

**The terror of the tents, or, Quarantine restrictions as imposed and enforced in Jamaica during the prevalence of small-pox, under so-called paternal government.**

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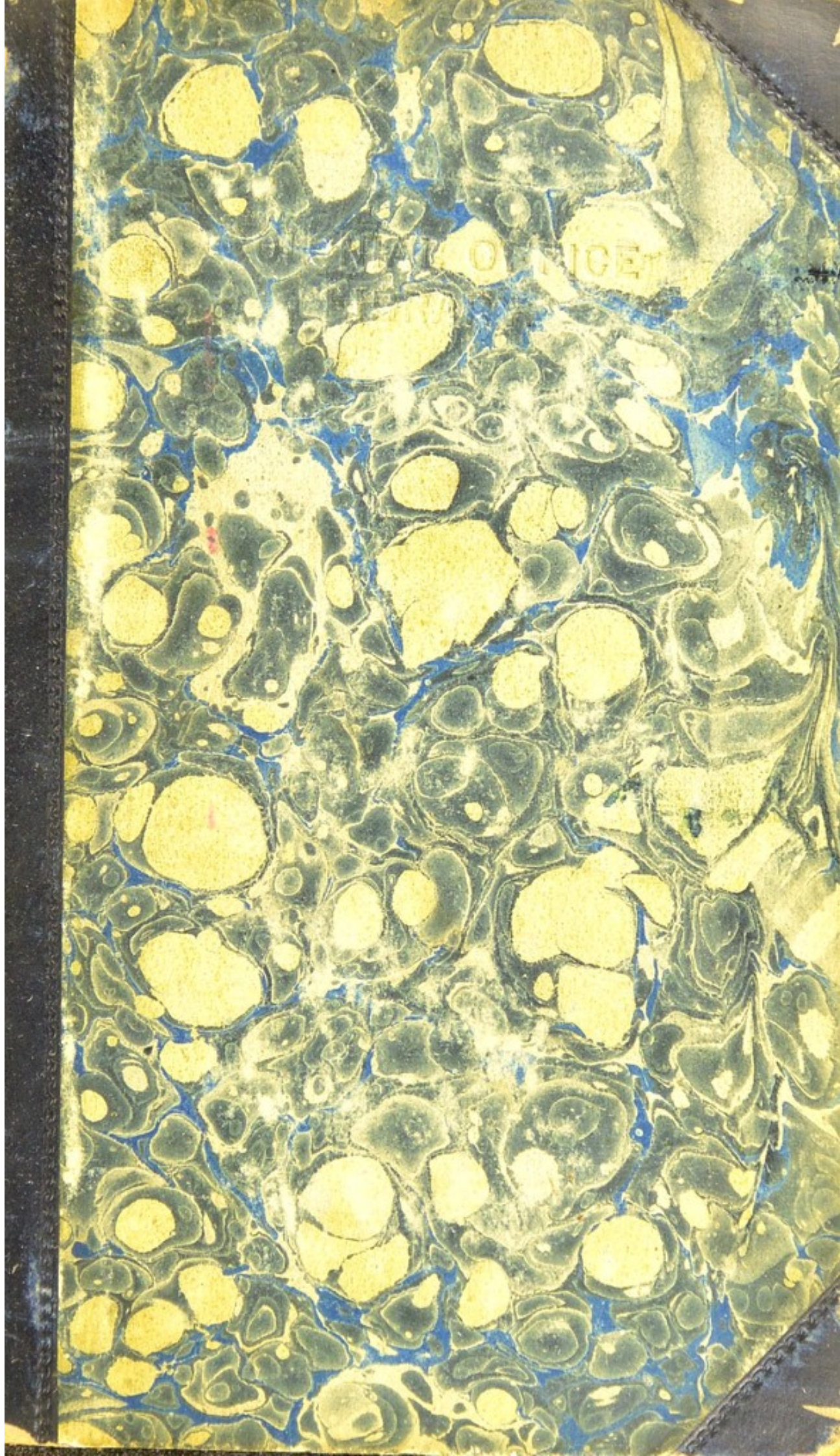
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The terror of the tents.

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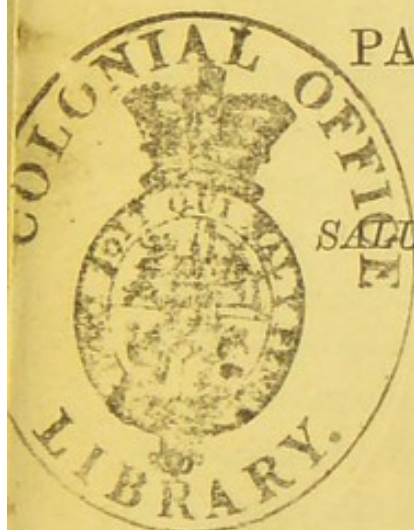
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THE  
TERROR OF THE TENTS  
OR  
QUARANTINE RESTRICTIONS  
AS  
IMPOSED AND ENFORCED  
IN  
JAMAICA  
DURING THE PREVALENCE OF SMALL-POX,  
UNDER SO-CALLED  
PATERNAL GOVERNMENT.

*SALUS POPULI, SUPREMA LEX ESTO.*



The main end of every Government ought to be the well-being of the people, the establishment of order and security, and the diffusion of social happiness.

JAMAICA :  
PRINTED BY GEO. HENDERSON & Co., HARBOUR ST., KINGSTON.

6550

1872.





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## PREFACE.

What could I more,  
I warned thee, I admonished thee, foretold  
The danger and the lurking enemy  
That lay in wait ; ———

SMALL-POX was introduced into this Island in September, 1871, by a Cuban who arrived in Kingston, as a passenger by the French Steam Packet from Santiago de Cuba.

In October the disease made its appearance in the Red Hills district of the parish of St. Andrew, in which parish it has been ever since, and still exists.

In the early part of May, I, for the first time, heard reports that persons suffering from Small-pox had not been properly attended by members of the Government Medical Staff—that when called to a Small-pox patient, those gentlemen did not go near to them, or examine them, but remained at a distance, and thus prescribed for them as best they could. Having good reason to believe that these reports were not unfounded, I alluded to them as worthy of enquiry on the part of the Government, in a document on Yaws and Leprosy, which I forwarded to the office of the Colonial Secretary on the 22nd May, to be transmitted to Lord Kimberly, H. M. Secretary of State for the Colonies.

