(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. 970-971 Press
~~B.P. No.~~ Mis.
683-685.

Dated 28. 3. 1873.

**Not to be folded or roughly handled**

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

No. 683. Read the following Proceedings of the Madras Government in the Judicial Department, dated 30th January 1873, No. 167:—

Read the following letters:—

From the Collector of South Arcot.

(Here enter No. 44, dated 4th October 1872.)

From the Agent and Manager of the Carnatic Railway Company.

(Here enter No. 734, dated 9th October 1872.)

From the Magistrate of Coimbatore.

(Here enter No. 43, dated 10th October 1872.)

From the Magistrate of North Arcot.

(Here enter No. 57, dated 30th October 1872.)

From the Magistrate of Tanjore.

(Here enter No. 1,362, dated 1st November 1872.)

From the Agent of the Great Southern of India Railway.

(Here enter No. 3,112, dated 9th November 1872.)

From the Consulting Engineer for Railways.

(Here enter No. 659, dated 29th November 1872.)

ORDERED that the foregoing letters be transferred to the Public Works Department for consideration, and with a view to the submission to the Government of India for sanction of Draft Rules for the provision of suitable fences along the Railways in this Presidency.

(True Extract.)

(Signed) W. HUDLESTON,
*Chief Secretary.*

No. 684. ORDER THEREON, 28th March 1873, No. 970.

RAILWAY, No. 65.

His Excellency the Governor in Council approves of the Rules suggested by the Consulting Engineer with the following exceptions:—

In Rule III. the limit of height for the upper strand of an iron-wire fence should be 3 feet 6 inches instead of 3 feet, without retrospective effect as regards the height of existing fences. In Rule VI. all after the words "Consulting Engineer's Department" should be omitted.

For Rule VII. as proposed, the following should be substituted:—

"It shall be the duty of the District and Village Police to bring all defects in Railway fences without delay to the knowledge of the Railway Authorities, and to bring to justice all persons injuring such fences."

The Rules thus amended will be forwarded for the consideration of the Government of India.

(Here enter No. 971, dated 28th March 1873.)

**(True Extract.)**

Colonel, R.E.,
*Secretary to Government.*

To the Consulting Engineer for Railways.
" Judicial Department.

Exd. S. T. Austin.

PUBLIC WORKS DEPARTMENT,
FORT ST. GEORGE, 28*th March* 1873.

No. 685.

No. 971.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
PUBLIC WORKS DEPARTMENT.

RAILWAY, No. 66.

SIR,—I am directed to acknowledge the receipt of the Resolution of the Government of India, under date the 5th October 1871, on the subject of Rules for the provision of boundary marks and fences for Railways under the Railways' Amended Act XXV. of 1871, and to forward for consideration and orders the accompanying draft of Rules which have been approved by His Excellency the Governor in Council.

2. No Rules have been drafted for the provision of gates and bars at place where the Railway crosses roads on the level, as the introduction of bars on the Railways of this Presidency is not contemplated, and the regulations at present in force in regard to level crossing gates, in the opinion of His Excellency the Governor in Council, provide sufficiently for the public safety.

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

Colonel, R.E.,
*Secretary to Government.*

Exd. S. T. Austin.

*Draft of Rules for the provision of Fences along the Madras Railways as specified in revised Section 21 of the Railway Act, Amendment Act of 1871.*

I.—The whole of this line of Railway shall be provided with a fence suitable for the exclusion of cattle.

II.—For this purpose three kinds of fence shall be recognized as suitable, namely,—

Iron-wire fence.
Masonry fence.
Live-vegetable fence.

III.—If an iron-wire fence be used, it shall consist of not less than four strands, and the height of the upper strand above the ground shall be not less than 3 feet 6 inches, without retrospective effect as regards the height of existing fences. Each strand shall be not less than a quarter of an inch in thickness. The strands shall be properly strained by means of straining posts placed at distances of not more than 440 yards apart. The intermediate posts shall be placed at distances of not more than 15 feet apart.

IV.—If a masonry fence be used, it shall be not less than $3\frac{1}{2}$ feet in height above the ground, and not less than 15 inches in thickness. If the fence consist of a rough stone wall, without mortar, it shall be bound together at the top by a coping of stones laid in mortar.

