

Local & Munl. (1899) Department.
Plague.

MISCELLANEOUS.

G.O., No. 1582

DATED 1-11-98
Sd/- 3. 11. 99

[Despatch Abstract.]

Plague Prosecution for evasion of vaccination

Stating that the Govt. cannot question
the discretion of the Collector ^{of Behar} in ordering
the prosecution of Miss B. Harband & her
servants for their failure to attend at
the hospital on the next day after their
arrival.

BACK PAPERS.

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

FURTHER PAPERS.

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

[L & M.
500-38-3-99.]

FROM CIRCULATION WITH REMARKS.

*Leave
& 4/27*

LOCAL AND MUNICIPAL DEPARTMENT.

189 .

ed 28-288 from the Rev. B. Lucas,
ed 22 1088 from the Collector of Bellary.

SUBJECT.

*A plague prosecution
in Bellary.*

RDERS. No 1582 P mis 81-11-88

Having received a report on the subject from the Collector of Bellary, the Government cannot question the discretion of finds that the Collector was right in ordering the prosecution of Miss B. Harband and her servants for their failure to attend at the Hospital on the next day after their arrival, in spite of a specific direction to that effect. When, however, a traveller is exempted from personal attendance under the proviso to Regulation 17(ii), he need not appear at the hospital for inspection on any of the ten days.

*They should not have stopped away
in some place or other waiting for
by signing the declaration on their
passports, they bound themselves to
permanently attend at the hospital for
ten days and they should not have
failed to appear until an exemption
order was endorsed on the passport
in accordance with the proviso to
Regulation 17(ii).*

*Copy to the Collr. of Bellary with
the passport returned.*

*A 26 + 98
P. 2286-40.*

14/11/99

PLAGUE.

[L. & M.
1,000-10-5-99.]

Again G.O., No. , dated 189 .
Current No. 28866 of 1897, dated 28. 2. 88 from the Rev B Lucas,
Current No. 32466 of 1899, dated 22. 10. 88 from the Bellary
Collector of Bellary.

SUBJECT.

FOR ORDERS.

As to whether a reply should be sent to the Rev. Mr. Lucas. If not, submitted that the papers may be recorded. If a reply should be given, the draft order below may perhaps be issue.

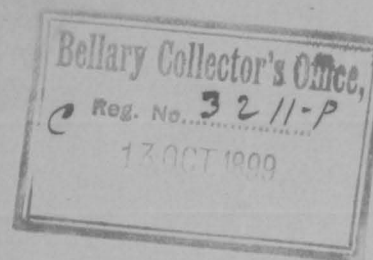
26/10/88

L. & M.
1,000-16-5-91.

Plague.

Local & Munl. (1897) Department.

CURRENT No. 2996



Ref. No. 2996 8/12. 10. 99
Order

Forwarded to the Collector
of Bellary for early remarks

W. Hammit
As Secretary to Govt

Recd
6/10/99

From

The Rev. B. Lucas
London Missionary Society
Bellary

No.

Dated 28-9-99
Recd 2-10-99
Received 5-10-99

Registered 5-10-99

Enclosures

Spare copies

SUBJECT.

Bringing to the notice of Govt
the case of the prosecution of
the lady missionary Miss B.
Harband for the evasion of
plague rules and inquiring
whether the interpretation of the
plague rules adopted by the
Collector of Bellary is in
agreement with the intentions
of the Govt.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

247
To The Chief Secretary
To The Government of Madras.

Sir,

I have the honour to bring the following case to the notice of Government, and to ask whether the interpretation of the Plague Rules adopted by the Collector of Bellary in this case, is in agreement with the intentions of the Government.

A lady missionary of this Society (Miss.B.Harband) returned to this station from Bangalore on the 13th.June last, in company with her domestics, and on arrival was furnished with the usual passports. On the following day, the 14th. she forwarded all the passports to the Civil Surgeon, and asked that as it would be extremely inconvenient for all of them to personally attend for examination, some one might be appointed to visit them at her house. On the following day, the 15th. the passports were returned with the endorsement "1st.day Absent." and with a letter informing her that her request would be complied with as regarded herself, but that her servants must attend at the appointed place. For the following nine days these arrangements were duly carried out and the passports were signed accordingly. On the first day following their arrival none of the parties attended, as their passports were with the Civil Surgeon, and his reply returning the passports was not received until the 15th.June. For their non-appearance on this day, the Collector ordered their prosecution, although Miss.Harband submitted her explanation, and expressed her regret for the breach of the regulations. The Subordinate Magistrates before whom the cases came, convicted all the parties of evading the regulations, and fined them as follows:-Miss.Harband, Rs.5. her butler, whose salary is Rs.12 per mensem, was fined Rs.2, another domestic whose salary is only Rs.4 per mensem was fined one rupee, and an orphan girl in Miss.Harband's letter of the regulations, in a public prosecution is provided with, the Orphanage was also fined one rupee.

There was undoubtedly a technical breach of the Regulations of the Government.

