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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 517	Press Mis.
427-623.	
Dated 20-2-	1844.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 20th February 1864.

No. 427. Read the following Proceedings of the Madras Government in the Judicial Department:—

Communicating to the Inspector General of Jails letter from the Superintending Engineer, 7th Division, together with its enclosures, on the subject of a fatal accident that befel one of the Convicts on the Lawrence Asylum works, Coimbatore District, and directing the immediate dismissal of the Warder who was in charge of them at the time of the accident. } (Here enter 9th February 1864, No. 163.)

No. 428. ORDER THEREON, 20th February 1864, No. 517.

Communicated to the Superintending Engineer, 7th Division.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 7th Division.

Exd. S. T. Augustin.

X 3

JUDICIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Proceedings of Government in the Public Works Department, dated 21st January 1864, No. 234.

Read letter from Lieutenant Colonel G. W. WALKER, R. E., Superintending Engineer, 7th Division; to Colonel C. A. ORR, R. E., Secretary to Government, Department Public Works, dated Coonoor, 15th January 1864, No. 301.

I have the honor to forward, in original, Captain Hankin's and Major Farewell's reports of a fatal accident which befell one of the convicts lately sent up for work at the new Lawrence Asylums, accompanied by translation of the verdict of the Coroner's Inquest; delay in furnishing which latter paper has caused the transmission of all three to be deferred till now.

2. I visited the spot myself on the 28th December, and I have no hesitation in saying that the Warder in charge of the gang was to blame for the accident. The whole of the work is in one straight line, and under easy command of view; and large falls of earth are not got in the few minutes that the Warder's eyes may have been off one particular spot. I trust that Government will order the dismissal of whoever was in charge of the convicts at the time, if no severer punishment can be inflicted on him. The other persons injured have recovered.

From Captain F. G. HANKIN, in charge of Convicts on Lawrence Asylum Works, Ootacamund; to Major W. F. FAREWELL, Executive Engineer, Ootacamund, dated Lovedale, 24th December 1863, No. 12.

I regret to have to report an accident attended, I am sorry to say, with fatal results. The circumstances are as follows:—

2. The convicts have been employed for some time on a heavy excavation; seeing that they were generally unskilled in digging, I had, as you are aware, for you have when inspecting the work often heard the order given, most strictly forbidden the practice of getting down falls of earth, and have daily on visiting the work ordered the convicts not to excavate below; and as this order necessarily involved slower work, I had decreased the task. On the 22nd I visited the work at 2 P. M., and finding the task was finished at that early hour felt sure my order about getting falls of earth must have been disobeyed. I therefore, before the convicts went to work on the morning of the 23rd, gave them the strictest orders against going underneath the cutting at all, and desired the Warder to see this order carried out. I sent the Jailer to give out the task, and gave him the same orders. He took the men down and put them to work on the top. He stayed with them for some time, and directed them how to work. At about 10 A. M. he was called to the Jail on business, but before leaving he called the Warder in charge and the convict maistries up, and explained to them again that they were not to go underneath or to get a fall out. The party was divided into three gangs, working about 20 yards apart. The Warder after watching the men at the lowest side cutting, where it was about 10 feet steep, went to the highest cutting again, as he states (and his statement is borne out by a Deputy Constable who heard him), cautioning the maistries against attempting to get a fall down. The moment his back was turned, however, the men immediately began to get a fall down, one man digging below, and three including the maistry actually standing on the edge and digging the earth inside them, thus in a few minutes actually digging themselves down. The earth fell burying the man below, who was killed on the spot; and of the three men who had thus dug themselves down, one is I fear hurt beyond chance of recovery. The other two men are only bruised.

3. These being the circumstances of the case, while deeply regretting the accident, I cannot but think that the fault thereof lies solely with the sufferers themselves. The convicts own they perfectly understood the order given, which they disobeyed in the hope of getting their task sooner finished.

4. I went at once and reported the circumstance to the Joint Magistrate, who ordered an Inquest to be held, which was done the same evening.

