

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1528

Dated 20th July 1895

INDEXED.

[Despatch Abstract.]

ATTEMPT TO WRECK A TRAIN ON THE
SOUTHERN MAHRATTA RAILWAY.

Communicating to the District Magistrate of Anantapur, copy
of a letter addressed by the Public Works Department to the Government
of Bombay relating to a recent-----.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	3772		95-12	1799	29		8-95
	2923		96				
	1853						
	23	11-26					

Ref. on. c. ¹²³
6.5.95

To.

The Agent,
S. M. Railway
Sharwar.

Sir, In enclosing herein a copy of The Sessions Court Judgment in Case no 17 of 1895 in re offence under sec 126(a), Act IX of 1890 (placing across a Railway line wood, stones, or other matter), I have the honor to request that you will be so good as to inform me whether the Railway is provided with watch-men for the patrol of the line by day and night, and if not whether it is intended to make such provision. This is the 3rd case known to me since the line has been open.

I have &c &c.
/s/ V. Subbar
for dist magistrate

(True copy)

F. A. Wilson.

District Magistrate

m. loos
17.6

Southern Railway Company
Agents' office

Sharwar 13th March 1895

No. 32
4206

To,

The District Magistrate
Mantapur.

Sir,

With reference to your letter no $\frac{123}{95}$ of the
6th Instant, I have the honor to inform you that
the Railway is not provided with watchmen to
patrol the line by day and night, and that there
is no intention, so far as I am aware, to make
any such provision.

I have to say—

/s/ J. H. Burdock

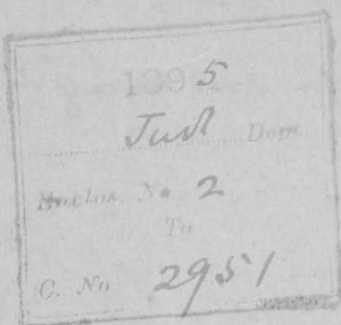
Major R. E.
Agent.

/True copy/

F. A. Wilson.

Dist. Magistrate.

Wos
17.6
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Office of the Superintendent of Police

Anantapur District,
of 29th May 1895.
Desp: 1/6/95.

No. 619

From

G. E. Smith Esquire
Superintendent of Police
Anantapur District

To,

The District Magistrate
Anantapur.

Sir,

In reply to your letter No: 123 of 17th Idem, I have the honor to state that four cases of placing obstructions on the Southern Railway line occurred since it was opened to the public.

In Gooty Taluk 3 cases:— In one case a sleeper and an iron crowbar were kept at the entrance of the ferry bridge in which the gang maistry was suspected and in two cases stones or slabs were placed on the rail by some mischievous boys.

In Pennamda Taluk 1 case:— In this a large number of Railway materials, crowbars, wooden levers etc were placed on the line by one of the gang coolies with the intention of bringing the others who were on inimical terms with him, into trouble. The offender was charged but was acquitted by the Sessions Judge in February Sessions.

I have to re—

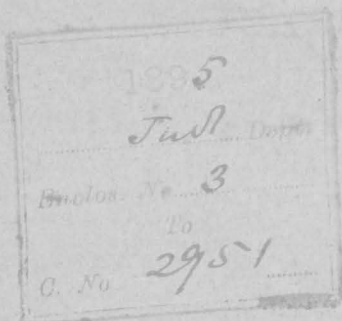
/s/ G. E. Smith
Superintendent of Police

[True copy]

F. A. Wilson.

Dist. Magistrate

was
17.6
m



Anantapur Dist. Magistrate's office

Dated 17 June 1895

Ref No. 123
Magt.
Enclosures Four

CURRENT NO. 2951

From,

F. A. Nicholson Esquire

District Magistrate of
Anantapur

To,

The Chief Secretary to the Government of
Madras

Ootacamund

Sir,

On the 24th January the Assistant Engineer and the Permanent Way Inspector on the section of the S. M. Ry. between Pennkonda and Hindupur discovered that some person had placed most serious obstructions on the line, viz, large stones (one weighing above a maund), iron crowbars and a wooden lever carefully wedged in between the rails, &c. A train had passed over these obstacles and providentially had been able to break through them or dash them aside, but it is stated that, had the train been going at a lower speed, it would probably have been wrecked; the spot selected was just in front of a considerable girder bridge so that a frightful accident might have resulted and was evidently intended. A certain gang cooly was arrested and tried at the Sessions Court, but was acquitted for want of direct evidence.

