Local & Munl. (189 ) Department.

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G.O., No. 1933m

DATED 3-9-97

[Despatch Abstract.]

Madras Electric Tramways Company

Extending on certain conditions to the end of the year 1900, the term of Completion of Sections Nos 4, 5 & 6 of the Madras Electric Tramways, in accordance with the provisions of clause (1) of sub section (1) of section 10 of the Indian Tramways Act IX of 1886.

BACK PAPERS.

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# Government {1897} of Madras.

## LOCAL AND MUNICIPAL.

*Recd.* }1897. *Enclosures*

*Regd.* *Spare copies*

**G.O., No. 1933 M., 3rd September 1897.**

## SEPTEMBER.

**Madras Electric Tramway Company.**

Extending on certain conditions to the end of the year 1900 the term of completion of sections Nos. 4, 5 and 6 of the Madras Electric Tramways, in accord[illegible] with the provisions of clause (1) of sub-section (1) of section 10 of the Indian Tramw[illegible]ct XI of 1886.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

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Read—again the following paper :—

G.O., No. 1312 M., dated 31st May 1897.

Abstract.—Considering that the conditions proposed by the attorneys to the trustees for the debenture-holders of the Madras Electric Tramway Company, with reference to the extension of time for completing certain sections of the tramway, may be accepted; requesting the Municipal Commissioners, Madras, to state whether they are prepared to modify the conditions to this extent or would still adhere to those originally proposed by them; and accepting the request of the attorneys relative to the re-alignment of the tramway and ordering the publication of the necessary notification for the insertion of an additional clause to that effect in the order authorizing the construction and maintenance and regulating the working of tramways in the City of Madras.

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Read—also the following paper :—

From Lieutenant-Colonel G. M. J. MOORE, C.I.E., President, Municipal Commission, to the Secretary to Government, Local and Municipal Department, dated Madras, 27th July 1897, G. No. 136.

With reference to the concluding portion of paragraph 2 of G.O., No. 1312 M., dated 31st May 1897, I have the honour to forward herewith an extract from the proceedings of a general meeting of the Commissioners held on 26th July 1897.

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Enclosure.

*Extract referred to.*

President's memorandum, dated 5th April 1897, on the remarks by the attorneys to the trustees for the debenture-holders, Madras Electric Tramway Company, on the resolution of the Commissioners, dated 30th November 1896, and G.O., No. 1312 M., dated 31st May 1897, on the same subject.

Proposed by M.R.Ry. P. Tyagaraya Chetti Garu and seconded by M.R.Ry. R. Balakrishnama Chetti Garu—

"That the Commissioners adhere to their resolution, dated 30th November 1896, that one section be completed by 6th October 1898,—another by 1899."

M.R.Ry. P. Tyagaraya Chetti Garu with the consent of the meeting withdraws his resolution.

M.R.Ry. P. Tyagaraya Chetti Garu proposed and M.R.Ry. M. Venkataramayya Chetti Garu seconded—

"That the extension be granted under the conditions specified in G.O., No. 1312 M., dated 31st May 1897."

Carried.

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Order—No. 1933 M., dated 3rd September 1897.

In terms of clause 8 of the "Order authorizing the construction and maintenance and regulating the working of tramways in the City of Madras," issued under the authority of G.O., No. 668 M., dated 6th April 1892, the time for completing sections Nos. 4, 5 and 6 of the tramways therein referred to will expire by the 6th October



1898. His Excellency the Governor in Council now resolves, in accordance with the provisions of clause (1) of sub-section (1) of section 10 of the Indian Tramways Act XI of 1886, to extend the term of completion to the end of the year 1900, subject, however, to the condition that the construction of one section shall be completed before the end of 1899 and of the remaining two before the end of 1900.

(True Extract.)

G. S. FORBES,
*Secretary to Government.*

To the President, Municipal Commission, Madras.
" the Public Works Department.
" Messrs. Arbuthnot & Co., Attorneys to the Trustees to the Electric Tramway Company.

Exd. A Raitt.

# Government {1897} of Madras.

## LOCAL AND MUNICIPAL.

Proof for approval.

| | | |
|---|---|---|
| *Recd.* | } 1897. | *Enclosures* |
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**G.O., No. 1933 M., 3rd September 1897.**

## SEPTEMBER.

**Madras Electric Tramways Company.**

Extending on certain conditions to the end of the year 1900 the term of completion of sections Nos. 4, 5 and 6 of the Madras Electric Tramways, in accordance with the provisions of clause (1) of sub-section (1) of section 10 of the Indian Tramways Act XI of 1886.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

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ABSTRACT.—Considering that the conditions proposed by the attorneys to the trustees for the debenture-holders of the Madras Electric Tramway Company, with reference to the extension of time for completing certain sections of the tramway, may be accepted; requesting the Municipal Commissioners, Madras, to state whether they are prepared to modify the conditions to this extent or would still adhere to those originally proposed by them; and accepting the request of the attorneys relative to the re-alignment of the tramway and ordering the publication of the necessary notification for the insertion of an additional clause to that effect in the order authorizing the construction and maintenance and regulating the working of tramways in the City of Madras.

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ENCLOSURE.

*Extract referred to.*

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M.R.Ry. P. ~~Theagaroya~~ Chetty Garu proposed and M.R.Ry. M. Venkataramiah Chetty Garu seconded—

"That the extension be granted under the conditions specified in G.O., No. 1312 M., dated 31st May 1897."

