

certain sections of the city, but as to the system working successfully it was quite another matter. Dr. Weir, was of opinion that the system would not be a success and it would be more expensive than the present one.

AIR ANALYST.

A proposal was made to the Corporation in 1894, to appoint an Air Analyst and the question was deferred pending the receipt of the Municipal Commissioner's report on the air analyses experiments. Nothing however appears to have been done up to 1900.

DRAINAGE PIPES, CESSPOOLS &C.

Drainage
pipes.

Major Tulloch was asked to give his opinion on the following points. (1) Are J. C. Edwards pipes comparable to Doultons? (2) Are they London made? (3) Are they stoneware or fireclay? Factory said to be in Cornwall. To which Major Tulloch replied as under (1) made at Ruabon, North Wales. (2) Very fine fireclay. (3) Good pipes for ordinary Sewage purposes but not reputation of Doultons. (Corporation 1894-95.)

Existing
cesspools.

In A ward there are 27 cesspools, in B ward 32, in C ward 6, in D ward 671, in F ward 316 and in G ward 826.

Public lat-
rines.

In A ward there are 8 public latrines, in B ward 15, in C ward 7, in D ward 4, in E ward 18, in F ward 6 and in G ward 4.

Cesspool
carts.

There are in all 126 cesspool carts employed to empty cesspools, the largest number being in E ward and the lowest in C ward. In A, B and C wards the cesspools are emptied once in 24 hours, in D ward every 2nd or 3rd day, in E ward daily as far as possible, in F and G wards once in every 3 or 4 days.

There are in all 2,005 bhungies for cleaning privies and public Latrines in all wards the highest number 414 being in E ward and the lowest 170 in G Ward.

No. of bhungies for cleaning privies and public latrines.

On the 25th November 1898, the Committee of the Corporation recommended the adoption of the Commissioner's proposal made in his letter No. 11915 dated 11th August 1898 for the extrication of living persons from the debris of fallen houses and the Corporation approved of the recommendation.

Fallen houses and extrication of living persons.

In the year 1891, the Corporation appointed Mr. (Now Sir) Charles Ollivant as their representative at the International Congress of Hygiene and Demography in England.

Congress of Hygiene and Demography.

Number of males born to every 100 females.

	1890.	1899.
Madras	104.2	103.9
Bombay	108.5	108.01
Bengal	111.0	105
N. W. P. & Oude...	110.7	107.43
Panjab	114.8	109.6
Lower Burmah ...	108	108
C. Provinces ...	107	105.29
Assam	109.6	106.03
Hyderabad (British).	106	106.4
Ajmere	124.08	117.47

An adjourned meeting of the Corporation was held in the Municipal Hall on 15th August 1901, Mr. D. E. Wacha presiding.

The Corporation considered the following letter from Government.

The Secretary to Government, General Department, wrote on the 28th July with reference to the letter from the Municipal Secretary, to the Municipal Commissioner for the City of Bombay, No. 258, dated the 11th April 1901, that His Excellency the Governor in Council regrets to find that apparently some misapprehension exists both as to the legal position of Government in regard to liabilities on account of the maintenance of the Gokaldas Tejpal Hospital and as to their object in making the suggestions which Mr. Secretary Atkin's letter No. 1261 of the 4th March, 1901, was intended to convey. Government are advised that the contractual position as between themselves and the Corporation in respect of the Gokaldas Tejpal Hospital is that while Government are responsible for the maintenance of the fabric and for the salary of the Medical Officer, the Corporation are equally pledged to provide Rs. 3,000 per mensem for current expenses.

Gokaldas Tejpal Hospital.

It has never been contended by Government that, except in regard to infectious diseases, the Corporation are subject in the present state of the law, to any statutory obligation to provide hospital accommodation, though, apparently, the Corporation enjoy discretionary power in that respect. The absence of such an obligation, however, does not, as the Corporation have assumed, impose upon Government the liability for the provision of medical relief in the City. Accepting in regard to this particular hospital the contractual position as it stands, the Government desired to invite the co-operation of the Corporation in devising the best means for the development of its resources in the interests of the sick poor among the non-European sections of the community and the Governor-in-Council ventures to express the hope that the Corporation will not continue to refuse its support to this benevolent endeavour on behalf of a cause in which the origin, constitution, and purpose of the hospital indicate joint action as peculiarly appropriate.

On the motion of the Hon'ble Mr. P. M. Mehta, the question was referred to a Committee.

A proposal was made by Dr. Khory at the Corporation Meeting of 10th December 1888 that Government be informed that the Corporation was prepared to take over the entire charge of the management and maintenance of the Goculdas Tejpal Hospital. The proposition for want of a seconder was not considered.

BURIAL GROUNDS.

The following information was furnished to Dr. Weir by Mr. Barrow and which has appeared in the Census Report of 1881.

“ Among the first reference to places for the disposal of the dead, met with in the old books relating to Bombay, is that of the English burying-ground at Mendham's Point, the site of which was probably part of the vacant ground fronting the Municipal Office. Thomas Mendham was the first Englishman who died in Bombay, and the cemetery opened for his interment continued to be used until 1760 or 1763, when, for military purposes, it was closed, and the tombs broken down and the surface levell- ed. One of the first sights that cheered the sailor arriv- ing in the harbour upto that time had been these tombs.

As to the burning-grounds, Mr. J. Douglas, in his book of Bombay, says that in March 1677, Governor Aungier agreed with the Banians who came from Diu to settle here, that they 'should be allowed to burn the dead'; Dr. Fryer, who first visited Bombay in 1673, states in his delightful old book, that 'on the other side of the great inlet to the sea is a great point abutting against Old Woman's Island' (Colaba) 'and is called Malabar Hill, a rocky wooden mountain yet sets forth long grass. A top of the hill is a Parsee tomb lately raised.' When the cemetery at Mendham's point was closed, the English burying ground at Sonapoor, was opened, and when, in its turn, that was shut up on the last day of 1868, about 17,000 bodies had been interred within its narrow limits. A scurrilous writer who resided in Bombay in the days of Governor Duncan, or Sir Evan Nepean and about the year 1814, published an amusing book in London called *Quy Hay*, gives an illustration of the cemetery, which he called "Padre" Burrows "Godown". Adjoining this cemetery is the Mahomedan burying-place, which appears to have been in use from time immemorial, and is still the chief place of sepulture for Mussalmans. So far as I am aware, however, it was only in 1812, that this burial ground was formally recognized as such. Countless thousands of bodies have been buried here, but as this Community do not follow the European method of confining a body in an air-tight coffin, but simply place the dead in immediate contact with the earth, the decomposition of the remains is marvellously rapid. The neighbouring Portuguese cemeteries had also been in use for centuries, but in 1868, Mr. Crawford the Municipal Commissioner succeeded in getting them closed, together with all the other (except one) places of intramural interment for Christians.

"Long before that time, however, the difficulty of providing for the disposal of the dead occupied the attention of Government, and in September 1845, the Grand Jury made a presentment at the Sessions to the effect that the Board of Conservancy should take into consideration the necessary measures of abating the abominable nuisance resulting from the burying of the bodies of low-caste Hindoos, and of dead cattle and other carrion in Back Bay. But although this nuisance was complained of as intolerable; it had to be tolerated many years longer.

The proposal to provide a substitute on the salt morass or flats was discussed for the next seven years following, and when in July 1852, Government sanctioned the formation of the burying-place on the flats—on Mr. Conybeare's plan and estimate—at a cost of Rs. 5,146, it was 'on the clear understanding, that should the nuisance anticipated by Government be experienced, the board would be required to remove the same'. There was a very general practice, too in those days among Brahmins, Sonars and the higher caste Hindoos of burying the bodies of still borns and newly born infants dying before the ceremony of name-giving, in the immediate vicinity of the parent's houses, in the courtyard, and in the more crowded parts of the city, even under the bathing place. This very dangerous practice was brought to light by Dr. Leith in his Mortuary Report for 1850, wherein he added that this practice is not enjoined by the Shastras. The Senior Magistrate of Police, Mr. Spens, was written to by Government for opinion and report on this statement; and in reply Mr. Spens expressed his concurrence with Dr. Leith as to the necessity for stopping such a practice. Mr. Spens stated that he had consulted a Shastree Mr. Govind Narayan, of the Suddur Adawlut, who, in replying as to whether the practice was a merely local one or is one enjoined by the Shastras, wrote :—'In this way it is the practice to bury the dead bodies of little children. The Shastras enjoins, however, that their dead bodies should be buried in unpolluted ground, outside the town, different from the usual burying-grounds, and containing no dead bones; and owing to the difficulties offered to burying in such ground, belonging to others, the practice of burying near dwelling houses has obtained. The above is the custom of the country, and if it be prevented, and if unpolluted ground containing no dead bones be allotted for the burial of deceased children, it will be an excellent measure in my opinion, and accordant with the Shastras.'

"The most important result of these investigations was the report to Government written by Dr. Leith in 1855 (in his Mortuary Report) for 1854—a year, in which it may be remarked in passing, that the deaths from Cholera numbered 3,353. Therein he wrote :—

"The disposal of the dead ought to have more attention than has yet been given to it, for as it is now prac-

ticed, there is much in it that is very objectionable; and in considering this matter, it has to be borne in mind, that the clandestine domiciliary interment of infants, which was first noticed in the Report for 1850, still remains unchecked, affording facilities for the undetected commission of infanticide, and contributing to the pollution of the air of dwelling houses, through the decomposition of the bodies interred in or near them.

“ ‘ The state of several of the burial grounds, both Musulman and Hindu, is such as to require immediate amendment, as the foul gases that taint the air in their neighbourhood are detrimental to health. The burial ground on north side of Grant Road may be mentioned as one of these. There is a burial ground, however, which is so horrible and shameful, that it seems only to require to be brought to the notice of Government to have it suppressed, it is that for Hindoos at Sonapur. The exact size of the ground is not, I think, clearly defined; the Policemen on the spot said there was an order that no grave should be dug below high water mark; but the tides vary in height, and there was nothing to indicate the limit towards the sea. I had the breadth of the ground measured from the outside of the outmost grave, where it was still wet from the retiring tide, to the wall of the Musalman cemetery, and also its length north and south, as pointed out by the men on duty; the area was found to be 10,581 superficial feet. Knowing that during the last seven months 2,711 bodies had been interred there, it may be concluded that in the curso of a year the number will be nearly 4,649; and reckoning the due proportion of these as children, it is calculated that were the year's number of bodies laid at the same time, shoulder close to shoulder, without intervening space, they would not only completely cover the whole area, but they would have to be laid in two tiers, the second equally closely packed as the first, and there would still be more to form part of a third tier of corpses.

“ ‘ The rapidity with which the bodies decompose is marvellous; and yet the short time that is actually required for the process is liable to be cut still shorter at Sonapur, for the man in charge of the place said that eight days was the time under which it was prohibited to reopen a grave for a new byrial. He pointed out a grave

just then dug, from which the remains of one who had been buried a month before were being taken up, to make room for another occupant. Were decomposition in this sandy soil not so rapid, it would of course be impossible that so many dead could be deposited there; yet as in putrefaction the soft solids of the body are changed into poisonous gases, the greater rapidity of the process does but the more intensely pollute the air, by giving a larger quantity of those gases in a given time. The moral effect of such a scene on those who resort to this place to deposit their dead must be bad, and on those also who become habituated to its horrors, which are sometimes even aggravated in the monsoon, by the surf washing the newly interred from their graves.

“ ‘Along the shore of Back Bay there are several other grave yards, and also a depository for dead cattle, the stench from which also is most disgusting, and overpoweringly offensive, and all these are to the windward of the Native Town, which has its sea breeze, that would otherwise be healthgiving, thus poisoned. It is likely that the unwholesome emanations are one of the causes why Girgam has what is thought to be a proportionately high mortality when cholera is epidemic.’ ”

“ ‘At that time (1855) the more thickly populated parts of the city were liberally provided with centres of air contamination, as will be observed from the fact that the official list of places for the disposal of the dead, recognized by the Police, numbered nearly seventy.’ ”

“ ‘In the previous year (1854) the Board of Conservancy requested the Senior Magistrate of Police to draft a Bill for the removal of the abuses and evils resulting from burials in the crowded parts of the town. Under the provisions of the Bill as drafted, that Board was empowered, with the sanction of Government, to prohibit the burial, burning or exposure of the dead at any particular place; domiciliary interments were forbidden, and persons committing misdemeanors against the provisions of the Bill were to be made liable to a fine of Rs. 1,000 for each offence and to imprisonment extending to one year.’ ”

“ ‘There was naturally a good deal of opposition to the Bill, and especially in regard to a suggestion that had been made by Dr. Leith to the effect that the new cemeteries

should be confined to the Northern Extremity of Bombay, and that railway trains should be run daily for the conveyance of funeral parties. On this point a Hindu wrote as follows:—

“ ‘I conceive that when Dr. Leith made the proposal to carry the dead by railway, he could not have been acquainted with the prejudices of the Hindoos; they can never adopt the plan, the near relatives and friends of the deceased will never allow other castes to touch the body, which they are obliged to carry on their own shoulders until it is laid on the pile. Dr. Leith’s proposal is, therefore, not in consonance with the religion of the governed; and supposing, for argument sake, they are prevailed upon to do so, still with regard to time, how can the plan succeed, for one may die in the morning, the other at noon, and the third in the evening, and it is impossible they can be kept over until the time of the train? Besides they cannot be carried together, for their religious prejudices cannot admit of it; it is a religious custom with them, that those that attend the funeral never take any food until the dead body is either burnt or buried, and they have returned home and washed; and the people in the house, and near relatives also cannot eat anything until the body is removed from the house, and burnt or buried. The Parsees’ religious custom can never admit their bodies being removed in railway carriages, and they will likewise have a great objection to the power being allowed to any one to close any of their cemeteries at any time, on some of which they have spent upwards of a lakh of rupees.’

“ The draft underwent considerable modification, in the mean time Government Resolution dated 5th October 1855, directed the Senior Magistrate of Police to issue orders for the total and immediate discontinuance of a burials in the sands of Back Bay, and as the order was vigilantly carried out, the nuisance was at length put an end to.

“ In 1863 a ‘Burial Commission’ was appointed by Government, and on the 11th February 1865 the Commission recommended a scheme for the concentration of the cemeteries at or near Matoonga, and the setting apart of 252 acres of land for that purpose, at a cost estimated by one Engineer at Rs. 11,89,350. A Committee of Engineers,

appointed by the Municipality to report on the scheme, came to the conclusion that more than one-third of the 252 acres was a foot and a half below the level of high-water mark; and that the total amount of the estimate should be Rs. 22,89,130, including 10 lakhs for raising all the ground above high-water mark. The Committee were further of opinion that the complete project, including building Towers of Silence, Railway communication, &c., could not be carried to completion under Rs. 47,30,416.

"This great scheme fell through, and the question of shutting up the old cemeteries and providing new ones was one of the first questions that engaged the attention of Mr. Arthur Crawford when he became Municipal Commissioner in 1865, but it was not until the close of 1868 that the new cemetery for the Christian dead at Sewree was formally handed over for burial purposes. This ground was formerly the Horticultural Gardens, and was given to the Municipality by Government. As soon as this new cemetery was ready for use, the old Christian cemeteries at Sonapore, Marine Lines, and Girgaum were closed. The one in Marine Lines had been open since the 7th May 1826. For the Christians under the jurisdiction of the Archbishop of Goa, however, a separate burial ground was provided at Matoonga. It was not until near the end of 1870 that Colaba cemetery—which, opened in the year 1816, had, like all the other old burying-grounds become horribly overcrowded, for more than 4,000 corpses were interred there—was shut up. An American cemetery (opened in 1813) was also closed about the same time, a new ground, near Antop Hill being given to the American Mission Church in place of the one which was closed, and new cemeteries were opened, on land granted for the purpose by Government at Matoonga, for the Parthna Somaj, the Armenians, Low-caste Hindoos, and for a section of the Jewish Community. At this spot, too, the Chinese have their last resting place on earth. Close by there is an old disused burying-ground formerly used as a cemetery for the European Artillery men stationed at Matoonga. A village notoriously fatal to the troops kept in garrison there, whilst those who did not die off were pretty sure to be attacked by guinea-worm. The cemetery has not been buried in for more than half a century past, but some of the tombs are still in fair repair.

"Until the year 1870, Mr. Crawford was unable to induce the Trustees of the burning-ground at Sonapore to do anything to improve the very discreditable condition of the walling round the ghat, but after threats of closing the place, the new Committee of management consented to do what was necessary, built up the existing boundary wall, and levelled and improved the ground. The Committee also stopped several abuses at the yard, and by its wise action reduced the cost of cremation by nearly 50 per cent.

"In the year 1871 Mr. Crawford found that although cremation is the proper Hindoo mode of disposing of the dead as it is certainly the most cleanly of all modes, yet poverty obliged the relatives to bury nearly 6,000 corpses per annum, out of a total Hindoo mortality of 10,500 persons. Believing that this fact was not known to the leaders of the various castes, he addressed a letter to all Hindoo Justices, and convened a meeting at which various resolutions were adopted, not merely to remedy this state of affairs, but to improve the general condition of Hindoo cemeteries and burning-ghats.

"A somewhat similar course was at the same time adopted by the Mahomedans in regard to improving their cemetery at Back Bay, for under pressure from the same authority they walled in the cemetery."

Upto 1875 the burying of the dead in the Hindoos burying-ground on the Flats was let by contract. In 1874 Rs. 800 were paid for the right of burying the dead: this was not a system calculated to secure a correct return of the number of deaths, and it was therefore abandoned.

