M.R.O. 1—10,006—28-2-50.

(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.	1631-74	Press
B.P. No. 373-374		Mis.
Dated	18. 6. 1874	195 .

Not to be folded or roughly handled

No. 373. Read the following letter from Lieutenant-Colonel J. H. M. SHAW, STEWART, R.E., Consulting Engineer for Railways, to Colonel G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Madras, 4th May 1874, No. 262 :—

I HAVE the honour to submit, for the information of Government, certain papers* received from the Agent of the Madras Railway Company regarding an attempt which was made upon the 21st January 1874 to throw the 8-15 P.M. mail train from Bangalore off the rails at the 161st mile of the Bangalore Branch.

* No. 78, 23rd January 1874.
" 104, 31st " "
" 148, 16th February "
" 372, 30th April 1874, with enclosure.

2. It will be seen that, on the above-named date, the mail train was running at the rate of about 35 or 40 miles an hour between the Colar Road and Coopum Stations, and that, when between the 4th and 5th Telegraph Posts on the 161st mile, the Driver experienced a sudden shock as if something had came in contact with his engine. On pulling up he found that a large stone had been struck by the life-guard of the engine, and broken by the concussion. The larger part of the stone was lying inside the rail, two smaller pieces being outside, and a portion on the rail, crushed by the engine passing over it. The life-guard of the engine was injured, but beyond that no damage was sustained by the train. There were a good many passengers in the train; and, if the engine had left the rails when running at high speed, it is probable that there would have been serious loss of life.

3. A man named Nunderam was arrested upon suspicion of having placed the stone upon the rail. He confessed to the crime before the Munsif of Kadapallai, and was committed for trial at the Sessions Court at Chittoor. The case was tried upon the 2nd March, and it will be seen that the prisoner was acquitted.

4. A copy of the proceedings of the trial is submitted, and I solicit the consideration of Government to the evidence which was adduced. In this case, as in the one reported on in my letter of the 20th ultimo, No. 236, the prisoner seems to have been acquitted on account of the prosecution having failed to procure direct evidence of his having been caught in the act of placing the stone upon the rail. The circumstantial evidence against the prisoner, together with the fact of his having previously confessed, seems to leave hardly room for a doubt as to his guilt, and I regret greatly that the prosecution failed to secure a verdict. In cases of obstructions placed upon the rails, it is only upon rare and fortunate occasions that the offenders are caught in the act of placing them; and in the instance now submitted to Government, short of producing such direct evidence, the Railway Authorities seem to have done all that was possible to secure conviction. On public grounds their failure is much to be regretted.

From T. H. GOING, Esq., Acting Chief Engineer, to R. B. ELWIN, Esq., Agent and Manager, dated Madras, 23rd January 1874, No. 93.

I FORWARD you a copy of a letter (No. 38 of 22nd January) received from the Resident Engineer of the 2nd Division, South-West Line, reporting that an attempt was made to throw the 8-15 P.M. train from Bangalore off the line at 161st mile between the 4th and 5th telegraph posts, by placing a stone on the line.

From F. MILLETT, Esq., to T. H. GOING, Esq., Acting Deputy Chief Engineer, dated Bangalore, 22nd January 1874, No. 38.

I have to report to you another attempt to throw the train off the line on the Bangalore Branch by placing a stone on the rails.

2. Yesterday evening, the 21st instant, the Driver of the 8-15 P.M. train from Bangalore to Jollarpett experienced a sudden shock to the engine at the 161st mile, between the 4th and 5th telegraph posts.

3. Not knowing what was the matter he pulled up as soon as possible, and, together with the Guard of the train, went back to the place, where they found a large stone on the line, which had been hit by the life-guard of the engine, and broken by the concussion.

4. The life-guard was slightly damaged; but the engine, I am given to understand, was not otherwise effected by the shock.

5. The Driver and Guard took the Night Watchman Veerasawmy and the stone to Coopum, where the former was handed over to the Police.

6. I inspected the stone at the Coopum Station, on my way up from Jollarpett last night within two or three hours of the occurrence, and found two portions split off therefrom.

7. The marks where the guard had struck were plainly visible.

No. 78.

To the Consulting Engineer for Railways for information.

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

23rd January 1874.

From R. B. ELWIN, Esq., Agent and Manager of the Madras Railway Company, to Lieutenant-Colonel J. H. M. SHAW-STEWART, R.E., Consulting Engineer for Railways, dated 31st January 1874, No. 104.

