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INDEXED. *MS*

Local & Mutl. (1897) Department.

MISCELLANEOUS.

G.O., No. 412 *m*

DATED 6-3-97

[Despatch Abstract.]

Madras M.L. Comm.

*Recording proceedings of a meeting of the
held on the 26th Feb 1896.*

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BACK PAPERS.

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

FURTHER PAPERS.

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

Local & Munl. (1897) Department.

CURRENT No. 729 M.

From

THE PRESIDENT,
Municipal Commission,
Madras.

This Order No. 412 muni G. 3-97

Recorded.

V.R.
2/3/97

MTD

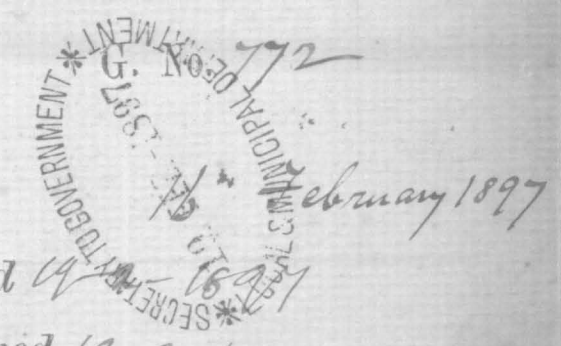
Dated

Received 19-2-1897

Registered 19-2-1897

Enclosures 2.

Spare copies



SUBJECT.

Forwarding full proceedings as
also a copy of abstract pro-
ceedings of a meeting of the
Commissioners held on 26 October 1896

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25/2/97

1/4/97

BACK PAPERS.

G.O.	No.	Department.	Date.

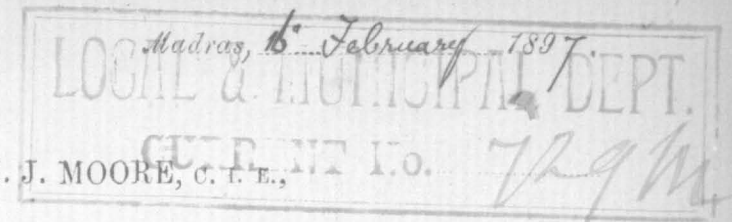
FURTHER PAPERS.

G.O.	No.	Department.	Date.

G. No. 772

MUNICIPALITY OF MADRAS.

General Department,



From

LIEUT.-COL. G. M. J. MOORE, C. I. E.,

President, Municipal Commission.

To

The Secretary to Government,

Local and Municipal Department,

SIR,

Fort Saint George.

Enclosures
2

I have the honor to submit herewith for the ----
information of Government full proceedings as also a copy
of abstract proceedings of a Meeting of the Commissioners
held on 26th October 1896.

I have the honor to be,

Sir,

Your most obedient servant,

G. M. Moore Lt. Col.

President, Munl. Comm.

Proceedings of a General Meeting of the Municipal Commissioners for the City of Madras held at their Office Premises No. 22, Errah Bauloo Chetty Street, Black Town, on Monday the 26th October 1896, at 5 P. M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

LIEUT.-COL. G. M. J. Moore, C. I. E., *President*.
H. Ormerod, Esq.
M. R. Ry. P. Theagaroya Chetty Garu.
M. R. Ry. R. Balakistnama Chetty Garu.
M. R. Ry. Salla Gurusawmy Chetty Garu.
M. R. Ry. C. Yetherajulu Nayudu Garu.
M. R. Ry. P. M. Sivangnana Mudaliyar Avargal.
Covasjee Eduljee, Esq.
M. R. Ry. P. V. Krishnasawmy Chetty Garu.
M. R. Ry. M. Varadarajulu Chetty Garu.
M. R. Ry. G. Subbarayalu Chetty Garu.
M. R. Ry. M. Ramakristnaiya Pantulu Garu.
J. DeCaster, Esq.
E. H. Elliot, Esq.
M. R. Ry. V. Varadappa Nayudu Garu.
The Hon'ble P. Rungiah Nayudu Garu.
M. R. Ry. W. S. Venkataramanjulu Nayudu Garu.
M. R. Ry. Rao Bahadur C. Kalyanasundaram Chettiyar Avargal.
M. R. Ry. M. K. Lakshmana Chariyar Avargal.
R. F. Grant, Esq.
M. R. Ry. Rao Bahadur V. Krishnama Charriar Avargal.
M. R. Ry. C. Tirumalayya Naidu Garu.
M. R. Ry. G. Subramania Iyer Avargal.
Surgeon-Lieut-Col. G. L. Walker.
Surgeon-Lieut-Col. J. Maitland.
M. R. Ry. V. C. Desika Charriar Avargal.

The Bill for the Segregation of Lepers.