On the 17th November 1892, the Corporation considered the report of the Committee appointed to report on the question of the purchase of ground for the disposal of the dead of the Mahomedan and Beni-Israil Communities. The Committee recommended the purchase of a plot of land admeasuring 66,000 square yards belonging to the estate of Mr. Ravjee Jeevanji at a cost of Rs. 3/8 a square yard in lieu of the proposed site at Anjir Bagh. The consideration of this report occupied two meetings and on 21st November 1892 an amendment moved by Mr. Selim Solomon that the report be recorded and the Municipal Commissioner be requested to ascertain and

report what other suitable plots of land a little more distant from the City are available, was carried by 22 Votes against 21 Votes.

On the 20th July 1893, another Committee was appointed to report on the recommendation of the Municipal Commissioner and this Committee's report was considered by the Corporation at their meeting held on 20th November 1893. The recommendation was that the site at Tank Bunder was in itself suitable for a burial ground. The consideration of this report was deferred pending a report on the proposal made by the Port Trustees that the Corporation should join in the cost of approaches to the new overbridge at Wari Bunder and undertake certain new road extensions.

At their Meeting held on 26th February 1894, the Committee further recommended the adoption of the Tank Bunder site and suggested a scheme showing the proportionate costs to be borne by the G. I. P. Ry., the Municipality and the Port Trust, but the Corporation on the motion of the Hon'ble Mr. Ebrahim Rahimtula referred the question back to the Committee to consider the question of a more equitable apportionment of the cost.

Eventually under their resolution No. 12,034 dated 4th February 1894, the Corporation on the motion of the Hon'ble P. M. Melita C. I. E. sanctioned the purchase of 28,750 square yards or thereabouts of land adjoining Anjir Bag, Mount Road, the property of Mr. R. J. Ashburner, at a cost of Rs. 1,20,000. Finally on 4th March 1897, the Committee of the Corporation reported that they were of opinion that the whole of the Tank Bunder Burial Ground admeasuring 32,800 square yards should be allocated to the Suni Mahomedan Committee and the plot originally intended to be given to the Beni Israil and Jewish Communities out of this land should not be so appropriated, but that instead a plot equal in area 7,000 square yards out of Mr. Ashburner's land should be given as a Burial Ground for the said Communities. The Committee also recommended that the remaining 21,159 square yards out of Mr. Ashburner's land should be allowed to remain unappropriated. The Committee further recommended the purchase of an additional piece of land admeasuring 29,000 square yards which was available for sale. The recommendations were adopted by the Corporation.

THE SONAPORE CEMETERY.

This Cemetery was opened in the year 1763. Prior to that period, the Cemetery was situated at a place called "Mendams Point," somewhere near the Sailors Home. In this Cemetery were laid some of the Governors and High Officials. In 1863, a bill was introduced into the Council of Bombay to empower the Government to close all burial grounds within the precincts of the town, as prejudicial of health. Of these, the Sonapore Cemetery was the principle. In this Cemetery about 19,333 bodies were buried. In 1867 however this Cemetery was closed and the present one at Sewree opened. Bishop Hardings last act was to consecrate the Sewree Cemetery on 26th March 1867.

List of Burial Grounds.

No.	Caste or Race.	Situation.	Section.	Register No.	Approximate area in square yards.	Average number of Burials.	Square yards per Interment.	REMARKS.
1	Christian.	Golconda Hill	Sewri	1	52,545	541	97.1	Sewri Cemetery.
2		Dharavi, west side of Matunga and Sion Road ..	Sion	7	36,171.1	292	123.8	Roman Catholic.
3		Matunga, part of Old English Cemetery	Do.	25	2,570	1	2,570.0	American Mission.
4		Do. east side of Brahma Samaj	Do.	52	2,783	1	2,783.0	Armenian.
5		Portuguese Church Road, Lower Mahim	Mahim	3	347.6	17	20.4	Roman Catholic.
6		Do. do.	Do.	4	1,444.4	95	15.2	Do.
7		Attached to the Church of N.S. de Victoria, Mahim	Do.	39	806.5	24	33.6	Do.
8		Lower Mahim	Do.	53	729	6	121.5	Do.
9		Upper Mahim	Do.	64	1,368	1	1,368.0	Do.
10		Upper Colaba, near Light House	Colaba	16	4,100.97	..	..	Closed, Sunni.
11		Do. do.	Do.	66	4,210	5	842.0	Sunni.
12		Phugla Tandel Street	Oomarkhari ..	11	19,215	381	50.4	Khoja.
13		At Karoot Masjid, Paidhqui Street	Chukla	49	1,551	1	1,551.0	Family of Hadji Kamil Hadji Hubib.
14	Mahomedan..	Jail Road	Oomarkhari ..	50	1,749	16	109.3	Sunni.
15		Corner of Charni and Queen's Road	Fanaswadi ..	13	16,661	4	4,165.2	Do.
16		Queen's Road	Dhobi Talao ..	24	45,683	2,829	16.1	Do.
17		Do.	Do.	26	3,432	95	36.1	Mogul.
18		Old Sonapore Lane, north side	Do.	32	4,719.59	39	121.0	Kutch-Bhooj Memon.
19		Queen's Road	Do.	55	829	19	43.6	Dandi Borah.
20		Mangal Wadi Lane	Girgam	31	12,752.1	249	51.2	Kutch-Bhooj Memon.
21		Charni Road	Do.	36	1,794	10	179.4	Do.
22		Queen's Road	Do.	54	13,513	341	40.0	Dandi Borah.
23		Karal Wadi, on north side of Charni Road ..	Do.	58	1,511	5	302.2	Shiah.
24		Grant Road, north side	Kamathipura ..	6	17,584	1,329	13.2	Konkani.
25		Darga or Tomb in the compound or enclosure of bungalow known as Eden Hall on west side of Mount Road (Hussainabad)	Tarwadi	57	866	..	..	Tomb of the late Aga Khan.
26		East of Parel Tank	Parel	35	2,215	9	246.1	Do.
27		Tarwari, near Dharavi	Sion	8	27,402	30	913.4	Sunni.
28		Moree Road, Mahim	Mahim	40	2,840	8	355.0	Khoja.
29		Dadar Road	Do.	43	835	55	15.1	Khutri.

List of Burial Grounds—continued.

No.	Caste or Race	Situation.	Section.	Register No.	Approximate area in square yards.	Average number of Burials.	Square yards per Interment.	REMARKS.
30	Hindoo...	Queen's Road, Back Bay.....	Dhobi Talao ..	10	4,333	1,492	3-0	Hindu burning ground. In a portion of this cemetery children are buried.
31		Walkeshwar seashore	Walkeshwar ..	27	4,879	28	174-2	Bodies buried only, Gossavi.
32		Do. do.	Do.	62	8,162	17	480-1	In this cemetery children are buried.
33		Tank Bunder.....	Mazagon	21	30,581	289	105-8	Do. do.
34		East of Bhoiwada Village.....	Sion.....	34	1,208	6	201-3	Bodies both burnt & buried.
35		East of Govari Village	Do.....	37	248	15	16-5	Do. do.
36		Matunga, a strip of unnumbered land south of Tank No. 887	Do.....	44	450	1	450-0	Mahar. Belongs to the Corporation.
37		Thakurwadi Village	Do.....	46	641	6	106-8	Agri; bodies both burnt and buried.
38		On east side of Naigam Road	Do.....	56	300	5	60-0	Do. do. do.
39		Dharavi Road, Mount Wadi	Do.....	33	193-41	5	33-68	Koli do. do.
40		On east side of Sion Road and South-east of Agarwada Village	Do.....	59	235-2	3	78-4	Agri.
41		On east side of Sion Road and east and south of Agarwada Village near Santa Tank	Do.....	60	1,130	5	226-0	Koli and Bhandari; bodies both burnt and buried.
42		On east side of Sion Road and south-east of Agarwada Village, near burial ground No. 58.	Do.....	61	571-1	..	..	Agri; bodies burnt only.
43		Matunga, on east side of Chinese Cemetery and north of Jewish Cemetery	Do.....	51	2,266	1	2,266-0	Brahma Samaj.
44		Parel Tank Road, east side	Parel	38	3,400	68	50-0	Brahman; bodies both burnt and buried.
45		Arthur Road	Do.....	41	37,891	..	..	Closed; belongs to Corporation.
46		Sewri Road, east side, north of bungalow called the Warran	Sewri	15	5,707	67	85-1	Bodies both burnt & buried.
47		North side of Golongee Hill and south-west of Dhakti Sewri Village	Do.....	17	273	1	273-0	Agri do. do.
48		Clerke Road	Byculla	18	60,190	..	..	Closed; belongs to Corporation.

List of Burial Grounds—concluded.

No.	Caste or Race.	Situation.	Section.	Register No.	Approximate area in square yards.	Average number of Burials.	Square Yards per Interment.	REMARKS.
49	Hindoo..	Worli, north side of Love Grove sluices on sea-shore	Worli	14	5,333	4	1,333·2	Bodies both burnt & buried.
50		Haines Road, corner of Mahalakshmi Road	Do.....	19	19,444	..	..	Belongs to Corporation; not used since opening of No. 63.
51		On seashore to the north-west of Worli, Matar-pakhadi near Dharamsala	Do.....	23	6,741·6	3	2,247·2	Bodies both burnt & buried
52		Worli, seashore, to the north-west of Worli Koliwada	Do.....	29	795	14	56·7	Do. do.
53		Worli, west of Worli Middle Pakhadi.....	Do.....	47	6,666·6	3	2,222·2	Do. do.
54		Worli, seashore, to the south-west of Worli Koliwada	Do.....	30	708·6	11	64·4	Do. do.
55		Haines Road	Do.....	63	169,400	5,112	32·6	Belongs to Corporation; bodies burnt here at expense of Corporation.
56		Do.	Do.....	65	2,500	10	250·0	Surti.
57		Do.	Do.....	67	2,709	13	208·3	Lingait.
58		On the seashore between Mahim Fort and Worli Koliwada.....	Mahim.....	45	29,448	796	37·0	Bodies both burnt & buried.
59	Jew....	DeLisle Road, east side.....	Byculla	48	11,621	62	187·4	Reni-Israel.
60		Grant Road, north side	Kamathipura ..	5	7,260	77	94·2	
61		Matunga, south-east side of the Chinese Burial Ground	Sion.....	20	1,570	2	785·0	Registered in name of Municipal Commissioner.
62	Chinese.....	Grant Road, south side	Kumbharwada,	9	2,147·46	..	..	Closed.
63		Matunga	Sion.....	28	4,708·4	7	672·6	Dadycott family.
64		Malabar Hill	Wakleshwar ..	2	77,335	1,149	..	
65		Malabar Hill Road	Do ..	12	37,797	1	..	

In 1869 the Justices of the Peace appointed a Committee to consider how the provisions of the Municipal Act as to sanitation may be amended; this Committee submitted a report in 1870 in which they suggested the following provision to be made in the new Act :—“ For the purpose of this Act being more thoroughly carried out, all medical practitioners, whether qualified or unqualified, hakims, native doctors, apothecaries, and midwives shall register their names in a book to be kept in the office of the Health Officer, and all and every such person who was in attendance at the birth of any child, or during the illness of any person dying, within the city, shall duly fill in and sign, and render or cause to be rendered to the Registrar of the district in which such birth or death occurred, or to the registration office, the necessary forms of certificate of births or deaths, which certificates the Health officer shall, on application, forward to any person above described so requiring them. If any person above described shall refuse or neglect to register his name within three months after the passing of this act at the office of the Health Officer, or shall refuse or neglect to fill in, sign, or forward a certificate of birth or death, as the case may be, he shall be liable to a fine not exceeding Rs. 100 for every such offence.”

Registration
of medical
practitioners.

In regard to the removal of rubbish &c., deposited in the public streets, the following notification was issued in 1819 :—

NOTIFICATION.

Streets of the Fort of Bombay.

28th August 1819.

Whereas great inconvenience has been experienced from rubbish, materials, cots, Palankeens, &c. &c. &c. being deposited in the public streets and lanes of the Fort, and also from the bad state of many of the private drains which nuisances being in contravention of Art. 22 of Rule Ordinance and Regulation (iii) of 1812 and Art. 7 & 8 of Rule Ordinance and Regulation (iii) of 1815. Notice is hereby given that orders have been given to prosecute and levy the penalties therein provided against all persons so offending. And whereas it has been brought to the notice of the

Deposit of
rubbish &c.,
on streets.

Worshipful Bench that the public thoroughfare of the said streets is also very greatly obstructed by the doors of Coach Houses, Stables, Shops, Warehouses and other buildings opening into and projecting thereon, notice is also hereby given that the owners thereof are forthwith required to cause the said doors to be made to open inwards, and that all persons who shall have failed to do so by the 1st May next ensuing will be proceeded against accordingly.

The notice was republished on 28th March 1828.

This power is still in existence, but the procedure is somewhat different.

Nuisances.

At the Meeting of the Quarter Sessions held on the 28th March 1821, two letters from his Excellency Sir Charles Colville, Bart. complaining of a disagreeable nuisance occasioned by several Lime Kilns worked near his house, and requesting that measures may be taken for their removal. The Justices conceived that they had not the power to remove nuisances of this description. It appears that the nuisance, admits of being removed either by an action at the instance of the owner of the mount or of the tenant against the proprietors of the Lime Kilns as a private nuisance; or by presentment or indictment at the suit of the King, on behalf of all his subjects, before the Grand Jury as a common nuisance.

Under Act III of 1888, the Municipal Commissioner is empowered to refuse to grant a license for lime kilns &c. if in his opinion they are likely to prove a nuisance.

Hospital accommodation for sick at Railway stations and Latrines in 3rd class carriages.

On the 18th January 1888, the Chairman of the Corporation submitted to Government and the Railway Companies, the Health Officer's suggestion regarding the provision of Hospital accommodation for sick at Railway Stations and latrines in third class carriages. The Agent B. B. & C. I. Railway under his letter No. 2911 T, dated 7th March 1888, replied that as regards the provision of latrines in 3rd class carriages the experiments made have proved unsatisfactory and the practice which has been universally adopted in India of providing stations with latrines and timing through trains to stop long enough at certain stations for natural purposes has been found to be the most efficient and cleanly arrangement. As regards the question of accommodation at Railway Stations for sick passengers it was stated that the B. B. & C. I. Railway Company was not bound to provide more

than first aid to the sick and for this purpose arrangements would be made to keep a supply of ordinary medicines at Railway Stations to meet emergent cases.

Mr. Under Secretary Warden replied as under to a reference from the Corporation vide his letter No. 266 P. W. D. dated 4th February 1888:—

“In reply I am to state that this Government is not in a position to order Railway administrations to provide the Hospital accommodation suggested; and to point out that so far as latrine accommodation is concerned, the Government of India having already carefully enquired into the matter, have refrained from issuing any definite orders in the direction suggested.

I am to observe, however, that latrine accommodation is being introduced by degrees into carriages intended for the conveyance of female passengers, which seems all that is at present possible, or even desirable as the average distance travelled by third class passengers is under 50 miles.”

The question of the mortality amongst bullocks of the Health and Market Departments engaged the attention of the Corporation in 1888 and on 21st June of that year the Committee reported on the subject recommending an increased quantity of grain rations which recommendation was adopted by the Corporation.

Mortality of
bullocks of
Health and
Market De-
partments.

The Committee of the Corporation also recommended the employment of horses for drawing Katchra carts over certain parts of the Flats but in the Health Officer's opinion it was not practicable to employ horses in the manner stated and consequently the question was recorded by the Corporation at their meeting held on 30th September 1889.

Employment
of Horses for
drawing
kutchra carts.

In his Annual Report for 1898-99 the Health officer states:—

“If the mortality of the classes is examined according to sex, it will be observed that the mortality of the communities amongst whom the death-rate was highest, was influenced by a high fatality and great loss of female life. Take, for instance, the mass of the Hindu low caste population, the excess of female mortality was equal to 11 per 1,000 and amongst Mussalman as much as 22·6 per 1,000. If we take the classes of low mortality, it will be observed that the excess of female mortality is not great. Amongst Parsees it is 2·8, amongst Jews 3·5, and amongst Europeans 7·2. The plague death-rate of Europeans was only 1·82 per 1,000, the attacks being 20 and the deaths 15, out of a total population of a little more than 11,000 Europeans.

Mortality by
sex.

Mortality
from Plague
by Dwellings.

The course of the mortality by dwellings is almost the same as in 1897, and illustrates the influence of ventilation, though it is not necessary to illustrate by statistics the influence of ventilation on the occurrence of cases any more. The mortality decreased with the height of the dwelling, being nearly 86 per cent. on the ground floor, over 77 on the first floor, 71 on the second floor, 61 on the third floor, 57 on the fourth floor, and 51 on the fifth floor."

Payment of
fees for giving
information of
a birth.

The Town Council on 20th June 1888, on the recommendation of Mr. F. L. Charles, Acting Municipal Commissioner sanctioned the payment of a fee of annas four to any midwife or any person, including Municipal employees (except Registration Karkoons) who gave information of a birth not already reported or registered.

Mortality
from Cholera
by source of
water supply.

In the Annual Report for 1898-99 it is stated that the mortality from cholera according to the source of water-supply shows that 80 people who used Vehar water were attacked, of whom 75 died, and 1 only who used well water. In 29 cases the source of water-supply was not known.

The mortality when analysed, according to the period of residence, exhibits the usual phenomena. Of the total cases 16 were under 3 months, and 8 were under 6 months in Bombay. The mortality by place of birth exhibits the influence of immigration, and the susceptibility of immigrants to cholera. Of the 110 cases as already stated, only 9 occurred among persons born in Bombay.

Milch cattle
stables in
Bombay.

In 1899 there were in all 88 licensed Milch Cattle Stables in Bombay, the largest number 31, was in C Ward and in D and E Wards there were 19 each in A Ward 4 and in B Ward 12, while in F and G Wards there were 2 and 1 respectively.

Female
Medical Edu-
cation.

A proposal to grant Scholarships to Female Medical Students was considered by the Corporation in the year 1887, and after the matter had been fully considered by the then Town Council, the Corporation on the recommendation of that body on the 7th May 1888, sanctioned a Grant-in-aid towards Female Medical Education of Rs. 80 per mensem or Rs. 960 per Annum. The sum entered in a subsequent budget was Rs. 1000 per Annum.

