

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	<i>843</i>	Press <u>Mis.</u>
Dated	<i>17-7-1867</i>	

Not to be folded or roughly handled

1

Proceedings of the Madras Government, Public Department,
17th July 1867.

Read the following :—

No. $\frac{614}{4319}$.

No. 157.

MEMORANDUM.

The Commander-in Chief has the honor to submit, for the consideration and orders of Government, the within correspondence from the Officer Commanding Southern Division.

2. Sir Gaspard Le Marchant thinks that Colonel Greenaway has good reason to complain of the want of courtesy evinced towards the Officer Commanding the Division by the Municipal Board at Trichinopoly; and His Excellency is of opinion that the interests of the Public Service are not likely to be advanced by the course taken by the Commissioners.

(By Order).

Q.R. MR. GENL'S. OFFICE, H.D. QRS.,
OOTACAMUND, 27th June 1867.

(Signed) C. COOKE, Colonel,
Quarter Master General.

To the Secretary to Government, Military Department.

From Lieutenant Colonel T. GREENAWAY, Commanding Southern Division, to the Adjutant General, Head Quarters, Ootacamund; dated Trichinopoly, 12th June 1867, No. 55.

I have the honor to submit, for the consideration of His Excellency the Commander-in-Chief, and for reference to Government should it be deemed necessary, the correspondence, as per margin, that has passed between the President of the Municipal Commission at this station, and the Officer Commanding Southern Division.

2. It will be observed that the President was the first to initiate correspondence, and to propose to act in co-operation with the Military Department, without trenching on its prerogatives, and that, finally, he has declined all correspondence, curtly referring us to a Notification in the *District Gazette*, copy appended.

3. In addition to the apparent want of courtesy in making such a Notification applicable to the Officer Commanding the Division upon references of a public or official character, I would beg to submit that the course proposed by the Commission is objectionable on public grounds as follows :—

It appears that questions of public import cannot be answered by any individual member of the Commission, and still less by their hired Manager, but only by the Commissioners as a collective body.

That the rule laid down in the notice would fail to furnish the Authority applying for information on such public matters with any record of the answer or explanation given.

That the rule, as applied to requisitions on the Public Service, is contrary to all precedent, although it may be reasonable enough with reference to private and personal inquiries.

That it can hardly be deemed consistent with the position of the Officer Commanding the Division that he should have to apply in person by himself or staff at the Municipal Office for information from their hired Manager, as would seem to be contemplated as possible by the terms of the Notice.

4. The proposal that a military member or members should be attached to the Commission would, I conceive, fail to meet the requirements of the case, as by the terms of the Act it would seem that the President only is competent to represent the Commission.

5. The same objection would apply to a proposal made to me personally by the President, that he should correspond with the Division upon such subjects in his capacity of Magistrate, as I

*Proceedings of the Madras Government, Public Department,
17th July 1867.*

understand that his replies in such capacity would be in no way binding upon the Municipal Commission as such.

6. I would, in conclusion, respectfully observe that the question now mooted does not refer to the better or worse representation of the military rate-payers, but to the fact of the Officer Commanding the Division being deprived of any official formal and satisfactory means of communication with the Municipal Commissioners upon the very subjects in which they themselves had requested his co-operation.

From G. BANBURY, Esq., President of the Municipal Commission, Trichinopoly, to the Officer Commanding Trichinopoly; dated Trichinopoly, 18th January 1867, No. 57.

The Municipal Commission is desirous to extend the benefits of the conservancy clauses of Act X of 1865 to the Cantonment, and desire to obtain your opinion upon the subject.

2. It appears to the Commissioners possible to work the Act in relation to conservancy, without trenching upon the prerogatives of the Military Department, by simply supplementing the work now performed by the Quarter Master General's Department in such directions as the funds at his command may not admit of his carrying such out.

3. The Commission propose at first going into the conservancy of the houses and premises of Officers and others living within the limits of the Cantonment. Your concurrence with these views is importantly anticipated, and the Commissioners have to request that you will be good enough to testify to all concerned that an Inspector has been duly appointed to this duty, and to direct that every assistance may be afforded him in carrying out the important duties of this office.