In continuation of my endorsement, No. 78, of the 23rd instant, I have the honour to inform you that one "Mootheeram," a Byragee, suspected of having placed the stone on the rail at or near the 161¼ mile, Bangalore Branch, on the 21st instant, was tried on the 27th instant, and has been committed to the Chittoor Sessions.

From the same Officer, dated Madras, 16th February 1874, No. 148.

In continuation of my endorsement of the 23rd ultimo, No. 78, I have the honour to inform you that the Acting Chief Engineer reports that a man named Nunderam, of the village of Muroonahcoroo, was arrested and brought before the Magistrate at Coopum for placing a stone on the line at the 161st mile, Bangalore Branch, on the 21st January 1874.

2. The man confessed his crime and was committed for trial at the Sessions Court at Chittoor.

3. The case will be heard next month, and the result will be reported to you in due course.

From the same Officer, dated Madras, 30th April 1874, No. 372.

In continuation of my letter of the 31st January last, I have the honour to enclose you a copy of the proceedings of the Sessions Court at Chittoor in the case of Nunderam, not Mootheeram as previously reported, the man who was charged with having placed the stone on the rail at or near the 161¼ mile.

2. The prisoner you will observe was acquitted.

CALENDAR No. 7 OF 1874.

1st *Witness.*—Thomas William Beaumont Brown, father's name, James Brown; caste, European; calling, Engine Driver; age, about 36; residence, Bangalore. On oath. I drove the

train that went from Bangalore to Jollarpett on night of 21st January last. It was a passenger train; there were a good many passengers. Something came into contact with the life-guard of the engine at the 161st mile between the 4th and 5th telegraph posts. I stopped the engine. I put the train back and got down. I found one large piece of stone inside the rail and two small pieces outside the rail. This is the stone produced. The bolts of the life-guard were broken; the stone had evidently been on the rail, because there was the mark on the life-guard where it came into contact with the stone, and a portion of the stone was on the rail crushed by the wheel. If it had not been for the life-guard, the train might have been thrown off the line. I was going at the rate of about 35 or 40 miles an hour. If the engine and train had left the rails, there might probably have been great loss of life. I saw two men by the side of the line after I had passed the stone, and before I pulled up one of them was a Line Watchman. When I put the train back the Watchman followed the train. I never saw the other man again. I don't know who he was. I showed the Watchman the stone and asked him what he had to say; he said what could he do; this is the Watchman I point out. I took the Watchman to Coopum, when we got there he told one of the Guards that he had suspicion against a Byragee; he did not mention the Byragee's name. I delivered over the Watchman and stone to the Station-master at Coopum.

To Prisoner—I saw some one standing at a fire with the Watchman; I cannot say whether it was the prisoner or not.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

Read over to the witness in English, which he understood and acknowledged to be correct.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

2*nd Witness.*—William Henry O'Brien, father's name, William O'Brien; caste, East Indian; calling, Mail Guard; age, about 36; residence, Bangalore. On oath. I was guard of the night train that left Bangalore for Jollarpett on night of 21st January last. Near the 161st mile I felt a shock; the train was stopped and put back. I got down. There was a large stone between the rails. There was some powder of stone on the rail. It had been broken, that is the stone. One of the bolts of the life-guard was broken. The stone being placed on the rail had endangered the safety of the train and the passengers. I saw a Line Watchman warming himself by a fire about half a mile from where the stone was. There was no one with him. This is the Watchman; he came back to where the stone was. I asked him how the stone came there; he said that he did not know, that he had been on his beat just before the train arrived, and everything was right. The stone and he were taken to the Coopum Station; on the road I asked him if he suspected any one, he said there was a Byragee who had been on the line looking for his pony and he suspected him; he did not mention the Byragee's name. I marked the stone before I gave it to the Station-master; I was busy with the train; I did not hear whether the Watchman said anything at Coopum. I did not attentively see whether there was any one with the Watchman; the break-van where I was was the last carriage in the train.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

Read over to the witness in English, which he understood and acknowledged to be correct.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