Automobiles.

A report from the Municipal Commissioner on the subject of Automobiles will be found in the proceedings of the Corporation for the year 1895-6. The Corporation under their resolution No. 13,640 of that year recorded the said report.

LEPROSY.

The question of Leprosy attracted Mr. T. B. Kirkham's attention in 1889. Owing to defective regulations of persons affected with Leprosy, he asked the Municipal Commissioner to report what additional powers, if any, were required by the Health Department to enable it to deal effectively with the evil. The Municipal Commissioner Mr. (now Sir) E. C. K. Ollivant submitted the following report to the Corporation which enters into the details of the question relating to Leprosy :—

No. 7004 of 1889-90.

BOMBAY, 18th July 1889.

TO THE MUNICIPAL SECRETARY.

SIR,—I have the honour to forward a copy of the Health Officer's remarks on the question of dealing with leprosy. (See Resolution of the Corporation, No. 56, dated 4th April.)

2. I imagine there can be little doubt that leprosy is a 'dangerous disease' as defined in Section 3 of the City of Bombay Municipal Act, 1888, and therefore the use of public conveyances by persons suffering from that disease is punishable under Sections 428-431. The sale of articles by such persons is punishable under Section 432 of the Municipal Act, and probably also under Section 269 of the Indian Penal Code. Under Section 424 of the same Municipal Act, such persons, if without proper lodging, or if lodged in building occupied by more than one family, may upon medical certificate, be removed to a special hospital, or other similar place. The majority of such persons are beggars and are liable to be arrested and punished as beggars under the Bombay City Police Act.

3. These, as far as I am aware, are the only provisions of the existing law which can be used to place any restriction on lepers, and even these are only fortuitously applicable and in so far as they may be applicable, are besides totally inadequate. Persons suffering from this disease may be seen in almost all places of public resort, at the public wells, at the railway stations, and in the close vicinity of the markets. As regards those lepers who are paupers, no remedy for the present state of things can be applied, for in the absence of any special leper hospital no action can be taken by Municipal or Police Officers, or by the magistracy, which will prevent these people from returning to their old haunts.

4. The only remedy lies in measures for special hospitals and compulsory segregation. For compulsory segregation, fresh legislation is required, and I am happy to see that this subject is

now engaging the attention of the Government of India. I append to this letter for the information of the Corporation, copy of a Draft Act which I have recently received. For special hospitals retreats or asylums, special funds will be required, to be provided either by taxation or charity, or both combined. I think that segregation should be insisted on equally in the case of rich and poor, such segregation as may be necessary to protect the public from the risk of catching the disease and from the disease being perpetuated. In the case of the well-to-do, the segregation may be effected by family or private agency independently of any public asylums, but for the poor, public asylums are indispensable, and for rich and poor alike there should be such a measure of control as will prevent the public health from being jeopardized, and ensure the opportunity of proper treatment for the sufferers.—I have, &c.,

E. C. K. OLLIVANT,

Municipal Commissioner for the City of Bombay.

No. 6429 OF 1889-90.

BOMBAY, 14th June 1889.

TO THE MUNICIPAL COMMISSIONER.

MEMORANDUM.—By the last census 430 lepers were enumerated. There are now probably more than twice that number of lepers. In the Dhurumsala in Byculla there are 78 men, 79 women and 12 children.

Under the Municipal law the lepers cannot be interfered with practically. Lepers wander through the city, live where they please, and associate with people who are not lepers. Lepers even sell in the streets. Not only are there lepers propagating leprosy, but there are some families in which leprosy may be said to be hereditary. As to the necessity of removing lepers from the city and isolating them there can be no doubt. I will give one instance of the danger of freedom to lepers. On one evening while inspecting a bakery, I found a leper inside the bakery and, as I suspected, living in it. This leper was a European, strange to say. In any measure for dealing with lepers, there are two important considerations to be kept in mind, (a) are lepers to be treated as persons committing a nuisance and summoned before a Magistrate? (b) are rich lepers to be treated like poor lepers?

If a measure is in contemplation to deal with lepers, and if it is proposed to deal with lepers after the procedure adopted in dealing with offences against the public health, that measure will be a failure. I would earnestly urge that there is only one way of dealing with lepers, and that way is by segregation. The lepers will have to be removed, for willingly they will not leave the city. In reply to the Resolution of the Corporation, No. 56

of 4th April last, inquiring " what additional powers, if any, are required by the Health Department to enable it to deal effectively with the evil " I would answer : the power to remove lepers, rich and poor, to a place set apart for lepers.

T. S. WEIR,
Health Officer.

No. 2607.

GENERAL DEPARTMENT.

Bombay Castle, 3rd July 1889.

RESOLUTION.

" In Home Department Resolution of 26th September 1888 the Governor-General in Council encouraged the grant of medical and charitable relief to lepers in voluntary Hospitals and Leper Asylums, and directed that the condition of segregation of the sexes should be imposed in the case of every institution for the relief of lepers which receives aid from public funds. Having again considered the subject, His Excellency in Council thinks that some further measures may now be taken with the object of promoting the establishment of asylums or retreats for lepers ; and giving legislative sanction to the retention of lepers in such retreats. The Governor-General in Council has therefore directed the preparation of the Bill herewith circulated for consideration and opinion, in which provision, is made for the detention of lepers, generally on their own application, and in certain cases compulsorily, under the orders of the District Magistrate, in retreats provided for their accommodation. His Excellency in Council now requests that the Local Governments and administrations will take the Bill into their early consideration, and favor the Government of India with their views on the provisions contained in it after consulting official and non-official opinion in the matter. The Governor-General in Council will also be glad if, in submitting their reports on the Bill, Local Governments and Administrations will state whether in the opinions of persons qualified to form a judgment the disease of leprosy is on the increase or not.

" A point of minor importance connected with the subject under discussion, is the payment of expenses connected with the removal and confinement of lepers found in a province or district which is not that of their domicile. As at present advised, the Governor-General in Council doubts if it will be expedient to go beyond the principle that expenses incurred in removing vagrant lepers to hospitals or asylums shall be borne by the persons or authorities desiring to remove them, but he will be glad to receive the views of Local Governments and Administrations on the point."

RESOLUTION.—Copies of the Resolution of the Government of India and of the Bill* accompanying it should be forwarded to the Honourable the Chief Justice and Judges of Her Majesty's High Court of Judicature, the Commissioners of Divisions, the Commissioner in Sind, all Collectors and District Magistrates, all Educational Inspectors, the Sanitary Commissioner, the Remembrancer of Legal Affairs, the Inspector-General of Police, the Commissioner of Police, Bombay, the Municipal Commissioner for the City of Bombay, and the Honorary Secretary, Edalji Framji Albless Leper Home, Trombay, for favour of their early opinion.

2. The Surgeon-General should be asked to obtain and submit with his own observations the opinions of some of the professional men who have given attention to this subject, and also of Dr. Pechey Phipson. The persons to be consulted need not be exclusively officials.

J. DE C. ATKINS,

Acting Under-Secretary to Government.

Thereupon the Corporation on the 13th August 1889, passed the following resolution:—

“That the Corporation learns with much satisfaction that the Government of India contemplates early legislation with the double object of preventing the spread of leprosy and ameliorating the present condition of lepers.

“That the Corporation further records its general approval of the principles of the draft Lepers Bill, and expresses its opinion that the object of the Bill being to prevent the spread of leprosy which has reached that stage at which it endangers public Health, the words “Leprosy” and “Lepers” should be clearly defined in the Bill.

“That the President be requested to acquaint Government with these resolutions for communication, if Government be so advised to the Home Department of the Government of India.”

The Director of Public Instruction requested Government to take early steps to remove the lepers who had taken up their quarters on the flags surrounding the large Nacoda Tank which lies between St. Xavier's College and the Elphinstone High School.

Government Resolution (No. 3,102 of 3rd August 1882) bearing on this subject was as under:—

“The Nacoda Tank, and the pavement surrounding which the lepers in question are stated to have located

Removal of
Lepers around
the Nacoda
Tank.

* See Corporation Record.

themselves in large numbers, is in the possession of the Municipality. The Municipal Commissioner for the City of Bombay should therefore be requested to take early measures towards the ejection of the lepers from that property and to see that they do not again resort to that place in future.

"As remarked by the Commissioner of Police, Bombay, what is needed to prevent lepers from thus establishing themselves in certain inconvenient localities or loitering about the public streets to the great danger of the inhabitants, is the setting apart of a place where these unfortunate persons could be treated. Under Section 424 of the City of Bombay Municipal Act 1888, it is the duty of the Municipality to remove to any hospital or place provided for the purpose any person who without proper lodging or accommodation is suffering from a dangerous disease. The Municipal Commissioner should be requested to provide a suitable place for this purpose as early as possible."

The leprous butcher's case caused a little excitement in July 1889, one Rama Tookia, the Leprous Hindu butcher and Shaik Rajab were charged, at the instance of the Municipality, at the Girgaum Police Court with bringing a quantity of meat unfit for human consumption from Coorla to Bombay. His Worship in convicting both the accused fined them Rs. 50 and Rs. 20 respectively. In subsequently addressing the Court the Magistrate said that as Rama had no money to pay the fine, a distress warrant would issue and his bullock and cart would be sold, so that he would be prevented from conveying meat from Coorla in future. There was, he went on to say, considerable objection to sending Rama to jail, as there was no means of segregating him from the other prisoners except by subjecting him to a good deal of hardship. If he were sent to prison, he would have to be incarcerated in the civil side of the jail where he would probably be ordered to remain for fifteen days at the expense of Government, and at the risk of spreading the disease to the other prisoners.

Prosecution
of Leprous
butchers.

Another leprous butcher was similarly charged and was fined Rs. 50.

On 7th February 1890, Government addressed the following letter No. 630 to the Corporation :—

Home for
Lepers.

"I am directed by His Excellency the Governor in Council to inform you that Sir Dinshaw Manekji Petit has offered to Government the sum of one Lakh of rupees for the purpose of building a Home for Lepers in Bombay subject to certain conditions. One of these is that the Home is to be equipped and maintained by those who are responsible by law for the maintenance and equipment of such Institutions. In these circumstances I am to ask you to be good enough to inform Government whether the Municipal Corporation are prepared to accede to the wishes of the generous donor.

D. MACKENZIE,

Ag. Chief Secy. to Government.

On the motion of the Hon'ble Mr. P. M. Mehta C. I. E., the following proposition was unanimously carried :—

"That Government be informed with reference to letter No. 630, General Department dated 7th February 1890, that the Corporation without admitting such legal liability on the part of the Corporation as is implied in that letter are of opinion that the liberal offer of Sir D. M. Petit should be accepted on the conditions stated, and that though the Corporation will be ready to undertake those duties with regard to the maintenance of a Leper Asylum which devolve upon them under the Municipal Act, they venture to express the hope that Government may see its way towards making a substantial contribution towards the expenses of the Institution.

"That in the opinion of the Corporation it is very desirable that advantage should be taken of the visit of H. R. H. Prince Albert Victor of Wales to invite H. R. H. to lay the foundation stone of the proposed Leper Asylum as his illustrious father has taken such a leading part in the efforts that have recently been directed both towards the amelioration of the condition of persons suffering from leprosy and towards the control and eradication of that terrible disease."

On the 24th March 1890, Government informed the Corporation that a site for the Asylum had been selected at Trombay and that H. R. H. Prince Albert Victor of Wales had consented to lay the foundation stone of the

building on 25th March and that as many members of the Corporation as could conveniently attend should be present at the ceremony.

The Ceremony accordingly took place.

The question of Destitute Lepers, was considered by the Corporation in connection with the following representation:—

No. 2911 OF 1890.

GENERAL DEPARTMENT, BOMBAY CASTLE, 23rd July 1890.
To KHAN BAHADUR MUNCHERJI COWASJI MURZBAN,
ASSOC. M. I. C. E., F. R. I. E. A.,
President, Municipal Corporation, Bombay.

SIR,—I am directed by His Excellency the Governor in Council to forward herewith extract paragraphs 1—8 of a letter from the Commissioner of Police, Bombay, No. 2937, dated 26th May last, and to request that you will be so good as to move the Municipal Corporation to take measures to prevent the recurrence of such cases as the one reported by Colonel Wilson. I am to add that if in fulfilling the duty assigned to it by Section 61 (g) of the City of Bombay Municipal Act of 1888, the Corporation finds itself embarrassed by want of legal authority, the case may be stated to Government with a view to further legislation.—I have, &c.,

Destitute
Lepers.

J. NUGENT, Chief Secretary to Government.

Extract paragraphs 1 to 8 of a letter from the Commissioner of Police, Bombay, No. 2937, dated 26th May 1890.

“With reference to Government Resolution No. 601, dated 31st January 1890, Judicial Department, I have the honour to report that in the present state of the law, the lepers are masters of the situation.

2. There is no separate accommodation in jail for lepers, and Magistrates will not convict under Section 85, Act 13, of 1856. The same is the case with Section 291 of the Indian Penal Code, and as regards Section 424, Bombay Municipal Act 3 of 1888 and Act VI of 1867, the provisions cannot be carried out, whilst no place exists for the reception of the lepers and for their detention pending despatch to the asylum or other place appointed.

3. On the 5th of April last I wrote to the Executive Health Officer to provide a place of detention for the lepers, pending their despatch to Trombay or Ratnagiri, copy of that letter (No. 1824—6 of 5th April 1890), with the Municipal Commissioner's reply No. 3266 of 21st May 1890, is attached.

4. At the time I addressed the Executive Health Officer on the subject of providing a place of detention, I had ascertained that the Trombay and Ratnagiri asylums were not quite full,

and it was my intention to fill up the vacancies; but that is now impracticable, as the asylums are reported full, and until a place of detention is provided, it is also impracticable to attack the matter.

5. A new phase of the leper question has now arisen owing to the distressing case of one Luxumon Gunnoo, a leper who died in charge of the Police. The circumstances were as follows.

6. P. C. ^c₆₄₈ found a Hindu leper, named Luxumon Gunnoo, aged 35 years, lying in an unconscious state on the verandah of a house at Lohar Street, Dhobi Talao. The policeman removed him in a reekla to the J. J. Hospital for treatment, where, in consequence of the leper hospital built on the premises being closed, he was refused admission, although the House Surgeon gave him a draught which he was not able to swallow. The policeman was then taking him back, intending to obtain orders through telephone at the Baboola Tank Station from Inspector Nemes as to where the leper should be taken, and found that he was dead, and therefore took this dead body to the morgue, where an inquest being held, the jury recorded a verdict of death from leprosy, and added that in their opinion lepers found ill on the public streets should be provided with a suitable asylum.

7. From enquiries made regarding the antecedents of the deceased leper, it appears that he has a brother named Dhondur Gunnoo, who states that 5 years ago he did not suffer from leprosy, was employed as a domestic servant in a Parsi family, and lived jointly with him. Since then he had reluctantly to turn him out owing to the horror expressed by his lodgers and neighbours. Being thus left alone he roamed about and lived on alms; about a fortnight back he began to suffer from cough and fever, and growing worse, died as stated.

8. The question now is, what action is to be taken to meet similar cases in the future. In the present instance, if the man had lived, all the police could have been to take him back and deposit him where he had been found."

No. 1824—6 of 1890.

Memorandum.—With reference to the letter No. 30003, dated 24th ultimo, from the Executive Health Officer, the undersigned presents compliments and requests that the Municipal Commissioner may be moved to provide some building for the detention of lepers, pending their despatch to leper homes.

W. H. WILSON, COLONEL,
Commissioner of Police.

No. 3266 of 1890-91.

BOMBAY, 21st May 1890.

TO THE COMMISSIONER OF POLICE, BOMBAY.

SIR,—With reference to your No. 1824/6 of 5th ultimo, to the address of the Executive Health Officer, I have the honour to say

that I understand both the Ratnagiri and Trombay Leper Homes are full, and that as regards the latter, at all events, it is found impossible to prevent lepers from leaving it and straying over the surrounding former (?). Even if there were accommodation available in the Ratnagiri Home, I greatly doubt the practicability of deporting lepers to it from Bombay. Under these circumstances it seems to me useless to provide a temporary place of detention for lepers in the city as you request. Any such arrangement must apparently be subsidiary to the provision of a place of final accommodation and detention. Were the circumstances other than they are, I think it probable that the Corporation might hold the view that in consenting to maintain a Leper Asylum, they have done all that can be fairly expected of them. But this branch of the subject it appears to be premature to consider.—I have, &c.,

H. A. ACWORTH,
Commissioner.

On 11th August 1890, the Corporation considered this question with the following result :—

Proposed by Pherozechah M. Mehta, Esq., seconded by Manekji Behramji Dadabhoy, Esq.—

“1. That, with reference to Government letter No. 2,911, dated 23rd July 1890, this Corporation do not acknowledge that it is any portion of the legal duties cast upon them by law to establish or maintain homes, asylums, hospitals or sanitarium for lepers or leprous vagrants.

“2. That they respectfully ask Government to reconsider the step taken by them of closing the leper ward of the Sir J. J. Hospital.

“3. That with the object of co-operating in the work of alleviating human suffering, this Corporation, on the recommendation, of the Standing Committee, sanction a grant for the purpose of defraying a moiety of the cost of *temporarily* maintaining the leper asylum proposed to be established by public subscription; provided that such moiety does not exceed the sum of Rs. 1,000 a month, and that Government undertake to defray the other moiety of the cost of maintenance.”

Sir Henry Morland raised the point of order that as yet the recommendation of the Standing Committee was not before the Corporation, as the notice of motion given by Mr. Dosaboy Framji, embodying that recommendation, had not yet been proposed.

The President ruled that the objection was good.

Thereupon Mr. Mehta, with the permission of the President and the consent of the meeting, re-inserted the words "will be prepared."

