Public Works (1890) Department.

RAILWAY BRANCH.

G.O., No. 178. Ry.

DATED 4th February.

[Despatch Abstract.]

Tramways—

Proceedings, Local and Municipal department, stating that District Boards are not empowered to grant concessions for Construction of—without the approval of Government recorded.

Indexed.

[P. W. Ry.
760—25-9-99.]

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

Read—again the following paper :—

G.O., dated 2nd June 1888, Mis. No. 568 M., Local and Municipal.

Abstract.—Returning to Messrs. Wilson and King certain papers relative to the construction of tramways in Madras, and requesting that they may again be put before the Municipal Commissioners with reference to the remarks made.

Read—also the following paper :—

From Messrs. WILSON and KING, Solicitors, Madras, to the Chief Secretary to Government, dated Madras, 2nd October 1888.

We have the honor to return herewith the draft Madras Tramways order submitted by us on behalf of the Indian Tramways Construction Company (Limited) on the 7th May last, and to inform you that, in accordance with the directions contained in the order of the Madras Government, dated 2nd June 1888, Mis. No. 568 M., Local and Municipal, the draft order was, on the 5th day of September last, submitted to a general meeting of the Commissioners, and at that meeting the order was approved of by the Commissioners with the exception that the minimum capital of the Indian Tramways Construction Company (Limited) or any company to which they may assign their rights, be £1,20,000 with power to increase.

2. The company has, in accordance with the wishes of the Municipality, increased its capital from £80,000 to £1,20,000.

3. We have the honor therefore to request that His Excellency the Governor in Council will be pleased to grant the said company power to construct, maintain and use a system of tramways in Madras subject to the terms and conditions contained in the accompanying order.

Order—dated 20th October 1888, No. 1165 M., Local and Municipal.

Ordered that the following notification be published in the *Fort St. George Gazette* :—

NOTIFICATION.

Under the provisions of section 6 of the Indian Tramways Act XI of 1886 (India), the following draft of a proposed order authorizing the construction, by the Indian Tramways Construction Company (Limited), of tramways in the City of Madras is published for general information. Notice is hereby given that any objection or suggestion which any person may desire to make with respect to the above order will be considered, if submitted on or before the 31st of December next.

DRAFT ORDER authorising the construction and maintenance and to regulate the working of Tramways in the City of Madras.

Preamble.

Whereas the promoters hereinafter named have in pursuance of the provisions of The Indian Tramways Act 1886 applied with the consent of the Municipal Commission of the City of Madras for powers to construct, maintain and use a system of Tramways in Madras;

And WHEREAS the Government of the Presidency of Madras, being for the purposes of the following order the Local Government within the meaning of the said Act, deem it expedient that the powers so sought should be granted upon the terms and subject to the conditions and provisions hereinafter contained, that it is to say—

Short Title and commencement.

1. (i) This order may be called and cited as The Madras Tramways Order, 1888.

(ii) It shall come in force at once.

Incorporation of Act.

2. The provisions of "The Indian Tramways' Act, 1886," so far as the same are applicable to this order, are to be deemed to be incorporated with and to form part of this order except where the same are expressly varied by this order.

Interpretation.

3. The several words, terms and expressions to which by the said Act, meanings are assigned, have in this order the same respective meanings unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided.

Provided that in this order

The expression "Municipal Commission" shall mean the Municipal Commission of the City of Madras.

The expressions "the tramways" and "the undertaking" shall (unless where any particular Tramways are referred to by name or number, as the case may be) mean the Tramways and the works and undertaking by this order authorised.

The term "Carriage" shall include "Truck."

The Promoters.

4. The Indian Tramways Construction Company, Limited (being a Joint Stock Company, duly incorporated and registered in England, with a nominal Capital of £1,20,000 divided into 24,000 shares of £5 each) its successor and assigns shall be the Promoters for the purpose of this order, and are in this order referred to as "The Promoters."

Lands by Agreement.

5. The Promoters may by agreement from time to time purchase or take on lease or otherwise acquire such lands as they may require for the purpose of the undertaking, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes.

CONSTRUCTION OF TRAMWAYS.

Construction of Tramways and provisions with regard thereto.

6. The Promoters may construct and maintain, subject to the provisions of this order, the Tramways hereinafter described (the routes of which are shown on the Maps deposited by the Promoters with the Local Government and the Municipal Commission respectively) with all the proper rails, chairs, plates, sleepers, turnouts, crossing, sidings, junctions, passing places, turn-tables, weigh bridges, weighing machines, hydrants, offices, workshops, sheds, stables, buildings, carriage-houses, engine-houses, ware-houses works, and conveniences connect therewith or for the purposes thereof, and may work and use, the same.

The Tramways authorised by this order are—

Tramway No. 1.—Commencing opposite Clive's Battery and passing thence along the Beach Road and Esplanade through the Evening Bazaar, and in front of the General Hospital; crossing Hospital Bridge and terminating in the Poonamallee Road, opposite the Southern Indian Railway Station, in that Road.

Tramway No. 2.—Commencing by a junction with Route No. 1, opposite the end of Sydenham's Road, and running in a southerly direction across Law's Bridge and along Sawmy Naick Street, past the east approach to Harris' Bridge, along Blacker's Road, past the round Tannah in the Mount Road, and a short distance along the Wallajah Road, thence along the Triplicane High Road and terminating in that Road at Barber's Bridge.

Tramway No. 3.—Commencing by a junction with Route No. 2. in Blacker's Road, on the approach to Harris' Bridge, and thence in a south-westerly direction, crossing the Mount Road and passing along Patter's Road, Wood Street and Westcott's Road and terminating at the junction of Royapettah High Road with Royapettah Bazaar Road.

Tramway No. 4.—Commencing by a junction with Route No. 1 at Clive's Battery and passing thence in a westerly direction along the Old Jail and North Wall Roads to the Eastern approach to "Basin" Bridge and thence in a southerly direction along the Wall Tax Road, and terminating by a junction with Route No. 1 opposite the General Hospital.

Tramway No. 5.—Commencing by a junction with Route No. 4, in the Wall Tax Road, opposite the approach to Elephant Bridge; passing thence in a westerly direction across Elephant Bridge and along Elephant Gate Road and part of Sydenham Road; thence through the Choolay Bazaar, Hunter's Road and part of the Pursevakum High Road to its junction with Cundappa Moodelly High Road, terminating in this latter road about 3 furlongs from its said junction with Pursevakum High Road.

Tramway No. 6.—Commencing by a junction with Route No. 4, near the Seven Wells, and passing thence in a northerly direction along the Trivettore High Road and terminating in that road at the Municipal boundary.

In addition to the Tramways hereinbefore described, this order also authorises the construction of three miles of extensions (hereinafter called Rubbish Lines) to any or each of the Tramways hereinbefore described and numbered, respectively, 1, 2, 3, 4, 5 and 6, which Rubbish lines shall be for Municipal purposes only, and not for passenger traffic, and shall not exceed a total length of three miles.

The Tramways shall be constructed in such position in the several roads, and the passing places shall be of such length (not being less than 66 yards each) and shall be constructed and maintained at such places or between such points in the road as the Promoters may, subject to the reasonable approval of the road authority, consider necessary or convenient fort he efficient working of the Tramways, and the Promoters may, after the construction of the Tramways or any part thereof, construct and maintain, subject to such reasonable approval, all such additional crossings, passing places, sidings, junctions, or extensions thereof and other works as they may from time to time consider necessary or convenient for the efficient working of the Tramways or any of them, or for providing access to any stables, carriage-houses, enginehouses, sheds, depositories or works of the Promoters, and if the Promoters consider it desirable or necessary for the efficient working of any of the Tramways to alter any of the levels or gradients of any of the roads upon which the same are constructed or for the same purpose to alter, repair or strengthen any of the bridges over which the same pass, the Promoters may execute the same at their own cost, and where the road is already paved or metalled, the Promoters may, if they think fit, at their own cost, when constructing the Tramways or any part thereof in such road, relay such paving or metalling, and the Promoters shall at their own cost provide sufficient new paving or metalling of a similar character for properly making good such road in the event of any of the original paving or metalling having become unsuitable for relaying.

