M.R.O. 1—77,000—8-6-37.

(1) Number of pages 42.

(2) Date of repair 7-40.

(3) Initials of the Reference

MADRAS RECORD OFFICE.

Government of Madras.

General DEPARTMENT.

G.O. No. 1291. Press Mrs.

8-9-

Dated 6 — 8 — 1874.

2/82

Not to be folded or roughly handled

No. 8. Read the following letter from A. McC. WEBSTER, Esq., Acting Collector of Vizagapatam, to the Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Vizagapatam, 10th July 1874, No. 999:—

As directed in paragraph 3 of the Order of Government, dated 1st May 1874, No. 747, Financial Department, I have the honor to report that I proceeded to Bimlipatam in order to try to effect a compromise with reference to the future management of the hospital at that place.

2. I found that the misunderstanding had unfortunately proceeded so far that it was almost hopeless to expect to bring all the subscribers to agree to any one scheme for the management of the institution under the present system of an Hospital Committee. Some of the principal subscribers did not recognise the present Committee, alleging that they had been improperly elected, and would not attend a meeting if summoned by the Chairman. I considered it advisable, therefore, to call as Collector a meeting of the subscribers, in order to ascertain, by personal conference, what were their real wishes with reference to the management of the institution. Government will remember that two meetings were recently held, at which the resolution of the first was rescinded by the second meeting.

3. There are fifty subscribers entered in the Hospital Books, the monthly amount of the subscriptions being Rupees 185. My notice convening the meeting was seen by forty-five subscribers, the rest being absent from the station at the time.

4. I regret to have to report that the meeting was attended by only two members of the Hospital Committee, the rest including the Chairman not attending. I had both verbally and in writing informed the Chairman Mr. Harden of my reasons for calling the meeting, and had pointed out to him how necessary it was in order to enable me to submit my report to Government that they should state their view of the case at the meeting.

5. The meeting was held on the 2nd June, and, although a large majority of the subscribers who attended were in favor of handing over the hospital to the Municipality, I thought it advisable to adjourn it until the following day, in order to enable any other subscribers who might desire it to attend. After this first meeting I received a letter from the Chairman of the Committee asking me to postpone the meeting for a few days, in order to enable him to consult the other members of the Committee and to convene a General Meeting at which he requested my attendance. I considered it unadvisable to do so, more especially for the reason, which, as stated in paragraph 2, led me to convene the meeting, and because the meeting which I had as Collector convened, would or ought to be free from all the unfortunate heart-burnings which have rendered the calm discussion of the subject so difficult.

6. The meeting was attended by twenty-five subscribers whose subscriptions amounted to Rupees 85 per mensem. The Manager of His Highness the Maharajah of Vizianagram was unable to be present, but I had personally ascertained his wishes in regard to the future management of the hospital which were that it should be handed over to the Municipality.

7. At the meeting eighteen subscribers whose subscriptions amount to Rupees 62 per mensem voted for the hospital being handed over to the Municipality under Section 15 of the Act. Four subscribers representing a monthly subscription of 4 Rupees were in favor of the hospital remaining under the Committee, and three subscribers paying 18 Rupees a-month did not vote. Including His Highness the Maharajah's Manager, the proposal to hand the institution over to the Municipality is supported by nineteen subscribers paying Rupees 112. The two members of the Committee who were present voted with the majority.

8. I asked the meeting whether any compromise under which the hospital might be kept distinct from the Municipality was possible, but the gentlemen who favored me with their opinion considered that no such compromise could be effected, and that the only means of preventing this once useful institution from utterly collapsing was to hand it over bodily to the Municipality. This is, I believe, the best way out of the difficulty, and I beg, therefore, to support Mr. Daniel's recommendation to that effect. The only doubt I have is whether the Government have the legal power to do so.

9. The hospital is certainly in some way a private institution, but there is no trust deed or articles of association specifying the manner in which the institution is to be governed. Government paid half the cost of building the hospital, and has since paid Rupees 50 per mensem in order to secure the benefits of the institution for the public servants stationed in the town. It appears also from Mr. Ripley's letter, published in the Proceedings of Government under reply, that, from 1862 to 1866, the old Municipal Association laid out Rupees 5,097 on the hospital, so that, while it cannot be said that the hospital is entirely a public institution, it cannot be held to be entirely private. I believe that Government have the power of interfering, but if any doubt on this point exists, I would suggest that the opinion of the Advocate-General be obtained as to whether the institution can be handed over to the Municipality under Section 15 of the Act. The majority of the subscribers as I have before said wish it, but their wishes were expressed at a meeting which was convened by me as Collector, and the resolution arrived at can, therefore, only be taken as showing what the public feeling in the town is with reference to this question.

10. If Government do not feel it necessary to take this extreme course, I trust that they will see fit to support the action of the Municipality in withdrawing their subscription. Their refusal to pay, as Mr. Daniel remarked, savored of dictation, but as they have now paid up the arrears, I hope that Government will not force them to continue to pay towards the support of an institution of the management of which they disapprove.

11. I should have submitted this report long ago, indeed most of it was written a month ago, but I thought it advisable (although the Chairman and members of the Hospital Committee had not attended the meeting) to send them a copy of the resolution arrived at and to request their opinion thereon. I have only lately received their reply, of which I enclose a copy, and have made some remarks in the margin. I have requested further information with reference to certain statements contained therein, but as I have up to this time received no

reply, I presume that none will be sent, and will not, therefore, delay the submission of this report any longer.

12. In conclusion, I feel bound to remark that I have received no assistance whatever from the Chairman and members of the Hospital Committee in the consideration of this question. Had they attended the meeting I convened, there might have been some chance of an amicable arrangement being arrived at, but they abstained from attending because as they now say "their sensibilities were offended." I cannot, however, but think that resentment of any Government interference whatever had a great deal to do with their refusal to attend. I purposely worded the notice convening the meeting as vaguely* as possible, in order to give no one any ground of offence, and I cannot admit, therefore, that they were in any way justified in holding aloof, or in treating with such marked discourtesy and "passive resistance" the officer deputed by Government to report on the case.

