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MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	1306	Press ~~Mis.~~
Dated	22-12	1866

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Department,
22nd December 1866.*

Read the following papers:—

No. 97. From G. BANBURY, Esq., President of the Municipal Commission for the Town of Trichinopoly, to the Secretary to Government, Fort Saint George; dated Trichinopoly, 19th November 1866, No. 3.

At the request of the Commissioners, I have the honor to submit, for the orders of Government, Extract of the Proceedings of the Municipal Commission held this day, and trust that the wishes of Government regarding the Cantonment may be expressed at an early date.

2. As to the second point, of Government carriages, I would beg to solicit perusal of Section 72 of the Mutiny Act.

3. The idea of including both vehicle and horses in one license, is, in my opinion, evidently erroneous. Vehicles and animals are clearly distinct items of taxation under Schedule C, and "drawn by two horses" is merely the signification of the kind of carriage. It could never be intended that the carriage should pay nothing, as would be the case if the tax was on the whole turn out, every horse being already taxed at Rupees 4-8-0 each; but, as I was over-ruled, I submit the matter.

4. As regards the two Bye-laws submitted for approval under Section 143 of the Act, Government will observe that the Commissioners merely advocate the extension of Clause 36 and Section 39 of the Madras Act to this Municipality.

Extract from the Proceedings of the Municipal Commission.

Applications having been made to the Commissioners that action be taken regarding Conservancy in the Cantonment itself, and other important measures being delayed owing to the non-settlement of the question of the Commissioners' authority within the Cantonment limits, the Commissioners respectfully request Government will definitely pass orders upon this question of jurisdiction, as already represented in Collector's letter, dated 5th November, paragraphs 2 and 3.

2. The Commissioners also request to know whether the vehicles, horses, elephants and other cattle, *bona-fide* the property of Government, and kept within Municipal limits, are liable to the provisions of Section 57, as there is nothing whatever mentioned in the Act itself regarding their exemption from the license system.

3. Proposed by Colonel Greenaway that the following point be referred for the orders of Government, as much doubt appears to exist thereon:—

A man possesses a "four-wheeled carriage on springs, drawn by two horses," according to the terms of Schedule C, he is taxed nine Rupees for the said item. Submitted that the nine Rupees specified in the Schedule covers, according to the terms, the whole specification, viz., the carriage and the two horses, and this appears to be borne out by the analogy of Schedule B, in which the toll of four Annas passes the said four-wheeled carriage on springs, horses and all. As the fact of license under Schedule C exempts from tolls under Schedule B, it would appear that the same definitions must apply to both, and that, therefore, by the said analogy, as well as by the strict and literal meaning of the said first item in Schedule C, the amount of license, viz., nine Rupees half-yearly, covers both carriage and horses, as much as the four Anna toll does at each separate passage.

Seconded by Rajah Ram Tawker.

For the reference.

Colonel Greenaway.

Rajah Ram Tawker.

Ragoonath Row.

Pareasawmy Moodally.

Against reference.

G. Banbury, Esq.

Mr. G. H. Oliver.

Carried by majority.

4. Resolved that the following Bye-law be submitted to Government, together with that passed at the last Meeting.

*Proceedings of the Madras Government, Public Department,
22nd December 1866.*

"No more than one payment of toll under Schedule B, Act X of 1865, shall be demanded for, and in respect of, any carriage, cart, or animal in any one period of 24 hours, counted from midnight to midnight."

"It shall be lawful for the Municipal Commissioners to compound with persons living outside the Municipal limits for a sum to be paid annually, or half-yearly, in lieu of all tolls payable under the provisions of this Act, in respect of carriages, carts, or animals entering the Municipal limits, and the Commissioners shall issue licenses for such carriages, carts, or animals, and, while such licenses shall remain in force, such carriages, carts, and animals, shall be exempt from all tolls as aforesaid upon entering the Municipal limits, provided always that such composition shall include all the carriages, carts, and animals possessed by the person compounding."

TRICHINOPOLY,
19th November 1866.

(Signed) G. BANBURY,
President.

No. 98. From the Controller of Military Accounts, to the Secretary to Government, Military Department, Fort Saint George; dated Fort Saint George, 23rd November 1866, C.

