

(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.	1067	Press
B.P. No.		Mis.
Dated	15-6-	6875-195-

Not to be folded or roughly handled

No. 390. Read the following endorsement of the Consulting Engineer for Railways, dated Madras, 4th March 1875, No. 137 :—

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 Madras, 3rd March 1875, No. 232.

ADVERTING to the Order of Government, No. 25, dated the 3rd November 1874, and to your letter, No. 1,078, of the 12th idem, which were duly forwarded to the Board of Directors, I have the honor to enclose a copy of paragraph 13 of a letter from the Secretary, No. 545, dated the 15th of January 1875, in which the views of the Board are further expressed as to the information which they consider should be given to the owners of tanks and other structures with regard to what may fairly be considered "every precaution" with reference to the late decision of the Privy Council in the suit brought by the Company against the Zemindar of Carwait Nuggur.

2. I beg that you will be so good as to request His Excellency the Governor in Council to give the subject further consideration, with a view to some action being taken in this matter in the way suggested by the Directors.

Extract from a letter from the Secretary, Madras Railway Company, No. 545, dated London, the 15th January 1875.

PARAGRAPH 13.—The Board have had under their attentive consideration His Excellency the Governor's remarks referred to in paragraph 21, of 1,132, on the subject of their suggestion that a definition should be given by legislative sanction or otherwise of what may be properly considered as "every precaution" in regard to tanks and other structures with reference to the late decision of the Privy Council. They agree with His Lordship that no definition could take in every case that might possibly arise, but they nevertheless think that it would be highly desirable, in consideration of the absolute ignorance of the natives, that some information as to the precautions necessary in all cases should be communicated to the numerous owners of tanks, the information being similar in kind to that already published to the Irrigation Department in Colonel Mullins' Circular of the 2nd May 1874,* though extending further, and accompanied with such explanations as may be thought necessary.

* Consulting Engineer's endorsement, No. 520, dated 6th June 1874.

2. The Board trust, therefore, that His Excellency, on further consideration of the subject, will be pleased to take action in the matter in the way suggested.

SUBMITTED for the consideration of Government, with reference to their Proceedings in the Legislative Department, dated the 20th October 1874, No. 32.

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

No. 391. ORDER THEREON, 15th April 1875, No. 1,047.

RAILWAY, No. 47.

* Legislative Department.

on the part of proprietors of tanks consists, the Directors of the Madras Railway Com-

THE Government having in their Proceedings* of the 20th October 1874, No. 32, considered it inexpedient to define by Legislative enactment in what negligence

*Proceedings of the Madras Government, Public Works Department,
15th April 1875.*

pany now propose that some information as to the precautions necessary in all cases should be communicated to the numerous owners of tanks in consideration of their absolute ignorance of the subject.

2. His Excellency the Governor in Council considers that the wishes of the Directors may reasonably be complied with in every case which their Engineers shall point out as requiring special attention. He is prepared, therefore, to instruct the Chief Engineer for Irrigation, and through him, all District Engineers concerned, to examine into the circumstances of each private tank, the present conditions of which shall be objected to in detail by the Railway Engineers as being inconsistent with the safety of the Railway line and to draw up the necessary instructions for putting them into a secure state. Copies of these instructions shall be formally served by Collectors of districts on the owners of the tanks, with a warning of their future liability for accidents that may ensue from their neglect to adopt the reasonable precautions pointed out to them as being necessary. The Government Engineers will further be authorized, on the requisition of the owners of the tanks, to prepare surveys, plans, and estimates for carrying out the necessary works, as well as to carry out the same, by means of extra establishments, the cost of which shall be charged against the persons concerned. By these means it is hoped that the object in view will be obtained.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the District Engineer, Cuddapah.
" " Bellary.
" " Presidency.
" " Chingleput.
" " North Arcot.
" " South Arcot.
" " Salem.
" " Bangalore.
" " Tanjore.
" " Trichinopoly.
" " Coimbatore.
" " Neilgherries.
" " Madura.
" " Tinnevely.
" " Malabar.
" " Chief Engineer for Irrigation.
" " Consulting Engineer for Railways.
" " Revenue Department.
" " Legislative. "

Ed. S. T. Austin.