Carried.

ORDER—No. 1933 M., dated 3rd September 1897.

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1898. His Excellency the Governor in Council now resolves, in accordance with the provisions of clause (1) sub-section (1) of section 10 of the Indian Tramways Act XI of 1886, to extend the term of completion to the end of the year 1900, subject, however, to the condition that the construction of one section shall be completed before the end of 1899 and of the remaining two before the end of 1900.

(True Extract.)

*Secretary to Government.*

To the President, Municipal Commission, Madras.
„ the Public Works Department.
„ Messrs. Arbuthnot & Co., Attorneys to the Trustees to the Electric Tramway Company.

Exd. A Raitt.

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*Secretary to Government.*

To the President, Municipal Commission, Madras.
" the Public Works Department.
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Exd. A Raitt.

# Government {1897} of Madras.

## LOCAL AND MUNICIPAL.

*Recd.* } 1897. *Enclosures*

*Regd.* *Spare copies*

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**G.O., No. 1312 M., 31st May 1897.**

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**MAY.**

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### Madras Electric Tramway Company.

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GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—again the following paper:—

G.O., Mis. No. 138 M., dated 3rd February 1897.

*Read*—the following papers:—

Memorandum of the Public Works Department (Railway Branch), dated 7th December 1896, No. 4652-C.

Read—the following paper:—

From Messrs. ARBUTHNOT & CO., Attorneys to the Trustees for the Debenture Holders, Madras Electric Tramways Company (Limited), to the Chief Secretary to Government, dated Madras, 2nd November 1896.

We have the honour to send herewith a memorial to His Excellency the Governor in Council, praying that he may be pleased to grant an extension of time for the completion of Sections 4, 5 and 6 of the Madras Electric Tramways, the construction of which has already been authorized under G.O., dated 6th April 1892.

2. The reasons for the prayed-for extension of time are fully set forth in the accompanying memorial, to which we have the honour to request your attention.

ENCLOSURE.

MEMORIAL from Messrs. ARBUTHNOT & CO., Attorneys to the Trustees for the Holders of the Debentures of the Madras Electric Tramways Company (Limited), to His Excellency the Governor, dated Madras, 2nd November 1896.

SHEWETH,—That, by the order of the Madras Government, dated 6th April 1892, No. 668 M., Local and Municipal, authority was granted to the promoters (in clause 4 of such order defined as Messrs. Hutchinson and Co. of 25, Craven Street Strand, in the County of Middlesex, East India Merchants and Bankers, by whom a Joint Stock Company was about to be incorporated and registered in England, with a nominal capital of £1,000,000, divided into 1,000,000 shares, of £1 each, and such company when incorporated and registered) for the construction and maintenance and to regulate the working of tramways in the City of Madras.

2. The company there referred to is the Madras Electric Tramways Company (Limited) which was duly incorporated and registered.

3. The tramways authorized by such order were—

*Tramway No.* 1.—Commencing opposite Clive's Battery and passing thence along the Beach road and Esplanade through the Evening Bazaar and in the front of the General Hospital, crossing Hospital Bridge and terminating in the Poonamallee Road opposite the South Indian Railway Station in that road.

*Tramway No.* 2.—Commencing by a junction with Tramway No. 1 opposite the end of Sydenham's road and running in a southwardly direction across Law's Bridge and along Sawmy Naick Street, past the east approach to Harris' Bridge along



Blacker's Road, past the Vizianagram Fountain in the Mount Road and a short distance along the Wallajah Road; thence along the Triplicane High Road and terminating at Barber's Bridge in Barber's Bridge Road.

*Tramway No.* 3.—Commencing by a junction with Tramway No. 2 in Blacker's Road on the approach to Harris' Bridge and thence in a south-westwardly direction, crossing the Mount Road and passing along Patter's Road, Wood Street and Westcott's Road and terminating at the junction of Royapettah High Road with Royapettah Bazaar Road.

*Tramway No.* 4.—Commencing by a junction with Tramway No. 1 at Clive's Battery and passing thence in a westwardly direction along the Old Jail and North Wall Roads to the eastern approach to Basin Bridge and thence in a southwardly direction along the Wall Tax Road and terminating by a junction with Tramway No. 1 opposite the General Hospital.

*Tramway No.* 5.—Commencing by a junction with Tramway No. 4 in the Wall Tax Road opposite the approach to Elephant Bridge, passing thence in a westwardly direction across Elephant Bridge and along Elephant Gate Road and part of Sydenham Road, thence through the Choolay Bazaar, Hunter's Road and part of the Pursewalkum High Road to its junction with Cundappa Moodelly High Road, terminating in this latter road about 3 furlongs from its said junction with Pursewalkum High Road.

*Tramway No.* 6.—Commencing by a junction with Tramway No. 4 near the Seven Wells and passing thence in a northwardly direction along the Trivettore High Road and terminating on that road at the municipal boundary.

4. Under clause 8 of the order it was provided that the promoter should, subject to the condition of sub-section 36 (35?) I of the order (which provided that the construction of the tramways should not be commenced until £75,000 of the share capital of the proposed company should have been subscribed), substantially commence the construction of the tramways and undertaking within a period of twelve months from the date of the order, and should substantially complete and open for traffic the Tramways Nos. 1 and 2 before the expiration of two years from such date, and the remainder of the tramways before the expiration of five years from such date.

