M.R.O. 1—77,006—8-6-37.

(1) Number of pages_____

(2) Date of repair_____

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Public works **DEPARTMENT.**

G.O. No. 4444-445	2513		Press / Mis.
Dated	25-	10-	1872.

Not to be folded or roughly handled

No. 444. Read the following letter from the Consulting Engineer for Railways, to the Secretary to Government, Public Works Department, dated Madras, 28th September 1872, No. 523 :—

I HAVE the honour to submit, for the consideration of Government, a somewhat voluminous correspondence* which has taken place between this office and the Agent of the Madras Railway Company on the subject of a collision which occurred on the night of the 16th April 1872 between a special engine and a ballast truck.

* Letter from Agent, Madras Railway, No. 237, 19th April 1872.
Do do, No. 516 20th July 1872, with enclosures.
Do. to do., ,, 596 25th ,, ,,
Do. from do, ,, 535 30th ,, ,, with enclosure.
Do. to do., ,, 608 1st Aug. ,,
Do. from do., ,, 546 2nd ,, ,,
Do. to do., ,, 622 5th ,, ,, with enclosure.
Do. from do., ,, 573 10th ,, ,, with enclosure.
Do. to do., ,, 646 13th ,, ,,
Do. from do., ,, 664 12th Sept. ,, with enclosure.

2. The circumstances attending the collision are alluded to in the accompanying note, in which a resumé of the correspondence is given.

3. It will be seen that all the investigations which have been made have failed in ascertaining the person or persons through whose neglect the collision occurred. This result must be regarded as unsatisfactory.

Note on Collision at $\frac{209}{14}$ Mile, South-West Line, Madras Railway, on the night of 16th April 1872.

ON the 19th April* the Agent of the Madras Railway reported the fact of a collision having occurred, on the night of the 16th idem, near the 208th mile, between a special engine from Coimbatore to Salem and a truck ballasting on the line. Mr. Elwin enclosed a report from the Locomotive Superintendent, from which it appears that, according to the driver of the special, the red danger signal was only exhibited at a distance of two telegraph posts from the trolly. Further particulars were promised.

* No. 237.

2. On the 20th July* Mr. Elwin reported that "the Section Maistry, Kistnasawmy Pillai, through whose neglect of duty a collision took place at the $\frac{209}{14\frac{1}{2}}$ mile, South-West Line, on the 16th April, was tried on the 13th of June by the Sub-Magistrate of Salem and was acquitted."

* No. 516.

Mr. Elwin added that he concurred in the decision arrived at by the Sub-Magistrate. Mr. Elwin forwarded at the same time copies of the translations of the depositions taken in the case, from which it appears that the Section Maistry was acquitted on the ground that, being responsible for the safe condition of the line, he was justified in having a ballast trolly on the line to complete a work, the non-completion of which might have endangered the safety of the line.

3. With his letter No. 535 of 30th July, Mr. Elwin, in reply to Consulting Engineer's No. 596 of 25th idem, forwarded a report from the Chief Engineer* to the effect that all proper precautions for protecting the ballast truck by signals were taken by the Section Maistry.

* No. 356, dated 27th July 1872.

4. On the 1st August* the Consulting Engineer asked the Agent to reconcile the statement, in his No. 535, to the effect that the conduct of the Section Maistry in having his truck on the line at night without the consent of his Inspector was directly at variance with the rules, with the statement contained in his previous letter No. 516, to the effect that he concurred with the Sub-Magistrate who acquitted the Section Maistry on the ground that he was justified in having his truck on the line at night.

* No. 608.

5. Mr. Elwin in reply* stated that when it was determined to prosecute the Section Maistry for breach of Clause XV. of the Rules and Regulations there was no evidence before him to show that the Section Maistry's conduct was justified by Clause XVII. of the Rules and Regulations. He added that, had such evidence been before him, the Section Maistry would never have been prosecuted.

* No. 546 of 2nd August 1872.

6. On the 5th August,* the Consulting Engineer asked the Agent's particular attention to a memorandum drawn up with a view to show that the responsibility for the accident must attach to one or more of the five following individuals, namely:—

* No. 622.

