

- 1. Number of pages.
- 2. Date of repair 8-4
- 3. Initials of Reference.

M.R.O. 1-82,400-22-11-80.

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	1548	Press
		~~Mis.~~
Dated	1-12-	1870

Not to be folded or roughly handled

Handwritten signature

Proceedings of the Madras Government, Public Department,
1st December 1870.

No. 1. Read the following letter from the President of the Municipal Commission, Coimbatore, to the Chief Secretary to Government, Fort Saint George, dated Coimbatore, 9th May 1870, No. 7 :—

The bye-laws at present in force in this Municipality having been found to be defective and insufficient for carrying out all the purposes of the Act, I have the honour to submit, for the approval and sanction of His Excellency the Governor in Council under Section 145 of Act X. of 1865, a revised set of bye-laws framed under the provisions of Section 143.

2. These bye-laws have been compiled from those obtaining in other Municipalities, and it is believed that all have, at some time or other, been approved by Government, with the exception perhaps of No. XL., and this, I am inclined to think, is in force at Madras. It is clearly necessary that the Commissioners should have the power to close temporarily to traffic roads requiring repair; but the necessity for empowering the Commissioners to decide what roads shall not be used by carts and vehicles without springs requires to be explained.

3. The houses occupied by the European portion of the Coimbatore community are built contiguous to what is known as the "Race Course," which has always been considered sacred to the morning and evening ride or drive. Until lately, there were only private residences bordering on this drive, and no cart except such as might be conveying goods to the houses referred to was ever seen on it. Lately, however, one or two places of business have been built in the neighbourhood. A coffee-curing establishment is in full swing, and a cotton-cleaning factory is now in course of construction. There is convenient access to both these establishments from the Coimbatore and Trichinopoly road; but, to avoid a trifling detour of some 100 or 50 yards, the bandymen bring their carts right across the race-course. Not only has the road, which was never intended for heavy traffic of this sort, been sadly cut up, but the meeting of strings of heavily-laden carts, which take up nearly the whole roadway, renders the evening drive a service of danger especially to ladies and children. As the race-course is not a thoroughfare, and as it is the only place of recreation for the English residents who contribute largely to municipal funds, the latter portion of the bye-law in question has been framed mainly with a view to protect their interests, and what may be considered their vested rights.

4. A pen-and-ink sketch of the locality is enclosed.

No. 2. ORDER THEREON, 1st December 1870, No. 1548.

With the foregoing letter, the President of the Municipal Commission, Coimbatore, submits a revised list of bye-laws which it is desired to enforce in the Coimbatore Municipality.

I. The external walls of all houses and buildings adjacent to the public ways and in the bazaars and villages within the limits of the Municipality shall be lime-washed to the satisfaction of the Municipal Commissioners by the occupier, or, if the house be vacant, by the

2. Bye-law No. I. will be approved in lieu of that *in pari materia* sanctioned as No. III. in G. O., 23rd October 1867, No. 1322.

owner, between the 1st January and 1st February in each year, unless expressly exempted in writing by the Municipal Commissioners.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XVI. The Municipal Commissioners shall be at liberty, should they for any reason so think fit, to decide that the general lime-washing under Bye-law No. I. shall take place at any time other than that specified in such bye-law; but in the event of public notice of such other time for lime-washing not being previously given, the lime-washing shall take place as prescribed in Bye-law No. I. Any person who shall fail to comply with the requisition of the Municipal Commissioners under this bye-law shall be liable, on conviction before a Magistrate, to a fine not exceeding 20 Rupees; and, in case of continued infringement after due notice from the Commissioners, to a fine not exceeding Rupees 10 daily.

II. On a special requisition from the Municipal Commissioners as a sanitary measure, or on the outbreak of disease, the owner or owners or occupant or occupants of any house or other dwelling or any set of houses or other dwellings shall forthwith lime-wash such house or other dwelling or such set of houses or other dwellings throughout, and shall further adopt such other sanitary precautionary measures as the Municipal Commissioners shall in writing direct.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

III. If the lime-washing, or other sanitary precautionary measures, shall not be performed as specified above, they may be carried out by the Municipal Commissioners, and the expense incurred thereby may be recovered by them in the same way as arrears of rates on houses, &c., under Section 74 of Act X. of 1865 (Madras), independently of any penalty levied for a breach of the bye-laws.

IV. No person shall bury, or cause to be buried, any corpse in any grave less than four feet in depth.

Penalty for infringement.—Fine not exceeding Rupees 20.

V. Any person who may burn, or cause to be burned, any corpse in any authorized burning ground within municipal limits shall cause the same to be completely reduced to ashes, or to be at once buried.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

3. No. XVI. provides that, at any time, the Commissioners may require a general lime-washing, in addition to that prescribed under No. I. to be made annually; and No. II. gives them the power to make special requisitions on individuals as a sanitary measure, or, on the outbreak of disease, to have their premises lime-washed, and to take such other sanitary precautions as the Commissioners shall direct. The last provision is altogether too vague. The Government think that the two bye-laws should be made into one, giving the Commissioners power, at any time, to require all premises or particular premises to be lime-washed; provided that no person shall be called on to lime-wash his premises oftener than twice within twelve months, unless infectious disease shall have prevailed therein.

4. The mode of recovery of the cost of lime-washing proposed in No. III., viz., in the manner provided for the realization of arrears, has already been sanctioned, but is, the Government now consider, opposed to the spirit of Sections 132 and 144 of the Act. The cost must be recovered as a debt due to the Commissioners.

5. No. IV. differs but slightly from the first of those sanctioned in G. O., 19th September 1868, No. 1170. It will be approved, the former being cancelled.

6. Bye-law No. V. is unobjectionable, but does not admit of continued infringement for which penalty is provided; and the same remarks apply to No. VII.

VII. Places for the sale of meat and of fish shall be cleaned once a day at such time as the Commissioners may appoint, and the refuse removed therefrom shall be deposited at such place or places as the Commissioners may appoint.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

VI. No person afflicted with noxious or loathsome disease shall sell or offer for sale any article of food.

Penalty for infringement.—Fine not exceeding Rupees 20.

VIII. In the event of the Municipal Commissioners, or any person appointed by them, finding any animal brought for slaughtering, sick or otherwise unfit for human food, the Municipal Commissioners, or the person so appointed, may direct the same to be so disposed of as to prevent its being slaughtered and sold for food to the public.

