M.R.O. 1—19,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 588 Press Mis.

163-164

Dated 20.4— ~~19~~ 1816

6/7

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
20th April 1866.

No. 163. Read the following Proceedings of Government in the Public Works Department, dated 11th April 1866, No. 1118.

Communicating papers, in view to its being ascertained why an inquest was not held in the case of a man killed on the Karkoor Ghat, in the 7th Division. (Vide Proceedings, Public Works Department, dated 11th April 1866, Nos. 187 and 188).

No. 164. ORDER THEREON, 20th April 1866, No. 588.

The foregoing Proceedings will be communicated to the Magistrate of Malabar, who will be good enough to explain why no inquest was held in the case referred to in paragraph 3.

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

To the Magistrate of Malabar.

Exd. J. Tolloch.

No. 187. Read the following letter from the Superintending Engineer, 7th Division, to the Secretary to Government, Department Public Works, dated Camp, Coonoor, 21st March 1866, No. 301 :—

1. I have the honor to report the occurrence of three accidents on the Coonoor, Tambracherry, and Karkoor Ghauts, the two latter attended with fatal results. The reports of Captain Law, and the subsequent Medical Report (for which this has been delayed) will best explain the nature and consequences of that on the Coonoor Ghaut.

Enclosure 1.

CAPTAIN LOW'S REPORT.*

"It is my painful duty to report an accident on the upper portion of the new "Coonoor Ghaut, during my absence on the works below Burliah, last Monday, "the 15th instant.

"It appears that out of ten holes on a particular rock below the fourth mile one "missed fire. Pensioned Sepoy Veerasawmy, Cooly Mootoopillay, and a boy named "Nursa, approached the hole, the boy carrying powder for fresh priming. Accord-"ing to their account, which I took from them at the Dispensary, the Sapper had "introduced the copper needle into the hole, and was in the act of withdrawing "it, when the charge exploded. The poor boy who was in front, handing up the "priming, was thrown down, his right arm fractured, several splinters struck him "in different parts of his body, and his face was much burnt; it is feared that he "will lose his left eye. The Sapper was much burnt, and his left eye also much "injured, its recovery doubtful, whilst the Cooly escaped with a slight scorching. "Much as I regret the accident, I am thankful that no life has been sacrificed."

DOCTOR OGG'S REPORT.†

"Two of the men injured by blasting on the Coonoor Ghaut on the 15th ultimo "are still in Hospital. The third man was but slightly burnt, and was soon able "to return to work.

"Of the two cases now in Hospital, Sepoy Veerasawmy (late 51st Regiment "M. N. I.) has sustained severe injury in both eyes, and it is not probable, in my "opinion, that he will ever regain useful vision in either eye, so as to be able to "earn a livelihood.

"The boy Nursa has, besides minor injuries, fracture of the right fore arm, and "a severe wound on the left temple and left eye, accompanied with total loss of "vision in the left eye.

"It is my opinion that he will regain the use of his right arm, although he may "not be able to use it freely for a considerable length of time."

2. It cannot but be concluded that this accident is owing to want of due caution on the part of one of the sufferers, who was considered to be sufficiently skilful and prudent to be entrusted with this sort of work, ordinarily, in the absence of Captain Law.

3. The fatal accident on the Tambracherry Ghaut is fully detailed in the accompanying copy of Proceedings of a Court of Inquest held on the occasion, which returned a verdict of accidental death, acquitting all concerned of any

* No. 4 of 17th January 1866. † No. 5 of 19th February 1866.

neglect of duty, and recommending that provision should be made for the widow and child of the Sapper deceased. I inspected those portions of the ghaut where the Sappers were working two days before, and on the very morning of the occurrence, and consider it to be very clearly explained in the evidence of the second witness, Havildar Appasawmy.

4. Of the third accident on 23rd February, ending fatally for one man, and seriously for another, but for which they are themselves held to blame, Mr. O'Shaughnessy furnishes the following details, viz. :—

"These coolies were employed boring in rock; they were set to work in the "usual manner by the blasting Maistry; they took advantage of the Maistry's "absence to leave the place on which they were set to work, and they proceeded "to some distance and commenced working on a hole that had been already tamped "and loaded, but which did not go off when fired; they did this no doubt to get "off their daily task on solid rock, and they set to work so vigorously that they "had reached the powder through the tamping, and were blown up before the "Maistry could discover that they had left the place at which he set them to "work."