The Permanent-way Inspector.
The Section Maistry.
The Signal man working under line.
The Station Master of McDonald's Choultry.
The Driver of the special engine.

The Consulting Engineer asked that an inquiry might be instituted and the result reported for the information of Government.

7. In reply the Agent forwarded on the 10th August* depositions taken by the Resident Engineer of the division in which the accident occurred, and by the Inspector of the Railway Police, also reports by the Chief Engineer and the Traffic Manager. He explained at the same time that it had been considered impolitic to risk a prosecution of the engine driver without the certainty of a successful issue, and that it had been determined to deal with the Section Maistry only.

* No. 573.

8. From those papers it appeared clear that the Permanent-way Inspector and the Station Master were in no way responsible for the accident, and that the Section Maistry was quite justified in having his truck on the line; but with regard to the display of signals by the Maistry and the watchman under him, and the observance of these signals on the part of the engine driver, the evidence was so conflicting as to make it quite impossible to arrive at any sound conclusion upon the question.

9. The Traffic Manager's report and the depositions taken by the Inspectors of Police brought to light two clear infractions of the rules, which were pointed out to the Agent by the Consulting Engineer on the 13th August, in his No. 646.

(1.)—That the special engine was started before the notice of its running had been acknowledged by the Permanent-way Inspector, Mr. Wilson, as required by the Rules and Regulations.

(2.)—That no extra tail-board, or extra tail-light, was attached to the train preceding the special to indicate that a special was to follow.

In explanation of this latter omission it is stated that the preceding train had left Coimbatore before the necessity for the special had become known; but it is clear that notice might have been given to the guard of the train on his reaching Somanoor or Avenashy Road Station.

10. In reply Mr Elwin forwarded a letter* from the Traffic Manager to the effect that—

* No 664 of 12th September 1872.

(1.)—Mr. Hill, the Assistant Traffic Manager, was sick on the day in question and was obliged to leave to his head writer the duty of issuing the proper notices to the guards of ordinary trains and to others concerned.

(2.)—The notice to Mr. Wilson, Permanent-way Inspector, was issued in ample time to enable the line watchmen to have been warned, had not Mr. Wilson been, as he often must be, absent from his head-quarters.

Mr. Church adds that, in his decided opinion, "there ought not to be any danger in running a special engine at any time without any previous notice whatever," and points out that the rules expressly provide for such a contingency in the case of an engine proceeding to assist a disabled train.

11. It is difficult to understand how it could ever have been decided to prosecute the Section Maistry for having a truck on the line at night in breach of the rules. As soon as the facts came to be known it appears to have been admitted on all hands that the Maistry was justified in his conduct. If the case had been thoroughly investigated departmentally, this must have been ascertained. If it is impolitic to prosecute an engine driver without the certainty of a successful issue, it must be impolitic to prosecute a Section Maistry without a similar certainty; and in this case it might have been easily ascertained that the prosecution must fail.

12. Whether the Section Maistry should have been prosecuted for neglecting to display the proper signals is another question; but the evidence on this point is so directly conflicting as to render a conviction hopeless.

13. The Section Maistry and the coolies and watchman with him all assert that proper precautions were taken. The driver of the special engine, on the other hand, asserts that the only signal displayed was a red light held by the Section Maistry himself at a distance of two telegraph posts from the truck.

14. The probability seems to be that the driver's version of the accident is the true one; that the Section Maistry, seeing no extra tail light on the 8-15 A. M. train, felt confident that no special was to follow, and, working in fancied security, neglected the prescribed precautions; that when he heard or saw the special actually approaching he ran forward with his red light, and only reached a distance of two telegraph posts (or thereabouts) from the truck before the engine came up to him.

15. Supposing the above to be a correct version of the occurrence, there can be little doubt that the accident would not have happened had the guard of the 8-15 A. M. been warned that a special was to follow him, he would have attached an extra tail-light to his train; and the Section Maistry, seeing this, would have omitted no precautions for his own safety.

16. It is no doubt desirable, as Mr. Church says, that it should be possible for an engine to pass along the line, without danger, at any time without previous notice; but so long as the rule, requiring that previous notice should be given, remains among the regulations for the working of the line, it should be attended to, and employés throughout the line are justified in supposing that it is attended to; but, of course, no one is in any case justified in omitting the prescribed precautions.