Spare Copies

No. 232

MADRAS RAILWAY.

32

AGENT AND MANAGER'S OFFICE.

Madras, 3rd March 1875.

From

R. B. Elwin, Esquire,

Agent and Manager of the M. R. Co.

To

Lieutenant Colonel J. H. M. Shaw Stewart, R.E.

Consulting Engineer for Railways.

SIR,

Adverting to the Order of Government No 25 dated the 3rd November 1874 and to your letter No 1078 of the 12th idem which were duly forwarded to the Board of Directors, I have the honour to enclose a copy of paragraph 13 of a letter from the Secretary No 545 dated the 15th of January 1875, in which the views of the Board are further expressed as to the information which they consider should be given to the owners of Tanks and other structures with regard to what may fairly be considered "every precaution" with reference to the late decision of the Privy Council in the suit brought by the Company against the Zemindar of Carivattkuggur.

2. I beg that you will be so good as to request His Excellency the Governor in Council to give the subject further consideration with a view to some action being taken in this matter in the way suggested by the Directors.

I have the honour to be

Sir,

Your most obedient servant.

R. B. Elwin

50
 Extract from a letter from the Secretary,
 M. R. Co. No 545 dated London the 15th
 January 1875.

Information
 which it is desirable
 should be given
 to owners of lands.

Para 13. The Board have had
 under their attentive consideration His
 Excellency the Governor's remarks, referred
 to in para 21 of 1132, on the subject of their
 suggestion that a definition should be
 given by legislative sanction, or otherwise,
 of what may be properly considered as
 every precaution in regard to tanks and
 other structures, with reference to the late
 decision of the Privy Council. They agree
 with His Lordship that no definition could
 take in every case that might possibly
 arise, but they nevertheless think that
 it would be highly desirable, in consideration
 of the absolute ignorance of the natives,
 that some information as to the precautions
 necessary in all cases should be communi-
 cated to the numerous owners of tanks,
 the information being similar in kind to
 that already published to the Irrigation
 Department in Colonel Mallins' Circular
 of the 2nd May 1874, though extending further,
 and accompanied with such explanations
 as may be thought necessary.

The Board trust, therefore, that
 His Excellency, on further consideration
 of the subject, will be pleased to take
 action

Copy of Circular
 under No. 520 dated 6
 June 1874.

MADRAS RAILWAY.

From

The Agent and Manager.

To

The Consulting Engineer

for Railways.

Dated 3rd March 1875

Recd

No. 2321/75

M.

Attending a copy of
 paragraph 13 of the
 Secretary's letter No 545
 in which are contained
 the views of the Board
 as to the information which
 they consider should be
 given to the owners of tanks.

action in the matter in the way suggested.

/True Extract

Wm. J. Brown
Agent & Engineer

Mr 1461
2/95

Railway Dept

Cons. Engrs office
70

No 137

Submitted for the con-
sideration of Government, with
reference to their Proceedings in
the Legislative Department dated
the 20th October 1874, No 32.

drawn
March 1875
Gent.

Wm. J. Brown
Agent & Engineer

Cons. Engr. for Railway

To

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

12390

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84 Depart
Proceedings of the Council

Read the following:-
From the St. George's Rectory (H.E. No 16, 27 30 May 174.)
do do do do do 27 Feb 1751
do do do do do 22 March 1751

Send not this plan to
sent to the Secretary, Council
his remarks. -
I have made a note in the
to the situation of the district
2nd I would suggest that the
2 Bath room - by the side of the
3rd that the building going into the
3. No bath room is provided for
to the house above alluded to
in which Hospital? P

There is a plan for the
quarters. Is no building for
apart? P

The Estimate of
Rs 14,500 for building
a new Locks Hospital
at Wellington, with
Latrine, Cook room,
Water supply and
Compound Walls, com-
plete (Rs 11500); and
separate quarters for a
Hospital Assistant,
(Rs 2340) and a Prow
(Rs 400) is sanctioned.

The work has been
entered in Class C of the
Budget of the Current
year, but it is not

intended to allot funds
for its execution, lest
the work of the new
Barrack Block be in-
terfered with. The
District Engineer may
apply at a later date
for such additional
funds as he may
be able to utilize
on the latter in the
course of the current
official year.