Any person who shall frustrate or attempt to frustrate the direction under this bye-law of the Municipal Commissioners, or of the person so appointed by them, shall be liable, on conviction before a Magistrate, to a fine not exceeding Rupees 20.

IX. If within six hours after the death of any animal, the person within whose premises such animal may have died shall not have removed, or otherwise satisfactorily disposed of the carcass of such animal, the Municipal Commissioners, or any person appointed by them, may direct the carcass to be buried or otherwise disposed of at the expense of such person who shall, in this latter case, be further liable, on conviction before a Magistrate, to a fine not exceeding Rupees 20.

X. The owner or occupier of every building within the limits of the Coimbatore Municipality shall, when called upon by the Municipal Commissioners, close any latrine on his premises which is considered by the Commissioners to be a nuisance, or provide a good and sufficient latrine upon a plan to be approved by the Commissioners in a convenient and suitable place upon the land attached to such building for the use of the occupants thereof, and shall keep the same in a clean and decent state.

Penalty for infringement.—Fine not exceeding 20 Rupees; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XI. Any person who wilfully and indecently exposes his person, or commits nuisance by easing himself in public view or in any public place not specially set apart for the purposes of nature by the Municipal Commissioners, shall be liable, on conviction before a Magistrate, to a fine not exceeding Rupees 20 for each offence.

7. Nos. VI. and VIII. are unobjectionable and have been sanctioned in G.O., 23rd October 1867.

8. In No. IX. the period allowed for the removal of carcasses is too short; twelve hours might be substituted for six, and the penalty, Rupees 20, reduced to Rupees 10.

9. The Government observe that, in a recent report by the Sanitary Commissioner, the private latrines of the town of Coimbatore are stated to be a source of danger to the public health. The Government suggest to the Commissioners that the words "close any latrine on his premises which is considered by the Commissioners to be a nuisance or" be inserted after "Municipal Commissioners" in Bye-law No. X., and that Section 89 of the Act should be efficiently worked.

10. The subject matter of No. XI. is sufficiently provided for by existing law.

XII. The following rates of fees shall be charged by the Municipal Commissioners for every bull, bullock, cow, sheep, goat or pig slaughtered within municipal limits :—

	RS.	A.	P.
For every bull, bullock, and cow...	0	4	0
Do. ship and goat ...	0	1	0
Do. pig ...	0	1	0

XIII. No one shall keep any pig within municipal limits, except in a pig-stye or other suitable enclosure.

Penalty for infringement.—Fine not exceeding Rupees 20.

XIV. The owner or owners of any buffalo, pig or other animal found feeding within any public latrine or any other place of resort as a latrine, shall be liable to have such animal destroyed at the discretion of the Commissioners, and shall further be liable, on conviction before a Magistrate, to a fine not exceeding Rupees 10 for each animal found so feeding.

XV. Persons are forbidden to deface or defile the walls of latrines, or to use them in any improper manner.

Penalty for infringement.—Fine not exceeding Rupees 20.

XVII. No bratties shall be dried against the external walls of houses or other structures adjacent to any public highway.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XVIII. The owners or trustees of every burial ground shall, when called upon by the Municipal Commissioners, enclose such burial ground by a sufficient wall or fence to the satisfaction of the Commissioners.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XIX. The owner of every well within municipal limits shall, when called upon by the Municipal Commissioners, fence it in, in such a manner as the Commissioners may direct.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XX. Every owner or occupier of a house shall keep the pandal of such house in repair to the satisfaction of the Municipal Commissioners.

11. The Government do not approve No. XII., which, in fact, imposes an entirely new tax. Private slaughter-houses must be licensed, and for the use of municipal ones moderate fees will be sanctioned; but the present provision is much too general.

12. No. XIII. will be approved.

13. The Government do not approve No. XIV. The words "in any other place of resort as a latrine" are too extensive, and the bye-law should be confined to providing a fine on the owners of animals trespassing in public latrines, and declaring that the animals may be impounded.

14. No. XV. is not approved. The Act provides for recovery of damages for any serious injury; and it is unnecessary to provide a penalty for trifling infractions of instructions which the Commissioners may see fit to draw up for the use of their latrines. It is believed that a somewhat complicated plan of latrine has been adopted in Coimbatore.

15. Nos. XVII. and XVIII. are now in force, except as to the penalty for continued infringement and the specification, in the latter, of the persons liable. The modifications will be approved.

16. Sections 104 and 105 of the Act itself deal sufficiently with unfenced wells and dangerous erections. Nos. XIX. and XX. are, therefore, disallowed.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XXI. No person shall build upon, enclose or in any way encroach upon the ground lying between the street drain and the houses on either side of the street; provided that the Municipal Commissioners shall be empowered to grant licenses for the erection of temporary pandals on such space on the occasion of marriages, &c., &c.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XXII. No person owning or occupying premises abutting on any public way shall commence building any wall or pial or other structure abutting on such public way without previously obtaining the sanction, in writing, of the Municipal Commissioners; nor shall any person collect, either to build or repair a house or other building, any building material on any public road, lane or thoroughfare without the written sanction of the Municipal Commissioners; and such sanction shall be produced when called for by any Police Officer or servant of the Municipality authorized by the Municipal Commissioners to demand the same.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XXIII. No bridge or other covering over the drains adjoining the public ways shall be constructed; nor shall any other interference with such side-drains be permitted without the written sanction of the Municipal Commissioners.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XXIV. A license fee at the rate of two annas for every one thousand bricks or one thousand tiles manufactured and burnt within municipal limits, and a fee of four annas for every one hundred superficial feet occupied as a yard or depôt for timber within the above limits, shall be imposed; provided that no fee for the license of a timber yard shall exceed Rupees 20 fine.

XXV. No one shall fly a kite or engage in any game in such a manner as to annoy or to be likely to endanger the safety of passengers on the public roads.

Penalty for infringement.—Fine not exceeding Rupees 20.

XXIX. All carriages and carts shall keep on the left-hand side when meeting other conveyances, and on the right-hand side when passing other conveyances going in the same direction.

Penalty for infringement.—Fine not exceeding Rupees 20.

17. If the ground referred to in No. XXI. is private property, there appears no sufficient reason why the Commissioners should interfere; if part of the public street, the case is provided for by Section 122.