THE PRESIDENT :—The first business gentlemen is the consideration of the Government Order No. 1458 M. dated 1st September 1896 referring to the Commissioners and others for opinion the draft Bill for the segregation of lepers. The Bill has been circulated and there is only one remark by one of the Commissioners who wishes to know what the Bill proposes to do beyond the segregation of pauper lepers with regard to the internal management of leper Asylums. He thinks that government ought to declare its policy in the Bill. I do not think the Bill is the proper place for it. Under section 15 of the Bill, Local Governments may by notification make rules for the management and maintenance of lepers and leper Asylums and these rules will deal with all matters as to how lepers ought to be treated in hospitals and elsewhere. The Bill is intended mainly to give power to arrest and segregate lepers and pauper lepers and to prevent lepers from engaging themselves in certain trades and callings.

RAO BAHADUR V. KRISHNAMACHARIAR :—The matter of management has still to be kept in view.

THE PRESIDENT :—Yes. But it is not for the Bill to deal with it. Maintenance and management of lepers is to be dealt with hereafter. The Bill lays down a general principle. In different parts of India you may require different conditions.

SURGEON-LIEUT.-COL. WALKER :—That is entirely outside the scope of the Bill. The Commissioners have not been asked to express their opinion on the point.

1/29 May 1897

Mr. V. C. DESIKACHARIAR:—I think it necessary that it should be taken into consideration and it will be highly inconvenient for the Commissioners as a body to consider all the provisions of the Bill. I propose that a small committee be appointed to consider the Bill and make any suggestions that may be found necessary.

THE PRESIDENT:—I do not see how a committee will help you.

Mr. V. C. DESIKACHARIAR:—Then are we simply to record the Bill?

THE PRESIDENT:—No, but you can state generally whether you approve of it or not.

Mr. V. C. DESIKACHARIAR:—We may approve of the object of the Bill, but there may be many points with regard to which we might take exception, and it is for this reason that I wish to propose.

"That a small committee composed as under be appointed to consider the Bill—

The President,
Surgeon-Lieutenant-Colonel G. L. Walker,
Surgeon-Lieutenant-Colonel J. Maitland,
M. R. Ry. V. Varadappa Naidu Gara and
The Hon'ble P. Rungiah Naidu Gara."

Mr. C. TIRUMALAYYA NATUDU:—Seconded the resolution.

SURGEON-LIEUT.-COL. WALKER:—It does not appear as if there is much time for a committee to consider the Bill, as the Government of India has asked the Government of Madras to reply to its reference by the 1st of November.

THE PRESIDENT:—I got a reminder to-day asking me to reply to it at once.

RAO BAHADUR V. KRISHNAMACHARIAR:—I should be glad to consider this proposition if Mr. Desikachariar will point out the objections that he may have.

Mr. V. C. DESIKACHARIAR:—If there are any suggestions to make, the committee can submit a report which will be communicated to Government if we think that any suggestions need be made. There is no harm in appointing a small committee.

SURGEON-LIEUT.-COL. J. MAITLAND:—I oppose the appointment of any committee, as I do not see the slightest use of it. It is a mere waste of time to refer the matter to a committee. It has been already urged that the matter was an urgent one. If any Commissioner has any objection to the Bill he can state it now; if he has not he can state his approval of the Bill. If you refer it to a committee you will only get the opinion of a few members. The gentleman who proposed the motion seems to think that by nominating three Medical men on, it is a matter entirely for the Medical men; it is more a matter for those outside the medical profession. The real point is, whether there are any objections of a legal character to make against the Bill: all the Medical men are agreed as to the necessity of such a Bill as this.

Mr. V. C. DESIKACHARIAR:—I have no objection to removing the two names from the list I gave, and to add others.

SURGEON-LIEUT.-COL. J. MAITLAND:—In any case I think, a reference to a committee is a waste of time, and therefore I oppose the motion.

The resolution was put to the meeting and lost.

SURGEON-LIEUT.-COL. WALKER:—May I know if I would be in order in making a few remarks on the subject.

THE PRESIDENT:—Yes.

SURGEON-LIEUT.-COL. WALKER:—GENTLEMEN:—I wish to make a few observations about the Bill, terminating eventually in a Resolution. I may say I have gone through this Bill as carefully as I could, because my opinion has been asked on it in two other capacities, viz., as a Superintendent of the Leper Asylum, and as one of a number of officers to whom the Surgeon-General referred the Bill for opinion. I may say that the objects aimed at in the proposed Leper Bill are most salutary and the provisions of the Bill most desirable. I concur with these provisions with the exception of the definition of "Leper" given in Clause 2 para. (1), which is as follows, viz.:—"Leper" means any person suffering from any variety of leprosy in whom the process of ulceration has commenced." I consider this definition too restricted. It would exclude many advanced lepers who have not ulcers, but who by reason of deformity and other conditions of leprosy are repulsive and even dangerous to others, and who therefore should be brought within the scope of the Bill. I would advocate