From the Officer Commanding Southern Division, to the President, Municipal Board, Trichinopoly: dated Trichinopoly, 26th January 1867, No. 208.

I have the honor to reply to your letter, No. 57, of 18th instant.

2. I quite concur with the Municipal Commissioners as to the desirability of extending the benefits of the conservancy clauses of Act X of 1865 to the Cantonment.

3. I also concur in thinking that there is nothing to prevent the Commissioners working the Act without touching upon the prerogatives of the Military Department.

4. The attention of the existing Conservancy Department in the Cantonment is mainly directed to works such as maintenance of cleanliness in all places exterior to, and adjacent of, Barracks, &c, and repairing minor roads and drains. Of roads some 9 miles in the Cantonment are repaired from the conservancy funds.

5. With the existing allowance of Rupees 257-8-0 per mensem, it is quite impracticable to attend to the conservancy of houses of Officers and others living within the limits of the Cantonment, and there are many things which have long been complained of, such as extensions, excavations, required to be filled in, &c., which the present conservancy establishment and funds are entirely unable to remedy.

6. The densely crowded bazaars and Native quarters in and about the Cantonment, inhabited by a population who are unconnected with the Military, further renders it a matter of extreme difficulty to maintain cleanliness in all parts of the Cantonment, though effort has always been made, as far as possible, to remove and prevent nuisance in every part of the Cantonment.

7. I shall most gladly afford the Commissioners all the aid in my power to aid their Inspectors to carry out the duties entrusted to them by the Board.

From the Acting Deputy Assistant Quarter Master General, Southern Division, to the President, Municipal Board, Trichinopoly; dated Trichinopoly, 28th March 1867, No. 476.

With reference to my letter, No. 208, dated 26th January last, I have the honor to request you will be good enough to inform me what steps the Commissioners have taken, or intend to take, with reference to the conservancy of the military portion of the station of Trichinopoly. The dirty state of the Officers' compounds and general want of conservancy in the bazaars adjoining the Native Lines are matters demanding early attention, but which, as far as I can judge, remain in the state they were months ago.

*Proceedings of the Madras Government, Public Department,
17th July 1867.*

From the Acting Deputy Assistant Quarter Master General, Southern Division, to the President, Municipal Board, Trichinopoly; dated Trichinopoly, 6th May 1867, No. 22.

I have the honor, by order of the Officer Commanding the Division, to request you will have the goodness to favor me with an early reply to letter from this Office, No. 476, of 28th March last.

From G. VANS AGNEW, Esq., President of the Municipal Commission, Trichinopoly, to the Officer Commanding, Southern Division, Trichinopoly; dated Trichinopoly, 27th May 1867, No. 78.

Adverting to your letters of the 28th March, No. 476, and 6th instant, No. 22, I have the honor to inform you that I have been deputed by the Town Commissioners to refer you to their Notice published at page 292 of the District Gazette of the 27th ultimo.

2. The Commissioners wish me to intimate that, in future, the rule thus laid down will be maintained by them. Mr. Ranking, the Garrison Surgeon, was appointed a Commissioner in order to represent the military portion of the community, and has been requested to make you acquainted with all our past proceedings in reference to the Cantonment, and has been authorized to keep you informed upon all similar matters in future.

3. Should you be of opinion that the interests of the military rate-payers are not sufficiently represented on the Commission, I shall be happy, in my capacity as Magistrate, to submit to Government the names of any two resident Officers you may nominate, in order to their being appointed Commissioners.

6. NOTICE.

The Municipal Commissioners for the town of Trichinopoly beg to notify to the Public that they cannot undertake to reply in writing to queries put to them by letters.

Persons attending at their Office will be supplied with all available information by them, or, in the absence of any of them, by their Manager.

(Signed) G. VANS AGNEW,
President.

TRICHINOPOLY,
MUNICIPAL COMMISSIONER'S OFFICE,
15th April 1867.

Referred to the Public Department.

It is observed that Major General Duke is now commanding the Southern Division and Trichinopoly, and that the decision on the case will virtually affect him, and not Colonel Greenaway, who was only in temporary command.