3*rd Witness.*—Veerasawmy, father's name Muthuppen; caste, Vunnia; calling, Watchman; age, 32; residence, Vontipallai. Solemnly affirmed. I am Line Watchman on the 161st mile, from 160th mile, 1½ miles. I was on the line on night of 21st January. I had been over the place where the stone was subsequently found placed, about half an hour before the train passed; afterwards I went to the 160th mile, after seeing the last mile I went to the gate which is more or less half a mile from the place where the stone was placed. I saw the prisoner that night before the train came, about quarter of an hour before the train came. I saw the prisoner close to the Vontipallai gate;

there is a road there crossing the line leading from Vontipallai; the prisoner was coming along the line from the direction of the place where the stone was found. I asked the prisoner why he came at such an hour in the night, he said he came to look for his horse. I asked why his horse should come at such an hour, he said it had come. I told him I should be responsible if any accident happened; he said his horse came, there is a God; you will see what will happen shortly; after speaking to him he went to the distance of one foot. I could see him till the train passed; he went away through the gate; he did not go back in the direction of the place where the stone was found; after speaking to me the train stopped half a mile from me and went back again passing the gate again. I went to where the train stopped; there was a big stone on the line. I had seen prisoner before that night. About five days before I had a quarrel with him, because his horse used to go and graze by the side of the line. I asked him whose horse it was, he said what loss would be occasioned. I told him if the horse grazed near the fence it might go over the line; he said he had seen several watchmen like me; that he had been a watchman formerly; very well you will see I will put mud in your mouth. Bydegadu was coming along, I told him to be witness; this conversation took place near the tunnel of Outeanpully; prisoner lives close to the spot, close to the line. I knew the prisoner's name; when I told the Guard of the train that I had not seen any one put the stone, I told him that I had seen Nunderam coming along the line; that he said he came to look for his horse; the Guard asked me if I could identify the man; there is a fencing near the place where the stone was placed; the prisoner's house is about half a mile the Jollarpett side of where the stone was placed; when I saw the prisoner he was coming from the Bangalore side and going towards his house; the gate is between prisoner's house and the place where the stone was placed. The prisoner has been there for many years. I have known prisoner for five or six years. I never had any quarrel with prisoner before the quarrel which took place five days before the stone was placed on the line. I did not see the prisoner's horse on the line the night the stone was found on the line; when I saw the prisoner at the gate that night a ryot named Chinnappen came to the gate; he waited for the train to pass; while he was there the prisoner came. I usually speak of the prisoner by his name Nunderam. I do not speak of him as Byragee. I said in my deposition before the Sub-Magistrate I told the Guard it was that Byragee Nunderam.

Cross Examined.—There is village on this side and that side of the place where the stone was found; the stone was about half-way between; there is no gate at the place where the stone was placed. The Gudumungery gate is close to the place where the stone was placed; it is four or five telegraph posts off; it is as near the place as the gate I was at. The prisoner had nothing in his hand; he had a cloth on his head. I told the Village Munsif Mooneappah that the prisoner brought his horse up to the fencing of the line, and that I had remonstrated with him, that was the day after the conversation with prisoner, four days before the stone was found; when the prisoner quarrelled with me, five days before the stone was found, he was inside the fencing. It was about 10 P.M. when the train came up; the prisoner had no lantern with him, there was bright moonlight. I was perfectly visible to prisoner as he came along the line.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

Read over to the witness in Tamil, which he understood and acknowledged to be correct.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

4th Witness.—Chinnappen, father's name, Duramana; caste, Pulli; calling, cultivator; age, 40; residence, Vontipallai. Solemnly affirmed. I remember the night that a stone was found on the line, that night I came to the gate where there is a level-crossing; Veerasawmy, the Watchman, was alone there; I passed through at the gate; the prisoner came to the gate; he came along the line from the direction of Bangalore; his house is in the opposite direction; Veerasawmy asked the prisoner why he was going along the line that night, he said that he was looking for his horse; Veerasawmy said that a goods train was coming that night if any accident happened who would be responsible; prisoner said he came to look for his horse, if any accident happened there

Proceedings of the Madras Government, Public Works Department,
18th June 1874.

was a God; so saying he ran away in the direction of his village; I passed through the gate before the train came and went to my field which is close to the line; prisoner has a horse; I have known him for a long time; he lives in the hamlet of Vontipallai near the line.

Cross Examined.—There were many people in their fields near; then they were sleeping.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

Read over to the witness in Tamil, which he understood and acknowledged to be correct.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

5th Witness.—Bydegadu, father's name, Poddalagu Puttu; caste, Curaba; calling, cultivator; age, about 28; residence, Vontipallai. Solemnly affirmed. I know prisoner and Veerasawmy; I heard prisoner and Veerasawmy quarrelling one Sunday; a month and ten days ago before the stone was found on the line; they quarrelled on the line near the tunnel near Vontipallai; the prisoner's horse was tied outside the aloe fencing of the line to one of the aloes close to the prisoner's house which is close to the line; Veerasawmy told the prisoner you tie your horse here, it comes over the line every day, if the gentleman sees I shall be blamed; prisoner said that he had seen many watchmen like him; that he would lose his employment within five days.