V.—If a live-vegetable fence be used, it shall be formed of any of the following plants :—

* * * * * *

The strength and dimensions of this fence shall be such as to render it impossible, under ordinary circumstances, for cattle to find their way over it or through it.

VI.—The whole of the fences upon this line of Railway shall be inspected at least once in every half-year by an officer of the Consulting Engineer's Department.

VII.—It shall be the duty of the District and Village Police to bring all defects in Railway fences without delay to the knowledge of the Railway Authorities, and to bring to justice all persons injuring such fences.

Colonel, R.E.,
*Secretary to Government.*

Explain

MEMORANDUM Form C. No.

Requested for reference the under-mentioned papers:—

Three share copies of the Trust Govt. P.W. Dept. of 28 March/73
No. 970.

GOVERNMENT OFFICE,
Revenue Department,
27 Oct 1874.

To

The Registrar of the

Registrar
Head Clerk

Traffic Office

14: Feb. 73.

My dear Smith,

Your letter & Cons:
Encl: wire fence, height of
Wk strand -
M. R. only information S.
- taineable is height of
post 3'.0". Wk strand
will probably be about 2'.9".
G. S. I. Saturain - height
of Wk strand. 3'.3".
Indian Railways - 4'.0".

Yrs sincerely

L. M. Moulton

3.

No. 43

Coimbatore Magistrate's Office

Ootacamund 10th October 1872.

From,

A. Wedderburn Esq.

Magistrate of Coimbatore

To.

The Chief Secretary to Government

Fort Saint George

Sir,

With reference to G.O. 19th September 1872. No. 1276, para 2, requesting a report on the draft rules for Railway Fencing, I have the honor to observe that iron wire fence of 4 strands and height proposed, seems very efficient; the wires at the intervals of 9 inches should exclude any animal likely to obstruct the line.

2. The rough dry stone wall with a coping of stones laid in mortar, 3½ feet in height, seems equally efficient.

3. As regards a live fence - the most

most suitable and cheapest for the open country away from habitations- The aloe does not thrive every where; but where it does, and is attended to, it is an excellent hedge. This however should be only for the line, and not be used, at all, as a standing fence, which invariably should be a wire one, to facilitate sanitary Conveniency.

4. I would suggest as another live fence, "Euphorbia, Tirucalli" It grows in very poor dry soils, where no other vegetation is able to exist.

It is extensively used as a field fence for this District, it is quite impervious, and does not spread laterally like the prickly pear. It should be lopped occasionally to prevent its assuming a tree shape.

5. One cannot prescribe dimensions to an aloe hedge; it must grow according to nature, and trimming it deprives it of its advantages as a fence.

Likewise

Likewise also, the Euphorbia[illegible] should be laid down, as a line of 2 feet high to grow from, it will attain to 6 feet, or even much higher, if allowed to grow without topping.

I have no experience of the Kokakapillay as a Railway fence.

6. In places, where no live fence will grow, perhaps Jamalpur may be one of these, a quick ditch and high pitched bank might exclude cattle- Wooden fences or palisades are subject to decay and to be stolen.

7. But whatever fence is adopted, the periodical Railway official inspection of them should not be, and probably is not, at longer intervals than once a week, a gap destroying the efficiency of the whole fencing line, may frequently occur from many causes, decay, stray cattle,

cattle and wilful damage &c, and things that are not frequently looked into are neglected; these frequent inspections will do more good than fixing responsibility on heads of villages, many of whom live at a considerable distance from the line, and have their own special duties to attend to.

8. In practice, it is not possible to enforce this assumed responsibility even if it were equitable.

I have tried it in several districts in regard to Railway posts, fencing, and the like. I presume the Railway authorities are as anxious to keep out cattle from the line, as the Magistracy, and will adopt the best modes of fencing in their power.

9. But a weekly inspection by the village Head of the Railway fencing in the limits of his village, and a report on the same to the Tahsildar, and more especially an authority at once to close a gap in a fence, and charge the same, if necessary in a Contingent Bill, struck, have a more practical effect of securing the prevention of accidents from defective fencing, than a half-yearly inspection by the Magistracy.