(Signed) J. H. M. SHAW-STEWART, Lieut.-Colonel, R.E.,
Consulting Engineer for Railways.

No. 445. ORDER THEREON, 25th October 1872, No. 2,513.

RAILWAY, No. 61.

THE papers recorded at the head of these Proceedings have reference to a collision which occurred on the South-West Line of the Madras Railway near the 208th mile on the night of the 16th April 1872, between a special engine running from Coimbatore to Salem and a ballast truck working under the orders of the Section Maistry.

2. From a consideration of all the correspondence submitted, His Excellency the Governor in Council has no hesitation in expressing his opinion that had due notice been given by the Assistant Traffic Manager of the Division, not only to the Permanent-way Inspectors along the length over which the special engine was required to run, but also to the guard and driver of the preceding train, and their acknowledgments been obtained before the special engine was allowed to start, as laid down in the Company's Regulations, the accident now reported would not in all probability have occurred.

3. His Excellency cannot but regard the failure under the circumstances to warn the driver and guard of the ordinary train as a grave dereliction of duty on the part of the Assistant Traffic Manager; and one which, considering the importance of the occasion, is but little palliated by his temporary indisposition, for which contingency the system it is concluded in every case provides.

4. His Excellency hopes that, notwithstanding the comparatively unimportant results of the accident, the Railway authorities will not relax in any degree their investigations as to the sufficiency or otherwise of the various rules laid down for guidance, the neglect of which in His Excellency's opinion so long as they are allowed to remain in force ought on no account whatever to be permitted.

5. Should, as the Traffic Manager implies, a departure from rules be under certain conditions permissible, such conditions should be embodied in the rules, and His Excellency desires that the Consulting Engineer will report, after communication with the Railway authorities, what, if any, modifications in the existing regulations would, in his opinion, conduce to the safer working of the line in respect to the circumstances under consideration.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Consulting Engineer for Railways.

Exd. E. C. Shunker.

Govt. of {1872} Madras.

PUBLIC WORKS.

To

THE CONSULTING ENGINEER

FOR RAILWAYS.

Dated October 25th.

Recd. *Encl.*

G. O., 25th October 1872, No. 2,513.

OCTOBER

Nos. 444-445

Collision (Railway).—Passing orders on papers relating to the collision between a special engine and a ballast truck on the South-West Line of the Madras Railway on the 16th April 1872.

Railway Department. Consulting Engineer's Office

No. 596. 74.

To,

The Agent and Manager,

Madras Railway Company.

Sir,

With reference to your letter of the 20th instant, No. 516, I have to request that you will be so good as to report somewhat more fully upon the circumstances of the collision on the 16th April last, at the 209th mile.

2. On the court's judgment, copy of which was forwarded with your letter above referred to, it is stated that the section Maistry placed a trolly on the line "for taking ballast". Does this mean that the trolly was used for carrying

carrying ballast?

3. Were the trolly and the ballasting gang protected by signals? and if not why was this precaution omitted.

I have the Hon.

Madras 25th July 1872

I &c &c C. H. P. Christie, Lieut., R.E.,
Dy. Cons. Engr. for Railways.

/True Copy/

Mumtaz Lieut. R.E.,

Cons. Engineer for Railways.

Railway Deptt Consulting Engineer's Office 1/1/5.

No. 608

To

The Agent and Manager
Madras Railway Company.

Sir,

In your letter No. 516, dated the 20th ultimo, when enclosing copy of the depositions taken before the Sub-Magistrate of Salem, you state that you "think it only right to remark "that you concur in the conclusion "arrived at by the Sub-Magistrate." That officials finding was as follows:-

"From clause 17 of section 18 it appears plainly to the Court that plate-layers can

in

"in cases of emergency carry out
"any works without the permis-
"sion of the Inspector, and that
"the defendant's conduct in placing
"a trolly on the line is proper,
"consequently the Court acquits him"

2. In the fourth para-
graph of your letter dated the 30th
ultimo, No 535, you state that the
"Section Maistry was prosecuted for hav-
"ing his trolly on the line without
"the consent of the Inspector, such a
"course being directly at variance with
"the rules."