Cross Examined.—There is no enmity between me and the prisoner; the prisoner had nothing in his hand.

(Signed) C. G. PLUMER,
Session Judge.

Read over to the witness in Telugu, which he understood and acknowledged to be correct.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

6th Witness.—Mooneappah, father's name, Ramiah; caste, Brahmin; calling, Village Munsif; age, about 39; residence, Kadapallai. Solemnly affirmed. I am a Village Munsif; the prisoner has some Maniem meras; he lives at Byragee Matta, hamlet of my village; he lives by the side of the railway; he has a horse; a complaint was made to me about the stone being placed on the railway on the 22nd January last. The Police brought the prisoner and witnesses to me; I asked the prisoner what was the matter; he said for want of sense and in anger he took the stone and placed it there, and asked me to excuse him; I wrote a report to the Sub-Magistrate and Station Officer; this is the report 'A' which I wrote to the Sub-Magistrate on 22nd January; four days before this Veerasawmy complained to me that prisoner allowed his horse to go over the line and that he would lose his employment; when I saw prisoner and cautioned him, I did not make any report of this.

To prisoner, I have no enmity against prisoner.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

Read over to the witness in Telugu, which he understood and acknowledged to be correct.

(Signed) C. G. PLUMER,
Session Judge.

2nd March 1874.

Calendar of persons tried before C. G. PLUMER, Esq., Session Judge of North Arcot.

1. Number of the case,—7 of 1874.
2. Name and description of the accused,—Nanda Rama, Byragee, cultivator.
3. Copy of the charge or substance of the complaint,—I Krishniah, 3rd Class Magistrate of Kangoondy, hereby charge you Nanderam, as follows:—That you, on the 21st January 1874, within the limits of Vontipallai, in the division of Kangoondy, wilfully did an act knowing that by such act you were likely to cause the safety of persons travelling upon the Madras

Railway to be endangered, and that you have thereby committed an offence punishable under Section 25 of Act XVIII. of 1854, and within the cognizance of the Court of Session.

4. Name of Complainant,—the Queen.

5. Names of witnesses for the prosecution,—(1) T. W. B. Browne, Engine Driver; (2) W. H. O'Brien, Mail Guard; (3) Veerasawmy, Watchman; (4) Chinnappa; (5) Bydegadu; (6) Mooneappah.

6. Names of witnesses for the defence if any,—(1), Hanuman Doss, (2) Budu Ram, (3) Syja Ram.

7. Statement of the evidence and grounds of conviction. The prisoner pleaded not guilty. The assessors acquitted prisoner. It appears from the evidence that, on the night of the 21st January last, about 10 P.M., when the passenger train from Bangalore to Jollarpett was passing the 161st mile it experienced a shock; the Engine Driver stopped and backed the train and found a very large granite stone partly outside and partly inside the rail, some of the powder of the stone was on the rail, *the bolt of the life-guard of the engine was broken.* The train was going at the rate of 40 miles an hour, and the impetus probably enabled the life-guard to cut right through the stone, and so save the train from leaving the rails.

8. There can be no doubt that the stone must have been wilfully placed on the rail.

The Line Watchman deposed that he had visited the spot half an hour before the train arrived, and that then all was right; he appears at once to have communicated his suspicion against prisoner, a Byragee, who lives close to the line, and about half a mile from the spot where the stone was found; he said that about five days previously he had cautioned the prisoner not to tie his horse to the aloe hedge fencing the line for fear it should stray on the line, and that prisoner had then threatened to put mud into his mouth; this witness also deposed that on the night of 21st January, very shortly before the train came up, the prisoner came along the line from the direction where the stone was afterwards found to the gate where he, witness, and another man were standing, and that he asked prisoner what he was doing, that he said that he was looking for his horse; that witness remonstrated with him for being on the line, and said that if any accident happened he would be held responsible; that prisoner replied, that there was a God.

The prisoner protested vehemently his innocence though it is alleged that he confessed before the Village Munsif that he had placed the stone on the line through ignorance and anger.

Now it appears to me that the alleged conduct of the prisoner himself on the night in question is strong proof of his innocence. If he had placed this stone on the line is it probable that he would immediately afterwards have walked straight up to the Line Watchman the very man whom he wished to spite by his act and thus advertised to his enemy that he was on the line? He lived close by the line, and he knew well that the stone must soon be discovered. Is it probable if he had placed it on the line that he would have gone and spoken to the Watchman and thus have furnished such strong evidence against himself? It is remarkable that, according to the Guard, although the Watchman told him that a Byragee had had a general quarrel with him previously about his horse, he did not mention to the Guard that he had seen him on the line just before the stone was found.

