

2. Date 29-9-86
3. Initials
M.R.O. 1-82,400-22-11-80

MADRAS RECORD OFFICE.

Government of Madras.

Rudie DEPARTMENT.

G.O. No.	845	Press
		~~Mis.~~
Dated	22-8-	1866

Not to be folded or roughly handled

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

No. 144. Read the following letter from the Acting Government Solicitor, Madras, to the Chief Secretary to Government, Fort Saint George; dated Madras, 14th August 1866, No. 476.

I have the honor to acknowledge the Proceedings of Government noted in the margin, relative to the powers of the

Dated 7th August 1866, No. 785, Public Department.

Municipal Commissioners for the Town of Madras, under Act IX of 1865, in the matter of seizing unwholesome meat.

2. I submitted the matter for the consideration of the Acting Advocate General; and,

3. I now forward a copy of his opinion.

COPY—OPINION.

The only powers which the Municipal Commissioners possess of seizing animals are under Section 167 of Act IX of 1865; but these powers only apply where the animal is in a market, &c., or place used for the sale of meat, or in a slaughter-house. The Section does not apply where the animals are found straying about, or are in a place not used for sale. Upon very strong evidence that the pigs in a particular parcherry were regularly sold, a Magistrate might, perhaps, be induced to treat it as a place used for the sale of meat; but I think he would be straining the Act. Section 166 would meet the case; but I am of opinion that a living pig would not come under its terms, as an "article which has been rendered or has become noxious or unfit for use as food."

2. The penalty in Section 119 might be enforced against the owners, if they could be discovered, of pigs which were found straying about, as described by Mr. Ellis. The Act, however, gives no powers of summarily seizing and confiscating such animals. Act XLVIII of 1860, Section 28, makes it the duty of the Police to seize all animals found straying about. But then they must be taken to a pound, and returned to their owners on payment of a fee; in default of which they are to be sold, and the proceeds, after deducting expenses, to be paid to their owners. Practically, the owners never would apply for them, as they would be immediately proceeded against, under Section 119. It might also be possible for the Municipal Commissioners to seize the pigs in the pound under Section 167, as soon as the Police were about to sell them; but this would be a very roundabout proceeding.

3. I think it would be competent to the Municipal Commissioners to make a bye-law, under Section 178, and for carrying out the purposes of Section 119, by which it was declared that all pigs found any where, except in a pigstye, or other suitable enclosure, should be confiscated and killed. I think it would also be well to amend Section 166, line 4, so as to make it run "that any animal or article which is or has been rendered or has become noxious, or unfit for use as food or drink for man, is in the possession of any person for the purpose of being used or sold, &c." I think the powers so given would be ample.

(Signed) J. D. MAYNE,
Acting Advocate Genl.

13th August 1866.

(True Copy).

(Signed) H. J. BROCKMAN,
Acting Govt. Solicitor.

No. 145. ORDER THEREON, 22nd August 1866, No. 845.

The Opinion of the Acting Advocate General will be communicated to the Municipal Commissioners, and also to the Committee who are engaged in revising the Madras Municipal Act.

(True Extract).

Secretary to Government.

To the Municipal Commissioners.
"Sanitary Commissioner, with Proceedings, No. 785.
To Colonel J. Temple.
To Major C. S. Hearn.

Exd. J. H. Burns.

No 476.

34

Madras 14th August 1866

From

H. J. Brockman
Acting Government Solicitor, Madras.

To

The Honble A. J. Arbutnot
Chief Secretary to Government, Madras.

Sir,

1 I have the honor to acknowledge the Proceedings of
Dated 7th August 1866 No 785-
Public Department } Government noted in the margin, relative to the Powers
of the Municipal Commissioners for the Town of Madras
under Act IX of 1865 in the matter of seizing unwholesome
meat.

2 I submitted the matter for the consideration of
the Acting Advocate General; and

3 I now forward a copy of his Opinion -

I have the honor to be

Sir

Your most Obedient Servant.

H. J. Brockman.

Acting Govt Solr

Public 1886 Adm

From
The Acting Govt. Secy. has
The Chief Secretary to Govt.
Madras.

To the Secretary to Govt.
Madras.

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cote 10743.

Forwards Capt. Quincy of the
eleventh Vermont General Volun-
teers to the Powers of the Municipal
Commissioners for the purpose of
obtaining under Act IX of 1865
in the matter of deciding method
of assessment -

Forwards Capt. Quincy of the
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Forwards Capt. Quincy of the
eleventh Vermont General Volunte-
ers to the Powers of the Municipal
Commissioners for the purpose of
obtaining under Act IX of 1865
in the matter of deciding method
of assessment -

Forwards Capt. Quincy of the
eleuth. Detachment General Hall
to the Powers of the Municipal
Commissioners for the Town of
eleuth. under Act IX of 1865
in the matter of deciding
same matter -

1. Number of ...
2. Date of ...
M.R.O. 1-82,400-22-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	845	Press Mis.
Dated	18-7-	1867

Not to be folded or roughly handled

P.
10/10/67

Read again letter from the Magistrate of Salem dated 8th May and recorded in Proceedings, of 18th June 1867, No. 703.

