

(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. 1351 (Ry)	Press Mis.—
Dated 20-4-1877.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
20th April 1877. No. 1,351.*

No. 473. Read the following endorsement of the Consulting Engineer for Railways, dated Madras, 6th April 1877, No. 211:—

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, 24th January 1877, No. 161.

I HAVE the honor to report, for the information of Government, that a collision occurred on this railway yesterday morning at about 3 o'clock at the 174th mile 13th telegraph post, North-west Line, between the 6 P.M. mail train from Madras and the 5-15 P.M. special goods train from Bellary, both of the 22nd instant.

2. According to the special time-table issued on the 3rd December 1876, these trains "must both be at Camalapore before either is allowed to proceed;" but on the occasion referred to the Driver of the special goods train, disregarding his instructions and the station signals, ran through Camalapore, and at the mileage stated above came into collision with the mail.

3. The accident was fortunately unattended with serious results to passengers, five of whom, however, received cuts and bruises; and Reid, the Driver of the mail train, and three Firemen were slightly hurt.

4. The two engines sustained considerable damage, and six vehicles are rendered perfectly useless. The damage to the permanent-way has not yet been reported, but the line was clear by 6 P.M. yesterday.

5. Demi-official information of the accident was sent to you yesterday morning in time to admit of an officer of your department accompanying the Company's officers to the scene of the accident, and I learn by telegram from Cuddapah this morning that a Magisterial inquiry into the occurrence is to be held to-morrow morning (Thursday) at 11 o'clock, the result of which shall be reported to you.

6. The Driver and the Guard of the goods train were promptly taken into custody by the Police.

MADRAS RAILWAY.

Statement showing the work performed by Guard Walker from 1st to 22nd January 1877.

Date.	STATION.		Miles run.	Time on duty.		Remarks.
	From	To		H.	M.	
1st January	Cuddapah	Arconum	119	8	30	
2nd "	Arconum	Tirupetty	41½	2	40	
3rd "	Tirupetty	Codoor	26½	10	55	
"	Codoor	Cuddapah	77½			
"	Tirupetty	Arconum	119	10	50	
4th "	Cuddapah	Arconum	119	10	5	
5th "	Arconum	Cuddapah	119	9	0	
6th "	Cuddapah	Tirupetty	41½	3	54	
7th "	Arconum	Codoor	26½	7	0	
8th "	Tirupetty	Cuddapah	77½			
"	Cuddapah	Arconum	119	11	5	
9th "	Arconum	Cuddapah	119	9	15	
10th "			...	...	...	
11th "			...	...	...	
12th "			...	...	...	

Proceedings of the Madras Government, Public Works Department,
20th April 1877. No. 1,351.

Statement showing the work performed by Guard Walker from 1st to 22nd
January 1877—(Continued).

Date.	STATION.		Miles run.	Time on duty.		Remarks.
	From	To		H.	M.	
13th January	Tirupetty	Arconum	41½	6	30	
"	Arconum	Tirupetty	41½			
14th	Tirupetty	Cuddapah	77½	6	10	
15th	Cuddapah	Arconum	119	10	0	
16th	Arconum	Cuddapah	119	10	0	
17th			...	...	...	
18th	Cuddapah	Bellary	144	12	30	Including a rest of 2½ hours at Gooty.
19th	Bellary	Cuddapah	144	12	30	
20th			...	...	...	
21st	Cuddapah	Bellary	144	13	45	Do.
22nd	Bellary	Cuddapah	...	...	...	

(True Copy.)

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

Statement showing the number of hours Driver Donohoe worked and off duty during Jan. 1877.

Date.	On duty.		Off duty.	
	H.	M.	H.	M.
1st January	6	50	14	45
2nd "	8	10	5	0
2nd "	9	30	8	0
3rd "	8	0	11	0
4th "	8	10	13	10
5th "	9	28	17	57
6th "	2	0	14	15
7th "	8	30	10	40
8th "	9	20	4	0
9th "	6	15	15	0
10th "	9	0	25	0
11th "	6	0	13	30
12th "	13	5	7	25
13th "	7	30	9	15
13th "	8	0	10	40
14th "	8	50	8	15
15th "	9	0	10	0
16th "	8	33	8	42
16th "	8	15	9	25
17th "	9	50	8	15
18th "	9	15	10	15
19th "	7	30	9	15
19th "	8	5	10	35
20th "	9	50	7	15
21st "	12	20	7	10
22nd "	7	30	9	15
22nd "	10	0	9	10
22nd "	6	35	...	...

(Signed) F. H. TREVITHICK,
Locomotive Superintendent.

Proceedings of the Madras Government, Public Works Department,
20th April 1877. No. 1,351.

From R. B. ELWIN, Esq., Agent and Manager of the Madras Railway Company, to Lieut.-Colonel J. H. M. SHAW-STEWART, R.E., Consulting Engineer for Railways, dated Madras, 26th January 1877, No. 177.

In continuation of my letter of yesterday No. 170, I have the honor to report, for the information of Government, that I learn by telegraph from Cuddapah that both the Driver and the Guard of the special goods train which came into collision with the 8-25 p.m. mail train from Arconum on the 23rd instant at the 174th mile 13th telegraph post, North-west Line, have been committed to take their trial at the next sessions of the High Court under Section 25 of Act XVIII of 1854.

From the same Officer, dated Madras, 17th March 1877, No. 449.