that the definition of a leper be extended by the addition thereto of words to the following effect: immediately after the word "Commenced" viz., "or whom leprosy has rendered deformed or repulsive, even when active ulceration is absent." There are many lepers far advanced in the disease in whom the process of ulceration is at times absent, the condition has been checked and the ulcers have healed, especially in cases that have been under treatment and well cared for; and yet such cases are often loathsome and repulsive by reason of extreme deformity caused by leprosy, such as loss of fingers and toes, depilation of eyebrows and eyelashes, staring blinded eyes, thickened greasy odorous skin, pendulous ears, and hideous tuberculated features—all of which conditions may exist without the presence, at times, of ulcers or open sores. In cases of the purely tubercular variety of the disease there is frequently no ulceration at any time, yet persons suffering from this form are particularly loathsome and repulsive in appearance. Even without ulcers, the huge pendulous earlobes, enlarged, nodulated, and distorted features and the thickened greasy looking skin, render these victims hideous to contemplate; moreover, in this variety, the skin readily cracks and bleeds, affording increased facility for contagion. The lungs also may be affected by leprosy tubercles, in which case there would be a risk of communicating the disease by the respiration. Yet the above class of tubercular leper is not included by the proposed definition in the Bill, and a person so affected would not be precluded from engaging in the occupations mentioned in Clause 9, as he has no apparent ulceration. I am of opinion, however, that such a leper should be excluded from these callings. The presence of ulcers and open sores is doubtless very frequent amongst mendicant lepers, who are uncared for and exposed to privation, dirt, and other irritating influences, and whose stock in trade is their filthy sores. Such lepers, are, whilst trade is prosperous, not anxious for the cure and therefore removal of these loathsome conditions by which they attract attention. In the case of inmates of a leper hospital, however, ulceration is but a temporary incident; it occurs when a finger or toe loses its vitality in the course of the disease, then the member slowly ulcerates and drops off, or the dead bone works out, after which the ulcer quietly heals under appropriate care and treatment, leaving white scars and increasing deformities, which are equally repulsive as the ulcers, and which with other repugnant features of the disease, should unfit the victims for public exposure and should preclude them from engaging in the trades and callings detailed in the Bill. So long as a leper is in the incipient stage of the disease, he is not dangerous nor repugnant to the public, and need not be interfered with; but I am of opinion that every pronounced leper, whose leprosy symptoms would attract attention, whether subject to ulceration or not, should be dealt with according to the provisions of the Bill. I propose the following Resolution:—

"That the following additions be made:

Clause 2 (1). After the word 'commenced' add 'or whom leprosy has rendered deformed or repulsive even when active ulceration is absent.'

Clause 9 (a). After 'domestic servant' add 'money changer, stamp vendor, pial teacher or schoolmaster.'

Clause 9 (b). After 'sells' and before 'food' insert 'or engaged in the preparation of,' after 'consumption' add 'sells or is engaged in the manufacture of textile fabrics intended for sale or wear.'

DR. V. VARADAPPA NAIDU seconded the resolution.

THE PRESIDENT:—I think you heard the opinion of one who had more to do with the subject than most people. I do not know whether the Commissioners are prepared to accept his recommendations.

Mr. G. SUBRAMANIA IYER:—The Commissioners as a body, are doubtless greatly indebted to Surgeon Lieut. Col. Walker for the valuable opinions he has passed on the Bill, but I do not know if this body is called upon to submit to Government so detailed a criticism on the subject. No doubt the speech just delivered will be sent to Government which will give its best attention to the valuable remarks therein contained; but so far as I can see the business before the meeting is whether the Commissioners approve of the Bill as a whole without going into details. It is not altogether desirable or prudent to commit themselves to the opinions expressed. It would be better for us to pass a resolution simply saying that we approve of the Bill for the segregation of lepers. Beyond that I do not think it advisable for us to go.

SURGEON-LIEUT.-COL. WALKER:—There is one point which Mr. Subramania Iyer has overlooked. The whole Bill hinges upon the definition of "leper." If the Commissioners say that they approve of the Bill, it would mean that they approve of the definition which as I have already pointed out excludes a great number of loathsome and repulsive lepers from the scope of the Bill.

THE PRESIDENT:—If the Commissioners approve of the remarks made by Dr. Walker, I do not see why they should not say so.

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MR. G. SUBRAMANIA IYER:—The difficulty is that there are many opinions expressed in which we as a body may not agree.

MR. V. C. DESIKACHARIAR:—Will I be in order if I propose that we simply record this Bill.

THE PRESIDENT:—We are asked to give an opinion on it.

MR. V. C. DESIKACHARIAR:—Suppose we say we cannot.