* To take into consideration the future management of the hospital.

P.S.—After I had sent the above letter to the office to be fair copied, I have received the reply of the Chairman of the Hospital Committee to my letter requesting further information. Considering the tone of the letter, I abstain from making any remarks thereon.

From J. HARDEN, Esq., Chairman of Bimlipatam Hospital Committee, to A. McC. WEBSTER, Esq., Acting Collector of Vizagapatam, dated Bimlipatam, 30th June 1874.

In reply to your letter, No. 825, of the 9th instant, the Committee of the Bimlipatam Hospital desire me to give expression to their opinion that nothing has occurred to make it more desirable now than it has been for the last four years that the hospital should be handed over to the Municipality; that their very existence as a Committee is due to the persistently recorded vote of the majority of subscribers to that effect, when fairly and regularly convened in public assembly; that the public meeting to which you refer was in the first place irregularly convened and was so convened as to offend the sensibilities of the entire Committee, and of a large number of subscribers, and induce* them to abstain from attending; that the present Committee were appointed† in a regular and formal manner for a period of one year; and that it is not competent to the subscribers in the meantime to hold another meeting, dismiss them and hand the hospital over to the Municipality except for gross neglect of duty; that‡ on the expiry of the term of the present Committee, it will be open to the subscribers to hit upon the best plan of managing the hospital, but that there is not sufficient reason for the interference of Government with regard to the management of the hospital.

* With reference to this remark, I requested Mr. Harden to inform me if there ever had been a more unanimously attended meeting than the one convened by me. He has not replied, but I am informed that there has not.

† This is denied by some of the subscribers.

‡ It may be best to allow the present management to continue for this year, but I doubt whether many members would attend the next annual meeting, as they do not admit the legality of the constitution of the present Committee, by whom the meeting would have to be convened.

2. Referring to the Proceedings of Government which you have now sent us, No. 747, dated 1st May 1874, I have the honor to remark that notice has been taken of certain correspondence addressed to Mr. Daniel by the Vice-President of the Municipality, in which the present management of the hospital is condemned, and the consequent withdrawal of the Maharajah's and Messrs. Arbuthnot and Co.'s subscriptions is alleged, and while remarking that the Municipal body is competent to form an opinion on such a matter, Government desires the Collector to proceed to Bimlipatam for the purpose of inquiry. I have the honor to submit that to carry out these wishes of Government, opportunity should have been taken to ascertain how far these assertions of the Vice-President

are borne out by facts, and if the management is not inefficient to find out what is the real meaning of the municipal hostility. Had the Committee been consulted, they could have shown that public confidence in the institution, which is the real criterion of efficient or inefficient management, is not only falling off, but steadily increasing; that the Maharajah's threatened withdrawal was not a voluntary* act, but the result of municipal representations; and that the alleged withdrawal of Messrs. Arbuthnot and Co. was not a fact,† also that expenditure is not in excess of receipts as has been asserted. As the Committee were not consulted on any of these points, and no inquiry could be complete without it, they presume that no inquiry was instituted.

* This is a bare statement not explained in any way. The Diwan of the Maharajah told me that both he and the Maharajah wished the hospital to be handed over the Municipality.

† Both Mr. Mackie and Mr. J. W. Arbuthnot told me that sooner than see the hospital remain on its present footing, they would withdraw their subscriptions and keep a medical subordinate of their own at their Factory at Chittivalsah.

3. In the opinion of the Committee, the real position of the question at issue between subscribers and the Municipality appears to have been lost sight of in the recent proceedings, and they wish me to give a short *resumé* of facts for your information.

4. The hospital was first started by the residents of Bimlipatam in January 1863 by private subscriptions, the Government having lent the services of an East Indian Assistant Apothecary, whose pay and allowances were paid wholly by the subscribers, and promised to meet a moiety of the cost of erecting a Civil Dispensary.—See Government Proceedings, Public Department, dated 22nd July 1862, No. 866, and 24th November 1862, No. 1376. From January 1863 to F[illegible]uary 1865, the hospital affairs were managed by the subscribers themselves, but in that month the Chairman of the Committee, Mr. E. Pernon, having occasion to be absent from the town for some-time, the management of the hospital was placed in the hands of the old association of the Bimlipatam Municipality as a temporary measure.—See the accompanying resolution of the hospital meeting marked A.

5. Up to 1864 Government servants in Bimlipatam were charged by our Apothecary for medical attendance. To secure free medical aid to all of them the Government offered to pay Rupees 50 per mensem to the hospital, and on the subscribers accepting, the Government confirmed the offer and sanctioned the payment in their Order, dated 5th September 1864, No. 1011, which runs as follows: "Resolved accordingly that a grant of Rupees 50 per mensem from the 1st September 1864 be made towards the salary of the medical subordinate in charge of the Bimlipatam Hospital, on the condition that his services be always available for Government duties."

6. In 1869 the Government having increased the pay and allowances of all medical subordinates, our Apothecary was also promoted, his pay being raised from Rupees 75 to Rupees 120. It was, therefore, thought necessary that the subscribers should strive to increase the receipts and place the hospital on a more proper and respectable footing. This and some other reasons induced them to resume the charge of the hospital affairs, which they did in October 1869. In the resolution passed at the first meeting of the Hospital Committee after they had so resumed charge, occur the following words: "Resolved that every exertion be made by the Committee to increase the receipts."

7. In a letter, dated the 1st November 1869, addressed by the Chairman of the Hospital Committee to the Collector of Vizagapatam, he had fully informed him of the state of affairs as they stood at the time. A portion of paragraph 8 of the letter may be quoted here with advantage:—

"In conclusion I may say we quite understand our position, and no exertion on our part will be wanting to obtain more support; the Committee are also most anxious to make the hospital more useful. At present the medical officer lives in the hospital, this we consider objectionable, for he will naturally do all he can to keep out all persons suffering from contagious diseases. Our idea is to have wards for Europeans, females, high and low caste Natives, also for the Police, and to engage a separate house for the medical officer and family. This will entail an

extra expenditure of some Rupees 80 to Rupees 100 a-month. Our receipts will have to increase so much."