5. By clause 36 of the order it was provided that nothing in the order contained should prevent the promoters borrowing money on security of mortgages of the undertaking or any part thereof or should make the consent of the Local Government necessary to the validity or effect of any such mortgage provided, that, every mortgage of the undertaking should be deemed to comprise the right to receive all purchase money which might be paid to the promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section 22 of the Indian Tramways Act, 1886, and that any mortgage granted by the promoters should not be a charge upon the undertaking or any part thereof in the event of the undertaking or such part being purchased by the local authority under section 22 of the Indian Tramways Act, 1886, and that every mortgage-deed granted by the promoters should be endorsed with notice to that effect.

6. By an Indenture, dated 23rd October 1894, and made between the Madras Electric Tramways Company (Limited) of the one part, and Sir Daniel Cooper, *Baronet*, G.C.M.G., of 6. De Vere Gardens, Kensington Palace, in the County of Middlesex, and James William Barclay of 5, Clarendon Place, Hyde Park, in the said County, Esquire (therein called the present trustees), of the other part, the company (amongst other things) assigned to the trustees all and singular the concession granted by the Municipal Commission of the City of Madras with the sanction of the Government of the Presidency of Madras, the terms and conditions whereof were set out in the order bearing date the 6th April 1892 for the construction and maintenance of the tramways in the said City of Madras, along with the several routes mentioned in clause 6 of the said order and also the several tram lines, either fixed or unfixed, tram-cars, machinery, boilers, dynamos, motors, electrical and other fixed plant, fixtures and fittings of the company in England or the Empire of India or elsewhere.

7. By the same Indenture it was provided that the premises thereby conveyed and assigned and the premises comprised in all or any of the covenants in such Indenture contained (all of which were therein called the mortgaged premises) should be held by the trustees as a security for the debentures mentioned in the deed and upon trust to permit the company and its assigns to hold and enjoy the mortgaged premises and to carry on therein and therewith the business or any of the businesses authorized by the Memorandum of Association of the Company until the happening of some or one of the events upon which the security constituted should become enforceable, and then upon trust that the trustees might in their discretion and should upon the request in writing of the registered holder or holders of one-fifth part in value of the debentures for the time being outstanding or upon the request of the debenture holders by a special resolution, enter upon and take possession of the mortgaged premises or any part thereof.

8. Clause 9 of the Indenture provided that the security thereby constituted should become enforceable (in, amongst other events) (i) if the company without the previous consent in writing of the trustees should cease to carry on or if the company threatened to cease to carry on its business or any material part thereof and, this event having happened, the trustees entered into possession of the mortgaged premises.

9. Upon the above mentioned Indenture was endorsed a notice such as is required by clause 36 of the order of 6th April 1892.

10. By an Order of Government, No. 1064-A. M., Local and Municipal, dated 5th August 1893, the Government of Madras was pleased to extend by six months, counting from 6th April 1893, the period of twelve months named in clause 8 of the order, dated 6th April 1892 authorizing the construction and maintenance and to regulate the working of tramways in the City of Madras, thus giving the promoters until the 6th of October 1893 to commence the construction of the tramways until the 6th of October 1895 to substantially complete and open for traffic the Tramways Nos. 1 and 2 and until the 6th of October 1898 to substantially complete and open for traffic Tramways Nos. 3, 4, 5 and 6.

11. By an Order of Government, dated 8th November 1894, Mis. No. 1664 M., the Government was pleased to approve the recommendation of the Municipal Commissioners for the City of Madras to further extend the time for the construction of Tramways Nos. 1 and 2 for a period of six months from the date of the publication of the Government Order sanctioning definitely the route of construction of Tramway No. 2.

12. By an Order of Government, Mis. No. 448 M., dated 15th March 1895, the Government was pleased to extend by six months, from 5th March 1895 or until 6th September 1895, the time for the completion of the Tramways Nos. 1 and 2, though, as your memorialists submit the time for the completion of those tramways had, by the order of 15th August 1893, been already extended to 6th October 1895.

13. By an Order of Government, dated 11th February 1895, No. 205 M., Local and Municipal, the following Tramway No. 2 was substituted for that mentioned in the order of 6th April 1892 :—

*Tramway No.* 2.—Commencing by a junction with Tramway No. 1 opposite the end of Sydenham's Road and running in a southwardly direction across Law's Bridge along Iyah Moodelly Street, turning off along Arunachala Naick Street to Sawmy Naick Street, along Sawmy Naick Street past the east approach to Harris' Bridge, along Blacker's Road past the Vizianagram Fountain in the Mount Road and a short distance along the Wallajah Road, thence along Triplicane High Road and terminating at Barber's Bridge in Barber's Bridge Road.

14. In the month of May 1895 Tramway No. 1 was opened for traffic by the beginning of the month of November 1895 Tramway No. 2 was opened for traffic, and a few days later Tramway No. 3 was finished and in running order and a continued service of tram-cars over it has been maintained since November 1895.

15. The above mentioned Tramways Nos. 1, 2 and 3 cover a distance of about 8 miles, of which about 2½ miles on Tramway No. 1 consist of a double line of rails,



while, where the tramways consist of a single line, the various sidings and crossings measure together nearly a mile, thus bringing up the total track laid to between 11 and 12 miles.

