

(1) Number of pages _____

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MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No. 1614 (W)

B.P. No. —

Press

Mis. —

Dated

26-6-

1876.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
26th June 1876. No 1,614.*

No 550 Read the following endorsement of the Chief Secretary to Government
Judicial Department, dated 14th June 1876, No. 895 —

From H W. BLISS, Esq, Acting District Magistrate of Madura, to the Honorable W.
HUDLESTON, Chief Secretary to Government, Fort St. George, Ootaca-
mund, dated Camp at Periakolam, 7th June 1876, No 469.

I HAVE the honor to submit the report called for in G O, dated 8th May 1876,
No. 866, Judicial Department

2 Ever since I have known the district it has been the custom, and a common
subject of complaint, for the Department of Public Works to store materials on the
roads, not by the side of them, in such a way as to cause not merely inconvenience but
positive danger to persons having occasion to travel on the roads at night time. I am
sorry to appear to contradict Mr Paynter, but I can only say that I do not agree with
him that room is always left for two carts to pass. Even if there was that would not
prevent the risk of people breaking their necks by driving over heaps of stones at
night, since no barriers are ever put up or other indication afforded of these dangerous
obstructions, for which a Road Overseer in England would be indicted before he was a
week older

3. Some years ago I issued a similar order, as Joint Magistrate, to that now
complained of. This did a good deal of good at the time, though I observe it is now
being neglected, stone and gravel being heaped on the road, without the smallest
necessity and so as to form dangerous obstructions, within a few yards almost of where
I sit in the bungalow usually occupied by an officer of the Department of Public
Works when he is at his head-quarters

4. No one that I know of ever objected to my former order. Every Public
Works Officer I have spoken to on the subject has told me, as Mr Paynter says, that
he did his utmost to stop the practice against which it was directed. Driving there-
fore over a road in the Mellur taluk with the Tahsildar and finding it in numerous
places dangerously obstructed without the smallest necessity, I told him to see the
roads kept clear, to give fair warning, and, if it was not attended to, to punish the
persons responsible. Had I had the smallest idea that it was the wish of the District
Engineer or of the Range Officer that materials should in any case be stored on the road,
I would have communicated with them before doing so. Had either of them referred
to me, I would have done my utmost to meet their wishes.

5 I have now directed the Tahsildar not to move further in the matter until
further orders, which I request Government will issue.

6 I submit that when a road runs on an embankment, the practice of heaping
materials on it is even more dangerous than under ordinary circumstances and ought
specially to be prohibited. I submit also that in such cases a margin should be taken
up along the road-side to the extent necessary to store materials, and that where
cultivation has encroached up to the road it should be set back, a matter very easily
disposed of in the Revenue Department if the Public Works Department will bring
the necessity of it to notice. And I have the honor to state my opinion that the
employés of the Department of Public Works are no more entitled to obstruct the
public high roads of the country and to imperil the limbs and lives of travellers

night

Proceedings of the Madras Government, Public Works Department,
26th June 1876 No 1,614.

as they constantly do, than any one else, and that it is quite as much my duty as a Magistrate to prevent such obstructions as any others, though I admit, as above stated, that I would have written to the District Engineer or Range Officer about them before doing anything else, if I had supposed that they had ordered them

TRANSFERRED to the Public Works Department with reference to G O., dated 29th April 1876, No 1,081, in that department

(Signed) W. HUDLESTON,
Chief Secretary

No 551.

ORDER THEREON, 26th June 1876, No 1,614

CIVIL WORKS, No. 69.

HIS GRACE the Governor in Council observes that it was clearly Mr. Bliss' duty to communicate with the officers of the Public Works Department if the roads were unduly obstructed. His Grace in Council considers that Mr Bliss has acted with indiscretion in not giving notice previous to ordering action to be taken by the Police. The Government look to the Officers of the Public Works Department to prevent the obstruction of roads. And Magistrates should see that the orders on this subject are not neglected. It would appear from the District Engineer's letter with G O, No 1,081, dated 29th April 1876, that the land originally marked out for the roads has been encroached on by cultivators. This subject will be inquired into by the Revenue Department and steps taken to maintain the full width originally laid out

(True Extract)

Colonel,

Offg Under Secy. to Govt, P.W.D

To District Engineers
To the Judicial Department
„ Revenue Department, with G O, No 1,081, dated 29th April 1876

Exd E C Shunker
Spare Copies

Madras District Magistrate's Office
N^o 1614. (Camp) Peria Kolam
7th June, 1876.

From, H. W. Bliss Esquire,
As District Magistrate
of Madras

To,
The Honorable W. Hudleston,
Chief Secretary to
Government, Fort St. George,
Cotacamund.

Sir,

I have the honour to submit
the report called for in Government
Order dated 8th May 1876, N^o 866,
Judicial Department.

2. Ever since I have known the
District it has been the custom, and
a common subject of complaint, for
the Department of Public Works to
store materials on the roads, not by
the side of them, in such a way as
to cause not merely inconvenience
but positive danger to persons having
occasion to travel on the roads at
night

night time. I am sorry to appear to contradict Mr. Paynter, but I can only say that I do not agree with him that room is always left for 2 carts to pass. Even if there was - that would not prevent the risk of people breaking their necks by driving over heaps of stones at night, since no barriers are ever put up on other indication afforded of these dangerous obstructions, for which a road overseer in England would be indicted - before he was a week older.