As for the alleged confession made before the Village Munsif, long experience has taught me to place but little reliance on such confessions, especially whereas in the case the prisoner was brought to the Village Munsif by the Police for the purpose of making the confession; the report of the Village Munsif, indeed, shows that the confession was made *to* the Police, but in his presence.

The fact is, I believe, that there was a suspicion against the prisoner, and evidence was fabricated to support the case.

9. *Finding and Sentence.*—The Court concurring with the assessors finds that Nunderam is not guilty of the offence specified in the charge, namely, that he, on the 21st January 1874, within

Proceedings of the Madras Government, Public Works Department,
18*th June* 1874.

the limits of Vontipallai, in the division of Kangoondy, wilfully did an act knowing that by such act he was likely to cause the safety of persons travelling upon the Madras Railway to be endangered, and that he has thereby committed an offence punishable under Section 25 of Act XVIII. of 1854, and the Court directs that the said prisoner Nunderam be discharged.

10. Date of offence, 21st January 1874.
11. Date of complaint, 22nd January 1874.
12. Date of apprehension or appearance, 22nd January 1874.
13. Date of commencing trial, 2nd March 1874.
14. Date of sentence, 2nd March 1874.
15. Explanation of delay, 2nd March 1874.

(Signed) C. G. PLUMER,
Session Judge.

No. 374. ORDER THEREON, 18th June 1874, No. 1,631.

RAILWAY, No. 64.

COMMUNICATED to the Judicial Department for consideration in continuation of G. O., No. 1,253, dated 9th May 1874.

(True Extract.)

Colonel, R. E.,
Secretary to Government.

To the Judicial Department.
,, Consulting Engineer for Railways.

Exd. E. C. Shunker.

Spare Copies

No 93

Madras Railway Company
Chief Engineers Office
Madras 23rd January 1874.

The Agent and Manager
Dear Sir,

I forward you a copy of a letter No 38 of 22nd January I received from the Resident Engineer of the 2nd Division South West Line, reporting that an attempt was made to throw the S.B.C.M. Train from Bangalore off the line at 161 Ms: 4-5 Posts by placing a stone on the line.

Yours faithfully
(Signed) J. A. Goring
Ag. Chief Engineer

No 38

Madras Railway Company
Engineers Office
Bangalore Jany 22nd 1874.

Sir,

The Ag: Deputy Chief Engineer
My dear Sir

I have to report to you another attempt to throw the Train off the line on the Bangalore Branch by placing a Stone on the Rails.

Yesterday Evening the 21st instant the Driver of the 8-15 P.M. Train from Bangalore to Jollarapett experienced a sudden shock to the Engine at the 161st Mile between the 4th and 5th Telegraph Posts.

Not knowing what was the matter he

pulled up as soon as possible and together with the Guard of the Train went back to the place where they found a large stone on the line which had been hit by the Life Guard of the Engine and broken by the concussion.

The Life Guard was slightly damaged but the Engine I am given to understand was not otherwise effected by the shock.

The Driver and Guard took the Night Watchman Veerasawmy and the stone to Coopum where the former was handed over to the Police.

I inspected the stone at the Coopum Station on my way up from Madras last night within 2 or 3 hours of the occurrence and found 2 portions chipped off therefrom.

The marks where the guard had struck were plainly visible

Your faithfully
(Signed) Francis F. Mellett

(True Copy)
(Signed) J.A. Young
Lt. Chief Engineer
(True Copies)

Agent & Manager

No 178

The Controlling Engineer for Railways
for information

23 January 1874

No. 2699/74.

P.S. Dodgson Esq
Loughborough

Sept 1874

Calendar No. 7 of Depn.