3 In order to enable me
to lay the case satisfactorily before
Government, I have the honour to
request that you will be so good

as

as to explain the grounds upon which
you concur with the Sub-Magistrate
in the conclusion that the defendant's
conduct in placing a trolly on the
line was proper, while in your second
letter you state that the course pur-
sued by the defendant was distinctly
at variance with the rules.

I have &c.

Madras
1st Augt
1872

(Signed) I. H. M. Shaw-Stewart Lieut Col R.E.
Cons Engineer for Railways

/True Copy/

Lieut Col R.E.,
Cons: Engineer for Railways.

P. W. 4745/72.

Railway Deptt Consulting Engineer's Office

No 622

To

The Agent and Manager
Madras Railway Company

Sir,

In acknowledging the receipt of your letter dated the 2d instant, No 546, I have the honour to observe with reference to it and to previous correspondence on the same subject, that all the inquiries which have been made seem to have failed in attaching blame to any person for the collision which occurred on the night of the 16 April 1872. I am sure that you will agree with me that this is

is highly unsatisfactory.

2 It seems to be beyond doubt that the collision could not have occurred but for the neglect, or the disobedience, of one out of five men. I have the honour to solicit your special attention to the accompanying memorandum which has been drawn up in this office to show how the facts on record regarding the collision seem to affect each of these five men; and I request that you will be so good as to institute a searching inquiry into the matter, and report the result for the information of Government.

I have &c.

Madras 5th Augt 1872

(Signed) J. H. M. Shaw-Stewart Lieut Coll R.E.
Cons Engr for Railways

/True

/ 1 / 8 /

/True Copy/

J. Shaw-Stewart Lieut. Coll, R.E.,
Cons. Engineer for Railways.

Collision at the 209/11th mile, on the night of the 16th April 1872.

From the reports submitted, it is impossible to discover who is to blame for this collision; it seems clear however, that the blame must rest more or less upon one or more of the five following individuals.

1. The Inspector in charge of the Division.
2. The Maistry in charge of the Section.
3. The signalman employed under the Section Maistry.
4. The Station Master at McDonald's Chaudry.
5. The Driver of the Special train.

1. The Inspector. If this officer had any reason to suppose, that the repairs which the Section Maistry was ordered by him to carry out, would not be completed by night fall on the 16th, he should have warned him to expect the special train, of the running of which he must have had notice.

2. The Section Maistry. With regard to this man there are two points to be considered.

a. Was he justified in keeping the trolly on the line after night-fall without express orders?

b. Having the trolly on the line after night-fall without express orders, did he take the proper precaution?

1. by warning the Station Master at Mc Donald's Cheultry

and

and Salem?

2. by exhibiting the proper danger signal at the proper points?

As regards the first point clause 17 Section XVIII of the Rules and Regulations seems to allow a Section Maistry in cases of emergency to perform "operations involving danger "to Trains" without the express permission of the Inspector.

Clause 20 of the same section on the other hand, says, "no "impediment or obstruction of the Line "is to be permitted by him (that is the "platelayer) in rainy or foggy weather, "or at night except by order of the "Inspector".

Clause 34, however, makes the Section Maistry "responsible for "the safety of the line in his district;"

and

and he must therefore be allowed to judge of the emergency of any case, when the Inspector is not at hand. In this case the Inspector was 21 miles off, and could not be applied to for instruction. The Section Maistry certainly cannot be held criminally responsible for an error of judgment; though he may be dismissed, or departmentally dealt with, for incompetence.

As regards the second point.

There is no information as to whether the Section Maistry gave the Station Masters at McDonald's Chantry and Salem notice of the fact that his trolly was on the line after night-fall.

2. According to clause 16 and 18 of section XVIII red lights should have been shown 1000 yards on each side of the trolly.

The Chief Engineer reports that all proper precautions were taken. On the other hand the driver of the Special Train states that the red light was only seen at two telegraph posts (say 180 yards) distance from the trolly.

The point at which the collision is reported to have taken place ($\frac{209}{14}$ th mile) appears to be on a gradient of 1 in 660 rising towards Salem (that is in the direction in which the train was proceeding) and about 2800 yards from the bottom of this gradient; and at such a point there could have been no possible difficulty in bringing the train to a stand still in the prescribed distance of 1000 yards.