The motion, as thus re-amended, was put to the vote as follows :—

"1. That, with reference to Government letter No. 4408. No. 2,911, dated 23rd July 1890, this Corporation do not acknowledge that it is any portion of the legal duties cast upon them by law to establish or maintain homes, asylums, hospitals or sanatoria for lepers or leprous vagrants.

"2. That they respectfully ask Government to reconsider the step taken by them of closing the leper ward of the Sir J. J. Hospital.

"3. That, with the object of co-operating in the work of alleviating human suffering, this Corporation will be prepared, on the recommendation of the Standing Committee, to sanction a grant for the purpose of defraying a moiety of the cost of temporarily maintaining the leper asylum proposed to be established by public subscription; provided that such moiety does not exceed the sum of Rs. 1,000 a month, and that Government undertake to defray the other moiety of the cost of maintenance."

Carried nem con.

Mr. Acworth the Municipal Commissioner in his letter No. 9454 of 6th August 1890 forwarded a copy of the Resolution passed by the Homeless Leper Relief Fund Committee at a meeting held on 2nd August 1890, in which they appealed to Government and the Corporation jointly to undertake the work and the expense of maintaining the Leper Home which it was proposed to establish by public subscription.

In the absence of Mr. Dosabhoy Framji (who had given notice of the motion), it was—

Proposed by E. B. Carroll, Esq., seconded by A. G. Viegas, Esq.—

"That, with reference to the Commissioner's letter No. 9,454, dated 6th August 1890, and as recommended by the Standing Committee in their resolution of the same date, sanction be given to an expenditure not exceeding Rs. 1,000 a month for the maintenance of the proposed leper home; the Corporation understanding that the total cost will be Rs. 2,000, but that Government be asked to bear the

other moiety of the expenditure, and the Corporation being advised to state explicitly that this will be a voluntary contribution on their part and that they do not recognise, in granting it, any legal liability."

Amendment, proposed by G. W. Roughton, Esq., seconded by Kaikhosru N. Kabraji, Esq.—

"That, with reference to the Commissioner's letter No. 9,454, dated 6th August 1890, and as recommended by the Standing Committee in their resolution of the same date, sanction be given to an expenditure not exceeding Rs. 1,000 a month for the maintenance of the proposed leper home; the Corporation understanding that the total cost will be Rs. 2,000, and that Government will bear the other moiety of the expenditure, the Corporation explicitly stating that this will be a voluntary contribution on their part, and that they do not recognise, in granting it, any legal liability."

Second Amendment, moved by Bhalchandra K. Bhatawadekar, Esq., seconded by R. N. Khory, Esq.—

"That, with reference to the Commissioner's letter No. 9454, dated 6th August 1890, and as recommended by the Standing Committee in their resolution of the same date, sanction be given to an expenditure not exceeding Rs. 1,000 a month for the maintenance of the proposed Leper Home, in accordance with the resolution of the Corporation just passed in that behalf."

On a division, there were 21 votes *for*, and 8 votes *against*, the second amendment which was carried as the substantive proposition by 23 votes (*against* none).

The President said that he would address Government on the subject of the last paragraph of Mr. Chief Secretary Nugent's letter of 23rd ultimo, after the Corporation had considered the notice of motion given by Dr. Viegas on the question of the segregation of lepers.

No. 3067.

GENERAL DEPARTMENT.

Bombay Castle, 2nd August 1890.

Memorandum from the Commissioner, S. D., No. 1209, dated 18th April 1890—Submitting a letter No. L.F.—158, dated 12th idem, from the Collector of Ratnágiri, who states that the Managing Committee of the Dinshaw Manekji Petit Leper Hospital, Ratnágiri, passed a resolution at its meeting

Government Resolution re: contribution by Municipal & Local Boards towards Leper Asylums.

held on the 3rd April 1890, requesting Government to rule that Municipalities or District Boards from within whose limits lepers come to that Hospital shall contribute towards the maintenance of such lepers at the rate of Rs. 8½ per head per mensem, that sum being the cost for dieting and clothing, &c., one patient; and requests the sanction of Government to the rule as proposed by the Committee: the Commissioner observing as follows:—

"2. It appears to the undersigned doubtful whether Government can pass an order of the nature suggested by the Collector, directing Local and Municipal Boards to make any particular expenditure, but under Section 45 of the Local Boards Act and Section 23 of the District Municipal Act, before any such contribution is levied from other local bodies, an order of Government permitting the contribution will be necessary; and the Acting Commissioner, S. D., suggests that this be done."

Memorandum from the Surgeon General with the Government of Bombay, No. 3122, dated 6th May 1890—Remarking that the Committee of Management of the Dinshaw Mánekji Petit Leper Asylum must receive contributions to feed and clothe lepers, and that nothing can be fairer than that the Municipalities and Local Boards concerned should contribute for the lepers they may send.

Memorandum from the Remembrancer of Legal Affairs, No. 591, dated 30th May 1890:—

"In a letter accompanying Government memorandum No. 3467 of 19th May 1890, the Collector of Ratnágiri proposes that Government should make a rule that Municipalities and District Boards from within the limits of which lepers are sent to the Ratnágiri Dinshaw Mánekji Petit Leper Hospital should contribute to the maintenance of such lepers at the rate of Rs. 8½ per head per mensem, *i.e.*, the cost of dieting and clothing.

"2. It is not stated under what section of what enactment Government could make such a rule. It does not appear that it could be made under Section 69 of Bombay Act I of 1884 or under any provision of the District Municipal Acts (Bombay VI. of 1873 and Bombay II. of 1884) or of the City of Bombay Municipal Act (Bombay III. of 1888).

"3. It is, however, the duty of Local Boards (Section 30 (b) and (c) of Bombay I of 1884) to make adequate provision not only for the construction, repair, management and maintenance of hospitals and dispensaries for the areas subject to them, but also for sanitary works and measures necessary for the public health (sanitary works being coupled with vaccination indicates other preventive measures than such as relate to mere drainage).

"Measures for preventing and checking the spread of dangerous diseases are also included among the obligatory duties of the Corporation of the City of Bombay (Bombay III of 1888, Section 61 (g)), and similar duties are imposed on District Municipalities by Section 24 (13) and (14) of Bombay VI of 1873, as amended by Bombay II of 1884, Section 49.

"4. If Local Boards, or a Municipal authority in the City of Bombay or any District Municipality, neglect these duties, Government may provide for their execution and recover the expense, under the powers given by Section 66 of Bombay I of 1884, Section 518 of Bombay III of 1888 and Section 42 of Bombay II of 1884.

"5. These duties arise only in respect of the areas subject to the control of the respective local authorities.

"The Ratnágiri Local Board, therefore, is not bound or even empowered to take such measures for the benefit of other local areas, and cannot therefore consent, or be called upon, to increase its contribution to the maintenance of the Hospital to accommodate patients from those areas.

"6. But it is open to any Local Board, with the sanction of Government (Section 45 of Bombay I of 1884) to make, outside the area subject to it, any expenditure beneficial to that area, and similarly District Municipalities also may be empowered* to contribute to expenditure incurred in any area, subject to a Local Board for measures affecting the public health and calculated to benefit the residents within its own limits. There can of course be no doubt that the segregation and care of lepers would fulfil these conditions.

"7. District Local Boards † and Municipalities ‡ may also, for purposes of such common interest, concur in making certain arrangements for the construction and maintenance of a joint work, differences arising between them, being referable to Government for decision.

"8. There does not seem to be any restriction on the Corporation in the City of Bombay as to the area within which its expenditure must be incurred, provided that it is for the purposes of duties obligatory or discretionary with them. It does not appear therefore that any sanction of Government would be necessary to enable the Corporation to contribute to the Ratnagiri Dinshaw Manekji Petit Hospital. On this, however, as a matter within the City of Bombay, Government may perhaps prefer to take the opinion of the Solicitor to Government or the Advocate General.

" 9. But it is, of course, to be borne in mind that none of these local authorities can be bound to perform these duties in any particular way. They cannot be *required* to send their lepers to Ratnágiri, or to pay for them when there, unless such payment is made the condition of their admission.

" 10. The Ratnágiri Dinshaw Mánékji Petit Hospital has recently been made a Sanitarium for cases of leprosy under Section I of Bombay VI of 1867, and leprosy has, under Section 12 of the same Act, been declared an infectious disease dangerous to life within the meaning and for the purposes of that Act.

" 11. Lepers may therefore be compulsorily conveyed thither under Magisterial order (Section 4 of Bombay VI. of 1867).

" 12. No alternative is left to the Corporation as the mode in which to exercise in respect of this disease the duties imposed by Section 61 (g) of Bombay III. of 1888.

" 13. It seems doubtful whether the Corporation can be compelled to contribute to the maintenance of the Ratnágiri Dinshaw Mánékji Petit Hospital, as the appointment of the Sanitarium, its Superintendent and its establishment is (Section I of Bombay VI. of 1867), vested by law in Government, and the conveyance of lepers thither seems imposed as a duty on Government officers independent of Municipal action. On this point also, however, Government may wish to take other opinion.

" 14. Probably none of the local authorities in question would decline to make the contributions necessary for the diet, &c., of the patients they deport to Ratnágiri, and if those authorities did decline, the Hospital authorities would apparently be under no obligation to admit such extraneous patients except in the case of lepers conveyed thither under Bombay VI. of 1867."

Letter from the Solicitor to Government, No. 639, dated 19th June 1890—Submitting copy of the following opinion of the Honourable the Advocate General, No. 47, dated 18th idem :—

" With reference to memorandum No. 4128 of the Revenue Department, dated 18th June 1890, I have considered the points raised in Mr. Batty's report No. 591 of 1890, dated 30th May 1890, and am of opinion that Government have no power to direct Local Boards or Municipalities to contribute maintenance-money for lepers sent from their districts to the Ratnágiri Leper Hospital. But it is competent to Local Boards (Bombay Act I. of 1884, Section 45) and to District Municipalities (Bombay Act VI. of 1873, Section 23, amended

by Bombay Act II. of 1884, *Section 49 (d)*), to make such contributions with the sanction of Government, and the Corporation of Bombay can independently vote such a contribution.

"I suggest that Government should invite the various bodies in question to make the requisite contribution, promising sanction when necessary.

"No other mode occurs to me of meeting the very reasonable claim of the Committee of the Dinshaw Maneekji Petit Leper Hospital Ratnágiri."

Letter from the Solicitor to Government, No. 676, dated 30th June 1890.

Letter from the Solicitor to Government, No. 752, dated 15th July 1890—Forwarding a copy the following opinion No. 59, dated 14th idem, of the Honourable the Advocate General:—

"With reference to memorandum No. 4729 of 1890, Revenue Department, dated 8th July 1890, desiring my opinion specifically as to whether lepers can compulsorily be conveyed from the City of Bombay to the Leper Hospital at Ratnágiri, I am clearly of opinion in the affirmative. Bombay Act VI. of 1867 being in force, and the Ratnágiri Hospital having been established as a Sanitarium for the City of Bombay by the Notification (of 8th January 1890) under the Act, it seems to me to necessarily follow that *Section 4* applies and can be put in operation either by the Consulting Officer of Health (Bombay Act III of 1888, *Section 76*) or by a Health Officer of the Port appointed under *Section 2* of Bombay Act VI. of 1867.

* * * *

RESOLUTION.—Copies of the opinion of the Remembrancer of Legal Affairs and of that given by the Honourable the Advocate General under date the 18th June 1890 should be forwarded to the Municipal Commissioner for the City of Bombay and to all Collectors with a request that the Municipal Corporation of the City of Bombay and the Municipal and Local Boards in the Mofussil may be moved to vote funds for the maintenance of lepers whenever they have occasion to send persons affected with the disease from their areas to the Dinshaw Maneekji Petit Leper Hospital, Ratnágiri, or the Albless Leper Home at Trombay.

2. The Judicial Department should be requested to invite the attention of the Presidency Magistrates in Bombay to the opinion expressed by the Remembrancer of Legal Affairs in paragraphs 10 and 11 of his memorandum No. 591, dated 30th May 1890, concurred in by the Honourable the Advocate General in his opinion No. 59, dated 14th July 1890, under which lepers can compulsorily be conveyed from the City of Bombay to the

Leper Hospital at Ratnágiri or the Leper Home at Trombay, both these places having been established as Sanitaria for the City of Bombay for cases of leprosy by Government Notification No. 82, dated 8th January 1890.

J. DE C. ATKINS,
Acting Under-Secretary to Government.

In reply to this resolution, the President was requested to refer Government to para 4 of his letter No. 5243 of 2nd September 1890, and letter No. 574 dated 15th June 1887.

No. 3567.

GENERAL DEPARTMENT.

Bombay Castle, 5th September 1890.

Government
grant-in-aid
towards Leper
Home.

RESOLUTION.—The Municipal Commissioner for the City of Bombay should be informed that Government agree to pay a grant-in-aid towards the cost of the maintenance of the proposed Leper Home at the rate of not more than Rs. 10 per mensem a head for a moiety of the lepers to be accommodated therein and subject to a maximum of Rs. 1,000 a month. The average cost to Government of the maintenance of a leper at the Leper Asylum at Ratnagiri is Rs 8½ per mensem, and the same amount is given to the Edalji Framji Albless' Leper Home at Trombay for each leper transferred to that Home from the ward for incurables attached to the Jamshedji Jijibhai Hospital. In these circumstances Government trust that the maintenance charges in the new Home will be reduced in time to Rs. 8½ a head.

2. The Municipal Commissioner should be informed that this undertaking is to be regarded as revocable should that course seem necessary or advisable to Government, and as satisfying or absorbing any moral obligation supposed to rest on Government for the maintenance of a ward at the Jamshedji Jijibhai Hospital accessible to lepers and sufferers from infectious diseases.

J. DE C. ATKINS,
Acting Under Secretary to Government.

No. 12,398 of 1890-91.

Resolved: "That Government Resolution No. 3,567, General Department, dated 5th instant, on the subject of Government grant-in-aid towards the cost of the maintenance of a Home or Sanitarium for the vagrant and Homeless lepers, in Bombay be passed on to the Corporation.

Then came the question of increasing the Monthly Grant towards the Matunga Leper Asylum, with the following result :—

No. 812.

GENERAL DEPARTMENT.

BOMBAY CASTLE, 23rd January 1891.

Letter from the Municipal Commissioner for the City of Bombay, No. 22087, dated 9th January 1891, inquiring whether Government will consent to increase their contribution to the maintenance of the Leper Asylum at Matunga in the same proportion which they now pay, if the number of inmates is increased beyond 200 ; making remarks, and adding that whatever further contribution Government may make should be contingent on similar action on the part of the Municipal Corporation, Bombay.

RESOLUTION — The Municipal Commissioner for the City of Bombay should be informed that in the uncertainty that exists as to the report of the Leprosy Commission, Government does not feel able to make further engagements than it has already made ; but that the contribution of this Government shall not be less than Rs. 1,000 a month, however much the Municipal Commissioner may be able to reduce the cost of maintenance per head.

J. DE C. ATKINS,

Acting Under Secretary to Government.

Proposed by E. B. Carroll, Esq., seconded by Colonel Merewether—

No. 10742. “ That, as the Municipal Commissioner has succeeded in providing accommodation for an additional number of patients, and with the view to affording accommodation in the Matunga Leper Asylum for a larger number than 200 patients, and for the reasons stated in the Commissioner’s letter No. 24159, of this day’s date, the Corporation be recommended to increase their monthly contribution to the Asylum of Rs. 1,000, to the extent of Rs. 10 per head per mensem additional for each patient beyond the number of 200, and up to the number of 300. The cost to be met by a grant from surplus cash balance.”

On a division, there were 5 votes for and 2 votes against the motion, which was carried.

The Corporation thereupon passed the following Resolution on the motion of Dr. A. G. Viegas :—

No. 12296. “ 1. That sanction be given to an increase in the monthly contribution of Rs. 1,000 towards the maintenance of the Matunga Leper Asylum to the extent of Rs. 10 per head per mensem addi-

tional for each patient beyond the number of 200, and up to the number of 300."

"2. The cost to be met from surplus cash balance.

"3. That the Municipal Commissioner be requested to address Government again with a view to obtain a moiety of the additional amount now sanctioned by the Corporation." (23-2-91).

Report of the Committee of the Corporation, appointed to consider and report on the subject of the Establishment of the Sir Dinshaw M. Petit Leper Asylum at Matunga.

Matunga
Asylum.

The Committee appointed by the Resolution of the Corporation, No.

"That, with reference to Mr. Chief Secretary Mackenzie's letter No. 3372, dated 23rd September 1891, No 8076, the following Committee be appointed to report thereon :—

Mr. P. M. MEHTA; Mr. E. B. CARROLL; the Hon'ble Mr. JAVERILAL U. YAJNIK; Mr. DINSHAW E. WACHA; Mr. COWASJEE HORMUSJEE; Mr. THOMAS BLANEY; Mr. BHALCHANDRA K. BHATAWADEKAR; Brigade-Surgeon S. O'B. BANKS. "That Mr. Blaney be Chairman of the Committee."

8076, dated 26th October last, as per margin, beg to report that they concur in the opinion of the Government

Committee, that the Home should be built at Matunga near the present Leper Home, and that it should constitute an extension of it. The Committee are also of opinion, that a very large area of ground surrounding the new site should be secured in order to isolate the asylum as far as possible.

2. The Committee recommend that the Corporation should defer the decision of the question as to what proportion of the cost of equipment and maintenance of the hospital should be borne by them, as the Committee think it is very probable that, if the Corporation are treated liberally by Government in respect of their contribution of Police charges, they would feel themselves justified in offering to bear a far higher proportion of the cost than they otherwise would.

THOMAS BLANEY.
PHEROZESHAH M. MEHTA.
E. B. CARROLL.
JAVERILAL U. YAJNIK.
BHALCHANDRA KRISHNA.
DINSHA EDULJI WACHA.
COWASJEE HORMASJEE.
S. O'B. BANKS.