G.M.W.

Memorandum

Similar instructions to those noted
in the draft order on No. 137, 4th March
1875 from Consulting Engineer for
Railways have already been given
to the District Engineer Chingleput
in para 4 of G. O. No. 1721 of the 25th June
1874 and these instructions have
been made general by Circular No. 65-
17th September 1874.

In the Salem District the require-
ments of many private tanks have
been ascertained, and the Collector has
called upon the owners to make them
secure. In G. O. No. 3615 dated 22nd Decr
1874 the District Engineer has been
required to report specially on the progress
made in their reformation up to the
30th June 1875.

S.H.C.

Letter from Consulting Engineer for
Railways, Dec. 13/7, dated 1st March 1878.

To Order.

Submitted for
order.

Comptroller of R.E.
Secretary of Government
S.H.C.

The Govt cannot move in
this matter - no instruction
that might be issued which
would be binding on the Comptroller.

Have always held that
Govt. ought to have all tanks
inspected with a view to
warn owners whether they
are or are not reasonably
safe - & if not tell them
what is necessary & render
them so - neglect of such
warning might lead to
unhappy decision in some
future case

I think this is the
desirable result
not only for the sake
of our Railways but
also ought to be that
all tanks are in
such a condition

M 10/3

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the

Read the following:—

From the Engineer in Charge
for Railways } (H.L. No. 137 dated 12 March 1875)
G.O. No. 1047 of 15th April 1875

* Legislative Dept

The Government having in their Proceedings of the 20th October 1874 H.L. No. 32 considered it inexpedient to define by legislative enactment in what negligence on the part of proprietors of tanks consists, the Directors of the Madras Railway Company now propose that some information as to the precautions necessary in all cases should be communicated to the numerous owners of tanks, in consideration of their absolute ignorance of the subject.

MR

11/15

That there is no serious danger to property of any kind, or to life—
As to repaid the expense of securing them—
I presume there is no law to compel the owners to pay for it, ~~and if so, they must~~

~~and if so, they must~~ They must be warned: and if they do not take "reasonable precautions," and disaster occurs, they will be liable at law. This may induce them to incur

for the best, the Govt must pay.

13/2

His Excellency the
Governor in Council considers
that the wishes of the Directors
may reasonably be complied
with, in every case which
their Engineers shall point
out as requiring special
attention. He is prepared
therefore to instruct the
Chief Engineer for Irrigation,
and through him, all District
Engineers concerned, to examine
into the circumstances of each
Private Tank, the present
conditions of which shall be
subjected to in detail by the
Railway Engineers as being
consistent with the safety
of the Railway Line; and
to draw up the necessary
instructions for putting

them into a secure state.
Copies of these instructions¹⁷⁰
shall be formally served
by Collectors of Districts on
the owners of the Tanks,
with a warning of their
future liability for accidents
that may ensue from their
neglect to adopt the reason-
able precautions pointed out
to them as being necessary.
The Government Engineers
will further be authorized
on the requisition of the
owners of the tanks to pre-
pare Surveys, Plans and
Estimates for carrying out
the necessary works, as well
as to carry out the same,
by means of extra establish-
ments, the cost of which
shall be charged against
the

the persons concerned.
By these means it is hoped
that the object in view
will be obtained.

LYNN

Cuddalore ✓
Bellary ✓
Presidency ✓
Chingleput ✓
T. Arcot ✓
S. Arcot ✓
Salerno ✓
Bangalore ✓
Tanjore ✓
Trichinopoly ✓
Coimbatore ✓
Nellore ✓
Madurai ✓
Tinnevely ✓
Malabar ✓

~~Persons concerned~~

Chief of Police ✓
Comptroller for Rps ✓
Rev. Dept ✓
Leg. " ✓

Dispd - 27 - 4 - 75

PUBLIC WORKS.

70

12
Ket. Amir
Endangah

Dated

Recd.

En:

G. O., 15th Feb - 1875, No. 1047

No. 290-391
Railway

^{Thursday}
Thanks above & Luis ~~J. H. C.~~

Issuing instructions
for the examination
of all private - , & for
making known the liability
of owners for accidents
from neglect to adopt
precautions.