I have the honor to be,

Sir,

Your most obedient Servant

A Mackintosh

Magistrate

SOUTH ARCOT.

COLLECTOR'S OFFICE.

No. 44

Cuddalore
4th October 1872

From H. E. Sullivan Esq^re
Actng Collector of South Arcot.

To W. Hudleston Esq^re
Secretary to Government
Judicial Department

Sir.

I have the honor to submit the report called for in G.O. dated 19th ultimo. No 1276, Judicial Department on the subject of Railway fencing.-

2. The Consulting Engineer has, I think, somewhat misapprehended the proposal made by Mr. Macgregor.- He does not recommend that wire or masonry fencing should alone be used throughout the Presidency; his remarks are limited to that

Inward 1872 Diary
From The Magistrate of Cuddalore.
To
The Chief Secretary to Government Judicial Department

Dated 4 October 1872
Rec'd 8 Ditto

No. 44/72

Transmitting Report called for in G.O. dated 19th ultimo No. 1276 Judicial Department on the subject of Railway fencing.

P. D. 657/72.

that portion of the line between Walliaar and Beypore and I think he is right. I was stationed in Malabar when the S. W. Line was under construction and can remember many attempts being made by the Engineers to introduce live fencing but none of the experiments were successful. The damp climate and rich soil of Malabar did not seem to suit the aloe which in the comparatively rainless district of Coimbatoor where limestone underlies the soil about nine miles below the surface, grows to an immense size and forms a hedge so compact that no living creature but a snake or a mongoose can get through it.—





3. There can, I think, be no question that in those parts of the country traversed by the railway which are favorable to the growth of the aloe and the Coraka-pillay these plants will form a hedge capable of excluding cattle if properly maintained; and No. 6 of the Draft rules contains, I think, ample provision for their being kept in a state of efficiency.

4. Rule No. 7 is, I think, too stringent for these days. In old times the authority of the Potail, the Reddy, the Maniegar, or Adigary, or whatever his local designation might be was paramount within the limits of his village. His word was law and he had at his beck

and

and call a staff of village police to enforce his orders. But he has been shorn of his ancient prestige. In many places the hereditary freehold which gave him his position and influence in the little community of which he was the head has been resumed, and he is remunerated instead by a pittance often less than the wage of a peon, whilst the talaries who formerly waited on him have now far more respect for the beat constable who from time to time visits the village.—

Under these altered circumstances it would not, I think, be fair to make him responsible for the acts of idle boys and mischievously disposed persons in the manner contemplated by the rule, especially when it is remembered that the railway as a rule traverses fields a long distance from the village. I would substitute for Rule 7 the following—

"It shall be the duty "of the mile watchman— "to report to the Permanent "Way Inspector any injury "done to the fencing on either "side of the line who will at "once take measures for "having it repaired. If the "damage appears to have "been wilfully caused the "Inspector will report the "circumstance at the near- "est Police Station, and it "will be the duty of the "Police to take the necessary "steps for the detection of the

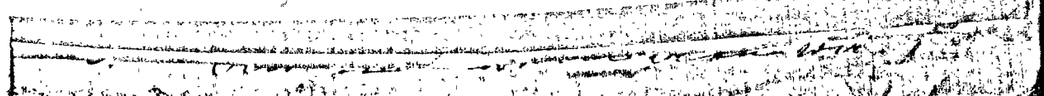
"the party or parties offending."

5. I do not think the height of the wire fence proposed in Rule III. (3½ feet above the ground) is sufficient. A Malabar cow would top such a fence like a deer.

I have the honor to be
Sir
Your most Obed. Servt.
H. Lucius
Acting Collector.

...y, Limited,

Agent & Manager.



Judicial (1872) Dept.

SOUTH ARCOT.

From

The Collector of

South Arcot.

To The Secretary to Govt. of Judicial Department

Dated 4 Oct 1872.

Received 8 Oct

Enclosure.

No. 1879 No. 44 dt. 10/7

Subject.

