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MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	1275	Press
		~~Mis~~
Dated	12-10-	1870

Not to be folded or roughly handled

1275

*Proceedings of the Madras Government, Public Department,
12th October 1870.*

No. 62. Read the following letter from W. M. CADELL, Esq., Acting President of the Municipal Commission, Trichinopoly, to the Under Secretary to Government, Fort Saint George, dated Trichinopoly, 24th September 1870, No. 6:—

I have the honour to acknowledge the receipt of Extract from the Proceedings of Government, Public Department, under date the 12th August 1870, No. 1017, reviewing the report of the Trichinopoly Municipal Commissioners for the past official year 1869-70, and calling upon me for certain explanations on the several matters therein brought to notice ; these explanations I beg accordingly to submit.

2. In their Order, 26th August 1869, No. 1050, Public Department, paragraph

Paragraph 5.
Loan from Dispensary to Municipal funds.

4, Government permitted the Commissioners to raise a loan of Rupees 10,000

on account of the market then proposed to be erected, at the rate of nine per cent. per annum, on the security of the rates on houses, buildings, and lands; but, subsequently, Mr. Banbury, in his letter of the 23rd June 1869, paragraph 20, reported that

* *Vide Order of Government, 16th July 1869, No. 935.*

the market had been erected " without contracting the loan," and at the same

time asked for, and obtained, the sanction of Government for the raising of such funds as might be necessary for the execution of the conduit from the Weyacondan channel.

3. Up to the date of my assuming charge of the office of President in January last, that work had, however, not been commenced ; but I find that, on the 24th August 1869, Mr. Banbury did avail himself of the original sanction, and borrowed from the Dispensary the sum of Rupees 5,000, seeing that the extra expenditure incurred in the finishing of the market had trenched too heavily on the current resources of the Municipality. This loan having, therefore, been contracted for the construction of a work of permanent, and I may add of very remunerative, character, I trust, therefore, the Government will be pleased to accord their approval to these proceedings.

4. I would also take leave to observe that the loan of this money by the Dispensary is an excellent investment for the funds of that institution, while the security is unquestionable ; and, at the same time, the returns of the market are so considerable that, if required, the capital can at a very short notice be fully paid up.

5. With reference to paragraph 8, I beg, herewith, to submit the statement of the actual cost of the Police during the year as furnished by the Superintendent, and for the omission of which I beg to apologize ; and, with advertence to the remarks of Government in the same paragraph, I respectfully submit the following explanation.

6. In this paragraph it is stated that, at the end of the official year, there was a balance of Rupees 14,569-12-8 due by the Municipality on account of Police charges; this, however, appears to be erroneous, and for the following reasons.

7. At the commencement of the official year 1869-70, there was a balance due (as stated in the same paragraph) by the Commissioners on account of Police, for the previous official year, of Rupees 9939-7-10; but this sum, *minus* the one-fourth deducted under the orders of the Accountant-General according to the Circular marginally

noted, was cleared off by the payment of Rupees 7,554-9-11 into the treasury on

No. 2221, 5th July 1869.

Proceedings of the Madras Government, Public Department,
12th October 1870.

the 30th August 1869. There thus remained due to Government, for the past official year, the sum of Rupees 19,584-14-9 as certified by the Superintendent of Police, and in liquidation of this amount the sum of Rupees 10,000, less the one-fourth deducted under the orders of the Accountant-General, or Rupees 7,500, was paid into the treasury on the 18th November 1869, and the remaining Rupees 9,584-14-9, less the same deduction, was paid into the treasury on the 27th June last.

8. The expenditure for the whole of the past year has thus been finally adjusted; but I regret that the payments for the Police have been suffered to fall so much into arrears, and to have thus caused the confusion which has attracted the notice of Government. I beg to add that I am fully aware of the requirements of Section 35 of the Act, and am determined that they shall be acted up to; hitherto there has been difficulty in the matter of paying in advance, owing to the large amount of arrears outstanding; but I am glad to have to inform Government that no payments whatever are now in arrears, and that the cost of the Force for, and up to this month, has now been fully paid.

