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M.R.O. 1-22 400-22-11-30

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	196	Press Mis.
Dated	22-2-	1867.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Department,
22nd February 1867.*

No. 119. Read the following letter from the President of the Municipal Commission, to the Chief Secretary to Government, Fort Saint George; dated Vallam, 6th February 1867, No. 43.

I have the honor to forward herewith copy of a letter from the Vice-President of the Negapatam Municipal Commission, and to request that you will obtain, if you consider it necessary, a legal opinion on the points referred to by Mr. Vans Agnew, as they are of general importance, and likely to be raised in other Municipalities.

From G. VANS AGNEW, Esq., Vice-President of the Negapatam Municipal Commission, to the President of the Municipal Commission, Tanjore District; dated Negapatam, 1st February 1867, No. 11.

Four horses belonging to Mr. Gribble, C. S., lately passed through one of the gates established by this Municipality, the horse-keepers refusing to pay the toll demanded, and not being detained there and then, as they ought to have been, by the Toll Collector.

2. Before the matter was brought to the notice of the Commissioners, the horses had passed out of the limits of the Municipality to Trichinopoly.

3. On the 23rd December the Vice-President addressed a letter to Mr. Gribble, requesting him to remit four Annas due for toll and postage. No reply or remittance has been received.

4. At a meeting of the Commissioners held yesterday the question arose, whether this debt could be recovered, and if so, in what manner.

5. In Section 52 of the Act it is simply stated that the "Officer appointed to collect, &c., may seize" the animal. He is not limited as to the time and place of such seizure.

6. The Commissioners, however, do not feel themselves competent to determine whether Mr. Gribble's horses could now be seized by them out of their Municipal limits.

7. I request you will obtain an authoritative opinion on the following points:—

1. Under Section 52, is it necessary that the seizure should be made at the time and place of the demand?

2. Can the seizure be made at a subsequent time within the Municipal limits?

3. Can it be made without the Municipal limits?

4. If under the circumstances of the above detailed case, no seizure can now be made, are there any legal means, except by a Civil action, of recovering the debt due by Mr. Gribble to this Municipality?

No. 120. ORDER THEREON, 22nd February 1867, No. 196.

The Governor in Council does not think it necessary to refer to the Advocate General the questions submitted in the foregoing letter, some of which refer to cases of a purely hypothetical character. It is clearly the intention of Section 52 of the Towns' Improvement Act that the seizure shall take place at the Toll bar, and certainly not after the carriage or animal has passed out of the Municipality.

(True Extract).

Chief Secretary.

To the President, Municipal Commission, Negapatam.

Exd. J. Tulloch.

Municipal Commission Office
Kagapalam 1st February 1867

To The President
of the Municipal Commission
Tanjore District

Sir

Four horses belonging to Mr. Gribble
C. J. lately passed through one of the gates
established by this Municipality, the horse keepers
refusing to pay the toll demanded, and not
being detained there and then, as they ought to have
been, by the toll collector—

2 Before the matter was brought to the
notice of the commissioners, the horses had passed
out of the limits of the Municipality to Trichinopoly

3 On the 23rd December the vice President
addressed a letter to Mr. Gribble requesting him
to remit four annas due for toll and postage.
No reply or remittance has been received—

4 At a meeting of the commissioners
held yesterday the question arose whether
this debt could be recovered and if so in what
manner—

5 In section 52 of the Act it is simply
stated that the "Officer appointed to collect &c
may seize" the animal. He is not limited
as to the time and place of such seizure—

Yrs

6 The Commissioners, however do not feel themselves competent to determine whether Mr. Gribble's horses could now be seized by Town out of their Municipal limits. —

7 I request you will obtain an authoritative opinion on the following points: —

1 Under Section 52 is it necessary that the seizure should be made at the time and place of the demand? —

2 Can the seizure be made at a subsequent time within the Municipal Limits? —

3 Can it be made without the Municipal limits? —

4 If under the circumstances of the above detailed case, no seizure can now be made, are there any legal means except by a Civil action of recovering the debt due by Mr. Gribble to this Municipality? —

I have &c
Signed G. Wans Agnew
Vice President

(True copy)

Geo Morris.
President

Valparaiso, January 1857
6 February 1857

From J. L. Morris Esq
President of the Municipal
Commissioners

To The Honble A. J. Arbutnot
Chief Secretary & Commandant
Fort Saint George.

Sir,
I have the honor to forward herewith
copies of a letter from the Hon
President of the Negapatam Municipal
Commission, and to request
that you will obtain, if you think
it necessary, a legal opinion on the
points referred to by Mr. Agnew
as they are of great importance
and likely to be raised in other
municipalities.

I have the honor to be
Sir,

Yours obedient servant

J. L. Morris
President.

In a letter,

From
The President

Municipal Commission

To
The Chief Secretary
& Commandant

Fort St George

Dated 12
Feb 1857

No 43.

17/1/57

Copy of the letter of the
Hon President of the
Negapatam Municipal
Commission dated 12
February 1857.

Public Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the
President Municipal Comm^{ee}, Negapatnam.
Recd letter 6th Feb 1867 No 143.

Order thereon 22nd February 1867 No 196

The Governor in
Council does not think
it necessary to refer to
the Advocate General
the questions submitted
in the foregoing letter some
of which refer to cases
of a purely hypothetical
character. It is clearly
the intention of Section 52
of the Towns Improvement
Act that the seizure
shall take place at

WON

Public 57 Del. at Court

Recd Nov. 22nd Feb 1867

The President

Municipal Commission

Negapatnam

The Municipal Commission

to Government

Post at 1st Group

Recd 29th February 1867

No 143

from the

191

from the Municipal Commission

of the

Negapatnam

therein referred to.

the Toll bar and certainly
not after the carriage
or animal has passed
out of the municipality

47

To the Road Board (Amma)
Neyyattom, 10/12/2

Public

1862.

Department.

No. 196

PROCEEDINGS OF GOVERNMENT.

Dated. 22nd February 1867.

119. 120.