18. No. XXII. is disapproved as involving unnecessary interference with private action.

19. No. XXIII. is, in substance, a repetition of the existing Bye-law No. VIII. (G. O., 23rd October 1867); but the Government doubt whether either is necessary; and think that Section 122 which provides a heavier penalty if obstruction or encroachment is caused, but in that case only, is adequate.

20. The fee for timber-yard licenses, proposed in No. XXIV., is not too heavy, but that proposed for brick-kilns and potteries is inadmissible. The license is for the place, and a tax, varying according to the quantity of produce, cannot be called a license fee.

21. Nos. XXV., XXIX., and XXX. are now in force, and are unobjectionable.

XXX. No person shall drive any vehicle (country-carts drawn by bullocks excepted) at any time between three-quarters of an hour after sunset and one hour before sunrise without a sufficient light, except when, in the opinion of the Magistrates, there may be sufficient moon-light to render such light unnecessary.

Penalty for infringement.—Fine not exceeding Rupees 20.

XXVI. No grain shall be spread or heaped or measured in any public thoroughfare, and no firewood, baskets or other articles shall be deposited in any thoroughfare for a longer period than may be necessary for their removal to the premises for which they are intended, or for their lading on the carts which are to take them away.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

XXVII. No bullock, horse, donkey or other animal shall be allowed in any public place unless properly attended.

Penalty for infringement.—Fine not exceeding Rupees 20.

XXVIII. No person shall, without the written permission of the Municipal Commissioners, drive any horse, bullock or any other animal attached to sledges, heaps of thorns, logs of wood-ploughs, or other agricultural implements along public streets or ways within municipal limits.

Penalty for infringement.—Fine not exceeding Rupees 20.

XXXI. Authenticated copies of original registration or of licenses shall be given, when required, to the person or persons interested, on the payment of a fee not exceeding 4 Annas for each copy.

XXXII. No carriage, cart, or other conveyance shall, when not actually in use, be left on any public highway.

Penalty for infringement.—Fine not exceeding Rupees 20; penalty for continued infringement after notice, fine not exceeding Rupees 10 daily.

22. The words "or measured" in Bye-law No. XXVI. seem superfluous; No. XXVII. is too vague, and No. XXVIII. involves unnecessary interference with the people.

23. No. XXXI. is now in force, but the Government think it ought to be cancelled, or at least restricted to licenses. Rate-payers are entitled to make extracts, without fee, from the register of house-rates, and the same freedom should be allowed as regards all registers. The registers under Sections 49, 59, and 67 are to be open to public inspection, and the municipal authentication of a copy can serve no special purpose. Still, if the operation of the bye-law is not allowed to interfere with the provisions of the Act above referred to, there is, perhaps, no reason why parties who wish for municipal authentication should not pay for it.

24. No. XXXII. is unobjectionable. Bye-laws similar to Nos. XXXIII. and XXXV. were approved in G. O., 21st May 1867, No. 570. The words "66 and" in No. XXXIII. should be omitted.

XXXIII. No person who shall prove that he has paid a tax under Section 58 or Sections 66 and 67 of Act X. of 1865 in any other Municipality, shall be required to pay a similar tax for the same period on his becoming a resident of the Coimbatore Municipality.

XXXV. Any cart which shall have been registered under Section 67 of the Towns' Improvement Act for any half-year within another Municipality shall, if transferred to the Coimbatore Municipality within the same half-year, be exempt from registration a second time for the same period in the latter Municipality.

XXXIV. No carriage, horse or other animal for which a tax under Section 58 of Act X. of 1865 has been paid in the Coimbatore Municipality, shall be liable to fresh taxation in the same Municipality in the same half-year on changing owners.

XXXVI. The Municipal Commissioners shall be at liberty to withdraw at their discretion any license which may have been issued by them under the Towns' Improvement Act.

XXXVII. The following rates of fees shall be paid for licenses to erect pandals or other temporary constructions on occasions of marriages, feasts, &c.:

	Secs.	Fees.		
		From Rs.	To Rs.	
For temporary erections on streets on occasions of private festivals and ceremonies.	117	2	50	According to size and period of duration.
" putting up verandahs, &c., in front of houses and over streets.	132	5	100	For a term of five years.
" Livery, hack-stable, horse lines, or veterinary infirmary.	142	1	50	Per annum.
" Cart stand.		2	...	2 Rupees per ground per annum.
" Cattle shed or yard for public resort.		2	...	Do. do.
" Keeping more than 20 sheep or goats.		5	20	According to extent of ground occupied.
" Do. do. 10 horned cattle.	151	1	...	1 Rupee per head for all above ten.
" hoards, scaffolding or fences set upon public streets.		As.	4	4 Annas per diem per square.
" deposit of materials, or earth on any public streets.	183	4	...	Do. do.
" making a hole in public street.	"	4	...	Do. do.
" every slaughter-house or market.	185	Rs.	Rs. 100	Per annum.
" registering offensive trades and depots for hay, straw, &c.	191	5	50	Per annum. { According to the nature of trade.
" newly opening offensive trades and depots.	193	10	100	

25. The Government decline to sanction No. XXXIV. The tax under Section 58 is a tax on the person possessing the carriage or animal, not on the carriage or animal itself.

26. No. XXXVI. was sanctioned in G. O., 23rd October 1867. In No. XXXVII. a scale of fees of various kinds is proposed. The fees are generally too vaguely defined as well as too high, and the sections of the Act are misquoted. A fee

for a term of five years cannot be called a fee for a temporary erection. A livery stable need not come under the general description in Section 114; and it would be better that the Commissioners should use their powers to secure proper conservancy in livery stables, than seek to derive a revenue from them. The fees on public cart-stands and cattle sheds are moderate enough. The proposed fees for keeping horned cattle and goats are in reality extensions of Schedule C, and are, further, unnecessary and inexpedient. The fee for hoarding and scaffolding is high. The Government

would be disposed to omit it and the two following ones. The annual license

1st December 1870.

XXXVIII. Any person who shall erect or take any part in causing the erection of any such pandal as aforesaid, without first obtaining a license and paying for the same, the fee sanctioned by this bye-law, shall be liable, on conviction before a Magistrate, to a fine not exceeding Rupees 20, irrespective of the fee which the Commissioners may decide to be due under this bye-law; and, in the case of continued infringement of this bye-law after notice in writing from the Commissioners, shall be further liable to a fine not exceeding Rupees 10 daily.