Submits his remarks on the draft rules on the subject of Railway fencing prepared by the Consulting Engineer for Railways

27/1

J. W. 8/10/72.

Carnatic Railway Company, Limited,

AGENT'S AND MANAGER'S OFFICE,

MADRAS, 9th October 1872

No. 734.

From

J. J. Fisher Esqre.

Agent & Manager.

Carnatic Railway.

To

The Acting Under Secretary to Govt.

Judicial Department.

Fort St. George.

Sir,

With reference to G. O. No. 1276 dated 19th Septr. 1872. I have the honor to state that the draft rules relative to the provision of Fences along Railways, submitted by the Cons: Engineer are in my opinion suitable for the requirements of the case, I would submit however that it might be desirable to include a post and rail fence or palisades as suitable for the exclusion of Cattle. The latter description of fence will doubtless be common at stations, and the former may be adopted to stop a gap in a live vegetable fence until the plants have grown to the strength and dimensions required.

I have the honor to be.

Sir.

Your most obedient Servant.

J. J. Fisher

Agent & Manager.

No 1362

Tanjore Collectors Office
Vellum 1st November 1858

From

W. M. Cadell Esq
Offg Collector of Tanjore

To

The Honble W. Hudleston
Offg Chief Secretary to Government
Fort Saint George

Sir

With reference to the Orders of Government under date the 19th September last Judicial Department No 1276, calling on me to report on the Draft rules for the provision of fences along the Madras Railway. I have the honor to state that in my opinion the Rules are generally well adapted for the purpose for which they were intended—

2 As regards Rule III Clause 4 however I suggest that the height of the wire fencing should not any where be less than 3½ feet in course of time, in consequence of persons passing between the strands, the tendency of

[illegible]

From Post Master
To W. Cadell Esq
Collector
Dated 23rd Nov 1858
Rec'd 24th Nov
Answered
Returned with the
Letter, Petition &
Enclosures of your
Office
Dispo.

Rec'd 25th Nov 1858

fences are the easiest to shelter and to be defended.

In a District like Ongole and where shelter is to any extent and especially in the hot weather, the temptation for the half starved cattle of the country to stray and force their way through fences which be it ever so good, that the height should not, I think, to be reduced.

Rule V The only live fences suitable for this District are the Kodapuli, the aloe and perhaps the thorn called the pandi thorn which grows about Vellam: the width of the fence ought not, I think, to be less than 12 or perhaps 15 inches—

Rule VI I do not think there would be any advantage in any of the Magistracy being required to accompany the Officer of the Consulting Engineers Department in his half yearly inspection of the fences. Such inspection must, as regards the Magisterial Officer of necessity, be cursory and as quite possible he might be called on to punish for the offence of cattle straying on the line and through fences which he might himself shortly before have pronounced to be in good order—

Rule VII As regards this rule I am of opinion that the Railway Officers themselves are bound to maintain their fences in good order. The question whether under the existing Law Heads of villages could be legally held responsible for their protection: however this may be, the responsibility would be a divided one and therefore to all the objections attendant on such measures. The Heads of villages might however, be instructed within their limits to give every aid and assistance to the Railway Servants in seizing and apprehending persons wantonly causing damage or injury to the fences—

I have the honor to be
Sir
Your Most Obedt Servant

No. 3112

# GREAT SOUTHERN OF INDIA RAILWAY.

AGENT'S OFFICE,

NEGAPATAM, 9th November 1872

162

*From*

THE AGENT,

*Great Southern of India Railway,*

*To*

C. A. Galton Esqre
Ag Under Secretary to Government
Fort Saint George

SIR,

I have the honor to state, with reference to Government Order No 1276 of the 19th September last that if it is considered necessary for railways in this country to be fenced, I coincide with the Magistrate of Malabar that the iron wire fence or a stone wall fence should be declared under Act 25 of 1871 as suitable fences. I say if it is considered necessary. American railways I believe are not fenced, and on some lines in that country the speed run by trains greatly exceeds the speed run on Indian lines