8. This will clearly show you what was the state of the hospital when it left the municipal charge. Since that the Hospital Committe have been able to increase the monthly subscriptions from Rupees 141 to 293* and to build a separate house for the residence of the Apothecary, cost Rupees 3,276-4-1, and a deadhouse at a cost of Rupees 538-4-7 = Rupees 3,814-8-8.

* I saw the Subscription Book for May and the subscription (excluding Local Fund and Municipal payments) [illegible]. I have asked Mr. Harden to explain this, but he has not replied

9. The Apothecary having been since promoted by Government to first class, his pay was raised to Rupees 200, and the Committee have managed to meet this increased expense. The following remarks made by Dr. Blacklock, Deputy Inspector-General, Indian Medical Department, in the Visitors Book, when he visited the hospital in April 1872, will convince you of the manner† in which the hospital was managed by the Committee:—

† The dispensary must have fallen off very much from this state of perfection, for when I visited it, the compound was dirty, the latrines had an offensive smell, the instruments were rusty (and the Apothecary in charge told me he was not responsible for them, as he had never taken charge of them), and some of the female patients were lying on mats on the floor, also one room was used as a store for the sale of liquor and oilmanstores.

"I have very carefully examined this dispensary and hospital, and am much pleased and gratified by the fine condition of every part of the institution. Everything is exceedingly clean and well-cared for, the medicines and instruments are abundant and of excellent quality and well preserved. The bedding is also very good, and the supply of diet and sick comforts most liberal. I feel I cannot say enough in praise of the dispensary and of its management by the Committee."

10. In the last official year our receipts were Rupees 9,208, and expenditure Rupees 8,591. In May last the number of in-patients treated was twenty-two; that of out-patients was 985. Upon this evidence I have no doubt you would be convinced that there was nothing to be found fault with either with this Committee or that which had preceded it; also that the Municipality has no right to claim the management or a preponderating voice in the hospital, and that they had no power to withhold payment of a moiety of the Government grant as they did, as long as our Apothecary attended the Government duties.

		Rs.
Balance on hand, 1st April 1873	... ...	1,314
" " 1st June 1874	... ...	1,520

11. I will now proceed to explain why the Municipality have taken a hostile attitude towards the Committee, which has resulted in the recent proceedings referred to in your letter under reply.

12. On 23rd October 1869, before handing over the hospital to the subscribers, the Municipal Commissioners passed a resolution without the concurrence of the subscribers that the Hospital Committee should consist of five members, of which three should be Municipal Commissioners and two subscribers. But this was never acted upon. One of the three members appointed by the Municipality having left Bimlipatam immediately after election, only four members were left on the Committee, of whom two were Municipal Commissioners and two subscribers. Three more members were, therefore, added to the Committee from the subscribers, thus the Committee consisted of two Municipal Commissioners and five subscribers.

13. On the 28th April 1871, the Chairman of the Municipal Commissioners addressed a letter to the Chairman of the Hospital Committee annexing extract from a letter from the President of the Municipalities in the District, asking that the management of the hospital might be made over to the Municipal Commissioners from the 1st May 1871; the letter was laid before a Committee formed by these gentlemen—Messrs. Hyslop, Mackie, Agent to Messrs. Arbuthnot and Co., E. Pernon, and Captain Graves—and they resolved as follows:—

"Read letter from Chairman of a meeting of Municipal Commissioners. Resolved that, as the Bimlipatam Hospital is a private institution, this Committee decline to make it over to the Municipality. Captain Graves dissents." This latter gentleman was then President of the Municipal Commissioners. Subsequently at a general meeting of subscribers held on 17th April 1872, when

Messrs. D. Mackie, E. Pernon, R. Pernon, Graves, Hyslop, and Bellis among several others were present, it was proposed by Captain Graves that three members be elected by the Municipal Commissioners and three or four by subscribers, but it was not carried, four being for and fifteen against, of whom Mr. Mackie was one; consequently Messrs. E. Pernon and Graves, Municipal Commissioners who were elected by the subscribers, refused to serve on the Committee.

14. On the 29th August 1873 a general meeting of subscribers was held, at which Captain Graves of the Municipality had proposed that the hospital be placed under the Municipality, but the proposition was rejected. It was then proposed by Mr. Elsworthy, a subscriber, that a Committee of six be elected, two of whom must be Municipal Commissioners; this was carried, but Messrs. Pernon and Pereaux, the Municipal Commissioners who were elected by the subscribers, refused to serve.

15. Early in the following September comes an extract from minutes of a meeting of Municipal Commissioners, resolving that, until a Hospital Committee be appointed on the basis of the municipal resolution of the 23rd October 1869, by which the Municipality was to select three Commissioners to be on the Committee, the present monthly grant of Rupees 25 be withheld. A general meeting of the subscribers was, therefore, held again on the 12th September 1873, at which the Chairman put to the meeting "whether Resolution II of last meeting requiring that two members of the Committee should be Municipal Commissioners should be confirmed or negatived;" and it was unanimously resolved that it should be negatived, only Mr. Pereaux declining to vote. Mr. Irwin, the Bank Agent, who was also present, remarked that, after this evidence of the determination of the Municipality to attempt to force the management into their own hands, he would vote that a Committee should be elected without reference to the Municipality, if only to maintain their liberty.

16. With regard to the withdrawal by the Municipality of a moiety of the grant paid to the hospital by the Government, in consideration of Government duties performed by our Apothecary, the Committee made an appeal to the Collector stating that the Municipality were merely trustees of public funds, and that they had no power without the sanction of Government to cancel a contract entered into between the subscribers of the hospital and the Government. But he did not readily upset the municipal order, but proposed to the Committee a compromise as the best way of reconciling conflicting interests, and they, in reply, expressed their willingness to consider any proposal of the kind, but inability to do so as long as the Municipality maintained its hostile attitude.

