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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

C.O. No.	592	Press
	(28-2-37)	Mis.
Dated	11-5-37	1870

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Department,

11th May 1870.

No. 38. Read the following letter from Colonel G. A. DENISON, President of the Municipal Commission, Madras, to the Chief Secretary to Government, Fort Saint George, dated Madras, 7th April 1870, No. 142-G.

Pursuant to Section 18 of the Madras Municipal Act of 1867, I have the honour to forward, herewith, a Statement of the Receipts and Disbursements on account of this Municipality, from the close of the last year, to the 1st of February, together with the Minutes of the Proceedings of the Commissioners, meeting of the Commissioners, held on the 1st ultimo, and at which the same was approved of by them.

2. I also enclose a supplemental budget of expenditure for the current year, amounting to Rupees 9000, which has been passed by the Commissioners, and of which I beg the sanction of Government under Section 30 of the Act.

3. Adverting to the Proceedings of Government noted in the margin, regarding the aid sought from the Municipality towards the working of the Contagious Diseases' Act in this town, Dated 11th Feb. 1870, P. D., No. 170. I have to refer Government to the discussion and resolution of the Commissioners, embodied in the accompanying Minutes, the resolution being as follows, viz.:—

“ That, while the Municipality regret that the funds at their disposal are so limited that, under circumstances of less exceptional character, they would not feel at liberty to spend the public money in the way proposed, they are so desirous to meet the views of Government, that they will be prepared to provide Rupees 750 per mensem for the purposes of the Contagious Diseases' Act. They would, however, submit that this grant can only be justified by the Municipality having some control of its expenditure, and suggest that the operation of the Act should be entrusted to a Committee of which Government should appoint two members and the Chairman, the Municipality appointing other two members”—

and await the orders of Government thereon.

4. I have also to request the attention of Government to the bye-law passed by the Commissioners as follows:—

“ That no new building shall be erected in certain streets, herein-after named, unless they are of an altitude and facade which shall be approved of by the President, viz.:—

The North Beach, 2nd Line Beach, the Esplanade front of the Town, Popham's Broadway, the Mount Road, Salay Street from Andeappen Naick Street to the General Hospital, Armenian Street, Thumboo Chetty Street, Mint Street, Andiappen Naick Street, and Barbers' Bridge road”—

and that in pursuance of Sections 234 and 235 of the Act the same may be directed to be published in five issues of the *Fort Saint George Gazette*, confirmed by Government, and then published in the *Gazette* with translations thereof in the English, Tamil, Teloo-goo, and Hindoostanee languages.

5. In conclusion, I beg to refer Government to the satisfactory report contained in the accompanying Minutes on the Madras Water-Distribution Project.

*Proceedings of the Madras Government, Public Department,
11th May 1870.*

No. 39. Order in Council, 11th May 1870, No. 592.

Ordered that the Statement of Receipts and Disbursements, and the proceedings of the Municipal Commissioners, Madras, received with the foregoing letter, be published in the *Saint George's Gazette*.

2. Of the Supplemental Budget Estimate, amounting to Rupees 9000, for the purposes mentioned in the margin, be sanctioned.

Gratuity to the R. G. Wharf, R. Inspector, Secy	200
Further grant on account of the Sewage Farm, for improvement and extension of the new Bachel and Burning Ground, Secy	6,000
Mellow's road	2,800
Total	9,000

3. The Government are in satisfaction that the Commissioners propose to assign Rupees 750 per month in aid of the expenditure involved in the application of the Contagious Diseases' Act in the town of Madras with effect from the 1st July next. The total assignment for the half-year ending the 31st December

1870, amounting to Rupees 4500, will be included in the Supplemental Budget Estimate above referred to, the amount of which will be raised from Rupees 9000 to Rupees 13,500.

4. The Municipal Commissioners suggest that they should be invested with some control over the expenditure connected with the Act, and that its operation should be entrusted to a Committee of which the Government should appoint two members and the Chairman, the Municipality appointing the other two members.

5. With reference to this suggestion, the Government desire to call the attention of the Commissioners to the Proceedings of Government, dated 19th August 1869, and to the amended Rules prescribed by the Government under Act XIV. of 1868.

6. From these papers the Commissioners will perceive that the working of the Act is divided as follows :—

- 1st.—The discovery and registration of common prostitutes.
- 2nd.—Their weekly examinations at the several Health Offices.
- 3rd.—Their treatment at the Lock-Hospitals.