16. There yet remain to be completed Tramways Nos. 4, 5 and 6 which will cover a distance of about 11 miles.

17. Since the trustees have taken possession of the mortgaged premises, they have advanced large sums of money for the construction of the existing tramways and to meet the current expenses of working the same but, so far as the trustees are aware, the Madras Electric Tramways Company (Limited) has up to the present time made no provision or arrangement for re-payment of the moneys so advanced.

18. Under the provisions of section 10 (1) of the Indian Tramways Act, 1886, the powers given by the order of 6th April 1892 to the promoters for constructing the tramways and otherwise in relation thereto shall cease to be exercised except as to so much of the tramway as is completed, if the promoters, having commenced the construction of the tramways suspend it without a reason sufficient, in the opinion of the Local Government, to warrant the suspension or do not, within the time specified in the order complete the tramways and open them for public traffic, unless the Local Government in writing prolongs the time or condones the suspension and even, as to so much of the tramway as is completed, the Local Government may either permit or refuse to permit the powers given by the order to continue.

19. The construction of Tramways Nos. 4, 5 and 6 and the working of Tramways Nos. 1, 2 and 3 being now in the hands of the trustees, who are willing to find the funds necessary for the purpose, there is every prospect of Tramways Nos. 4, 5 and 6 being completed by the 6th of October 1900 and without the recurrence of any of the causes which delayed the completion of Tramways Nos. 1, 2 and 3 but considering the possibility of the cessation of the powers given by the order of 6th April 1892 the trustees hesitate to advance further moneys for the construction and completion of Tramways Nos. 4, 5 and 6 unless the Local Government be pleased to further extend the time for their completion.

20. By clause 18 of the order of 6th April 1892 it is provided that where, by reason of the execution of any work affecting the surface or soil of any road along which any tramway is laid it is necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, or, when the use of such tramway is interrupted by floods or other cause, the promoters may, subject to such conditions and in accordance in all respects with such reasonable regulations as the road authority may, from time to time, make, construct in the same or any adjacent road and maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of the tramway so removed or discontinued or the use of which is so interrupted.

21. The above clause relates only to the temporary removal or discontinuance of the use of a tramway or any part of a tramway when, for the reasons stated in the clause, it may be necessary or expedient so to do, but the clause does not authorize the promoters to permanently alter any part of the alignment of the road-bed of a tramway or to remove and permanently re-lay the rails in a new alignment.

Your memorialists, as the duly constituted attorneys of the abovenamed Trustees Sir Daniel Cooper and Mr. James William Barclay, therefore pray that your Excellency in Council will be pleased to direct in writing, under the provisions of section 10 (1) (*i*) and (*ii*), that the time allowed to the promoters by clause 8 of the order of 6th April 1892 for the substantial completion and opening for traffic of the Tramways Nos. 4, 5 and 6 be prolonged up to the 6th of October 1900, or for such other period as to your Excellency may seem proper, and that your Excellency will also be pleased to order that, if at any time it shall seem expedient to alter any part of the alignment of the road-bed of any of the tramways which may have been constructed, the promoters may, with the consent of the road authority, remove any of the rails of such tramway and may re-lay them in a new alignment approved of by the road authority.

7. By the same Indenture it was provided that the premises thereby conveyed and assigned and the premises comprised in all or any of the covenants in such Indenture contained (all of which were therein called the mortgaged premises) should be held by the trustees as a security for the debentures mentioned in the deed and upon trust to permit the company and its assigns to hold and enjoy the mortgaged premises and to carry on therein and therewith the business or any of the businesses authorized by the Memorandum of Association of the Company until the happening of some or one of the events upon which the security constituted should become enforceable, and then upon trust that the trustees might in their discretion and should upon the request in writing of the registered holder or holders of one-fifth part in value of the debentures for the time being outstanding or upon the request of the debenture holders by a special resolution, enter upon and take possession of the mortgaged premises or any part thereof.

8. Clause 9 of the Indenture provided that the security thereby constituted should become enforceable (in, amongst other events) (i) if the company without the previous consent in writing of the trustees should cease to carry on or if the company threatened to cease to carry on its business or any material part thereof and, this event having happened, the trustees entered into possession of the mortgaged premises.

9. Upon the above mentioned Indenture was endorsed a notice such as is required by clause 36 of the order of 6th April 1892.

10. By an Order of Government, No. 1064-A. M., Local and Municipal, dated 5th August 1893, the Government of Madras was pleased to extend by six months, counting from 6th April 1893, the period of twelve months named in clause 8 of the order, dated 6th April 1892 authorizing the construction and maintenance and to regulate the working of tramways in the City of Madras, thus giving the promoters until the 6th of October 1893 to commence the construction of the tramways until the 6th of October 1895 to substantially complete and open for traffic the Tramways Nos. 1 and 2 and until the 6th of October 1898 to substantially complete and open for traffic Tramways Nos. 3, 4, 5 and 6.

11. By an Order of Government, dated 8th November 1894, Mis. No. 1664 M., the Government was pleased to approve the recommendation of the Municipal Commissioners for the City of Madras to further extend the time for the construction of Tramways Nos. 1 and 2 for a period of six months from the date of the publication of the Government Order sanctioning definitely the route of construction of Tramway No. 2.