17. A meeting of subscribers was convened for the 25th March 1874 to elect a new Committee for 1874-75, but unfortunately the attendance was very small, only seven subscribers being present, of whom three were Municipal Commissioners and one their Secretary. The Commissioners took advantage of it, and proposed that the hospital should be handed over to the Municipality, and the proposal was carried. But when the other subscribers came to know it, they lost no time in gathering together and cancelling the resolution passed at the previous meeting. Thirteen subscribers attended at this meeting, and four for and fourteen against the said resolution. The present Committee was appointed by subscribers at the meeting. I beg, therefore, to remark that the recent* meeting referred to in your letter not being convened through this Committee, it was not very proper, and the fact of some of the subscribers who had voted against the resolution of the 25th March on the 31st idem, recalling the vote at the recent meeting and voting for the hospital being made over to the Municipality, manifests that they were influenced by the municipal bias, and that what was registered at that meeting was not a free popular opinion.

* I have explained my reasons for calling a meeting as Collector, and I do not see how the meeting could have been "influenced by municipal bias." Mr. Harden and the members of the Committee abstained from attending and stating their side of the case, and it is idle in them now to come forward and say the meeting was biassed.

18. Now the restitution of Government subscription, with arrears to date, has removed all objection to a fair consideration of the Collector's proposed compromise, and had judicious advantage been taken of the fact, there was no reason why an amicable arrangement should not have been† arrived at. But the last action of the Municipality in exceeding all their former

† Mr. Harden and the members of the Committee did not help to come to an amicable arrangement. Had they been present some arrangement might have been proposed by them and accepted by the meeting.

demands, and influencing the majority of a meeting which did* not represent the subscribing body to pass a resolution handing over the entire management to themselves alone, is, in the last degree, calculated to intensify rather than moderate any ill-feeling which their former action may have called up.

* I fail to see the force of this remark. It is not explained how the meeting did not represent the "subscribing body." It was a large and, even from a money point of view, influential meeting.

A.

At a Meeting of the Hospital Committee held on the 14th February 1865.

Present.

Messrs. G. Ripley and E. Pernon.

Accounts approved to 31st January. As Mr. Pernon is to be absent for some weeks, and as it has been found difficult to get together a distinct Committee for hospital purposes, it is resolved for the present to ask the Committee of the Municipal Association to take charge of the affairs of the hospital.

BIMLIPATAM,
14*th February* 1865.

(Signed) E. PERNON,
Chairman.

From J. HARDEN, Esq., Chairman of Bimlipatam Hospital Committee, to A. McC. WEBSTER, Esq., Acting Collector of Vizagapatam, dated Bimlipatam, 8th July 1874.

With reference to the inquiry in paragraph 1 of your letter of the 3rd instant, No. 935, I have the honor to reply that the Committee have no recollection of any meeting of hospital subscribers having been more numerously attended during the last four years than that to which you refer, though at the same time no meeting has ever been held under such peculiar circumstances. Lest, however, the fact should be taken to imply more than it legitimately means, I beg to draw attention to the following circumstances:—

First.—The said meeting was essentially a municipal gathering, that is, it was composed almost entirely of Municipal Commissioners, their friends, and supporters, so that every vote which they could raise was there represented.

Secondly.—Out of the twenty-five present, three declined to vote and were against the resolution proposed, leaving actually only eighteen ayes.

Thirdly.—Of these eighteen there were no less than six who have hitherto been on the popular side, but who on this occasion, influenced by the fact of the Collector being in the chair and of their understanding that the resolution had his support, surrendered their wishes to his.

Lastly.—That an analysis of the votes polled at the meeting in question made on the above facts leads to the inevitable conclusion that if the unbiassed sense of the subscribing body were taken, it would be found that, out of fifty-one subscribers, only twelve are directly in favor of the vote then carried, or less than one-fourth of the whole.

2. In reply to the second paragraph of your letter, I regret to say that, in consequence of the Subscription Book being at present in circulation, I am unable to verify the correctness of the figures given to me and on which I based the statement I made. Immediately on its return I will submit the information required.

No. 9. ORDER THEREON, 6th August 1874, No. 1291.

The papers above recorded leave no room for doubt that the dispute regarding the Bimlipatam Dispensary has attained such proportions as seriously to endanger the stability of the institution. The dispensary being supported by public subscription cannot be looked upon as private property, and the Government resolve, in accordance with the recommendation of the Collector, to put in force the

provisions of Section 15 of the Towns Improvement Act and declare the institution to be vested in the Municipal Commissioners of Bimlipatam. They have the less hesitation in adopting this course as it has the support of a large majority of such of the Commissioners as could be induced to attend a meeting convened by the Collector after the Government had admittedly removed all difficulty in the way of a fair consideration of the question by declining to sanction the proposal to withhold the municipal subscription so long as it was not quite certain that no amicable arrangement could be arrived at. The Municipal Commissioners, however, should arrange to refund to any of the subscribers who may desire to receive it the amount subscribed by them for the erection of the Dispensary building. On the Commissioners consenting to this arrangement the Collector will issue the necessary notification and report after the expiry of a month.

(True Extract.)

Acting Chief Secretary.

To the Collector of Vizagapatam.
,, Surgeon-General, Indian Medical Department.

Exd. J. Wright.

Govt. of 1874 Collection

FINANCIAL.

To

The COLLECTOR of VIZAGAPATAM,

&c., &c., &c.

Dated August, 6th,

Recd.

G.O., 6th August 1874, No. 1891.

AUGUST.

Nos. 89.

Bimlipatam Dispensary—The dispute regarding the dispensary embarrassing its stability, the Provisions of Section 15 of the Towns Improvement Act to be put in force, and the institution vested in the Municipal Commissioners and authority granted for the refund to subscribers who may so desire the amount of their subscriptions in aid of the erection of the building.