THE PRESIDENT:—That may be your opinion. It is not the opinion of others.

MR. V. C. DESIKACHARIAR:—I oppose the proposition. As Mr. G. Subramania Iyer remarked it is too soon for us to come to any definite conclusion on the valuable information placed before us. Dr. Walker has had other opportunities to consider the Bill and we have every reason to be thankful to him for the information he has placed before us. Just as there is much of valuable information to be gained from Dr. Walker's speech from a medical point of view, so possibly there may be much to learn from other points of view. If the Commissioners have time to consider the Bill carefully, they may have suggestions to make which may add to or subtract from the Bill a good deal. It is too much for the Government to ask the Commissioners at such short notice to say if they approve or not of the provisions of the Bill.

MR. W. S. VENKATARAMANJULU NAIDU:—What is the harm in the Commissioners' saying that they generally approve of the provisions of the Bill. If all the Commissioners are convinced that the sections referred to by Dr. Walker are not restrictive and do not go the necessary length then alone we can undertake the serious responsibility of telling Government that we endorse all that Dr. Walker has said. Evidently this Bill must have been seriously considered by the Government of India; and they would not have drafted this Bill, unless they had consulted very eminent authorities.

SURGEON-LIEUT.-COL. MAITLAND:—I am inclined to agree with Mr. G. Subramania Aiyar that all that the Commissioners are competent to do just now is to state their opinion on the general principles of the Bill. I presume Surgeon Lt. Col. Walker has already had opportunities in other ways of suggesting the alteration he has proposed and therefore it seems somewhat out of place for the Commissioners to go into these details at present. There may be alterations of a legal nature that may suggest themselves to Commissioners, if they have time to go into the legal aspect of the case. Therefore unless you are prepared to go into the whole thing in detail, it would be out of place to take one or two details at the present time.

THE PRESIDENT:—I agree with what has just fallen from the last speaker. The Commissioners are asked to say whether they approve of the Bill in its present form. I do not think it is necessary for the Commissioners to go into details or refer the matter to a Committee. If the Government wants further opinions it can say so. All it wants now is the opinion of the Commissioners on the Bill as a whole. If the Commissioners approve of it, they are justified in saying that they approve generally of the scope of the Bill.

SURGEON-LIEUT.-COL. WALKER:—I agree with what has been said, and with the permission of the meeting and my seconder, I withdraw my proposition.

The proposition was withdrawn with the consent of the meeting.

SURGEON-LIEUT.-COL. WALKER:—I propose "that the Commissioners approve of the principle of the Bill."

MR. V. VARADAPPAH NAIDU:—Seconded the proposition.

MR. V. C. DESIKACHARIAR:—I wish to say that it is not with the object of simply getting our approval of the Bill, the government referred it to us:—If that was its object, it might have kept the Bill to itself. Its chief object, I understand, in referring it to us is to get our opinions on the several provisions of the Bill. I do not think we shall be doing our duty by simply passing this proposition.

THE PRESIDENT:—If you disapprove of the Bill, you can then give reasons why you disapprove of the Bill.

The proposition was then put and carried.

Recommendations to Government by the Commissioners.

THE PRESIDENT:—The next business before the meeting is the G. O., Mis. No. 1635 M., dated 23rd September 1896, passing orders on the resolution No. 3 of the Commissioners, dated 29th June 1896, re the exercise by the Commissioners of the privilege of making recommendations to Government.

THE G. O. runs as follows:—"His Excellency the Governor-in-Council has in compliance with the request contained in the Resolution forwarded by the President of the Madras Municipal Commission reconsidered the G. O. No. 823, M. Mis., dated 13th May, 1896. Having done so, he is obliged to adhere to the view therein expressed that it is beyond the functions of the Commissioners to make recommendations of the kind referred to. The Governor-in-Council is further of opinion that recommendations on such personal matters are likely to produce inconvenience and to hamper His Excellency-in-Council in the exercise of the functions which are specially reserved to him by the provisions of the Municipal Act. On matters which are not of a personal nature, however, the Government will always be glad to receive an expression of the views of the Commissioners."

MR. V. VARADAPPAH NAIDU:—I beg to propose "that the G. O. be recorded."