(Signed) R. HAMILTON, Colonel,
Deputy Secretary to Government.

FORT SAINT GEORGE,
8th July 1867.

158. ORDER THEREON, 17th July 1867, No. 843.

His Excellency the Commander-in-Chief has forwarded, for the consideration and orders of Government, a correspondence which has taken place between the Officer Commanding the Southern Division and Mr. G. V. Agnew, the Acting Magistrate of the Trichinopoly District, in his capacity as President of the Municipal Commission of the town and station of Trichinopoly.

2. From these papers it appears that Mr. Agnew, as President of the Municipal Commission, declined, upon the part of the Municipal Commissioners, to correspond directly with the Officer Commanding the Division, on matters connected with the administration of Act X of 1865 (Towns' Improvement Act), and referred that Officer to a Notice issued by the Municipal Commissioners in the *District Gazette*,

*Proceedings of the Madras Government, Public Department,
17th July 1867.*

according to which Notice the Commissioners declined to reply in writing to queries put to them by the Public by letters, and referred persons requiring information to the Municipal Office, where information would be afforded by the Commissioners, or, in their absence, by their Manager.

3. The Governor in Council entirely disapproves of the course pursued by Mr. Agnew in this matter, and regrets that it should be necessary to point out to an Officer of Mr. Agnew's standing and experience that he has, the Governor in Council is willing to believe, unintentionally, been led to commit an act of discourtesy to an Officer holding the high and responsible position of a Divisional Command.

4. Apart from the consideration due to the highest military authority at Trichinopoly, Mr. Agnew would seem to have overlooked the fact that, by the course he proposed to adopt, he was practically abdicating, in all cases of emergent reference by the General Commanding the Division, and many such cases might arise, the functions vested in him as President of the Municipal Commission under Section 23, Act X of 1865.

5. The Governor in Council directs that, in future, the Magistrate of Trichinopoly, as President of the Municipal Commission, will correspond with the Officer Commanding the Division; and, with a view to facilitating the due representation of the interests of the military portion of the community within the municipal limits of Trichinopoly, Mr. Agnew will, in conformity with the Proceedings of Government, dated 19th June 1867, No. 991, Judicial Department, paragraph 4, ascertain from the General Commanding the Division the name of the Officer under his Command whom he would wish appointed Vice-President of the Municipal Commission.

6. Mr. Agnew will report the name of the Officer selected to Government, in order that his appointment as a member of the Municipal Commission of Trichinopoly may be notified in the *Fort Saint George* and *District Gazettes*.

(True Extract).

Acting Chief Secretary.

To the Acting Magistrate of Trichinopoly.
,, Military Department.

Exd. J. H. Burns.

No 614
4349

Memoandum.

To The Secretary to Government,
Military Department.

The Commander in Chief has the honor to submit, for the consideration and orders of Government, the within correspondence from the Officer Commanding Southern Division.

2 Sir Gaspard Le Marchant thinks that Colonel Greenaway has good reason to complain of the want of Courtesy evinced towards the Officer Commanding the Division by the Municipal Board at Trichinopoly; and His Excellency is of opinion that the interests of the Public Service are not likely to be advanced by the course taken by the Commissioners.

By order
signed: C. Cooke, Colonel
Quartermaster General
command 27th June 1867

To 55
The Adjutant General
Head Quarters
Ootacamund

Sir
I have the honor to submit, for the

consideration of His Excellency the Commander-in-Chief

and for reference

1. Letter No. 57 of 18th January 1867 from the Hon. Mr. Secretary to Government to Officer Commanding.
 1. Letter No. 209 of 26th January 1867 from the Officer Commanding to President Municipal Commission.
 1. Letter No. 476 from Dy. Asst. 2^d Mr. General to President Municipal Commission, dated 28th March 1867 deemed neces.
 1. Letter No. 22 of 6th May 1867, from Dy. Asst. 2^d Mr. General to President Municipal Commission.
 1. Letter No. 78 of 27th May 1867, from President Municipal Commission to Officer Commanding.
 1. Copy of Notice No. 6 of 15th April, Page 2922 Irish Dublin District Gazette.
- Margin, that has passed

between the President of the Municipal Commission at this Station, and the Officer Commanding S. D.