No. 160. Read also the following letter from the Magistrate of Salem, to the Acting Chief Secretary to Government, Fort Saint George; dated Sher-varoy Hills, 28th June 1867, No. 33.

With reference to the Order of Government, dated 18th June 1867, No. 703, calling for revised statements of estimated receipts and expenditure on account of the Municipality of the Vaniambady town, I have the honor to submit two state-ments—enclosures A and B.

2. From enclosure A, the Government will see that the receipts on the annual value of houses and lands, at 5 per cent., amount to Rupees 1250, and those on trades and professions of the five classes of persons under Schedule A to Rupees 3340, making a total receipt of Rupees 4890. With the Government grant of 25 per cent., the Commission will have at its disposal Rupees 6112-8-0.

3. The total estimated expenditure for the year ending 30th June 1868 amounts to Rupees 6103-0-7.

Estimate of expected receipts on municipal account in the town of Vaniambady during the year ending 30th June 1868.

	RS.	A.	P.	RS.	A.	P.
1. 5 per cent. on annual value of houses and lands...	...	...	...	1250	0	0
2. Tax on trades, professions, &c., under Schedule A...	...	...	...			
Class I. 1 Person...	50	0	0			
II. 48 Persons...	1,200	0	0			
III. 29 Do. ...	348	0	0			
IV. 187 Do. ...	1,122	0	0			
V. 460 Do. ...	920	0	0			
				3,640	0	0
Total...	...	...	...	4,890	0	0

SALEM MAGISTRATE'S OFFICE,
ON CIRCUIT, SHERVAROY HILLS,
28th June 1867.

(Signed) C. N. POCHIN,
Magistrate.

Proceedings of the Madras Government, Public Department,
18th July 1867.

B.

ESTIMATE of the expenses proposed to be incurred, during the year ending 30th June 1868, under
Section 25 of the Towns' Improvement Act, in the Vaniambady town.

Particulars.	Amount per annum.			Total.		
	RS.	A.	P.	RS.	A.	P.
1 Cost of collecting taxes and supervision—						
1 Clerk, on 20 Rupees per month...	240	0	0			
1 Goomastah, on 13 Rupees do.	156	0	0			
1 Peon on 6 " do.	72	0	0			
2 Bill Collectors, at 6 Rupees each per month...	144	0	0			
Rent of an Office, at 4 Rupees per month...	48	0	0			
Contingent charges, 100 Rupees per annum...	100	0	0	760	0	0
2 Scavenger establishment for 10 carts, at one male and one female for each cart, at 8 Rupees per month (5 Rupees male, and 3 Rupees female).	960	0	0			
Cost of 4 Scavengers for 2 latrines, at 5 Rupees each per month...	240	0	0	1,200	0	0
3 Police Establishment—						
1 European or East Indian Head Constable...	384	0	0			
1 Deputy Constable...	150	0	0			
7 1st Class Constables...	672	0	0			
16 2nd do. do.	1,344	0	0	2,550	0	0
Police Clothing—						
1 Head Constable...	15	15	6			
1 Deputy do.	14	0	2			
7 1st Class Constables, at 13-14-4...	97	4	4			
16 2nd do. do., at 13-13-7...	221	9	4	348	13	4
N. B.—In this is included the cost of those articles which are supplied biennially and triennially.						
Police Oil—						
Station-house light, at $\frac{1}{4}$ bottle for 365 nights...	34	2	0			
Beat Constables' lamps, 6 in number, at $\frac{1}{4}$ bottle of oil for 182 nights.	51	3	0			
Police Contingent...	48	0	0			
Rent of Police Station house...	48	0	0			
900 ball cartridges, at the rate of 3 per man per month...	10	5	0			
900 percussion caps...	2	9	3	194	3	3
Amount required to be laid out in the first year of the introduction of the Act.						
Latrines—						
Cost of constructing 2 latrines, at 250 Rupees each...	500	0	0			
Cost of erecting substantial stone boundary mark showing the municipal limits...	50	0	0			
Cost of construction of 10 scavengers' carts, at 50 Rupees each cart.	500	0	0	1,050	0	0
Total...				6,103	0	7

SALEM MAGISTRATE'S OFFICE,
28th June 1867.

(Signed) C. N. POCHIN,
Magistrate.

No. 161. ORDER THEREON, 18th July 1867, No. 845.

From the above report the Governor in Council thinks it doubtful whether there are the necessary elements at Vaniambady for an efficient Municipality.

2. Under these circumstances, the Governor in Council does not think it desirable that Act X of 1865 should at present be made applicable to the town of Vaniambady.
(True Extract).

Acting Chief Secretary.

To the Magistrate of Salem.
" Inspector General of Police.
Ed. J. H. Burns.

8033

Salem Magistrate's Office
Salem Taluk, on circuit,
Shervoy Hills,
28th June 1867.

From

C. N. Pochin Esq.,

Magistrate of Salem.