"The circumstance was reported at once to the nearest Magistrate, to the "Police, and the Medical Officer of the Division. The Medical Officer and two "Police Constables attended. The body was kept thirty hours, awaiting the usual "enquiry by the Magistracy, but as no person appeared in that time for the purpose, "and as the body was decomposing, the Medical Officer ordered it to be buried. "The wounded coolly was removed to the Civil Dispensary, and is doing very well."

5. It is to be regretted that these accidents have happened, but considering that they are the first of any consequence which I have had to report as having occurred on these extensive works, I think that Government have good reason to be satisfied with the care and attention shown by both Officers and Subordinates connected with them, who are in the habit of taking every proper precaution in dealing with the natural obstacles which they have to overcome.

Proceedings of a Court of Inquest held at Luckolie on the evening of the 22nd February 1866, *by order of Captain F. M. Reynsford, Commanding the Station, to inquire into the cause of death of Private, No. 2,735, Soobramonien, H. Company Sappers and Miners.*

PRESIDENT.

Captain H. F. DAKEYNE, d. d., Sappers and Miners.

MEMBERS.

Lieutenant H. P. R. CRAWFURD, d. d., Sappers and Miners.

Subadar VEERAN, Sappers and Miners.

Mr. Assistant Apothecary H. Stewart, in Medical charge of the Detachment, in attendance.

The Court having assembled agreeable to order, proceed to view the body.

The body is identified as that of Soobramonien, late Private No. 2,735, H. Company Sappers and Miners, who met his death this day when at work on the Tambracherry Ghaut, as shown in the evidence adduced.

The Court note that a large portion of the skull on the right side of deceased's head is crushed in, that from this depression of the skull and face, the features are much contorted, and that a portion of the brain is protruding from the right eye. Saving a few scratches there are no other marks, or bruises on the body.

It being 6½ P. M., the Court adjourn until to-morrow morning at 8 A. M.

Proceedings of the Madras Government, Public Works Department.
11*th April* 1866.

Friday, 23rd February 1866.

The Court having met pursuant to adjournment, President and Members proceed to view the ground where the accident occurred.

The Court note for information that the spot where the accident occurred is situated on the south face of the Tambracherry Ghaut, overlooking the country, which is several hundred feet below; the ground here is scarped and shelving off in parts, and running down at others almost perpendicularly, the same is composed of hard and decomposed granite, and land slips, the former in mass, the other in strips, one piece supporting the other; the land slips are again covered by a foot of very light soil, the whole held together by the roots of plantains and other small shrubs, which have penetrated the interstices of the rock covered. It is along the face of this rock that the Sappers are running a four-foot trace. Each progressive foot, up to date of accident occurring, being cut in the solid rock, the change in the formation being at the spot where the stone slips occurred, and which was the cause of the death of the above Sapper, and the maiming of three others. To the left of, and adjoining this spot is a mass of solid rock, on which other Sappers were at work boring.

The Court now proceeds to record the evidence of those present shortly before, and at the time of the accident occurring.

First Evidence.—Chinnien, Jemadar in the H. Company Sappers and Miners, states thus :—Yesterday morning, the 22nd instant, the Sappers of the H. Company detailed for work were distributed along the face of the rock to be removed. Some boring rock, others removing such as had been blasted, and the small party in question excavating stone at the extreme end, where the accident occurred. At this latter place were two Sappers at work, whose numbers was afterwards increased to seven, the deceased Private Soobramonien being one, Lance Naigue Rungien was in charge, and assisting Havildar Appasawmy, No. 1,021, was also present, and superintending all Sappers at this end of the line. At ½ to 4 P. M. I visited the place, and noticing a Sapper using a hand spike incautiously on his left shoulder, he being then standing to the right of the mass, directed him to work it from his right shoulder; he did so, some rock was detached, and as every thing appeared correct I moved on down the line. A quarter of an hour later, the accident occurred; I immediately hastened back, had the deceased and other wounded men removed, and sent word to the Apothecary. Saving a slight pulsation, the deceased had ceased to live.

Second Evidence.—Havildar Appasawmy, No. 1,021, states thus :—I was in charge of a party of Sappers, boring and removing rock, yesterday the 22nd instant. At this spot, where the accident occurred, were two men, removing stone with crow-bars, both standing on the right; this stone I will call No. 1, behind this again there was another stone, which I will call No. 2, which being of greater length, projected beyond No. 1, and under this were other smaller pieces of stone, which again by the removal of No. 1 I feared might move forward, and hurt the feet of the men at work. I therefore directed them to mount on No. 2, which they did, applying their crow-bars; but not succeeding in moving it, I sent them for a stout pole, called some other Sappers to assist, planted the pole as a lever between No. 1 and No. 2 stones, and having attached a piece of wild cane to the end of it, mounted the party, seven in number (names marginally given) on the apparent firm ground behind No. 2 stone, and told them to pull, they did so; the stone No. 1 shook, they pulled again, and it moved forward, No. 2 followed, and the mass also on which they were standing, and the whole party, were precipitated head foremost a distance of some twenty-five feet, men and stone rolling together. The deceased and others injured were extricated at once, the former when raised was to all appearance dead.