7. The processes 1st and 2nd are conducted under the Rules issued under the Contagious Diseases' Act by the Health Officer, aided as regards discovery and registration by the Police and Magistracy; that is to say, assistance is given by the Police in tracing out common prostitutes who neglect to register. Evasion of registration, or refusal to appear for weekly examination, render those guilty of disobedience to the law liable to punishment by the Magistrates.

The treatment of the sick is under the control of the Medical Department. Neither the Officer in charge of the Lock-Hospitals, nor the Public Health Officer, can incur any fresh charges. These are all distinctly laid down, and cannot, without the sanction of the Government, be exceeded.

8. If the Health Officer deviates from the Rules, or the provisions of the Act, he is liable to prosecution before the Magistrates, or to a civil action, or both.

9. The Government do not consider that any advantage would be gained by altering the existing system under which Act XIV. of 1868 is applied.

*Proceedings of the Madras Government, Public Department,
11th May 1870.*

10. But with a view to the Municipal Commissioners being kept fully informed in respect of the working of the Act, and the application of the funds contributed by the Municipality, the President will be furnished with copies of the reports which are submitted to Government by the Inspector-General of the Indian Medical Department, and by the Health Officer.

11. The Government further consider that it would be advantageous to appoint the President of the Municipal Commission, up to the 28th Commissioners as official visitors of the Lock-Hospitals at Madras. The General Commission will submit the names of two of the Commissioners who may be willing to accept the office of visitors.

12. The Government will be glad at all times to receive from the Commissioners, through their President, any suggestions they may wish to offer for the more efficient working of the Contagious Diseases' Act in the town of Madras.

13. The Government will be prepared to sanction the proposed bye-law marginally quoted, with the addition of the words "provided that there shall be an appeal to the Governor in Council from any decision of the President of the Municipal Commission passed under this bye-law."

(True Extract.)

Chief Secretary.

To the President of the Municipal Commission for the
Town of Madras, with copy of the Rules.

- „ Accountant-General.
- „ Inspector-General of the Indian Medical Department.
- „ Health Officer, Madras.

Exd. J. Wright.

Public Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter

from the
President of the Municipal
Commission, Madras, dated
7th April 1870 No. 142.

Order thereon - V-592 of 11 May 1870

Ordered that the
Statement of Receipts
and Disbursements, and
the Proceedings of the
Municipal Commissioners,
Madras, received with
the foregoing letter be
published in the Fort
St. George Gazette.

2. Ordered also that
the Supplemental Budget
Estimate, amounting to
Rupees 9,000, for the purposes
noted in the margin,
be sanctioned.

Continuity to the Children of R.C.
Wheeler late Sanj. Inspector
deceased 500
Further grant on account
of the Sewage Farm 6,000
For improvement and
extension of the new Burial
and Burning grounds
in St. Andrew's Road 2,500
Rupees 9,000

He

3. The Govt learn with satisfaction that the Commissioners propose to assign Rs 750 per annum in aid of the ~~cost~~ expenditure involved in the application of the Contagious Diseases Act in the Town of Madras with effect from the 1st July next. The total assignment for the half year ending the 31st Decr 1870, amounting to Rs 4,500 will be included in the Supplemental Budget Estimate above referred to, the amount of which will be raised from Rs 9,000 to Rs 13,500.

4. The Municipal Commissioners suggest that they should be invested with some control over the

the expenditure connected with the Act and that its operation should be entrusted to a Committee of which the Govt should appoint two members and the Chairman, the Municipality appointing the other two members.

5. With reference to this suggestion, the Govt desire to call the attention of the Commissioners to the Pro. of Govt dated 19th August 1869, and to the Amended Rules prescribed by the Govt under Act XIV of 1868.

6. From these papers the Commissioners will perceive that the working of the Act is divided as follows:-

1st The discovery and Registration of common prostitutes.

2nd Their weekly
examinations at the
several health offices.

3rd Their treatment
at the Lock Hospitals.

7. The processes 1st &
2nd are conducted under
the Rules issued under
the Contagious Diseases
Act by the Health Officer,
aided as regards dis-
covery and Registration
by the Police and Magis-
tracy. That is to say,
assistance is given by
the Police in tracing out
common prostitutes
who neglect to register
^{conclusion of registration}
~~and return of passport~~
or refusal to appear
for weekly examination
render them guilty of
disobedience to the law,
liable to punishment
by

by the Magistrates.
The treatment of the
sick is under the control
of the Medical Department.
Neither the Officer in charge
of the Lock Hospitals,
nor the Public Health
Officer, can incur any
fresh charges. ^{These} ~~There~~
^{being distinctly} all laid down and
cannot without the
sanction of the Govt.
be exceeded.