To

A. McL. Webster Esqre

Acting Collector

Vizagapatam

Sir

In reply to your letter No 825 of the 9th instant, the Committee of the Bimlipatam Hospital desire me to give expression to their opinion, that nothing has occurred to make it more desirable now than it has been for the last 4 years, that the Hospital should be handed over to the Municipality that their very existence as a Committee is due to the persistently recorded vote of the majority of Subscribers to that effect, when fairly and regularly convened in public assembly, that the public meeting to which you refer was in the first place irregularly convened and was so convened as to offend the susceptibilities of the entire Committee and of a large number of subscribers, and induce them to abstain from attending - that the present Committee were appointed in a regular and formal manner for a period of one year, and that it is not competent to the Subscribers in the mean time to hold another meeting, dismiss them and hand the Hospital over to the Municipality except for gross neglect of duty, that at the expiry of the term of the present Committee, it will be open to the Subscribers to hit upon the best plan of managing the Hospital, but that time is not sufficient reason

1 With reference to this remark, I request that Mr Hardcastle be informed if there ever had been a more unanimously attended Meeting than the one convened by me. He has not replied, but I am informed that there has not.

2 This is denied by some of the Subscribers -

3 It may be best to allow the present Managing Committee to continue for this year but I doubt whether many members would attend the 5 ordinary

for the interference of Government with regard to the management of the Hospital.

2 Referring to the Proceedings of Government which you have now sent us No 747 dated 1st May 1874. I have the honor to remark that notice has been taken of certain correspondence addressed to Mr Daniel by the Vice President of the Municipality, in which the present management of the Hospital is condemned and the consequent withdrawal of the Maharajah's and Messrs Arbuthnot & Co's Subscriptions is alleged, and while remarking that the Municipal body is competent to form an opinion on such a matter, Government desires the Collector to proceed to Bimlipatam for the purpose of enquiry. I have the honor to submit that to carry out these wishes of Government, opportunity should have been taken to ascertain how far these assertions of the Vice President are borne out by facts, and if the management is not inefficient to find out what is the real meaning of the Municipal hostility. Had the Committee been consulted, they could have shown that public confidence in the Institution, which is the real Criterion of efficient or inefficient Management, is not only falling off, but steadily increasing - that the Maharajah's threatened withdrawal was not a voluntary act, but the result of Municipal representations, and that the alleged withdrawal of Messrs Arbuthnot & Co was not a fact - also

Meeting, as they do not admit the legality of the Constitution of the present Committee by whom the meeting would have to be convened -

4 This is a bare state must not explained in any way. The Dewan of the Maharajah told me that both he & the Maharajah wished the Hospital to be handed over to the Municipality

5 Both Mr Mackie & Mr J. Arbuthnot told me that Soons, Main see the Hospital remain on its present footing, they would withdraw their Subscription & keep a medical Subordinate of their own at their Factory at Chittivalsa

6

that expenditure is not in excess of receipts as has been asserted. As the Committee were not consulted on any of these points and no enquiry could be complete without it, they presume that no enquiry was instituted.

3. In the opinion of the Committee the real position of the question at issue between Subscribers and the Municipality appears to have been lost sight of in the recent proceedings, and they wish me to give a short resume of facts for your information

4. The Hospital was first started by the residents of Bimlipatam in January 1863 by private Subscriptions, the Government having lent the services of an East Indian Assistant Apothecary, whose pay and allowances were paid wholly by the Subscribers, and promised to meet a moiety of the Cost of erecting a Civil Dispensary - See Government Proceedings Public Department dated 22d July 1862 No 866 and 24th November 1862 No 1376. From January 1863 to February 1865, the Hospital affairs were managed by the Subscribers themselves but in that month the Chairman of the Committee, Mr E. Vernon having occasion to be absent from the Town for some time, the management of the Hospital was placed in the hands of the old Association of the Bimlipatam Municipality as a temporary measure, see the accompanying Resolution

of the Hospital Meeting marked A.

5. Up to 1864 Government Servants in Bimlipatam were charged by our Apothecary for Medical attendance. To secure free Medical aid to all of them the Government offered to pay Rupees 50 per mensem to the Hospital and on the Subscribers accepting, the Government confirmed the offer and sanctioned the payment in their Order dated 5th September 1864 No 1011 which runs as follows. "Resolved accordingly that a grant of Rupees 50 per mensem from the 1st September 1864 be made towards the Salary of the Medical Subordinate in charge of the Bimlipatam Hospital, on the condition that his services be always available for Government duties."

6. In 1869 the Government having increased the pay and allowances of all Medical Subordinates our Apothecary was also promoted, his pay being raised from Rs 75 to Rs 120. It was therefore thought necessary that the Subscribers should strive to increase the receipts and place the Hospital on a more proper and respectable footing. This and other reasons induced them to resume the charge of the Hospital affairs, which they did in October 1869. In the Resolution passed at the first meeting of the Hospital Committee after they had so resumed Charge occur the following words. Resolved that every exertion be made by the Committee to increase the receipts.

7. In a letter dated 1st November 1869 addressed by the Chairman of the Hospital Committee to the Collector of Vizagapatam he had fully informed him of the state of affairs as they stood at the time. A portion of para 8 of the letter may be quoted here with advantage -

"In conclusion I may say we quite understand "our position and no exertion on our part will "be wanting to obtain more support, the Committee "are also most anxious to make the Hospital "more useful - At present the Medical Officer "lives in the Hospital, this we consider objection= "=able, for he will naturally do all he can "to keep out all persons suffering from "Contagious diseases. Our idea is to have "Wards for Europeans, Females, high and low "Caste Natives, also for the Police and Bungalow "a separate house for the Medical officer "and family. This will entail an extra "expenditure of some Rs 80 to Rs 100 a month. "Our receipts will have to increase so much"

8. This will clearly show you what was the state of the Hospital when it left the Municipal Charge, since that the Hospital Committee have been able to increase the monthly Subscrip= =tions from Rs 141 to 293 (6) and to build a Separate house for the residence of the Apothecary Cost Rs 3276-4-1, and a Dead house at a Cost of Rs 538-4-7 = Rs 3814-8-8.

