

GOVERNMENT NOTIFICATION.—No. 489.

The following Circular Despatch is published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 2nd September, 1899.

CIRCULAR.

DOWNING STREET,
21st June, 1899.

SIR,

It will doubtless be within your recollection that towards the close of 1897 a representative Conference assembled at Berlin to discuss the question of the origin and spread of leprosy, and the means by which the disease might best be averted or arrested.

2. The conclusions of the Conference have been published in two volumes, which have already been communicated officially to several Colonies. These conclusions will be found stated in an English translation on pages 191 and 192 of Volume II. of the Report; and a copy of this extract is enclosed for your information.*

3. As my predecessors in this Office had always been guided on a subject of this kind by the advice of the Royal College of Physicians, I caused a letter to be written to the Council of that body asking that the College would be so good as to take into consideration the conclusions of the Berlin Conference, and to inform me how far their previous views as to the character of leprosy had been modified by further investigation and by the proceedings of the Conference at Berlin.

4. The College of Physicians referred this question to a special Committee which has now submitted the Report of which a copy is enclosed†: from it you will see that they have very considerably modified their previous opinion as to the extent to which leprosy can be communicated by contagion.

5. In these circumstances, it becomes necessary for me to review the instructions and suggestions which my predecessors have addressed to Colonial Governments upon this question.

6. In a Circular despatch of the 29th of April, 1867, the Duke of Buckingham and Chandos called the attention of Colonial Governments to the fact that the Royal College of Physicians considered that leprosy was not contagious, and requested each Government to take steps for the abrogation of any law or practice which existed for the compulsory seclusion of lepers.

7. Lord Kimberley's Circular despatch of the 16th of September, 1871, was directed towards removing fear of transmission of leprosy by vaccination.

8. In a later despatch of the 4th of September, 1873, Lord Kimberley, dealing at some length with the whole subject of leprosy, clearly indicated that no sufficient evidence had up to that time been produced in support of the belief which prevailed in many Colonies that leprosy was contagious.

9. In 1875 the possibility that leprosy was sometimes contagious was strongly pressed upon Lord Carnarvon by the Governor of British Guiana, and the subject was once more referred to the Royal College of Physicians, with the result that they adhered to the opinion which they had previously expressed that leprosy was not contagious.

10. The subject was again brought before the College in 1887, when they still maintained the view that there was no ground for the opinion that leprosy was in such a degree contagious as to justify compulsory segregation of those affected by the disease, although they did guardedly admit that in a low degree and under exceptional circumstances the disease might be considered to be contagious.

11. This view it should be added was confirmed by the special Commission which was sent out to India to investigate the nature and causes of leprosy in 1890–1891, a copy of whose Report accompanied Lord Ripon's Circular despatch of the 14th August, 1893: the members of the Commission reporting to the effect that "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" so as not to justify compulsory segregation.

12. By the opinions of the Royal College of Physicians, supported as far as could be gathered by the best medical experience, successive Secretaries of State have hitherto been guided in respect to proposals for the segregation of lepers in the various Colonies not possessing responsible Government, and laws or regulations tending to compulsory isolation have almost invariably been forbidden or discouraged in these Colonies, although in the case of certain self-governing Colonies, legislation for the compulsory segregation of lepers has received Her Majesty's assent.

* Enclosure No. 1.

† Enclosure No. 2.

13. In view of the change of opinion which is embodied in the recent report of the Royal College of Physicians, it is impossible any longer to press upon any Colonial Government the policy which has hitherto prevailed.

14. The principle of restraining lepers from following various callings which may bring them into direct contact with the public has already been recognised, and a suggestion to that effect is contained in the Report of the Indian Commission of 1891: but when it is proposed to enforce a system of compulsory seclusion, it will readily occur to you that a great number of difficult questions will arise, and that no measures directed towards that end should be adopted without the most mature consideration.

15. I am aware, for instance, that in some Colonies leprosy is by no means confined either to the native races or to destitute members of the community: it may attack persons who enjoy every means of securing for themselves proper isolation and medical treatment; and it would be a grave offence against public liberty to enact any law which did not safeguard all such persons against an inquisitorial interference with their homes.