10

Deposition of Thomas William Beaumont Bamford of the Station Master Canada Crossing and Collingham Junction aged 36. Recalled & duly sworn

Over oath

(Bangalored)

I produce the Train Clock used by me (Bangalored) on the night of 29 January last. I left the Junction Station, there being a good many passengers & something caused me to look out with the hope of the Engine & the left hand side between the 11th and 12th Posts. I stopped the Engine, & put the hand lamp on to the Rail and two small pieces under the Rail, this is the stone produced. The bolts of the fish plate were broken, the stone had evidently been in the Rail between them & the Branch on the Up side was covered with the stone and a portion of the stone was on the rail (covered by the wheel) & had not been for the Up guard the Train might have been thrown off the line. I was going at the rate of about 25 or 30 miles an hour, if the Engine and Train had left the rails there might possibly have been loss of life. I came round by side of the Train after I had passed the stone and before I got to the Signal one of them was a line walkman when I put the hand lamp to the walkman for him to go the Train. I never saw the other Person again I don't know who he was I showed the walkman the stone and he had time what he had to say, he said what could be so, the walkman should ought to have seen

Sir Thomas declared by Sound in Court
Session Court for Copy of Depositions in Cause
Pascha 7 of 1874
18-4-74 Agt

J. Thomson Dec 18/874

Solicitor

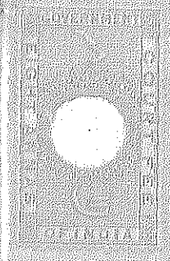
GOVERNMENT OF INDIA

The Coroner whereupon put the Jury to be sworn
Swards that he had conference against the Prisoner
he did not discuss the Prisoner's case &c.
delivered over the Watchman and stood to the Station
Sergeant of Corporation
Ex. Prisoner
Sean Lane the attending at a fire with the wife
Sean Seamus Day as before 2 were the prisoners
Sworn 18 June 74 C. G. Bloomer
Justice of Peace
Read over to the witness in English which he understood
and acknowledged to be correct. 2nd March 1874.
Signed C. G. Bloomer
Justice of Peace

2nd Witness William Henry O'Brien.
Northern Road William O'Brien Cooke, Cook & Indian Corn
Merchant. Sworn & examined 86. Resides as before
Sworn
[illegible] Saw the Prisoner [illegible]
for [illegible] on night of 2nd January last
was Thursday night [illegible] & heard the Prisoner
Stopped and put back. Soldiers [illegible]
Cry & saw [illegible] between the wall of house
house & stone in the wall. It had been broken
that so the stone [illegible] of the Police
Guard was broken. The stone being placed on
the wall had endangered the safety of the Prisoner
and the Police. Saw a letter addressed
warning him of [illegible] & [illegible]
for me where the stone was. There was no one with
him & the [illegible] he saw [illegible] to
know the [illegible] (Cooke) him how the stone came there
he said Cooke did not know that he had [illegible]
or [illegible] & [illegible] the Prisoner [illegible]

GOVERNMENT OF INDIA

GOVERNMENT OF INDIA



EIGHTEENTH

Copy of file for 24th week 1874

Letters received 75 — 75

Postage Stamps furnished } 2/8 — Dr

Copy letters 24 — Dr

Dr to balance } 25 — Dr

No. 1004

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE.

Madras, 21st January 1874.

From

J. P. Cleaver Esq

Agent and Manager of the M. R. Co.

To

Messrs Rendel, Walker & Cleaver C.E.

Consulting Engineers for Railways.

SIR,

I have the honor to be
Sir
Your most obedient Servant
J. P. Cleaver
Agent & Manager

No. 1117

MADRAS RAILWAY

AGENT AND MANAGER'S OFFICE.

Madras, 16th February 1874

From

The Agent and Manager, P. & O. Co.

To

The Consulting Engineer for Railways.

Sir,

I have the honor to request that you will be pleased to furnish me with a copy of the Report of the Committee appointed by you to consider the question of the Gauge of the Railways to be constructed in the Northern Districts of this Presidency.

I have the honor to be,

Sir,

Your most obedient Servant

for Agent & Manager P. & O. Co.

No. 1117.

MADRAS RAILWAY.

From

The Agent and Manager.

To

The Consulting Engineer for Railways.

Dated Egmore 1st May 1874

Read 2nd May.

No. 1117.

Replied that I will have a Report prepared as soon as the Engineers who are now on tour in the Northern Districts return to Madras.

No. 372

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE.

Madras, 30th Oct. 1874.

From

J. B. Chas. Esqr.

Agent and Manager of the M. & C.

To

Messrs. Hall, Abernethy & Co.

Consulting Engineers for Railways.

Sir,

I am directed to request that you will be pleased to furnish me with a copy of the Specification for the Bridges and Culverts on the Cuddalore Extension, and also the Specification for the Bridges, Culverts and Permanent Way on the Villupuram and Pondicherry Extension, as soon as possible.

I have the honour to be,

Sir,

Your most Obedient Servant

J. B. Chas.

Agent and Manager.

MADRAS RAILWAY.