Gauge of Tramways and level thereof and mode of formation.

7. The Tramways shall be constructed on a metre gauge of three feet three inches and three-eighths of an inch, or such other gauge not exceeding four feet eight inches and-a-half, as may be mutually agreed upon between the Promoters and the Municipal Commission, and the upper surface of the rails of the Tramways shall be level with the surface of the roadway unless otherwise directed or approved by the Local Government and the road authority, and the rails of the Tramways shall be of such form and construction as to admit of the passage of carriage used on the South Indian Railway passing on and over the same, and subject to this provision the rails of the Tramways shall be such as the Local Government and the road authority may approve, and the Tramways shall be constructed, laid, and maintained according to such general specification as to the kind of rail, foundations, manner of laying, and repair thereof, as shall be reasonably approved by them, and the Promoters may, from time to time, adopt and apply such improvements in the Tramways or any part thereof, including the rails and the substructure upon which the same rest as experience may from time to time suggest, having regard to the greatest security of the public and advantage to the ordinary traffic, and in case they shall do so or shall incur any other capital expenditure, may raise further capital either by the creation and issue of further shares or stock or the exercise of borrowing powers to such amount as shall be found expedient for the raising of such further capital.

Time for commencement and completion of Tramways.

8. The Promoters shall substantially commence the construction of the Tramways and undertaking within a period of 12 months after the date of this order, and shall substantially complete and open for traffic the Tramways Nos. 1 and 2, before the expiration of two years from such date, and the remainder of the Tramways before the expiration of five years from such date.

Period at which local authority may purchase and terms of purchase.

9. If the local authority do not within six months after the expiration of 21 years from the date of this order exercise the powers of purchase contained in the Indian Tramways Act, 1886, then notwithstanding anything to the contrary in that Act, such powers of purchase shall, unless otherwise agreed between the Promoters and the local authority only, be exercised within six months after the expiration of every subsequent period of 21 years and notwithstanding anything in the said Act to the contrary, the amount to be paid for the undertaking shall equal the amount of nominal capital actually issued and expended by the Promoters at the date of such purchase with one-fourth of such amount added by way of compensation for compulsory acquisition of the undertaking, and the same shall be paid to the Promoters in gold, in London or Madras, and in case of difference between the Promoters and the local authority as to the amount to be paid, the same shall be settled in the manner provided by section 35 of the said Act for the settlement of the differences in that section mentioned.

Power to open and break up roads, &c., and provisions as to construction of Tramways.

10. The Promoters from time to time for the purpose of making, forming, laying down, maintaining and renewing any of the Tramways or any part or parts thereof, respectively, may open and break up any road subject to the following regulations :—

(1) They shall give to the local authority reasonable notice of their intention, such notice to state the portion of road proposed to be opened or broken up.

(2) They shall not open or break up any road except under the superintendence and to the reasonable satisfaction of the road authority unless that authority refuses or neglects to give such superintendence at the time specified in the notice, or discontinues the same during the progress of the work. Where the carriage-way over any bridge forms part of, or is a road within the jurisdiction of a road authority, but such bridge is vested in some person or persons, corporation or company, distinct from such road authority, any work which the Promoters may be empowered to construct and which affects or in any wise interferes with the structural works of such bridge, shall be constructed under the superintendence and to the reasonable satisfaction of such person or persons, corporation or company unless after reasonable notice given by the Promoters before the commencement of such work, such superintendence is refused or withheld.

(3) Where the carriage-way in or upon which any Tramway is proposed to be formed or laid down is crossed by any Railway or Tramway on the level, any work which the Promoters may be empowered to construct and which affects or in any wise interferes with such Railway or Tramway or the traffic thereon, shall be constructed and maintained under the superintendence and to the reasonable satisfaction of the person, corporation or company owning such Railway or Tramway, unless after reasonable notice given by the Promoters before the commencement of such work, such superintendence is refused or withheld.

11. When the Promoters have opened or broken up any portion of any road they shall be under the following further obligations, namely,—

Completion of work and re-instatement of road.

(1) They shall, with all convenient speed, complete the work on account of which they opened or broke up the same, and (subject to the formation, maintenance or renewal of the Tramways) fill in the ground and make good the surface to the satisfaction of the road authority and clear away all surplus rubbish and materials.

(2) They shall in the mean time cause the place where the road is opened or broken up, to be guarded and watched and properly lighted at night.

Further provisions as to construction of Tramways.

12. The Promoters shall lay before the Local Government and the road authority a plan showing the proposed mode of constructing and laying down the Tramways and of the materials intended to be used therein, and the Promoters shall not commence the construction and laying down of any of the Tramways or part of any of the Tramways, respectively, until such plan and statement have been approved by the Local Government and the road authority, provided that if at the end of one month from the time of laying such plan before the local authority and the road authority, respectively, as the case may be, such authority shall not have signified in writing its disapproval, the plans and statement shall be considered approved by such authority or authorities, and after such approval, the works shall be executed in accordance in all respects with such plan and statement, and under the superintendence and to the reasonable satisfaction of the road authority unless that authority refuses or neglects to give such superintendence when reasonably required so to do.

Portion of road maintainable and repairable by Promoters.

13. The Promoters shall, subject to any other provisions of this order at their own expense, at all times maintain and keep in good condition and repair to the reasonable satisfaction of the Local Government and the road authority the rails and substructure upon which the same rest, and so much of the roads whereon the Tramways are laid as is between the rails of the Tramway, and where two Tramways are laid in any road at a distance of not more than four feet from each other, the portion of the road between the Tramways and in every case so much of the road as is occupied by the substructure. PROVIDED ALWAYS that if the Promoters fail to comply with the provisions of this section, the road authority, if they think fit, may, at any time after seven days' notice to the Promoters, open and break up the road and do the works necessary for the repair and maintenance or restoration of the road to the extent in this section abovementioned, and the reasonable expense incurred by the road authority in so doing, shall be repaid to them by the Promoters.

Alteration of level of Tramways if level of surface of road altered.

14. If any road authority hereafter alter the level of any road along or across which any of the Tramways is laid or authorised to be laid the Promoters may, and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall, subject to any other provisions of this order, be on a level with the surface of the road as altered. PROVIDED ALWAYS that any such alteration as aforesaid shall be so made as to interfere as little as possible with the safe and convenient working of the said Tramways and in any case so as not to stop or prevent the free use or working thereof.

Application of road materials excavated in construction of works.

15. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority, may be applied by the Promoters, so far as may be necessary, in or towards the reinstating of such road, and the maintenance of any of the Tramways within the district of such road authority and of so much of the roadway of such road as the Promoters are by this order required to maintain : and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to such road authority, or to such person or persons as such road authority may appoint to receive the same, and at such place or places within the jurisdiction of the Municipal Commission not exceeding *one mile* from the place or places where such surplus paving, metalling, or material is excavated and deposited as the road authority or such person or persons may direct. PROVIDED ALSO that, if within seven days after notice in writing to the road authority, the surplus of such paving, metalling, or material is ready for removal, such surplus is not removed by some person or persons named by the road authority for that purpose, such surplus paving, metalling, or material, shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit : any difference between the Promoters and any road authority or other person with reference to any of the matters aforesaid shall be determined in manner provided by the Indian Tramways Act, 1886, with respect to all differences between the Promoters and any road authority.

Rights of authorities and Companies, &c., to open roads.