The fee which the Commissioners may decide to be due under this bye-law shall be recoverable in the same way as arrears of rates on houses, &c., under Section 74 of Act X. of 1865 (Madras).

XXXIX. No measure of capacity shall be used for the purposes of sale in the Coimbatore Municipality, unless it shall have been impressed as correct by the Municipal Commissioners.

Penalty for infringement.—Fine not exceeding Rupees 20, irrespective of the liability of such unimpressed measure to be confiscated and destroyed at the option of the Municipal Commissioners. The charge for impressing the Coimbatore Municipal die upon each measure shall not exceed Annas 2.

XL. It shall be lawful for the Commissioners, temporarily, to close any road within municipal limits for the purpose of repairing the same, and to decide what roads or portions of roads shall not be used by carts or other vehicles without springs.

Any person using a road temporarily closed for the purpose of repairs, or driving a cart or other vehicle without springs on any road reserve for the passage of spring carriages only, shall be liable to a penalty not exceeding Rupees 20.

XLI. No guns, cannon "Codanay" or other firearms or fireworks shall be fired on or within 100 yards of a public thoroughfare within the limits of the Municipality without special sanction.

31. With these remarks, the bye-laws are returned to the President for amendment. The Government observe that it is not stated that the bye-laws, as proposed, have been passed by the Commissioners.

(True Extract.)

fee for a slaughter-house is very high, and the fees on offensive trades should be further defined.

27. In Bye-law No. XXXVIII. the words "or take any part in causing the erection of" should be omitted as unnecessarily extending the liability to the penalty provided, and also the words "which the Commissioners may decide to be." The fees must be defined so as to be exactly known to the people, and beyond the discretion of the Commissioners in individual cases.

28. The last part of Bye-law No. XXXIX., regarding the liability of unstamped measures to confiscation, should be embodied in the bye-law itself; the rates of fees should be graduated according to the size of the measure; and the Commissioners should consider whether similar provisions might not be made as regards weights.

29. The first part of Bye-law No. XL., empowering the Commissioners to close, temporarily, roads under repair is unobjectionable; but the penalty should not be leviable, unless the closure is duly placarded on the spot. The last part is not approved. If the roads are repaired from municipal funds, the use of them cannot be confined to any particular class of rate-payers or any particular kind of traffic.

30. The last bye-law has been already approved. A penalty for infringement should be provided.

To the President of the Municipal Commission, Coimbatore.

Exd. J. Wright.

Chief Secretary.

Sir.

For St. George

The Bye-laws at present in force in this Municipality having been found to be defective and insufficient for carrying out all the purposes of the Act I have the honor to submit for the approval and sanction of His Excellency the Governor in Council under Section 145 of Act X of 1865 a revised set of Bye-laws framed under the provisions of Section 143.

[illegible]

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THE PRESIDENT OF THE
MUNICIPAL COMMISSION,
Colombo

Twice December, 1st.

507.

2156

G. O., 1st December 1870, No. 1513.

THE UNIVERSITY OF CHICAGO

100

For 1900, for example, the period list of books prepared by the President for the children reads: "Bible; . . .

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have the power to close temporarily
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the necessity for empowering the Com-
missioners to decide what roads shall
not be used by carts and vehicles with-
out springs requires to be explained.

3. The houses occupied by the European
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such as might be conveying goods to
the houses referred to was ever seen
on it. Lately however one or two
places of business have been

built in the neighbourhood. A Coffee
curing establishment is in full
swing and a cotton cleaning factory
is now in course of construction. There
is convenient access to both these
establishments from the Coimbatore and
Trichinopoly road but to avoid a
trifling detour of some 100 or 50 yards the
bandymen bring their carts right
across the race course. Not only has
the road which was never intended
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badly cut up but the meeting of
strings of heavily laden carts which
take up nearly the whole roadway
renders the evening drive a source of
danger especially to ladies and children.
As the race course is not a thorough-
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recreation for the English residents
who contribute largely to Municipal
funds, the latter portion of the
Bye law in question has been framed
mainly with a view to protect them

interests and what may be considered
their needs & rights.

4. A plan and ink sketch of the
locality is enclosed.

I have the honor to be

Sir
Your most obed^t servant

W. H. Murray
President

No. 19.

15
Combatone Municipal
Commissioner's Office
22nd September 1870.

From.

H. E. Sullivan Esq^r
President Municipal
Commission
Combatone

To His Honourable P. S. Ellis
Chief Secretary to Government
Fort Saint George.

Sir.

I have the honor to request
attention to my letter No. 7 dated 9th
May 1870 submitting for the sanction of
Government certain bye laws framed for
the use of this Municipality.