I place but little reliance upon a vegetable fence. We formerly had one on the western section of this railway but in June 1866 I had to report to Government as follows: × ×
"as however the trial we have already made
"has so signally failed I think it would be
"but waste of money to go on with the planting
"I feel sure that it is to the iron fence alone
"that we should trust." The Consulting Engineer

reported

1872

Ag Under Secy to Govt Fort St George
Letter dated 9th November 1872
Received 14th do
No 3112
Submitting report called for on the above subject
Negapatam Collector
Malabar District
Negapatam
9th November 1872

No. 3112

# GREAT SOUTHERN OF INDIA RAILWAY.

AGENT'S OFFICE,

NEGAPATAM, 9th November 1872

162

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*Great Southern of India Railway,*

*To*

C. A. Galton Esqre
Ag Under Secretary to Government
Fort Saint George

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1872

Ag Under Secy to Govt Fort St George
Letter dated 9th November 1872
Received 14th do
No 3112
Submitting report called for on the above subject
Negapatam Collector
Malabar District
Negapatam
9th November 1872

department after inspection recommended the adoption of an iron wire fence which was shortly afterwards erected

No doubt vegetable fences can be made to grow and prove efficient fences, but we found they were so often wilfully destroyed and the offender could never be detected. A cultivator makes a small gap in the hedge in order to have a short cut to his field on the other side of the railway and thereby save himself a walk of a mile or two. He takes care no one is near to see him cut the hedge - Cattle quickly find the gap and trespass thro' it on the line With an iron wire fence the man would pass between the wires without destroying them or leaving a passage for cattle. Of course he still commits a trespass but the cattle are kept off.

I have the honor to be
Sir
Your most obedient Servant
William Blth.
Agent

No. GREAT SOUTHERN OF INDIA RAILWAY.

AGENT'S OFFICE,

NEGAPATAM, _____ 18

*From*

THE AGENT,

*Great Southern of India Railway,*

*To*

SIR,

T.O. 167/73.

P.W. 651/73.

Submitting the Tenders received for Fencing the Trichinopoly Extension Railway.

P.W. & Engineer's No. 2088

From the Agent, G.S.I. Railway, No. 3112.

Dated 18th August 1873.

18

*Extract of a letter from the Agent and Manager, Madras Railway, No. 584, dated 15th August 1872.*

× × × × ×

6. We have two descriptions of wire fencing - On the South-West line there were originally only three strands, the top strand being 3 feet in height from the ground, but as it was found that the small Malabar cattle crept through this, two additional strands were subsequently added, the height of the fence not being affected by this addition.

7. On the North-West Line the wire fencing has four strands the top strand being 3 feet from the ground.

North Head

Collectors Office

No 57 Chatham 30 October 187 9

Sir

I have the honor to acknowledge the Receipt of the Governments Order dated 19th September 1872 No 1276 Requiring me to Report upon the draft Rules for Railway fences -

2 Of the three Kinds of fences named in Rule 2, I think that the Masonry fence is the best and most durable, but, on the score of Economy the live vegetable fence will do well enough in places where it will grow well, although I can see no fence comparable to Masonry fence as an effectual bar to Cattle trespass upon the line -

3 Rule III Where in

is used, the height of the upper Strand should I think, be not less than 4 feet, and there ought to be at least 5 Strands running sufficiently close together to prevent the smaller animals such as sheep, pigs &c getting through. The height given in this Rule viz 3 feet would I should think be hardly sufficient to prevent cattle from jumping over it. For this Reason I would Recommend that wherever a Masonry fence is used it should be constructed of the same height as the wire fence.

4. Rule V Prickly pear is no doubt in many respects very objectionable as a fence. It harbours Snakes and other Reptiles, and is very far from to spread Rapidly but it makes a most impervious hedge, and is extremely hardy. I do not however Recommend it, and as in this District it does generally

is for use as a good hedge after properly cleaned dressed and trimmed the plant for a hedge that is quite as impassable as prickly pear. The Municipalities Regulations greater attention than any other vegetable fence, not to mention its efficacy in preventing Snails crossing & getting through it as soon as the plants have grown to any height & bulk or treble rows of plants in my opinion would make a first rate Railway fence and I advocate its use in preference to prickly pear.