About the same time, I learnt that the common practice among the people of holding wakes over the bodies of the dead, was being continued, and that wakes were held also over the bodies of those dying of Small-pox. Remembering that the spread of the epidemic, Small-pox, in 1853, was referable to such an occurrence—as is mentioned in the second Report of the Central Board of Health of Jamaica—I determined to address his Excellency the Governor on the subject. On mentioning my intention to a friend, he approved of it, and remarked that only a day or two before, he had heard of a wake being held over a brother and a sister, who had died within a few minutes of each other of Small-pox, in a hovel on the road side of one of the greatest thoroughfares of the island, and not more than four miles from Kingston. Thus, then, on the



6th June I addressed my first letter to the Colonial Secretary. The correspondence is given in its entirety, and to my mind it speaks for itself.

It appears to me that any one reading it, must be struck with the fact, that matters affecting the public health in this island are in a very unsatisfactory condition, and that the mode of enquiry into alleged abuses, by the Government, is very partial, and by no means calculated to elicit the truth or to correct existing abuses; but, on the contrary, tends to deter persons from complaining, and thus to encourage eye-service and perpetuate abuses.

After a long residence in this island, and having taken an active part in public life, and been concerned in the reformation of many of our public institutions, I have no hesitation in expressing my conviction that the want of authority on the part of the Governor, at any time to appoint a special commission with full powers, and capable of administering an oath to enquire into alleged abuses, is a very serious one, and ought as soon as possible to be provided by a special Law.

In moving in this matter I believed I was performing a public duty. I certainly did not anticipate the difficulties and opposition I have encountered; much less did I expect that his Excellency the Governor would, on the strength of such evidence as he received from implicated, interested parties, have censured me, and thus virtually placed me on my own defence.

At the same time that his Excellency acknowledges the necessity for further enquiry, he considers it unnecessary to appoint any other but a departmental one.

While doing so, he allows the Central Board of Health have the power to institute an enquiry; but in spite of their having omitted to comply with his request made upwards of two months before, to consider and report upon my communications on the subject, he refuses to call upon them or to influence them in any way to carry out the provisions of the Law under which the Board is appointed.

Thus, between his Excellency the Governor and the Central Board of Health, no action is taken. Under these circumstances, having done all I can to obtain a proper enquiry, but in vain, and



as the delay which has occurred is seriously damaging the cause, I feel I should no longer put off my explanation of the part I have acted in this matter, and thus acquit myself of undeserved blame which has been cast upon me, and put an end to reports and insinuations emanating from persons anxious to conceal their own shortcomings.

With this view, I now publish the correspondence ; at the same time should any enquiry, other than a *departmental* one, be held, I pledge myself, should it be the object and desire of those appointed to conduct such enquiry, to elicit the truth and the whole truth, to do my best to assist in accomplishing this.

LEWIS Q. BOWERBANK. M.D., F.R.C.P.,

Late Custos Rotulorum, and Chairman of the Parochial  
Boards of the Parish of Kingston.

Kingston, 16th September, 1872.

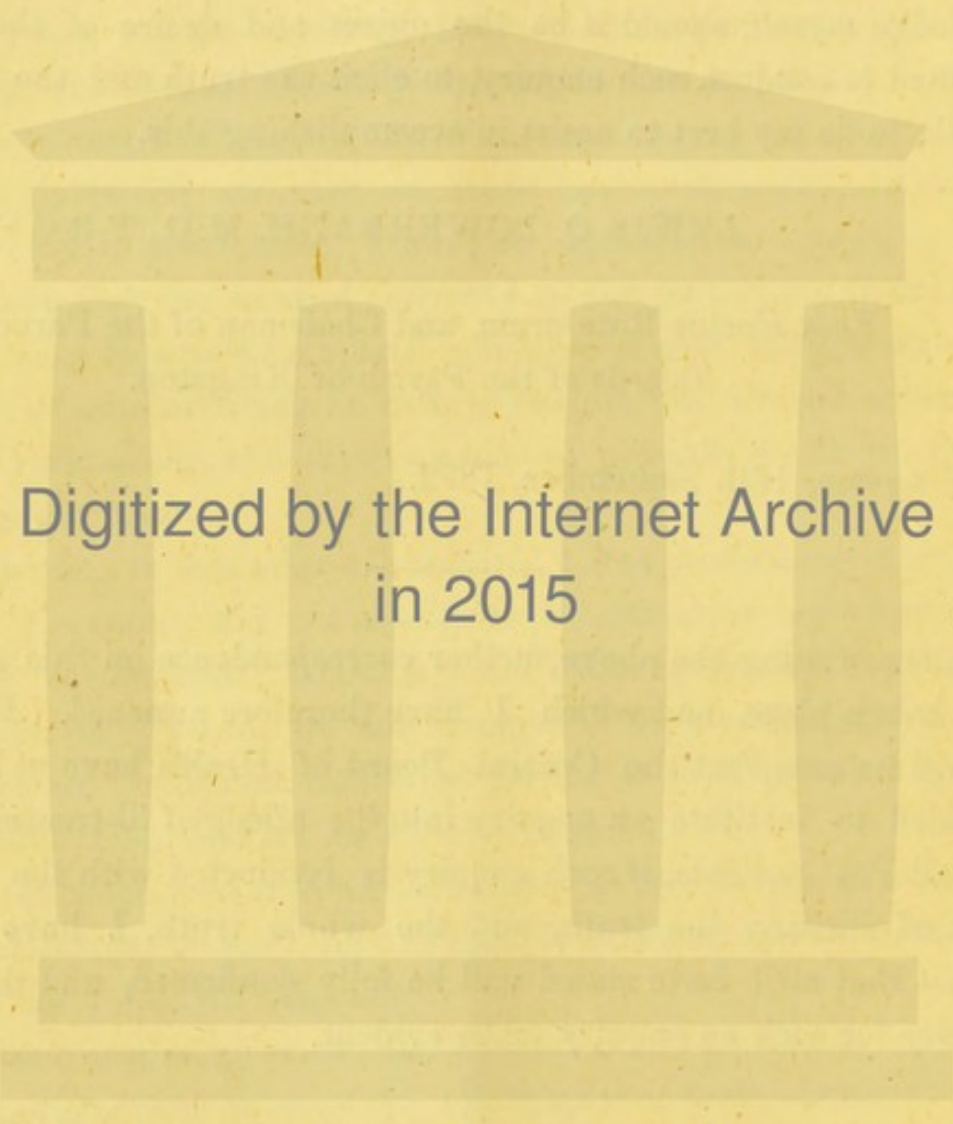
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Since writing the above, further correspondence on this subject has taken place, and which I have therefore annexed. By this it will be seen that the Central Board of Health have at length decided to institute an enquiry into the alledged ill-treatment of Small-Pox patients, if such enquiry is conducted with the intention of eliciting the truth, and the whole truth, I have little doubt that all I have stated will be fully confirmed, and the necessity for such an enquiry made evident.