In forwarding letter, dated 19th November 1866, No. 4437, from the Commissary General, with enclosure, containing copy of a Notice served upon the Executive Commissariat Officer at Trichinopoly by the President of the Municipal Commission for that Town, requiring registration of, and payment of the Municipal Tax upon, all public cattle, carts, &c., I have the honor to request that I may be favored with the Order of Government, alluded to by the Commissary General, deciding the liability of such cattle and carts to taxation under Madras Act X of 1865.

From the Commissary General, to the Controller of Military Accounts, Fort Saint George; dated Madras, 19th November 1866, No. 4437.

As it appears from the enclosed letter, No. 268, dated 10th November 1866, from the Executive Commissariat Officer at Trichinopoly, that Government have ruled that Municipal rates are chargeable on public as well as private cattle, I have the honor to request you will be so good as to inform me whether these charges may be included in the accounts of this Department.

2. There are at Trichinopoly 2 elephants, 52 camels, and 54 draught bullocks; the amount chargeable annually on these is Rupees 726, which can be met from the sum allowed for transport charges.

From the Sub-Assistant Commissary General, Trichinopoly, to the Commissary General, Madras; dated Trichinopoly, 15th November 1866, No. 268.

In continuation of my letter, * I have the honor to annex copy of a notice received this day from the President, Municipal Commission, calling upon me to register, within one month from 13th November 1866, all the public

* No. 260, dated 8th November 1866.

cattle, arrack carts, &c., &c., and at the same time to remit to his Office the half-yearly taxes payable thereon, and should feel obliged for early instructions on the subject.

MUNICIPAL NOTICE.

With reference to the order of Government, conveyed in the Telegram, under date 13th November 1866, the owner of every carriage, horse, and other animal specified in Schedule C, appended to the "Towns' Improvement Act" No. X of 1865, and of every cart kept within the Town of Trichinopoly, is hereby required, within one month from this date, to send to the Office of the Municipal Commissioners for the Town of Trichinopoly a statement in writing, signed by him, containing a description of the vehicles and animals liable to the tax, for which he desires to take out a license, and, at the same time, pay the said Municipal Commissioners the half-yearly taxes payable thereon, according to the rates given in the said Schedule, failing which, he will be liable, on conviction before a Magistrate, to a fine not exceeding 20 Rupees.

*Proceedings of the Madras Government, Public Department,
22nd December 1866.*

Vehicles and animals liable to taxation, with the rates of taxation.

	Half-yearly.		
	RS.	A.	P.
For every four wheeled carriage on springs drawn by two horses.....	9	0	0
For do. do. do. do. one horse or pony,			
or a pair of ponies under 13 hands.....	4	8	0
For every two wheeled carriage on springs drawn by a horse, pony,			
mule, or bullock.....	3	0	0
For every horse.....	4	8	0
For every pony under 13 hands, or mule.....	1	8	0
For every elephant.....	12	0	0
For every camel.....	6	0	0
For every pony under 11 hands.....	0	8	0
For every bullock.....	0	8	0
For every ass.....	0	4	0
Registration of carts.....	1	0	0

MUNICIPAL COMMISSIONERS' OFFICE, TRICHINOPOLY,
13th November 1866.

(Signed) G. BANBURY,
President of the Municipal Commission
for the Town of Trichinopoly.

Referred to the Public Department.

FORT SAINT GEORGE,
29th November 1866.

(Signed) R. HAMILTON, Colonel,
Depy. Secy. to Govt., M. D.

No. 99. ORDER THEREON, 22nd December 1866, No. 1306.

The Magistrate will forward, without delay, the plan of the Town called for in paragraph 9 of G. O., 30th October last, No. 1118.

2. The Government sanction payment of the License Tax on their vehicles and animals kept within the limits of the Municipality. The Commissary General will submit, through the Controller, a bill of the amount payable, for sanction.

3. The Tax in Schedule C on carriages is distinct from that on horses.

4. The Governor in Council approves and confirms the following Bye-law, and directs its publication in two successive issues of the *Trichinopoly District Gazette* :—

"Bye-law approved and confirmed by the Governor in Council, under Section 145. of Act X of 1865 (Madras).

No more than one payment of toll under Schedule B, Act X of 1865 (Madras), shall be levied on any carriage, cart, or animal entering the Municipal limits, in any one period of 24 hours, reckoned from midnight to midnight."