From

The Agent and Manager.

To

The Consulting Engineer

for Railways.

Dated 10th February 1875.

Rect.

No. 372.

Sir,

I have the honour to acknowledge the receipt of your letter of the 30th ultimo requesting that you will be pleased to furnish me with a copy of the Specification for the Bridges and Culverts on the Cuddalore Extension, and also the Specification for the Bridges, Culverts and Permanent Way on the Villupuram and Pondicherry Extension, as soon as possible.

I have the honour to be,

Sir,

Your most obedient Servant

for Engineer.

Calendar of Sessions Case C. J. Turner Esq
Sessions Judge of Trichinopoly.

1 No of the Case 7 of 1874.

2 Name and description of the accused. Sundaram Ayyapen caste Valayan Occupation Fireman

3 Copy of the charge or substance of the complaint. Fireman

3 Select Magistrate if Subsequently heard charge given Earlier as follows— That you on the 9th January 1874 in the Limits of Vadakottai in the Division of Trichinopoly did wilfully & Knowingly Neglect to do such act as you were Legally bound to do as the safety of persons Travelling upon the Madras Railway & the property & Goods that you have thereby Committed an offence punishable under Section 25a Sec 8 XVII of 1854 and within the Cognizance of the Court of Session.

4 Names of Witnesses. Exhibit Number.

5 Names of Witnesses for the prosecution. 1 Thos Ben Benjamin Brown Engine Driver. 2 Ano Henry O'Brien Mail Guard 3 Venkatachellam Cleaner & Chinnappen Bricklayer & Manigappa Watchman

6 Names of Witnesses for the Defence, if any. 1 Ramanadan Dora 2 Vadivelu Ramu 3 Ayya Ramu.

7 Substance of the evidence and grounds of Conviction. The Prisoner pleaded Not guilty. The Prosecutor Augustus Lyall proves the evidence that on the night of the 2nd January last & about 10 P.M. when the Passenger Train Bangalore to Golden Rock was passing the 161st Mile Post in charge of the Engine Driver stopped and backed the Train and found a very large Boulder stone partly inside and partly outside the rail & near the border of the stone was the said Stone broken & the Fish Joint of the Engine was broken. The Train was forthwith stopped at the 160 miles an hour and the Engine probably enabled the Fish Joint to be repaired

Dated 2nd April 1874.

Recd 1 Copy.

No. 372

Forwarded a Copy of the Proceedings of the Assistant Superintendent of Police Trichinopoly Division in the case of Sundaram Ayyapen Fireman Madras Railway Company charged with Culpable Neglect of duty whereby the safety of Passengers Travelling by the Madras Railway was endangered.

Dated 2nd April 1874.

Ex-officio Justice of the Peace

Trichinopoly

Per 2nd April 74.

3

Ex-officio Justice of the Peace

Trichinopoly

MADRAS RAILWAY.

From

The Assistant Manager,

To

The Consulting Engineer

to Railways

Dated 2nd April 1874.

Recd 1 Copy.

No. 372

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Dated 2nd April 1874.

Ex-officio Justice of the Peace

Trichinopoly

Per 2nd April 74.

3

Ex-officio Justice of the Peace

Trichinopoly

From Hampton delivered by Constables in Castle Yard 1874 for Offices Calendar.

18-4-74

Wm

and Prisoners No 1 of 1874

R. Vivian Rowe
Chief Clerk

Note

I Office application for 2 Tickets received 18th
II Tickets forwarded 18th April 1874
III Copy warrant ___ 21st April 1874
IV Tickets delivered ___ 21st April 1874

Wm

from 10

thereto the stone and do save the Prisoners
Marks.

There can be no doubt that the stone missed
has been wilfully placed on the rails

The Constable deposed that he had visited
the spot by 5 hour before the Train arrived and that no
obstruction to the ordinary course of
the line and that the mile post next to the
stone was from the said that at no time previously
he had Caution the Prisoner, nor did he the
also keep footmen the line for fear should stop on the
line and that Prisoner had been threatened by some
with his Master another man were charging that
asked Prisoner what he was doing that he said that
he was looking for his horse that witness remonstrated
with him for keeping on the line and said that if any
accident happened he would be held responsible
that Prisoner replied that that was God

The Prisoner protested vehemently his innocence
stated he alleged that he confessed before the village
Magistrate that he had place the stone on the line
through ignorance and anger.