L. Q. B.

Kingston, 21st September, 1872.





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## THE TERROR OF THE TENTS.

*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 6th June, 1872.

Sir,

Small-pox still prevailing at Halfway Tree, in St. Andrew's, within a very few miles of this City, I feel it to be my duty to request you to draw his Excellency the Governor's attention to the great necessity which exists for some very stringent remedy against the holding of so-called "wakes," *i.e.*, assemblages of persons over the bodies of the dead at night, especially during the prevalence of diseases like Small-pox.

This is a subject which, when Custos of Kingston, I brought on more than one occasion to his Excellency's notice. In the second Report of the Board of Health of Jamaica, under 15 Victoria, c. 26, presented to the Legislature in February, 1853, this subject is especially alluded to, as after an occasion of the kind at Hyde Estate, in the parish of Trelawny, Small-pox became epidemic, and spread through the island.

On inquiry it will be found that this practice has not been discontinued, and that within the last few days a wake was held over a man and his sister (the Armstrongs), both of whom died in a hovel, near Halfway Tree, of Small-pox.

So long as this is permitted it appears of little use to attempt to isolate cases during life, or to continue to maintain quarantine restrictions towards unfortunate persons arriving in this port, on the plea of keeping out the disease.

In my answers to questions on Yaws and Leprosy, recently propounded by the Colonial Office, I have at some length expressed my opinion as to the very unsatisfactory and inefficient manner in which Sanitary Laws are enforced; and I feel thoroughly convinced that if an impartial inquiry was made into the recent outbreaks of Small-



pox in the adjacent parish of St. Andrew's, the truth of every word I have stated, and far more, too, would be fully verified.

I have been in practice in this island for thirty-five years, and as connected with Boards of Health, Central and Local, have had painful experience of the result of Laws and Ordinances neglected, or not enforced till the emergency arrived. On such occasions I have witnessed the effects of confusion and dismay—the then useless and lavish waste of the public revenue, and the awful sacrifice of life to preventable disease; but hitherto, on all these occasions, the excuse has been that there was no revenue—the want of funds—that the outlay was beyond the income. Now, however, there can be no such excuse. To call upon the Local Boards of Health now, to carry out the Law, is too late. The Board of St. Andrew's, although by Law appointed in 1867, does not *bona fide* exist.

In that parish, as in all the others, the existence of the Local Board of Health is but in name; they have no rules—no paid efficient officers—no disposable funds—all is now confusion and alarm. How, then, can they carry out the Law? It is with deep regret that I say it; but it is true, and cannot be contradicted, that the only Law affecting the public health which, to my knowledge, is in any way carried out, is that of Quarantine. A Law concerning which, and its method of enforcement in this island, I have already expressed my opinion, namely, that it is a mere sham—a mischievous make-believe.

Trusting that his Excellency the Governor will make himself thoroughly acquainted with the manner in which the outbreaks of Small-pox have been met in the parish of St. Andrew's by Sanitary Laws and sanitary measures, or rather by the want of them.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble E. Rushworth, D.C.L.

Colonial Secretary.



*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 21st June, 1872.

Sir,

On the 6th instant I addressed you on the subject of the outbreaks of Small-pox in the adjacent parish of St. Andrew's.

I have reason to believe that my communication was received and submitted to his Excellency the Governor, but as from recent information I learn that the disease is extending itself to other districts, and in some of these as that of Glen-Goffe, in St. Thos. in the Vale, is becoming alarming, I quote the words of a letter I have received, "The people are dying like rotten sheep," I cannot forbear again troubling his Excellency on the subject.

If the inquiry I suggested in my letter of the 6th instant had been instituted, I feel assured that ere this the Government would have been satisfied that it is no use, in fact, worse than useless, merely to erect tents or huts, or to establish so-called Small-pox hospitals, and to force persons into them. Ostensibly placing them under so-called quarantine restrictions without providing them with the necessary appliances as beds, clothing, washing utensils, appropriate food, and medical supervision and attendance, is *wrong*, to say the least of it.

As one who has seen something of Small-pox during the last 40 years, I can assure the Government that the pacing of a Constable day and night in the street in front of a yard, and the occasional visit of a member of the Medical Profession to the outside of a tent or hut in which the sufferers are, will neither prevent the spread of, when it threatens, or mitigate the sufferings of, nor cure Small-pox when it exists.

I say it reluctantly, but most confidently, that if at this late period of the disease, (for Small-pox has been among us since September last), the Government can do nothing more than what they have done in the districts stricken with the disease, they had far better leave matters alone, and allow the people to take their chance in their own hovels, or exposed to the open air.

Recent proceedings are engendering a feeling which causes the people to refuse to enter and to resist being sent



to the tents and hospitals, and to distrust the intentions of the Government, and I hesitate not to say, are producing among the lower orders a thorough contempt for, and want of confidence in so-called sanitary measures, and for the Medical Profession—at which every right thinking and independent member of that profession must be grieved and indignant.

As a humble but honest member of that profession, and as one of its seniors in this island, I now respectfully but firmly call upon the Government to see that medical men in the employ of the Government are distinctly made to understand what their duties are, and to perform them, too, fully and faithfully, and not by their supineness or neglect to bring discredit and shame upon the profession generally—a profession the members of which, above all others, have at all times, and in all parts of the Globe, been distinguished for their disinterested devotedness to those under their charge, especially during pestilence.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.,  
Colonial Secretary.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 3881.

Colonial Secretary's Office, Jamaica,  
21st June, 1872.

Sir,

The Governor desires me to acknowledge the receipt of your letter, dated the 6th instant, on the subject of the practice that prevails of holding wakes over the corpses of persons who have died of Small-pox, and of the manner in which Sanitary Laws are generally enforced.