London Missionary Society

Bellary

28th. September 1899.

I have ventured to bring this case to the notice of the Government in the interests of the public, and I respectfully ^{submit} the following two questions for the consideration of Government:-

2. In the above case of a technical omission to comply with the letter of the regulations, is a public prosecution in accord with the intentions of the Government?

Plague
Local & Munl. (1899) Department.

CURRENT No. 3246-P



From The Collector of
Bellary

Order

He Refon No. 3211-P.

Dated 22nd October 1899.

Received 25/10/99

Registered 25/10/99

Enclosures 4. (C 2994 rets).

Spare copies nil-

SUBJECT.

Offering Remarks on the letter
of Mr Lucas to Government
regarding the prosecution of
him for breach of
plague rules.

PA
25/10

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

London Mission
Bellary June 14th

To

The Medical Officer
Bellary Hospital.

Dear Sir,

I arrived from Bangalore yesterday with four servants and received notice to appear before you for a period of 10 days. I have no carriage at my disposal and find it very difficult to make a trip to the hospital every day. Could you oblige me by letting some one call to see all five of us. We are all in the same house. One of the women is still suffering from the intermittent fever she contracted in Bangalore.

Yours faithfully

(Signed) Beatrice M. Harland.

(True copy)

Collector

23.10.99

3
Encl 2246

mit themselves for inspection. This they
did for the next nine days, but the first
day (June 13th) none of the papers
were signed, hence I believe the reason
for the summons being sent.

I have the honour to be,
Sir,

Yours decidedly
(Signed) Beatrice M. Harband.

(True copy)

Beatrice M. Harband

Collector

23.10.99

Magnum

Ref No. 3211-P.

C. 3246-P.

BELLARY COLLECTOR'S OFFICE.
Dated 22nd October 1899.

FROM E. A. Elwin Esquire
as COLLECTOR OF
BELLARY.

TO THE Secretary to Government Local &
Municipal Department Madras.

SIR,

Adverting to your endorsement Ref on c no 299/p
12.10.99

(herewith returned) I have the honour to report
as follows:—

2. Miss Harband received the enclosed passport
no 11561 at the Bellary Railway Station at
about 9 A.M on 13.6.99 on arrival from Bangalore.
She signed the declaration binding herself to
appear before the Local authority for a period of
10 days from that date, and not having been
exempted from personal attendance under the
proviso to clause (i) of original regulation 17
ought to have attended at the main Hospital
between 8 a.m and 9 a.m or between 4 p.m and
5 p.m. on 14.6.99 in accordance with the
instructions contained in the printed slip
pasted in the passport. She made no attempt

23.10.99

E. A. Elwin
Collector

to go to the hospital, but wrote to the medical officer stating that she had no carriage at her disposal and would find it very difficult to make a trip to the hospital every day and asking him to let some one call at her house to see her and her servants who had accompanied her from Bangalore. Her letter, a copy of which is enclosed, was received at the main hospital at about 6.30 p.m. (according to the hospital Assistant on duty), that is, some 33 hours after the issue of the passports. It was handed on the morning of the next day 15.6.99 to the District Medical and Sanitary Officer, who then arranged, as a matter of favour, for the Lady Apothecary to visit Miss Harband at her residence during the remainder of the period of observation, but refused to extend the concession to the servants. On the above facts I sanctioned the prosecution of Miss Harband and certain of her servants who had not appeared for inspection on 14.6.99, as I considered that the inconvenience of attending the hospital, which is situated within one mile of Miss Harband's house, was not a sufficient excuse for failing to keep the promise made in the declaration.

3. It is not true that Miss Harband ever expressed her regret for the breach of the regulations: on the other hand, she appears to

have denied before the Magistrate that she committed any breach of the regulations. I beg to enclose a copy of her letter dated 21.8.99, which is probably what the Rev^d Mr. Lucas refers to.

4. With reference to the concluding portion of Mr. Lucas' letter, I submit (a) that passport holders duly exempted from personal attendance under the proviso to clause (i) of original regulation 17 cannot legally be, and consequently never are, compelled to attend in person even on the 1st day following arrival, but that Miss Harband not having been so exempted was bound to act up to the terms of her declaration (b) that in Bellary, where there are frequently in a single day several hundred passport holders to be observed and every default in appearance entails additional work on the small staff of medical officers etc in the way of searching for the defaulters and of making reports and answering references on the subject, it has all along been found most necessary to prosecute all cases of non-attendance unless a very good excuse is forthcoming — and to mete out in this respect equal treatment to Europeans and to natives.

I have the honour to be
Sir,
Your most obedient servant
E. L. L. L.
24.10.99
Collector

R
23.10.99

When given for copying _____
 When copied _____ } 189
 When examined _____
 When signed _____

READ AGAIN G.O., No. _____, DATED
 189 .

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAYEE NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

A A A A A A A

N.B.—

- A = Copy in full. •
- B = Not to be copied
- P = Copy abstract only
- Q = Copy heading only.