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17. Since the trustees have taken possession of the mortgaged premises, they have advanced large sums of money for the construction of the existing tramways and to meet the current expenses of working the same but, so far as the trustees are aware, the Madras Electric Tramways Company (Limited) has up to the present time made no provision or arrangement for re-payment of the moneys so advanced.

18. Under the provisions of section 10 (1) of the Indian Tramways Act, 1886, the powers given by the order of 6th April 1892 to the promoters for constructing the tramways and otherwise in relation thereto shall cease to be exercised except as to so much of the tramway as is completed, if the promoters, having commenced the construction of the tramways suspend it without a reason sufficient, in the opinion of the Local Government, to warrant the suspension or do not, within the time specified in the order complete the tramways and open them for public traffic, unless the Local Government in writing prolongs the time or condones the suspension and even, as to so much of the tramway as is completed, the Local Government may either permit or refuse to permit the powers given by the order to continue.

19. The construction of Tramways Nos. 4, 5 and 6 and the working of Tramways Nos. 1, 2 and 3 being now in the hands of the trustees, who are willing to find the funds necessary for the purpose, there is every prospect of Tramways Nos. 4, 5 and 6 being completed by the 6th of October 1900 and without the recurrence of any of the causes which delayed the completion of Tramways Nos. 1, 2 and 3 but considering the possibility of the cessation of the powers given by the order of 6th April 1892 the trustees hesitate to advance further moneys for the construction and completion of Tramways Nos. 4, 5 and 6 unless the Local Government be pleased to further extend the time for their completion.

20. By clause 18 of the order of 6th April 1892 it is provided that where, by reason of the execution of any work affecting the surface or soil of any road along which any tramway is laid it is necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, or, when the use of such tramway is interrupted by floods or other cause, the promoters may, subject to such conditions and in accordance in all respects with such reasonable regulations as the road authority may, from time to time, make, construct in the same or any adjacent road and maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of the tramway so removed or discontinued or the use of which is so interrupted.

21. The above clause relates only to the temporary removal or discontinuance of the use of a tramway or any part of a tramway when, for the reasons stated in the clause, it may be necessary or expedient so to do, but the clause does not authorize the promoters to permanently alter any part of the alignment of the road-bed of a tramway or to remove and permanently re-lay the rails in a new alignment.

Your memorialists, as the duly constituted attorneys of the abovenamed Trustees Sir Daniel Cooper and Mr. James William Barclay, therefore pray that your Excellency in Council will be pleased to direct in writing, under the provisions of section 10 (1) (*i*) and (*ii*), that the time allowed to the promoters by clause 8 of the order of 6th April 1892 for the substantial completion and opening for traffic of the Tramways Nos. 4, 5 and 6 be prolonged up to the 6th of October 1900, or for such other period as to your Excellency may seem proper, and that your Excellency will also be pleased to order that, if at any time it shall seem expedient to alter any part of the alignment of the road-bed of any of the tramways which may have been constructed, the promoters may, with the consent of the road authority, remove any of the rails of such tramway and may re-lay them in a new alignment approved of by the road authority.

Memorandum—No. 4652 C, dated 7th December 1896.

Forwarded, in original, to the Local and Municipal Department, with reference to the last paragraph of the note by the Joint Secretary, Public Works Department, Railway Branch, dated 21st November 1896, and to the Honourable Mr. Bliss' remarks thereon, dated 2nd December 1896.

(Signed) F. D. FOWLER,
*Offg. Jt. Secy. to Govt., P.W.D., Railway Branch.*

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From Lieutenant-Colonel G. M. J. MOORE, C.I.E., President, Municipal Commission, to the Secretary to Government, Local and Municipal Department, dated Madras, 4th January 1897, G. No. 647.

Pursuant to section 69 of the City of Madras Municipal Act I of 1884, as amended by Madras Acts VII of 1884 and II of 1892, I have the honour to forward herewith minutes of the proceedings of a general meeting of the Commissioners held on 30th November 1896.

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ENCLOSURE.

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 30th November 1896, at 5 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

* * * * *

No. 1.

*Memorial from the Attorneys to the Trustees for the Debenture Holders, Madras Electric Tramways Company, praying for an extension of time to 6th October 1900 for the completion of Sections 4, 5 and 6 of Tramways.*

Proposed by M.R.Ry. P. Theagaroya Chetty Garu and seconded by Mr. J. DeCaster—

"That the extension applied for be recommended to Government on the condition that one of the remaining three sections be completed by 6th October 1898 and another by 6th October 1899, and that an advising committee of shareholders be appointed in Madras to act with the Attorneys to the Trustees."

Carried.

MADRAS, *December* 1896.

(Signed) G. M. J. MOORE, Lt.-Col.,
*President, Municipal Commission.*

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*Order*—Mis. No. 138 M., dated 3rd February 1897.

The request of the petitioners that the promoters of the Madras Electric Tramway Company may be authorized to alter, with the consent of the road authority, the alignment of any portion of the tramway line, will be referred to the Municipal Commissioners of Madras for early remarks.

2. Messrs. Arbuthnot & Co. will be requested to state whether they are prepared to agree to the two conditions, subject to which the Municipal Commissioners recommend that the extension of time asked for be granted, viz.,—(1) that one of the three sections be completed by 6th October 1898 and another by 6th October 1899, and (2) that an advising committee of shareholders be appointed in Madras to act with the Attorneys to the Trustees.

