M.R.O. 1—77,000—8-6-31.

(1) Number of pages

(2) Date of repair

(3) Initials of the Reformer

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No. Press Mis.

Dated 18

Not to be folded or roughly handled

No. 278. Read the following Endorsement of the Deputy Consulting Engineer for Railways, dated Madras, 2nd December 1871, No. 525 —

From the Agent and Manager of the Madras Railway Company, to the Acting Consulting Engineer for Railways, dated Madras, 1st December 1871, No. 729.

With reference to your letter No. 740 of the 30th ultimo, I have the honour to enclose you a copy of the proceedings of the Acting Head Assistant Magistrate of Malabar, arising out of the fatal accident which occurred to a wood-cooly at the Conjecode station on the 23rd of October last.

2. I send you also the copy of a letter* from the Locomotive Superintendent, in which he embodies an explanation afforded by his Foreman at Coimbatore in reference to Mr. Buick's observations regarding the removal of the body.

* No 396, 30th November 1871

3. Mr. Armstrong is certainly to be blamed for not having given intimation of the accident to the Magistracy of the Malabar District; but his explanation of the reasons which induced him to remove the body to Coimbatore appear to me satisfactory.

MADRAS RAILWAY

Report of a fatal Accident on the Madras Railway.

Collectorate —Malabar *Railway District, Section and Mile* —1th Division, South-West line, Conjecode Station. *Date on which the Accident occurred* —23rd October 1871, at 7 A M *Nature of the Accident* —Instantaneous death caused by having his head jammed between the sides of two waggons while engaged in hand-shunting. *Nature of assistance afforded* —As death was instantaneous, no assistance could be afforded *Occupation of the deceased* —Wood-cooly. *Gratuity proposed to be given or not* —Nil. *Reported to the Police authorities* —Yes *Remarks* —An Inquest was to be held by the village Magistrate at Pothanoor on the day of the accident.

Perambore Works,
24th October 1871

(Signed) W. B. WRIGHT,
Locomotive Superintendent.

(True Copy.)

(Signed) R. B ELWIN,
Agent and Manager.

From the Locomotive Superintendent, to the Agent and Manager of the Madras Railway, dated Perambore, 30th November 1871, No. 396.

Referring to my letter No 379 of the 20th instant, I now beg to send you a copy of the decision of the Acting Head Assistant Magistrate of Malabar in the matter of the fatal accident to a wood-cooly at Conjecode on the 23rd ultimo, which contains full particulars of the case.

2. With reference to Mr. Buick's remark regarding the removal of the body, our Foreman at Coimbatore writes as follows —

"I consider it necessary, in consequence of the Magistrate's remarks, to give an explanation 'as to the part I took in connection with the removal of the body from Conjecode to Coimbatore.

"When I reached Conjecode, I first set about clearing the line to enable the trains to pass, "which were stopped by the lines being blocked, two waggons being off the rails, and the 8 A M. "east and west trains standing in the yard; consequently I had no time to make any inquiries "for, perhaps, half an hour after I arrived My first question to the Station Master was, had the "Police been informed? He said 'no', but he expected the Peon every moment, or words to that "effect, and that he would inform him At this time the body was in the brake van, and had been "there sometime before I arrived. When we were ready to start, which was about 10-20 A M, I "was then undecided as to the best course to take with the body The coolies were unwilling to stay, "there was no convenient place to deposit the body, the train was due into Coimbatore before "the 5 P M. could leave, the driver and firemen had to return at once, and the witnesses were "unwilling to stay behind I could place no restraint on the actions of 100 coolies, if they could "not have ridden home, they would most assuredly have walked, and, in addition to these diffi- "culties, the Tahsildar's Court was quite ten miles from Conjecode, and what condition would the "body have been in by the time he arrived, which he could not have done before the next day. On "my arrival here, I reported the matter to the Police, also to the Village Magistrate, who at once "held an inquest on the body, and full particulars were given as to the cause of death"

3 The deceased was a cooly in the employ of the Wood Contractor Manickum. His name was Machan Naiken, and his age was about 22 years

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Court of the Head Assistant Magistrate of Malabar, Palghaut, the 23*rd November* 1871.