5. Rule VI This would be a good Rule but the dispensation of the fence should be made at shorter intervals than half yearly.

6. Rule VII This is rather stringent in its provisions. It would be hard to make the hands of a Village Responsible for the wilful act of

another person in. It would be sufficient to make the act itself an offence, but even this appears to me to be unnecessary, as it would clearly fall under the definition of "Mischief" in the Indian Penal Code. The head of the Village may, as suggested, be made to Report at once to the Magistrate the inefficient state of the fence within the limits of his Village. He might also be ordered to submit fortnightly Reports upon the state of the fence in his Village, and I would recommend the grant of a small Reward for information leading to the conviction and conviction of any person wilfully causing Mischief to the fence.

In conclusion I beg to state that the fence now in existence is



21?

[illegible] as along the lines of Railway bordering this District and that the rough stone wall without mortar, such as that referred to in Rule IV, may be very frequently and advantageously adopted, and constructed with no great Expense in this District, as Rubble stones are to be found almost everywhere in unlimited quantity within easy distances of the line of Rail.

I have the honor to be,
Sir,
Your most obedt Servt

North Arcot
Collectors office
Chittoor 30 October
1872

A Chelliah
Ag Collector

The Under Secretary to
Government
Jud dept
Madras

RAILWAY DEPARTMENT. CONSULTING ENGINEER'S OFFICE,

No. 659

From

LIEUT.-COLONEL J. H. M. SHAW STEWART, R.E.,
*Consulting Engineer for Railways,*

To

*The Chief Secretary to Government*
*Judicial Department*

SIR,

*As requested in your official memorandum No. 303 dated 26th November 1872 I have the honour to submit letter No. 865 dated 28th November 1872 from the Agent of the Madras Railway Company expressing his opinion on the draft rules for the provision of fences along the Railway.*

*I have the honour to be*
*Sir*
*Your most Obedt Servant*
*Lieut R.E.*
*for Cons. Engr for Railways*

*Madras*
*29th Novr*
*1872*

*Judicial 1872 Nov*
*From Chief Secy to Govt*
*Public Works Dept*
*To Lieut Colonel*
*J. H. M. Shaw Stewart*
*Consulting Engr for Railways*
*Dated 30 Novr 1872*
*Subject Draft Rules*
*for Fences*
*Rec'd 4 Dec*

*No. 2039*

*No. 1621/72.*

*Referring your No*
*dated 26th Nov*
*Draft Rules for*
*Railway fences.*
*I. R. 1621/72.*

No. 865

**MADRAS RAILWAY.** 23.7

AGENT AND MANAGER'S OFFICE.

Madras, 28th November 1872.

*From*

The Agent and Manager, of the M. R. Co

*To*

Lt Col. J. Hell. Shaw Stewart R.E
*Consulting Engineer for Railways.*

SIR,

With reference to your letter
noted in the margin x I have
the honour to inform you
that in the opinion of the
Officers of this Company the Rules drawn
up by you for the provision of Fences
along the Madras Railway, are fair
and make every provision that is
required.

2. With regard to Rule V
beg to suggest that Prickly pear
shall be admitted as one of the Plan
that may form a vegetable Fence, u
the proviso that it is not to be used
for renewals or new Fencing under a
circumstances. Some detached port
of our fencing are composed of Pric
pear, and although the planting of
has been forbidden for many year
past. I do not think it desirable
to go to the expense of removing it
and constructing a new Fence, where

x No. 953 of 18th Nov 1872
" 973 " 25th " "
" 982 " 27th " "

x Vide G. O. No. 1276 of 19th September 1872

---

Judicial Railway Department.
1872.

From

The Consulting Engineer
for Railways,

To

The Chief Secretary to Government
Fort St. George

No. 2242.

Dated 29th November 1872.
Received 30th " "

R. / No. 650

Submitting letter
from Agent M. R. Co
expressing his opinion
on the draft Rules
for Fences.

P. P. 6th/12/72.

it already exists.

I have the honour to be
Sir
Your most Obedient Servt.

J. F. Mellis.
for the Agent & Manager

Judicial Department.

## PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letters

From the Collector of South Arcot — Dated 4th October 1872 No. 44.
" Agent & Manager Carnatic Railway Company — " 9th — do. — No. 734.
" Magistrate of Coimbatore. — " 10th — do. — No. 43.
" do. — North Arcot — " 30th — do. — No. 57.
" do. — Tanjore — " 1st November 1872 No. 1362.
" Agent G. I. P. Railway — " 9th — do. — No. 3112.
" Consulting Engineer for Railways — " 29th — do. — No. 659.

Order thereon 30 January 1873 No. 167

Ordered that the foregoing letters be transferred to the Public Works Department for consideration, and with a view to the submission to the Government of India for sanction of draft Rules for the provision of suitable fences along the Railways in this Presidency.

/True Extract/

Chief Secretary.

To,

The Public Works Department.

with enclosures.

---

MADRAS RAILWAY.

From

The Agent and Manager.

To

The Consulting Engineer for Railways.

Dated 28th Nov 1872
Recd. 29. " " 187 2
No. 865.

Requesting the Rules observed by the Consulting Engineer for the Railways of the Madras Railway.

P.C. 28 May 1873 No. 683.

Dept. No. 2213/72

P.W. 651/73.

No 683

6/1 Mar/73 [illegible] 10.

Pro. of the Judicial Dept.

Govt. of 187 } Madras.

No. 651.

To Pro. of the Madras Judicial Dept.

Dated 30th Jany 1873. No. 167.

Recd.

Encl. & Nos.

Forwarding correspondence with a view to the adoption of the Draft Rules for the provision of fences along the Railways in the Madras [illegible]

Proceedings No 970-971-28th July 74.

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P.W.D. 26

# Proceedings of the Madras Govt.

Read the following

Pro: of the Madras Govt. Judl. Departt. } (H. E. No. 167) of 30th Jany/73)

Ordered that the Draft Rules on the subject of the provision and maintenance of Railway fences submitted by the Consulting Engineer and embodied in Proceedings of the Judicial Department under date the 19th September 1872 No 1276, together with the

I would alter the rules by raising the height of wire fencing 1/2 foot and I would omit Rule VII altogether. In this shape I would say the Govt of Madras approve the Rules ~~& that~~ [illegible] much use

the observations of the Officers
committed on the subjects, be
forwarded for the consideration
and orders of the Govt of
India with reference to
paragraph 6 of their Reso-
-lution No 2790 of the 3rd
November 1871.

His Excellency is
of opinion, that, in deference
to the opinions expressed
by the Collectors whose views were
invited, the inspections
by the Magistracy may
be dispensed with, and
the responsibility of the
Heads of Villages be con-
-fined to reporting dec-
-ridge at once to the
nearest

in sending up the correspondence
& your opinion in which the
Govt. frame their decision
I understand the opinions of
the Railway people

nearest Police Office.

J. C. E. No 7.

From

The Consg Engineer
for Railways
Judicial Dept.

To

The Secretary to the
Government of India.

Sir,

I am directed to
acknowledge the receipt of
the Resolution of the Govern-
-ment of India under
date the 5th October 1871 on the
subject of rules for the pro-
-vision of boundary
marks and fences for
Railways under the
Railways

Railways Amended Act XXV of 1871, and to forward for consideration and orders the accompanying draft of Rules which have been drawn up by the Consulting Engineer. The opinions of the Railway Agents, and of several Collectors, who are intimately acquainted with the districts traversed by lines of Railway are also forwarded with the Proceedings of this Government thereon.

No rules have been drafted for the provision of gates and bars at places where the Railway crosses roads on the level; as the introduction of bars on the Railways of this Presidency is not contemplated, and the Regulations at present in force in regard to level crossing gates, in the opinion of His Excellency the Governor in Council, provide sufficiently for the public safety.

C.L.S.

G.W.

651

(10)

Send to
Hon'ble
Mr Sim

Rec'd 8 July 1873. No. 10.

292

Note.-

In circulating the accompanying draft order. I beg to draw attention to the fact that its provisions will bar the existing Madras and Great Southern of India Railway fences from the scope of the rules. The height of the upper strand being respectively 3'. 0" and 3'. 3". on these lines. C.S.