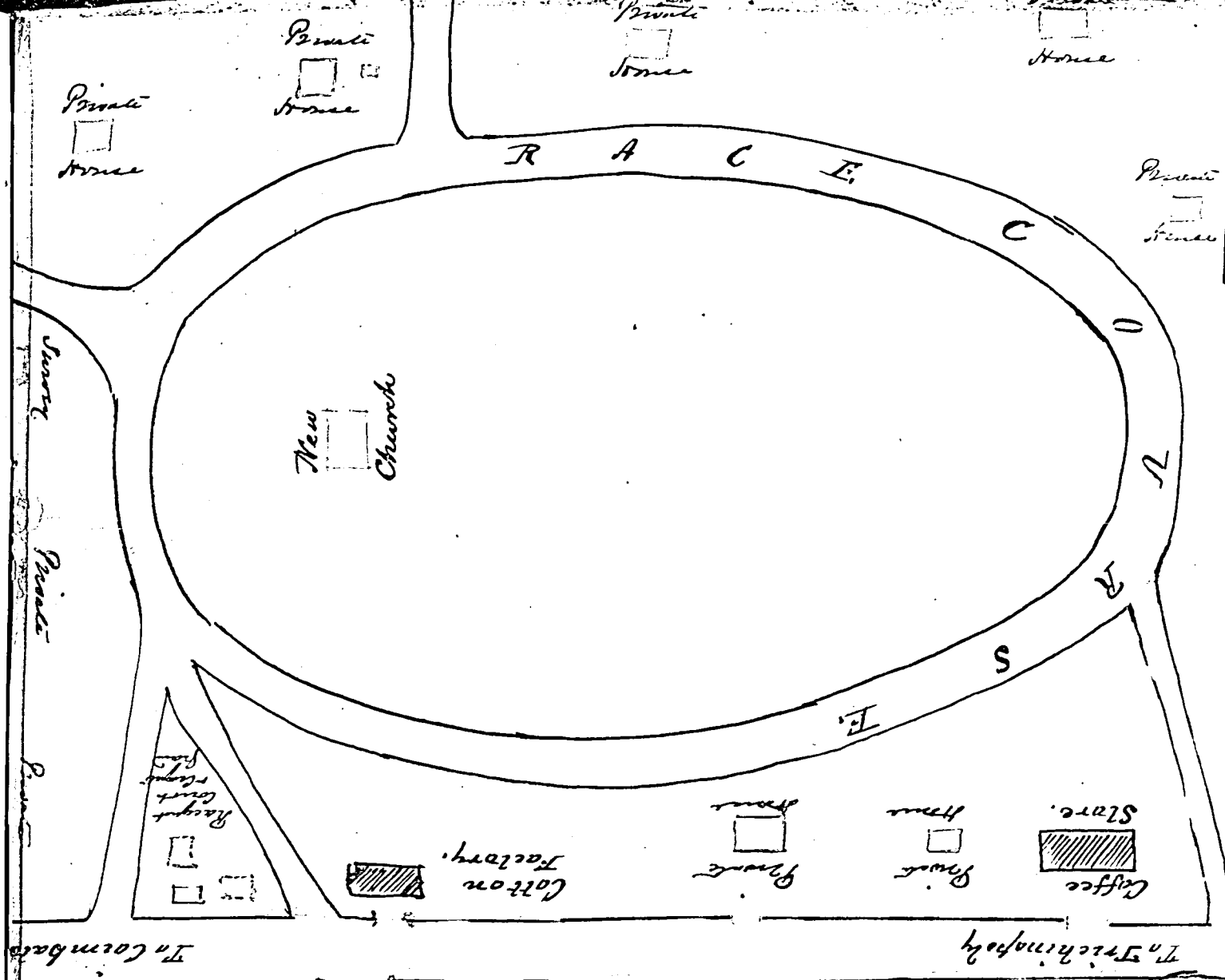
I have the honor to be
Sir

Your most obed^t servant.

W. H. Murray
President

1870 1568
The Municipal
Commissioner
Combatone
No. 19
22nd Sept 1870
H. E. Sullivan Esq^r
President Municipal
Commission
Combatone
To His Honourable P. S. Ellis
Chief Secretary to Government
Fort Saint George.

St. Augustine



St. Augustine

Prison 1st Dec 2/10

*The plan of the
Race Course.*

*In a letter dated 9th May
1870*

Enclosure 2.

*1st Dec 1870
Comdante Municipal
Prison 1st Dec 2/10*

*From the President Municipal
Comandante Civil
The Chief Justice to the
First Land-Grange.*

*Oct 22nd 1870
Received 1st Dec 3/10*

Mr. 1643

*Respectfully attention to the
Cattle. St. Augustine, May 1870
My submission for the
direction of your
Cattle. St. Augustine, May 1870
For the Municipal.*

Public Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter

from the
Pres^t Municipal Comm^{rs}
Coimbatore dated 9th May
1870 No. 4.

Order thereon 1st Nov^r 1870 No. 1548.

With the foregoing
letter, the President of the
Municipal Commission,
Coimbatore, submits a
revised list of byelaws
which, it is desired, to en-
force in the Coimbatore
Municipality.

2. Bye No. 1 will be
approved, in lieu of that
in pari materia sanctioned
as No. 3 in G. O. 23^d Oct^r 1864
No. 1322.

The external walls
of all houses and buildings
adjacent to the public ways
and in the bazaar and
villages within the limits
of the Municipality shall
be lime-washed to the sa-
tisfaction of the Municipal
Commissioners by the occupier,
or, if the house be vacant,
by the owner, between the
1st Jan^y and 1st Feb^y in each
year, unless expressly ex-
empted in writing by the

the Municipal Commissioners.
Penalty for infringement:-
Fine not exceeding Rs 20; penalty
for continued infringement
after notice fine not exceeding
Rs 10 daily.

3. No 16 provides that,
at any time, the Com-
-missioners may require
a general line-washing,
in addition to that
prescribed under No 1
to be made annually;
and No 2 gives them the
power to make special
requisitions on individu-
-als, as a sanitary mea-
-sure or on the out-break
of disease, to have their
premises line-washed,
and to take such other
sanitary precautions as
the Commissioners shall
direct. The last provision
is altogether too vague.
The Govt think that the
two by-laws should be
made

XVI. The Municipal Commission-
-ers shall be at liberty, should they
for any reason so think fit, to decide
that the general line-washing
under By-law No 1 shall take
place at any time other than that
specified, in such By-law; but
in the event of public notice of
such other time for line-washing
not being previously given the
line-washing shall take place
as prescribed in By-law 1.
Any person who shall fail to
comply with the requisition of
the Municipal Commissioners
under this By-law shall be
liable, on conviction before a
Magistrate, to a fine not ex-
ceeding 20 Rs and in case of
continued infringement after
due notice from the Commis-
-sioners to a fine not exceeding
Rs 10 daily.

II. On a special re-
-quisition from the Municipal
Commissioners, as a sanitary
measure, or on the outbreak
of disease the owner or owners
or

or occupant or occupants of
any house or other dwelling or
any set of houses or other dwell-
ings shall forthwith line-
wash such house or other
dwelling or such set of houses
or other dwellings throughout,
and shall further adopt such
other sanitary precautionary
measures as the Municipal
Commissioners shall in writing
direct. Penalty for infringe-
-ment:- Fine not exceeding
Rs 20; penalty for continued
infringement after notice
fine not exceeding Rs 10 daily.

III. If the line washing or
other sanitary precautionary
measures shall not be perform-
ed as specified above, they
may be carried out by the
Municipal Commissioners
and the expenses incurred there-
by may be recovered by them
in the same way as arrears
of rates on houses &c under
Section 74 of Act I of 1865 (Madras)
independently of any penalty
levied for a breach of the
By-laws.

made into one, giving
the Commissioners power,
at any time, to require
all premises or particular
premises to be line-washed,
provided that no person
shall be called on to
line-wash his premises
often than twice within
twelve months, unless
infectious disease shall
have prevailed therein.