3. The Signalman. ... If the Section Maistry gave proper directions for exhi-biting danger signals as prescribed; were those orders properly carried out?

4. The Station Master at McDonald's Chaultry. ... If this individual was informed by the Section Maistry that the trolly was on the line, did he warn the Driver of the Special train?

5. The Driver of the Special train. ... Did the driver of the Special train exercise proper care and did he instantly attend to the danger signal? If the signal was shown at 1000 yards from the trolly it can only have been through disregard of the signal that he failed to stop the train in time.

/signed/ J.H.M. Shaw Stewart, Lieut. Col., RE,
Consulting Engineer for Railways.

/True Copy/

/signed/ Lieut. Col., RE,
Cons. Engineer for Railways.

Railway Deptt. Consulting Engineer's Office

No. 646

To

The Agent and Manager
Madras Railway Company

Sir,

In my letter of the 5. instant, No. 622, relating to the collision which occurred on the night of the 16. April last, at the 209 1/4 mile, between a special engine and a ballast trolly, I stated my opinion that the responsibility for the collision must be traceable to one of the five following individuals,-

The Permanent Way Inspector

The

The Section Maistry
The Signal Man
The Station Master at McDonalds
Chomley
The Driver of the Special
Engine.

A perusal of the depositions and letters forwarded with your letter of the 10th instant, No. 573, has led me to modify my opinion and it now seems clear that neither the Permanent Way Inspector nor the Station Master at Sunkerry Droog can be held responsible for the collision, and the depositions bearing upon the conduct of the Engine Driver, the Section Maistry and the watchman are so conflicting that it is impossible to form on

on the evidence, any opinion with regard to this point.

I have, however, to point out that the depositions, taken by Mr Johnson, and the Traffic Manager's letter, C 4941/371, disclose two clear infractions of the rules and regulations for the working of the line, to one of which the collision is, in my opinion, directly traceable. A rule, printed at page 36 of the "working Time Table on and after 1st October 1871" provides, that "no Special or Extra Train or Engine can be run unless previous notice in writing shall have been given to each Station and person concerned, or notice shall have been sent by telegraph, and shall have been acknowledged

"acknowledged by every station and
"person concerned, throughout the
"distance such special or extra train
"or Engine is intended to proceed,"
and amongst the individuals enumerated
as persons concerned are included
Inspector of Permanent Way and Guards
"and Drivers of Ordinary and Ballast
"trains throughout the distance the train
or Engine is intended to proceed, and
Section XIII, clause 27 of the General
Rules and Regulations provides, that
an additional red tail light shall be
attached to an ordinary train to
denote that an extra train is to follow.

It appears that in
this case the Special Engine started
from Coimbatore at 5.30. p.m.,
whereas

whereas the Permanent Way Inspector,
on the Erode to Salem Division,
only received notice of the intention
to run the Special Engine at 6.30
p.m. of the same day. Had the
departure of the Special Engine from
Coimbatore been delayed until
receipt of Mr. Wilson's acknow-
ledgment of the Special train notice,
it is quite possible that the steps
which Mr. Wilson, on receipt of
the notice, took to warn his
coolies might have averted the
collision.

It also appears that
no extra tail light was attached
to the 8.15. A.M. train, nor is
the Traffic Manager's explanation
with regard to this omission
satisfactory.

satisfactory. Notice of the necessity for running the special Engine was received at Coimbatore at 4.0. P.M. The 8.15. A.M. was due at Somanoor at 4.10. P.M. and would not have left that station before that hour; it was, therefore, not impossible to warn the Guard and Driver of the 8.15. A.M., before that train left Somanoor that a special was to follow; or, failing this, the Guard and Driver might undoubtedly have been warned at Avenashy Road Station, when the train was not due until 4.43. P.M.. Had the Guard and Driver been so warned, — and the rule above quoted required that they should be warned, — the 8.15. A.M. would not

not have left Erode without the extra red tail light denoting that a Special was to follow; the Maistry and gang at work between Salem and M^c^ Donald's Choultry would have been on the look out for the Special; and greater precaution, in the shape of fog signals or otherwise, might have been taken by which the accident would have been avoided.