9. The Apothecary having been since promoted by Government to 1st Class, his pay was raised to Rs 200 and the Committee have managed to meet this

(b) I saw the Subscription book for many of the Subscription (excluding Local Fund & Municipal payments) was 185 - I have asked Mr Harden to explain this but he has not replied.

increased expense - The following remarks made by Dr Blacklock Deputy Inspector General, I.M.D on the visitors book when he visited the Hospital in April 1872 will convince you of the (a) manner in which the Hospital was managed by the Committee -

"10. I have very carefully examined this Dispensary and Hospital and am much pleased and gratified by the fine condition of every part of the Institution. Every thing is exceedingly clean and well cared for, the Medicines and Instruments are abundant - and of excellent quality and well preserved. The bedding is also very good and the supply of diet and sick Comforts most liberal, I feel I cannot say enough in praise of the Dispensary and of its management by the Committee "

11 - In the last official year our receipts were Rs 9208/- expenditure 8591/- In that year the number of in-patients treated was 22 that of out-patients was 985 - Upon this evidence I have no doubt you would be convinced that there was nothing to be found fault with either with this Committee, or that which had preceded it - also that the Municipality has no right to claim the management or a preponderating voice in the Hospital and that they had no power to withhold payment of a moiety of the Government Grant as they did, as long as our Apothecary attended the Government Patients

(a) The dispensary must have taken off very much from this State of perfection for when I visited it the Compound was dirty, the Latrines had an offensive smell, the indoor wards were filled by (& the Apothecary in charge told me he was not responsible for them as he had no power taken charge of them) and some of the female patients were lying on mats on the floor, also one room was used as a store for the sale of liquor & oil and stores

Bill rec'd on hand 1st April 1873 Rs 1320/-
do ——— 30 June 1874 " 1320/-

12. I will now proceed to explain why the Municipality have taken a hostile attitude towards the Committee, which has resulted in the recent proceedings referred to in your letter under reply.

On 23d October 1869 before handing over the Hospital to the Subscribers the Municipal Commissioners passed a Resolution without the concurrence of the subscribers that the Hospital Committee should consist of five members, of which three should be Municipal Commissioners and two Subscribers - But this was never acted upon. One of the three members appointed by the Municipality having left Bimlipatam immediately after election, only 4 members were left on the Committee of whom 2 were Municipal Commissioners and 2 Subscribers - Three more members were therefore added, to the Committee from the Subscribers, thus the Committee consisted of 2 Municipal Commissioners and 5 Subscribers.

13 - On the 28th April 1871 the Chairman of Municipal Commissioners addressed a letter to the Chairman of the Hospital Committee annexing extract from a letter from the President of the Municipalities in the District, asking that the Management of the Hospital might be made over to the Municipal Commissioners

from 1st May 1871 - the letter was laid before a Committee formed by these Gentlemin Messrs Hyslop, — Mackie Agent to Messrs Arbuthnot & Co, E Pernon and Captain Graves and they resolved as follows.

"Read letter from Chairman of a Meeting of Municipal Commissioners - Resolved that as the Binlipatam Hospital is a private institution this Committee decline to make it over to the Municipality - Captain Graves descents" this Letter Gentlemen was then President of the Municipal Commissioners.

Subsequently at a general meeting of Subscribers held on 17 April 1872 when Messrs D. Mackie, E Pernon, R. Pernon, Graves, Hyslop and Bellis among several others were present; it was proposed by Graves that 3 Members be elected by the Municipal Commissioners and 3 or 4 by Subscribers, but it was not carried, 4 being for and 15 against of whom Mr Mackie was one, Consequently Messrs E. Pernon and Graves Municipal Commissioners who were elected by the Subscribers refused to serve on the Committee -

14 - On the 29th August 1873 a general meeting of subscribers were held, at which Captain Graves of the Municipality had proposed that the Hospital be placed under the Municipality, but the proposition was rejected It was then proposed by Mr Elsworthy a Subscriber that a Committee of 6 be elected two of whom must be Municipal Commissioners - this was carried, but Messrs Pernon and Perreaux the Municipal Commissioners who were elected by the subscribers refused to serve -

15 - Early in the following September comes an Extract from Minutes of a Meeting of Municipal Commissioners resolving that until — a Hospital Committee be appointed on the basis of the Municipal Resolution of 23d October 1869 by which the Municipality was to select 3 Commissioners to be on the Committee, the present monthly Grant of Rs 25 be withheld - A general meeting of the subscribers was therefore held again on the 12th September 1873 at which the Chairman put to the meeting, "whether Resolution II of last meeting requiring that two Members of the Committee should be Municipal Commissioners should be confirmed or negatived" and it was unanimously resolved that it should be negatived, only Mr Perreaux declining to vote - Mr Jarvis the Bank Agent - who was also present remarked that either the

Evidence of the determination of the Municipality to attempt to force the management into their own hands, he would vote that a Committee should be elected without reference to the Municipality if only to maintain their liberty.

16- With regard to the withdrawal by the Municipality of the moiety of the grant paid to the Hospital by Government in consideration of Government duties performed by our Apothecary, the Committee made an appeal to the Collector stating that the Municipality were merely Trustees of public funds and that they had no power without the sanction of Government to cancel a contract entered into between the Subscribers of the Hospital and the Government - But he did not readily upset the Municipal order, but proposed to the Committee a compromise as the best way of reconciling conflicting interests, and they in reply expressed their willingness to consider any proposal of the kind, but inability to do so, as long as the Municipality maintained its hostile attitude.