16. Nothing in this order shall take away or abridge any power to open or break up any road along or across which any Tramway is laid, or any other power vested in any local or road authority for any of the purposes for which such authority is respectively constituted, or in any company, body, or person, for the purposes of laying down, repairing, altering or removing any pipe for the supply of gas or water, or any tubes, wires or apparatus for telegraphic or other purposes, but in the exercise of such power, such local or road authority, and every such company, body or person, shall be subject to the following restrictions, that is to say :—

(1) They shall cause as little detriment or inconvenience to the Promoters and Lessees as circumstances admit.

(2) Before they commence any work whereby the traffic on the Tramway will be interrupted, they shall give to the Promoters and Lessees (if there be any) notice of their intention to commence such work, specifying the time at which they will begin to do so, such notice to be given 24 hours at least before the commencement of the work.

(3) They shall not be liable to pay to the Promoters or Lessees any compensation for injury done to the Tramway by the execution of such work, or for loss of traffic occasioned thereby, or for the reasonable exercise of the powers so vested in them as aforesaid unless negligence shall be shown.

(4) Whenever for the purpose of enabling them to execute such work the legal authority or the road authority shall so require, the Promoters or Lessees shall either stop traffic on the Tramway to which the notice shall refer, where it would otherwise intefere with such work, or shore up and secure the same at their own risk and cost

during the execution of the work there. PROVIDED that such work shall always be completed by the local authority or the road authority as the case may be, with all possible expedition, and any difference as to the necessity of such work shall be settled in manner provided by the Indian Tramways Act, 1886, for the settlement of differences between the Promoters and other companies or persons.

(5) Any company, body, or person shall not execute such work so far as it immediately affects the Tramways except under the superintendence of the Promoters unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work, or discontinue the same during the progress of the work and they shall execute such work at their own expense and to the reasonable satisfaction of the Promoters.

Provision as to Gas and Water Companies.

17. For the purpose of making, forming, laying down, maintaining, repairing or renewing any of the Tramways, the Promoters may, from time to time where and as far as is necessary, or may appear expedient for the purpose of preventing frequent interruption of the traffic by repairs or works in connection with the same, alter the position of any mains or pipes for the supply of gas or water, or any tube, wires, or apparatus for telegraphic or other purposes, subject to the following restrictions, that is to say :—

(1) Before laying down any Tramway in a road in which any mains or pipes, tubes, wires or apparatus may be laid, the Promoters shall, if they contemplate altering the position of any such mains or pipes, wires, or apparatus, give seven days' notice to the company, person or persons to whom such mains or pipes, tubes, wires, or apparatus may belong or by whom they are controlled, of their intention to lay down or alter the Tramway, and shall, at the same time, deliver a description of the proposed work. If it should appear to any such company or person that the construction of the Tramway as proposed would endanger any such main or pipe, tube, wire, or apparatus, or interfere with or impede the supply of water or gas or the telegraphic or other communication, such company or person (as the case may be) may give notice to the Promoters to lower, or otherwise alter the position of the said mains, or pipes, tubes, wires, or apparatus in such manner as may be considered necessary, and any difference as to the necessity of any such lowering or alteration shall be settled in manner provided by the Indian Tramways Act, 1886, for the settlement of diffierence between the Promoters and other companies or persons, and all alterations to be made under this section shall be made with as little detriment and inconvenience to the company or person to whom such mains or pipes, tubes, wires, or apparatus may belong, or by whom the same are controlled, or to the inhabitants of the district, as the circumstances will admit, and under the superintendence of such company or person or of their Surveyor or Engineer if they or he think fit to attend after receiving not less than forty-eight hours' notice for that purpose, which notice the Promoters are hereby required to give.

(2) The Promoters shall not remove or displace any of the mains or pipes, valves, syphons plugs, tubes, wires, or apparatus, or other works belonging to or controlled by any such company or person, or do any thing to impede the passage of water or gas or the telegraphic or other communication into or through such mains or pipes, without the consent of such company or person, or in any other manner than such company or person shall approve, until good and sufficient mains, pipes, valves, syphons, plugs, and other works necessary or proper for continuing the supply of water or gas or telegraphic or other communication, as sufficiently as the same was supplied by the mains or pipes, tubes, wires or apparatus proposed to be removed or displaced, shall, at the expense of the Promoters, have been first made and laid down in lieu thereof and ready for use, and to the reasonable satisfaction of the Surveyor or Engineer of such water or gas or other company, or of such person, or, in case of disagreement between such Surveyor or Engineer and the Promoters, as an Engineer appointed by the Local Government shall direct.

(3) The Promoters shall not lay down any such pipes contrary to the regulations of any Act relating to such water or gas or other company, or relating to telegraphs.

(4) The Promoters shall make good all damage done by them to property belonging to or controlled by any such company or person, and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property, or with the private service pipes of any person supplied by any such company or person with water or gas.

Temporary Tramways may be made when necessary.

18. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the Tramways is laid, it is necessary or expedient temporarily to remove or discontinue the use of such Tramway or any part thereof, or when the use of such Tramway is interrupted by floods or other cause, the Promoters may subject to such conditions, and in

accordance in all respects with such reasonable regulations as the road authority may from time to time make, construct in the same or any adjacent road and maintain so long as occasion may require a temporary Tramway or temporary Tramways in lieu of the Tramway or part of the Tramway so removed or discontinued or the use of which is so interrupted.

MOTIVE POWER.

Carriages on Tramways may be moved by Animal, Steam, or Mechanical power.

19. The carriages used on the Tramways may, subject to the provisions of this order, be moved by Animal power, Steam power, or any Mechanical power. PROVIDED that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power, shall be subject to the regulations set forth in the schedule A to this order annexed, and any other regulations which may be necessary for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use of steam or any mechanical power on the Tramways.

As to Engines, &c., Carriages.

20. The Engines and Carriages to be used on the Tramways shall be of the best construction and the dimensions, fittings, appliances, and apparatus of such Engines and Carriages shall be subject to the reasonable approval of the Local Government and the local authority, and the Promoters shall from time to time adopt and apply such improvements in the Engines and Carriages and in the fittings, appliances and apparatus thereof as the Local Government may consider necessary or desirable for the safety or convenience of the public, and in case they shall do so, or shall incur any other capital expenditure, may raise further capital either by the creation and issue of further shares or stock or the exercise of borrowing powers to such amount as shall be found expedient for the raising of such further capital.

TRAFFIC UPON TRAMWAYS.

Traffic upon Tramways.

21. The Tramways subject to and in accordance with the provisions of this order may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Promoters may fix stopping places.

22. The Promoters may from time to time, subject to the reasonable approval of the local authority, fix or appoint points or places at distances not exceeding 440 yards apart for the purpose of taking up and setting down passengers, animals, goods, minerals and parcels, and the Promoters shall not be bound unless they think fit to stop for such purpose at any other points or places.

Promoters not bound to carry Animals, Goods, &c.

23. The Promoters shall not be bound unless they think fit (and then only subject and in accordance with the provisions of this order) to carry any animals, goods, minerals or parcels other than passenger's luggage not exceeding 20 pounds in weight.

Municipal Commission may use Tramways for certain purposes during certain hours.

24. The Municipal Commission may, during such hours not exceeding 8 in every 24, as may be prescribed by the Promoters, in such manner as the Municipal Commission may think fit (but subject to the reasonable bye-laws for the time being in force with respect to the Tramways and so as not to interfere with the ordinary traffic on the Tramways and with Engines and Carriages suitable for running on the Tramways) use the Tramways for the conveyance of night-soil, dung, manure, ashes, rubbish, filth, and other refuse, scavenging stuff, coal, cannel, coke, gas and water pipes and apparatus, road metal and other materials required for their respective works free of all tolls and charges whatsoever, and may, for such purposes, subject to the provisions of this order use steam or any mechanical power on the Tramways. PROVIDED ALWAYS that the Promoters shall, if required by the Municipal Commission so to do, provide motive power for the purpose of moving or propelling on the Tramway carriages containing night-soil, dung, manure, ashes, rubbish, filth and other refuse and scavenging stuff at the rate of 8 pies per ton per mile, to the extent of 200 tons and no more in every 24 hours, unless otherwise agreed upon from time to time between the Promoters and the Municipal Commission.