Now Gentlemen I am that the alleged conduct
of the Prisoner himself on the night in question is
therefore of his innocence. If that place

the time on the line it is probable that he would immediately afterwards have walked straight up to the line to Waldman the very man whom he wished to plot by him and thus deceived the enemy that he was on the line. he lined closed by the line and he knew well that the time must be discovered if he had placed on the line that he was take some and shown to the Waldman and thus have furnished such evidence against himself. It is remarkable that according to the Jew although the Waldman told how he had by profession he had a general with him previously about his house. he did not mention to the Jew that he had seen him on the line but before the [illegible]

for the alleged confession made before the village Magistrate has taught me to place little reliance on such confessions. Recollect in the case the Prisoner was brought to the village Magistrate by the Police for the purpose of procuring the confession the return of the village Magistrate does not state that the confession was made by the Prisoner but in his presence.

The fact is I believe that there was a conspiracy against the Prisoner and evidence has fabricated to support the case.

8 Verdict found Guilty. The Court concurring with the Recorder find that Gundry is not guilty of the offences specified in the Village Magistrate

Railway Department. CONSULTING ENGINEER'S OFFICE.

No. 262

From

LIEUT.-COLONEL J. H. M. SHAW STEWART, R.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

enclose, for the information of

Government, certain papers

received from the agent of the

Madras Railway Company regarding

an attempt which was made

upon the 21st January 1874 to

throw the 8-15 P. M. mail train

from Bangalore off the rails

at the 161st mile of the Bangalore

1428 - 28 January 1874.
154 - 31 "
1487 - 16 "
372 - 30 "

brussels.

2. A mile beyond that, on the above-named date, the mail train was running at the rate of about 25 or 40 miles an hour between the Colne Road and Copford station, and that, when between the 41st and 51st telegraph posts on the 161st mile, the driver perceived a sudden shock, as if something had come in contact with his engine. On subsequently, he found that a large stone had been struck by the left-hand of the engine, and broken by the concussion.

The

the larger part of the stone, was found by the mail, two smaller pieces being outside, and a portion on the rail, crushed by the engine passing over it. The left-hand of the engine was injured, but beyond that no damage was sustained by the train. There was good many passengers in the train; and, if the engine had left the rails when running at high speed, it is probable that there would have been serious loss of life.

3.

3. A man named Vanderaan was arrested upon suspicion of having placed the stone upon the rail. He confessed to the crime before the Mounsiff of Kadapa Mr, and was committed for trial at the Sessions Court at Chittoor. The case was tried upon the 2d March, and it will be seen that the prisoner was acquitted.

4. A copy of the proceedings of the trial is enclosed, and I solicit the consideration of Government to the evidence which was adduced. The

Theo

the case, as in the one reported on in my letter of the 20th ultimo, No 236, the prisoner seems to have been acquitted on account of the prosecution having failed to procure direct evidence of his having been caught in the act of placing the stone upon the rail. The circumstantial evidence against the prisoner, together with the fact of his having previously confessed, seems to leave hardly room for a doubt as to his guilt; and I regret greatly that the prosecution failed

for bad to recover or render it.

Or cause of obstruction of blood

from the nail, it is only upon

rare and fortunate occasions

that the offender can be caught

in the act of passing them; and

in the meantime, how much better

to prevent, than punish, by

directions, the Railway

Authorities from the known

all that may possibly be necessary.

Or feeble ground their

Are less to must be hydrated.

Or than the known Bill,

Madras 3
Ap. 1894 30 Jan. most obt Servt

Illegible

Dear Mr Collard

Com: Engr for Railways

Pub. Works 1874. Dept.
No: 2699.

RAILWAY DEPARTMENT.

From

The Consulting Engineer
for Railways,

To

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

Dated 6th May 1874.
Recd. 8th May 1874.
Enclos. 6.

No. 262

Railway Department.
Consulting Engineer for Railways.
Letter dated 6th May 1874.
No. 262.
Submitting Estimate for the Construction of a Railway from Madras to Arconum.
Recd. 8th May 1874.
Referred to the Board of Revenue.

2694

Govt. of India &c.

PUBLIC WORKS.

☆

To Mr Secl. Govt.

Dated

Recd.

No. 16

G. O. 18 Jan 74 No. 1637

1637

Nos. 273-274.

Subject of communication

Numbers in connection with the accident

Connected to the Despatch

Accident - Bangalore Branch. Madras Ry -

Report of ~~Supervisory~~ an attempt to wreck mail train upon the 21st January 74 to the 8-15 pm Mail Train from Bangalore off the rails at the 161st mile of the Bangalore Branch of the Madras Rly.