8. If the Health Officer
deviates from the Rules
or the provisions of the
Act he is liable to pros-
ecution before the
Magistrates, or to a
civil action, or both.

9. The Govt. do not
consider ^{any} advantage
would be gained by
altering the existing
system under which
Act

Act ~~XIV~~ of 1868 is applied
10. But with a
view to the Municipal
Commissioners being
kept fully informed
in respect of the working
of the Act, and the appli-
cation of the Funds
contributed by the
Municipality, the Presi-
dent will be furnished
with copies of the reports
which are submitted
to Govt. by the Inspector
General and the Medical
Dept. and by the Health
Officer.

11. The Govt. further
considers that it would
be advantageous to
appoint the President
of the Municipal Com-
mission, and two of the
Commissioners as official
visitors of the dock
Hospitals

Hospitals at Madras.
Col. Denison will sub-
mit the names of two
of the Commissioners who
may be willing to ac-
cept the Office of visitors.
12. The Govt. will be
glad at all times to
receive from the Commis-
sioners, through their Presi-
dent, any suggestions
they may wish to offer
for the more efficient
working of the Contagious
diseases Act in the Town
of Madras.

13. The Govt. will be
prepared to sanction
the proposed Bye Law.
^{marginaly added,}
with the addition of the
words "Provided that
there shall be an appeal
to the Governor, in Council
from any decision of
the

That no new Building shall
be erected, in certain
Streets hereinafter named
unless they are of an altitude
and facade which shall be
approved of by the President.
viz.

The North Beach, 2^d line
Beach, The Esplanade fronts
of the Town, Popham's Broad-
way, The Mount Road
Salay

The President of the Municipal Commission passed under this Bye-Law."

11/1

Salary starts from An-
dappa Rao's Street
to the General Hospital
Armenian Street, Shumbar
Chetty Street, Hind Street,
Anandappa Rao's Street
and Barber's Bridge Road

to the President of the
Municipal Commission
with copy of the Statute
- Accountant General
- Inspector General
Medical Department
- Health Officer Madras
General - Prov. Stat. & Budget
17/5

No. 26.

Health Office
Madras 2 May 1870.

Memorandum

The undersigned has the honor to
inform the Chief Secretary to Government
Fort Saint George, that immediately
after the decision of the Magistrate of
Poyapettah Police became known when
he dismissed the Gomasath Eumam
Khan who was proved to have entered
the house of the plaintiff Dowdath Bee,
who had been reported to the Health Officer
as having diseased a certain person, and
that he reprimanded the other two
Gomasaths who were said to have
aided and abetted Eumam Khan in
bringing the woman to the Health
Office, as they had been only lightly
fined by the presiding Magistrate
"not as having acted with any criminal
intent"

"intent, but only as they supposed
"in the execution of their duty".

The petitioner in his letter
to the Health Officer complaining
of Dowdell Bee as having diseased
him, was so far true, as that he was
diseased, and upon examination at the
Health Office the woman was discovered
to be the same. although from
certain remedies having been applied
at the Lock Hospital she was found
in a different state the following
morning. The Health Officer was to
blame in not having returned her
immediately into the Lock Hospital,
but upon her promising to attend
for examination at the Health Office
the following day, she was allowed
to return to her house. Immediately
on her leaving the Health Office she
took out summonses against the
Health Officer.

J. H. H. H.
Health Officer

I would add the proposals
in this memo. Subject to me
consider that the respective
person should be directed to
consider whether it is not
possible in some degree to reduce
the whole expenditure so as to
make the charge on the Works
fund rather lighter. I would
like to see it reduced to R. 300
per annum. I think
there seems to be no M.P.
other course open to us.

We are however must
have the money - & the
Supreme pt. will not
give it!

But why should
the Registration be
free? Why should the
respectable barbers
of the community be
made to pay all the
expense necessary to
enable the vicars to
indulge in vice with
conscience safety
if not impunity?

L. D. S.

Memo for orders.

The Govt of India have agreed
after July to allow any expenditure
from Imperial funds, exceeding
2422 Rs. per annum in account
of the working of the Contagious
Diseases Act in the Town of
Madras.

The actual expenditure is
Rs. 3708. which leaves over
a sum of Rs. 1286. to be
made good from local
funds.