TOLLS.

Tolls for Passengers.

25. The Promoters may demand and take for every passenger travelling upon the Tramways or any part thereof, including tolls and charges for the use of the Tramways and of Carriages and for motive power and every other expense incidental to such conveyance any tolls are

charge not exceeding one-half anna per mile, or the Promoters may, subject to the reasonable approval of the local authority, fix stages of one mile in length, and may demand and take for every passenger travelling as aforesaid any sum not exceeding one-half anna per stage, and for the purpose of this section a fraction of a mile or a fraction of a stage shall be deemed a mile or a stage as the case may be. PROVIDED ALWAYS that the Promoters may provide two classes as accommodation for passengers, and may, in respect of the first or better class of accommodation, demand and take in addition to the sum of one-half anna per mile or one-half anna per stage as the case may be, any sum not exceeding one-half anna per mile or one-half annas per stage as the case may be.

Passenger's Luggage.

26. Every passenger travelling upon any of the Tramways may take with him his personal luggage not exceeding twenty pounds in weight without any charge being made for the carriage thereof, all such personal luggage to be carried by hand and at the responsibility of the passenger and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers.

Tolls for Animals, Goods, &c.

27. The Promoters may demand and take in respect of any animals, goods, minerals or parcels conveyed by them on the Tramways except as is by this order specially provided, including the tolls and charges for the use of the Tramways, and for wagons or trucks and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding the tolls and charges specified in the Schedule B to this order annexed, subject to the regulations in that behalf therein contained.

Payment of Tolls, &c.

28. The tolls and charges by this order authorised shall be paid to such persons, and at such places upon or near to the Tramways in respect of which the same shall be payable, and in such manner and under such regulations as the Promoters may, subject to the other provisions of this order either on or off the Tramways and for such price or prices or other consideration as they may think fit, issue stamps, tickets, or tokens either separately or in quantities entitling the bearer or holder for the time being of any such stamp, ticket, or token to such uses of the Tramways (for the purpose of sending or carrying passengers, animals, goods, minerals, or parcels, as the case may be) as the Promoters may think fit to allow in consideration of the use, delivery or return of any such stamp, ticket, or token.

Periodical revision of Tolls.

29. If at any time after three years from the opening for public traffic of the Tramways or any portion of the Tramways, or after three years from the date of any order made in pursuance of this section in respect of the Tramways or any portion of the Tramways, it is represented in writing to the Local Government by the local authority, or by the Promoters, that, under the circumstances then existing, all or any of the tolls and charges demanded and taken in respect of the traffic on the Tramways or on such portion of the Tramways should be revised, the Local Government may (if they think fit) direct an inquiry by a referee to be appointed by the Local Government; and if such referee report that it has been proved to his satisfaction that all or any of such tolls or charges should be revised, the Local Government may make an order in writing altering, modifying, reducing or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the Tramways or on such portion of the Tramways in such manner as they think fit, and thenceforth such order shall be observed until the same is revoked or modified by an order of the Local Government made in pursuance of this section. PROVIDED that no such revision of rates or charges shall be made without the consent of the Promoters unless and until the Promoters should distribute by way of dividend to their shareholders an amount equal to interest at the rate of 10°/o per annum upon the total capital of the Company whether represented by shares and debentures, and after making due provision for a Reserve Fund for depreciation and renewal and other matters and providing a Sinking Fund for the payment of debenture capital.

GENERAL.

30. If at the expiration of one year from the date of this order, the Municipal Commission shall not have defined the number and direction of the extensions referred to in clause 6 of this order, the Promoters may, by notice in writing, left at the office of the Municipal Commission, require the Municipal Commission to take the place of the Promoters in all things appertaining to the location, construction, maintenance and working of the said rubbish lines, and from and after the delivery of such notice at the office of the Municipal Commission, no duty shall be imposed on the Promoters to locate, construct, maintain or work the said rubbish lines under this order.

Agreements between Promoters and road authorities.

31. The Promoters and any road authority may, subject to the provisions of this order, from time to time enter into any agreements with respect to the construction, maintaining, removing, renewing, repairing and using of the Tramways situated within the district of such road authority and the rails, plates, sleepers and works connected therewith and the facilitating the passage of the traffic over the same.

Powers to hold patents.

32. The Promoters may, subject to the provisions of this order (but only for the purposes of the undertaking and not so as to acquire any exclusive rights therein), acquire, hold and use any patent or other rights and any licenses to use patent rights in relation to any apparatus, material or motive power used on or in connection with Tramways.

Security for completion of Tramways.

33. The Promoters shall, if required by the Municipal Commission before commencing the construction of the Tramways or any part thereof, deposit with The New Oriental Bank Corporation, Limited, in Madras, in the name of the Municipal Commission, the sum of Rs. 10,000 or, at their option, Promissory notes of the Government of India or Municipal Bonds of the nominal value of Rs. 10,000, and the same shall remain so deposited until the construction and opening for public traffic of the Tramways Nos. 1 to 6 inclusive. PROVIDED ALWAYS that all interest accruing on the said sum or the said notes or bonds as the case may be, shall be credited to the Promoters and subject as hereinafter provided, be paid to them as the same shall accrue. PROVIDED NEVERTHELESS that the Municipal Commission shall be entitled to deduct out of the sum so deposited or the interest accruing on the said sum or notes or bonds as the case may be, or of the proceeds of the sale of the said notes or bonds as the case may be, any moneys to which they may be entitled under any of the provisions of this order.

Exemption from certain Municipal Taxation.

34. The Tramways, plant, engines, carriages and other vehicles, offices, workshops, sheds, stables, buildings, carriage-houses, engine-houses, ware-houses, yards and depôts of the Promoters shall, for a period of seven years from the date of this order, be exempt from all Municipal taxation, except such lighting rates and water-tax as may from time to time be payable in respect of such offices, workshops, sheds stables, buildings, carriage-houses, engine-houses, ware-house, yards and depôts.

Rent to be paid by Promoters.

35. The Promoters shall, after the expiration of two years from the date of this order, pay to the Municipal Commission rent at the rate of Rs. 200 per annum, which shall become due and payable on the 31st day of December in each year, and if the said rent or any part thereof shall be in arrear for the space of 21 days next after the same shall have become due, the Promoters shall be liable to pay interest on the amount so in arrear at the rate of 8 per cent. per annum.

Article.

36. The Promoters shall observe and perform the following conditions, that is to say:—

(1) The construction of the Tramways shall not be commenced until £75,000 of the share capital of the Promoters has been subscribed.

(2) The maximum amount to be paid for promotion shall be the sum of £10,000.

(3) The maximum amount to be paid to any contractor or contractors for the construction and equipment of the Tramways for providing expenses and interest during construction and sufficient working capital shall not exceed the total nominal capital and such further sum (if any) to be raised by Debentures or other obligations as the Promoters may consider to be necessary.

Saving as to Powers of borrowing on Mortgage.

37. Nothing in this order or in the Indian Tramways Act, 1886, contained, shall prevent the promoters borrowing money on the security of mortgages of the undertaking or shall make the consent or approval of the Local Government necessary to the validity or effect of any such mortgage. PROVIDED that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section 22 of the Indian Tramways Act, 1886, and that any mortgage granted by the Promoters shall not be a charge upon the undertaking or any part thereof in the event of the undertaking or such part being purchased by the local authority under section 22 of the Indian Tramways Act, 1886, and that every mortgage-deed granted by the Promoters shall be endorsed with notice to that effect.

Power to lease right of uses of Tramways.