16. In this connexion it should be remembered that whatever may be the opinion as to the contagious nature of the disease, there is no question that it is fostered or ameliorated according to the conditions of life obtaining in any particular community. It may be permissible to apply to a community of low intelligence herding together in insanitary conditions a regulation which would be intolerable amongst persons who can sufficiently prevent themselves from becoming a public danger.

17. It seems to me, therefore, that in any law embodying the principle of compulsory segregation there should be provisions based upon Section 124 of the Public Health Act of 1875 (England), which requires that the compulsory isolation shall be on an order of a justice, to whom is submitted a certificate signed by a qualified medical practitioner (now invariably the Medical Officer of Health) to the effect that the person in question is suffering from the disease in question and is "without proper lodging and accommodation," and requires also the fulfilment of certain other conditions before the Act can be put in operation in any particular case.

18. It is further admitted that leprosy is in its earlier stages exceedingly difficult to diagnose, and it will be most necessary in considering any compulsory legislation to introduce effectual safeguards against the law being put in operation in cases of mere suspicion of disease.

19. I do not propose in the present despatch to lay down any hard and fast rules which should guide Colonial Governments in dealing with this very delicate matter, but no legislative action should be taken without the Bill being previously submitted to the Secretary of State with full explanations which will enable him to examine into all its details, and, if necessary, to consulting the leading experts on the subject.

20. As at present advised, I am inclined to favour the plan of regular leper communities where, as far as possible, family life can be enjoyed, and the atmosphere of home may prevail over that of the prison: such settlements appear to afford the best chance of arriving at some sort of satisfactory solution of the main difficulties which beset the question of compulsory segregation, although the question of providing for cases of healthy children born from leprous parents might occasionally have to be faced.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

J. CHAMBERLAIN.

The Officer Administering the Government of
HONGKONG.

ENCLOSURE No. 1.

At the close of the debates of the International Leprosy Conference, Berlin 1897, the Secretaries have the honour to present the following short report of the general conclusions of the Conference.

They believe that such a resumé will be especially desirable for those members who have been delegated by their respective Governments, and who have to make reports on the results of the Conference.

As might be expected, a considerable portion of the discussion has related to the bacillus Leprae, which the Conference accepts as the Virus of Leprosy, and which for upwards of 25 years has been known to the scientific world through the important discovery of Hansen and the able investigations of Neisser.

The conditions under which the bacillus grows and develops are still unknown, as well as the way of its invasion into the human system; but from the discussions of the Conference, it seems probable that an unanimity of opinion will soon prevail in reference to its modes of subsequent dissemination within the human body.

Very interesting observations have been brought forward in connection with the elimination of the bacilli in large quantities by means of the skin and the nasal and buccal mucous membranes of lepers; it is desired that such observations be confirmed where opportunities occur.

The question is of very great importance to those who are entrusted with the care of the public health, as leprosy is now acknowledged to be a contagious disease.

Every leper is a danger to his surroundings, the danger varying with the nature and extent of his relations therewith, and also with the sanitary conditions under which he lives.

Although among the lower classes, every leper is especially dangerous to his family and fellow workers, cases of leprosy frequently appear in the higher social circles.

The theory of heredity of leprosy is now further shown to have lost ground, in comparison with the at present generally accepted theory of its contagiousness.

The treatment of leprosy has only had palliative results up to the present time.

Serum therapy has so far been unsuccessful.

In view of the virtual incurability of leprosy and the serious and detrimental effects which its existence in a community causes, and considering the good results which have followed the adoption of legal measures of isolation in Norway, the Leprosy Conference, as a logical issue of the theory that the disease is contagious, has adopted the following resolution proposed by Dr. Hansen and amended by Dr. Besnier.

1. In such countries, where leprosy forms foci or has a great extension, we have in isolation the best means of preventing the spread of the disease.
2. The system of obligatory notification, of observation and isolation as carried out in Norway, is recommended to all nations with local self-government and a sufficient number of physicians.
3. It should be left to the legal authorities after consultation with the medical authorities to take such measures as are applicable to the special social conditions of the districts.