MR. G. SUBRAMANIA AIYAR:—I only wish to say a very few words in seconding this proposition. I do not myself believe it is a matter of great importance or that much time need be spent on it. But however, it is remarkable to notice that the Govt. has, to some extent, modified the spirit of its original order, and seems to be now prepared to admit that in all matters not of a personal nature, it would be glad to receive, and to some extent, to act on, our recommendations; but in personal matters, Government seems to think that sometimes recommendations are apt to embarrass it. I need not say the commissioners fully sympathise with Govt. in that remark. It is far from the intention of the commissioners to, in any way, hamper the free exercise of the discretion and power vested in Government by the Act. But sometimes it may happen that personal matters may involve public interests, and the commissioners may feel inclined, in the interests of the general administration, to make a representation on such personal matters at the risk of embarrassing the Government. If the commissioners feel called upon to make it, they will do so, I am sure, with the utmost caution, impressing on Government at the same time their obligations in the matter. I would again repeat that when we make recommendations on such matters, we should take the utmost caution, and we should impress on Government that we would be swerving from the path of duty if we fail to make recommendations to Government, because in the opinion of Government the matter to which our recommendations relate is of a personal nature. Often time it is difficult to decide whether a matter is personal or general. As I have already said, the matter does not seem to be of much importance and I think the whole thing might as well be dropped and left to lie in the records of the Municipal Office forgotten, because I feel sure that if another occasion arises for the commissioners to act in a way that they have acted now, they will not shrink from the execution of their duty.

MR. P. V. KRISTNASAWMI CHETTY:—I should like to know if Mr. Subramania Aiyar's speech is a complete seconding of the proposition. I understand the seconder to really raise a question of principle. Although he winds up his speech with the statement that the G. O. might be allowed to drop and be recorded yet in the course of his speech, he has tried to impress upon the Commissioners that if we continue to do what the Govt. has in effect, said, we should do, we shall be actually swerving from the path of our duty. That is the view of the seconder, and the proposer simply says "I propose that the G. O. be recorded." It strikes me that no question of principle is raised; and surely that argument of the Government does not appear to be the best part of the G. O. where they say that in matters personal they would like to be not hampered by any expression of views from the Commissioners. If it is within our legitimate province to make recommendations upon any subject it must be equally legitimate to make recommendations on matters personal too. What is there in the Act in a common sense view of the thing, which draws a line between matters personal and other matters. It may be that, if upon matters personal, there be a conflicting expression of opinion between Government and Commissioners, that would amount to inconvenience and perhaps sometimes to a misfortune; but each party would only be shirking its duty if for fear of arriving at any conflict of views, it neglects to perform its task. If the Commissioners for fear of any conflict with any view of Government omit to discharge their obligations, by abstaining from making recommendations, they would only be failing in their duty. Indeed it appears that in matters personal it would very often be the special duty of the Commissioners to make recommendations, because understanding that term "personal" in relation to the subject matter of the present G. O., it would appear that the Commissioners were a more competent body to make recommendations than the Government would be to decide upon a course of action, for it strikes me that the Commissioners with reference to the employees of the Municipality would be naturally more in touch with the persons concerned, and would be in a better position to judge of the merits of a case than the Government placed as it practically is at a distance. I mean it would not have that degree of touch with the people which the Commissioners are sure to have. The Government has not the same advantages to arrive at a proper and sound view of the matter as the Commissioners

have. Therefore, if in anything, it is in matters personal understanding the phrase in relation to this subject the Commissioners would be more within their province than in other matters to express their views and make their recommendations. I propose an amendment by adding to the resolution the following words *viz.*, "with an expression of regret that Government has not seen fit to depart from the view it took in its first G. O."

Mr. S. Gurusawmi Chetty seconded the amendment.

Mr. V. C. DESIRACHARIAR:—I support this proposition and in doing so I wish to state that we by a majority passed on the last occasion that the view taken by the Government was not the correct one and we asked them to reconsider their view. I believe we are of the same opinion even to-night, at least a majority of us. As a matter of principle one fails to see the distinction pointed out in the present G. O., and it seems to be a distinction without a difference. What is a personal matter and where are we to draw the line? The other day we recommended a carriage allowance of Rs. 100 to Mr. Loane. Is that not personal? whatever recommendations we made to Government, they have never been with any other motive than in the interests of the Municipality. If that is so, how it hampers, the action of Government it is difficult to see. We know full well that they can come to any conclusion they like, but all that we say is that we must be entitled to make a recommendation they may set aside our recommendation if they choose. If the view taken by Government on any particular question is right, then our action cannot hamper their work. One could hardly find out or understand the distinction pointed out by Government in the G. O. It is highly necessary that you should record such a proposition as the one proposed by Mr. P. V. Kistnasawmy Chetty instead of having a perpetual tug of war with Government.

