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MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	847	Press
		Mis.
Dated	27. 8.	18 66

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Department,
23rd August 1866.

Read the following papers :—

No. 146. From the Surgeon of the 3rd District, to the Deputy Inspector General of Hospitals, Presidency Division ; dated Military Male Orphan Asylum, Madras, 30th July 1866, No. 8.

I have the honor to report, for the information of Government, that the sanitary state of the grounds forming the outside boundaries of the Military Male Orphan Asylum, chiefly on the North-west, East, and Southern sides of the compound, is most unsatisfactory.

2. The two former boundaries, although comparatively open, appear to be used as Public Necessaries by the people in the neighbourhood and by the public generally.

3. On the 19th instant, Mr. Gover, the Principal of the Institution, addressed the Municipal Commissioners on the subject, who ordered their Inspector of Nuisances to examine and report upon the condition of the localities indicated.

4. I understand that the Inspector of Nuisances visited the Institution for the above purpose, but, refusing the assistance of those on the spot, to point out to him where the nuisances existed, and to have explained to him their nature, retired without accomplishing the object in view, and made a very incorrect and unsatisfactory report of the subject under consideration.

5. I have, therefore, to beg that you will be good enough to solicit the Government to draw the attention of the Municipal functionaries to this matter, in order that the localities may be efficiently examined, and the nuisances complained of removed, and be in future prevented.

(Countersigned) J. KENNEDY, M. D., Surgeon Major,
For Dy. Insp. Genl. of Hospls., Presy.

No. 281.

MEMORANDUM.

Forwarded to the Chief Secretary to Government, for information.

FORT SAINT GEORGE, (Signed) J. SHAW,
2nd August 1866. *Offg. Prin. Insp. General, Med. Dept.*

Referred to the Municipal Commissioners, for early report.

FORT SAINT GEORGE, (Signed) A. J. ARBUTHNOT,
3rd August 1866. *Chief Secretary.*

No. 147. From the Municipal Commissioners for the Town of Madras, to the Chief Secretary to Government, Fort Saint George; dated Madras, 9th August 1866.

In returning the letter from the Surgeon of the 3rd District, dated 30th ultimo, referred to us for early report, on the 3rd instant, we have the honor to enclose copy of a Memorandum by our President, dated 2nd idem, who inspected the ground on the East and West of the Male Asylum Compound on that morning, together with a copy of our Order on the subject.

MEMORANDUM.

1. On Monday Morning, the 30th ultimo (when speaking to Mr. Gover, I, by mistake, told him Wednesday), I inspected the grounds complained of by Mr. Gover in his letter dated 19th July.

*Proceedings of the Madras Government, Public Department,
23rd August 1866.*

2. On the East side is a cart-stand, in which are several pits containing rubbish, adjoining to the Male Asylum Compound, also an enclosed Latrine, consisting simply of a place surrounded by a low mud-wall. This appeared to require to have the walls raised two feet, and sand placed to receive the deposits which now lay on the bare ground. This Latrine is close to the Male Asylum Latrine, and I do not consider its situation objectionable.

3. On the West side, I went through all the fields adjacent to the Male Asylum Compound, but found nothing objectionable.

4. I intended giving orders on the subject of what I have seen on going to Office, but when I arrived there, I found Mr. Gover's 2nd letter, which had been just received; I, therefore, considered it better to meet the Medical Officer of the Institution before taking further steps, and proposed to meet on the spot.

5. By arrangement I went this morning to the Male Asylum, but being 15 minutes before the time fixed, 7 o'clock, which I could not help as another engagement awaited me, I had not the pleasure of meeting the Medical Officer, but saw Mr. Gover.

6. Mr. Gover first took me towards the Western wall of the Compound, just outside of which he stated the nuisance would be found all along under the shelter of the wall; he jumped on the top of the wall, and then said, "Oh! it has all been covered with earth—look at the heaps." I was on horse-back, and saw two or three small heaps, of the size of mole hills, that certainly may have been what he stated, but I saw no trace of nuisance, and the place seemed precisely as I had seen it on the previous Monday, when I particularly noticed that all the gaps in the hedges had been closed, so that I had to make a considerable circuit to get out of the field. Mr. Gover did not offer to show any further nuisance on the West side.

7. Mr. Gover then led me to the East side, and pointed out what I have noted in paragraph 2, and seemed to think that the latrine should be removed to another site, and that it should be covered and conducted on the dry earth system. These propositions, I could not consent to. I consider that as a latrine must always be more or less unpleasant, it is better in two adjacent premises the latrines should be back to back, and thus the two nuisances rendered practically one. The dry earth system is now recognized to be impracticable, except for Institutions under discipline.

8. In conclusion, I must add that I observed, and pointed out to Mr. Gover, in the compound of the Male Asylum, near the place where the boys were practising music, and in the Western corner of the compound, fully as much and as objectionable filth as shown me (the latrine excepted) outside, and that Mr. Gover retorted that because he had filth and rubbish in his own premises was no reason that he should not complain of what was in his neighbour's.