BOMBAY, 26th November 1891.

Proposed by Thomas Blaney Esq., seconded by the Hon. P. M. Mehta, C. I. E.

"That the report of the Committee be adopted and that the President be requested to address Government in terms thereof." (26th October 1891.)

Carried.

Letter No. 10373 dated 18th December 1891 was addressed to Government by the President in terms of this Committee's Report.

No. 25652 dated 24th February 1893.

To The MUNICIPAL SECRETARY.

Sir,

I have the honour to report that I have been able to obtain a promise of a donation of Rs. 19,000 to the Homeless Leper Fund for the erection of a Hospital Ward, that is to say, a ward for lepers suffering from other diseases than leprosy on certain conditions, one of which is "that the building be taken charge of, maintained and kept in repair by the authorities above named" (Government and the Municipality) "or by those who have for the time being charge and maintenance of the Asylum." The entire Asylum is now maintained jointly by Government and the Corporation, each contributing not exceeding Rs. 1,500 a month, according to the number of inmates. The condition mentioned above will not entail any extra charge as the Hospital Ward can be kept in repair, as the other wards are, out of the maintenance grant, and its erection will not increase the number of inmates. I have, therefore, the honour to ask whether I may intimate to the donor that the Corporation have no objection to this condition. The only point likely to raise objection which occurs to me is that at present the Corporation have entered into no objection to continue their present contribution indefinitely, while assent to this condition will entail a permanent obligation to the extent of Rs. 250 a month (half of 50 patients at Rs. 10 a head.) I trust, however that this will not be found to be of the nature of a fatal objection. A hospital ward is very badly wanted, as at present no means exist of isolating sick lepers who have to remain and be treated in the leper wards to the danger and discomfort of those around them. I am of course addressing Government also with a request for a similar guarantee to that asked for in this letter. As the offer of this money will lapse by about the middle of March, I have the honor to beg that I may be favoured with a very early answer. I have &c.,

H. A. ACWORTH,
Municipal Commissioner.

No. 811 of 13th March 1893

GENERAL DEPARTMENT.

To The MUNICIPAL COMMISSIONER.

Sir,

In reply to your letter No. 25651 of the 24th February 1893, on the subject of the donation promised to the Homeless Leper Fund for the erection of a Hospital Ward for lepers suffering from other diseases than leprosy, I am directed to inform you that Government have no objection to the condition mentioned therein, namely "that the building be taken charge of, maintained and kept in repair by the authorities aboved named" (Government and the Municipality,) "or by those who have for the time being charge and maintenance of the Asylum." I have &c.

G. W. VIDAL,

Acting Chief Secretary to Government.

Proposed by Pherozechah M. Mehta Esq., seconded by Karsondas Chabildas Esq.—

"That the donor of Rs. 19,000 towards the Matunga Leper Asylum be informed that the Corporation would be glad that that sum should be accepted, but without the condition attached to the offer, in view of the fact that no permanent arrangement has yet been made between Government and the Corporation regarding the maintenance of the Leper Asylum."

Carried.

The Standing Committee on 31st January 1894, by their Resolution No. 11478, asked the Municipal Commissioner to inform them as to whether the Leper Asylum is a Municipal Institution.

The Commissioner replied stating that it is partly a Municipal Institution being built on Municipal Ground and supported partly by Municipal Funds. At all events, it is so far, a Municipal Institution that all the accounts pass through his office and that the Chief Accountant and the Commissioner prefer to report contracts in the usual way.

No. 2263 of 4th June 1895.

MRMO.

As the Corporation have expressed their strong disapproval of the accounts of the Municipality and of the Leper Asylum Matunga being in any way mixed up, and as on the 22nd October last, the Corporation passed the accompanying letter (see Resolution No. 7986 dated 22nd October 1894); the undersigned

has the honor to submit for the consideration of the Acting Commissioner whether in future, such supplies as those referred to in the accompanying Cash Vouchers should not be obtained by the Medical Officer in charge of the Asylum in the Bazaar direct and not from the Municipal Contractors or Municipal Stores.

(Sd.) H. W. BARROW,
Municipal Secretary.

The Acting Commissioner approved of the suggestions of the Municipal Secretary. Orders were issued accordingly to the Medical Officer in charge to carefully attend to them in future.

GENERAL DEPARTMENT.
BOMBAY CASTLE, 8th May 1895.

No. 1828.—The following Resolution of the Government of India in the Home Department, No. 2, Medical, 138—149, dated 23rd March 1895, was published for general information :—

Government
of India
despatch re:
garding
Leprosy.

RESOLUTION.

THE question whether it would not be possible for the State to take a more direct part in the prevention or treatment of leprosy in India has been for some years under the consideration of the Government of India. In the Resolution, dated the 26th September 1888, the Governor General in Council observed that so far as had been ascertained at the census of 1881 there were 1,31,618 lepers in British India, that these figures did not in all probability afford a true measure of the disease, and that about 1 per cent. only of the lepers actually known to exist came under organised relief in institutions maintained by charity or assisted by Government. It was stated that the great majority of lepers preferred to be the objects of local charity and appeared to disapprove of the small amount of restraint to which they were liable in institutions maintained for their treatment. The Governor General in Council was of opinion that the absolute segregation of the sexes and the confinement for life of all affected by leprosy, which His Excellency in Council was then assured was the only effectual measure for stamping out the disease, would not only be repugnant to public opinion but would be impracticable in India. After a careful consideration of the subject the Governor General in Council came to the conclusion that, for the time at all events, the State could not attempt more than the encouragement of the grant of medical and charitable relief to lepers in voluntary hospitals and Leper Asylums. His Excellency in Council expressed the opinion that in such institutions the necessity of strictly segregating the sexes should invariably be kept in view and desired that this condition should be enforced in the case of every institution for the relief of lepers receiving aid from public funds and that every effort should be

Number of
Lepers in
India.

Measures for
stamping out
the disease.

made to induce the supporters of institutions of the kind maintained by voluntary contributions to adopt a similar rule.

2. Subsequently, upon a further examination of the question, the Governor General in Council considered that some additional measures might be taken with the object of promoting the establishment of asylums or retreats for lepers and giving legislative sanction to the retention of lepers in such retreats. His Excellency in Council accordingly directed the preparation of a Bill providing for the detention of lepers at their own request in accordance with the voluntary system adopted in regard to habitual drunkards by the Statute 42 and 43 Vict., Cap. 19, and authorising Magistrates to arrest and commit to retreats persons proved to be lepers who might be found asking for alms or wandering about without any employment or visible means of subsistence. The Bill contained a provision requiring the segregation of the sexes at retreats and protecting a leper from being sent against his will to a retreat where attendance at any religious observance or at any instruction in religious subjects was obligatory upon the inmates. In inviting the views of the local authorities upon the provisions of the Bill on the 15th June 1889, the Government of India requested the Local Governments and Administrations to state whether, in the opinion of persons qualified to judge, leprosy was on the increase or not.

Cause and
character of
the disease.

3. The replies showed that very great uncertainty existed as to the cause and character of the disease of leprosy, and the opinions of those consulted differed very much upon these points. The opinion was expressed by many of the highest medical authorities consulted that the disease is not contagious except by inoculation, and that the part played by inoculation in determining its spread is very small. It then became a matter for the consideration of the Government of India whether it would not be desirable to introduce the Bill in an amended form, on the one hand limiting its application to persons suffering from the disease in an advanced and specially dangerous stage, and on the other hand extending the power of arrest and compulsory detention so as to cover all such dangerous lepers who might after warning persist in coming out and mixing with the public. The conclusion at which the Government of India then arrived was that there was no safe basis even for an enactment of this restricted description. At the time the English National Leprosy Fund, formed under the presidency of His Royal Highness the Prince of Wales for the purpose of perpetuating the memory of Father Damien who died of leprosy contracted during his work among the lepers of Hawaii, contemplated the appointment of a Leprosy Commission to visit India, and the Government of India, after communicating their views to Her Majesty's Secretary of State for India, decided to await the recommendations of the Commission.

4. The Commission, which consisted of five gentlemen of the medical profession, three* selected in England by the

Appointment
of a Leprosy
Commission.

* Beaven N. Rake, Esq., M.D., L.R.C.P.,
M.R.C.S.

Geo. A. Buckmaster, Esq., M.D.

A. A. Kanthack, Esq., M.D., M.R.C.P.,
F.R.C.S.

† Surgeon-Major A. Barclay, M.B.

Surgeon-Major S. J. Thompson, D.P.H.

National Leprosy Fund in
conjunction with the Councils
of the Royal College of Phy-
sicians and the Royal College
of Surgeons, London, and

two†—officers of the Indian Medical Service deputed by the Government of India, commenced its investigations in the winter of 1890-91. The Commissioners unanimously reported their opinion that:—(1) leprosy is a disease *sui generis*; it is not a form of syphilis or tuberculosis, but has striking etiological analogies with the later; (2) leprosy is not diffused by hereditary transmission, and for this reason, as well as because of the large extent of sterility among lepers, the disease has a natural tendency to die out; (3) though in a scientific classification of diseases leprosy must be regarded as contagious and also inoculable, yet the extent to which it is propagated by these means is exceedingly small; (4) leprosy is not directly originated by the use of any particular article of food, not by any climatic or telluric conditions, nor by insanitary surroundings; neither does it peculiarly affect any race or caste; (5) leprosy is indirectly influenced by insanitary surroundings, such as poverty, bad food, or deficient drainage or ventilation, for these by causing a predisposition increase the susceptibility of the individual to the disease; and (6) leprosy in the great majority of cases originates *de novo*, that is, from a sequence or concurrence of causes and conditions, dealt with in the report, which are related to each other in ways at present imperfectly known.

Opinion of
the Leprosy
Commission.

5. The Commissioners observed that 'the presence of a leper in a healthy community is a source of danger no greater than the presence of an individual suffering from tuberculosis. Both diseases are contagious in an equal and minimal degree. The amount of ulceration which exists in both diseases is to some extent a measure of the danger of contagion.' They held that their conclusions as to the nature of the disease did not justify any recommendation for absolute segregation, and for the same reasons they found it impossible to advise compulsory partial isolation. They advocated the adoption of a voluntary isolation as extensive as local circumstances would allow, and suggested that, if marriages among lepers were permitted, this plan might be more easily carried out. They stated that they would in no case suggest an Imperial Act, especially directed against lepers as such, for the reason that they considered lepers to be far less dangerous to a community than insane or syphilitic people.

6. The Commissioners made the following recommendations for the regulation of leprosy and lepers in India, which they considered could be effected by means of Municipal bye-laws:—

(a) that the sale of articles of food and drink by lepers should be prohibited and that they should be prevented from practising prostitution, and from following such occupations, as those of barber and washerman, which concern the food, drink, and clothing of the people generally, quite apart from the dread of a possible infection; (b) that the best policy in dealing with the concentration of lepers in towns and cities is to discourage it, and that to this end the Municipal authorities should be empowered to pass bye-laws preventing vagrants suffering from leprosy from begging in or frequenting places of public resort or other public conveyances; (c) that asylums should be built near towns where they do not already exist, and that the authorities should have the power of ordering lepers infringing the Municipal regulations either to return to their homes or to enter an asylum; and (d) that competent medical authority should always be consulted before action is taken under such bye-laws.

Report of
the Commission
considered
by a
Special Com-
mittee.

7. The report of the Commission was considered by a Special

† The Honourable Geo. N. Curzon, M. P.,
then Under Secretary of State for India
(Chairman).
Edward Clifford, Esq.

§ Sir Dyce Duckworth, M. D., LL. D.
G. A. Heron, Esq., M. D., F. R. C. P.

¶ Jonathan Hutchinson, Esq., LL. D., B.
R. S. N. C. Macnamara, Esq., F. R. C. S.

|| Baron Ferdinand de Rothschild, M. P.
(Chairman).

The Bishop of London.

The late Sir Andrew Clark, Bart., F.R.S.,
President, Royal College of Physicians.

Sir James Paget, Bart., F.R.S.

Sir Joseph Fayrer, K.C.S.I., M.D.

Sir W. Guyer Hunter, K.C.M.G., M.D.,
M.P.

Sir Algernon Brothwick, Bart., M.P.
(Honorary Treasurer).

Sir Edward Lawson, Bart. (Honorary
Treasurer).

Sir Somers Vine, F.R.G.S., F.S.S.
(Honorary Secretary).

Committee consisting of two members ‡ nominated by the Executive Committee of the National Leprosy Fund, § nominated by the Royal College of Physicians, and two members ¶ nominated by the Royal College of Surgeons. It was also considered at the same time by the members || of the Executive Committee of the National Leprosy Fund. As the result of this consideration a memorandum was prepared by the members of these two Committees accepting the conclusions of the Commissioners except :—(§) that the extent to which leprosy

Conclusions
of the Special
Committee.

is propagated by contagion and inoculation is exceedingly small; and (6) that leprosy in the majority of cases originates *de novo*, that is, from a sequence or concurrence of causes and conditions, dealt with in the report, and which are related to each other in ways at present imperfectly known. These Committees declared themselves unable to accept the view that segregation in any case of leprosy in India is either impracticable or undesirable, and stated that they would be sorry if the Government of India were encouraged by the report of the Commissioners to refrain from taking the necessary steps in the direction of such segregation of lepers as might be found possible. They stated that

their opinions on segregation were in accord with those of Dr. Vandyke Carter, viz., that it should be effected—

- (i) by erecting plain asylums at certain centres, each of which would be a refuge common to several districts, and a place of detention, under due management and supervision ;
- (ii) by founding leper Colonies, or village communities, mainly of the affected, who, while allowed more liberty of movement, should yet be prevented from mingling with the peasantry around ;
- (iii) by requiring the strict isolation in suitable separate lodgment of leprosy subjects retained in their homes at express wish of friends ; and
- (iv) by giving legislative authority to take up the vagrant sick, to remove the sorely diseased who are insufficiently guarded at home, and at times to enforce continued isolation of the infected until medical sanction of the liberty be granted.

While reserving these opinions the Committees gave a general approval to the recommendations of the Commissioners enumerated above in paragraph 6, though they did not concur in the opinion that Municipalities would be necessarily or universally the best means of effecting the object of providing for the regulation of lepers and leprosy in India. They wished to go much further than the Commissioners in controlling the action of lepers, and urged that the Government of India should take the necessary steps in the direction of such segregation of lepers as might be found possible. The late Sir Andrew Clerk, Sir W. Guyer Hunter, Sir James Paget, Sir Joseph Fayrer and Dr. Jonathan Hutchinson dissented from the opinion expressed in the body of the report of the Special Committee on the subject of the contagion of leprosy, believing that the evidence of the spread of leprosy by contagion is not sufficient to justify the compulsory segregation of lepers, and that there is no adequate reason for prohibiting the marriage of the leprosy. Sir Dyce Duckworth also expressed a somewhat similar opinion.

Difference of
opinion on the
Special Com-
mittees
report.

The Surgeon-General with the Government of India has also stated his concurrence with the finding of the Commissioners upon the issue whether leprosy is contagious or not, and this view has found favour generally among the authorities in this country. The Governor General in Council, while regarding with every respect the opinion of the eminent gentlemen upon the Special Committee and the Executive Committee of the National Leprosy Fund who dissented from the finding of the Leprosy Commissioners regarding the contagious character of the disease, is constrained to accept the conclusion of the Commissioners upon this matter, fortified as it is by the views of the distinguished medical authorities just cited, and by the general opinion of those in India who are qualified to pass judg-

Segregation
of lepers.

ment on it. His Excellency in Council accordingly feels assured that the extent to which the disease is propagated in India by contagion is small, and, holding this opinion, is unable to approve of the compulsory segregation, either absolute or partial, of lepers except under the special circumstances which are detailed *infra* in paragraph 10.

Prohibition
of lepers in
engaging in
trade.

8. The Local Governments and administrations were requested to offer their opinions for giving practical effect to the recommendations of the Commissioners. There is complete unanimity of opinion in favour of the first recommendation that lepers should be prohibited from engaging in certain trades. This recommendation cannot indeed be directly justified on the conclusion of the Commissioners regarding the question of the contagiousness of leprosy, but it appears to the Government of India that, as the Lieutenant-Governor of the Punjab observes, 'it is amply justified on the grounds that there is a certain danger in allowing lepers with running sores to engage in those trades, and the people of this country, and indeed, it may be said, of any other country, would be struck with dismay if they discovered that the articles they used or consumed had been handled by such lepers.' There is, in fact, the Government of India are advised, danger of septic poisoning from any such running sore or ulcer.

The question arises whether the prohibition in respect of the trades in question should be confined to Municipalities or made of general application. The majority of the Local Governments and Administrations would, for the present at least, proscribe lepers from engaging in trades only in Municipal areas, upon the broad grounds that the enforcement of the prohibition would be impracticable in agricultural villages, and that the members of village communities, who are fully cognizant of the most trifling details connected with the every day life of their fellow residents in a village, are well able to protect themselves. The object is to protect the public from dealing unwittingly with leper tradesmen, and the Governor General in Council thinks that this can be adequately secured if the prohibition is confined to Municipalities and to the larger fairs and religious and other gatherings which are held outside the limits of towns. His Excellency in Council has, therefore, decided that, for the present at all events, the prohibition should not apply except to lepers in and near Municipalities and at the larger fairs and similar gatherings. As the Government of India abstain strictly from regulating prostitution, no bye-law or Act dealing with the prohibition against lepers following certain trades or callings should extend to that of prostitution by leper women.

In the opinion of the Governor General in Council the question of amending the Municipal Acts in the Provinces where they are at present deficient in this respect should now be taken into consideration. In connection with this point it appears to

His Excellency in Council that section 55 of Act XV of 1869 in the North-Western Provinces and Oudh cannot, as urged by the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh, be held to refer to this matter; and that section 85 of Act XVIII of 1869 in the Central Provinces, which the Chief Commissioner of the Central Provinces considers would enable Municipal Commissioners to prohibit, as a public nuisance, lepers from publicly exposing their sores or from engaging in trade, does not provide for it with sufficient precision.