In continuation of my endorsement of the 12th instant, No. 412, I have the honor to enclose, for the information of Government, copy of a letter, dated the 16th instant, from the Company's Solicitors, in which they inform me of the result of the prosecution of Engine-driver Donohoe and Guard Walker who were implicated in the Camalapore collision.

From Messrs. DARCLAY and MORGAN, Solicitors, to R. B. ELWIN, Esq., Agent and Manager of the Madras Railway Company, dated Madras, 16th March 1877.

Madras Railway Company versus Donohoe and another.

This case was tried at the adjourned sessions of the High Court on the 13th instant, and resulted in a conviction of both Driver Donohoe and Guard Walker on the minor count of a rash or negligent act or omission.

Both prisoners were charged under Section 25 of Act XVIII of 1854 with doing acts and omitting to do acts they were legally bound to do, intending or knowing that they were likely thereby to cause the safety of persons on the railway to be endangered; and under Section 25 of the same Act as amended by Act XXV of 1871, with rash or negligent acts or omissions and thereby endangering the safety of persons on the railway. The particular acts and omissions laid to the prisoners' charge were running the 5-15 p.m. special goods train of 22nd January last from Bellary past the Camalapore station and over the Paupugnee bridge without stopping or slackening speed and without waiting at the bridge to take up the Bridge Inspector or for the "all right" signal, omitting to notice or obey signals made near Camalapore station and Paupugnee bridge; and in the case of the Driver omitting to keep proper lights on the engine, omitting to remain on his engine, going to sleep on his engine when on duty, and leaving his engine and going into and remaining in the guards' van, when he should have been on his engine. The more particular charges against the Guard were omitting to signal to the Driver to stop the train or slacken speed at Camalapore station or Paupugnee bridge, omitting to make any effort to stop or check the train at either of those places, omitting to notice or obey the signals made at those places, allowing the Driver without remonstrance, signal or interference, to drive the train through and over the Camalapore station and Paupugnee bridge, without stopping at the station or slackening speed at the bridge, and without stopping to take up the Bridge Inspector or for the "all right" signal; omitting to apply his brake at the station or bridge, to exhibit lights or signals, going to sleep when on duty, omitting to show himself at the door or window of his van, to look for signals when passing Camalapore station and Paupugnee bridge, to exhibit signals when passing the station or bridge, and allowing the Driver to ride in his van without a special order.

The prosecution was conducted by Mr. Miller, the retained Counsel of the Railway Company, and the Crown Prosecutor, and the prisoners were defended by Counsel, and pleaded "not guilty" to both charges.

It was we think fairly established that the Driver had gone into the guards' van at Kondapuram. That was spoken to by the fuel man of that station who supplied the engine.

with fuel there and obtained a signature, whether of Donohoe or Walker is not very clear, but purporting to be the former's for such fuel at the guards' van. The fuel man also swore that he saw the Driver in the van at the time. The two firemen of Donohoe's engine, however, swore that he got into the guards' van at Yerragoontla, though why they should have said so it is difficult to understand. We can only suppose that they were mistaken in the station; for the fuel man's evidence on the point, corroborated as it was by his voucher, was very clear. The rest of the case, viz., the fact of the train passing through Camalapore station and over the Paupugnee bridge was of course easily established, but there was some discrepancy in the evidence as to whether at the time Donohoe had any head light on his engine. All the witnesses, except Reid and Omar Khan, the Driver and Guard of the mail train, swore distinctly that there was no light on Donohoe's engine; but both Reid and Omar Khan said that just before the collision they saw a red light in front in an elevated position, but could not say if it was a head light or a watchman's signal.

As already mentioned the verdict was "guilty" against both prisoners on the minor counts of rash and negligent acts and omissions. No suggestion was made by the Jury that they did not believe that the Driver was in the guards' van at any rate when the train passed through Camalapore station and over the Paupugnee bridge, and by returning the verdict they did they evidently believed that the Driver was in the guards' van. We are therefore somewhat at a loss to understand why they acquitted the prisoners of the graver charge, of which they were, in our opinion, clearly guilty. One can hardly imagine a much more wilful act than for a Driver to leave his engine to the mercy of two firemen who did not know how to drive it, and that the Driver knew that he was likely thereby to endanger the lives of persons on the railway there can be no doubt.

The trial was over late in the evening of the 13th instant and sentence was reserved till the next morning, when Donohoe was sentenced to one year's simple imprisonment, and Walker to one year's imprisonment with hard labor. Donohoe's imprisonment was made simple on account of his health.

SUBMITTED for the information of Government, in accordance with their Proceedings, No. 229, dated 24th January 1877.

2. The above papers have reference to the collision which took place on the morning of the 23rd January 1877, at the 174th mile 13th telegraph post of the North-west Line of the Madras Railway. The facts connected with this accident are simple, and leave no room for doubt as to the persons responsible for its occurrence.

3. The 5-15 P.M. special goods of the 22nd instant from Bellary, consisting of an engine and four vehicles, viz., a carriage truck, a coke wagon, a high sided wagon and a brake van, came into collision with the mail train of the same date from Madras, consisting of an engine and fifteen vehicles, coupled as follows:—four goods wagons loaded, one empty, a third-class carriage, a horse box, three third-class (one provided with brake), two second-class, a first-class, a third-class and a goods brake van. The special is supposed to have been travelling at about 20 miles an hour, and the mail at about 8 miles an hour, at the time of the collision. Both engines were seriously damaged; in the mail train the first three vehicles were completely destroyed, the next two escaped, and the sixth and seventh (a third-class carriage and a horse-box) were broken up; the remaining vehicles being uninjured. In the special train the two front vehicles were completely destroyed, and the third damaged, but the brake van was uninjured.

