

(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.	652	Press
650-651		Mis.
Dated	28. 2.	1873.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
28th February 1873.*

No. 650. Read the following letter from the Acting Government Solicitor, to the Secretary to Government, Public Works Department, dated Madras, 20th February 1873, No. 87 :—

I HAVE the honour to acknowledge the receipt of the Order of Government, dated 23rd January last, No. 231, Public Works Department, and, as requested in the 2nd paragraph thereof, I have prepared and herewith forward a fair draft (in duplicate) of the proposed Articles of Agreement between the Secretary of State for India in Council and Mr. Testa for the running of traction engines with trains on the road between the Little Mount and Pondicherry. One copy of the draft is to be approved by Government, and the other copy is to be forwarded to Mr. Testa for his perusal and approval.

No. 651. ORDER THEREON, 28th February 1873, No. 652.

ESTABLISHMENT, No. 66.

His Excellency the Governor in Council approves of the draft Articles of Agreement submitted with this

letter, and resolves to forward a copy for Mr. Testa's approval prior to execution in due course.

(True Extract.)

(Signed) G. W. WALKER, Colonel, R.E.,
Secretary to Government.

To Mr. Testa with one enclosure.

Ld. S. T. Austin.

N^o 87.

3/

Madras, 20th February 1873.
From Ernest Barelay
Actg. Government Solicitor,
Madras,
To Colonel G. W. Walker, R. E.
Secretary to Government,
Public Works Department,
Fort St. George,

Sir,
I have the honor to acknowledge the receipt
of the Order of Government, dated 23rd January
last: N^o 231 P. W. D. and as requested in the
2nd para: thereof, I have prepared and herewith
forward a Fair Draft (in Duplicate) of the
proposed Articles of Agreement between the
Secretary of State for India in Council and
Mr. Tista for the running of Traction
Engines with Trains on the Road between
the Little Mount and Pondicherry. One
copy of the Draft is to be approved by Govern-
ment, and the other copy is to be forwarded
to Mr. Tista for his perusal and approval.

I have the honor to be,

Sir,
Your most Obedient Servant,
Ernest Barelay

Actg. Government Solicitor.

1045

No 1159

Q 111/1873. Delta
Cm 1000 for 1170

From
for Delta

Delta 20 } 1173
Delta 21 } 1170

82

Longitudinal Delta

of surface Delta 1000

apart from Manning

of Delta 1000

between the Delta 1000

1 Delta 1000

626.1764/73

No 650

No
Delta with
one enclosure

Delta 1000 28/2/73.
P-C 13/3/73

A-1051

Articles of Agreement made and
entered into this day of 1897
Between The Right Honorable
the Secretary of State for India in
Council (hereinafter described as "the
Secretary of State") of the one part and
Messrs of Pondicherry in the
East Indies (who

is as well for himself as also for his Executors
Administrators and assigns and for any
Registered Joint Stock Company to be pro=
=moted by him for the purposes hereinafter
mentioned, hereinafter designated as "the
Concessionaire") of the other part.

Whereas the Concessionaire hath applied to the Govern=
=ment of Fort Saint George, Madras, acting for and on
behalf of the Secretary of State for permission to run
"Traction Engines with Trains on the main Road
between the Little Mount and Pondicherry passing
through Saint Thomas' Mount, Chingleput and
Sinduram And whereas the Secretary of State
hath agreed to grant such permission upon the terms
and

and conditions hereinafter contained. Now these presents witness that for carrying the said proposal and agreement into execution We the Secretary of State for himself and his successors on the one part and the Concessionaire for himself his heirs Executors and administrators or (as the case may be) his successors and assigns on the other part do hereby covenant and declare contract and agree with and to the other of them his successors and assigns and Executors Administrators and assigns respectively or successors and assigns (as the case may be) as follows.

