

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	<i>PS 8</i>	Press
		Mis.
	<i>17-18</i>	
Dated	<i>3. 6. 1863</i>	10 .

7/8

Not to be folded or roughly handled

18

*Proceedings of the Madras Government, Judicial Department,
3rd June 1863.*

No. 17. Read the following letter from JOHN URQUHART, Esq., Coroner of Madras; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 17th April 1863.

I have the honor to bring to the notice of His Excellency the Honorable the Governor in Council, that fifty-seven cases of death by drowning, occurred, within the local limits of the Criminal Jurisdiction of the High Court of Judicature at Madras, during the year 1862.

2. In thirty-one of these cases death occurred by drowning in wells.

3. Wells in Madras have wide unprotected openings, surrounded by parapets; and these parapets, are in many cases, in an unsafe and dilapidated condition. The great danger, however, is not from any defect in the parapets, but from the wide unprotected openings of the wells themselves.

4. There is no mention of "wells" in the Police Act of 1856; and in the Conservancy Act of the same year, although by Section XC, the Commissioners have power to order wells near streets, to be "repaired, protected, enclosed," so as to prevent danger to passengers; there is no provision for wells in private compounds, nor any provision for rendering wells safe to persons using them.

5. I am of opinion, that many lives might be saved, were proprietors of open wells, compelled by law, to place gratings over such wells. This, which could be done at small cost, would, I believe, prevent not only accidental, but to some extent suicidal drowning.

6. I venture to express a hope, that His Excellency the Honorable the Governor in Council will be pleased to consider this matter, with the view of taking such steps as may appear to him desirable, in order that the state of the wells referred to may be rendered less dangerous.

No. 18. ORDER THEREON, 3rd June 1863, No. 858.

In the foregoing letter the Coroner recommends that a law should be passed, empowering the Government to compel the owners of wells to cover them with gratings, whether they be situated in public thoroughfares or in private compounds.

2. Under Section XC, Act XIV of 1856, the Madras Municipal Commissioners have power to cause any unprotected well in a public thoroughfare to be protected at the expense of the owner, and this has been done to the extent of protecting them by parapet walls; and under Section 308 of the Code of Criminal Procedure, Magistrates in the Provinces are empowered to require the owners of such tanks or wells as are situated adjacent to any public thoroughfare, to fence such tanks or wells.

3. In their Proceedings of the 7th August last, the Government expressed their opinion that, under the last mentioned Section, the authority of the Magistrate extended to any tank or well situated in private ground, but to which the public are allowed resort.

4. The Governor in Council is of opinion that the Municipal Commissioners might advantageously be invested with similar powers, but this cannot be done until the Code of Criminal Procedure shall have been declared applicable to the town of Madras.

5. The Coroner's proposal that the owners of wells should be compelled by law to place gratings over them, is one which the Governor in Council cannot entertain.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

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I have the honor to be
Sir

Your Most Obedient Servant

M. J. J. J.
Coroner

Madras
Coroner's Office
17th April 1863.

Memorandum
for Orders.

Read Letter from the Coroner of
Madras
(Recd. letter 17 April 1863)

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or in private compounds

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XIV of 1856 the Madras
Municipal Commissioners
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unprotected well in a
public thoroughfare to
be protected at the expense
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has

Memorandum for Orders
Coroner's proposal
regarding wells in
Madras

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
letter from the Coroner of
Madras

(Here enter 17th April 1853)

Order thereon 3rd June 1853 N^o 858.

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Letter from Coroner of Madras
17th April 1853 N^o 858.

C. 19 May
R. 22

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I have embodied the above in the High Court in this point in a separate draft. *lyk*

lyk

10/10/00

To the Governor of Madras }
" Municipal Commissioners } *dec'd 5*

*Chronic physical degeneration
of the atrophic type*
848

17481

Further Pub. Nos 59 & 249 of 1866-

Dated 3rd June 1865

*Similar
St. H. 120/66.*

PROCEEDINGS OF GOVERNMENT,

No. 857

Judicial 1865. Department.

Pro. Case

9026

*C 28 May
A June*