4. Although a third-class carriage was completely broken up, the occupants appear to have escaped most fortunately. Five passengers complained of slight injuries, and a horse-keeper who was in the horse-box was badly cut in the hand. The passengers proceeded on their journey soon after the accident, but the horse-keeper was detained at the Cuddapah Infirmary until the 16th February. The Driver of the mail was injured in jumping from his engine, and his Fireman received some bruises. The two Firemen of the special were a good deal shaken, one of them sustaining a fracture of the jaw.

5. The special from Bellary was due at Camalapore station (176½ miles) at 2-53 A.M., and had there to meet the mail from Madras due at the same time, and a special goods from Cuddapah due at 3-20 A.M. At about 1½ miles to the south of the Camalapore station is the Paupugnee bridge, at which all trains are ordered to stop to take up the Inspector, whose duty it is to accompany each train over the bridge, the speed being at the same time limited to 4 miles an hour. On the morning of the 23rd January, the special appears to have run through Camalapore station and over the Paupugnee bridge without stopping, soon after which it came into collision with the mail, which was slackening speed in order to take up the Inspector who was awaiting its arrival on the south bank.

6. A preliminary inquiry was held on the spot by the Magistrate of Cuddapah, who found strong reason to believe that the Driver and Guard were both asleep in the brake van, and that the train was left to the care of two native Firemen who fell asleep on the engine. A full inquiry was held at Cuddapah on the 26th and 27th January, when both the Driver and the Guard were committed for trial at the High Court under Section 25 of Act XVIII of 1854, and Section 29 of the same Act, as amended by Act XXV of 1871. The evidence tendered at the inquiry showed that no person was visible on the train when it passed the Camalapore station and the Paupugnee bridge; but the fact of the absence of the Driver from his engine was not fully established. The Firemen, who admitted that they went to sleep before reaching Camalapore, stated that the Driver went into the guards' van at Yerragoontla; but their evidence was conflicting and was not accepted by the Magistrate.

7. At the sessions of the High Court further evidence on this point was taken. The Inspector of the Chittravatty Bridge (211 miles) stated that when he took the special train over that bridge he found only two native Firemen on the engine. The Fuel Inspector at Kondipuram station (210½ miles) stated that when he went to the Driver for his receipt for the fuel issued he found him in the Guards' van, and that he "did not come out of the van." The fact of the Driver being uninjured appears to strengthen the opinion that he was not on his engine at the time of the collision. The Jury, in giving their verdict, did not state whether they considered this point proved or not, but found both prisoners guilty on the minor charge of a rash or negligent act or omission. They were thus acquitted of wilful act or omission, which is punishable (vide Section 25) by transportation for life. Both prisoners were sentenced to one year's imprisonment; with hard labor, in the case of the Guard, but simple for the Driver, on account of indifferent health.

8. In their defence both prisoners pleaded over-work, and this would no doubt have been an important point in their favor had it been proved. From the two statements herewith submitted, it is evident that no grounds existed for such a

Proceedings of the Madras Government, Public Works Department,
20th April 1877. No. 1,351.

line of defence. In some cases the Locomotive and Traffic staff have been called upon during the recent press of traffic to work longer hours than would usually be considered desirable, but such cannot be said of the two men implicated in this accident.

9. The collision cannot be attributed to the meeting station system or to any defect in the Company's rules, and may be said to have been due to circumstances over which the Railway Officers had no control. Both men bore good characters and were trusted servants. Such a flagrant case of neglect of duty has seldom occurred, and it is most fortunate that the results were not more serious. This may be said to have been due to two causes, (1) the lightness of the special train, and (2) the fact of the Driver of the mail slackening speed on approaching the Paupugnee bridge. But for these circumstances it is probable that a serious loss of life would have occurred.

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

No. 474.

ORDER THEREON, 20th April 1877, No. 1,351.

RAILWAY, No. 66.

ORDERED to be recorded.

2. His Grace the Governor in Council observes that the cause of accident has been fairly traced out.

(True Extract.)

Lieut.-Col., R.E.,
Joint Secy. to Govt., P.W.D.,
Railway Branch.

To the Consulting Engineer for Railways,
Judicial Department.

Exd. E. C. Shanker.
Spare Copies

P. W. DEPARTMENT.

READ the following:—

*From the Consulting Engineer
for Railways No 211 dated 6th
April 1877*

FOR ORDERS.

Mantleworth

*Attest R. E.
Joint Secy to Govt.
P.W.D. Ry. Branch*

14th March 1877.

John Danahoe Pleads not
guilty to both counts } Act 18 of
Henry Walker, not guilty to } 54 & 25 and
both counts } 29.

I have for defence.

Miller and Barrant for Prosecution.

C. Hill Sworn.

Assistant Traffic Manager Madras
Railway at Geddappa for 8
years. Known prisoners.

Danahoe is engine driver.

Walker is a chief guard, both
in employ of the Railway Co.

Copies of rules and regulations
of which this ^A is a copy are given
to every driver and guard. These

are working time tables B from
1 July 1876. every employee is

supplied with copy of these.