1. The Concessionaire shall have the right of running Traction Engines with Trains on the main Road between the Little Mount and Pondicherry commencing at the Little Mount passing through Saint Thomas' Mount Chingleput and Induram and ending at Pondicherry for the term of 10 years commencing from the day of 1871 subject to such regulations as to rate of speed times of departure from and to the Little Mount and Pondicherry and from Pondicherry to the Little Mount and Pondicherry stoppages on the Road and the manner in which the said Traction Engines and Trains shall be run as are set forth in the Schedule hereunder written Provided always that it shall be lawful for the said Government of Fort Saint George, Madras, acting as aforesaid from

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time to time, by endorsement on these presents to alter or vary such regulations in such manner as they shall deem advisable. Provided also that 6 Calendar months previous notice in writing of every intended alteration or variation of such regulations shall be given to the Concessionaire.

2. The Concessionaire shall be at liberty to levy such tolls or fares for the conveyance and carriage by the said Traction Engines and Trains of Passengers and Goods between the Little Mount and Pondicherry aforesaid and the Towns or Villages lying intermediate thereto as he or they may deem fit.

3. The Concessionaire will from time to time and at all times during the continuance of this Agreement, repay on demand to the Government of Fort Saint George, Madras, acting as aforesaid all such sums as they acting as aforesaid shall from time to time pay or disburse for repairing all damages sustained by the Roads over which the said Traction Engines and Trains shall be run in consequence of running such Traction Engines and Trains over such Roads it being the meaning and intention of these presents that such Roads shall at all times be kept fit in all respects for ordinary traffic.

4. In case the Concessionaire shall fail or neglect or refuse to observe perform fulfil and keep all or any

No 1159
W.D.
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one or more on any part of any one or more of the covenants stipulations and provisions herein contained it shall be lawful for the said Government of Fort Saint George, Madras, acting as aforesaid (if they shall think proper to do) on any such failure neglect or refusal as aforesaid by any writing to put an end to this agreement so far as regards the Secretary of State and thereupon every article clause and thing herein contained on the part of the Secretary of State and every privilege hereby conferred upon the Concessionaire shall absolutely cease and be void In witness whereof

by the order and direction of the Governor in Council of Fort Saint George acting for and on behalf of the Secretary of State and the Concessionaire have hereunto and to a duplicate hereof subscribed and set their respective hands and seals the day and year first above written.

Schedule above referred to.

1. — Rate of speed — 5 to 12 miles an hour
2. — Time of departure from the Little Mount from 6 to 8 A. M. —
3. — Time of departure from Pondicherry from 6 to 8 A. M.

4. — Carriages on the Road - 5 to 30 Minutes in each Station according to traffic and convenience of passengers.

5. — Each Engine to draw 5 to 7 Carriages of Goods and passengers.

6. — The extreme length of each Engine not to exceed 17 feet and the breadth not to exceed 8 feet and 6 inches.

7. — Each Engine to be furnished with vulcanised

India Rubber tires for its wheels the width of which is to be 12 inches.

8. — The weight of each Engine with fuel water Engineer and Steersman not to exceed 8 tons and to be ~~capable of~~ ^{equipped} on 4 wheels 5 inches

9. — Each Van to be mounted its full load to exceed 5

Broad and not more than 5 tons in weight.

Dated 187

Pl. No. 28 - July 13 and
N. 650.

The Right Honorable
the Secretary of State for
India in Council

with
Mr. Testa.

Draft.

Articles of Agreement
for the running of Traction Engine
with Trains on the Road between
the Little Mount and Pondicherry.

Barclay.
Actg. Government Solicitor.

Proc.

From

02

C/4170

Sept. of 1873 Madras.

PUBLIC WORKS.

To Mr. Leta

Dated

Recd.

Sept. 1

28 Feb 652.

No. 6501 651

Traction Engines. Draft
Articles of Agreement,
submitted by the Govt.
Solicitor, for running
Traction Engines between
the Little Mount and
Perlicherry, approved
and forwarded for
Mr. Leta's approval
prior to execution.

626/4/73