9. With respect to the remarks of paragraph 9 of the Government Order, I would respectfully take leave to point out that the Government seem to have computed the amount of the State contribution on the *receipts* of the Municipality, whereas, under Section 27 of the Municipal Act, and the orders marginally noted, the same would seem to be due on the *expenditure* incurred; it was with reference to these instructions that the amount of the State contribution was entered in the report, and assuming this still to be correct, and after deducting the sum of Rupees 1,942-11-9, which has been disallowed by Government, (*vide* paragraph 6 of the present Order,) I would respectfully submit that the amount on which the Government contribution has to be calculated is on Rupees 53,647-12-2, and would be Rupees 13,411-15-0. Of this sum the Commissioners have received the sum of Rupees 10,000, and if these calculations are found to be correct, the sum due to the Commissioners at the end of the year will be Rupees 3,411-15-0, less the sum of Rupees 91-15-0 adverted to in paragraph 10.

10. If these adjustments are found to be correct and are ordered to be carried out, there will, I hope, be found no further confusion or necessity for future adjustments, and my earnest attention will be directed to see that these irregularities do not again occur.

No. 63. ORDER THEREON, 12th October 1870, No. 1275.

In paragraph 5 of G. O., 12th August 1870, No. 1017, the Collector and President of the Municipal Commission, Trichinopoly, was called upon to state upon what terms and security, and under what authority, the Municipality contracted a loan of Rupees 5,000 from the Dispensary funds. The foregoing letter contains the reply. Mr. Cadell will be good enough in future to number the paragraphs of his letters.

2. It appears that the Commissioners have construed the general approval of the proposal to borrow money for the conduit, expressed by Government in G. O., 16th July 1869, No. 985, as giving specific sanction for the raising the loan, but that the money was actually borrowed for the completion of the market.

Proceedings of the Madras Government, Public Department,
12th October 1870.

3. In Mr. Banbury's letter he proposed to borrow money for the conduit, and stated that the market would cost more than had been anticipated, but would prove remunerative to municipal funds. He was not understood to request fresh sanction for a market loan, and the original sanction had lapsed. Had a different loan been then contemplated for the market, the terms, rate of interest, and security should have been stated for the approval of Government, as required by law. Mr. Cadell has not even now stated these particulars with regard to the Dispensary loan. On receipt of a detailed report, and a copy of instrument, if any, which has been passed to the Dispensary Committee, Government will pass final orders in the matter. His Excellency in Council must remark that, independently of the doubt whether the fresh market loan was sanctioned by Government, Mr. Banbury's proceedings in connexion with the Dispensary endowments, which are trust funds under the control of Government, were wanting in circumspection. The security of the Commissioners was, it appears, regarded with such disfavour that they could not obtain loans in the open market, and, under such circumstances, it was incumbent on Mr. Banbury, as a trustee of the funds, and in his character of local representative of the Government, to have been especially careful to obtain sanction before taking the step he did.

4. With reference to the amount of State contribution, Mr. Cadell is referred to Section 27 of the Act. The words used are "raised and expended." Under the words of the section the contribution is, in the opinion of Government, limited by the current receipts as well as by the expenditure for purposes specified in Section 25. The amount stated in G. O., 12th August 1870, No. 1017, to be due to Trichinopoly for 1869-70 is, therefore, correct.

5. As regards the sum due by the Commissioners for Police for 1869-70, it appears that the Commissioners intended to make their Police payments in accordance with the Accountant-General's Circular referred to, and accordingly compute their liability at the close of the year at Rupees 9,584-14-9, or less by Rupees 4,984-13-11 than the amount stated in paragraph 8 of the G. O. replied to. The Government have no objection to this mode of computation, but observe that it is practically immaterial, as, if the Commissioners are taken to have owed Rupees 4,984-13-11 less for Police, they would be entitled to a balance of State contribution less by that amount or Rupees 1,071-10-1, instead of Rupees 6,056-8-0, the payment of which was sanctioned in paragraph 9. In supersession of the instructions in paragraph 9, His Excellency in Council resolves to direct the payment, in cash, of Rupees 1,071-10-1, and will treat the Police payments of the current year when the accounts come to be reviewed.