3. Some years ago I issued a similar order, as joint Magistrate, to that now complained of. This did a good deal of good at the time, though I observe it is now being neglected, stone and gravel being heaped on the road, without the smallest necessity and so as to form dangerous obstructions, within a few yards ^{almost} of where I sit in the Bungalow usually occupied by

by an Officer of the Department of Public Works when he is at his head Quarters.

4. No one that I know of ever - objected to my former order. Every Public Works Officer I have spoken to on the subject has told me, as Mr. Paynter says, that he did his utmost to stop the practice against which it was directed. Driving therefore over a road in the Melur Taluk with the Tahildar and finding it in numerous places dangerously obstructed without the smallest necessity, I told him to see the roads kept clear, to give a fair warning and if it was not attended to to punish the persons responsible. Had I had the smallest idea that it was the wish of the District Engineer or of the Range Officer that materials should in any case be stored on the road I would have commanded

: Cated

communicated with them before doing so. Had either of them referred to me I would have done my utmost to meet their wishes.

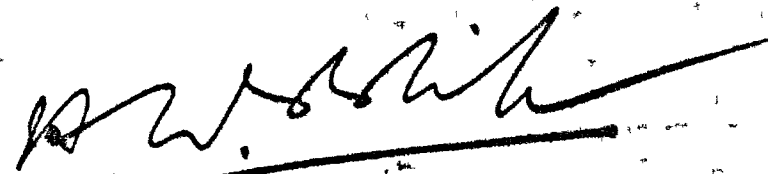
5. I have now directed the ~~the~~ ~~soldar~~ not to move further in the matter until further orders, which I request Government will issue.

6. I submit that when a road runs on an embankment the practice of heaping materials on it is even more dangerous than under ordinary circumstances and ought specially to be prohibited. I submit also that in such cases a margin should be taken up along the road side to the extent necessary to store materials; and that where cultivation has encroached up to the road it should be set back — a matter very easily disposed of in the Revenue Department if the Public Works Department will bring

bring the necessity of it to notice.
3 H: ad And I have the honour to state my opinion that the employes of the Department of Public Works are no more entitled to obstruct the public high roads of the country ~~and to~~ ^{thus to} imperil the limbs and lives of Travellers as they constantly do, than any one else; and that it is quite as much my duty as a Magistrate to prevent such obstructions as any others, though I admit, as above stated, that I would have written to the District Engineer or Range Officer about them before doing any thing else, if I had supposed that they had ordered them.

I have the honour to be
Sir,

Your most obedient servant



As District Magistrate

[illegible]

It was clearly Mr. Ship's
duty to communicate with
the affairs of the A. W. if the
roads were unduly obstructed
Nothing can be more unseemly
than conflict between depart-
ments of the Govt. I would
tell Mr. Ship that he has
acted with indiscretion
that he has incurred
the displeasure of Govt. M. L.

concerning the

the paper for the

set out for the

has been increased
only cultivation

the other some
assurances which

taken to make the
full width of ground

as originally set out
in 1848 is quite right

in saying that a
very many in the

United Kingdom
are still naturally
disposed to

have been summarily
dismissed from the

land from the
premises with for

any injury to the
ground

Phil 27/4

FOR ORDERS

No 1614 Public Works Department
PROCEEDINGS of the MADRAS GOVERNMENT.

UNDER date the 26 June 1876
READ the following —

Endorsement in the Judicial
Dept. on letter from the District
Magistrate Madras No 469
of 7th June 1876

(No. 595 of 4th June 1876)

His Grace the Governor
in Council observes that it
was clearly Mr. Bliss'
duty to communicate with
the Officers of the Public
Works Dept. if the roads
were unduly obstructed.

His Grace in Council con-
siders that Mr. Bliss has
acted with indiscretion in
not giving notice previous
to ordering action to be
taken by the Police. The
Govt. look to the officers
of

202/1-24-18-1

of the Public Works Dept.
to prevent the obstruction
of roads. And Magistrates
should see that the orders
on this subject are not
neglected. It would appear
from the District Engineer's
letter with G.O. No. 1081 dated
29th April 1876 that the
land originally marked out
for the roads has been
encroached on by cultivators.
This subject will be enquired
into by the Revenue Department
and steps taken to maintain
the full width originally
laid out.

N 530/57

District Engr. 130 ✓
By R. Sept.
Rev. Dept. with G.O. 1081 d/29th ✓
April 1876. 24

D. W. 14/7/76 Recd 17

4617 CA.

Govt. of 1870

PUBLIC WORKS.

The H. Engineers

12 11

10 11

10 11

U. O. 2nd June 1870, No

10

Nos. 550-557

15-7-96

Obstruction on Roads.

Madera St. Paving

orders on the ^{Explanation} ~~Superintendent~~
enforced by the ~~Magistrate~~
of the ~~Magistrate~~ ~~Dept.~~ ~~Dept.~~
the ~~Magistrate~~ ~~Dept.~~ ~~Dept.~~
during the report of the ~~Magistrate~~

Magistrate submitting

Memorandum of his proceedings

in connection with the proceedings

ordered to be instituted by him

against the P.W.D for certain actions