38. The Promoters may, subject to the provisions of this order by lease or leases, demise to any person or persons, corporation or company the right of user by such person or persons, corporation or company of the Tramways or any part thereof and of demanding and taking in respect of the same the tolls and charges authorised by this order. PROVIDED ALWAYS that in the

first instance such lease or leases shall not be made for any term exceeding 21 years from the passing of this order and after the expiration of such lease or leases any further lease or leases shall be so made as to expire on or before the time or times at which the local authority may exercise the powers of purchase conferred by section 22 of the Indian Tramways Act, 1886.

Power to assign undertaking and provisions in event of sale before construction.

39. The Promoters for the time being may, if they think fit, at any time sell, assign or transfer the rights, powers, authorities, obligations and liabilities of this order and upon notice in writing of such sale, assignment or transfer being given to the Local Government and to the Municipal Commission, respectively, all such rights, powers, authorities, obligations and liabilities shall be deemed to be transferred to, and vested in, and may be exercised by, and shall attach to, the purchaser or purchasers or assignee or assignees or transferee or transferees as the case may be of the Promoters for the time being in like manner as if the same had not been sold, assigned or transferred. PROVIDED ALWAYS that in the event of the Promoters selling, assigning or transferring such rights, powers, authorities, obligations and liabilities to a company or Limited Liability Company to be formed in England or elsewhere before commencing or during the construction of the Tramways, the powers of sale, assignment or transfer hereby granted may only be exercised subject to the same conditions as are by this order imposed upon the Promoters named in this order with regard to capital, the amount of capital to be subscribed before commencing, the construction of the Tramways and the payments out of capital for promotion and construction and equipment of the Tramways.

Certain expenses of Municipal Commission to be paid by Promoters.

40. The Promoters shall, on demand, repay to the Municipal Commission all preliminary, legal and engineering expenses incurred by them in relation to this order not exceeding in the whole the sum of Rs. 2,000.

Promoters to have option of constructing and using further Tramways.

41. So long as the Promoters continue to own or work the Tramways or any part thereof, the local authority of any district in which the Tramways so owned or worked are laid, shall not consent to any application for power to construct further or other Tramways or Railways in the district of such local authority until the Promoters shall have refused the right which is hereby conferred upon them of obtaining power to construct, maintain and work such further or other Tramways upon the same or more favorable terms than those contained in this order for the construction, maintenance and working of the Tramways by this order authorised.

Saving for General Acts.

42. Notwithstanding anything in this order contained, the Promoters and any person using the Tramways shall be subject and liable to the provisions of any General Act now in force, or which may hereafter be passed relating to Tramways, or by which any tax or duty may be granted or imposed for or in respect of Tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of the Government of India, of the maximum rates of tolls and charges authorised by this order, and to any condition, regulation, or restriction which may be imposed upon the use of Tramways, or upon the use on Tramways, of animal power, steam power, or any mechanical power, by any such general Act as aforesaid.

SCHEDULE A.

I. Every Engine used on the Tramways shall comply with the following requirements, that is to say :—

(a) Each coupled wheel shall be fitted with a brake block, which can be applied by a screw or treadle or by other means, and also by steam.

(b) A governor (which cannot be tampered with by the driver) shall be attached to each Engine, and shall be so arranged that at any time when the Engine exceeds a speed of ten miles an hour, it shall cause the steam to be shut off and the brake applied.

(c) Each Engine shall be numbered, and the number shall be shown in a conspicuous part thereof.

(d) Each Engine shall be fitted with a suitable fender to push aside obstructions, and with a special bell or whistle, or other apparatus to be sounded as a warning when necessary.

(e) Arrangement shall be made, enabling the driver to command a full view of the road before him, every such Engine shall be free from noise produced by steam or machinery, so as to constitute a reasonable ground of complaint to the public, and the machinery shall be concealed from view on all sides to within six inches from the level of the rails.

II. Every Carriage used on the Tramways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such Carriages, and for their protection from the machinery of any Engine used for drawing or propelling such Carriages.

III. The speed at which such Engines and Carriages shall be driven or propelled along the Tramways shall not exceed the rate of eight miles an hour, and the speed at which such Engines and Carriages shall pass through facing points, whether fixed or movable, shall not exceed the rate of four miles an hour.

IV. The Engines and Carriages shall be connected by proper couplings.

V. Every Engine running on the Tramways shall carry a lamp or lamps placed in a conspicuous position in the front of the Engine, and such lamp or lamps shall be kept lighted from sunset to sunrise, and when there is a fog, and shall show when lighted a bright colored light.

SCHEDULE B.

TOLLS AND CHARGES FOR ANIMALS, GOODS, &C.

	Per mile.	
Animals.	RS.	A.
For every horse, mule, or other beast of draught or burden .. .. per head ..	0	6
For every ox, cow, bull, or head of cattle .. .. ,, ..	0	6
For every calf, pig, sheep, or other small animal .. .. ,, ..	0	3
Goods and Minerals.		
For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fire-clay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways per ton	0	3
For all iron, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fire-clay), and for wrought iron not otherwise specially classed herein, and for heavy iron castings, including railway chairs per ton	0	4
For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings per ton	0	6
For cotton and other wools, drugs and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things per ton	0	6
For every carriage of whatever description each	1	0
Small parcels.		
For every parcel not exceeding seven pounds in weight each	0	3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight each	0	5
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight each	0	7
For any parcel exceeding twenty-eight pounds, but not exceeding fifty-six pounds in weight each	0	9
For any parcel exceeding fifty-six pounds in weight, such sums as the Promoters may think fit		

PROVIDED ALWAYS that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the carriage of single articles of great weight.	RS.	A.
For the carriage of any iron boiler, cylinder, or single piece of machinery or single piece of timber or stone or other single article the weight of which including the carriage exceeds four tons, but does not exceed eight tons, such sum as the Promoters may think fit, not exceeding per ton	1	6
For the carriage of any single piece of timber, stone, machinery, or other single article the weight of which with the carriage exceeds eight tons, such sum as the Promoters may think fit		

REGULATIONS OF TOLLS.

A fraction of a mile beyond an integral number of miles shall be deemed a mile. For a fraction of a ton, the Promoters may demand and take tolls and charges according to the number of the quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so on in proportion for any smaller quantity.

Rules and Regulations referred to in the enclosed Tender with respect to the use of Steam Power on the Tramways.

I. The Engine or Engines to be used on the Tramways shall comply with the following requirements, that is to say :—

(*a*) Each coupled wheel shall be fitted with a break block, which can be applied by a screw or treadle or by other means, and also by steam.

(*b*) A governor (which cannot be tampered with by the driver) shall be attached to each engine, and shall be so arranged that at any time when the engine exceeds a speed of (ten) miles an hour, it shall cause the steam to be shut off and the break applied.

(*c*) Each engine shall be numbered, and the number shall be shown in a conspicuous part thereof.

(*d*) Each engine shall be fitted with a suitable fender to push aside obstructions; and with a special bell (or whistle, or other apparatus) to be sounded as a warning when necessary.

(*e*) Arrangement shall be made enabling the driver to command a full view of the road before him.

II. Every carriage used on the Tramways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exist from, and accommodation in such carriages, and for their protection from the machinery of any engine used for drawing or propelling such carriages.

III. The speed at which such engines and carriages shall be driven or propelled along the Tramway shall not exceed the rate of (eight) miles an hour, and the speed at which such engines and carriages shall pass through facing-points, whether fixed or moveable, shall not exceed the rate of four miles an hour.

IV. The engines and carriages shall be connected by double couplings.

V. Every engine running on the Tramways shall carry a lamp or lamps placed in a conspicuous position in the front of the engine, and such lamp or lamps shall be kept lighted from sunset to sunrise, and when there is a fog, and shall show when lighted a bright coloured light.

2. The President, Municipal Commission, Madras, the Public Works Department (Railway Branch), and the Government Solicitor are specially requested to report on the terms of the draft order before the 31st December next.