Private No. 2,735, Soobramonien.
Do. „ 1,766, Moonesawmy.
Do. „ 2,787, Venkatraman.
Do. „ 2,160, Seetiah.
Do. „ 1,586, Runganawmy.
Do. „ 1,597, Ramasawmy.
Do. „ 1,735, Pollyah.

Third Evidence.—Lance Naigue Rungien, No. 1,030, states thus :—The stones on which the men were standing, and which moved forward were, up to the time of the accident, concealed from

view by the earth above, and their existence, saving by excavation, could not have been detected.

Fourth Evidence.—Private Polliah, No. 1,735.
Do. Moonesawmy, No. 1,766
Do. Venketraman, ,, 2,781 } These Sappers are now in Hospital.
Do. Seetiah, ,, 2,160

The evidence of the above four men is to this effect:—We mounted the mass which appeared to be of earth, in rear of the two stones in front, unsuspicious of any danger existing in our minds at the time. The evidence is here closed.

In conclusion the Court observe, that the ground above and to the rear, and right, is of a most treacherous nature, a greater portion of it being on close examination, and as this accident has revealed, composed of accumulated land-slips made up of stone and earth, and covered with grass and brambles, thus hiding from view the slabs resting as they do one against the other, the removal of one of which might, in the opinion of the Court, be the cause of loosening masses of tons weight resting on it, and which has been the cause of the accident in the present instance.

The Court would here record that no blame as regards want of due care on the part of those whose duty, under ordinary circumstance, it would have been to have detected such fault in the ground, and guarded against it, can be laid to the charge of any one superintending the work of the II. Company of Sappers yesterday, the 22nd instant, and are of opinion that the deceased Private Soobramonien met his death accidentally.

A Medical Return of the wounded Sappers in Hospital accompanies these Proceedings.

The deceased Private Soobramonien having left a wife and a child totally unprovided for, the Court venture, with the utmost respect, to solicit the favor of His Excellency the Commander-in-Chief submitting the case of the widow to the favorable consideration of Government, with view to a pension being granted her.

(Signed) H.F. DAKEYNE, Captain,
President of the Court.
(Signed) H. P. R. CRAWFURD, Lieutenant, } Members.
Signed in the Tamil character VEERAN SUBADAR, }

(A true Copy.)

LUCKADIE,
24th February 1866.

(Signed) F. M. RAYNSFORD, Captain,
Commanding Luckadie.

Forwarded for the information of the Executive Engineer in charge of Tambracherry Ghaut, Luckadie.

No. 188. ORDER THEREON, 11th April 1866, No. 1,118.

ESTABLISHMENT, No. 19.

1. The Government regret to learn the serious accidents which the Superintending Engineer of the 7th Division reports to have occurred on the Coonoor, Tambracherry, and Karkur Ghauts.

2. His Excellency the Governor in Council will be prepared to consider any applications which Lieutenant-Colonel Walker may submit in the prescribed form, for the grant of gratuities to the men who have been injured, and to the families of those who have been killed.

Vide Chapter X. of the New Code, and page 383 of Grant's Circular Order Book.

Proceedings of the Madras Government, Public Works Department,
11th April 1866.

3. In the case of the man who was killed on the Karkur Ghaut, a Court of Inquest was not convened in accordance with the Rules. These Proceedings will accordingly be communicated to the Judicial Department, where the matter will be further considered.

(True Extract.)

Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer 7th Division.
,, Military Department.
,, Judicial do.
,, Controller of Public Works Accounts.

Exd. S. T. Augustin.

Judicial 1886 Dept.

Procgs. P.W. Dept. No 1118

No. 588

20th April 86

No. 1192

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following Proceedings of the Public Works Dept. [Here enter 11 April 1886 No 1118]

Order. 20th April 1886 No. 588.

The foregoing Proceedings will be communicated to the Magistrate of Malabar who will be good enough to explain why no inquest was held in the case referred to ~~as above~~ in Para 3.

[signature]

The Magistrate of Malabar. desp. 23/4

Judicial 1886. Department.

No. 5161

PROCEEDINGS OF GOVERNMENT.

Feb. 1892.

Dated 29th February

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