On the 23rd October 1871, a cooly called Machan, a resident of Pothanoor, in the district of Coimbatore, was killed at Conjecode Station, Palghaut Talook, in consequence of a coke waggon he was assisting to shunt through a siding having been run into by certain empty waggons which were being shunted on the main line. The body appears to have been taken from Conjecode to Pothanoor where an inquest was held, and the papers of this inquest have since been sent to me through the Magistrate of the district No intimation of the accident was given to the Magistracy of this district Had the accident been at once reported, it is almost certain that the blame of the accident could have been then fixed on the party responsible The removal of the body was also a grave mistake This should not have been done till the inquest had been held at the spot. The platform and station at Conjecode are on the south side of the line looking north About 50 yards east of the platform are points connecting the main line with a siding on the opposite side of the main line from the platform, and connected again with the main line by points some 50 yards west On the south or platform side of the line, and close to the west end of the platform, are points connecting the main line with another siding which is called the "platform siding," and by the Native the "lay-bye" On the morning of the 23rd October, the wood special came down from Coimbatore to Conjecode and arrived at the latter place about 7 o'clock The engine was in charge of William Taylor, Engine Driver, and Timothy Conners, Guard, was in charge of the train, which consisted apparently of engine and tender, a brake van, and two coke waggons The deceased and other coolies came down in the brake van In the platform siding were lying eleven empty waggons and one laden, the latter being nearest the platform. These empty waggons were to be attached to the engine for the purpose of carrying the wood back to Pothanoor The driver, Taylor, states that on arrival at Conjecode platform he found the main line blocked, because the loaded waggon in the platform siding was lying in front of the stop block and not sufficiently clear of the main line to admit of the train passing He states that this loaded waggon was dropped at Conjecode by a goods special earlier in the morning, and that it was run into the siding, which appears to have been sufficiently full already If this was so it was the first error committed, and ultimately led to the loss of life The driver says that had this not been the case he would have run past the platform points, dropped the brake van and coke waggons, and then returned to the platform and taken the empty waggons out of the siding. He says that finding how matters stood the guard came to him and asked what should be done and that he suggested that the brake van and coke waggons should be unhooked at the east points

and shunted through the off-siding on the main line beyond the west points, and this they proceeded to do The deceased and several other coolies began to shove the brake van and coke waggons along the siding and the driver took his engine into the platform siding and hooked on the waggons The Guard Conners says that on leaving the engine he told the driver in express terms not to move the engine till his return This I have no doubt is untrue. He further says that he did not leave the brake van from the time the brake van entered into the siding at the east points till the collision occurred at the west points, and that he did not know that the engine driver had entered the siding till he saw the empty waggons running into his; but this appears to be only partly true, as the Wood Contractor Manickum admits that he walked some twenty yards or so along the line before getting into the brake van The driver says that when he was bringing the waggons out of the siding he saw the guard walking between the rails and told him to get into his brake van This, though unsubstantiated by any other evidence, is probably what took place When the driver drew the waggon out of the siding the loaded waggon was not next the tender, and the empties behind, and what had then to be done was to put the latter on the main line behind the points and replace the loaded waggon in the siding again. At this time the brake van and coke waggons were rapidly approaching the west points, the guard being in the brake van and the coolies pushing The deceased was pushing the last coke waggon. When the driver entered the platform siding he called out to the Porter Bomman to "hook," the porter did so, and the driver drew the waggons out and brought the train to a stand still on the main line opposite the platform The driver says that he then reversed the engine to put the waggons past the points and gave three or four blasts, and that on looking over the side he saw that the waggons had been unhooked, and that they would come into collision with the brake van and coke waggons; that he jumped off the engine, ran and put down the brakes on the first empty waggon, and then ran on to the brake van. In the meantime the empty waggons had run along the main line, and the first of these had come into collision with the last coke waggon, in the act of crossing the points The wood contractor who was walking behind the coke waggons had previously observed that a collision would occur and had called out to the coolies to run. All did so, except the deceased Machan who was very close to the points, and he was caught between the two waggons in collision and killed His death is, therefore, clearly due to the unhooking of the waggons, as had they not been unhooked the engine could have pulled them up in time to have prevented the accident. The Porter Bomman on being asked at once admitted that he had unhooked them when the engine was brought to a standstill on the main line, and before the reversing occurred, but he asserted at the time, and still maintains that the driver had called out to him "unhook" "unhook," and that he did so according to the order The driver denies that he gave such an order, and states that "flyshunting" is strictly prohibited The porter produced the peon of the station to prove that he heard the order given, and the driver produced his two firemen to prove that he could have given no such order, for if he had, they must have heard it It seems doubtful whether the peon from where he was could have heard the order if given by the driver, and he does not appear to have mentioned the circumstance till examined by me It is a matter of the greatest difficulty to determine who is responsible for the uncoupling of the empty waggons. The driver was aware that the brake van and coke waggons were being shunted, and could see them from his engine, and it is very unlikely that he would try such a dangerous operation as "flyshunting" The Porter Bomman may have acted too officiously, and he would not likely see the danger so clearly Even, however, if the driver did give the order the porter was wrong, and must have known he was wrong to obey it The evidence now available does not enable me to fix the responsibility for the accident closer than this With whomsoever the responsibility rests, however, it is clear that there was no intention to cause the death of any one The guard may have been careless, the driver may have assumed too great responsibility, the porter may have been over-officious, but there is nothing to show that they knew that death would likely follow their infraction of the Company's rules In my magisterial capacity, therefore, I see no reason to take further proceedings against them