I request that you will report further as to the infractions of rules which I have pointed out.

I have &c^a^

Madras
13 August
1872

(Signed) J. H. M. Shaw Stewart Lieut Col, R.E.,
Cons Engr for Railways

True

Asst. Engineer for Railways

P.W. 4745/72

Pwn. 23rd October 72 Ln. B.N.E. 446.1

My dear Mr. D'Vas

As the letters mentioned in the enclosed list have not been printed in G.G. No. 2515 of 25 Oct/72 may I trouble you to return them that is if you have no further use for them - Col Shaw Stewart asked the

other day if you could not manage to have all enclosures printed.

Yours sincerely
Thos. Doyle
14.2.73

P.W. 4745/72.

Pmr. 23rd October 72 Ln. B.E. 4464

Letters from the Agent to Govt sent to Lowestoft with letter of No 523 of 28 Sept 92

No 233 of 19th April 1792
" 516 of 20 July — — with enclosures
" 535 of 30 — — — — do —
" 566 of 22 August — — do —
" 573 of 10 — — — — do —
" 662 - 12 September — — do —

Note on Collision at 209/14 mile, South West line, Madras Railway, on the night of 16th April 1872.

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x No 237.

On the 19th x April the Agent of the Madras Railway reported the fact of a collision having occurred, on the night of the 16th idem, near the 208th mile, between a special enquiry from Coimbatore to Salem and a train ballasting on the line. Mr Elwin enclosed a report from the Locomotive Superintendent, from which it appears that, according to the driver of the special, the red danger signal was only

exchibited

exhibited at a distance of two
telegraph posts from the trolly.
Further particulars were promised.

2. On the 20th July Mr No 516
Elwin reported that the section
maistry, Kristnasawmy Pillai, through
whose neglect of duty a collision
took place at the $\frac{209}{16\frac{1}{2}}$ mile, South-
West line, on the 16th April, was
tried on the 13th of June by the
Sub-Magistrate of Salem and was
acquitted.

Mr Elwin added that
he concurred in the decision arrived
at by the Sub-Magistrate. Mr
Elwin forwarded at the same time,
copies of the translations of the
depositions taken in the case, from

which

which it appears that the section
maistry was acquitted on the ground
that, being responsible for the
safe condition of the line, he was
justified in having a ballast trolly
on the line to complete a work the
non-completion of which might
have endangered the safety of the
line.

3. With his letter No
535, of 30th July, Mr Elwin in reply
to Consulting Engineer's No 596, of
25th idem forwarded a report from
the Chief Engineer to the effect
that all proper precautions, for
protecting the ballast truck by
signals, were taken by the section
maistry.

* No 356 927
July 1872.

4.

4. On the 1st August, the Consulting Engineer asked the Agent to reconcile the statement, in his No 535, to the effect that the conduct of the section maistry in having his truck on the line at night without the consent of his Inspector was directly at variance with the rules, with the statement contained in his previous letter, No 516, to the effect that he concurred with the Sub-Magistrate who acquitted the section maistry on the ground that he was justified in having his truck on the line at night. x No 608

5. Mr Elwin in reply x No 546. 2d August 1892 stated that when it was determined to prosecute the section maistry for breach of clause XV of the Rules and Regulations there was no evidence before him to show that the section maistry's conduct was justified by clause XVII of the Rules and Regulations. He added that, had such evidence been before him, the section maistry would never have been prosecuted.

x No 622

6. On the 5th August the Consulting Engineer asked the Agent's particular attention to a memorandum drawn up with a view to show that the responsibility for the accident must attach to one or more of the few following individuals, namely:—

The Permanent way Inspector.

The

The Section Maistry

The signal man working under him

The Station master of Ft. Donaldó

Chouldtry

The driver of the special engine.

The Consulting Engineer asked that an enquiry might be instituted and the result reported for information of Government.

7. In reply the Agent forwarded on the 10th August, depositions taken by the Resident Engineer of the Division in which the accident occurred, and by the Inspector of the Railway Police, also reports by the Chief Engineer and the Traffic Manager. He explained at the same time that it had been considered impolitic

x 10573

impolitic to seek a prosecution of the engine-driver without the certainty of a successful issue, and that it had been determined to deal with the section maistry only.