It will be observed that the President was the first to initiate correspondence and to propose to act in co-operation with the Military Department without trenching on its prerogatives and that finally he has declined all correspondence curtly referring us to a Notification in the District Gazette, Copy appended.

In addition to the apparent want of courtesy in making such a Notification applicable to the Officer Commanding the Division upon references of a public or Official character, I would beg to submit that the course proposed by the Commission is objectionable

on Public grounds as follows.

It appears that questions of public import cannot be answered by any individual Member of the Commission and still less by their hired Manager, but only by the Commission as a collective body.

That the rule laid down in the notice would fail to furnish the authority applying for information on such public matters with any record of the answer or explanation given.

That the rule as applied to requisitions on the public Service, is contrary to all precedent, although it may be reasonable enough with reference to private and personal inquiries.

That it can hardly be deemed consistent with the position of the Officer Commanding the Division that he should have to apply in person by himself or staff at the Municipal Office for information from their hired Manager, as would seem to be contemplated as possible by the terms of the Notice.

The proposal that a Military Member or Members should be attached to the

Commission would I conceive fail to meet the re-
quirements of the case, as by the terms of the Act
it would seem that the President only is competent
to represent the Commission.

The same objection would apply
to a proposal made to me personally by the
President: that he should correspond with
the Division upon such subjects in his capacity
of Magistrate, as I understand that his replies
in such capacity would be in no way binding
upon the Municipal Commission as such.

I would in conclusion respectfully ob-
serve that the question now mooted does not refer
to the better or worse representation of the Military
ratepayers but to the fact of the Officer Commanding
the Division being deprived of any Official formal
and satisfactory means of communication with
the Municipal Commissioners upon the very
subjects in which they themselves had requested
his co-operation.

I have the
honor to be, Sir,
Your obedient servant,
J. Greenaway, Lieut. Colonel
Commanding Southern Division
Trichinopoly
25 June 1867

Memorandum

9

The Commander in chief submits a memorandum
which has taken place at Trichinopoly -
It appears that Mr. Agnew the Magistrate
at Trichinopoly in his capacity of President
of the Municipal Commission has declined
on the part of the Municipal Commission
to correspond with the Military authorities
but has referred the Officer Commanding
the Division that previous temporary in
Command to a notice published by
the Municipal Council in the District Gazette
which is that persons requiring information
must apply to the Office of the Municipal
Commission when information will

be given by the press as on their
abuse by their managers.

The press being the Division com-
plains of this want of courtesy
and the Gen. in chief supports his
view.

Mr. Agnew was I think clearly wrong
a notice which may have been taken
& convenient for the general public
is totally inappropriate to an officer
of the rank of a General of Division
who represents the Govt. in the

11
Military dept.

Mr. Agnew should I submit be told
this and directed in future to
correspond as President of the ^{Municipal} Club
with the general comd.

M.C.

11th July 67.

I consider the President Mr. Davis Agnew,
to have been forgetful of the courtesy
due to the principal military officer of
the Division, when he addressed to that
officer, the letter of date 27 May last. -
Further, as it was impossible for Mr.
Agnew to understand the nature of

and with a view to facilitating
the due representation of the
interests of the Military portion
of the Community within
the Municipal limits of
Trichinopoly, Mr. Agnew will,
in conformity with the Pro.
of Government dated 19th
June 1867 - No 991. Sub. Dept., para 4,
ascertain from the General
Commanding the Division
the name of the Officer under
his command, whom he
would wish appointed
Vice-President of the Mun-
icipal Commission. Mr.
Agnew will report the name ^{selected} of the Officer to Government
^{in order that} ~~he may be~~ his appoint-
ment as a member of the
Municipal Commission
of Trichinopoly ^{may be} notified
in the Fort St. George and
District Gazette.

To the Dy. Magr. of Trichy.
Military Dept. *[Signature]*

1861 Department.

No. 214

PROCEEDINGS OF GOVERNMENT.

Dated. 18th January 1872.

1841. 1847.