3. The draft order will also be forwarded to the Tamil, Telugu and Hindustani Translators to Government for early translation into the Vernaculars, and such translations will be published in the Gazette as soon as received.

(True Extract.)

J. F. PRICE,
Ag. Chief Secretary.

To Messrs. Wilson and King, Soliçitors, Madras.
,, the Presidents, Municipal Commission, Madras.
,, the Public Works Department (Railway Branch).
,, the Government Solicitor.
,, the Tamil, Telugu and Hindustani Translators to Government.
,, the Superintendent, Government Press.

Exd. W. H. French.

Order No. 967 R 14th November 1888.

Communicated to the Consulting Engineer for Railways for early report.

/True Extract/

/Signed/ C. J. Smith Col R.E.
Joint Secy. to Govt. P.W.D.
Railway Branch.

Govt. of {1888} Madras.

LOCAL AND MUNICIPAL.

Issued

Recd. Encl.

G.O., 20th October 1888, No. 1165 M.

OCTOBER.

Tramways.

Ordering the issue of a notification authorizing the construction of — in the City of Madras, and requesting the President, Municipal Commission, Madras, the Public Works Department, Railway Branch, and the Government Solicitor to report on the terms of the draft order before the 31st of December next.

To
The Cons. Engr. for Rys.

No. 967 R of 14-11-88.

1889.

P. W. DEPARTMENT.

Current No. 204

From
The Cons. Engineer
for Railways
Madras.

ENCLOS.—

No. 14
Dated 10" Jany 1889
Received 10 — do —

SUBJECT.

Note by the Cons: Engr. for Railways on the terms of the draft order authorizing the construction of Tramways in the City of Madras.

DISPOSAL.

No. 158 C Dated 14" Jany 188

Transferred to the Local & Municipal Dept. with reference to para 2 of G.O. in that Dept. No. 1165 M. dated 20" October 1888.

D 14/1

(Sd) K. A. Jopp Col. R. E.
Under Secy. to Govt. P.W.D.
Ry: Branch

Madras 22nd August 1889

3267 L

CHIEF SECRETARY
23 AUG 89
GOVERNMENT OF MADRAS

From.
Leighton & Co.
Madras

To.
The Hon. J. F. Price
Chief Secretary
to the Government of Madras
Ootacamund.

Sir,

We have the honour to inform you that, as Agents here of Messrs. John Fowler & Co. (Leeds) Ld, we are prepared to tender for the construction of Tramways in any part of the Presidency.

2. We learn from the newspapers that Government have now under their consideration the question of introducing these Tramways more extensively, and we beg to point out that no manufacturers can supply such reliable, as well as economical lines, as the firm which we represent. The Government has had, in the Forest department, a satisfactory experience of them. (x)

3. We have the honour also to point out that we shall be in an exceptional position for supervising the construction or working of any lines which the Government may require, because we have obtained provisional concessions from

from three District Boards for the construction of such as may appear remunerative, and we shall therefore have always on hand, a large supply of Permanent Way, Rolling Stock &c. and shall have in our employment skilled workmen capable of overcoming any engineering difficulties, and of attending to repairs &c.

4. We have every confidence in stating that the Government will find it most economical to order all the plant they may require from us, and to entrust us with the construction, repairs, and supervision of any tramways which are in contemplation.

We have the honor to be
Sir,
Your most obedient Servants.

Leighton Co

[9]

LOCAL AND MUNICIPAL DEPARTMENT.

3262 L

From Messrs. Leighton & Co
Madras

No.

Dated 22nd August 1889
Received 26th August 1889
Enclosures

SUBJECT.

Tramways

Stating that it will be most economical for Government to order all the requisite plants from them & requesting to entrust them with the Construction, repairs and supervision of the —— in contemplation in the Presy.

(With Endorsement)

For

---

733 L 15.6.89

Enc 1

~~P.W.C. No 8573~~
944/90

R/13.9.89

E1

No. 715

Transferred to the Public Works Department (Railway Branch)

C S Hodgson
Assistant Secretary

13
30/8/89

Fort St George
2/12th September 1889

R. V.R.J.

3706 L

To
The Public Works Dept. (Railway Branch)
No. 4438 C of 4th October 1889.

Reenclosed to the Local and Municipal Department with a request to be informed whether District Boards are empowered to grant provisional concessions as stated. Enquiry is also made as to what Messrs. Leighton & Co. refer.

V.R.J. ospp. Col R.E.
Under Secy. to Govt. P.W.D. Ry. Branch

28/8 26/9

PUBLIC WORKS SECRETARIAT,
RAILWAY BRANCH.

OFFICE NOTE.

Station ———— date ———— 188 .

From D,

To

This letter from Leighton & Co. appears to call for no off. Are the District Boards empowered to grant "provisional concessions"? I would obtain the opinion of the Hon Member on this point.

C.H.
20.9.9

District Boards are not empowered to grant provisional concessions as stated. I have no knowledge of any such. Enquiry should be made in L & M. Dept. & it should be ascertained to what Messrs. Leighton & Co. refer.

HES
25 Sept

Ss 23/9
D,

Forward to L & M Dept. with memo — V.R.J. 26/9.

The Hon'ble Mr H E Stokes C.S.

PUBLIC WORKS SECRETARIAT,
RAILWAY BRANCH.

Station ———— date ———— 188 .

OFFICE NOTE.

The enclosed papers with E.R.'s note to D, are forwarded for the favor of any remarks the H.M. may wish to make.

V.R.J.
23/9.

as stated. Enquiry is also made as to what Messrs. Leighton & Co. refer.

(Sd) K. A. Jopp. Col. RE
Under Secy: to Govt P.W.D
Ry. Branch

D 4/10

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Local and Municipal Department.

Chief Secretariat, Madras.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper :—

Endorsement of the Public Works department, Railway Branch, dated 4th October 1889 No. 4438 C on letter from Messrs. Leighton & Co. Madras, dated 22nd August 1889 requesting to entrust them with the construction, repair and supervision of the Tramways in contemplation in the Presidency.

Order thereon dated 16th October 1889 No. 2396 L Mis

Messrs. Leighton and Co. will be requested to intimate to Government the names of the three District Boards, from which provisional concessions for the construction of lines of tramways have been obtained by them.

(True Extract)

Asstt. Secretary.

C.S.1
24.10.9

To
Messrs. Leighton & Co. Madras.
" Public Works Deptt.
(Railway Branch)

P.V.

158 Coll 14-1-89
967 R of 14-11-88

1889.

P. W. DEPARTMENT.

Current No. 8573

From The Local & Municipal Deptt

Enclos.—1

No. 715

Dated 12-9-1889

Received 13 -- --

SUBJECT.

Transferring letter from Messrs. Leighton & Co. Madras stating that it will be most economical for Govt to order all the requisite plants from them and requesting to entrust them with the construction, repairs and supervision of the Tramways

---

DISPOSAL.

No. 4438C Dated 4th October 1889

Reinclosed to the Local and Municipal Department with a request to be informed whether District Boards are empowered to grant provisional concessions

7/10

Govt. of (188) Madras.

To

Proceedings, dated 188 ,

No.

Subject.

PWC No. 10.018

Govt. of 1889 Madras.

Local and Municipal Department.

To

The P.W. Deptt.
Railway Branch

Recd: 24. 10. 89

Proceedings, dated 16th October 1889

No. 2396 L/Mun.

Subject.

Requesting Messrs. Leighton & Co. to intimate the names of the three District Boards from which provisional concessions for the construction of lines of tramways have been obtained by them.

P2/

Confidential.

Public
~~Public Works~~ Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Minute by His Excellency the Right Honorable the Governor on his ninth tour.

Order 21st October 1889 No. 838 Mis.