I have to inform you that the Governor has caused copies of your letters to be forwarded for report to the Local Board of Health of St. Andrew, to the Acting Superintending Medical Officer, and to the Inspector-General of Police, and I am to state that his Excellency will feel greatly obliged if you will suggest, in detail, any measures which, under the circumstances, you are of opinion can, or ought to be adopted, apart from the abolition of the Quarantine Law, which, in the existing state of opinion here and elsewhere, can hardly, the Governor thinks, be considered a practical question at present.

I have the honor to be,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

Lewis Q. Bowerbank, M.D., F.R.C.P.,  
Kingston.

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*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 24th June, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, No. 3881, of the date of the 21st inst. in reply to mine of the 6th in which you inform me that the Governor has caused copies of that letter to be forwarded for report to the Local Board of Health of St. Andrew's to the Acting Superintending Medical Officer, and to the Inspector-General of Police. With all respect I would express my opinion that little good as regards eliciting the truth, can be obtained from the means thus adopted. As far as I can learn, the Local Board of Health of St. Andrew's has existed hitherto only in name, as pointed out in my letter of the 6th inst., they have no rules, no paid efficient officers, no disposable funds, all is now confusion and alarm, as a Board they have as yet taken no active part, and can, I should think, know little of what has occurred. The



Acting Superintending Medical Officer of the Government I conceive can only have received his information from his subordinate, and the same with the Inspector-General of Police, both these public functionaries can only get their information, I conceive, at second hand.

None of these, I infer, have represented to the Government that matters were not as they ought to be, and therefore, if they were cognizant of the fact, they should certainly take their places in any inquiry to be instituted, not as judges, but as respondents, or at least as witnessess.

If his Excellency will appoint one or more gentlemen from St. Andrew's or any other parish to investigate, on the spot, into the circumstances connected with the recent out-breaks of Small-pox in the parish of St. Andrew's, I am confident the result will be beneficial to the Public, inasmuch as gross abuses will be brought to light, and which may thus be prevented for the future, and would tend much to relieve the public mind of the existence of a great public wrong.

The subjects for inquiry I would suggest should be the following :

Have wakes been held over the bodies of those dying of Small-pox ?

Have quarantine restrictions been professedly enforced over those suffering from Small-pox in the Parish of St. Andrew's ; If so, by whom, and in what manner have these restrictions been carried out ?

Have proper appliances and other necessities as regards food, clothing, bedding, cleanliness been provided for those placed under such quarantine restrictions ?

Has necessary medical supervision and attendance been paid to those suffering from Small-pox, while placed under quarantine restrictions ?

Has the treatment to which the people have been subjected caused dissatisfaction among them, and resulted in their refusing to enter a Small-pox Hospital erected for them by the Government ?

I feel assured that if these subjects were fairly considered it will be found that gross neglect has existed, and that under existing circumstances neither the lives of individuals nor the health of the public are cared for.

Should it be his Excellency's pleasure to appoint an



impartial commission of inquiry I will take care that such commission is furnished with heads of inquiries, and with a list of witnesses to prove facts under each.

In your letter you observe "I am to state that His Excellency will feel greatly obliged if you will suggest, in detail, any measures which under the circumstances you are of opinion can or ought to be adopted."

In reply I can only say, that I shall be always most happy to give my advice in any matter affecting the Public Health.

Whenever Small-pox appears in a place I have always been an advocate for isolation (strict and efficient) of the first cases, in hopes of checking the spread of the disease, but after the disease has once gained ground, I believe forcible isolation is mischievous *i. e.* the removal of a person suffering from Small-pox from his own residence to a tent, hut, or hospital, such a measure is calculated to increase the force of the disease, and induces people to *hide* their cases, as has been the case in Kingston.

Of course, at all periods of the existence of Small-pox in any district, it is right that secluded tents, huts, or hospitals should be provided for the reception of transient cases, or for the destitute or houseless.

Whenever however, such tents are erected, they should be placed in a secluded and private spot, assuredly not in a public thoroughfare and immediate proximity with crowded houses or hovels, as in the case of Townshend Town.

Such tents or huts should be suitable and well-constructed for the purpose, as regards space, light, ventilation, flooring, drainage, &c. and be supplied with all necessary requirements as water, washing utensils, clothing, bedding commodores or other portable utensils, proper latrines, privies or earth closets with kitchen, &c.

There should also be provided a diet scale to be *bona fide* adhered to, together with a supply of food and wholesome medicines to be prescribed by the Medical Officer and administered by the head or most responsible nurse.

To each range of tents there should also be provided an efficient staff, as a head nurse, a cook, a labourer, a person to act as washerwoman, as also nurses, male and female in proportion to the number of patients, both night and day being provided, these should be selected on account of their experience, fitness, and good conduct.



These tents should also be under the sole superintendence and medical charge of a Medical Practitioner who has been thoroughly made acquainted with the nature and extent of his duties, and who is able and willing to perform them fully and faithfully.

In case of there being more cases of disease than the ordinary Medical Officer of the district can properly attend to, additional assistance should be provided.

The daily allowance of money allowed to persons isolated for Small-pox (as reported) is in my opinion much too large, and should on no account be given in money.

All persons found at large suffering from Small-pox should be isolated, and when well, be punished.

The law of 1867 to establish a Central and Local Board of Health should be enforced, and all the requirements to meet an epidemic should be at hand and ready to be put in immediate operation, to establish such after an epidemic has broken out, is in vain, and must give rise to disappointment and a very high death rate, and useless waste of revenue. Experience all over the world has proved the truth of this, and in no place more distinctly than in Jamaica.

I would respectfully suggest to his Excellency that a portion of the public revenue proportionate to that expended on the Judicial, Prison, and Constabulary departments should be defrayed on preservation of the Public Health.

In conclusion, I would respectfully observe that the delay which has already occurred in investigating this matter is much to be regretted, and whatever is done, should be done at once. I am well aware that attempts are being made to pooh pooh the whole, and to persuade persons that there is no ground for complaint, a line of conduct which I feel assured will never *keep down the truth*, though it may among the needy and unprincipled class of persons necessary as witnesses, produce the usual mischievous and obstructive effects.

With regard to your concluding remarks, relative to quarantine, I can only observe that I feel confident that ere long the Imperial Government will see the necessity of fully investigating this subject, when I feel assured the manner in which it is carried out in this island, will be



deemed a strong proof of its utter uselessness, and of the serious mischief which has occurred from allowing a useless, but popular fallacy to remain on the statute book.