4. The mode of
recovery of the cost of line-
-washing proposed in No 3
viz. in the manner pro-
-vided for the realization
of arrears, has already
been sanctioned; but is,
the Govt now consider,
opposed to the spirit of
Sections 132 and 144 of the
Act. The cost must be
recovered as a debt
due to the Commissioners

5. No 4 differs but slightly from the first of those sanctioned in G.O. 19th Sept 1868 No 1170. It will be approved, the former being cancelled.

6. Byelaw No 5 is unobjectionable, but does not admit of continued infringement for which penalty is provided; and the same remarks apply to No 7.

IV. No person shall bury or cause to be buried any corpse in any grave less than four feet in depth.
Penalty for infringement:- Fine not exceeding Rs 20.

V. Any person who may burn or cause to be burned any corpse in any authorized burning ground within Municipal limits shall cause the same to be completely reduced to ashes or to be at once buried.
Penalty for infringement:- Fine not exceeding Rs 20; penalty for continued infringement after notice fine not exceeding Rs 10 daily.

VII. Places for the sale of meat and of fish shall be cleaned once a day at such time as the Commissioners may appoint and the refuse removed therefrom shall be deposited at such place or places as the Commissioners may appoint.

Penalty for infringement:- Fine not exceeding Rs 20; penalty for continued infringement after notice fine not exceeding Rs 10 daily.

VI. No person afflicted with noxious or loathsome disease shall sell or offer for sale any article of food.
Penalty for infringement:- Fine not exceeding Rs 20.

VIII. In the event of the Municipal Commissioners or any person appointed by them finding any animal brought for slaughtering, sick or otherwise unfit for human food, the Municipal Commissioners or the person so appointed may direct the same to be so disposed of as to prevent its being slaughtered and sold for food to the public.

Any person who shall frustrate or attempt to frustrate the direction under this Byelaw of the Municipal Commissioners or of the person so appointed by them, shall be liable on conviction before a Magistrate to a fine not exceeding Rs 20.

IX. If within 6 hours after the death of any animal the person within whose premises such animal may have died shall not have removed or otherwise satisfactorily disposed of the carcass of such animal, the

No 6 and 8 are unobjectionable and have been sanctioned in G.O. 23rd Oct 1867.

8. In No 9 the period allowed for the removal of carcasses is too short; twelve hours might be substituted for six, and the penalty

penalty Rs twenty, reduced the Municipal Commissioners or any person appointed by them may direct the carcase to be buried or otherwise disposed of at the expense of such person who shall, in this latter case, be further liable, on conviction before a Magistrate, to a fine not exceeding Rupees 20.

9. No 10 obliges owners or occupiers of every building to provide for the occupants a sufficient latrine when called on by the Commissioners. The Govt. doubt the necessity and propriety of this bye-law observing that, under Section 90, the Commissioners must furnish sufficient common latrines and urinals.

X. The owner or occupier of every building within the limits of the Coimbatore Municipality shall, when called upon by the Municipal Commissioners, provide a good and sufficient latrine upon a plan to be approved by the Commissioners in a convenient and suitable place upon the land attached to such building for the use of the occupants thereof and shall keep the same in a clean and decent state.

Penalty for infringement:- Fine not exceeding 20 Rupees: penalty for continued infringement after notice fine not exceeding Rs 10 daily.

Note I would suggest this alteration in this By-law. In a recent inspection report by the Sanitary Comr. the private latrines of the Town of Coimbatore are stated to be a source of danger to the public health. Sec 89 of the Act if worked would however be sufficient.

to close any latrine on his premises which is considered by the Commissioners to be a nuisance or

10. The subject matter of

9. The Govt. observed that in a recent report by the Sanitary Commissioners the private latrines of the Town of Coimbatore are stated to be a source of danger to the public health. The Govt. suggest to the Comr. that the words "close any latrine on his premises which is considered by the Comr. to be a nuisance or" be inserted after "Municipal Commissioners" in bye-law No 10; and that Section 89 of the Act should be efficiently worked.

W

XI. Any person who, wilfully and indecently exposes his person or commits nuisance by exposing himself in public view or in any public place not specially set apart for the purposes of nature by the Municipal Commissioners, shall be liable on conviction before a Magistrate, to a fine not exceeding Rs. 20 for each offence.

XII. The following rates of fees shall be charged by the Municipal Commissioners for every bull, bullock, Cow, sheep, goat or pig slaughtered within Municipal limits.

For every bull, bullock & Cow	4 Annas
do Sheep and goat	1-
do Pig	1-

XIII. No one shall keep any pig within Municipal limits except in a Pig sty or other suitable enclosure. Penalty for infringement: fine not exceeding Rs. 20.

XIV. The owner or owners of any buffalo, pig or other animal found feeding within any public latrine or any other place of resort as a latrine shall

of No. 11 is sufficiently provided for by existing law. The Court do not approve No. 12, which, in fact, imposes an entirely new tax. Private slaughter houses must be licensed, and for the use of Municipal ones moderate fees will be sanctioned; but the present provision is much too general.

12. No. 13 will be approved.

13. The Court do not approve No. 14. The words "in any other place of resort as a latrine" are too extensive and the by-law shall

byelaw should be confined to providing a fine on the owners of animals trespassing in public latrines and declaring that the animals may be impounded.

14. Rs. 15 is not approved. The Act provides for recovery of damages for any serious injury; and it is unnecessary to provide a penalty for trifling infractions of instructions which the Commissioners may see fit to draw up for the use of their latrines. It is believed that a somewhat complicated plan of latrine has been adopted in Coimbatore.

15. Nos 17 and 18 are now in force, except the penalty for continued infringement and the specification, in the latter, of the persons

shall be liable to have such animal destroyed at the discretion of the Commissioners and shall further be liable, on conviction before a Magistrate, to a fine not exceeding Rs. 10 for each animal found so feeding.

XV. Persons are forbidden to deface or defile the walls of latrines or to use them in any improper manner. Penalty for infringement: Fine not exceeding Rs. 20.

No. it is the French system & is strongly recommended by the Sanitary Com. for adoption in other Municipalities or Council has recently inspected Coimbatore M.C.