17- A meeting of Subscribers was convened for the 25th March 1874 to elect a Committee for 1874-75 but unfortunately the attendance was very small only 7 Subscribers being present; of whom 3 were Municipal Commissioners and 1 their Secretary. The Commissioners took advantage of it and proposed that the Hospital should be handed over to the Municipality and the proposal was carried - But when the other Subscribers came to know it, they lost no time in gathering together and cancelling the resolution passed at the previous meeting - 13 Subscribers attended at this meeting and 4 for and 14 against the said resolution. The present Committee was appointed by Subscribers at the meeting - I beg therefore to remark that the (7) recent meeting referred to in your letter not being convened through this Committee, it was not very proper, and the fact of some of the Subscribers who had voted against the Resolution of the 25th March on the 31st Inst. recalling the vote at the recent meeting and voting for the Hospital being made over to the Municipality manifests that they were influenced by the Municipal bias, and that what was registered at that meeting was not a free popular opinion -

18- Now the restitution of Government subscription with arrears to date, has removed all objection to a fair consideration of the Collectors proposed Compromise and had judicious advantage been taken of the fact- there was no reason why an Amicable arrangement should not have been (8) arrived at- But the last action of the Municipality in exceeding all their former demands and influencing the majority of a meeting which (9) did not represent the Subscribing body to pass a Resolution handing over the entire Management- to themselves alone, is in the last degree calculated to intensify rather than moderate any ill feeling which their former action may have called up-

(8) Mr Harden & the members of the Committee did not help become an amicable arrangement- Had they been present- some arrangement might have been proposed by them & accepted by the meeting-

(9) I fail to see the force of this remark. It is not explained how the meeting did not represent the "Subscribing body" It was a large & even from a more point of view, influential Meeting

I have &c &c

(Signed) John Harden
Chairman Hospital
Committee

Bimlipatam
June 30th-1874

A. At a meeting of the Hospital Committee held on the 14th February 1875-

23 X

Present- Messrs G Ripley
E Perron

Accounts approved to 31st January-

As Mr. Perron is to be absent for some weeks and as it has been found difficult to get together a desired Committee for Hospital purposes, it is resolved for the present to ask the Committee of the M.A. to take charge of the affairs of the Hospital.

(Signed) E Perron
Chairman

Bimlipatam
14th February
1875

/True Copy/

A. W. Woodhouse
Acting Collector

(2572)

Bimlipatam 8th July 1874.

A. McC. Webster Esqr.
Acting Collector
Vizagapatam

Sir,

With reference to the enquiry in para 1 of your letter of the 3rd inst. No 935, I have the honor to reply that the Committee have no recollection of any meeting of Hospital Subscribers having been more numerously attended during the last four years than that to which you refer, tho' at the same time no meeting has ever been held under such peculiar circumstances. Lest however, the fact should be taken to imply more than it legitimately means, I beg to draw attention to the following circumstances.

1st. The said meeting was essentially a Municipal gathering, that is, it was composed almost entirely of Municipal Commissioners, their friends, and Supporters - so that every vote which they could raise was there represented.

2ndly Out of the 25 present, 3 declined to vote and were against the Resolution proposed, leaving actually only 18 Ayes.

3rdly Of these 18 there were no less than 6, who have hitherto been on the popular side, but who on this occasion influenced by the fact of the Collector being in the Chair and of their understanding that the Resolution had his Support, surrendered their wishes to his.

Lastly. That an analysis of the votes polled at the meeting in question made on the above facts leads to the inevitable conclusion that if the unbiassed sense of the Subscribing body were taken it would be found, that out of 50 Subscribers only 12 are directly in favor of the Vote then carried. or less than one-fourth of the whole.

In reply to the second para of your letter I regret to say that in consequence of the Subscription Book being at

1874
Despatch
Bimlipatam 8th July
Forwarding a letter from the
Dy Collector of Vizagapatam dated 8th July
1874.

Forwarding therein Opinion as to the desirability of handing over the Municipal Hospital to the Municipality
Not para.

present on circulation I am unable to verify the correctness of the figures given to me and on which I based the the statement I made. Immediately on its return I will submit the information required.

I have the honor to be,
Sir,
Your most obedient Servant
John Hardie
Chairman Bunderpatam Hospital Committee.

No. 999

Vizagapatam 10th July 1874.

From

A. McC. Webster Esqre
Ag Collector

To

The Honorable H. S. Carmichael
Ag Chief Secretary to Government
Fort St George

Sir

As directed in para 3 of the order of Government dated 1st May 1874 No. 747, F.D., I have the honor to report that I proceeded to Bimlipatam in order to try to effect a compromise with reference to the future management of the Hospital at that place.

2 I found that the misunderstanding had unfortunately proceeded so far that it was almost hopeless to expect to bring all the subscribers to agree to any one scheme for the management of the Institution under the present system of an Hospital Committee. Some of the principal subscribers did not recognize the present Committee alleging that they had been improperly elected and would not attend a meeting if summoned by the Chairman. I considered it advisable therefore to call as Collector

A

S. O. No. 1291 of 6 August 1874

Public to Collector
Letter dated 10 July 1874
3 Aug 1874 on the
subject of Bimlipatam
Hospital.

1874
Public
Bimlipatam No 2
A letter from the Collector of Vizagapatam
dated 10th July 1874 No 999

a meeting of the subscribers in order to ascertain by personal conference what were their real wishes with reference to the management of the Institution - Government will remember that two meetings were recently held, at which the Resolution of the first was rescinded by the second meeting -

3. There are fifty subscribers entered in the Hospital Books, the monthly amount of the subscriptions being Rs 185 My notice convening the meeting was signed by forty five subscribers, the rest being absent from the Station at the time -

4. I regret to have to report that the meeting was attended by only two members of the Hospital Committee the rest including the chairman not attending - I had both verbally and in writing informed the chairman Mr. Harden of my reasons for calling the meeting, and had pointed out to him how necessary it was in order to enable me to submit my Report to Government that they should state their view of the case at the meeting -

5. The meeting was held on the 2nd June and although a large majority of the subscribers who attended were in favor of handing over the Hospital to the Municipality, I thought it advisable to adjourn it until the following day in order to enable any other subscribers who might desire it, to attend - After this first meeting I received a letter from the Chairman of the Committee asking me to postpone the meeting for a few days in order to enable him to consult the other members of the Committee and to convene a general meeting at which he requested my attendance - I considered it unadvisable to do so more especially for the reason which as stated in para 2 led me to convene the meeting, and because the meeting which I had as Collector convened would ought to be free from all the unfortunate heart-burnings which have rendered the calm discussion of the subject so difficult -

6. The meeting was attended by twenty five subscribers whose subscriptions amounted to Rs 84 per mensem - The Manager of H. H. the Maha Rajah of Vizianagram was unable to be present, but I had personally ascertained his wishes in regard to the future

future management of the Hospital which were that it should be handed over to the Municipality.