9. The second recommendation of the Commissioners was directed against the prevalent custom of mendicant lepers to leave their homes and crowd into the large centres of population. The Commissioners held that vagrant and indigent lepers scattered about the country are not a source of serious danger, and their proposal that Municipal authorities should be empowered by bye-laws to prevent vagrants afflicted with leprosy from begging in or frequenting places of public resort or using public conveyances in towns and cities was dictated by the expectation that the effect of such bye-laws in large towns would be an emigration into the surrounding country, and a furtherance of the scheme for establishing experimental leper colonies or farms in rural districts. With the exception of the Government of Madras and the Chief Commissioner of Assam, the Local Governments and Administrations are generally in favour of sending to, and retaining in, asylums vagrant pauper lepers who congregate in towns. It has been forcibly urged to the Government of India that this question, as well as that of prohibiting lepers from engaging in certain trades, has an administrative as well as a medical aspect, and that action such as the Commissioners proposed is justified by the loathsomeness of the disease, by the circumstance that those suffering from it very commonly obtrude their sores upon the public with a view to forcing people to give them money, and by the fact that people in India are commonly struck with horror at the approach of a leper, and are apt to yield to his importunity in order to induce him to move on. In deference to the sentiments of the community generally, the Government of India agree that steps should be taken to prevent mendicant lepers from obtruding their deformities on the public gaze in towns and cities. The experience gained in Bombay, since the establishment of the Leper Asylum at Matunga, shows that regulations having this object may, if intelligently and energetically carried out, be expected to be productive of great benefit to the leper Community as well as to the general public.

Prevention of mendicant lepers from obtruding their deformities on the public gaze.

The Commissioners recommended that the authorities in towns should be empowered to order a leper infringing the regulations either to return to his home or to enter an asylum. This recommendation is generally accepted except by the Govern-

Removal of lepers infringing the regulations.

ment of Madras which would limit the power of enforcing obedience to the bye-laws to the actual expulsion of lepers from towns and cities, and by the Chief Commissioner of Assam on the ground that he is not prepared to recommend compulsory detention in asylums. The view which approves itself to the Government of India and to the Majority of the Local Governments and Administrations is that vagrant lepers in the Municipalities should be dealt with in much the same way as vagrant lunatics are dealt with under the provisions of Act XXXVI of 1858, *viz.*, that such persons should be brought before a Medical officer and a Magistrate and sent to an asylum by an order of the latter if found to be suffering from the disease and without relatives who can properly care for and treat them. The Governor General in Council considers that, for the present at all events, it will be sufficient to take power to deal with vagrant lepers in this manner in Municipalities and their immediate neighbourhood.

Establish-
ment of
additional
asylums.

10. The Commissioners recommended that Leper Asylums should be built near towns where they do not already exist, and the memorandum of the Surgeon-General with the Government of India, circulated with Home Department letter of the 15th September 1893, contained detailed suggestions for the establishment and location of additional asylums throughout the country. The Surgeon-General was of opinion that requirements would be met if on an average one asylum was provided to each revenue division. A suggestion of the Commissioners, intended to be ancillary in the rural districts to the establishment of asylums in the immediate neighbourhood of towns, was that leper farms in rural tracts where lepers with their wives and families could cultivate the soil might be productive of practical good. They considered that comparatively few children would be born, and proposed that they should, if possible be removed to orphanages from which they would be discharged as soon as they could support themselves.

This part of the subject appears to the Government of India to need further consideration by the Local Governments and Administrations. The Governor General in Council considers that in each division or some convenient area an asylum, or an asylum and a farm, should be maintained so as to accommodate the lepers who may be found vagrant in the Municipalities in the division or area, and His Excellency in Council is of opinion that the additional expense which may be necessary for the purpose should be met jointly by the Municipalities and District and Local Boards of the division or area. The Government of India will be glad if the Local Governments and Administrations will take the matter into their consideration at an early date, in order to determine to what extent additional accommodation will be required, how the cost of providing and maintaining such accommodation should be divided

among the local bodies, and whether any amendment of the law relating to Municipalities and Districts and Local Boards is necessary for the establishment of such asylums and farms outside the limits of Municipalities and for the proposed division of the cost. The Government of India are inclined to think that it may not be necessary to legislate, as was proposed in clause 4 of the Bill circulated in 1889, for the voluntary admission of lepers in asylums, but they would have no objection to the adoption of such a provision in any Province in which the Local Government or Administration thinks it would be useful.

11. The fourth recommendation of the Commissioners was that competent medical authority should always be consulted before action in regard to lepers is taken. With this view the Government of India entirely agree. But the Commissioners did not suggest a definition of the terms "leper" and "leprosy" which could be adopted for the purpose of the provisions to be made in the different law and bye-laws. In the opinion of the Government of India the terms should for this purpose be defined, as in the Bill at present before the Legislative Council of the Lieutenant-Governor of Bengal, which is alluded to in the preamble of this Resolution, so as only to include cases in which ulceration has actually commenced. The Governor General in Council considers that that public interests do not require that action should be taken against persons attacked with the disease who have not reached that stage. In any case in which it is proposed to enforce the bye-laws against a person who appears to be affected with ulcerous sores, a preliminary to such action will be that he should be examined by a competent medical authority.

12. The enquiry mentioned in para 2 of this Resolution which was instituted into the question whether the disease of leprosy is on the increase or not in this country was taken up by the Leprosy Commissioners. At the time when the report was issued the returns for the census of 1891 had not been fully revised, but they were sufficiently complete to enable the Commissioners to make an elaborate examination of the statistics given in the last three censuses taken in India regarding the distribution of lepers in the country. The conclusions at which they arrived was that the alarm about the increase of leprosy in British India is altogether groundless, that the figures available, though unfortunately consisting of only three sets, pointed strongly to a decrease in the number of these unfortunate people, and in any case to the disease not being on the increase, that the number of lepers had been greatly overstated, 1,10,000 being perhaps nearest the truth, and that leprosy could therefore not be regarded in the light of a general danger. The final statistics of the Census Commissioner for India showed the number of persons described as lepers at the Census of 1891 to be 126,861,

Prevalence
of leprosy in
India.

of whom 31,069 were females. Mr. Baines thought it possible that a good deal of the decrease in the numbers of lepers returned in 1891, from tracts in which they were formerly remarkably high, might be nominal and due to greater accuracy of diagnosis and the Governor General in Council is inclined to agree with him that it is impossible to say for certain whether the disease of Leprosy in this country is on the whole stationary or not. His Excellency in Council, however, sees no reason to dissent from the general conclusion of the Commissioners that leprosy does not prevail in India to such an extent as to constitute a general or universal danger and that the means by which we must look forward to secure its diminution are improved sanitation and better dietetic conditions.

13. The legislation which is required to carry out the decision of the Government of India in paras 8, 9 and 10 of this Resolution will be effected in Local Legislative Councils in Provinces where they exist and for other provinces by the Governor General in Council. The Bill cited in the preamble has already been introduced in the Council of the Lieutenant-Governor of Bengal, and the Governments of Madras, Bombay and the North West Provinces and Oudh should now proceed to legislate either by means of a separate Bill or by such amendment of the Municipal Law as is necessary to bring it into accord with the principles which have been accepted by the Government of India. The Governor-General in Council will be glad to receive in due course from the Lieutenant-Governor of the Punjab and the Local Administrations proposals for effecting the changes in the Law which will be required in the Provinces administered by them.

14. The Governor General in Council cannot conclude this resolution without placing on record his appreciation of the able and exhaustive manner in which the Leprosy Commissioners conducted their enquiry. Two of them, the Governor General in Council regrets, passed away before His Excellency in Council had had an opportunity, of publicly acknowledging their labours. Surgeon-Major Barclay died at Simla of typhoid fever while the Commissioners were still engaged in their investigations, and Dr. Beaven Rake at Trinidad in August 1894. Finally the Government of India desire to express on behalf of the Empire their thanks to the Committee of the National Leprosy Fund for devoting a portion of the subscriptions raised in memory of the late Father Damien to the investigation of the disease of leprosy throughout India.

Order—Ordered that this Resolution be published in the Gazette of India and that a copy be forwarded to all Local Governments and Administrations and to the Foreign Departments for information.—

J. P. HEWETT,
Officiating Secretary to the Government of India.

Lepers: Removal of—from the Ward for Incurables attached to the Jamshedji Jijibhai Hospital.

No. 3462.

GENERAL DEPARTMENT.

Bombay Castle, 29th August 1890.

Joint letter from Bâi Navajbâi Rastamji, Meherbâi Kharsedji and Kharshedbâi Shâpurji, dated 16th August 1890:—

Admission of
Lepers into
the J. J. Hos-
pital.

"We venture to take the liberty of asking you to lay before His Excellency the Governor in Council, the following representation which we are induced to make in consequence of learning from the public papers, that Government has ordered the Leper Ward, founded by our late father Mr. Rastamji Jamshedji Jijibhai in connection with the Sir Jamshedji Jijibhai Hospital, to be closed.

"We need not remind Government that our late father made it a condition of the trust under which he endowed the Ward, that it should be considered a part of the Sir Jamshedji Hospital and be maintained and kept in repair by Government as a portion of that Institution. We are in a position to say that it was one of the dearest wishes of our father to found an endowment, in which his own name should be permanently associated with that of his revered father, the first Sir Jamshedji Jijibhai, Bart., and he therefore attached great importance to the conditions under which he offered the money to Government. The formal acceptance of the conditions by Government was a source of the greatest gratification to him, as it was an article of faith with him, that the trusteeship of Government guaranteed the permanance and inviolability of the trust thus founded.

"We cannot believe that the Leper Ward founded under such circumstances would be allowed by Government to be closed, and the trust abolished on any plea whatever, and we do not think that they would allow it to be crowded out by new additions of more recent date.

"We shall feel greatly obliged if Government will be good enough to furnish us with authentic information in relation to the endowment, so that the anxiety felt by us in consequence of the public reports about its abolition may be set at rest."

RESOLUTION.—The three ladies who have addressed Government should be informed that the Governor in Council without admitting any right on their part to call Government to account is glad to be able to assure them that at present the terms as to lepers mentioned by Mr. Rastamji Jamshedji Jijibhai are fulfilled and more than fulfilled by Government. In deference to public opinion Government consider that lepers will be more suitably provided for in homes reserved for

persons suffering from leprosy and in lieu of admitting 20 lepers into the Jamshedji Jijibhai Hospital are contributing towards the support of the Abless Leper Asylum and have engaged to contribute a sum calculated to maintain at least a hundred lepers in the new Leper Home shortly to be opened in or near Bombay.

JOHN NUGENT,
Chief Secretary to Government.

ASSESSMENT.

In 1796, Sir Francis Gordon was Collector of taxes. On 16th April 1796, the Justices of Oyer and Terminer ordered to be paid to him the sum of Rs. 1,000 as compensation for his extraordinary trouble in the first valuation of houses together with Rs. 795 being the amount of his allowance as Collector from 1st August 1794 to 30th November 1795 *i. e.*, at the rate of Rs. 53 per mensem.

Valuation of
Houses in
1794.

In 1794 the assessment charges paid to Parbus (Hindu clerks) for taking an account of the Annual Valuation of houses, ground, and buildings was Rs. 74-1-0 per mensem.

Assessment
charges in
1794.

The Assessment Department Budget for 1900-1901 shows an expenditure of Rs. 2,78,691 per annum.

Assessment
charges for
1900.

On the 3rd November 1833, it was agreed that instead of giving a fixed pay to the Assessor, he should be allowed a commission in the same way as the Collector of the Assessment. The object of giving a percentage to the Assessor was that he would devote more attention to the Assessment of Houses than perhaps he would do if his pay was a fixed one.

The Staff.

The Chairman of the Bench remarked that it must be perfectly immaterial to the Assessor, whether the sum total of the Assessment be one lac or only half a lac of Rupees annually whereas a percentage would be an obvious inducement to him to see that the whole of what was due, was at all times and in every instance imposed, not with the right of appeal could there be any danger of his running into the opposite extreme of over assessment.

It was subsequently decided that the Superintendent of Police should realise the Assessment on Houses and grounds to which the Bench gave their assent. The outstandings being very large, the Bench had no alternative but to address Government on the subject and pointed out that the outstandings were Rs. 2,63,940.

In the words of the letter they stated :—"The duty of realising the Assessment on Houses has been entrusted to the Superintendent of Police under the arrangement to

which the Bench gave its assent. The same officer is by appointment by Government, Collector of the wheel Tax; and the shop and stall Tax is also collected by a Government officer, the Collector of Bombay under Act XI of 1845. Being able therefore to exercise but little control over the Collector of Assessment of Houses and none over the collector of wheel Tax and stall and shop tax the Bench has no alternative but to request that Government may take such measures as it may consider best for expediting the collection of the large sum due to the Municipal Fund and preventing the accumulation of balances in future."

The Assessment Department is one of the most important in the Municipality. Upon it a considerable amount of revenue depends. In 1857 the following was the establishment :—

1 Assessor	...	Rs. 500
1 Head Inspector	...	" 322
1 2nd Do.	...	" 186
2 do.	at Rs. 96-192	
1 Clerk	...	25
1 Painter	...	15
2 Do. at Rs. 10	...	20
1 Sepoy	...	9 8 0

Total Rs. 1,219 8 0

The House Assessment in that year amounted to Rs. 2,29,319. The gross assessment for the year 1900-01 is Rs. 31,375,106.

In 1865, the Town was divided into 10 Wards, the following Statement shows the number of assessable houses, population, and area in acres in each ward for that year :—

Assessable
properties in
the wards of
Bombay in
1865.

No.	Name of Ward.	Population.	Area in Acres.	No. of houses and assessable properties.
1	Colaba	19,161	288.36	518
2	Fort	49,582	698.66	1,221
3	Mandvi	1,57,996	210.96	3,289
4	Umerkhandi	1,23,279	153.55	2,062
5	Bhooleshwar	1,44,606	235.90	3,441
6	Cammattipura	1,28,214	747.78	2,573
7	Girgaum	56,866	301.90	1,983
8	Malabar hill	19,238	1,104.83	546
9	Mazagon	31,246	580.64	866
10	Parel & Mahim	53,792	7,696.69	5,249
Total		7,82,980	11,918.77	21,653

In this year there was one Assessor of the House rate, another Assessor of the Wheel and House Tax and another Assessor of the Water Rates.

Assessor and
Collector of
taxes.

The Collector of Municipal taxes was also Assessor of water Rates.

The Chief Engineer Vehar Water Works was also Assessor of Water Rates.

The water rates in most cases were calculated on the House Assessment. In the Wheel and House Tax Assessments there were then three Inspectors. One who looked after European inhabitants, a second who looked after Native gentlemen and a third who assessed Hack Buggies Livery Stables &c.

This system was subsequently condemned by a Committee of which Colonel Hatch was President and one establishment was organised for the Assessment and collection of all rates and taxes within each Ward. Each Ward had a Superintendent who furnished security to the extent of Rs. 10,000.

At present (1901) there are 7 Wards in the City *i. e.* A to G; each having a Superintendent (in some cases a Deputy also) an Assistant Superintendent and a number of Ward clerks. There are 3 Assistant Assessors and an Assessor and Collector.

Assessment upon the Houses, Buildings, Hay and Woodstacks from the year 1821 to 1854.

Year.	Rs.	Year.	Rs.
1821... ..	56,830	1838 ..	95,577
1822... ..	73,331	1839... ..	98,044
1823... ..	74,251	1840... ..	1,00,356
1824... ..	73,123	1841... ..	1,01,547
1825... ..	72,331	1842... ..	1,09,608
1826... ..	74,120	1843... ..	1,14,558
1827... ..	77,848	1845... ..	1,75,000
1828... ..	80,342	1846... ..	1,43,320
1829... ..	81,238	1847... ..	1,58,444
1830... ..	83,484	1848... ..	1,54,487
1831... ..	81,782	1849... ..	1,66,504
1832... ..	85,789	1850... ..	1,81,760
1833... ..	86,636	1851... ..	1,84,493
1834... ..	90,045	1852... ..	1,93,947
1835... ..	91,197	1853... ..	1,97,549
1836... ..	92,779	1854... ..	1,97,727
1837... ..	93,208		

Rateable
value of pro-
perty in Bom-
bay from 1856.