XVII. No bratties shall be dried against the external walls of houses or other structures adjacent to any public highway. Penalty for infringement: Fine not exceeding Rs. 20, penalty for continued infringement after notice

notice fine not exceeding Rs. 10 daily.

XVIII. The owners or trustees of every burial ground shall, when called upon by the Municipal Commissioners, enclose such burial ground by a sufficient wall or fence to the satisfaction of the Commissioners.

Penalty for infringement: Fine not exceeding Rs. 20; penalty for continued infringement after notice fine not exceeding Rs. 10 daily.

XIX. The owner of every well within Municipal limits shall, when called upon by the Municipal Commissioners, enclose it in, in such a manner as the Commissioners may direct.

Penalty for infringement: Fine not exceeding Rs. 20; penalty for continued infringement after notice fine not exceeding Rs. 10 daily.

XX. Every owner or occupier of a house shall keep the same in repair to the satisfaction of the Municipal Commissioners.

Penalty for infringement: Fine not exceeding Rs. 20; penalty for continued infringement after notice fine not exceeding Rs. 10 daily.

liable. The modifications will be approved.

Sections 104 and 105 of the Act itself, deal sufficiently with unfenced wells and dangerous erections. Nos 19 and 20 are therefore disallowed.

17. If the ground referred to in No 21 is private property, there appears no sufficient reason why the Commissioners should interfere; if part of the public street, the case is provided for by section 122.

9. If the building is built upon the public street, it is provided for by section 122.

18. No 22 is disapproved, as involving unnecessary interference with private action.

XXI. No person shall build upon, enclose or in any way encroach upon the ground lying between the street, drain and the houses on either side of the street; provided that the Municipal Commissioners shall be empowered to grant licenses for the erection of temporary pandals on such space on the occasion of marriages &c.

Penalty for infringement. Fine not exceeding Rs 20, penalty for continued infringement after notice - fine not exceeding Rs 10 daily.

XXII. No person owning or occupying premises abutting on any public way shall commence building any wall or fence or other structure abutting on such public way without previously obtaining the sanction, in writing, of the Municipal Commissioners; nor shall any person collect, either to build or repair a house or other building, any building material on any public road, lane or thoroughfare without the written sanction of the Municipal Commissioners; and such sanction shall be produced when called for by

any Police Officer or servant of the Municipality authorized by the Municipal Commissioners to demand the same.

Penalty for infringement. Fine not exceeding Rs 20, penalty for continued infringement after notice - fine not exceeding Rs 10 daily.

XXIII. No Bridges or other covering over the drains adjoining the public way, shall be constructed, nor shall any other interference with such side drains be permitted without the written sanction of the Municipal Commissioners.

Penalty for infringement. Fine not exceeding Rs 20; penalty for continued infringement after notice - fine not exceeding Rs 10 daily.

XXIV. A license fee, at the rate of two annas for every one thousand bricks or one thousand tiles manufactured and burnt within Municipal limits, and a fee of four annas for every one hundred superficial feet occupied as a yard or depot for timber within the above limits, shall be

No 23 is, in substance, a repetition of the existing bylaw No 8 (U.O. 23 Oct 1867), but the Govt doubt whether it is necessary, and think that section 122 which provides a heavier penalty if obstruction or encroachment is caused, but in that case only, is adequate.

The fee for timber yard licenses, proposed in No 24, is not too heavy, but that proposed for brick kilns and potteries is inadmissible. The license is for the place and

and a tax, varying ac-
-cording to the quantity
of produce, cannot be
called a license fee.

21. Nos. 25, 29 and 30
are now in force and are
unobjectionable.

A Bill imposing a
license fee of this kind was
passed by the Council in 1862
but it was found that it was wrong.

be imposed; provided that no
fee for the license of a timber
yard shall exceed Rs 20 fine.

XXV. No one shall fly a
kite or engage in any game in
such a manner as to annoy or
to be likely to endanger the safety
of passengers on the public roads.
Penalty for infringe-
ment. Fine not exceeding Rs 20.

XXIX. All carriages and
carts shall keep on the left-hand
side when meeting other con-
-veyances and on the right
hand side when passing other
conveyances going in the same
direction.

Penalty for infringe-
ment. Fine not exceeding
Rs 20.

XXX. No person shall drive
any vehicle (Country carts
drawn by bullock excepted)
at any time between 3 hours
after sunset and one hour
before sunrise without a
sufficient light except when, in
the opinion of the Magistrate,
there may be sufficient moon-
light to render such light
unnecessary.

Penalty for infringe-
ment. Fine not exceeding Rs 20.

The

XXVI. No grain shall be
spread or piled or measured
in any public thoroughfare
and no fire wood, baskets or
other articles shall be deposited
in any thoroughfare for a
longer period than may be
necessary for their removal
to the premises for which they
are intended, or for their taking
on the carts which are to take
them away.

Penalty for infringe-
ment. Fine not exceeding Rs 20;
penalty for continued infringe-
ment after notice fine not
exceeding Rs 10 daily.

XXVII. No bullock, horse,
donkey or other animal shall
be allowed in any public
places unless properly attended.

Penalty for infringe-
ment. Fine not exceeding Rs 20.

XXVIII. No person shall,
without the written permission
of the Municipal Commissioner,
drive any horse, bullock or any
other animal, attached to sledges,
heaps of manure, logs of wood,
ploughs, or other agricultural
implements along public streets
or ways within Municipal limits.

Penalty for infringe-
ment. Fine not exceeding Rs 20.

22. The words "or
measured" in bylaw No 26
seem superfluous. No 27
is too vague and No 28 in-
volves unnecessary inter-
ference with the people.

23. No 31 is now in force, but the Court think it ought to be cancelled or at least restricted to licenses. Rate-payers are entitled to make extracts, without fee, from the register of house rates and the same freedom should be allowed as regards all registers. The registers under Sections 49, 59 and 64 are to be open to public inspection and the municipal authentication of a copy can serve no special purpose. Still, if the operation of the by-law is not allowed to interfere with the provisions of the Act above referred to, there is, perhaps, no reason why parties who wish for municipal authentication should not pay for it.

No.

XXXI. Authenticated copies of original registration or of licenses shall be given, when required, to the person or persons interested, on the payment of a fee not exceeding 4 annas for each copy.