The rules should I think be prospective in effect. but we can as there is no great hurry decide this point at the next Council. M

Public Works Department

307

No. 970

Proceedings of the Madras Government

Read the following

Rs. of the Ld. Secy. in the Jud. Depart.t } No. 167 of 30th Jany 1873.

Ld. Gallwey

The Governor in Council approves of the rules suggested by the Consulting Engineer with the following exceptions.

In Rule III

the limit of height for the upper strand of an iron wire fence should be 3'. 6". instead of 3 feet.

without retrospective effect as regards the height of existing fences.

In rule VI all after the words "Consulting Engineer Department" should be omitted.

In rule VII as proposed, the following should be substituted

"It shall be the duty of the District and Village Police to bring all defects in Railway fences without delay to the knowledge of the Railway Authorities and to bring to justice all persons injuring such fences."

The rules thus amended will be forwarded for the consideration of the Government of India.

C.L.S.

Genl

52

3

To The Secretary to the Govt. of India P.W.D.

Sir

I am directed to acknowledge the receipt of the Resolution of the Government of India under date the 5th October 1871 on the subject of rules for the provision of boundary marks & and fences for Railways under the Railways Amended Act XXV of

No 971

To The Secretary to the Govt. of India P.W.D.

Sir

I am directed to acknowledge the receipt of the Resolution of the Government of India under date the 5th October 1871 on the subject of rules for the provision of boundary marks & and fences for Railways under the Railways Amended Act XXV of

To The Govt. for Railways Judicial Dept

Desp 3 1/4/73 Letter Copy Draft rules

1871, and to forward for consideration and orders the accompanying draft of Rules which have been approved by His Excellency the Governor in Council.

No rules have been drafted for the provision of gates and bars at tobacco where the Rail-way crosses Roads on the level, as the intro-duction of bars on the Railways of the Presi-dency is not contem-plated, and the Regu-lations at present in force in regard to level



crossing gates, in the opinion of His Excellency the Governor in Council, provide sufficiently for the public safety.

G.M.W.

Desp. 1/4/73 with 7 Encs.
Fr. Draft Rules

Draft of Rules for the provision of Fences along the Madras Railway as specified in revised Section 21 of the Railway Act, Amendment Act of 1871.

I. The whole of this line of railway shall be provided with a fence suitable for the exclusion of cattle.

II. For this purpose three kinds of fence shall be recognized as suitable viz.

Iron wire fence.
Masonry fence.
Live vegetable fence.

III. If an iron wire fence be used, it shall consist of not less than four strands, and the height of the upper strand above the ground shall be not less than three feet six inches, without retrospective effect as regards the height of existing fences. Each strand shall be not less than a quarter

of an inch in thickness. The strands shall be properly strained by means of straining posts placed at distances of not more than 440 yards apart. The intermediate posts shall be placed at distances of not more than fifteen feet apart.

IV. If a masonry fence be used it shall be not less than 3½ feet in height above the ground and not less than fifteen inches in thickness. If the fence consist of a rough stone wall, without mortar, it shall be bound together at the top by a coping of stones laid in mortar.

V. If a live vegetable fence be used, it shall be formed of any of the following plants:-

× × × × × ×

The strength and dimensions of this fence shall be such as to render it impassible, under ordinary circumstances, for cattle to find their way over it or through it.

VI. The whole of the fences upon this line of railway shall be inspected at least once in every half-year by an officer of the Consulting Engineers Department

Department.

VII. It shall be the duty of the District and Village Police to bring all defects in Railway fences without delay to the knowledge of the Railway Authorities and to bring to justice all persons injuring such fences.

G.W.W.

50

Ch/51

Publ. of India Office.

PUBLIC WORKS.

To the Consulting Engr for Railways & To the Secretary to the Govt of India

Pub.d

Rec.d Encl. 8

28 Circular 970-971.

No. 683-684-685

Railway Engrs. Draft Rules for the provision of Level Crossings on the Broad Gauge Railways as specified & revised Section XXI of the Railway Act, Amended Act of 1871, approved with remarks.

No 683.85.

Feb 15 The Board 73-2