PALGHAUT,
23*rd November* 1871

(Signed) D BUICK,
Acting Head Assistant Magistrate.

Proceedings of the Madras Government, Public Works Department,
16th December 1871.

SUBMITTED for the information of Government.

(Signed) C. J SMITH, Captain, R E,
Deputy Consulting Engineer for Railways.

No. 279. ORDER THEREON, 16th December 1871, No. 3,166.

RAILWAY, No. 42. ORDERED to be recorded.

(True Extract)
(Signed) R. F. OAKES, Captain, R.E.,
Offg. Joint Secretary to Government.

No. 729.

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE.

Madras, 1st December 1871.

From

Robert B Clarke Esqre
Agent and Manager. M & C Co

To

Major H L Prendergast, R E
Acting Consulting Engineer for Railways.

SIR,

With reference to your letter
№ 740 of the 30th ultimo. I have the honour
to enclose you a copy of the proceedings of the
Acting Head Assistant Magistrate of
Malabar on account of the fatal accident
which occurred to a Road Cooly at the
Coimbatore station on the 3d of October
last

2. I send you also the copy of a
letter from the Locomotive Superintendent
in which he embodies an explanation as stated
by the Foreman at Coimbatore in reference
to Mr Burke's observations regarding
the removal of the body.

3 Mr Armstrong is certainly to
be blamed for not having given intimation
of the accident to the Magistracy of the
Malabar District, but his explanation
of the reasons which induced him to
remand the body to Coimbatore appear

to

MADRAS R

Report of a fatal accident on the Madras Railw

ollectorate	Railway District Section and Mile.	Date on which the accident occurred.	Nature of the Accident.
Calabar	4th Division S. R. Line Conjeeveram Station	25 October 1871 about 7 p.m.	Instantaneous death by having his head & between the sides of 2 while engaged in his

Perambore Works
24th October 1871

Joy Ls agent & Manager

To the Secretary

Chennai Madras

Sir

I have the honour to be
Your most Obedient Servant
[illegible]
Agent & Locomotive Superintendent.

Madras Railway
Locomotive Superintendents Office
Perambore Works
30th November 1871

No 396

To
The Agent and Manager

Dear Sir

Referring to my letter No 379 of the 20th instant, I now beg to send you a copy of the declarations of the Acting Head Assistants Magistrate of Madras on the matter of the fatal accident to a wood-cutter at Conjeeveram on the 23rd ultimo, which contained full particulars of the case.

With reference to Mr. Burke's remark regarding the removal of the body, our Foreman at Conjeeveram writes as follows.

"I considered it necessary, on consequence of the Magistrates remarks to give an explanation "and to the fact I took on connection with the removal "of the body from Conjeeveram. I reached Conjeeveram at 9 P.M. "about clearing the line to enable the trains to pass "which were stopped by the Mail being blocked- "consequently I had no time to make any enquiries "for further, - only an hour after I arrived, My Head Man "first question to the station Master was, Must he expected "Police been informed? he said "no", but effect, and "the Peon every moment or words to that effect, and "that he would inform them. At this time the body "was on the Brake Van and had been there sometime "before I arrived. When we were ready to start,

O and

MADRAS RAILWAY.