From Major W. FAREWELL, Executive Engineer; to Lieutenant Colonel G. W. WALKER, R. E., Superintending Engineer, 7th Division, Coimbatore, dated Ootacamund, 24th December 1863, No. 208.

With regret I have the honor to enclose a report of a fatal accident which occurred on the Lawrence Asylum works yesterday forenoon.

2. I examined the excavation where the accident happened this morning, and found that my strict orders had been disobeyed, and the convicts had, as reported by Captain Hankin, undermined the excavation they were employed on, with the view of obtaining falls of large masses of earth, so as to admit of their doing their tasks as quickly as possible.

3. I attach no blame whatever to the Officer in charge or the Jailer, as I have frequently heard Captain Hankin reiterate my orders, that undermining was not to be allowed on any account; and the Constables guarding the convicts all state that the practice was not permitted that day by either the Jailer or the Warder, but that in spite of all orders on the subject the convicts undermined the earth whenever the Warder's backs were turned.

4. Captain Hankin visited the work on Tuesday evening, and states that the excavation then showed no signs of undermining; but seeing that the men's tasks had been done unusually quickly suspected they had been getting falls by undermining, and again cautioned them not to attempt this dangerous system of working; however, the excavation as I saw it this morning shows evident signs of his injunctions having been again disobeyed. Yesterday morning Captain Hankin being employed on work in other directions in the morning, had not visited the excavation, but was just about to do so when the accident was reported to him.

5. The proceedings and verdict of the Court of Inquest will be forwarded immediately on receipt.

Proceedings of the Court of Inquest, held before Daivasagayam Pillay, Neilgherry Taluq Sub-Magistrate, on the body of a deceased convict, on the 23rd day of December 1863.

We, the undersigned, have seen the body of Pallany, aged 30 years, caste Coravan, complexion dark, laid on a cot, face being towards the south, legs towards the west, having a lock of hair on his head with a string round his waist, and find from what we have seen and heard on inquiry that the deceased met his death by the fall of a mass of earth from the excavation for the Lawrence Asylum works, on which he, the deceased, was employed by order of the Officer in charge, and that blame is not to be attached to any one, and that the result is that of an accident as before stated.

(Signed) VUNOOGOPAL NAIKER, *Town Maniagar.*
(„) VEERAGOO.
(„) MOONEESAMY MAISTRY.
(„) COOPPAMOOTTOO.
(„) VIYAPOOREE.
(„) OORQOMUN.
(„) CHINNAUN.
(„) NANJAN.
(„) C. DAIVASAGAYAM PILLAY,
Sub-Magistrate.

(True Translation.)
(Signed) W. FAREWELL, Major,
Executive Engineer.

Communicated to the Judicial Department.
(True Extract.)
(Signed) C. A. ORR, Colonel, R. E.,
Secretary to Government.

ORDER THEREON, 9th February 1864, No. 163.

The report of the Superintending Engineer with enclosures will be communicated to the Inspector General of Jails.

2. The Governor in Council directs that the Warder in charge of the convicts at the time of the accident be at once dismissed.

(True Extract.)

by Chief Secretary.

To the Public Works Department.
„ Inspector General of Jails.
„ Civil Paymaster.

Lxd. J. Tulloch.

P.W. 1864 Departt.
Pro: of Govt. for February
No. 669
Pro: of the Insp. Genl.
in the Jud. Departt.
Dated 9 }
Recd 16 } Feby
with order No. 623
No. 574. 20th Feby 1864
Communicating
the Insp. Genl. of Jails letter
from the Sub Engr 7th Div. dated
with its enclosures, on the
subject of a fatal accident
that befell one of the Convicts
on the Lawrence Asylum
works, Coimbatore Dist, and
directing the immediate dis-
-missal of the Warder who was
in charge of them at the time
of the accident.

No. 427. 428.

No. 577.

Communicated to the Sub Engineer 7th Division.

Chepauk 20th Feby 1864 }

To the Sub Engineer 7th Division.

No. 87

Dated 22nd Feby

23/2