The following table shows the number of properties assessed and their Rateable Value from the year 1856 :—

Year.	No. of properties Assessed.	Gross value.
1856	16,328	89,89,425
1857	16,567	45,86,895
1858	16,648	46,65,420
1859	16,741	50,21,400
1860	16,787	62,23,780
1861	16,902	68,49,055
1862	17,056	66,46,490
1863	17,188	71,59,755
1864	17,924	1,15,81,180
1865	17,959	1,20,14,655
1866	21,160	1,48,94,893
1867	22,833	1,63,09,535
1868	23,010	1,47,49,075
1869	20,853	1,39,41,260
1870	21,654	1,36,20,885
1871	21,089	1,84,26,845
1872	22,020	1,29,88,510
1873	21,055	1,26,71,816
1874	21,208	1,19,65,390
1875	22,445	1,15,65,066
1876	22,458	1,12,75,710
1877	22,780	1,14,77,690
1878	23,247	1,15,31,118
1879	23,863	1,14,93,417
1880	25,347	1,17,82,525
1881	25,605	1,17,44,530
1882-83	25,867	1,25,80,263
1883-84	29,867	1,45,64,507
1884-85	36,093	1,56,45,176
1885-86	47,802	2,00,25,223
1886-87	48,470	2,16,27,230
1887-88	49,313	2,24,46,222
1888-89	49,884	2,89,51,043
1889-90	50,425	2,68,90,888
1890-91	50,873	2,82,27,855
1891-92	51,185	2,85,80,023
1892-93	51,844	2,90,74,339
1893-94	51,673	2,69,79,728
1894-95	52,148	2,72,98,860
1895-96	52,409	2,81,55,935
1896-97	52,959	2,87,03,341
1897-98	63,165	2,94,82,805
1898-99	53,828	2,98,53,636

Properties in Bombay in 1868:—

Sections.	Area of Section in acres.	No. of families.	No. of persons.	Houses.
Market	84.82	5,793	75,402	1,080
Mandvi	78.49	6,302	41,152	851
Chakla	48.15	6,622	41,442	934
Oomerkhary	85.69	9,661	63,020	1,185
Dongri	67.86	6,796	60,259	721
Dhobi Talao	85.67	7,111	71,795	1,228
Funnaswady	78.37	3,411	22,529	547
Bhuleshwar	71.80	7,649	50,282	1,069
Khara Talao	41.05	4,411	28,454	580
Koomburwarra	48.51	4,466	28,085	655
Girgam	97.82	2,739	21,505	737
Khetwady	119.17	3,314	29,177	789
Chowpaty	84.91	1,067	6,184	441
Mazagon	267.48	2,749	21,784	735
Kamattipura	668.22	10,599	81,675	8,571
Total ...	1917.57	82,690	6,32,745	15,123

Details of Assessments:—

Details.	1883-84.	1888-89.	1899-00.
Properties on Assessment Book ..	29,367	49,673	53,502
Gross Annual Valuation.....Rs.	1,65,08,950	2,43,14,166	3,05,17,091
Number of Bills issued.....	68,033	78,780	94,195
Amount of Bills issued.....	20,88,209	29,87,957	57,50,454
Amount to be collected.....	24,57,752	32,93,043	59,95,685
Amount actually collected under all heads.....	20,49,312	31,16,917	53,14,024
Outstanding Balance.....	3,88,439	1,66,126	1,81,561
Number of cases reported in the Tabulated Ward Reports.....	4,518	4,361	2,750
Number of Amendments made through Form 11 B.....	2,682	3,538	3,652
Complaints against Assessments..	1,392	3,006	2,843
Notices to Complainants	1,392	3,016	3,104
Special Notices issued	3,682	3,733	2,663
Notices of Demand	4,997	9,911	22,018
Warrants issued.....	1,446	2,056	2,517
1/4th Remission Claims	1,178	1,171	15,517
Refund Claims	1,393	1,849	2,653
Wheel Tax Schedules issued.....	10,103	10,176	15,486
Inward Number of letters received.	15,111	28,708	72,285
Outward Number of letters despatched	17,317	26,974	61,842
Percentage of cost of Assessment, Collection and Refunds (including the salary of the Special Assistant to the Commissioner) on the amount to be collected...	3.3	On Establishment for 1889-90, 3.1 On proposed Establishment, 3.6	2.10

Government
properties.

In 1866, the Valuation of Government buildings and the number of them in each section were as under:—

Wards.	Total No. of Government Buildings.	Total Annual value.
		Rs.
Mahim and Parel	7	23,200
Bhooleshwar .....	...	.....
Mandvee	1	1,20,000
Camattipura	3	7,584
Umerkhadi	2	12,720
Girgaum	1	360
Fort	55	8,09,450
Mazagon	8	10,365
Colaba	84	91,385
malabar hill	3	12,750
Total.	164	10,92,814

Government
grant in 1866.

The Government paid a lump sum of Rs. 13,000 per Annum as house rate only. The amount payable by Government in 1900 is Rs. 1,58,112 annually.

Proposed exemption of
Government
Buildings
from Municipal
Rating.

The Corporation in 1880 appointed a Committee to draft a Memorial to the Government of India pointing out that they have seen with much alarm the introduction into Council a Bill No. 8 of 1880 for the exemption of Government property of every kind from Municipal taxation. The Committee submitted their report on the 26th June 1880 (Page 65 Record for 1880) wherein they pointed out that the introduction of such a measure would in the first place have the effect of imposing an unequal burden upon Indian Municipalities and secondly affect most disastrously the financial condition of the Municipality of Bombay.

The Memorial which is a lengthy one was adopted on the motion of Rao Saheb V. N. Mandlik seconded by Dr. Thomas Blauey and forwarded to the Viceroy.

In Act III of 1888 it is provided that the sum to be paid annually by the Secretary of State for India in Council shall be eight tenths of the amount which would be payable by an ordinary owner of buildings or lands in the City, on account of the General Tax, on a rateable value to be fixed by a person to be appointed from time to time by Government with the concurrence of the Corporation—(Sec. 144.)

Formerly the system of keeping accounts was as follows :—

The net valuation for each Ward was communicated to the Controller of Municipal Accounts, who thereupon debited the Superintendent of that Ward with the full house, police and lighting rates leviable on the valuation. The Superintendent cleared off the debits by daily forwarding to the Controller intimations of recoveries for each rate. In the case of remissions for vacancies, or items found irrecoverable, the proceedings were filed in writing. At the close of the inquiry the Commissioner signed a certificate to the effect that the Superintendent of the Ward was entitled to a credit of so much on account of a particular rate. This certificate went to the Controller, who credited the Superintendent accordingly, counterfoils remaining with the Superintendent.

System of
accounts.

Refunds were similarly arranged, the only difference was that the person entitled to the refund got a certificate, which he presented like a cheque, to the Controller. Monthly detailed returns of recoveries &c., were submitted by the Superintendents, and after being tallied with the Controller's books, were forwarded by that officer to the Commissioner.

In the early part of the 19th Century, all collections on behalf of the Municipality were made by the Government Collector of Revenue and the Superintendent of Police; the produce of certain items of taxation was set apart in the Government Treasury for Municipal purposes, and disbursements from it were made by the Court of Petty Sessions. This fund was at various times designated as the "Police Fund," "County Fund," and "Assessment Fund" and latterly the "Municipal Fund."

Collection of
Revenue.

By Act XI of 1848 the Municipal organisation was changed, and "the Board of Conservancy," which was appointed under the same Act, was placed in charge of this Fund, with the solitary exception of a compulsory payment of a fixed sum annually towards the maintenance of the Police Force, this Board had the absolute control over expenditure from it. Among other powers with which the Board of Conservancy was vested, was that of appointing all subordinate Municipal officers, and among them was the Collector of Municipal Taxes. For some time the

Vehar Works
handed to
Municipality.

collections in the House rates, and those in the House and Wheel Tax Departments were made by separate establishments; but in 1850, the collection of both kinds of tax was confided to one. When the Vehar Water Establishment was handed by Government to the Municipality in 1863, the duty of collecting the water rates devolved upon the Collector, but the Assessment was at first confided to the House Assessor, and afterwards to the Chief President Engineer of the Water Works Department.

The collection of all the above different kind of taxes were usually in arrears and the chief reason assigned for these arrears was that there was great delay in forwarding the Assessments of the House and Water Rates, (the latter being in a great measure dependant upon the former) to the Collector's Office. The result was that sundry sums of money had occasionally to be written off as irrecoverable.

In 1865, the plan adopted in obtaining information whereon to base the Assessments was to divide the duties into various branches. One Inspector looked after those relating to the European inhabitants, a second to those of the Native Gentlemen, a third to the Hack Buggies, Livery Stables &c. and so on. The result of this system was that each Inspector had to hunt about over the whole Island to discover those people whom it was his particular duty to report as liable to Assessment. He left a return to be filled in at such houses as he thought fit, and on the return being sent to the office filled in, the Inspector was expected to take it to the house again to verify it by ocular inspection. On verification, or otherwise, he gave it into the Collector's Office, where the rate payable was entered upon it, and it was afterwards handed over to a "Receiver" whose duty it was to collect the money, and who was entitled to a small remuneration for his trouble.

The money returned during the week was handed over by the Receiver to the Collector, who in his turn, handed it over to the Bombay Bank. Payments for two or more Quarters were often demanded at the same time, and, on the other hand, some people were not asked at all for payment. If the numerical strength of the

establishment was not sufficiently great to allow of the duty being more efficiently performed, a representation of the fact was made by the Collector. If it was strong enough, the Collector insisted upon increased activity on the part of his subordinates, and if necessary replaced them by others more willing to work.

By the powers given by Act XXV of 1856, all that the Collector's Department had to do was to leave a blank schedule at each house. This paper was to be filled in (vide Section XV.) and returned duly signed to the Collector within a week. The rate payable having been inserted, the schedule was returned to the ratepayer who was bound by clause XXI to make full payment of the same within five days, unless he thought proper to appeal, for which measure a particular course of proceeding was laid down in the Act.

The same course of procedure was also fully authorised as regarded the House Tax and Water Rate. By the system then in force the expence was about 4·3 per cent. for collections, though this varied with the amount actually collected.

Surgeon Major Pelly, President of the Municipal Commissioners' in his report states :—"It has for some time been a matter of consideration with me whether it would not be better to abolish the Collector's Department, and 'farm' out the revenues of the Municipality. By the course proposed, we might arrange so as to have a given sum paid quarterly into the Treasury ; a fixed percentage on the assessment might be agreed upon ; bad debts, when ascertained to be really so, might be remitted, or better still, a small extra percentage might be allowed to cover risks, and no delay, no responsibility, would be entailed upon the Municipality for collection. The contractor working for his own interest would take care to prefer his claims before many, if any of the causes which originate irrecoverable claims could arise, and there is reason to hope that the system would work satisfactorily for all parties. It is our duty so to collect the taxes that the minimum portion of them should be expended in the cost of collection. The different systems for effecting this are, of course, open to discussion ; but it must be clearly understood, that whatever the system of collection may be, which is finally

Proposal to
farm out the
Municipal
revenues.

determined upon, the 'Assessments' in all departments must remain with the Municipal Officers."

Writing further Surgeon Major Pelly, states :—"The Assessor as also the Commissioner or his assistants should from time to time take houses &c., at random, call for the books, and after due inquiry, satisfy himself as to the correctness of the valuations &c. The temptation to corrupt practices must be strong and frequent; and while, on the one hand, we take good security to insure fidelity, we should, on the other, give such liberal pay as to render extra reward less necessary for existence, and thus remove the chief reason which would be assigned for dishonesty. Intelligence, activity and honesty are a necessary qualification for an Assessor as for an Accountant, and I certainly think we should get a considerable increase of revenue were we to be more liberal towards those upon whom we are in the first instance dependant for it."

Cost of collection.

The cost of collection of the rates and taxes during the year 1866, was $8\frac{3}{4}$ per cent. The percentage cost of collection and assessment under the old Board exceeded 5 per cent.

Separation of Assessing and Collecting Departments. Irregularities and Defalcations.

During 1867 some irregularities came to light and led gradually to a conviction that the system of combining the Assessing and Collecting Departments, as introduced by Mr. Arthur Crawford in 1865, with the sanction of the Bench, was unsuitable in connection with occupiers rates. The chief cases were those in the Tent Establishment for the recovery of Wheel Tax from labour Carts and the establishment for recovery of the Halalkhor cess for the period prior to 1st July 1867 when Act IV of 1867 legalised it. This matter at various times formed the subject of lengthy discussion by the Bench. Proceedings were instituted against the parties chiefly concerned, and were subsequently abandoned for want of ground on which to sustain the charge. There was no actual loss. To understand the enormous difficulty of checking the collection of the Halalkhor cess it must be remembered that the cess could not be legally demanded, and no demand could therefore be enforced. All payments were in point of fact, voluntary; and as the Act contemplated a demand for Halalkhor Cess equal only to what the party would have to pay for ordinary private service—and that service was paid for in

most cases by a head rate—the cess itself prior to Act IV of 1867 involved in most cases a census, taken roughly on the spot, of the number of inhabitants in each house, or an application to each individual inhabitant—no previous assessments could be made.

The Municipal Commissioner then issued the following memorandum of the redistribution of the duties of Assessing and Collecting the rates and taxes, and reorganization of the Department:—

“ The Commissioner has determined, with the approval of the Finance Committee, to separate the Assessing and Collecting Departments. He now issues the following instructions, to which he requests the particular attention of the parties concerned.

“ 2. In many details the new system will resemble the old, but it is still advisable that the present memorandum should contain the fullest particulars as to the future, even at the risk of repeating orders which are already in force.

“ 3. In separating the Assessing from the Collecting Department, the Commissioner cannot revert to the old system under the Act prior to 1865 because that system was found cumbrous and unsatisfactory when there were no occupiers rates, and because it would be obviously unsuitable for the Assessment and recovery of occupiers rates.

“ 4. Under the old system prior to Act II of 1865, the Assessor prepared a duplicate set of Assessment Books. One set he retained, the other he sent to the Collector, who prepared bills therefrom. It followed that the Collector was at a standstill until he received the entire Assessment Books, and as the labour of preparing them in duplicate was very great, it often happened that the work of recovery was delayed for months.

“ 5. If this was the case when the House Rate—an Owner's tax—was alone to be recovered by bills prepared once a year, what would be the delay and confusion with the occupiers rates, now prepared half-yearly, when the Assessor cannot begin assessing these rates until 15 days before they fall due? and if the labour of writing out two sets of House Rate Books was great, what would be the labour of writing out duplicate sets of occupiers rate books twice every year?

"6. After careful consideration and consultation with the most experienced officers of the Municipality, the Commissioner has become convinced that the following is the best and simplest system possible under the present defective state of the law.

"7. The preparation of bills is simple clerical labour, but if it were performed in the Collector's Office, as heretofore two sets of Assessment books would be required, and the former delay would recur. Let the Bills be prepared in the Assessor's Office and but one set of books will be required, and the work of recovery can proceed hand in hand with the work of Assessment.

"8. From and after 1st May therefore, the Assessor will take charge of all the Assessment Books of whatsoever denomination. The Assessor alone will make Assessments or revise Assessments already made, and he alone will make the necessary entries in the Assessment Books in red ink, quoting the number and date of his decision and signing the entry.

"9. All correspondence of whatever nature, relating to assessments or revision, or modification of them, to be filed as records of the office.

"10. The Assessor to employ his two Assistants to aid him generally in the assessment for the House Rate and occupier's rates and especially in the Assessment of Wheel Tax and Water Rate, in assessing new houses and checking notices of vacancy. For this purpose he should allot half the Island to each.

"11. The present subdivision of the City into Wards should not be disturbed.

"12. The Assessor will further frame such departmental rules as he may find necessary, and will make his own arrangements for the punctual preparation of the bills.

"13. All remission certificates (A) to be signed by the Assessor and sent by him to the Collector.

"14. All refund certificates (B) to be signed by the Assessor and sent to the Collector.

"15. Day by day, or every two days as is most convenient, the Assessor will forward to the Collector such Bills as may be ready, with a list of them. This list to be in triplicate, in form of counterfoil and cheque book.

"16. One copy to go to the Collector.

" 17. One copy to go to the Controller who will debit Collector with gross amount thereof.

" 18. One copy with Assessor for record.

" 19. Up to this point, Assessor has made Assessments, has prepared bills, and has sent them to the Collector, who has been debited with the amount of them by the Controller.

" 20. It remains to show how the Collector is to recover the bills, and how to account for them to the Controller and the Assessor.

" 21. On receiving the bills the Collector will proceed to issue to the Receivers, registering in each Receiver's bill register the particular bills delivered to him, taking the Receiver's signature in presence of a witness, and attesting the same himself.

" 22. The Receiver having recovered as many bills as he can will present himself at the office, on his appointed days and will get his Receiver's recovery sheet (C) filled in by a clerk in the office. This he will sign, and the Collector will then post them up and initial his register, requiring the Receiver at the same time to account for and produce all Bills in hand unrecovered. New bills will be issued to him as before. Receiver's check ledger will then be written up and signed by the Collector.

" 23. The Receiver's recovery sheet (C) having been signed by the Collector will be passed on to the Assessor on the following day, and the Assessor will then post up the recoveries in the Assessment Books.

" 24. A daily cash book shall be kept by the Collector's Accountant in which, after entering the gross recoveries under each rate, and payments made to the Controller or Bank of Bombay, he shall enter all payments of cash received in the office after hours. This book to show all cash in office at any time, to be signed daily by the Collector. Monthly returns of recoveries of each rate to be prepared by Collector's Accountant and sent by Collector to Controller as at present. The Receiver's registers and all ledgers to be posted up and their bills in hand examined by the Collector himself or by one of his two Assistants. •

" 25. These books on no account to leave the office or to pass into the hands of any subordinate clerk.

"26. A bill not having been paid, the Collector will issue a Notice of Demand, and should that have no effect a Warrant is to be prepared by him and issued under the Commissioner's Signature to the Warrant Officer, who, as at present, will employ certain picked Receivers' for the duty of enforcing Warrants making weekly returns to the Commissioner and Collector as at present.

"27. As to the Tent Department for recovery of wheel and Horse Tax for labour carts, it involves both Assessment and Collection, and will for convenience sake, be exclusively under the Assessor, who will see that no money under any pretext remains in hand."

On the 24th September 1890, the Municipal Commissioner under his No. A/13238 reported for the information of the Standing Committee that defalcations to the extent of Rs. 31,809-4-6 were discovered in the books of ward clerk Jamsetji Muncherji of A ward. The fact was first discovered on 23rd August 1890, when Mr. Atmaram Motiram the Superintendent of the Ward mentioned to the Assessor and Collector on the occasion of his visit to the Ward Office, that he was not satisfied as to the correctness of the ward clerk's accounts. Mr. Pearson thereupon sent for the ward clerk and proceeded to compare his ledger with the bills actually in his possession. The fraud was discovered. The ward clerk pleaded guilty at the Session Court and was sentenced by the Hon'ble Mr. Justice Telang to three years rigorous imprisonment.

In 1901, two other frauds were committed (1) by Bomanji Edulji Mistry, a ward clerk of E Ward and (2) Edulji A. Guzdar a ward clerk of B Ward. In the former case, the ward clerk was convicted on three charges and fined Rs. 300 with one day simple imprisonment. He was acquitted on the other charges. In the latter case, the ward clerk forged the Assessor's signature on duplicate bills and recovered the amounts from the rate payers. This man absconded and has not yet been traced.