Communicated to the Local and Municipal, Judicial, Public Works, Educational and Revenue departments for consideration of the points noted in His Excellency's Minute.

(True Extract)

(Sd.) Frederick Price.
Chief Secretary

No. 4869 C.

944
Sec 31-1-90

Sir

Messrs Leighton & Co's letter has not been returned with this G.O. — Please say if this may await reply from Messrs L & Co.

V.L.
25/10

Yes

Sir

I have not received a copy of H.E.'s Tour [illegible] with these papers.

E.L.

25/10

[illegible]

will [illegible] it

No. 4869 C.

Government of Madras.

PUBLIC WORKS DEPARTMENT.

Madras, October 25, 1889.

OFFICE NOTE.

From

W

To

R
C.
25.10.89

A copy of G.O. dated 21-10-89, No. 838 Mis., Public, with a copy of H.E. the Governor's Tour minute, is forwarded with reference to the address of the inhabitants of the Tranquebar district.

Rhodes

25.10.89 W

(Tour Extract) Trichinopoly
the Presidency first
Presidency

Extract from the Minutes of Proceedings of the District Board, North Arcot, passed at their Meeting held on the 11 December 1888, at Chittoor

486 / C

Sir,

Please say what action you intend taking on this paper. —

V.L.
12/11

The Agent reports that in his H.E. [illegible] in connection with Mr. Nayudu [illegible] Mr. Leighton, who has been asked to report [illegible] his reply [illegible] when received.

C.L.S.
13. 11. 88

Sir, Reminded [illegible] — Mr Leighton's reply has [illegible] received. V.L.

Await reply

Vice President for President

Extract from the Minutes of Proceedings of the District Board, North Arcot, passed at their Meeting held on the 11th December 1888, at Chittoor

Present

1. W. J. H. Le Fanu Esquire Collector of North Arcot President
2. M. R. Ry. A. Krishnaswami Aiyar Avl. Rao Bahadur, Vice President and Treasury Deputy Collector North Arcot
3 —— " —— Narayanaswami Aiyar Avl. Rao Sahib Special Deputy Collector North Arcot
4 —— " —— T. Janakirama Aiyar Avl. "
5 —— " —— Venkiya garu "
6 —— " —— Soobramonia Reddi Avl. "
7 —— " —— Balakrishna Naidu Avl. "
8 —— " —— Soobramonia Aiyar Avl. "
9 —— " —— Gopalakrishna Nachettigaru "
10 —— " —— T. Ramaswami Iyer Avl. "
11 —— " —— Visvanatha Sastri Avl. "
12 —— " —— Venkatramanjam Naidu garu "
13 —— " —— Somasundra Naidu Avl. "
14 Hakim Badrudin Sahib, Khan Sahib
15 Mir Mohiddin Alli Khan Sahib —— " ——
16 Syed Abdul Khader Sahib Razani —— " ——
17 Potel Mohamed Usman Sahib —— " ——
18 Banghy Abdul Khader Sahib —— " ——
19 M. R. Ry. K. Narasimha Aiya Garu Rao Sahib

* * * *

8. Read application dated 28th September last, from Mr D. E. W. Leighton, Agent of Messrs. Fowler and Sons requesting permission to prospect for a tramway worked by steam to run on the Boards road

understanding on these minor points

(True Extract)

Vice President for President

from Arcot Railway Station to Ranipet, Arcot and Arni and also enquiring whether the Board will guarantee 2½ per cent interest on the Capital Cost of the line and whether the Board will allow 6 months' time for elaborating proposals, meanwhile undertaking not to enter into negotiation with any other Company for the Construction of the said tramway. Read also Mr Leighton's letter dated 23rd November last.

Read also the Communications received from the Presidents of the several Taluk Boards on the subject and the Minutes of the President, District Board on Mr Leighton's application.

The Proposal of the President is as follows:—

Mr D. E. W. Leighton, as agent for Messrs Fowler and Sons, has asked me whether the Board would permit him to prospect for a tramway to run on the Board's roads from Arcot Railway station to Ranipet, Arcot and Arni and on intimation by him of details of working &c. would guarantee 2½ per cent interest on the capital cost of the line. I would suggest that the Board should inform Mr Leighton that they are willing to accede to his proposals for prospecting and would be prepared, if his estimates are approved to guarantee, with the Sanction of Government, 2½ per cent interest on the cost of the line. The Board might also allow Mr Leighton 6 months for elaborating his proposals undertaking in the meantime to enter into no negotiation with any other Company for the Construction of the tramway referred to.

The Board approve the same with this exception. They wish it to be distinctly understood that they cannot commit themselves to guarantee interest on the Capital cost of the line until they know exactly how much the Capital will amount to. When this has been Communicated to the Board, they will be prepared to consider the question of guarantee favorably if it is within their means. Some further details, such as the question of the restoration of the road to its original condition in Case the tramway should be abandoned, should also be settled before any final agreement is come to. Mr Leighton should understand that the Board before Committing itself finally would require a complete understanding on these minor points.

(True Extract)

Vice President for
President

P W Ins 8

944/90

1/4637 L

Ref. on Govt. L. F. No. 317 of 1889

No.

NORTH ARCOT DISTRICT BOARD'S OFFICE,

Chittur, 7th December 1889

4637 L

FROM

W. G. H. Le Fanu Esquire

President, District Board,

North Arcot.

TO

THE CHIEF SECRETARY TO GOVERNMENT,

Fort Saint George,

Sir,

With reference to G.O. dated 25th November 1889 No. 2722 L. Mis, I have the honor to forward herewith a copy of the resolution of the District Board passed in connection with the proposal of Messrs. Leighton and Co. to be allowed to prospect for a light line of tramway from Arcot Railway Station to Ranipet, Arcot and Arni, and to state that the District Board have not committed themselves to any of Mr Leighton's proposals. Their resolution is that "they cannot "commit themselves to guarantee "interest on the capital cost of "the line until they know exactly "how much the capital will "amount to. When this has been

"Communicated to the Board, they
"will be prepared to consider
"the question of guarantee favorably
"if it is within their means."

2. The District Board's proposal to consider Mr. Leighton's request was further subject to intimation by him of certain minor details connected with the question and the Board have distinctly stated in the same resolution that any concessions that might be granted to him would be subject to the sanction of Government

3. The only undertaking which the District Board gave Mr Leighton was that they would not entertain proposals for the said tramway from any other person for a period of 6 months - That period has long elapsed and the Board are under no agreement of any kind to Mr. Leighton. At the same time I believe that the Board would gladly see a tramway or light railway running on the line in question and I was under the impression that a similar proposal in Tanjore had been approved by Government several years ago.

I have the honor to be
Sir
Your most obedient
servant

Vice President for
President

D.

From W. J. H. Le Fanu Esqr
President District
Board
North Arcot

46572

1810 Inc 7
944/90

To The Chief Secretary
to Government
Local and Muni-
cipal Department

Station Chittoor
Dated 7th December 1889
Refaught L. F. 317 of 1889
Enclosure 1

UNDER SECRETARY
8 DEC 89
PUBLIC ETC DEPT

Subject

Reporting on G. O. dated 25th November last No. 2722 L. Mis, that the District Board are under no agreement of any kind to Mr Leighton in Connection with his proposal to be allowed to prospect for a light line of tramway from Arcot Railway station to Ranipet, Arcot, and Arni.

13/12

Proceedings of the District Board Tanjore
dated 7th November 1888.

Present.

E. Gibson Esquire President

Members.