(True Extract.)

(Signed) G. S. FORBES,
*Secretary to Government.*

To the President, Municipal Commission, Madras,
with petition to be returned.
„ Messrs. Arbuthnot & Co.



READ—also the following papers:—

From Lieutenant-Colonel G. M. J. MOORE, C.I.E., President, Municipal Commission, to the Secretary to Government, Local and Municipal Department, dated Madras, 6th February 1897, G. No. 722.

With reference to G.O., Mis. No. 138 M., dated 3rd February 1897, I have the honour to state that there is no objection to the proposed re-alignment of the tramway. It will be of advantage to the public, in fact the public desire it.

2. Any future re-alignment can be decided on its merits.

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Ref. No. 288.

The President is requested to forward a copy of the resolutions of the Commissioners on the subject, if it has already been considered by them and, if not, to place it before the Commissioners and report their decision to Government.

(Signed) G. S. FORBES,
*Secretary to Government.*

10*th March* 1897.

To the President, Municipal Commission, Madras.

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From Lieutenant-Colonel G. M. J. MOORE, C.I.E., President, Municipal Commission, to the Secretary to Government, Local and Municipal Department, dated Madras, 30th March 1897, G. No. 974.

With reference to your memorandum No. 288, dated 10th March 1897, I have the honour to forward herewith an extract from the proceedings of a general meeting, of the Commissioners, held on 29th March 1897.

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ENCLOSURE.

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 29th March 1897, at 5 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884, and II of 1892.

Memorandum from the Secretary to Government, No. 288, dated 10th March 1897, requesting to forward a copy of the resolution of the Commissioners in the matter of the proposed re-alignment of the tramway.

Proposed by the Honourable P. Rungiah Naidu Garu and seconded by Surgeon-Lieutenant-Colonel G. L. Walker—

"That the proposed re-alignment is approved of."

Carried.

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From Messrs. ARBUTHNOT & Co., Attorneys to the Trustees for the Debenture Holders, Madras Electric Tramways, to the Secretary to Government, Local and Municipal Department, dated Madras, 30th March 1897.

With reference to our memorial to Government, dated 2nd November 1896, to your G.O., Mis. No. 138 M., dated 3rd February 1897, and to our reply thereto, dated 9th February 1897, we have now the honour to advise that we have heard from the Trustees for the Debenture Holders of the Madras Electric Tramway Company (Limited), who ask us to lay the following remarks before you in connection with the abovementioned memorial, praying for an extension of time for the completion of the proposed extensions of the present tramway system in the town of Madras.

With regard to your first query, namely, whether we are prepared to agree to the suggestion of the Municipal Commissioners that one of the three additional sections shall be completed by 6th October 1898 and another by 6th October 1899, we are instructed to explain that, as the trustees are acting for the debenture holders in the first instance, they have no power to give an undertaking on behalf of the company that one of the remaining sections of the tramways will be constructed in 1898 and another in 1899, and it would be misleading the Government if they gave such an undertaking.

While the trustees are acting, in the first instance, for the debenture holders, they considered that they might very properly do what they could to conserve the interests of the shareholders by making a formal application to Government for an extension of the period allowed for the construction of the balance of the tramways. If a definite settlement with Government were arrived at, it would do much to facilitate the re-construction of the company.

We may mention that, so far the tramway traffic has been found disappointing and does not as yet cover the working expenses, and we need hardly remark that it would greatly discourage the investment of capital in India if the Government were to add to the natural difficulties of the situation by declining in the circumstances to extend the period for completion of the tramways.

There is no doubt whatever that the company must be re-constructed, the present management changed, and the affairs of the company placed in the hands of new Directors possessing the confidence of the shareholders of the company as re-constructed. The trustees contemplate taking measures to bring about this result so soon as the No. 1 Section of the tramways is re-constructed, and the beach portion re-laid, and the trustees are anxious to impress upon Government, in the interests of the shareholders, that the re-construction plan will be carried out with much more advantage to the unfortunate shareholders, if it is felt that Government mean to deal with them generously in their present difficulties.

It will be to the interests of the re-constructed company to extend the lines as quickly as their resources will permit, because one reason why the tramways are not at present remunerative is that the mileage is too small for the necessary standing charges, and increased mileage could be run at much under the present cost.

If the company is to be re-constructed, which the trustees consider inevitable, some time will be necessary to carry out the details and to provide the capital for extensions, and having regard thereto, the trustees do not think that the re-constructed company could undertake to build another section before 1899.

If the Government should be pleased to provide that one section be constructed before the end of 1899 and the balance in 1900, we think the shareholders of the re-constructed company should be able to comply with these conditions.

We have, therefore, the honour to request that you will take the above into consideration, and we trust that the Government will generously recognise that the proposals submitted are reasonable.

The trustees have suggested our saying that if the Government does not see its way to complying with their request to postpone the time for completion of another section to 1899, it would be much better that the Government deferred any decision on the memorial until the company is re-constructed.

With reference to the second enquiry in your Government Order of 3rd February 1897, above mentioned, the trustees will be pleased to have an advising committee of shareholders to act with the attorneys to the trustees, and we shall be very pleased to co-operate with any committee that may be appointed.

Commending the above to your attention.

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ORDER—No. 1312 M., dated 31st May 1897.