There are extra trains. this C is
time table of extra trains. Copy

was

was furnished to drivers and
guards. Here p. 14 Train to p. 16,
and at p. 17. A line drawn under
Camalapur denotes stoppage
there. Both trains were p. 17 to
stop at Camalapur before
either is allowed to proceed.
At p. 91. order to go at 4 mile an
hour. 92 to stop at bridges. Chief
to go with every train over the bridge.
On morning of 23 January at daylight
I got to the scene of the accident.
Sanahoe was driver and
Walker guard of the 5.15 train
from Bellary. I picked up
this Walker's guard's report
book, perused twice over,
two copies. I found this time
table in it. Working time table
of this very train. Walker's name
on this is in his own hand.

This

This book contains receipt of
Walker for General regulations
A. on arriving at the scene of
accident about $\frac{1}{3}$ of a mile
south of Papugui bridge $\frac{1}{2}$ from
south of Camalapur. I found
this two engines knocked
together engine 3 Carriages
Wagons guard and attached
to Bellary train. The engine
and first two trucks were
much damaged the 3rd
slightly. Mail train had
15 Carriages including engine.
Engine ~~badly~~ ^{badly} injured 3 Wagons
completely broken. 5 others more
or less. I saw both prisoners
there. Asked them they were
not injured. Reid driver
of mail was injured Cut on
the

head, firemen also injured. The
firemen of special messenger
injured. One had a broken jaw.
Ganohoe told me he felt
very unwell and went to sleep sitting
on the seat of the engine. It took
fireman to call me before we
came to Camalapaor but he never
did so. Ganohoe with the noise
of the bridge; and before he
could stop the train he ran
into the mail. Walker said
as they approached Camalapaor
Station he found they were
going faster than usual.
He put on his brake and
tried to stop and he let
out his lights. He saw
Semaphore at danger and other
red lights. After passing
the bridge we heard the

driver

7
driver say jump for your life
and he jumped out from the
engine to ground and would be
nearly 80 feet. I found
the brake broken. Not sure
but thought it had not been
put on. The guard brake was
on. Ganohoe was shaken and
distressed. I did not observe
that he was ill. He was
frightened.

Cross Examined.

He showed no hesitation
in telling me how it occurred.
He said he told the fireman
^{to call him if he didn't say the fireman}
was drunk. Fireman is not
capable of taking charge of
engine. I have seen them
employed in shunting. No

danger

Danger of Danohoe had been
awake in time. I made my
enquiry of the firemen. He spoke
to Reid not much hurt, the
Inspector was at the bridge
I was told Guard was on had
3 or 4 windows. Only the door
side windows were open. There
were two windows, glass and
wood, to let down in front
Brake was on opposite side
of road to platform at C
might have been seen. Guard
Walker is a good character.
I did not ask Walker when
he wrote D2 the fair copy. It
goes as far as ^{mark 2-35} ~~Yerrigumtho~~ next
to Camalapur. I found them
at 7 O'clock on top of prisoners
has by side of the line. At
8.25 at Camalapur. I have

he knew he had to meet that
train.
Reexamined.
Driver has no power to give
charge to fireman. He must
report his illness at first
station. The first report is
entered only as far as Tadpatri,
and at different times, the
second written right thro'.
Not customary to make
these fair Copies.
H. Rapson sworn.
I am actg loco foreman Madras
Railway. Danohoe was 22 January
an engine driver in service of
the railway. I produced this
book II Conty. Signature of
those who received Copies of
special time tables. Here
is Danohoes signature, this
C

C is a Copy of that time table
B this is prisoner's Copy (A. Danohoe)
of time table B. I got it from
A. Danohoe an evening of his
Commitment. This is Copy of
A. Danohoe's signature for
Copy of general rules and
regulations A.

Cross examined.
I have known Danohoe since
1874. He bears a good character.
Always willing, never saw him
ailing. not subject to illness.
I have seen him have fever
at Cuddapah. I saw the
engine of goods train. ^{can't} say
whether brake had been
applied. Discussed with
Hill and Price. Did not
enquire of firemen. Never knew
them to drink. Head fireman

more

more than 3 1/2 years service
as fireman and fitter.
He said
Cannibey Danohoe was
never worked.

Krishnasamy Vaidu solemnly
affirmed.
Time kept 6 or 7 years. I
know A. Danohoe. I gave him
Copy of C extra time table.
This is A. Danohoe's receipt
Signature in B. I saw him sign
this. I gave him Copy of B. This
is his signature in a few Copy
of B. working time table. I
attested it.

Krishnarayalu Vaidu solemnly
affirmed.
Station Master C. Amilapoor
morning 23 January. The 5-15
train was due at station at

2-53 A.M. It ought to have
stopped but did not. There
was on platform and my Aft. ^{the}
and Hospital Assistant and
porters. There were lights. The
danger signals were shown
at coming of train. Train
went through fast. I saw
no one on the engine. Saw no
one in guard's van. I saw
no lights on van. No head
light in front of engine. It
was a dark night. There
should be a red light in
front of engine. We all porters
and all called out loud
meeting meeting! We did not see
any signals telegraphed to
Hill at Grand Rapids immediately
at half an hour after we did it
was

10
was in platform and prisoners
took me out beyond the station.
Danahoe said "Sammy you will
have to escape us. You must
tell us we tell. He said I
had already telegraphed
to Hill. He said say we
stopped at points brought
train to platform fireman
taking water started train
away. I was to tell this to
the officers. It is not true
that train stopped. The
story was entirely false.
Walker was present when
Danahoe said so. He
said yes that was why you
must say as we tell, after
that I heard of the collision
from Chail guard, the train
should have stopped about

27 minutes at Camalapa.
Crosby and.

