the town.

I have therefore the honour to
request you to be good enough to move
the Government to kindly reconsider
their order and modify the bye-law
as proposed above in the interest &
safety of the public.

I have the honour to be
Sir,

Your most obed^t Serv^t

Michael Victoria
Chairman

1896
Current No. 431 of 1896
REV. of 1896
District Collector
19 MAR. 93
Chairman
Municipal Council
Tuticorin
1014 M
The Chief Secretary
to Government
Fort Saint George
Madras

Dated 16th
Despatch No 18
Received
March 1896
No 116

Enclosure Two
Through the Collector of Tuticorin
Subject

Requesting to revise
Byelaw No 25 restricting
exclusively to firing
of bombs within
Municipal limits

535 M. No. 93
298 M. No. 15-2-92
1509 M. No. 10-20

Indotsimant on cur ho 49/10/96
Forwarded

2. Government has already
in G.O. 535 M. No. dated 20/4/93
ruled against the
present proposal. I
venture however to
submit that in a
crowded town like
Tuticorin, the practice
complained of is a
real nuisance and
recommend that
the byelaw may be
extended to the mu-
nicipal limits as
proposed.

Yours faithfully
Collector
26.3.96
26.3.96

Again G.O., dated
Current No. 1024. M. of 1896, dated
Current No. of 189 , dated

189 , No.
16. March from the Chairman, M.C. Tuticorin.
from the

FOR ORDERS.

I can see no objection to the
proposed modification of the
byelaw. It is further M.C.
I suggest the exact wording to
be adopted. I take it. In the
meantime the magistrates should
deal with this firing of bombs
as a public nuisance. I think quite
well what a nuisance it is,
I had once ~~stop~~ stop it by telling
the priest that if he kept people
awake again I would deal with
him criminally.
24/4/96

Please see the notes
and orders in G.O. No. 535 M. No. dated
20. April 1893, in which, a similar
proposal of the municipal council
was disallowed. The Collector, how-
ever, recommends the present pro-
posal. These explosions appear to
be a real nuisance in Tuticorin.
If the practice were stopped by
a revision of the existing by-
law no one would have any cause for
a grievance, for it would only be
restricting a few people from doing an
act which is not essential to their pleasure
or prosperity for the benefit of the
many. There were similar complaints
against the Roman Catholics in Cuddalore
a few years ago, & it is surely a
real nuisance to be barred from
sleep in order that a few persons may
conduct a religious ceremony in a way
for which there is no necessity or justification.

pgs
4/4 2/4

The reason put forward in the present letter is a strong one. But as such a contingency is not likely to recur for some time to come, the practice may be forbidden on the general ground of nuisance. Permission could always be obtained from the chairman for special occasions, such as marriages etc.

I agree with the A.C. that bombs are an unmitigated nuisance & 4.96 and sufficient to form ground for suppressing them in future at any rate except to have been shown.

AD
23/4/96

1024. m
b

1024. m
b

Order No. 778 must 8
y. 5-96

The Government has no objection to the proposed modification of bye-law No. 25, but it is for the Municipal Council to suggest the exact wording to be adopted, which should then be submitted for the approval of J.C.

meanwhile & prosecutions under section 290. I.P.C. might probably but a stop to the firing of bombs at all hours of the day & night. The right of public nuisance under the law is not to be taken away.

(from orders)
AD
28-4-96
4/5/96

The draft will not do. Govt. cannot lay down the law in this fashion. Perhaps it will be preferable to word para. 2. less positively. In any prosecution initiated under sec. 290. I.P.C. the defence will be that bomb-firing was not a nuisance under the terms of sec. 268. Govt. has no power to declare that it is a public nuisance: that is the business of the Courts. So Govt. should perhaps in this case restrict itself to a suggestion that prosecutions under sec. 290. might probably suffice to stop the practice complained of.

To Chairman M.C. Tuticorin
(this to Govt.)
To District Magistrate. Dated 8/5/96

Issue
AD
5.5.96

Revision of a certain...

Subsidiary memorandum

From
FOR ORDERS.

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5.5.

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counter-intel with ref. to
para 2
10/21/96
28.96

p. 13. 24/4

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189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

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