Mr. G. SUBRAMANIA IYER:—Nobody, I hope, would commit the mistake of thinking that I hold a brief on behalf of Government. The amendment does not do full justice to Government. In fact as I understand the Government order, it is only a dignified way of escaping from an awkward situation that they have placed themselves in. The Government themselves concede to us a good deal by saying that in general matters they will be glad to receive our recommendations. Even in personal matters, they say that when our recommendations are likely to hamper their hands, they do not want them. That means that on other occasions we can make our recommendations, as was done in the case of our honored President. On the whole, looking into the Government order carefully and reading it between the lines, I think it is only a dignified way of escaping from an awkward situation in which the Government have placed themselves in by their hasty order. It is but proper that we should bring the controversy to a peaceful end by opening some loop hole for the Government to escape. I do not think it would do for us to press the matters; on the other hand we must wind up the matter with the spirit that "all's well that ends well." We are most anxious that the Commissioners and the executive officers and the Government should work together in greatest harmony for the advancement of this rising city. With that object in view, we shall know on all occasions how to discharge our duty in the most proper and beneficent manner. I do not think any purpose is served by emphasising our difference with Government in a matter of detail, a matter altogether unimportant. I should therefore beg of my friend to drop the amendment and merely to record the G. O., for getting the whole thing altogether.

Mr. W. S. VENKATARAMANJULU NAIDU:—I am afraid that Mr. G. Subramania Iyer's remarks are somewhat misleading. Does he mean to say that the G. O. which is now before us is a dignified way of escaping from the difficulty that the Government has placed itself in? Does not that G. O. definitely say that the Commissioners have no right to make a recommendation in personal matters? Does he construe the G. O. in any other way than this? All that this G. O. says is that in matters of a personal nature we have no right to make recommendations, but in other matters we are welcome to make recommendations. I think the G. O. is very clear. Certainly there is no wish that there should be any hitch between the Government and the Commissioners; on the other hand we desire that all should cooperate with each other—the Government, the executive and the Municipality work for the best interests of the Municipality. It was in that spirit alone we asked that our most valued privilege should not be taken away from us. If we make recommendations at all, we make them in the best interests of the Municipality, as I think that we as Commissioners are most competent to judge of the merits of our officers. No doubt the Government may take our recommendations at what they are worth; but so long as our valued privilege is questioned, we must say in a language definite enough that we have the privilege in the interests of the Municipality, and we record this G. O. with regret because there is no use contending further with Government. If you do not record it with regret, some Commissioners a few years hence may put the same construction on it as Mr. G. Subramania Aiyar puts on it now.

Mr. V. VARADAPPAH NAIDU:—Under the Act, the Government has the exclusive power of appointing the President, the Revenue officer, the Engineer, and the Health Officer; and we cannot interfere with that power unless the Act is amended.

Mr. P. V. KRISTNASAWMI CHETTY:—To take the last argument first. I think Mr. Varadappa Naidu goes further than Government itself. The Government concedes that except in matters personal, it is prepared to accept our recommendations, but the speech in support of the G. O. says that with regard to appointment we have nothing whatever to do. The Government does not go that length and the speech tries to support the position of Government with vengeance. It is lucky that the Government is not prepared to assert its exclusive power and right to the extent this argument does. Leaving that alone, and thanking Government for small mercies, we see that we really have a painful task to perform. I wish certainly that we could drop the matter, and with easy minds leave it alone. It seems to me that we with any sense of duty cannot do that. I see the argument against this amendment has proposed two tests. It has proposed to test it by reading it between the lines and by the principle "All's well that ends well". It is my misfortune to night, that both these tests being applied I am altogether confirmed in the view that we cannot in principle agree with the Government. I have tried to read the G. O. between the lines; and reading it between the lines, the conclusion I am driven to is that Government means to say for the future "we shall accept your recommendations whenever we choose, and we must reserve to ourselves the power to refuse to accept your recommendations when we do not choose". There is nothing hereafter on a future occasion to prevent the Government from saying that in some other matters, too it finds itself equally hampered to receive our recommendations. I think the Commissioners ought to have the privilege of making recommendations, the Government having the final power to adopt or refuse the recommendation. We do not arrogate to ourselves that power or duty—we claim the humble privilege of making recommendations with the benefit of our experience and in view to the obligation we are under. We humbly content ourselves with making recommendations to Government. But we certainly cannot deny ourselves the privilege if our sense of duty points to it. Therefore trying to read between the lines the "all's, well that ends well", I find that we cannot drop the matter. Trying to read it by the test has seen it fit to say that it will not accept our recommendations. It is a matter for regret that nothing in this important matter from government and we are bound to take leave to express our view and dissent from the view of Government.

The amendment was put and carried.

M. R. Ry. W. S. Venkataramanjulu Naidu Garu, supported by M. R. Ry. P. V. Kistnasawmy Chetty Garu, called for a poll.

The poll was taken with the following result:—

Pro.