8. From those papers it appeared clear that the Permanent way Inspector and the station master were in no way responsible for the accident, and that the section maistry was quite justified in having his truck on the line; but with regard to the display of signals by the maistry, and the watchman under him, and the observance of these signals on the part of the engine driver, the evidence was so conflicting

conflicting as to make it quite impossible to arrive at any sound conclusion upon the question.

9. The Traffic Manager's report and the depositions taken by the Inspectors of Police brought to light two clear infractions of the rules, which were pointed out to the Agent by the Consulting Engineer on the 13th August, in his No. 646:— "Explanation"

"(1) that the special engine was started before the notice of its running had been acknowledged by the permanent way inspector, Mr. Wilson, as required by the Rules and Regulations.

"(2) that no extra tail board or extra tail light, was attached the train preceding the special to indicate that a special was to follow.

In explanation of this latter omission it is stated that the preceding train had left Coimbatore before the necessity for the special had become known; but it is clear that notice might have been given to the guard of the train on his reaching Somanoor or Avenashy Road Station.

10. In reply Mr. Elwin forwarded a letter from the Traffic Manager to the effect that

(1) Mr. Hill, the Assistant

No 664 of 12th Sept 1912

Traffic

Traffic Manager, was sick on the day in question and was obliged to leave to his head quarters the duty of issuing the proper notices to the guards of ordinary trains and to others concerned.

(2) the notice to Mr Wilson, permanent way inspector, was issued in ample time to enable the line watchman to have been warned, had not Mr Wilson been, as he often must be, absent from his head quarters.

Mr Church adds that, in his decided opinion, "there ought not to be "any danger in running a special engine "at any time without any previous notice whatever "whatever", and points out that the rules expressly provide for such a contingency in the case of an engine proceeding to assist a disabled train.

---

11. It is difficult to understand how it could ever have been decided to prosecute the section master for having a truck on the line at night in breach of the rules. As soon as the facts came to be known it appears to have been admitted on all hands that the master was justified in his conduct. If the case had been thoroughly investigated departmentally, this must have been ascertained. If it is impolitic to prosecute an engine driver

drivers without the certainty of a successful issue, it must be impolitic to prosecute a section maistry without a similar certainty; and in this case it might have been easily ascertained that the prosecution must fail.

12. Whether the section maistry should have been prosecuted for neglecting to display the proper signals, is another question; but the evidence on this point is so directly conflicting as to render a conviction hopeless.

13. The section maistry and the coolies and watchmen with him all assert that proper precautions were taken. The drivers of the special engines, on the other hand, assert that the only signals displayed was a red light held by the section maistry himself, at a distance of two telegraph posts from the track.

14. The probability seems to be that the drivers' version of the accident is the true one; that the section maistry, seeing no extra tail light on the 8-15 A.M. train, felt confident that no special was to follow, and, working in fancied security, neglected the prescribed precautions; that when he heard or saw the special actually approaching he ran forward with his red light, and only reached a distance of two telegraph posts (or thereabouts)

from

from the truck before the engine came up to him.

15. Supposing the above to be a correct version of the occurrence, there can be little doubt that the accident would not have happened had the guards of the 8-15 A.M. been warned that a special was to follow him; he would have attached an extra tail-light to his train; and the section master, seeing this, would have omitted no precautions for his own safety.

16. It is no doubt desirable, as Mr Cheverk says, that it should be possible for an engine to pop along the line, without danger, at any time without previous notice; but so long as the rule, requiring that previous notice should be given, remains among the regulations for the working of the line, it should be attended to, and employés throughout the line are justified in supposing that it is attended to; but of course no one is in any case justified in omitting the prescribed precautions.

Lieutt Colonel R.E.

Cons: Engineer for Railways

RAILWAY DEPARTMENT. CONSULTING ENGINEER'S OFFICE.

No. 523

From

Lewitt Cloue Bj H.M. Shaw Stewart & C.E.

Consulting Engineer for Railways,

To.

Colonel G.W. Walker R.E.