1895
Just. Imp.
Enclos. No. 4
To
C. No. 2951

2. I thereupon made a reference to the Agent S. M. R. Sharwar, to know whether the line was protected by patrol watchmen by day or by night, and if not, whether it was intended to appoint such patrols. Both of these points were replied to in the negative (vide copies of this office Refce: and the reply enclosed). From letter no:

619
1.6.95 of the Superintendent of Police (copy enclosed) it will be seen that offences of this nature punishable under sec: 126 of the Ry. Act, are not uncommon: the line has only been open as a through line since September 1893, and since that time there have been 3 cases in the Gooly Taluk, besides the one above reported.

I also recollect that prior to the opening of the ^{through} line in September 1893, there was another case in the Hindupur Taluk where a man placed a steel rail across the lines. The line is wholly unfenced and open to various accidental obstructions, and if to these are added intentional obstructions, there will be grave risk to the travelling public, and some day a very heavy bill to the S. M. R. Co.: There can hardly be a question as to what view a Court would take in a suit against the Company for damages when the line is neither fenced nor patrolled.

3. I consider therefore that, as suggested in L. O. No 2703
8.11.94 in the case of the S. I. R. Co., the employment of watchmen on short-stretches of the S. M. R. is highly necessary. The magistracy and the Police can do

do little in this matter: the obstructions are placed on dark nights, and nothing is known till next day or till there has been an accident, and there is very small chance of a genuine clue being obtainable. Even in the case which forms the chief subject of this letter, though there was every possible enquiry at once by the European Engineer, as well as by the ordinary authorities, the result at the Sessions was nil, on the very ground that though the evidence cast suspicion on the man, there was insufficient probative evidence. As a matter of fact the man is said to have admitted his offence to one of the authorities, but the admission was not admissible. What is wanted is prevention and I submit that the public has a right to demand of public carriers that every ordinary precaution ^{shall} ~~should~~ be taken. I am not aware what powers Government have in the matter, except as regards fences, but I think it well to bring the unprotected character of the line to the notice of Govt.

I have the honor to be,
Sir,

Your most obedient servant,

F. Nicholson.

District Magistrate

WOS
17.6

CURRENT NO. 2951
Judicial Department

From 802703/94 *as per*

F. A. Nicholson Esquire
District Magistrate
Madrass

CHIEF SECRETARY
GOVERNMENT OF MADRAS
20 JUN. 1895

To, The Chief Secretary to
Government of
Madrass

Ootacamund

Dated 42
Despatched 17
Received 20
Refd. 21st } June 1895

Reference No. 123
Disposal magt

No of Enclosures (four)

Subject

Bringing to notice the
unfenced character of
the S.M.R. line and
suggesting the employment
of watchmen on short-
stretches.

11/22/95
10/24/95
12/26/95
13/4/95
14/20/95

for being referred to the
Court

80.578-153-95
80.3186-2212-94
80.2703-8Wonga mgt sec.

Endorsement No. 1511.

Referred to the Public Works Dept.
(Railway branch) for favor of remarks.

11/7/95 (by order)

Wm. Davidson
24.6
Asst. Under Secretary

Ootacamund
1st July 1895
To The Public Works Dept. Ry. Branch.

MR
24.6.95

TO BE RETURNED
WITH REPLY.

[G]
2,000-2-4-95.

Current No. 3236
Judicial DEPARTMENT.

From The P.W. Dept.
(Ry Branch)

No. 5258.

Dated 6th
Received 6th } July 1895
Refd 8th
Enclosures 1 + eno. 2951 with encl. refd

SUBJECT.

Forwarding copy of letter to the
Govt of Bombay, P.W. & Ry Branch,
86-2 July 1895, no. 5248, relating
to a recent attempt to wreck a
train on the Southern Mahratta Ry.

11/7/95

Refers to 1511/94
+ paper

Eno. 2951 + 3236/95

For orders.

As to whether the P.W.D. Pro.
may be com. to the Sec. Assistant or not
or without remarks?