I have the honor to be,

Sir.

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.,  
Colonial Secretary.

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*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 26th June, 1872.

Sir,

In my communication of the 24th inst. I stated that if his Excellency would appoint one or more gentlemen to institute on the spot an inquiry into the manner in which Small-pox patients had been treated in the parish of St. Andrew's, I would, under the five heads for Inquiry therein suggested, prepare headings with a list of witnesses to prove facts under each.

His Excellency has not yet, I believe, appointed any such Commission of Inquiry, but as I find misrepresentations and threats of intimidation are being made use of to deter persons from speaking out and telling the truth, I feel it to be my duty, without delay, to furnish the document above alluded to, in order that his Excellency may judge for himself, from it, whether or not there is fair and reasonable ground for inquiry.

I again assure his Excellency that to expect to obtain the truth from any report receivable from the three sources to which, in your communication of the 21st inst. you state my letter of the 6th inst. had been referred, is useless and worse than useless. Delay is only increasing the difficulty, and, I fear, tending to make the exposure of abuses for the future more difficult still than it is in this island.



I fear some, with more zeal than discretion, are actuated by the very common, but very mistaken notion, that to gloss over and conceal abuses is to serve the Government.

In my humble opinion Small-pox may now fairly be said to be assuming an epidemic character, and as the warm weather increases it will doubtless extend itself, and from all I can gather on the subject, I do not believe any just and correct return of its ravages reaches his Excellency the Governor, simply because, in some cases at least, the medical officer and the Constabulary know no more about it than they are proving that they know of the number of deaths, and of wakes that had occurred in Robert Armstrong's house.

I quote from a letter received by yesterday's post, written by a gentleman who has great opportunities of acquiring a knowledge of the subject, and who requests that if an investigation takes place he may be summoned to give the result of his experience as to the recent outbreaks of Small-pox in the parish of St. Andrew's.

He thus writes under date 24th June: "In the Red Hills district, where they had the hospital, a young man, over 21 years, died on Friday evening, and was buried on Saturday evening, the 22nd. I believe the usual 'set up' was held. No Doctor saw this man. A week or two ago, at Temple Hall, a child died (of one Polson); had not been seen by a Doctor, and there is now another very bad. Last night another child died, and was buried to-day. At Temple Hall there are about three or four cases; I believe hardly seen by any one. At Padmore, in the Red Hills districts, or in the neighbourhood of Salisbury Plains, there are several cases, and there have been several deaths."

On inquiry it will be found that cases still exist about Halfway Tree district, as at Gordon's Pastures, &c.

You will perceive that the proposed inquiry is almost entirely confined to the adjacent district of Halfway Tree, but this may easily be extended to the other affected districts, though, I doubt not, delay, &c., may now render it more difficult to arrive at the truth.

Again most respectfully repeating my assurance to his Excellency, that no report he has called for can or will



elicit the truth, and that every day's delay is only increasing the difficulty, perpetuating abuses, and prolonging the sufferings and wrongs of the people,

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.,  
Colonial Secretary.

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FIRST SUBJECT FOR INQUIRY.

Have "wakes" (or assemblages of people over the dead) been held over the bodies of persons dying of Small-pox, in the parish of St. Andrew's, during the last few months, say from October last?

I think the fact of wakes having been held in the Half-way Tree district of St. Andrew's is undoubted, and that the usual accompaniment of excess on such occasions was not wanting, at least, in all.

It is stated that "wakes," or assemblages of persons took place on three different occasions recently in Robert Armstrong's house, namely, over a child of Geo. Hall's, over a young woman named Maria Lewis, and lastly, over the bodies of Anne and Robert Armstrong (sister and brother)—both of whom died of Small-pox within a very short time of each other on the same evening, 29th May.

In the same district other *wakes*, or assemblages of persons, over the dead are spoken of, as one over "Clementina," another sister of Armstrong's. Another over Jemmy Tucker, of Sandy Gully; and, again, over Nathaniel Barclay, at Waterloo Glebe land.

One wake, at least over a man of the name of Robinson, was held near Temple Hall on or about the 1st May, and

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NOTE.—In publishing this document I have omitted, on the grounds of public expediency, the names of the several persons capable of giving evidence.



others in the Red Hills have taken place, as can be proven by the Revd. Messrs. ——— and ——— ; and I was glad to hear from the Government Medical Officer of the Halfway Tree district of St. Andrew's that he has pointed out, in his Official Reports to the Government, the mischievous tendency of wakes.

I think the following persons can all speak as to the holding of recent wakes in the Halfway Tree district of St. Andrew's over the bodies of persons who have died from Small-pox, namely :

*[Here follow the names of nine persons.]*

And most if not all of them, of the wake held over the Armstrongs (brother and sister), and if I mistake not, ———, can mention the names of such persons as he himself saw at the said wake.

Armstrong's house is said to have been a hovel, measuring about 14 x 10. It consisted of two rooms and a small front piazza ; in either room, on the night of the wake, was laid out an uncoffined body. In a letter addressed to ———, on or about the 4th June, (now in my possession), ——— enumerates the following persons as seen by himself at Armstrong's house on the night of the wake, among others :

*[Here follow the names and descriptions of 17 persons.]*

He subsequently from memory, on the 23rd June, gave me the following names of persons as then present, remarking that there were others, and that the house being close to the high road, persons passing by stopped and came in and out :

*[Here follow the names of 10 persons.]*

Other eye witnesses can confirm all this, as ——— and ———. In fact, so common and prevalent is the custom among the lower orders of holding wakes over the dead, that I maintain the *onus probandi* should fall upon those who assert that there were no wakes ; they should be called upon to shew reason why there was no wake. Why the ordinary practice was departed from.

Within the last few days a sensation has been created in the district by a report being got up that there is a Law in force, by which persons so holding wakes can be fined in



the sum of £5, and some have tried to persuade others, and among them the officials of the parish, that there was no wake, or assemblage of persons, at Armstrong's house on the night of his and his sister's death. The evidence on which such persons have stated this should, I think, be enquired into, as I look upon it as an attempt to obscure the truth. On this point, I would mention the following persons who can speak: ———, ———, and ———; the latter denies that any previous deaths took place in Armstrong's house.

With respect to there being any Law in force against wakes, I have no hesitation in stating, on the authority of both Governors, Mr. Eyre and Sir Henry Storks, after consultation with the then Attorney-General, that there was none.