9. The owner of the cart-stand on the East side should be directed to fill up the pits along the compound-hedge on his own West, which are now receptacles for rubbish; to raise the wall of the latrine so as it may be a clear five feet from the ground; to lay six inches of sand over the whole ground of the latrine; and he must arrange to have the excreta removed once daily. The Overseer of the Division must visit this spot daily for the whole of the current month, and note the fact in his diary.

MADRAS, 2nd August 1866.

(Signed) J. TEMPLE,
President.

Board's Order, dated 2nd August 1866.

Resolved that the owner of the Cart-stand on the East side of the Male Asylum be directed to fill up the pits along the compound-hedge on his own West, which are now receptacles for rubbish; to raise the wall of the Latrine so as it may be a clear five feet from the ground; to lay six inches of sand over the whole ground of the latrine; and to arrange to have the excreta removed once daily.

2. The Overseer of the Division must visit this spot daily for the whole of the current month, and note the fact in his diary.

3. No nuisance appears to exist on the West of the Asylum compound.

(True Copies).

(Signed) B. CARDOZO,
Municipal Commissioner
for the Town of Madras.

*Proceedings of the Madras Government, Public Department,
23rd August 1866.*

No. 148.

ORDER THEREON, 23rd August 1866, No. 847.

Ordered that the foregoing letter, and its enclosures, from the Municipal Commissioners, be communicated to the Surgeon of the 3rd District, through the Principal Inspector General, Medical Department.

(True Extract).

Secretary to Government.

To the Principal Inspector General, Medical Department.
,, Municipal Commissioners.

Ed. J. H. Burns.

Opinion

1 The only powers which the Municipal Comrs possess of Seizing Animals are under S. 167 of Act 9/65. But these powers only apply where the Animal is in a market ~~or~~, or a 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 parish 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 S. 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 48 of 1860. S. 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 S:119. It might also be possible for the Municipal Court to seize the pigs in the pound under S:167, as soon as the Police were about to sell them. But this would be a very round about proceeding -

3 I think it would be competent to the Municipal Court to make a bye-law under S:178, and for carrying out the purposes of S:119, by which it was declared that all pigs found any where, except in a pig sty or other suitable enclosure, should be confiscated and killed. I think it would also be well to amend S: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) John D. Mayne

c. J. Adol. Gen.

Aug 13/66

(True Copy)

A. J. Brockman.

Acting Court Clerk

Memorandum 5

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2. On the East side is a Cart stand in which are several pits containing rubbish adjoining to the Male Asylum Compound, also an enclosed Latrine consisting simply of a place surrounded by a low mud wall. This appeared to require to have the walls raised two feet and sand placed to receive the deposits which now lay on the bare ground.

This Latrine is close to the Male Asylum Latrine, and I do not consider its situation objectionable.

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4. I intended giving orders on the subject of what I have seen on going to Office, but when I arrived there I found Mr Gover's 2nd letter which had

been

Sub. No. 23rd Aug. 1865

City Mission.

Re
Orders of the Municipal Com.
in relation to the removal of
refuse under Act IX of 1865
in the matter of designating
refuse meat.

Enclosure 2/1
in 2/1 4/76 from the City
Council to the Govt.

10/22/1

been just received, therefore considered it better to meet the Medical Officers of the Institution before taking further steps and proposed to meet on the spot.

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6. Mr. Gower first took me towards the western wall of the compound just outside of which he stated the nuisance would be found all along under the shelter of the wall; he jumped on the top of the wall and then said "Oh! it has all been covered with earth, look at the heaps." I was on horse back and saw two or three small heaps of the size of mole hills that certainly may have been what he states, but I saw no trace of nuisance and the place seemed precisely as I had seen it on the previous Monday, when I particularly noticed that all the gaps in the hedges had been closed, so that I had to make a considerable circuit to get out of the

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Madras }
2nd August 1866 }
Signed/ J Temple.
President. -

Board's Order dated 2nd August 1866.

Resolved that the owner of the Cart Stand on the East side of the Male Asylum be directed to fill up the pits along the compound hedge

on his own West which are now receptacles for rubbish; to raise the wall of the Latrine so as it may be a clear five feet from the ground; to lay six inches of sand over the whole ground of the Latrine and to arrange to have the excreta removed once daily. -

The Overseer of the Division must visit this spot daily for the whole of the current month and note the fact in his diary. -

No nuisance appears to exist on the West of the Asylum Compound.

(True Copies)

M. S. S. S.

Municipal Commissioner
for the Town of Madras

From Boston, and Norwich meeting }
the late Mr. Chapman. (and others) }
at Worcester 30 July 1868

"the Municipal Commissioners
for the Town of Adelaide")

Dec. 23 - August 1868

I send that the foregoing
 letter and its enclosure show the in-
 principal form in which the committee

To the Surgeon of the 3rd Division
thru' the Medical Inspector Genl
"Medical Department"

of the W. Superior & West. A. & B.
— Municipal Councils. 3 Sept 23/8

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