XXXII. No carriage, cart or other conveyance shall, when not actually in use, be left on any public highway. Penalty for infringement: fine not exceeding Rs. 20. Penalty for continued infringement after notice: fine not exceeding Rs. 10 daily.

XXXIII. No person, who shall prove that he has paid a tax under Section 58 or Section 66 and by of Act X of 1865 in any other Municipality, shall be required to pay a similar tax for the same period on his becoming a resident of the Coimbatore Municipality.

XXXV. Any cart which shall have been registered under Section 64 of the Towns Improvement Act for any half year within the Municipality, shall, if transferred to the Coimbatore Municipality, within the same half year, be exempt from registration a second time for the same period in the latter Municipality.

XXXIV. No carriage, horse or other animal for which a tax under Section 58 of Act X of 1865 has been paid in the Coimbatore Municipality

No 2 is unobjectionable. By-laws similar to Nos 33 and 35 were approved in G.O. 21 of May 1870. The words "66 and" in No 33 should be omitted.

25. The Court decline to sanction No 34. The tax under Section 58 is a tax on

on the person possessing the Carriage or animal, not on the Carriage or animal itself.

shall be liable to fresh taxation in the same Municipality in the same half year on changing owners.

26. No 36 was amended in G.O. 23 Oct 1867. In No 37 a scale of fees of various kinds is proposed. The fees are generally too vaguely defined as well as too high and the sections of the Act are misquoted. A fee for a term of five years can not be called a fee for a temporary erection. A livery stable need not come under the

XXXVI. The Municipal Commissioners shall be at liberty to withdraw at their discretion any license which may have been issued by them under the Town Improvement Act.

XXXVII. The following rates of fees shall be paid for licenses to erect pandals or other temporary constructions on occasions of marriages, feasts &c. -

Section	Fees	
For temporary erections on streets on occasions of private festivals and ceremonies	117 2	50
Do putting up verandahs &c in front of houses & over streets	132 5	100
Do Livery, hack stable horses &c or veterinary infirmary	1	50
Do Cart Stand	2	20
Do Cattle shed or yard for public resort	142 2	20
" Keeping more than 20 sheep or goats	5	20
" Do Do 10 horned cattle	1	10
" Boards, scaffolding or frames set up for public trade	181 4	40
" deposit of materials or earth on any public streets	183 4	Do
" making a hole in public street	" 4	Do
" every slaughter house or market	185 10	100
" Registering off-licence trades and depots for hay, straw, &c	191 5	50
" Newly opening off-licence trades and depots	193 10	100

Livery stable need not come under the Carriage & horse & animal tax. Provision is made in the Act against the Municipal Commissioners.

the general description in Section 141 and it would be better that the Commissioners should use their powers to secure proper conservancy in livery stables, than seek to derive a revenue from them. The fees on public Car stands and Cattle sheds are moderate enough. The proposed fees for keeping horned cattle and goats are in reality extensions of Schedule C and are further unnecessary and inexpedient. The fee for hoarding and scaffolding is high. The Govt would be disposed to omit it and the two following ones. The annual license fee for a slaughter house is very high and the fees on off-licence trader should be further defined.

Section 141 is a very good one and should be made the basis of a new one. It is a very good one and should be made the basis of a new one. It is a very good one and should be made the basis of a new one.

27. In bylaw No 38 the words "or take any part in causing the erection of" should be omitted as unnecessarily extending the liability to the penalty provided; and also the words "which the Commissioners may decide to be". The fees must be defined so as to be exactly known to the people and beyond the discretion of the Commissioners in individual cases.

28. The last part of bylaw No 39 regarding the liability of mustamped measures to confiscation should be embodied in the bylaw itself; the rates of fees should be graduated according

XXXVIII. Any person who shall erect or take any part in causing the erection of any such pan. dal as aforesaid, without first obtaining a license and paying for that same the fee sanctioned by this Bylaw, shall be liable, on conviction before a magistrate, to a fine not exceeding Rs 20; irrespective of the fee which the Commissioners may decide to be due under this Bylaw; and in the case of continued infringement of this Bylaw after notice in writing from the Commissioners, shall be further liable to a fine not exceeding Rs 10 daily. The fee which the Commissioners may decide to be due under this Bylaw shall be recoverable in the same way as arrears of rates on houses &c under Sec. 74 of Act X of 1865. (Madras.)

XXXIX. No measure of capacity shall be used for the purposes of sale in the Coimbatore Municipality unless it shall have been inspected as correct by the Municipal Commissioners.

Penalty for infringement. Fine not exceeding Rs 20, irrespective of the liability of such unimpressed measure to be confiscated and destroyed at

at the option of the Municipal Commissioners. The charge for impressing the Coimbatore Municipal dec. upon each measure shall not exceed Annas two.

XL. It shall be lawful for the Commissioners, temporarily to close any road within Municipal limits for the purpose of repairing the same and to decide what roads or portions of roads shall not be used by Carts or other vehicles without springs.

Any person using a road temporarily closed, for the purpose of repairs, or driving a Cart or other vehicle without springs on any road reserved for the passage of spring Carriages only, shall be liable to a penalty not exceeding Rs 20.

XLI. No guns, Cannon 'Cadamay' or other fire arms or fire works shall be fired on or within 100 yards of a public thorough fare within the limits of the Municipality without special sanction.

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according to the size of the measure; and the Commissioners should consider whether similar provisions might not be made as regards weights.

29. The first part of bylaw No 40 empowering the Commissioners to close, temporarily, roads under repair is unobjectionable; but the penalty should not be leviable, unless the closure is duly placarded on the spot. The last part is not approved. If the roads are repaired from Municipal funds, the use of them cannot be confined to any particular class of traffic, payers or any particular kind of traffic.

30. The last bylaw has been already approved. A penalty for infringement should be provided.

31. With these remarks
the by-laws are returned
to the President for amend-
ment. His Govt observes
that it is not stated that
the by-laws, as proposed,
have been passed by
the Commissioners.

RS

at the order of the President of the Municipal Com^{tee}
Committee
with the By-Laws

17
Court of 1873 Minutes.

To: Justice

The Grand Jurors
Court House

Dated Dec 1. }
Recd. 1870, No. 328.

Nos. 1, 2, 3,

Resolving for our duty
the record of the Court
prepared by the Grand Jurors
the former two minutes.

Council

was then 9 to be signed by
H. H. Allen before the court goes
on to.

Send out
M