In their petition dealt with in the Government Order read above, the attorneys to the trustees of the Madras Electric Tramway Company requested that the time for completing Sections 4, 5 and 6 of the tramway which, under existing orders, will



expire by the 6th October 1898, may be extended to the 6th October 1900, and that an order may be issued to the effect that if at any time it shall seem expedient to alter any part of the alignment of the road-bed of any tramway, which may have been constructed, the promoters may, with the consent of the road authority, remove any of the rails of such tramway and may relay them in a new alignment approved of by the road authority.

2. As regards the first request, the Municipal Commissioners have, in their resolution No. 1, dated 30th November 1896, expressed the opinion that the extension applied for may be sanctioned on the condition that one of the three sections be completed by the 6th October 1898 and another by the 6th October 1899. The attorneys to the trustees in their letter of 30th March state that it would be misleading the Government if they gave such an undertaking, while at the same time they consider that the shareholders of the re-constructed company might fairly be required to undertake to complete the construction of one section before 1899 and of the remaining two before the end of 1900. The Government is of opinion that, in the circumstances, the conditions proposed by the attorneys may be accepted. Before, however, taking any action, His Excellency the Governor in Council desires, with reference to sections 5 and 8 of the Indian Tramways Act XI of 1886, to ascertain whether the Commissioners are prepared to modify the conditions to this extent, or would still adhere to those proposed by them, in the latter case setting out their reasons for attaching those conditions.

3. The Municipal Commissioners have no objection to the second request contained in the memorial relative to the re-alignment of the tramway, and this is accordingly accepted. The following additional clause will therefore be inserted in, and read as part of, the "Order authorizing the construction and maintenance and regulating the working of tramways in the City of Madras," which was issued under the authority of G.O., No. 608 M., dated 6th April 1892. It will be previously published for general information under section 6 of Act XI of 1886, the 15th July 1897 being fixed as the date on or before which any objection or suggestion which any person may desire to make with respect to the proposed clause will be received by Government:—

"18-A. If at any time it shall seem expedient to alter any part of the alignment of the road-bed of any tramway which may have been constructed, the promoters may, with the consent of the road authority, remove any of the rails of such tramway and may relay them in a new alignment approved by the road authority; and the provisions of clauses 10 to 13 of this order shall *mutatis mutandis* apply to the case of every such alteration."

4. The draft order will be forwarded to the Tamil, Telugu and Hindustani Translators to Government, who will without delay translate them into the vernaculars and such translations will be published in the Gazette, as soon as received.

5. It is observed that the trustees have no objection to the formation of an advising committee of shareholders in Madras to act with the attorneys to the trustees.

(True Extract.)

G. S. FORBES,
*Secretary to Government.*

To Messrs. Arbuthnot & Co.
To the President, Municipal Commission, Madras.
" Public Works Department.
" Tamil Translator to Government.
" Telugu " "
" Hindustani " "
" Superintendent, Government Press.
Gazette.

Ed. W. D'Moss.

[ L & M. ]

The Madras Mail — July 27 — 1897.

Put them on the file
about the Tramways
27/7

THE MADRAS ELECTRIC TRAMWAYS.

The next business on the Agenda was the President's Memorandum, dated 5th April, 1897, on the remarks by the Attorneys to the Trustees for the Debenture-holders, Madras Electric Tramways Co., on the Resolution of the Commissioners, dated 30th November, 1896, and G. O. No. 1512 M., dated 31st May, 1897, on the same subject.

In this connection the President said that the Government had passed another order which somewhat modified the previous order on the subject. According to the present order, it was hoped that one of the three Sections would be completed by October, 1899, and that all the Sections should be completed by 1900. He had heard from Mr. Eardley Norton that the shareholders were no longer willing to stand between the Municipality and the Trustees to the Debenture holders.

Mr. THEAGAROYA CHETTY in this connection moved a Resolution that the Commissioners adhere to their former Resolution, insisting upon the line being completed before 1899. He said that he moved the Resolution in order to start a discussion on the subject, and to point out the danger arising from the present laying of tramway lines.

Mr. R. BALAKRISHNAMA CHETTY seconded the Resolution.

Mr. J. DECASTER opposed it.

Mr. M. VENKATARAMIAH CHETTY said that the danger to wheel-traffic by the existing tramway lines could be got over by insisting upon the rails being laid on one side of the road, so that a greater portion of the road might be left for the use of the public.

Mr. THEAGAROYA CHETTY said that he simply wanted to bring to the notice of the meeting the danger which was likely to arise from the planting of the posts in the middle of the road.

The PRESIDENT said that he was satisfied there would be no danger.

Rai Bahadur V. KRISHNAMA CHARRIAR complained that the posts were not lighted and that that was a great source of danger.

The PRESIDENT said that the Tramway Company were making arrangements to do the needful in this direction.

MR. THEAGAROYA CHETTY, with the consent of the seconder, withdrew his proposition and moved that the extension be granted under the conditions specified in the G. O. referred to, viz., that one of the lines should be completed by October 1899, and that all the three Sections should be completed before October 1900.

Mr. M. VENKATARAMIAH CHETTY seconded the proposition.

The PRESIDENT said that as regards the agitation in regard to the danger arising from the present arrangement, he did not believe it would be so great as it was made out. He explained that the centre of the road being taken up by the Tramway enabled the Municipality to metal the sides of the road. Objection was raised to the lines being laid on one side of the road on the ground that it obstructed easy access to houses and shops.