To one but Walker with me
when Olanchoe told me
to say so. I made no report
in writing, but personally
to Hill on day of Collision.

Train passed 3.20, or 3.25.

Mail guard and driver sent
me a telegram. I received
no reply from Hill but he
kept enquiring whether the
train had returned back.

There was a dull red light
at back of brake man. Inside
no light at light on engine.

To one and tender. I reported
to the permanent way Inspector.
He went off east towards the
bridge after the train, the

hospital

hospital assistant is here.
He came when we shouted
out. I never before got
out of a scrape. We had
oil lights at the platform.
It was about the middle of
station. The two pointmen
showed danger signals -
red light. Less than 1/4 mile
I saw the north and south
pointmen duly showed
lights the semaphore danger
signal was a red light on
a post. I saw it. It was
in direction of Yerragoantho.

Tooler and Solemnly affirmed.

Cam pointman at Camalapa.

It was an duty morning of 23
January at north point.
I saw the Special came in

about

about 3 o'clock. I shone at
the red signal. Train came
fast and passed very fast -
Could hardly see a face.
I held up danger signal
standing between rails. I called
out "Sir Sir", no one answered.
I saw no one. Train was going
fast. I saw no light in front
of engine, no light on engine.
The danger signal at the station
behind me was right, I saw
it.

Crossed.

At first stood in middle
of the line, train coming fast.
I heard the sound, the train
looked black.

Sheik Madani solemnly affirmed.

Painterman, was on duty morning
23rd January at the Painter's
Camalapur

Camalapur. Watching saw
the special coming at a
rapid pace I held out the
danger signal. Train did not
stop. I saw no one on engine
or brake man. I did not
call out. No light in front
of engine. No light on engine
or tender or guard's man. No
danger signal was shown
from guard's man. The signal
at the Semaphore there was
red danger signal.
Crossed.

Train went too fast to see any
one. No light at all, always
a large quantity of light in
guard's man.

Camal Sahib, Sol: affirmed.
Watchman of Camalapur. On
duty on morning of accident
at Papuni bridge and Camalapur
side

side. My duty to hold signal
when train expected.

Bellary Special.
I saw a train coming and
showed the signal danger.

I was looking for mail train
from Madras. I also put a
fog signal with gun powder on
the rails. The Bellary train
took no notice. It passed on
very fast. I saw no one on the
engine. I called out that
mail train was coming, there
was no one to take notice.

Neither lights nor men. I was
for trains to pass slowly over
the bridge to set down the
bridge Inspector. Another
watchman Qumrahil
held up danger ^{red} signals
and Hassim Sahib on
side. Qumrahil also put on a
fog

fog signal. No attention was
paid, there seemed to be no
one in the train.

Qumrahil tendered for
Cross examination, refused.

Mahomed Hassim Sol. affd.

Watchman Papiegni bridge
on duty morning 23 January,
saw mail train from Madras
showed danger signal, then

I heard another train coming
in the opposite direction. I
showed a red light, the train
was dark. It was the
special from Bellary coming
very fast. They should pass
the bridge slowly. They took
no notice of my signal. I
saw no persons, no lights on
the engine or guards van. I
saw the Collision.

Cross

Cross examined.

The Collision may be more than a mile from Amalapuram. The bridge is as far as from this to the sea. I heard the Crash. I woke my gentleman Inspector and we went to see the spot $\frac{1}{2}$ a mile from me. The Inspector ought to have gone over the bridge in Mail train. I was not Confused.

Alfred Ross Swann:
I am an Inspector in Madras Railway Co. ^{Chitranutti} Service. On 23rd January last in morning I was on north side of Chitranutti bridge. I saw 5.15 train from Bellary. I first saw it coming towards me. It got on to the engine gang $\frac{1}{2}$ miles and haul! I got on the engine

engine. It was about 1st. etc. I found only two firemen natives on the engine. These are they. I saw no one else on the engine. I went to the end of the bridge, then I got off. I saw no Engine Driver. I saw no guard on the train. I hoisted danger signal at the north end.

Crossed...
The firemen were driving by turns, not usual for firemen to drive. I did not mention it. On Sunday Inspector Ady asked me to come here. Permanent way Inspector. After my deposition I spoke to Ady a fortnight after Collision. French is head of my department. Ady took my deposition from me.

Al

Asked fireman. He said driver was in brake van. I did not go to see. They had a lamp in front of the engine, and in the engine the usual lights. (Reveries) I don't recollect about the lights in the brake van.

Read.

Chaitanatti to Papuni bridge is about two hours. Sometime, a week after I was asked for a written report. I gave this report to Mr. Aikens. The contents I am true.

W. Wilson Swann

I was Inspector M. R. C. at Papuni. I recollect the accident 23 January. I was on duty south side of bridge. There was a red light. I could not say if train or matchman. Train (Special) passed

passed at 15 miles an hour. It ought to have picked me up. Did not stop. Did not see any light on engine or guard's man. Watchman showed danger signal. After collision I saw driver and guard, prisoners, at the scene of accident, they asked me what was the matter.

Cross-examined.

I was standing 1/2 a mile from collision. I walked there. Reid had recovered. He was in his senses. I made no enquiries. It was dark. One fireman on the engine was sitting on the fuel. Fuel was not on him. Any train picks

picks me up. I was on the South
side.

Recd.