In 1794, it was usual to issue a notification requiring the public upon an application made to them by Captain H. Blachford, Surveyor of the Town, to allow him entrance into and to take measurement of estates, &c. In 1901, the Municipal Commissioner, under Act III of 1888,

is authorised to delegate powers of inspection to the staff of the Assessment Department without the issue of any notification in the Local Newspapers.

The following Proclamation was issued in 1795 :—

Advertisement.

His Majesty's Justices of Oyer and Terminer, in Sessions assembled, having considered and approved the valuation made by the Committee of Buildings, upon the several houses, buildings and grounds within the Garrison of Bombay, have ordered and directed that the said houses, buildings and grounds, so valued and estimated and the owners and occupiers thereof, respectively shall be, and the same are hereby assessed by the year, at the rate of one twentieth part of the respective sums, at which the same were valued and estimated being one twentieth part of the gross annual value thereof.

(Signed) JAMES MORLEY,

Clerk of the Peace.

BOMBAY, 29th January 1795.

Under the Municipal Act III of 1888, the procedure is different. A notice is given in the news papers notifying the completion of the entrees in the Assessment Book. All complaints against the same have to be heard before the expiry of the official year. Thereafter in the absence of appeal, the valuations so confirmed are final for the year.

On the 7th July 1834, it was agreed by the Bench that instead of keeping the Assessment accounts in rupees quartos and reas, it should be kept according to the plan introduced by Government in rupees, annas and pies.

In the year 1870 and prior to that year, the mode of registering the tax payer differed from that in vogue in 1901. In the former year the classification was according to the amount per annum while in the latter year, there is a ledger and Assessment Book which gives details of Assessment.

The number of householders paying house rate in 1870 were :—

Between Re. 1 and Rs. 50	per annum	11,905
„ Rs. 51 „ „ 100	„	1,412
„ „ 101 „ „ 250	„	815
„ „ 251 „ „ 500	„	232
„ „ 501 „ „ 1,000	„	832
„ „ 1,001 „ „ 2,000	„	88
„ „ 2,001 „ „ 3,000	„	19
„ „ 3,001 „ „ 4,000	„	3
„ „ 4,001 „ „ 5,000	„	3
and above 5,000	„	9

Proclamation
of 1795 re :
Assessment of
Houses.

Reas changed
into Pies. Keep-
ing of accounts
in Rs. As. and
Pies.

Houseowners
in 1870.

No. of Rate-
payers.

The Police		Rate was paid by 25,097 persons.	
"	Lighting	"	" 25,090 "
"	Halalkhore	"	" 16,007 families served.
"	Water	"	" 10,451 persons.
"	Wheel Tax	"	" 8,263 "

The payment by Government and the Port Trust, in lieu of the General Tax, are not made on bills; they are made direct into the Chief Accountant's office.

The House rate in 1870, required 44,896 bills yearly.

Police, Lighting & Halalkhore	"	49,911	"	"
Water rate	"	41,804	"	"
Wheel Tax	"	16,477	"	"

Total No. of bills per Annum 1,53,088

In 1898-99, about 13,365 Wheel Tax bills were issued. In this year the General, Water and Halalkhor taxes are charged in one bill, except water tax by meter and the charge for special Halalkhor tax. 73,314 bills were issued.

Bills and War-
rants &c., issu-
ed.

In 1870, 16,602 Notices of Demand were issued, 11,546 Distress Warrants of which 7,594 were actually executed. In 1899 the figures were 2,517 Warrants 22,018 Demand Notices.

Outstanding
Balances.

The total outstanding balances including those for former years on 1st January 1866, amounted to Rs. 6,40,850-9-0 of which Rs. 73,255-7-5 were written off. The outstanding balance on 31st March 1901, was Rs. 3,68,242 whereas upto the end of 1865, the water rates calculated on House Assessments was leviable at 7½ per cent. on the Assessed rentals, it was reduced for 1866 as follows:—

The water
Rate.

On the 1st Hundred rupees monthly rental 5 per cent.

2nd " " " 2½ "

3rd " and successive hundred 1½ "

In this year, the water rate by meter was raised to Re. one per 1000, gallons. The trade rate which is the highest levied in 1900, is only annas twelve per 1000 gallons. The tax on rateable value is 4 per cent.

Revaluation
and Re-Assess-
ment of pro-
perty.

A general revaluation and re-assessment of property was undertaken by the Assessor under the orders of Mr. Pene in 1872, and was completed at the commencement of 1873. A special grant of Rs. 5,500 was made for

establishment to perform this work. The effect of the revision of Assessment was not, as was anticipated, by Mr. Hope and Mr. Peile, to increase the amount of valuations, and consequently of assessment, but the reverse. The gross valuation of assessable property fell from 129½ lacs to 126½ lacs. The reduction was due to the fall in the rents of dwelling houses.

The number of persons entitled to vote in the year 1872 amounted to 3,893 and in 1901 to 8,291 as follows :—

Number of
Electors.

	1872	1901
Europeans ...	165	461
Portuguese ...	108	206
Parsees ...	1,074	2,191
Hindus ...	1,621	3,246
Mahomedans ..	896	2,100
Chinese...	...	3
Jews and Armenians	29	84
	3,893	8,291

The long pending question whether the Railway Companies were liable to be rated as owners, in respect to the *lands* in their occupation, and if so, on what principle they were to be assessed, was determined on the 27th May 1872, when the Chief Justice delivered judgment, deciding that the Railway Companies were not owners within the scope of the Act, and that therefore, they could not be called upon to pay the *owner's* rates upon the land in their occupation. In the opinion of the Chief Justice, "Government appears to be the owner of the land," but for reasons given by him, Sir M. Westropp did not offer any opinion in respect to what the liability of Government might be. Government was however addressed by the Municipal Commissioner on this subject, on 3rd July 1872, and in the Resolution No. 224 of 21st January 1873 Government stated that "they cannot admit their liability to pay owner's rates on the lands in the occupation of the Railway Companies."

Assessment
of land in
occupation of
Railway Com-
panies.

Section 36 of the Bombay Port Trust Act 1879 has the following :—

Port Trust
Assessment.

"The Board shall pay annually, on the 30th day of September to the Municipal Corporation of the city of

Bombay, a lump sum which shall be calculated at the following rates viz :—

‘ (a) for a period commencing on the 1st day of October last preceding the date on which this Act comes into force and ending on the day next previous to the date fixed by the Governor in Council, under section 29, at the rate of Rs. 50,000 per annum. (b) For the period commencing on the date fixed as aforesaid and ending on the 25th day of June 1883, at the rate of Rs. 60,000 per annum. (c) Thereafter at such rate as the Governor-in-Council shall from time to time determine.’ ”

Mr. (Now Sir Charles) Ollivant while Municipal Commissioner took up the question of the Port Trust assessment and after considerable correspondence between Government, Port Trust and the Municipality as to the basis of Assessment, Government in their Resolution No. 400 Marine Department dated 19th September 1885 fixed the amount at Rs. 1,61,190 payable for each of the years 1884-85 and 1885-86. The amount payable during 1898-99 was Rs. 1,70,420.

Reorganisa-
tion of the
Assessment,
Collection,
and Refund
Departments.

In the year 1882, Mr. (Now Sir Charles) Ollivant undertook the reorganisation of the Assessment Department and under his orders the late Rao Bahadur Virprasad Tapiprasad, Special Assistant to the Municipal Commissioner drew up a set of rules and orders which regulated the working of the Assessment Department and which till the present moment (1902) is still followed. These rules prescribed the following :—

“ There shall be one officer to be called “ The Assessor and Collector,” who subject to the control of the Commissioner, is responsible for the Assessment of all properties in the city and for the collection of property taxes and tax on vehicles and animals.

“ 2. He will be assisted by two or more officers (at present three) to be styled Assistant Assessors, who shall be subject to his orders, and who will be charged with the duty of supervising and testing the Assessments and collections made by the ward officers. The supervision of the several wards of the city will be divided between the Assistant Assessors and they will be responsible, in subordination to the Assessor, for seeing that the provisions of the Act relating to the Assessment are not overlooked,

that the books are kept in the prescribed form and that bills are issued and collections made punctually and regularly.

“A Head Inspector and collecting officer will be placed in charge of each ward. Each of these officers will be styled a “Ward Superintendent.”

Each ward will be divided into sub-wards and for every such sub-ward one or more ward clerks will be appointed, who will be under the immediate orders of the Ward Superintendent and will be charged with the inspection of properties, and the collection of bills on account of property taxes and wheel tax, in their respective sub divisions.

The Head Quarters of the Assessor and his Assistants will be at the Municipal office where all Assessments will be recorded, complaints heard, increases or reductions made, bills and compulsory processes issued, recoveries credited, and ratepayers and other lists prepared. There will be at the Head Quarters office a Registrar and Accountant, and such registration and correspondence clerks as will suffice to ensure order and punctuality in transacting the business of the Department.

There will be a separate ward office for each Superintendent, situated as nearly as possible in the centre of each Superintendents charge, and each Superintendent will have one or more office clerks to assist him in the preparation of such returns as he may be required to submit.

Then follows the forms in which the Assessments are to be entered and the mode of keeping them &c. Finally comes the general instructions as under :—

“It will be the duty of each ward clerk to visit every property in his charge at least once in a quarter, and oftener as special circumstances in connection with applications, complaints, appeals, and liability to wheel Tax may require ; and the Ward Superintendent, subject to the same special requirements, will visit each property not less than once a year, and certify that the particulars as recorded in the books are correct. The Assistant Assessors must verify the ward reports by an inspection of not less than 25 per cent. of the properties in each year, and must

examine the ward records once in every quarter, and furnish a certificate of his examination to the Commissioner through the Assessor.

"The Assessor besides giving constant attention to the outdoor and office work of his Department, and efficiently controlling the whole organization thereof, will be expected to make Assessment questions a special study (referring to English text books on the subject) and to frame rules for the classification of properties, and for the system of valuation to be applied to certain classes of properties, which rules will, after being approved by the Commissioner, be regarded by the officers of the Department as a standard by which existing valuations may be checked. Both with regard to Assessment and Collection duties a systematic procedure must be adopted. Proceedings on appeal must be carefully watched, and the Assessor must see that full materials are placed before the Chief-Judge of the Small Causes Court to enable him to determine on intelligible grounds at what amount the property in dispute *"may be reasonably expected to let for."*

"Both the Ward Superintendent and the ward clerks must attend the Ward Office every day (other than a holiday) at hours which may be most convenient, having regard to the times at which, in the peculiar circumstances of each locality, the outdoor, duties can best be performed. Under no circumstances are sums collected to be retained by the ward clerks for more than 24 hours in their possession, nor by the Ward Superintendents for more than 48 hours. Collection should be despatched daily to the head office, if possible so as to reach the office not later than 10-30 a.m.

"The Ward Superintendent will be held strictly responsible for seeing that no greater quantity of bills is issued on any one day to each ward clerk than the ward clerk may be reasonably expected to serve in the course of the day—or if they are issued in the evening, than he may be reasonably expected to serve in the course of the next forenoon. All officers concerned will be responsible for seeing that the provisions of the Act relating to special notice of demand and warrant of distress are punctually complied with in cases where ordinary presentation of the bill is not followed by the payment of the amount due."

Assessment Rates.

From 1869 to 1873.	House rate was 6 per cent., Police rate 2 per cent., Lighting rate 2 per cent.
„ 1874 „ 1877.	House rate 5 per cent. Police rate 2 per cent. Lighting rate 2 per cent.
„ 1878 „ 1880.	Consolidated rate 9 per cent.
„ 1881 „ 1883.	„ 8 „
„ 1884 „ 1893.	„ 8 „
„ 1899 „ 1900.	„ 12 „*

BOMBAY HACK CONVEYANCES.

The means of conveyance in Bombay has wonderfully improved during the last century. About one hundred years ago, the mode of conveyance consisted of Chariots, Coaches, Phaitons, and Buggies of Europeans. Then there were single horse pleasure Hankries and hired ones. In Salsette, the labour cart differed from the pleasure cart. In years gone by the passenger used to sit alongside the driver and the carriage (a Buggy) was only intended to accommodate one passenger. As time went by, the Buggy was slightly altered by changing the seat of the driver who sat on a small chair like a seat immediately in front of the fare, thus permitting the Buggy to accommodate two passengers. This mode of conveyance was in vogue for a few years and then some philanthropic speculator introduced the English Cab into Bombay, but unfortunately it had only a short life, possibly it did not prove a financial success and lastly the Victorias of 1901, are the best mode of conveyance. They accommodate from three to four passengers and some of them are very comfortable indeed. In 1902, some of the public Victorias have rubber tyred wheels. The Bombay Tramway Company which started in 1874 charge an all round fare (with one exception only *i. e.*, $\frac{1}{2}$ anna between Bori Bunder and Crawford Market) of one anna which is a great boon to those who have frequently to traverse the City.

* On account of heavy Plague expenditure.

Number of
Vehicles in
the city.

The following table shows the number of Vehicles in the City in 1807 and the rate chargeable in respect thereof :—

Wheel Tax.	Chariots, Coaches, Phaitons, & Buggies of	No.	Ra.
	Europeans	85	each 6 P. A.
	Natives	91	" 6 "
Hired Chariots and Buggy	...	2	" 15 "
" Bullock Hankries	...	101	" 15 "
Pleasure "	...	140	" 7½ "
Labour Carts	...	643	" 5 "
Single Horse Pleasure Hankries	...	115	" 17½ "
" " Hired	...	16	" 25 "
Salsette Labour Carts	...	231	" 2½ for 6 months.
pleasure Carts	...	3	" 3½ "

Mahim Wheel Tax Account.

Labour Carts	...	...	...	No. 208	Rs. 4 P. A.
" "	...	...	...	" 31	" 2 for 6 months.
Hired Hankries	...	...	...	" 11	" 6
" "	...	...	...	" 45	" 12 P. A."
Pleasure "	...	...	...	" 36	" 6
" "	...	...	...	" 3	" 3 for 6 months.

The total tax on carriages and horses collected from January 1809 to August 1810 amounted to Rs. 15,704 8 Quarters and 66 reas.

Wheel Tax collection.	The monthly collection during 1809 was as under :—			
	Rs.		Rs.	
January	...	658·2	July	... 597·1
February	...	558·1	August	... 985 0
March	...	326·3	September	... 542·1
April	...	563·1	October	... 755·2
May	...	792·2	November	... 986·3
June	...	594·1	December	... 499·1

In 1867 the total amount collected was Rs. 2,35,000. In 1877 Rs. 2,40,000 were collected while in 1897 it totalled up to Rs. 3,46,837. The estimate of income for the year 1900-1901 was Rs. 3,45,000.

The following figures shows the number of public Conveyances from 1857 to 1873.

Years.	No. of labour carts.	No. of bullock hackeries.	No. of hack buggies.
1857	2,762	690	417
1858	2,954	743	472
1859	4,429	725	490
1860	4,714	670	525
1861	4,760	656	519
1862	4,769	636	552
1863	5,206	644	564
1864	6,205	668	557
1865	6,181	683	610
1866	9,424	720	1,088
1867	6,454	627	618
1868	6,614	565	670
1869	6,314	570	678
1870	5,641	586	640
1871	5,280	536	657
1872	4,816	515	715
1873	4,643	508	653

The total number of vehicles taxed at the end of 1899 was 4,543 against 4,555 in the previous year. The variation in different descriptions of vehicles is more marked. Thus while 4-wheeled vehicles diminished from 3,396 to 3,286, 2-wheeled rose from 776 to 835 and vehicles propelled otherwise than by horses, &c., from 333 to 422. Of bicycles and tricycles, which are not classed as "vehicles," 910 were brought under taxation against 661 in the previous year. 5,161 horses were taxed against 3,696 in the previous year (including horses for sale on commission). Ponies taxed were 188 against 191, and bullocks 879 against 754. Only one donkey was taxed in 1898 and 5 in 1899. The amount of taxation was Rs. 1,65,876 against Rs. 1,62,961 for 1898. The tax on licensed public land conveyances, with license fees and fees for badges realized only Rs. 1,39,899 against Rs. 1,76,666 in the previous year.

Vehicles
Taxed.

Levy of Toll
on the Sion
Causeway.

In 1826, the following toll was levied on the Sion Causeway.

4 Wheel Vehicles on Springs ...	Re. 1 for going and coming.
2 " " " " " ...	" ½
Saddle or Harness Horses ...	1 anna.
Native Hackeries on Springs ...	2 "
Labour Carts and Labour Hacke- ries without Springs ...	1 "
Tattoos and horned cattle of every description ...	½ "
Sheep and Goats... ..	2 " per score.

A toll is still levied on this causeway.

The Cycle
Tax.

Within recent years, the cycle tax occupied a great deal of consideration at the hands of the Bompay Municipal Corporation. The tax was first sanctioned to be levied, then its collection was temporarily suspended and finally it was resolved that the tax being legally leviable it should be collected like the ordinary wheel tax. The collection of the tax was no little matter, the chief difficulty being to trace owners of cycles. Under the Municipal Act of 1888, Inspectors have no power without permission to enter premises, and that being so, the record of traced cycles is hardly a correct estimate of the number existing in this city. Prosecutions were instituted against a number of cycle owners for having failed to give notice of possession within fifteen days of having possessed a cycle, as required by the provisions of the Municipal Act 1888 and although convictions were obtained in certain cases and fines inflicted, yet the difficulty has not been overcome and still a large number of cycles remain untaxed in the city. Special cycle Inspectors were appointed by the Corporation for the purpose of tracing cycle owners and although the Assistant Assessor (Mr. L. W. Michael) of the Municipality prosecuted defaulters yet there is no record of how many cycles exist in the city. Possibly an amendment of the Act of 1888 may have the desired effect.