The Resolution was put and carried,

[L & M.]
150—30-6-97.

LOCAL AND MUNICIPAL DEPARTMENT.

Tramways – Madras

Papers to be read in proceedings :—

Again G.O., No. 1312 M dated 31st May 1897.

Again G.O., No. dated 189 .

Current No. 2733 M of 1897, dated 27th July 1897, from The President, Municipal Commission, Madras.

" " " 189 , " , "

" " " 189 , " , "

48

When part of an important subject is printed it is desirable to print all [illegible] connected with it – at any rate, which are not merely formal – this is more

[illegible]
7/9/

Office note this [illegible]

~~Misc~~ Print

ORDER. No. 1933 M dated 3rd Sept 97

~~Under the provisions of clause (i) of subsection (1) of section 10 of the Indian Tramways Act XI of 1886 (India), the Government resolves to extend to the end of 1900 the time for completing sections Nos. 4, 5 and 6 of the tramway, which~~ In terms of ~~under~~ clause 8 of the "order "authorizing the construction and "maintenance and regulating the "working of tramways in the "city of Madras", issued under the authority of G.O. No. 668 M, dated 6th April 1892, will expire by the 6th October 1898, subject however, to the condition, that the construction of one section shall be completed before the end of 1899 and of the remaining two before

the [illegible] for completing sections Nos. 4, 5 & 6 of the tramways therein referred to

H.E. the Gov. in C. now resolves, in accordance with the provisions of clause (i) of sub-sec. (1) of sec. 10 of the Ind. Tramways Act XI of 1886, to extend the term of completion to the end of the year 1900

[illegible]

before the end of 1900.

(From orders)

V.R.
1/9/97

S.B.
2/9/97

Desp.
Return after desp.
V.R.
1/9/97

To.
The President, M.C. Madras.
" Public Works Department
Messrs Arbuthnot & Co, Attorneys to the trustees to the E. T. Company.

Despd. 21/9/97

LOCAL AND MUNICIPAL DEPARTMENT.

Again G.O., dated 31st May 1897, No. 1312-M.
Current No. 2733-M. of 1897, dated 27th July 1897 from the President, Municipal Commission, Madras.
Current No. of 189 , dated from the

SUBJECT.

Extension of time, Madras Tramways.

in G.O. 1933 M / 3-9-97

Please see para 1 & 2 of G.O. 1312 M / 31-5-97

FOR ORDERS.

S

In their memorial dealt with in G.O. No 138-M, dated, 3rd February 1897, the Attorneys to the trustees of the Madras Electric Tramway Company requested that the time for completing sections, 4, 5 and 6 of the tramway, which, under existing orders, will expire by the 6th October 1898, may be extended to the 6th October 1900. The municipal Commissioners of Madras were of opinion that the extension applied for may be sanctioned, on the condition that one of the three sections be completed by the 6th October 1898, and another by the 6th October 1899, but the attorneys to the Trustees considered that the shareholders of the reconst[ituted] Company might fairly be requi[red]

to formally approved ...

to undertake to complete the construction of one section before 1899 and of the remaining two before 1900. The Government was of opinion that, in the circumstances, the conditions proposed by the attorneys might be accepted and in paragraph 2. of G.O. No 1312.m, dated 31st May 1897, the Commissioners were requested to state with reference to sections 5 and 8 of the Indian Tramways Act XI of 1886, (India), whether they were prepared to modify the conditions to this extent, or would still adhere to those proposed by them.

S

2. With his letter read above, the President of the municipal Commission, Madras forwards a resolution of the Commissioners agreeing to the grant of the extension under the conditions specified in the Government Order above quoted. viz: that the construction of one section be completed before the End of 1899 and of the remaining two before the end of 1900. The extension of time applied for may therefore be now sanctioned.

[illegible]
20/8/97

3. In his notes in — G.O. No 1312.m, dated [illegible] the Secretary observed

"As the time [illegible] modify clause 8. of the [illegible] order, it should be put [illegible] section 6. of the Act (XI o[illegible] as proposed above, in th[illegible] the new clause 18-A."

It is, however, doubtful [illegible] the extension of time for comp[illegible] of the three remaining sect[illegible] the tramway cannot be gr[illegible] under clause (i) of subsect[illegible] of section 10. of Act XI of 1886 (In[illegible]

A similar course was followed [illegible] granting former extensions — [illegible]

V G.Os. No 1064 Mn, dated 15th August [illegible]

U and No 448. m, dated 15th March [illegible]

Orders on this point are solicite[illegible]

P.R.
17/8/97

4[illegible]

The extension of ti[illegible] be formally approved. And

th[illegible]

...ay be legally effected under subclause (i) of section 10 of 1886. Publication [under] sec. 6 is not necessary [in view] of the special [powers] given to the Govt by [the provision] quoted destined "by special direction" [illegible]ting"

20/8/97

23/8/97 Draft

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First copy sent to Press. 7-9-97

Returned for signature. 18-9-97

Despatched in print. 21-9-97

Number of copies required. 5

Read again G.O., No. 1312 M dated 31-5-1897 — P

Current No. 2733 M — A

Enclosure No.

Order of Government.

Letter of Government.

Statement with ditto.

Papers not filed up being meant for despatch in original.

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.