Honorable R. L. Ellis, C.B.

Acting Chief Secretary
to Government,
Fort Saint George

Sir,

With reference to the order of Government dated 18th June 1867, No 703, calling for revised statements of estimated receipts and expenditure on account of the Municipality of the Vaniambodi Town, I have the honor to submit two statements enclosed A and B.

2. From enclosure A, the Government will see that the receipts on the annual value of houses and lands at 5 per cent

amount

amount to Rupees 1,250-0-0, and those on
trades and professions of the 5 classes
of persons under Schedule A to Rupees
3,640-0-0, making a total receipt of
Rupees 4,890-0-0 with the Government
grant of 25 per Cent the Commission
will have at its disposal Rupees
6,112-8-0.

3. The total estimated expenditure
for the year ending 30th June 1868
amounts to Rupees 6,103-0-7.

I have the honor to be,

Sir,

Your most Obedt. Servt.

Charles Thomas

Magistrate.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read again letter from the Magistrate of Salem of 8 May and recorded in Proceedings of 18 June 1867. No 707.

Read the following letter from the Magistrate of Salem.

Dated 28th June 1867 N^o 33.

Order thereon 18 July 1867 N^o 845.

From the above report the Governor in Council thinks it doubtful whether there are the necessary elements at Vaniambady for an efficient municipality.

2. Under these circumstances the Governor in Council does not think it desirable that Act II of 1865 should at present be made applicable to the town of Vaniambady.

to Magistrate of Salem } Dept 13/7
Inspected by Police

No 18 June/4 Aug 177-178
30 Oct 1866 - 1-43-44-1208

1867 Public Department
From 18 July.

The Magistrate of Salem
The As Chief Secretary to Government
Madras

Dated 28th June 1867

Received 1 July
8033

Enclosures three
Submitting report
statements of estimated
receipts and expenditure
on account of the
city of the Government
Madras

20 July
1867

1867

Proceedings of the Madras Government.

9

Read the following letter from the Magistrate of Salem,
(here enter letter No 33. dated 28th June 1867.)

Order thereon.

From the revised estimates submitted with the above letter showing the probable receipts and intended expenditure for the Town of Vanisambady during the year ending on the 31st April 1868, it appears that the Commissioners propose to raise, themselves, Rs 4890, while the Government contribute a sum equal to 25 per cent. of the whole expenditure, the latter being estimated at Rs 6103. 0. 7.

2. Striking out from the estimate of expenditure the charges for oil and lighting in the Police Department for which the Municipality⁺ is not liable, the total amount to be raised & expended will be Rs 6018: the Government contribution on this sum will be Rs 1504. 8., and the total amount at the disposal of the Commissioners, will be Rs 6394. 8. 0.

[⁺ vide Proc. of Govt. 2nd March 67. No 228.

Rs 6103. 0. 7. Magistrate's estimate
85. 5. Lighting & oil
6017. 11. 2

3. The Act will come into operation on the 1st August next; the total amount to be raised during the next month will therefore be Rs 4513. 8. 0, and the Govt. contribution on this sum will be Rs 1128. 6. 0.

4. The Govt. observe that the Magistrate has included the name of the Acting Head Assistant Collector in the list of Commissioners: the Head Assistant cannot however be appointed as he is not an inhabitant of Vanimbad, but lives some 10 or 12 miles from that town.

~~The Government will not object to~~
5. The appointment of the Sub Magistrate as Commissioner, is approved as a temporary measure, since it appears doubtful whether owing to the absence of influential and qualified inhabitants it would be possible otherwise to introduce the Act successfully.

6. The Notification submitted with the Magistrate's letter of the 8th May last is generally approved, and to be at once published with the alterations, and addition, which have become necessary.

The Govt. should I think, pause before they sanction the application of the Town Improvement Act to Vanimbady.

First, there is a legal point. Part of the Town is a village with a name of its own, it is out of the Salem District and belongs to North Arcot. Section 4 of the Act can scarcely mean that parts of a neighboring district shall be included in the limits of a town when we are defining them? This however can be got over by formally annexing the village to Salem.

Then there comes the serious objection that the Municipal Corporation we are about to create will not have in it a single resident European gentleman or officer. The Executive Engineer of the District may be European by birth, but he will generally be away from the town on his P. W. department duties. The Sub Magistrate whose name appears in the list submitted by Mr. Fackin, is not a Sub Magistrate - not a Tharidar - the latter officer resides, I believe, at Sri: palon - certainly not at Vanimbady.

The other nominees are men of no note, but to control & properly influence the classes who form the badly disposed population of Vanimbady, we should have persons such as, I fear, never have been & never will be found at Vanimbady. The people there are low bred mahomedans, chiefly Libbays, and it was believed, in this town at that dangerous time, during the mutiny period of 1857. - in the absence of an European officer of some position to be the leader of the townsmen, I would not

Abolition from Salem District

#

October 1874 Department.

No. 245

PROCEEDINGS OF GOVERNMENT.

Dated, 27th Feb 1874

180.181