#### SECOND SUBJECT FOR INQUIRY.

Have quarantine restrictions, *i.e.*, isolation and segregation been professedly enforced over those suffering from Small-pox in the parish of St. Andrew's. If so, in what manner have these restrictions been carried out?

It would appear that, from the latter end of March last, quarantine restrictions, so-called, have been imposed on some of the poor suffering from Small-pox in the Halfway Tree district, said to be under the authority of Drs. Ross and Cargill, and that these were continued in this district till after the 5th May. The following can speak as to these facts, or to the establishment of so-called quarantine during this period, or from the illness of James Barclay, till after the death of William Hall:

*[Here follow the names of nineteen persons, being Officials and Nurses, and it is stated "many others who are neighbours."]*

It would appear that all the while, a Constable was kept on duty on the public road, in front of the yard containing first one, and subsequently, three tents, this is said to have been continued night and day.

It would however, also appear that while this was being carried out, there were no precautions taken to exclude, or prevent persons entering from other directions, and that from the state of the surrounding fences, &c. ingress and egress existed, and on several occasions communication took place between those in the tents, and their friends and



relatives from without, during both night and day, not a single solitary intercourse but a regular repeated visitation as in the cases at least of ——— to visit Wm. Hall, of ——— to see Alex. Bell, of ———, to see and to read with Wm. Bennett of ———, to supply F. Wiseman with clothing, food, porter, &c., of Mrs. ——— with her son Bennett, and who has herself since been laid up with an attack of Small-pox.

The following can speak to these facts :

*[Here follow the names of nine persons and it is stated "of many others."]*

Besides the tents it would appear that the adjoining collections of houses or huts, named "Townshend Town," were also placed under quarantine restrictions ; that the inmates were told that they were not to go out from the yard, but that as no funds were provided for their sustenance, or care taken to give them the means of procuring food or being nursed when sick, that their instructions not to leave the yard were not obeyed.

The following among others can speak to this fact :

*[Here follow the names of five persons.]*

Nurse ——— is reported to have left the tents at times, and to have gone to her residence at Gordon Pastures, where the disease subsequently broke out. On this point, the evidence of ——— and ——— should be taken.

Nurse ———'s residence is on the so-called quarantine ground itself, and ——— resided in Townsend Town, *i.e.*, the adjoining yard, (one's own bed within a few feet is a prodigious temptation.)

The Rev. Mr. Braine was distinctly informed that, as a Clergyman, he would not be allowed to enter the tents or hospital for the purpose of seeing or praying with the sick.

Mr. Byndloss, the contractor, was ordered out of the tent in which Roden was, and into which he had gone for the only time with Dr. Cargill, and was desired not to enter the quarantine ground again.

Doubtless, a Journal or History of the cases has been preserved by the medical officer in charge. This is the more necessary, as it would appear some at any rate of the patients were transferred to the tents at a late period of the disease—a practice certainly contrary to all sound qua-



quarantine principles, and replete with risk to the sufferer. I allude particularly to the case of Hall, the patient last admitted, and who is said to have possessed a home of his own, and to have been adverse to being removed. ———, a person who was allowed "sub rosa" daily to enter the tent and see her brother, was, in consequence of making a complaint as to bad nursing, immediately ejected from the yard on the plea that the place was under quarantine restrictions, and was not allowed admission again, either during her brother's life nor after his death. ——— can speak to this; so can ———, and ———.

### THIRD SUBJECT FOR INQUIRY.

Have proper appliances and other necessities as regards food, clothing, bedding, and cleanliness been provided for those placed under quarantine restrictions?

I fear the site of the tents, as regards the public thoroughfare and the immediate hamlet of Townshend Town, must be condemned, and it would appear was objected to by the Government officer of the district, ———, ———, and Dr. Bowerbank.

The tents, at first one and subsequently three in number, were all bell ones, unsuited for the purpose, being small and exceedingly hot. That, too, appears very properly to have been objected to by the medical officer of the district, on the ground that marquees would have been preferable. ———, ———, and Dr. Bowerbank.

It would appear that these tents were pitched without any drainage or flooring, and that loose boards for the latter purpose were afterwards supplied through the kindness of the Rev. Mr. Braine and Contractor Byndloss.

It would seem that wooden bedsteads were furnished, but no bedding with the exception of six rugs.

There would appear to have been a sad want of preparation or pre-provision of necessities, thus, there was no supply of bedding—of sheets or bed clothes—none of body clothing—of tubs or other utensils for washing purposes, of commodes, chamber utensils or bed pans—or of cooking utensils. In fact it would appear that no bedding whatsoever was provided, the people using what they themselves brought in. Two sheets appear to have been furnished, namely one to Barclay, and one to Bell. Of body clothes



one shirt is stated to have been given to Bell. Nurse —— is said to have brought in two tubs of her own, and two chamber pots ; private property of some of the neighbours are said to have found their way in, and to have been used by the inmates. These items appear subsequently to have been paid for by the Government. The cooking utensils used by the nurses for their own use and that of the patients are said also to have been private property and to have been subsequently paid for.

The correctness or not of these statements can doubtless be spoken of by the different nurses, and especially by the contractor and the Sergeant-major in charge.

It would appear that such of the inmates as recovered took out with them their clothing ! Thus, —— took with him one of the rugs ; and nurse ——, is said to have appropriated another ; and three having been boiled and washed are said to be in the possession of the Sergeant-major.

There would appear to have been no kitchen or place for cooking on the premises, nor was there any privy, earth closet or pit for the use of the inmates and patients ; all evacuations and dirty water, &c., appear to have been thrown on the ground in the yard. On this point ——, ——, and —— can speak.

There appears to have been no resident superintendent or head nurse on the premises to supervise the nurses ; there was no person in the capacity of cook or of washerwomen, or nurse tender, and these duties appear to have been performed by the nurses as best they could.

There appears to have been one or two diet scales in use, and it would seem to have been the duty of the contractor, Byndloss, to send in each morning the diets for the patients ; these were delivered to the nurses.

Each nurse is said to have received 8s. a-week, and had to provide themselves with all necessaries ; there seems to have no division into day and night nurses.

The nurses do not appear to have been selected on account of their experience as such, —— had been a groom. Nurse —— appears to have gone into the tents for the purpose of nursing her own son, James



Barclay. ————— would seem to have entered the tent as a patient suffering from Small-pox ; and then on her recovering to have remained as a nurse, and to have nursed her own son, James Bennett, without receiving any remuneration except daily rations.