5. The second Bye-law proposed by the Commissioners cannot be sanctioned, as the Act does not provide for any composition in the case of tolls.

(True Extract).

Chief Secretary.

To the President of the Municipal Commission for the Town of Trichinopoly.

" Magistrate of Trichinopoly.
" Accountant General.
" Controller of Military Accounts.
" Commissary General.
" Military Department.

Exd. J. H. Burns.

W3

There will be great
difficulty, I fear, in
putting the Municipal
& Car tax went out
in the same place.
But if the City would
only send the Mayor
to find out whether
the Car tax went out
could not, now that the
parish is so small, be
readily curtailed - or
whether the Car tax went
out should not be with-
drawn.

W4 The Meeting Act, ap-
plies only to Yell.

The Mayor will
forward us the
delay of the process
of the Town called
for in 1894 & 1895
Go 30 of it last
1896 & 1897
The Mayor will
to pay the license
tax on them, which
are now held
within the limits
of the Municipal
The Mayor will be
sent a bill of the
amount of the
for a year of the
The Town, Car tax
is divided between
the various wards
The first appears to

Confirms the following
Bye Law and directs
its publication in
two successive
issues of the *Register*
to that effect.

"The Law is amended
and confirmed by the
Govt. in force with
Act 145 of Act X
of 1865: No.
one than one toll
payable for toll
under the Sch. B.
Act X of 1865: No.
shall be levied on
any carriage, cart,
or animal, entering
the Municipal
limits, in any one's
period of 24 hours.
reckoned from
midnight onward.
-night"

The second Bye
law proposed by
the Com^{rs} cannot
be sanctioned, as
the Act does not
provide for any
composition in the
case of tolls.

Public Department.

Memorandum.

Taxation under Section 57 of Act X of 1865 having been omitted in the Scheme originally (October 1866) proposed for the introduction of that Act into Tichinopoly, its enforcement has been since authorized by the Notification, as per margin. The question, however, as to whether the entire Cantonment of Tichinopoly is to be included within the Municipality, has yet to be decided, and the Government are awaiting a reply to the reference made to the Advocate General

Notification - 12th Nov. 1866.

The Municipal Commissioners of Tichinopoly are authorized to levy, for the purposes of Act X of 1865 (Luabara), taxes on carriages, horses, and other animals, and fees for the registration of carts, and other wheeled vehicles without springs, as provided in Sections 57 to 68 of the said Act, within the limits of the Municipality.

in Judicial Proceedings
of 6th November 1866 No 1763,
regarding the position of
military Cantonnements
in connection with the
Yorcks' Supplemental Act.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the President of the
Municipal Commission
for the Town of Trichinopoly.
From the Controller of Trichinopoly
(Received 19 November 1860)
14.1860

Order thereon 22 Decr 1860 N: 1306

The Magistrate will
forward without delay the
plan of the Town called
for in para 9 of G.O. 30th
October last N: 1118.

The Government
~~sanction payment of~~
~~are willing to pay~~ the
license tax on their vehicles
and animals kept with-
in the limits of the Muni-
cipality. The Magistrate
will submit a bill of
the amount payable,

[Signature]

W.D.

Commissioner General
will submit through
the Controller

for sanction.

3 The tax in schedule C on carriages is distinct from that on horses.

4 The Governor in Council approves and confirms the following Bye Law and directs its publication in two successive issues of the Trichinopoly District Gazette.

"Bye Law approved and confirmed by the Governor in Council under section 145 of Act X of 1865 (Madras), No more than one payment of Toll under ^{Schedule} Section B, Act X of 1865, (Madras) shall be levied on any carriage, cart, or animal entering the Municipal limits, in any one period of 24 hours reckoned

reckoned from midnight to midnight."

5 The second Bye Law proposed by the Commissioners can be sanctioned, as the Act does not provide for any composition in the case of Tolls.

[Handwritten signature]

President of the Municipal Commission
of the Town of Trichinopoly
Municipal Commission
(as to the Municipal Commission)
Commissioner
Trichinopoly, Co. of the

Dec^r 26/12/66

97099.

7th 66 of 1867.

Dated 22nd December 1866.

PROCEEDINGS OF GOVERNMENT.

No. 1300

Public 1866 Department.

Enrolled
Let the
order of the
court be
made.