(True Extract.)

Chief Secretary.

To the President of the Municipal Commission, Trichinopoly.
,, Inspector-General of Police.
,, Accountant-General.

Exd. J. Wright.

Debts of 1870; *Shikhar*.

PUBLIC.

To
THE PRESIDENT OF THE
MUNICIPAL COMMISSION,
Trichinopoly,
&c., &c., &c.

dated October, 12th.

and.

And

G. O., 12th October 1870, No. 127

OCTOBER.
Nos. 62-63.

Passing orders respecting the loan of Rupees 5,000
on Dispensary Funds, contracted by the Trichin-
opoly Municipality.

12 Aug 70 79-81
 16 Aug 69 115/6
 26 Aug 68 209-213
 27 Aug 68 230-231
 1000 ft in 5 July 69
 202221

Public (1870) Date
 from 12 Oct 70
 from the City President
 of the University
 of Minnesota
 1000 ft

-No 6

dated 24 3 1870
 recd 26 3 1870
 Received from
 No 10 1870

Received the 24th of
 called for in the
 from the 24th of
 dated 12. 10 1870
 No 10 1870, 1000 ft
 1000 ft from the
 1000 ft from the

1000 ft
 1000 ft

Revised detail statement of actual expenditures, 1914

Rank	May 1869	June 1869	July 1869	August 1869	September 1869	October 1869	November 1869	December 1869	January 1870
2 ^d class Inspector	135 7 9 1	70 0 0 1	150 0 0 1	165 0 0 1	165 0 0 1	165 0 0 1	165 0 0 1	165 0 0 1	165 0 0 1
5 th class	60 0 0 1	60 0 0 1	60 0 0 1	60 0 0 1	60 0 0 1	60 0 0 1	60 0 0 1	60 0 0 1	60 0 0 1
European Head Constable	128 0 0 4	128 0 0 4	128 0 0 4	128 0 0 4	128 0 0 4	128 0 0 4	128 0 0 4	128 0 0 4	128 0 0 4
Head Constable	176 0 0 7	165 0 0 6	132 0 0 6	124 3 1 6	132 0 0 5	119 14 11 6	132 0 0 6	132 0 0 6	132 0 0 6
Deputy Constable	81 0 0 6	68 12 0 6	75 0 0 6	75 0 0 6	75 0 0 6	75 0 0 6	75 0 0 6	75 0 0 6	75 0 0 6
1 st class	324 2 1 46	377 10 2 45	360 0 0 44	352 0 0 44	377 7 1 45	380 0 0 45	362 9 4 46	376 0 0 45	381 12 11
3 ^d class	572 13 9 83	584 15 6 83	588 0 0 84	587 2 1 85	586 9 8	580 3 7 90	617 13 10 92	644 0 0 91	640 6 2
Total	142 14 77 8 4 148	145 4 5 8 146	149 3 0 0 146	149 1 6 2 146	149 1 2	149 0 2 6 147	150 9 12 2 148	154 8 0 0 146	155 9 11 1

4—
 for the Town Police during the year ending 30th April 1870—

February 1870	March 1870	April 1870	clothing	allowance	Conveyance	Gravel	Total
Rs. at P.	Rs. at P.	Rs. at P.	Rs. at P.	Rs. at P.	Rs. at P.	Rs. at P.	Rs. at P.
1 60 00	1 60 00	1 60 00					
4 128 00	4 128 00	4 128 00	4 84 84				
6 132 00	6 132 00	6 132 00	80 70				
9 112 80	9 112 80	9 112 80	8 99 00	6 62 11			
36 288 00	35 280 00	35 280 00					
89 616 39	87 611 42	87 609 00	126 154 6 126				
145 1336 11	9142 1323 12	2142 1321 800	1810 11 10	662 11	195 14 9		

W. W. B. M.
Ag. President.

Comp^d by [Signature]

Public Department.