M. R. Ry. P. Theagaroya Chetty Garu.
M. R. Ry. M. K. Lakshmana Chariyar Avargal.
M. R. Ry. G. Subbarayalu Chariyar Avargal.
M. R. Ry. M. Ramakistnaiya Pantulu Garu.
M. R. Ry. R. Balakistnama Chetty Garu.
M. R. Ry. P. M. Sivanguana Mudaliyar Avargal.
M. R. Ry. W. S. Venkataramanjulu Naidu Garu.
M. R. Ry. V. C. Desika Chariyar Avargal.
M. R. Ry. P. V. Kistnasawmy Chetty Garu.
M. R. Ry. C. Tirumalayya Naidu Garu.
M. R. Ry. Salla Gurusawmy Chetty Garu.
The Hon'ble P. Rungiah Naidu Garu.
M. R. Ry. Rao Bahadur V. Krishnama Chariyar Avargal.
H. Ormerod, Esq.
M. R. Ry. C. Yetherajulu Naidu Garu.

Con.

M. R. Ry. Rao Bahadur C. Kalyanasundaram Chettiyar Avargal.
Cowasjee Eduljee, Esq.
M. R. Ry. G. Subramania Iyer Avargal.
Surgeon-Lieutenant-Colonel J. Maitland.
Surgeon-Lieutenant-Colonel G. L. Walker.
E. H. Elliot, Esq.
M. R. Ry. V. Varadappa Naidu Garu.

Proceedings of the Standing Committee, dated 18th September and 2nd October 1896.

Mr. V. C. DESIKACHARIAR :—I propose. "That resolution No. 14 of 18th September 1896, be not confirmed and Counsel's opinion be taken."

Mr. P. V. KISTNASAWMI CHETTY seconded the proposition.

THE PRESIDENT :—The Standing Committee thought it better not to spend any more money.

Mr. V. C. DESIKACHARIAR :—With great deference to the members of the Standing Committee, I think they would have done well to consult the opinion of Counsel.

THE HON'BLE Mr. P. RANGIAH NAIDU :—We went into the matter, and we thought it would be a waste to spend any more money on it.

Mr. P. V. KISTNASAWMI CHETTY :—If the Solicitors think that there is some hope of success, we may ask for counsel's opinion, in which case money will not be mis-spent.

Mr. P. THEAGARAYA CHETTY :—I was a member of the Standing Committee when the sanction of the Standing Committee was asked for it. In the first instance some of the members of the Standing Committee found from the papers that there was not a very good case; but unfortunately for the Municipality, the executive told us that there was a very good case; and we were obliged to yield to them. From the judgment that was circulated, the Standing Committee, on which there are two or three legal members, came to the conclusion that there was not a strong case at all. They thought that it would simply be a waste of Municipal funds to go any further in the matter.

Mr. W. S. VENKATRAMANJULU NAIDU :—On the facts of the case, the members were originally averse to launching a case; and the decision of the court justified the opinion of the majority. If the Commissioners think that Counsel's opinion should be taken, the members of the Standing Committee shall not have the slightest objection. In the interests of the Municipality, they thought that there was no use in wasting further funds.

The resolution on being put to the meeting was lost.

The proceedings were recorded.

Statement of Receipts and Disbursements from April to September 1896.
Recorded.

Progress Report of Works for August and September 1896.

Recorded.

The meeting terminated.

MINUTES of the PROCEEDINGS of a GENERAL MEETING of the MUNICIPAL COMMISSIONERS for the CITY of MADRAS, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Monday the 26th October 1896, at 5 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

Lieutenant-Colonel G. M. J. Moore, C.I.E.—President.
H. Ormerod, Esq.
M.R.Ry. P. Theagaraya Chetty Garu.
M.R.Ry. R. Balakistnama Chetty Garu.
M.R.Ry. Salla Gurusawmy Chetty Garu.
M.R.Ry. C. Yetherajulu Naidu Garu.
M.R.Ry. P. M. Sivagnana Mudaliyar Avargal.
Covasjee Eduljee, Esq.
M.R.Ry. P. V. Kistnasawmy Chetty Garu.
M.R.Ry. M. Varadarajulu Chetty Garu.
M.R.Ry. G. Subbarayalu Chetty Garu.
M.R.Ry. M. Ramakistnaiya Pantulu Garu.
J. DeCaster, Esq.
E. H. Elliot, Esq.
M.R.Ry. V. Varadappa Naidu Garu.
The Hon'ble P. Rungiah Naidu Garu.
M.R.Ry. W. S. Venkataramanjulu Naidu Garu.
M.R.Ry. Rao Bahadur C. Kalyanasundaram Chettiyar Avargal.
M.R.Ry. M. K. Lakshmana Chariyar Avargal.
R. F. Grant, Esq.
M.R.Ry. Rao Bahadur V. Krishnama Chariyar Avargal.
M.R.Ry. C. Tirumalayya Naidu Garu.
M.R.Ry. G. Subramania Iyer Avargal.
Surgeon-Lieutenant-Colonel G. L. Walker.
Surgeon-Lieutenant-Colonel J. Maitland.
M.R.Ry. V. C. Desika Chariyar Avargal.