Two trains cannot be on the
bridge at once.

Recalled

This report I is all written and
signed by me.

Velu Moodelly Sol. Aff.

I am fuel keeper under Rapson
Cundapoor M. R. G. Engine and
firewood when a train came on
22nd January the midnight before
the collision I supplied a train
with wood. It came from Gooty.
I saw two firemen on the engine.
These are they I asked them
where the driver was, because

I wanted his signature. The
driver was not on the engine.
The guard was on platform.

Al

I mean Walker. He said give me
the book, I saw the engine driver
Danohoe in the guard's van. He

came and looked. Walker took
the book and both prisoner's went
in the guard's van. This book was

returned to me with this
signature. It was at Gundapor.

Crossed

I was not examined at Gundapor
by the Magistrate. I told Mr.
Hill before the enquiry. No one
asked me before that. Danohoe
did not come out of the van. He
had seen him before once, then
he was on the engine.

Guanakrakum Sworn.

I. Fireman. 22 January from
Gooty and special train driven
by Danohoe, Walker was guard
at

At the time of the accident Danohoe
was in the brake van, not an
the engine. He left the engine
at Yerragoanta station and
did not return. I saw him go
to the brake van. First fireman
sent me to ~~engine~~ ^{enquire} for messages
at the station. I did not
hear Danohoe say anything to the
first fireman. I did not hear
him say he had a pain in his
head.
I was on the tender seat.
So I went to sleep. I had not
slept for 3 months.
Crossed.
I worked under Danohoe very
hard work. I never drove the
engine. I put the fuel and wash
foot board, stoke ashes. I don't

look

17
look for signals until I have
removed the wood. I did not
sleep until after Camalapoos.
First fireman was driving. I
was on the tender asleep. I
was asleep while we passed
Camalapoos. I spoke to station
at Yerragoanta. He said
there was no message. They called
out at the station and it
awoke me. I looked as if
I heard. I called out to
first fireman. First time me
had been alone on the engine.
I saw Danohoe get down and
go. We used wood all the way.
After I was thrown off, Danohoe
came running and called out
Tiger! Tiger! I was covered with
firewood. Tiger was my name.

the

The brake had been put on before the collision. The train was going slower.

Read.

Danohoe came running from the direction of the brake. E Reid sworn.

Steam engine driver Black Railway.

On 23rd January morning Lucas driving mail train out ofuddapa to Gooty. I saw a danger signal. At first thought it was at the bridge. I was approaching the bridge. Had shut off and was going 8 or 10 miles an hour. Afterwards it seemed as if train approaching. It was unusually elevated. I tried to reverse and told J. H. Freeman to put on brake hard, then

Q

I told them to save their lives. Freeman put on the brake. When I saw it unavoidable I jumped off and found myself by the side of the aloe fence. I was shaken. I got up and went to my guard Omar Khan. It was about 3.30. etc. etc. I examined the train and saw the prisoners coming from Jamalapur direction. Asked what they had done. Both of them threw their hands down. Both engines were standing on the line, seriously damaged. I was cut across the forehead. Freeman also hurt. I met Danohoe at back of brake man. He said tell me the truth the driver with it. He said he was sick and

and first fireman had gone to sleep with a bottle, so 2^d fireman told him. Walker was not present.

Crossed.

There was red light on the train or engine. I took it to be the engine light, then we telegraphed to Hill. Prisoners were perfectly sober.

Amarkhand. Sol. Aff'd.

Guard M. R. Co. I was guard of 8-25 mail train from Arcanum. Collision near Papuni at 3.30. A.M. I did not see other train. Saw no lights except both side on brake lamps white. I saw them only after the collision. After that I saw prisoners running panting. Both said they were sleeping in the train. I at end of examination.

I was at Raichore.

Crossed.

First I went to my passengers. A few minutes after that I saw Prisoners. Reid was not with me. The other guard was not with me. It was 25 minutes after the collision. I cut my nose. I told Reid before Hill came. I gave the proper light and the guard saw and in his hand afterwards.

Reed.

After the collision I saw white side lights. Before the collision I saw red light, engine or watchman. I can't say. Lazar fireman tendered for cross examination.

Crossed.

Exposed

I went to sleep, the driver was
in the brake man. at Serraganta
he said I am not well you
look after it a little and
he got off the engine.

I was hurt in my jaws and
could not speak before the
Magistrate. I may have said
the driver was on the engine.

He was on the engine as far
as the gate of Serraganta.
Then he went to the brake
man because he was not
well. I told Magistrate

I fell asleep on the engine.
I have been working night
and day.

Docturead
Danohoe's statement read.

Sold

Sold Walker I did not feel
well. try your best.

At Serraganta stood still.
by ends hot. Felt worse.

Sold Grieman to make me.
Voice of bridge awoke me
reversed my lever.

Grieman said it to some
himself

Guilt of rashness and negligence.
Overpressed with work.

Walker's statement
dark in the man.
That is case for prison.

Show for defence
In Walker. No offence not to

Show lights.
only 1/2 mile from fundapoor.
lights and brake on. when
found. as before the Magte
Me

We were not asleep. Watchmen
in a state of hurry.
Don't deny speed of train and
passing Canalapoor and bridge.
Accident not rash, negligent,
or wilful.

Ev. of Hill - and fireman Guana
Prasann, brake applied.

to ev. that he went to sleep.
to ev. of any cord and bell.
as to going to sleep.

Journal kept by Walker.
Cundapoor receipt false.