Complaints are not wanting, that some of the patients at least were not regularly supplied with food by the nurses, and that others received food very different from that prescribed on the diet scale, and not usually partaken of by Small-pox patients. On this point ————, and ————, and ———— speak strongly ; in fact one or two of them stated that if ———— had not received other food, &c., he would have been starved.

It would certainly appear that some of those who died, could not consume their daily allowance of food ; doubtless the quantity and quality of the food was daily regulated according to the patient's state. ———— distinctly states Bell had more food than he could eat.

Wm. Hall would appear to have complained to ————, the wife of one of the constables, that he had nourishment at 4 o'clock on Saturday afternoon, and had no more until 8 o'clock the next morning.

As regards the nurses, complaints exist that they were unkind to, and abused the patients, calling them names for calling to them when they were otherwise engaged, as in cooking, washing, &c. ————, ————, ————, and ———— can speak to this.

From all accounts the supply of water to the tents was ample, and that of soap abundant, but we are told that one patient manifested symptoms of want of attention or due cleanliness—namely, Alex. Bell, that he was fly-blown. On this point, his sister ————, can best speak and also ————, ————, ————, and ————.

The distribution and care of stimulants as spirits would appear to have been left entirely to the nurses.

The administration of medicines appears to have been left entirely to the nurses, and complaints are made that castor oil in a bottle was given to a nurse or to the Sergeant-major to be administered round to each patient, irrespective of the individual state and condition. ————, and ———— can speak to this, as also ————, ————, and ————. They also state that a bottle of other medicine was also sent



for general use, a fact attested by Mr.——,—— states that the only medicine ordered for an individual patient was some mixture for Wm. Bennett, who took two doses before he died.

#### FOURTH SUBJECT OF INQUIRY.

Has necessary medical supervision and attendance been paid to those suffering from Small-pox while placed under so-called quarantine restrictions?

It would appear that the number of persons admitted into the tents from the latter end of March till the 5th May was nine, of whom five are said to have died.

It would appear that two medical gentlemen had the supervision of the Quarantine Regulations, namely, Drs. Ross and Cargill,--the latter being the District Medical Officer.

There appears to have been a very general belief that the Medical Officer of the district had expressed his intention not to attend any Small-pox patients who he was not bound by his appointment to attend, on the plea, that if he did so, his other patients would not employ him — —, ———, ———, and Mr ——— can speak as to this point; and I am compelled, most reluctantly, from what Mr. ——— has mentioned to me (25th June) to add, myself can prove.

It appears also that the Medical Officer of the district had distinctly declared that it was not his duty, as Government Medical Officer, to attend any of the poor persons of the parish, but those on the pauper list. On this point ———, ———, and myself, at least, can speak.

It is commonly stated that the District Medical Officer, when called to cases of Small-pox, or cases in which persons were or might be supposed to be suffering from Small-pox, did not examine them in the usual manner; that for the most part, at least, he kept at a distance, and did not touch the patient; that he was satisfied with the report of the nurse or friends. On this point———, ——, and —— can speak.

The same absence of approach to, and of examination of the patient, is said to have existed on the part of the Medical Officer as regards the inmates in the tents. On this point the same parties above named can speak, as



also ———, ———, ———, ———, ———, and ———.

It is said that Government Medical Officers have received instructions not to expose themselves *unnecessarily* by examining as to the condition of those patients; doubtless the Medical Officers can best answer this themselves, and explain any written or other instructions which may exist.

#### FIFTH SUBJECT FOR INQUIRY.

Has the treatment to which the people in the tents been subjected, caused dissatisfaction among them, and resulted in their refusal to enter them, as also the Small-pox Hospital since erected by the Government?

There is no doubt that much dissatisfaction does exist, and that on several occasions loud complaints have been made.

The tents have never been occupied since the death of Hall, and the hospital hut erected has never been occupied, although the disease has continued in the district.

Two notices at least in the *Gleaner* newspaper have appeared, charging those in authority with neglect, and to my mind a most unseemly inaction has been maintained during the prevalence of Small-pox in the island, say from September or October last.

———, the mother and nurse of James Barclay, on the occasion of his death, complained aloud and bitterly that her son had been imprisoned and neglected by the medical officer. The following can speak to this: ———, the constables on guard at the time, ———, ———, ———, ———, ———, and others. Let it be asked, why was ——— retained, and by whom; ——— repeatedly, and in the presence of others, denounced the authorities as destroying the people, and this on the greatest thoroughfare of the island?

Nurse ——— has allowed that the people in the tents were very dissatisfied, and complained much.

Many persons sick with Small-pox have refused to enter the tents and even the hospital; thus, ———. Subsequently, ——— sent in Frederick Wiseman, but she states most positively that had she not supplied him with food, stimulants, &c., he would have been starved.

———, in the presence of ———, ———, and ———, refused to allow Robert and Anne Armstrong to be removed there.



——— refused to enter the tents, all of these on the plea of what had been seen and heard of the treatment therein received.

An unpleasant report, to say the least of it, was abroad, to the effect that when persons entered the tent, a grave was prepared for them in the burial ground, owing, no doubt, from the Sexton's order getting abroad that graves were to be kept prepared for those that died of Small-pox in the district. ———, ———, and ——— can speak to this.

L. Q. B.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 4217.

Colonial Secretary's Office, 29 June, 1872.

Sir,

I have laid before the Governor your letter dated the 21st instant.

I am directed to state in reply that if you will be so good as to specify instances of supineness or neglect on the part of any Government Medical Officer, for the substantial truths of which you or your informant will be responsible, your charges will be carefully and fully enquired into. Nothing useful in the way of discipline however can be done on no more precise foundation than the statements contained in your present letter.

If you will specify your objection to the practice now in force and suggest any general plans in detail, which you may think preferable to the provision of Small-pox hospital tents, or houses, or to isolation according to the circumstances, whatever you say will, I am to state, receive most careful consideration. So also will be most carefully enquired into any specific allegations, founded on what is within your own knowledge or the knowledge of any trustworthy informant, who will be responsible for the correctness of what he alleges respecting any improper application of the system of hospitals or of isolation.

I am, Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, M D., L.R.C.P., Kingston.