1. M. R. Ry Krishnasami Aiyar avl. Rao Bahadur Deputy Collector, Vice President
2. " T. Pattabirama Pillai avl. Rao Sahib Deputy collector, Patukota.
3. " Veeriah Vandiar avergal Rao sahib of Poondi
4. " Andapillay chettiar avl. Rao Sahib
5. " Doraisami Mooppanar avl. Do
6. " Alaga Pillay Avergal Do
7. " Thoppiah Pillay Avergal Do
8. " Vadamalai Pillay avergal Do.
9. " Vaithilingam Pillay " Do.
10. " Narayanasami Aiyar " Do
11. " Sami Aiyar Avergal Do
12. " Venkatarama Aiyar avl. Do

1. Read letter from Mr. D. E. W.

Leighton, Madras dated 27th September 188 offering to make proposals for the Construction of Light Lines of Railway on existing roads in the District.

The District Board are not prepared to accept the proposals made by Mr Leighton as they stand.

2. They are however willing to afford him information regarding the traffic between Tanjore and Tiruvadi and to grant to the firm which he represents a concession to construct a tramway and to work it on the road between these two places subject to such future arrangements as may be agreed upon as to the regulation of traffic.

3 The District Board are not prepared to guarantee interest on the undertaking nor to undertake to give Mr Leighton any promise that his firm shall have a monopoly of tramway throughout the District.

5. The Board are of opinion that the tramway should commence from the Tanjore Railway Station and as regards the use of roads within Municipal limits, Mr Leighton should communicate with the chairman of the Tanjore Municipality. Similarly as regards a line from Negapatam to Nagore which form one Municipal town he should apply to the Chairman of the Municipality of Negapatam.

x x x x x

(Signed) E. Gibson
President

(True Extract)

President

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Ina letter

From
The President
District Board
Tanjore
To
The Chief Secretary
to Government
L & M. Deptt.
Madras.
Dated 21st December 1889.

No. 379

Extract from the
Proceedings of the
District Board Tanjore
dated 7th November
1888 No. 1.

Proceedings of the District Board, Madura, passed at the special Meeting held on the 17th November 1888.

Resolution No. 165 of 1888

Read letter from D. E. W. Leighton Esquire, Madras, dated 3rd November 1888, regarding the construction of a Steam Tramway line on the Ammayanayakanur - Periyakulam Road.

Read also letter from the Local Fund District Engineer, Madura No. 3710 dated 8th November 1888, offering his remarks on the subject.

The Board resolve to permit Mr. Leighton to make necessary local investigations in connection with the construction of a Steam Tramway line between Ammayanayakanur and Periyakulam and request him to submit a complete report on the results of the investigation within six months. Should the Board on such report, feel satisfied as to the feasibility of the line, they will finally decide on its construction by the company he represents, and guarantee interest at 2 1/2 percent on the capital expenditure in laying out the side line, subject to the approval of Government. The Board will of course not in the meantime enter into negotiation with any other company in respect of the construction of the abovementioned line. But this is not to prevent them from negotiating with any other companies in regard to any other light railways

in

in the District.

(True extract)

V Rajagopalachary
for President.

BM

P.W. Enc 4
944/90

Enclosure in letter No. 286
28·12-89

1/6 L

Tanjore Presidents Office
No. 379 Vallam 21st December 1889

4779 L

From. W. A. Happell Esquire
President District Board
Tanjore.

To. The Honorable J. F. Price
Chief Secretary to Government
Local & Municipal Dept.
Madras.

Sir,

With reference to Government order No. 2722 L. Mis: dated 25th November 1889, I have the honor to forward copy of the District Board's Resolution No. 1 dated 7th November 1888, on the subject of laying tramway between Tanjore and Tiruvadi by Messrs Leighton and Company. In accordance with this Resolution, Mr Leighton was furnished in furnished with the information relating to Traffic, Condition of Road &c."

2 The District Board has not granted provisional Concession to Construct the Line though it expressed in the Resolution above quoted its willingness to grant the Concession applied for.

3 Up to date, the Subject has not been finally Considered and disposed of.

I have the honor to be,
Sir,
Your most obedient Servant

President

4772L

p.u. Inc 5
944/90

1889
L. F. Department.

23 DEC 89

22 DEC 89

From
The President
District Board
Tanjore

To
The Chief Secretary to
Government
L. & M. Deptt
Madras.

Dated 21st }
Received } December 1889.

No 3701

Enclosure one.

Stating that no provisional concession has been granted to Mr Leighton for opening a Tramway between Tanjore and Tiruvadi and enclosing a copy of the District Board's Resolution on the subject.

7/1/90

No 286

Distt Board Office,
Madura
28th December 1889.

6 L

From.
E. Turner Esquire,
President, District Board,
Madura.

To.
The Honorable J. F. Price,
Chief Secretary to Government,
Local and Municipal Depatt
Madras.

Sir,

With reference to G. O. No 2722, dated November 1889, L. Misc., I have the honor to forward herewith a Copy of the District Boards' resolution No 165 dated 17th November 1888 from which it will be seen that the Board have made no formal and final Concession to Messrs Leighton and Co regarding the Construction of a tramway from Ammayanayakanur to Periyakulam, and that even the provisional promise to Consider the report when submitted favorably and to guarantee interest at 2½ per cent if the scheme is found to be feasible, is safeguarded by the proviso that it is subject to the approval of Government.

2. I beg also to refer to para 91 of the current year's budget report as well as to para 5 of G. O. No 584 dated 13th March 1889 wherein

wherein this subject has been brought to the notice of Government and approved of by them.

8. Messrs Leighton and Co have not yet submitted their report.

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

P.W. Pr's
964/90.

Local and Municipal Department.

CHIEF SECRETARIAT. MADRAS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ ~~the following paper :-~~ again

G.O. dated 16th October 1889. No. 2396. L. Mis, &

G.O. dated 25th November 1889, No 2722 L. Mis, requesting the Presidents of certain District Boards to state the authority under which provisional concessions for the construction of Steam Tramways have been granted by their Boards to Messrs Leighton & Co. and to report the terms of the concessions.

Read also letter from the President District Board North Arcot dated 7th December 1889, Ref. on Govt. L. F. No. 317 of 1889,

Letter from the President District Board Tanjore dated 21st December 1889. No. 379 and

Letter from the President District Board, Madura. dated 28th December 1889. No. 286

Order thereon, dated 28th January 1890 No. 142 L. Mis

The letters read above will be transferred to the Public Works Department (Railway Branch) with reference to its endorsement No. 4438 C dated 4th October 1889, with the remark that

that District Boards are not empowered to grant provisional concessions for the construction of tramways without the approval of Government.

(True Extract)

A. Butterworth.

Ag: Assistant Secretary

To

The Public Works Department, Railway Branch with endorsement returned and 3 currents in original.

" Presidents, District Boards of North Arcot, Tanjore and Madura.

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

30th January 1890

READ the following :—

Local & Municipal Department G.O. No. 142 L. Mis dated 28th January 1890.

FOR ORDERS.

C. J. Smith Colonel R.E.

Jt. Secy: to Govt. P.W.D. Ry. Branch

The paper [illegible] is [illegible] Stand Leighton & Co's letter of the 22 Augt. It suffices to record it

Wes
1 Feby

Record the letter for Mr. Leighton

CJS
3. 2. 90

[illegible]

FOR ORDERS.

Hue 31-1-90 R 3-2-90.

Govt. of {188} Madras.

To

Proceedings, dated 188 ,
No.

Subject.

P.W. C. No. 944.

Govt. of (1890) Madras.

Local and Municipal Department.

P.W.C. No. 10,018

No. 4438C d/ 4-10-89
" 158C " 14-1-89
" 967R " 14-11-88
" 4869C " 25-10-89

To

The P.W. Deptt (Railway Branch)

Recd 30-1-90
Enc. 8

B

No. 178 R of 4th Feby 1890.

Recorded.

C.S.S.
4.2.90

R.

Proceedings, dated 28th January 1890
No. 2142 (mis)

Subject.

Transferring with remarks papers regarding the construction of tramways in North Arcot, Tanjore and Madura districts.

B

No. 178R of 4th Feby 1890.

12/2

14/2

Ham. 31-1-90 R 5-2-90.