It will be observed from
the letter, now circulated,
from the President of the
Municipal Comm. that
they are prepared to enter
in their supplemental
Budget Rs. 750 ^{per annum} for the
Municipal contribution

to the working of the Act
The remaining part of the
charge ~~may be~~ Rs. 536
must, it is suggested, be
met from Port Funds -
This is the only source
available and as we
cannot stop the application
of the Act there is no
other alternative.

It will be observed that
the Municipal Commissioners
while stating that they
are prepared to provide
750 Rs. per mensem for
the purposes of the Contagious
Diseases Act submit
"that this grant can only
be justified by the Mun-
icipality having some
control of its expenditure
and suggest that the
operation of the Act

should be entrusted to
a Committee, of which Gosh,
should appoint two members
and the Chairman of the
Municipality other two
members."

The proposal made for
working the Act by this
Committee does not appear
to be practically possible.

Enclosed will be found a
description of the manner
in which the Act is applied
(vide Pro: of Gosh: 19th August
1869. and Amended Rules
prescribed by Gosh under
Act XIV. of 1868)

The working of the Act may
be described ~~as~~ as divided
into

- I. The discovery and registration
of common prostitutes.
- II. Their weekly examinations
at the several health offices
- III. Their treatment at the
Lock Hospitals

The processes I. & II are conducted under the Rules framed under the Contagious Diseases Act by the Health Officer, aided as regards discovery & Registration by the Police and Magistracy that is to say, assistance is given by the Police in tracing out Common prostitutes who neglect to register - and cases of recidivism or refusal to appear for weekly examination render them guilty of disobedience to the law, liable to punishment by the Magistrates.

The treatment of the sick is under the control of the Medical department. Neither the Officer in charge of the Lock Hospitals nor the Public Health Officer

There was a prosecution quite recently & the Magistrate inflicted a somewhat trivial fine. What was the result? Due to the want of his Dept. who were concerned - have they been disciplined? I could ask Mr. V. Wentham about the trial. L.D.

See report of Health Officer in Memoirs. 20/11/1891. P.H.

can incur any fresh charges. There are all laid down and cannot without the sanction of the Local Board be exceeded.

If the Health Officer deviates from the Rules or the provisions of the Act, he is liable to prosecution before the Magistrates or to a civil action or both. It does not appear therefore in what respect the Committee proposed by the Municipal Commissioners could take any useful action.

The only way which suggests itself in which their wishes can be met is to supply them

with a copy of the Rules prescribed by Govt under the Act. The sanctioned expenditure. and all reports furnished from time to time. either by the Health Officer or by the Medical Department.

The President of the Municipal Council and any one or two Councilors to be selected by the Division. might be named, as official visitors of the Lock Hospitals and the Commissioners may be told that the Govt will be glad

to bring to a better
their building to
the best of that
Hospitals & adapt
the reference here
made.

L. D.

* except that no inspection should not be
permitted to define any other contract of the
Sanitary but building a house cannot be left off
that he should not offend the taste of the Govt.
as suggested by making one extremely ugly & so
I would sanction the bye-law & think that
it will not be a hindrance. I see no serious danger
of that. N
I do not mean to imply the whole of the
I agree N.A.

I would sanction the bye-law. I mean that it is one which is quite familiar in contended cities and which is in principle hardly admitted in England where certain prescriptions regarding proportion, Sanitary arrangements &c. are enforced. In fact a man cannot do exactly what he likes with his own but must respect the security & convenience of his neighbors. I think it

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receive from the Council their President any suggestions which may occur to them for the more efficient working of the Contagious Diseases Act. in the town of Madras.

In the same letter the President of the Municipal Council requests the sanction of the Govt. to a Bye Law to the effect that "No new Building shall be erected in certain streets. (which are described) unless they are of an altitude and facade

which shall be approved by the President"

It is submitted that

The Govt cannot consent
to give the unlimited
power asked for the
President, in this Boyle
law.

^{as proposed}
The object is to prevent
the leading High ways
being disfigured by
unsightly & irregular
buildings. But not
the Boyle law would enable
the President to prescribe
exactly the size & architecture
of every house.

The President may be
asked to recast the Boyle
& to state for the information
of Govt, more precisely
what is the object in
view. & to insert in
the Boyle law in detail what
it is proposed to prescribe
in new buildings - *ME*

It seems to me
that Col Devotion
proposed for the
Govt - in the case of
unwarrantably in the
private rights &
liberties & in fact
should prevent from
being built in these
localities

L & L