No. 1.

G.O., No. 1458 M., dated 1st September 1896, referring to the Commissioners and others for opinion the draft Bill for the segregation of lepers.

Proposed by M.R.Ry. V. C. Desika Chariyar Avargal and seconded by M.R.Ry. C. Tirumalayya Naidu Garu—

"That a small committee composed as under be appointed to consider the Bill—

The President,
Surgeon-Lieutenant-Colonel G. L. Walker,
Surgeon-Lieutenant-Colonel J. Maitland,
M.R.Ry. V. Varadappa Naidu Garu, and
The Hon'ble P. Rungiah Naidu Garu."

The resolution on being put to the meeting was lost.

Proposed by Surgeon-Lieutenant-Colonel G. L. Walker and seconded by M.R.Ry. V. Varadappa Naidu Garu—

"That the following additions be made :
Clause 2 (1). After the word 'commenced' add 'or whom leprosy has rendered deformed or repulsive even when active ulceration is absent.'
Clause 9 (a). After 'domestic servant' add 'money changer, stamp vendor, pial teacher or school-master.'
Clause 9 (b). After 'sells' and before 'food' insert 'or engaged in the preparation of,' after 'consumption' add 'sells or is engaged in the manufacture of textile fabrics intended for sale or wear.'"

Surgeon-Lieutenant-Colonel G. L. Walker, with the consent of the meeting, withdrew his resolution and proposed—

"That the Commissioners approve of the principle of the Bill."

M.R.Ry. V. Varadappa Naidu Garu, seconded.

This resolution on being put to the meeting was carried.

No. 2.

G.O., No. 1635 M., dated 23rd September 1896, passing orders on the resolution No. 3 of the Commissioners, dated 29th June 1896, re the exercise by the Commissioners of the privilege of making recommendations to Government.

Proposed by M.R.Ry. V. Varadappa Naidu Garu and seconded by M.R.Ry. G. Subramania Iyer Avargal—

"That the G.O. be recorded."

To this as an amendment M.R.Ry. P. V. Kistnasawmy Chetty Garu proposed and M.R.Ry. Salla Gurusawmy Chetty Garu seconded—

"That the following words be added: 'with an expression of regret that Government has not seen fit to depart from the view it took in its first G.O.'"

The amendment on being put to the meeting was carried.

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M.R.Ry. W. S. Venkataramanjulu Naidu Garu, supported by M.R.Ry. P. V. Kistnaswamy Chetty Garu, called for a poll.

The poll was taken with the following result:—

Pro.

M.R.Ry. P. Theagaraya Chetty Garu.
M.R.Ry. M. K. Lakshmana Chariyar Avargal.
M.R.Ry. G. Subbarayalu Chetty Garu.
M.R.Ry. M. Ramakistnaiya Pantulu Garu.
M.R.Ry. R. Balakistnama Chetty Garu.
M.H.Ry. P. M. Sivangnana Mudaliyar Avargal.
M.R.Ry. W. S. Venkataramanjulu Naidu Garu.
M.R.Ry. V. C. Desika Chariyar Avargal.
M.R.Ry. P. V. Kistnasawmy Chetty Garu.
M.R.Ry. C. Tirumalayya Naidu Garu.
M.R.Ry. Salla Gurusawmy Chetty Garu.
The Hon'ble P. Rangiah Naidu Garu.
M.R.Ry. Rao Bahadur V. Krishnama Chariyar Avargal.
H. Ormerod, Esq.
M.R.Ry. C. Yetherajulu Naidu Garu.

Con.

M.R.Ry. Rao Bahadur C. Kalyanasundaram Chettiyar Avargal.
Cowasjee Eduljee, Esq.
M.R.Ry. G. Subramania Iyer Avargal.
Surgeon-Lieutenant-Colonel t. L. Walker.
Surgeon-Lieutenant-Colonel J. Maitland.
E. H. Elliot, Esq.
M.R.Ry. V. Varadappa Naidu Garu.

No. 3.

Proceedings of the Standing Committee, dated 18th September and 2nd October 1896.

Proposed by M.R.Ry. V. C. Desika Chariyar Avargal and seconded by M.R.Ry. P. V. Kistnasawmy Chetty Garu—

"That resolution No. 14 of 18th September 1896, be not confirmed and Counsel's opinion be taken."

The resolution on being put to the meeting was lost.

The proceedings were recorded.

No. 4.

Statement of Receipts and Disbursements from April to September 1896.

Recorded.

No. 5.

Progress Report of Works for August and September 1896.

Recorded.

The meeting terminated.

G. M. J. MOORE, Lieut.-Col.,
President, Municipal Commission.

Municipal Office, Madras,
October 1896.

When given for copying _____
When copied _____
When examined _____
When signed _____

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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