Compare with II, wh. we admit.
Rof's doct I. no mark of receipt.
not prod. by Railway.

Ref. Magte Q. left Engine
at Yerraguntla.

Now they stay at Cundapoor.

Firemen

Firemen not asked.
Driver overworked and unwell
fell asleep.
perhaps wrong to go to sleep.
intentions not charged.
both sober.

Sta. M^r. Canalapoor - false.
Verdict unanimous -

Not guilty under S. 25
Guilty under 29. J. Danohoe
recommends
to mercy.

Walker and years imp^t with hard
labour.
Danohoe and year simple imp^t.

15th March.

The Luren and Empire
 against
Donohoe & Walker.

DAFR77
 No. 2699

(Copy 1)
Judges notes at Trial.

H

4620: April 73 J.D. H. 73

Driver Donohoe.
 Statement showing the number of hours
 worked and off duty during January 1877.

Date.		on duty.		off duty.	
1877.		H.	MT.	H.	MT.
January	1	6	50	14	45
"	2	8	10	5	0
"	3	9	30	8	0
"	4	8	0	11	0
"	5	8	10	13	10
"	6	9	28	17	57
"	7	2	0	14	15
"	8	8	30	10	40
"	9	9	20	4	0
"	10	6	15	15	0
"	11	9	0	25	0
"	12	6	0	13	30
"	13	13	5	7	25
"	14	7	30	9	15
"	15	8	0	10	40
"	16	8	50	8	15
"	17	9	0	10	0
"	18	8	33	8	42
"	19	8	15	9	25
"	20	9	50	13	15
"	21	9	15	10	15
"	22	7	30	9	15
"	23	8	5	10	35
"	24	9	50	7	15
"	25	12	20	7	10
"	26	7	30	9	15
"	27	10	0	9	10
"	28	6	35	9	10

True copy
 J. D. Walker
 Agent and C. M. H.

arrived at 174 mile at
 2.30 am. on the 28th when
 the accident occurred. Not
 working from 24th to 27th January.
 Sign. C. H. Smithwick
 Locomotive Superintendent.

PUBLIC WORKS DEPARTMENT,
Railway Branch

Consulting Engineer's Office,

Madras, 6th April 1877.

No 211

Letter from Agent and Manager, Madras

Railway No: 161, 24 January 1877.

" 177, 26 " (with

449, 17 March

enclosure)

Two statements furnished by the
Agent, Madras Railway.

Report by the Magistrate of Buddapah,
received with G. O. No. 212 of 31 January 1877.

Copy of Proceedings of inquiry held
by the District Magistrate of Buddapah,
on 26th and 27th January 1877.

Copy of Mr Justice Kindersley's notes
in a trial at the High Court of Madras.

Submitted for the information
of Government, in accordance with
their Proceedings No: 229, dated 24th
January 1877.

The above papers
have

have reference to the collision which took place on the morning of the 23^d January 1877 at the 174th mile, 13th telegraph post of the North West line of the Madras Railway. The facts connected with this accident are simple, and leave no room for doubt as to the persons responsible for its occurrence.

3. The 5-15 P.M. Special goods of the 22^d instant from Bellary, consisting of an engine and 4 vehicles viz. a carriage truck, a poke wagon, a high-sided wagon, and a brake van, came into collision with the mail train of the same date from Madras, consisting of an engine, and 15 vehicles, coupled as follows:

25 //

4 goods wagons loaded, one empty, a third class carriage, a horse box, 3 third-class (one provided with brake) 2 second class, a first class, a third class and a goods brake man. The special is supposed to have been travelling at about 20 miles an hour, and the mail at about 8 miles an hour, at the time of the collision. Both engines were seriously damaged; in the mail train the first three vehicles were completely destroyed, the next two escaped, and the sixth and seventh (a third class carriage and a horse-box) were broken up; the remaining vehicles being uninjured. In the special train the two front vehicles

vehicles were completely destroyed, and the third damaged, but the brake van was uninjured.

4. Although a third-class carriage was completely broken up, the occupants appear to have escaped most fortunately. Five passengers complained of slight injuries, and a horse-keeper who was in the horse-box was badly cut in the hand.

The passengers proceeded on their journey soon after the accident, but the horse-keeper was detained at the Buddapah Infirmary until the 16 February. The driver of the mail was injured in jumping from his engine, and his firemen received

26 12
received some bruises: the two firemen of the special were a good deal shaken, one of them sustaining a fracture of the jaw.

5. The special from Bellary was due at Camalapore station ($176\frac{1}{4}$ miles) at 2-53 A.M., and had there to meet the mail from Madras due at the same time, and a special goods from Buddapah due at 3-20 A.M. At about $1\frac{1}{4}$ miles to the South of the Camalapore station is the Paupugnee bridge, at which all trains are ordered to stop to take up the Inspector whose duty it is to accompany each train over the bridge, the speed being at

Kanalarose stated that the Driver went into the Guard's van at Enragoontha, but their evidence was conflicting and was not accepted by the Magistrate.