11-7-95
I don't see much use in making any
remarks
12/7/95

For I - all I know
is that on the Mad. Ry
the employment of watch-
men on half-mile beats
was the method adopted
to prevent the placing of
obstructions on the line, which
was a very common offence
in the Tripata-Salum section.
The offer of rewards is
a dangerous way of dealing
with the matter

11/7/95

Refd. 20 July 1895. No. 1528
mis Communicated to the Sec.
Magt, Tanjore

(over)

13/7/95
16/7/95
27 July 95
18/7/95
19/7/95
20/7/95
21/7/95
22/7/95
23/7/95
24/7/95
25/7/95
26/7/95
27/7/95
28/7/95
29/7/95
30/7/95
31/7/95

Note

on Judicial Department Endorsement No-
/5// dated /st July /895.

I return the original papers --
relating to the attempt to wreck a --
train on the Southern Mahratta Railway
on 28rd January /895 and having read --
the papers and the opinion of the Dis-
trict Magistrate of Anantapur advising
the fencing of the line and employment
of watchmen to prevent similar outrages,
I beg to give it as my very decided --
opinion ~~xxx~~ that although the fencing
of the line would, for other reasons be
desirable, that neither that nor the em-
ployment of watchmen would lead to the
prevention or discovery of these crimes.

2. It is in my experience on rail-
ways under construction and even that
the perpetrators are nearly always the
men employed on the railway line and
the motives are to bring some other --
railway servant into disgrace or to --
cast suspicion on to a neighbouring --
village.

3. If watchmen were employed, their
whereabouts would be well known to the
gangs on whose beat they patrol and the
opportunity of blocking the line would
not be thereby diminished while the --
safety of the line would be a more ---
divided responsibility than if left en-
tirely to ~~xxx~~ the ganger and his men.

4. I submit that prevention and
detection is more likely to be success-
ful by the employment of native detec

detectives by the offer of rewards by the railway leading to conviction and by more stringent custody of tools and railway material necessarily placed along the line for repairs.

In the case now under review it appears the gangs lived two miles from their tool hut and it does not appear that their tool hut was properly protected if at all.

7/11 R.
2
9/96

is in accordance with
for your remarks

This point should be impressed on the S.M.R. The only thing is to see that sleepers - rails etc are not dotted about the line hands for any casual to put across the rails. They should be stored in places, where they can be watched.

At the same time the S.M.R. might have the other points brought to their notice, viz: the employment of native detectives, & the offer of rewards.

I do not know a worse crime than obstructing a railway line - but if the men whose duty it is to guard against this particular iniquity, are themselves the culprits it is almost impossible to prevent it. "Quis custodiet?"

W
3 July

CURRENT NO 3236

Government of Madras.
Public Works Department, Railway Branch.

To,

The Secretary to the Government of Bombay,
Public Works Department,
Bombay.

Cochin, the 6th July 1895

Sir,

I am directed to forward for the information of the Government of Bombay, copy of a letter from the District Magistrate of Anantapur and a reply thereto by the Joint Secretary to Government of Madras, Railway Branch, relating to a recent attempt to wreck a train on the Southern Mahratta Railway and to request that the Agent of the Railway may be furnished with a copy thereof and that, as regards the portion of the Railway lying within the Madras Presidency, the necessity of carrying out the precautions enumerated in para 4 of the ^{note} letter from the Joint Secretary to the Judicial Department may be impressed on the Agent of the Southern Mahratta Railway.

I have the honor to be,

Sir,

Your Most Obedient Servant,

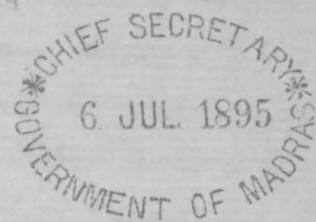
(signed) F. R. UPCOTT.

Joint Secretary to Government,
P. W. D. Railway Branch.

Documents accompanying:-
Copy of letter from District Magistrate.

No. 525D dated 6 July 1895.

Copy forwarded to the Judicial Department, with reference to its endorsement No. 1511 dated 1st July 1895, herewith returned.



J. Rupert

Joint Secretary to Government,

P. W. D. Railway Branch.

When given for copying _____
When copied _____
When examined _____
When signed _____

189.

READ AGAIN G.O., No. 189

DATED

CURRENT No.

ENCLOSURES TO O. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

N.B.

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.