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

SIR,

I have the honour to submit, for the consideration of Government, a somewhat voluminous correspondence which has taken place between this Office and the Agent of the Madras Railway Company on the subject of a collision which occurred on the night of the 16th

Letter from Agent M.R. No 237 - 19th April 1872.
Do Do No 516 - 20th July 1872 with enclosures
Do to Do No 596 - 25th July 1872
Do from Do No 535 - 30th July 1872 with enclosures
Do to Do No 608 - 1st August 1872
Do from Do No 646 - 2d August 1872
Do to Do No 622 - 5th August 1872 with enclosure
Do from Do No 673 - 10th August 1872 with enclosure
Do to Do No 646 - 12th August 1872
Do from Do No 664 - 12th Sept 1872 with enclosure

April 1872 between a special engine and a ballast truck.

2. The circumstances attending the collision are alluded to in the accompanying note, in which a resumé of the correspondence is given.

3. It will be seen that all the investigations which have been made have failed in ascertaining the person or persons through whose neglect the collision occurred. This result must be regarded as unsatisfactory.

I have the honour to be
Sir,
Your most obedient Servant

Madras
28th September
1872

Lieutt Colonel
Cons: Engineers for Railways

P. W. 1872 Dept
Proc: of Govt for Octr
No 4745.

RAILWAY DEPARTMENT.

1872.

From

The Consulting Engineer
for Railways,

To

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

Dated 28 Septr. 1872.
Recd. 30

No. 523

Submitting Correspondence with a resume of it between the Consulting & the Agent of the M Ry. on the subject of a collision on the 16 April 72, between a special engine & a ballast truck.

Public Works Department.
No 2513.

Proceedings of the Madras Government.
Read the following:-

From

The Consg. Engr. for Rys { A. Co. No. 523 dy 28 September 1872 }

The papers recorded at the head of these Proceedings have reference to a collision which occurred on the South West Line of the Madras Railway near the 208th Mile on the night of the 16th April 1872 between a special Engine running from Coimbatore to Salem and a ballast truck working under

the orders of the Section
Maistry -

From a consideration
of all the correspondence
submitted His Excellency
the Governor in Council
has no hesitation in
expressing his opinion
that had due notice
been given by the Assistant
Traffic Manager of the
Division not only to
the Permanent way
Inspectors along the
length over which the
Special Crane was
required to run, but
also to the Guard and
Driver of the preceding

30 12

train, and that acknow
=ledgments been obtained
before the Special En:
=gine was allowed to
start as laid down in
the Company's Regula
=tions, the accident now
reported would not in
all probability have
occurred.

His Excellency
cannot but regard the
failure under the cir
cumstances to warn
the Driver and Guard
of the Ordinary train
as a grave dereliction
of duty on the part
of the Assistant Traffic
Manager, and one which

Considering the in
stances of the occasion
is but little indicated
by this temporary in
disposition for which
in contingency the
system concluded in
every case provides.

His Excellency hopes
that the comparatively
unimportant results
of the accident ~~will not~~
~~induce~~ the Railway
authorities ~~to~~ relase in
any degree their in
vestigations as to the
sufficiency or otherwise
of the various rules laid
down for guidance,
the

the neglect of which
in His Excellency's
opinion so long as
they are allowed to re
main in force ought
on no account whatever
to be ~~gratified~~ permitted.

Should, as the
Traffic Manager im
plies, a departure from
rules be under certain
conditions permissible,
such conditions should
be embodied in the
Rules and His Ex
cellency desires that
the Consulting Engineer
will report after com
munication with the
Railway Authorities

what if any, mo
dification is in the
existing regulations
would in his opinion
conduce to the safer
working of the line
in respect to the cir
cumstances under
consideration

40
2

C. E. for Report

Decr 1/11/72

No 4745 1/1 1872

Govt. of {1872} Madras.

PUBLIC WORKS. √

To The Secretary Govt for Railways.

Dated

Recd. Encl. 17

G. O 25 Octo. No 2513.

Nos. 444 & 445

Collision (Railway). Papers on papers relating to Collision between Special Engine and a Ballast truck on the Mr. line of the Madras Railway on the April 1872 –