Proceedings of the Business Dept.

Read the following letter
from the ~~Atty.~~ President of the
Trichinopoly District Council.
(H.E. 24. September 1870 p. 6.)

Order thereon 12 October 1870 No 7275.

... para 5 of 6. 12th
August 1870. The
Commissioner of the
Trichinopoly District
was called
upon to state upon what
terms and security and
under what authority the
Municipality contracted
a loan of Rs 5000 from the
Dispensing Funds. The
following letter contains
the reply. Mr. Cadell will
be good enough in future
to number the paragraphs
of his letters.

L. D. S.

2 It appears that the
Commissioners have con-
sidered the General Approval

of the proposal to borrow
money for the conduit
expressed by Government
in G. O. 16/July 1869, No 985,
as giving specific sanction
for the raising the loan,
but that the money was
actually borrowed for
the completion of the
market.

3. Mr. Sir Banbury's
letter he proposed to borrow
money for the conduit,
and stated that the
market would cost
more than had been anti-
cipated but would prove
beneficial to municipal
funds. He was not understood
to require fresh sanction
for a market loan,
and the original sanction
had lapsed. ^{Had} a dif-
ferent loan than con-
templated for the
market, the terms,
rate of interest, and
security should have
been stated for the
approval

6
approval of Government
as required by law -
but Cadell has not even
now stated these par-
ticulars with regard to the
Dispensary loan. On
receipt of a detailed report
and a copy of instrument,
if any, which has been passed
to the Dispensary Committee,
Government will perforce
order in the matter. His
Excellency in Council
must remark that,
independently of the doubt
whether the great market
loan was sanctioned by
Government, by Banbury's
proceedings in connection
with the Dispensary endow-
ments, which are trust
funds under the control
of Government, were wanting
in circumstances. The
Security of the Loans
was, it appears, regarded
with great disfavor that
they

they could not obtain loans
in the open market, and
under such circumstances
it was incumbent on
Mr. Banbury as a trustee
of the fund, in his character
of local representative
of the Government, to have
been especially careful
to obtain sanction before
taking the step he did.

4. With reference
to the amount of State
Contribution, Mr. Cadell
is referred to Section 27
of the Act. The words
used are "raised and
expended". Under the
words of the Section the
Contribution is, in the
opinion of Government,
limited by the current
receipts as well as by
the expenditure for
purposes specified in
Section 25. The amount
stated in G.O. 12th August
1870, No 1017, to be due

75
to Trislaipoly for 1869-70,
is therefore correct.
5. As regards the sum
due by the Commissioners
for Police for 1869-70,
it appears that the Comrs.
intended to make their
Police payments in ac-
-cordance with the Admin-
-istrative Circular
referred to, and accordingly
computed their liability
at the close of the year at
Rs 9,584-14-9, or less by Rupees
4,984-13-11 than the
amount stated in para 8
of the G.O. replied to. The
Govt. have no objection to
this mode of computation
but observe that it is
practically immaterial,
as if the Comrs. are taken
to have owed Rs 4,984-13-11
less for Police, they would
be entitled to a ^{balance of} State Con-
-tribution less by that
amount or Rs 10,71-10-1.
instead of Rs 6,056-8-0
the

the payment of which
was sanctioned in para 9.
In supervision of the
instructions in para 9,
His Excellency in Council
resolves to direct the
payment, in cash, of
Rs 107 1/2 - 10-1, and will treat
the Police payment of
the current year when
the accounts come to
be reviewed.

H.E.S.

President M.C. Trichinopoly
Magistral Police }
Advisory Council } 1/10

7. 11. 1972

2. 11. 1972

Govt. of 1870 Madras.

Public.

To

The Pres. Comm. L. Comm.

Tiruchinopoly.

1870

Dated Oct. 12.

Recd.

Encl.

G. O. 1870.

1870, No. 1275.

Nos. 62. 63.

Passing Orders respecting the
loan of Rs. 5000 from Mi-
nistry Lands, Contracted
by the Tiruchinopoly Muni-
cipality.