From

The Agent and Manager

To

The Consulting Engineer for Railways

Dated
Received } 186

"which was about 10 20 A M., I was then undecided
"as to the best course to take with the body. The
"coolies were unwilling to stay — there was no convenient
"place to deposit (the body) — the train was due
"into Coimbatore before the 5 P M could leave —
"the Driver and Firemen had to return at once —
"and the witnesses were unwilling to stay behend
"I could place no restraint on the actions of the coolies,
"if they could not have ridden home they would most
"assuredly have walked, and, in addition to these
"difficulties, the Tahsuldar's court was quite 10 miles
"from Conjecode, and what condition would the
"body have been in by the time he arrived which
"he could not have done before the next day. On
"my arrival here I reported the matter to the Police,
"also to the Village Magestrate, who at once held
"an inquest on the body, and full particulars were
"given as to the cause of death."

The deceased was a coolie in the employ of the Wood Contractor Manickum. His name was Machan Nacken, and his age was about 22 years.

Yours faithfully
/Signed/ W J Collinson
for Locomotive Superintendent
/True Copy/

J H. Mellis.
for the Agent and Manager

P. No. 5745/71.

Court of the Head Assistant Magistrate of Malabar, Palghaut, the 23rd November 1871

On the 23rd October 1871, a cooly called Machan, a resident of Pothanoor in the District of Coimbatore, was killed at Conjecode Station, Palghaut Taluk, in consequence of a Coke Wagon he was assisting to shunt through a siding, having been put into by certain empty wagons which were being shunted on the Main line. The body appears to have been taken from Conjecode to Pothanoor, where an Inquest was held and the papers of this Inquest have since been sent to me through the Magistrate of the District. No intimation of the accident was given to the Magistracy of this District. Had the accident been at once reported it is almost certain that the blame of the accident could have been then fixed on the party responsible. The removal of the body, was also a grave mistake. This should not have been done till the inquest had been held at the spot. The platform and Station at Conjecode are on the South side of the Line looking north. About 50 yards east of the platform are points connecting the main line with a siding on the opposite side of the main line from the platform, and connected again with the main line by points some 50 yards west. On the South or platform side of the Line, and close to the west end of the platform are points connecting the main line with another siding which is called the platform siding and

and lay the name the 'lay bye'. On the
Morning of the 23rd October, the wood
special came down from Combstone to
Conjecoda and arrived at the Ladder
Place about 7 o'Clock. The Engine was
in charge of William Taylor, Engine Driver,
and Timothy Conners, Guard, was in charge
of the Train, which consisted apparently
of Engine and Tender, a brake Van, and
two Coke wagons. The deceased and other
Coolies came down in the brake van. In
the platform siding were lying eleven
empty wagons and one loaded — the latter
being nearest the platform. These empty
wagons were to be attached to the Engine
for the purpose of carrying the wood back
to Pothanoor. The Driver Taylor states that
on arrival at Conjecoda platform he found
the Main Line blocked, because the loaded
wagon in the platform siding was lying
in front of the stop block and not
sufficiently clear of the Main Line to admit
of the Train passing. He states that this
loaded wagon was dropped at Conjecoda
by a Goods Special, earlier in the Morning,
and that it was run into the siding which
appears to have been sufficiently full already.
If this was so it was the first error
committed and ultimately led to the loss
of life. The Driver says that had this
not been the case he would have run past
the platform points, dropped the Brake Van
and Coke wagons, and then returned to the
platform and taken the empty wagons

out

out of the siding. He says that finding how
matters stood the Guard came to him and
asked what should be done, and that he
suggested that the brake Van and Coke wagons
should be unhooked at the East points and
shunted through the off siding on the main
line beyond the west points, and then they
proceeded to do. The deceased and several
other Coolies began to shove the brake Van
and Coke Wagons along the siding and the
Driver took his Engine into the platform
siding and hooked on the wagons. The
Guard Conners, says that on leaving the Engine
he told the Driver in express terms not
to move the Engine till his return. This
I have no doubt is untrue. He further
says that he did not leave the brake Van
from the time the brake Van entered into
the siding at the East points till the
collision occurred at the West points,
and that he did not know that the
Engine Driver had entered the siding till
he saw the empty wagons running into
his, but this appears to be only partly
true, as the wood Contractor, Manickum,
admits that he walked some 20 yards
or so along the line before getting into
the brake Van. The Driver says that
when he was bringing the wagons out
of the siding he saw the Guard
walking between the rails and told
him to get into his brake Van. This
throws no enlightenment by any other
evidence as to probably what took place.