At the Sessions of the High Court further evidence on this point was taken. The Inspector of the Khettravathi bridge (211 miles) stated that when he took the special train over that bridge he found only two scotmen firemen on the engine. The fuel inspector at Koudipuram station (210 1/2 miles) stated that when he went to the Driver for his receipt for the fuel issued, he found him in the Guard's van, and that he did not

20 14
not come out of the van". The fact of the driver being uninjured appears to strengthen the opinion that he was not on his engine at the time of the collision. The jury, in giving their verdict, did not state whether they considered this point proved or not, but found both prisoners guilty on the minor charge of a rash or negligent act or omission. They were thus acquitted of wilful act or omission, which is punishable (vide Section XXX) by transportation for life. Both prisoners were sentenced to one year's imprisonment, with hard labour in the case of the Guard, but simple

simple for the Driver on account of
indifferent health.

8. In their defence both
prisoners pleaded over-work, and
there would no doubt have been an
important point in their favour had
it been proved. From the two
statements herewith submitted,
it is evident that no grounds existed
for such a line of defence. In some
cases the Locomotive and Traffic
Staff have been called upon during
the recent press of traffic to work
longer hours than would usually be
considered desirable, but such cannot
be said of the two men implicated
in this accident.

The

29 15
9. The collision cannot
be attributed to the meeting station
system or to any defect in the
Company's rules, and may be
said to have been due to circumstances
over which the Railway Officers
had no control. Both men were
good characters and were trusted
servants. Such a flagrant case
of neglect of duty has seldom occurred,
and it is most fortunate that the
results were not more serious.
This may be said to have been
due to two causes; first, the light-
ness of the special train; and
second, the fact of the driver of the
mail

Mail slackening speed on
approaching the Paupugue bridge.
But for these circumstances it is
probable that a serious loss of
life would have occurred.

Maintenance
School

Cong. Exp. for Ky.

85

117.

112-8.

P.W.D.

9 APR 77

3682

No.

From

The Com^r Eng^r for M^r

Dated 5th April 1877.

No. 211

Enclos: 7

4020 April 77 No. 473

En 10-4-77

Indial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter

from the Acting Magistrate of Cuddalore
to the Chief Secretary to Government dated 23rd
January 1877 No. 4.

I have the honor to report
for the information of Government that an
empty special coming from Bellary ran
into the up mail train at 3.25 this morning
at the 17th mile from Madras and about 300
yards from Pampagni Bridge.

I proceeded as soon as
possible to the spot, and made an enquiry,
the result of which is that I have come to
the conclusion that the Guard, Driver and
Fireman of the special were all asleep, that
they in consequence ran fast the danger
signals at Camlapur station, and the bridge
had, dashed into the mail, which had
casually slackened speed to pick up
the Bridge Inspector, and thus caused
the catastrophe. The head and side lights
of

of the special were in my opinion out. The first warning that the Bridge watchman, who was engaged in showing his danger signal to the approaching mail, had, was the rattle of the special coming at some 12 or 15 miles an hour over the Bridge, a minute or two after the crash took place.

3. I cannot conceive how the passengers and the two trains escaped so easily as they did. But fourteen persons were injured, most of them very slightly. The European driver of the mail received a cut on the forehead, and the fireman and guard were slightly injured, a horse keeper who was in charge of a horse was cut badly about the hand, and a good deal bruised. He was fortunate to escape as he did for the portion of the box in which he was completely wrecked. The horse, strange to say, was uninjured.

4. The collision occurred on the curve approaching the bridge, some three or four hundred yards more, and it would have taken place on the bridge itself. The
Engines

Engines are both very much injured, three trucks next to the engine of the mail train have been smashed to pieces, and two third class and a horse box also destroyed. Other carriages have been damaged, but not to any very serious extent. The permanent way is uninjured, and the line will be clear to night.

5. The only one of the men on the special injured was the Chief Fireman, who is cut about the head. He was so confused when brought in that nothing could be got out of him. The Guard and Driver were both untouched. I have very strong reason to believe that they were sleeping in the Break van, and that the Fireman were left to drive. The Driver and Fireman had both been drinking.

6. The party which was managing the special has been taken into custody, two are European British Subjects. I propose holding the Magisterial enquiry into the case.

Order

33

[Faint handwritten notes at the bottom of the page]

۱۰۰

20.7.12.74 No 3438
24-1-77 - 229

65.

W

P.W.D.
31 JAN 77
B682

Judicial Department

Dated 30th Jan 1877 - 229.

Nos.

Recd.

Dated

To

}

187, No.

Cost of 187 : 311/1000

Communicating a letter from the A. Magistrate of Badliapah, reporting that special train coming from Ballary ran into the up mail train on the 25th January from Chedav, adjacent to Panpurgu Bridge.

No 212 Forwarded to the Consulting Engineer for Railways for information and resubmission with his detailed report.

Comptroller of the Public Works

31st Jan 1877 3. Feb.

10 20 April 77 No 1173

34 May 17

No 1357

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 20 April 77

Read the following:

No in the Genl Dept. (H.E. No 243 of 30 Jan 77)
From
The Consulting Engineer for Railways (H.E. No 211 of 6th April 1877)

Recorded.

2. His Grace the Governor in Council observes that the ~~dangerous~~ ~~accident~~ ~~has been~~ fairly traced out. The cause of accident has been fairly traced out.

U.

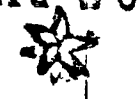
Secy for Railways
Genl Dept.

11-5-77

Copy
Obt. of 1877 *Madras*



PUBLIC WORKS.



To The Congs Engrs for Railways

Dated

Issued

Recd.

Encl.

G. O. 20 April 1877, No. 1357

U. Nos. 1173-474

Collision on the 23rd January
at the 17th mile of the
S. W. line. In my Papers
affording the result of
the inquiry into the
Cause of the —, recorded