Secretaries of the Conference.

PHIN. S. ABRAHAM, London.

ED. ARNING, Hamburg.

A. VON BERGMANN, Riga.

E. DUBOIS-HAVENITH, Bruxelles.

J. J. KINYOUN, Washington.

G. THIBIERGE, Paris.

EDV. EHLERS, Copenhagen, *General Secretary.*

ENCLOSURE No. 2.

ROYAL COLLEGE OF PHYSICIANS.

LEPROSY COMMITTEE REPORT.

Committee appointed by the College, October 27th, 1898, to consider the following Communication from the Colonial Office:—

Downing Street,
25th October, 1898.

SIR,

With reference to your letter of the 16th of August, 1887, communicating to this Department the opinion of the Royal College of Physicians on the subject of Leprosy, I am directed by Mr. Secretary Chamberlain to request you to be good enough to move the College to consider and report whether, in view of the Report of the Conference on Leprosy held at Berlin in October of last year, they have found reason materially to change their previously expressed opinions, or to modify the advice which they have given to the Secretary of State, either as regards the question of segregating lepers, or on any other point which is of practical importance in the regulation of the disease in Colonies where Leprosy is endemic.

I am, Sir,

Your obedient Servant,

C. P. LUCAS.

The Registrar to the
Royal College of Physicians.

Members of the Committee.

SIR DYCE DUCKWORTH, M.D.

DR. HERON.

DR. ROBERT LIVEING.

DR. HEBB.

DR. PAYNE.

DR. JOHN ANDERSON.

Your Committee beg leave to report as follows:—

That the communicability of Leprosy, by direct or indirect means, from Lepers to the healthy, must now be accepted as an established fact, the evidence in support of this belief being conclusive; and that there is no evidence of the disease arising or spreading in any other way.

Your Committee are therefore of opinion that the conclusions stated in a Resolution unanimously adopted by the International Conference on Leprosy held at Berlin in October, 1897, and set forth at page 194 of the Official Report of the Conference, ought to be accepted in their entirety, and acted upon where Leprosy is endemic, or occurs under the conditions indicated in the first paragraph of the Resolution, which is as follows:—

(Translation.)

1. In all countries in which Leprosy occurs in *foci*, or is widely distributed, isolation is the best means of preventing the spread of the disease.
2. The system of compulsory notification, supervision and isolation, as carried out in Norway, should be recommended to all nations possessing local self-government and an adequate number of Physicians.
3. It must be left to the legally-constituted authorities, after consultation with the sanitary authorities, to determine the special regulations, which must be adapted to the special social conditions [of each country].

But your Committee would dwell with especial emphasis upon the last paragraph of that resolution, recommending careful consideration of the social and political conditions of each particular country.

DYCE DUCKWORTH,
Chairman.

Revised December 6th, 1898.

GOVERNMENT NOTIFICATION.—No. 490.

The following Letter is published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 31st August, 1899.

MARINE DEPARTMENT.

No. 1,481 Marine.

From R. B. Buckley, Esquire, Secretary to the Government of Bengal, to the Colonial Secretary, Hongkong.

Dated CALCUTTA, the 10th August, 1899.

SIR,

In continuation of this Department Letter No. 1,112 Marine of the 16th June last, I am directed to state, for information, that intimation having been received that no case of plague has occurred at Penang since the 22nd July, 1899, and that the Government of Burma have withdrawn the Venice Sanitary Convention Regulations against Penang, the quarantine regulations imposed by this Government in the ports of Calcutta and Chittagong against vessels arriving from Penang have been withdrawn.

I have the honour to be,

Sir,

Your most obedient Servant,

W. H. MACCARTHY,
For Secretary.

GOVERNMENT NOTIFICATION.—No. 491.

Tenders will be received at this Office until Noon of Friday, the 15th September, 1899, for executing certain Sewerage Works on Barker Road, the Peak.

No work will be permitted on Sundays.

For form of tender, specification and further particulars apply at the Public Works Office.

The Government does not bind itself to accept the lowest or any tender.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 2nd September, 1899.