When the Driver drew the wagon out of the siding the loaded wagon was not next the Tender, and the Cookies behind and what had then to be done was to put the ladder on the Main Line behind the points and replace the loaded wagon in the siding again. At this time the brake-van and Coke wagons were rapidly approaching the west points; the Guard being in the brake van and the Cookies pushing. The deceased was pushing the last Coke wagon. When the Driver entered the platform siding, he called out to the Porter Bowman to "Hook". the Porter did so, and the Driver drew the wagons out and brought the train to a stand still on the Main Line opposite the Platform. The Driver says that he then reversed the Engine to put the wagons past the points and gave three or four blasts, and that on looking over the side he saw that the wagons had been unhooked; and that they would come into collision with the brake van and Coke wagons - that he jumped off the Engine, ran and put down the brakes on the first empty wagon, and then ran on to the brake-van. In the meantime the empty wagons had run along the main line, and the first of these had come into collision with the last Coke wagon, in the act of crossing the points. The wood Contractor who was walking behind the Coke wagons had previously observed that

that a collision would occur and had called out to the Cookies to run. All did so except the deceased Meehan who was very close to the points and he was caught between the two wagons in collision and killed. His death is therefore clearly due to the unhooking of the wagons, as had they not been unhooked, the Engine could have pulled them up in time to have prevented the accident. The Porter Bowman on being asked; at once admitted that he had unhooked them when the Engine was brought to a stand still on the Main Line, and before the reversing occurred, but he asserted at the time and still maintains, that the Driver had called out to him "unhook" which he did, understanding that he did so according to the order. The Driver denies that he gave such an order and states that "Flying shunting" is strictly prohibited. The Porter produced the Book of the Station before that he heard the order given, and the Driver produced his own Fireman to prove that he could have given no such order, but if he had then [illegible] it seems doubtful whether the Fireman was where he was could have heard the order if given by the Driver and he does not appear to have mentioned the circumstance till examined by me. It is a matter of the greatest difficulty to determine who is responsible for the uncoupling of the empty wagons.

The Driver was aware that the brake Van and Coke Wagons were being shunted and could see them from his Engine, and it is very unlikely that he would try such a dangerous operation as "fly shunting" The Porter Bonoman may have acted too officeously and he would not likely see the danger so clearly. Even however if the Driver did give the Order the Porter was wrong, and must have known he was wrong to obey it. The evidence now available does not enable me to fix the responsibility for the accident closer than this. With whomsoever the responsibility rests, however, it is clear that there was no intention to cause the death of any one. The Guard may have been careless, the Driver may have assumed too great responsibility, the Porter may have been over-officious, but there is nothing to show that they knew that death would likely follow their infraction of the Company's rules. In my Magisterial Capacity, therefore, I see no reason to take further proceedings against them.

Palghaut
23rd Novr 1871

/sd/ D. Buick.
Actg: Head Asstt Magistrate.

/True Copy/
/sd/ D. Buick
Actg: Head Asstt Magistrate.

/True Copy/
/sd/ W. J. Collinson
for Secy - Supdt

Copy applied for on
23rd Novr /71 Copy
granted on 24th Novr/71

/True Copy/

J. W. Mellis.
for the Agent & Manager.

No 525.

Submitted for the information of Government.

Captain, RE,

SUPTG. ENGINEER'S OFFICE,
dated, 2nd December 1871

Depy Consg Engr. for Railways

To

The Secretary to Government,
Public Works Department,
Fort Saint George

RAILWAY DEPARTMENT.

Public Works 1871 Department

From Sr. S 7145

The Consulting Engineer
for Railways,

To

The Secretary to Government,
P W Department,
Fort St. George

Dated 20/11
Received 4 } Dec 1871

No 525-

Encl: 4.

Submitting for the information of Govt a report of fatal Accident on the Rly.

No 31 Wright & Queripel.

Rd 6 Dec/71

Rd 8/12/71.

G/25745.

Govt of 1871 Madras.

PUBLIC WORKS.

To

4

16th Decr 1871.

Nos. 2788273

Fatal Accident Report

Fatal accident to a Coolie
on the 23d Sept/72
at Madras by Corrosive