7. At the meeting 18 subscribers whose subscriptions amount to Rs. 62 per mensem voted for the Hospital being handed over to the Municipality under Sec. 15 of the Act - 4 subscribers representing 4 monthly subscription of 4 Rupees were in favor of the Hospital remaining under the Committee and 3 Subscribers paying 18 Rs a month did not vote - Including A. A. the Maha Rajah's Manager, the proposal to hand the Institution over to the Municipality is supported by 19 Subscribers paying Rs 112 - The two members of the Committee who were present voted with the majority.

8 I asked the meeting whether any Compromise under which the Hospital might be kept distinct from the Municipality was possible, but the gentlemen who favored me with their opinion considered that no such Compromise could be effected and that the only means of preventing this once useful Institution from utterly collapsing was to hand it over

over bodily to the Municipality. This is I believe the best way out of the difficulty and I beg therefore to support Mr. Daniels recommendation to that effect. The only doubt I have is whether the Government have the legal power to do so.

9. The Hospital is certainly in some way a private Institution, but there is no Trust Deed or Articles of Association specifying the manner in which the Institution is to be governed - Government paid half the cost of building the Hospital, and has since paid Rs. 50 per mensem in order to secure the benefits of the Institution for the public servants stationed in the Town. It appears also from Mr. Ripley's letter published in the Proceedings of Government under reply that from 1862 to 1866 the old Municipal Association laid out Rupees 5097 on the Hospital, so that while it cannot be said that the Hospital is entirely a public Institution it cannot be held to be entirely private. I believe that Government have the power of interfering, but if any doubt on this point exists, I would suggest that the opinion of the Advocate General be obtained as to whether the Institution can be handed over to the Municipality

Municipality under Section 15 of the Act.
The majority of the Subscribers as I have before said wish it, but their wishes were expressed at a meeting which was convened by me as Collector and the Resolution arrived at can therefore only be taken as shewing what the public feeling in the Town is with reference to this question.

10. If Government do not feel it necessary to take this extreme course, I trust that they will see fit to support the action of the Municipality in withdrawing their subscription. Their refusal to pay as Mr. Daniel remarked savored of dictation, but as they have now paid up the arrears, I hope that Government will not force them to continue to pay towards the support of an Institution of the management of which they disapprove.

11. I should have submitted this report long ago, indeed most of it was written a month ago, but I thought it advisable although the Chairman and Members of the Hospital Committee had not attended the meeting to send them a copy of the Resolution arrived at and to request their opinion thereon. I have only lately received their reply of which I enclose a copy, and have made some remarks in the margin.

(95 A)

I have requested further information with reference to certain statements contained therein, but as I have up to this time received no reply, I presume that none will be sent and will not therefore delay the submission of this Report any longer.

12. In conclusion I feel bound to remark that I have received no assistance whatever from the Chairman and Members of the Hospital Committee in the consideration of this question. Had they attended the meeting I convened, there might have been some chance of an amicable arrangement being arrived at, but they abstained from attending because as they now say "their sensibilities were offended." I cannot however but think that resentment of any Government interference whatever had a great deal to do with their refusal to attend. I purposely worded the notice convening the meeting as vaguely as possible in order to give no one any ground of offence, and I cannot admit therefore that they were in any way justified in holding aloof or in treating with such marked discourtesy and "passive resistance" the Officer deputed by Government to report on the case.

× To take into consideration the future management of the Hospital.

I have the honor to be
Sir
Your most Obed.t Serv.t

A.W.t Bennett
Q. Collector.

P. S.

After I had sent the above letter to the Office to be fair copied, I have received the Reply of the Chairman of the Hospital Committee to my letter requesting further information, * herewith forwarded
considering the tone of the letter, I abstain from making any remarks thereon.

A.W.t Bennett
Q. Collector

P. Griffin

Financial Department.

39/8

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Collector of Vizagapatam, dated 10th July 1874, No 999.

Order thereon of Octr 6 Augt 1874 No 1291.

The papers above recorded leave no room for doubt that the dispute regarding the Bimlipatam Dispensary has attained such proportions as seriously to endanger the stability of the institution. The Dispensary being supported by public subscription cannot be looked upon as private property and the Govt resolve

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in accordance with the recommendation of the Collector to put in force the provisions of Sec. 15 of the Towns Improvement Act and declare the ~~management of the~~ institution to be vested in the Municipal Commissioners of Bimlipatam. They have the less hesitation in adopting this course as it has the support of a large majority of such of the Commissioners as could be induced to attend a meeting convened by the Collector after the Govt. had admittedly removed all difficulty in the way of a fair consideration of the question by declining to sanction the proposal to withhold the Municipal subscription as long as it was not quite certain that no amicable arrangement could be arrived at.

The Collector will receive the necessary notification and report after the expiry of a month.

J.
25/7

The Municipal Commissioners however should arrange to refund to any of the subscribers who may desire it to receive it, the amount subscribed & taken for the erection of the Dispensary Building. In the Commissioners consenting to this arrangement

Note

The Collector recommends a reference to the Advocate Genl. if the Govt have any doubt of their power to make the transfer.

Govt however have already acted under this section in the case of a large number of Dispensaries very similarly ~~circumstanced~~ situated, & it seems better to clear it to any one who disposes the transfer to get an injunction from the Civil Court after appearance of the Notification intimating the intention to transfer it.

2/
The Director of Vizagapatam
Surgeon Genl's Office
Depart
578

Govt. of {187/} Madras.

Rent.

To

The Collector of Vizagapatam
&c.

Dated 6 Augt
Recd. } 187/, No. 2/

Nos. 8 — 9 —

Bimlipatam Dispensa

The dispute regarding the
Dispensary endangering
its stability, the provisio
of Section 15 of the Towns
Improvement Act to be
put in force, and the
institution vested in th
Municipal Council and authos
granted for the refund
to subscribers, who
may so desire, &c.

amount of their
subscriptions in ai
of the erection of the
building —