*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 1st July, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, No. 4217, of the date of the 29th ult., in reply to mine of the 21st ult. In two subsequent communications of the respective dates, of the 23rd and 26th ulto., addressed to yourself, I have, I believe, done all his Excellency the Governor has required or requested me to do, and I would respectfully submit that the best proof of the correctness of all I have stated is, that up to date, not one single person has been induced to enter the hospital prepared for those suffering from Small-pox.

In addition to what I have already stated, I have only to observe, that wakes or "set-ups," are still being held over persons dying of Small-pox, and that I have additional proof that the fact of persons not having Small-pox entering the so-called quarantine tents was not only known to, but sanctioned, or winked at by another of the constabulary force, whose duty it was to have prevented it, and to have reported it to his superior officer. Since my communication of the 26th ulto. a supplement to the Jamaica Gazette of the 27th June has appeared, in which is the following notice :

" Colonial Secretary's Office,  
21st June 1872.

" The Governor directs that the following statement as to the number of cases of Small-pox that have occurred in Jamaica since the month of September last, with the results of these cases be published for general information."

Then follows : " A tabulated statement showing the number of cases of Small-pox which have occurred in the island since September, 1871, to the 31st May, 1872, and the results of such cases as known to the department," or as Dr. Ross the acting S.M.O. of the Government very properly expresses it " as far as is known to this department."

By this return it appears that there have been 249 cases of which 145 are said to have recovered, 52 to have died, and 52 to be remaining on the 1st June.



As regards the parish of St. Andrew's in its four districts 100 cases are said to have occurred, of which 22 are reported to have died.

In the Halfway Tree district 24 cases of the disease are said to have occurred, of which *three* are said to have died.

Some *strange* mistake has occurred here at least. For in the tents 5 deaths out of 9 cases occurred, and supposing the number attached to have been 24, I do not think it will be difficult before an impartial commission to show that more than one half of those at any rate were dead, and buried before the 31st May. I speak only of one return, others can do so of others; such returns need no comment.

Again urging on his Excellency the necessity for such an inquiry as I have suggested and the importance of its being held without delay.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.

Colonial Secretary.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 4250.

Colonial Secretary's Office,  
Jamaica, 2nd July, 1872.

Sir,

The governor desires me to acknowledge the receipt of your letter, dated the 24th ultimo, and to inform you that he has caused a copy thereof to be sent to the Central Board of Health.

I have the honor to be,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, M.D., F.R.C.P.,  
Kingston.



*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 2nd July, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, No. 4250, of this day's date, in which you inform me that his Excellency has caused a copy of my letter of the 24th ultimo to be sent to the Central Board of Health, I am sincerely glad to hear it, and I trust that a consideration of it, by the Central Board, may be the means of inducing them to urge upon the government the urgent necessity of carrying out, *in earnest*, existing laws, and of adopting other necessary measures for the protection of the public health.

I would here most respectfully observe, that if my letter has been forwarded to the Central Board in order that my suggestions for the future should be approved of by them, it would have been better to have delayed doing so, till the abuses under the past and present system had been exposed and the reason why the hospital erected in the Halfway Tree district had not been made use of, had been made apparent, the more especially as the said hospital is generally said to have been erected or projected by the Central Board of Health, and that in fact the entire present system of management was adopted by them, without any communication with the Local Board of Saint Andrew's.

If, however, my communication of the 24th ultimo, has been referred to the Central Board, in order that they may express their opinion whether or not abuses have existed in the management and treatment of persons suffering from Small-pox in the several outbreaks which have occurred in the parish of St. Andrew's since September or October last, then, it becomes my duty, most respectfully, to remind his Excellency that my previous letter of the 6th June has already been referred to two members of the Central Board, namely, the acting superintending Medical Officer and the Inspector General of Constabulary, concerning the evidence receivable from whom I have already commented on ; and I will only add that if it is true that the steps taken at Halfway Tree, were directed to be taken by the Central



Board of Health, then the members of the Central Board ought not to be judges, but should appear in the place of witnesses in any inquiry which his Excellency may appoint.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The honble. E. Rushworth, D.C.L.,  
Colonial Secretary.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 4348.

Colonial Secretary's Office,  
Jamaica, 5th July, 1872.

Sir,

I am desired by the governor to acknowledge the receipt of your letter, dated 26th ultimo, and to inform you that it has been forwarded in continuation of your previous communications to the Central Board of Health, which body, his Excellency does not doubt, will do or will recommend to be done whatever may be proper.

You will, however, observe that whilst you have made general complaints, you have not specified any instance of misconduct on the part of any one as from your own knowledge, and for the truth of which you make yourself personally responsible. If those on whose reports you rely, have any personal knowledge of any facts that ought to be communicated to the authorities, it is their duty to communicate such facts to the authorities on their own personal responsibility.

I have the honor to be,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, Esq., M.D., F.R.C.P.,  
Kingston.



*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 5th July, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, No. 4348, of this day's date, in which you inform me that "*my* letter of the 26th ulto. has been forwarded, in continuation of my previous communication, to the Central Board of Health," and you add, "which body his Excellency does not doubt will do, or will recommend to be done, whatever may be proper."

As regards any action the Central Board may take, or recommendation they may make, I beg to refer you to my opinion as set forth in my letter of the 2nd inst.

With regard to the concluding paragraph of your communication, "You will, however, observe that whilst you have made general complaints, you have not specified any instance of misconduct on the part of any one as from your own knowledge, and for the truth of which you will make yourself personally responsible."

On this point, I can assure his Excellency I have no desire to shirk any personal responsibility which can possibly attach to me.

I have taken up this matter as one which is a grievous wrong to the poorer classes of the community, and a scandal to the profession to which I belong.

In furnishing the subjects for inquiry in my letter of the 26th June, I thought I had done all his Excellency could possibly require of me. I have there given lists of the names of persons, and among them my own, some three or four different times, as able to prove the facts or abuses complained of.

If his Excellency wishes my name to appear oftener there can be no difficulty about this, but I considered that the evidence of those who, with their own eyes witnessed abuses, would be preferable to mine, who obtained it from them.

When an impartial commission is appointed, in spite of all difficulties already put in the way, I have not the slightest doubt that the truth will be apparent to all.

The past history of the Public Hospital and Lunatic Asylum in this island, at least, ought to have been a sut-



ficient guarantee to the Government that I am not about to raise false alarms, or make complaints of grievous wrongs and shocking cruelties which cannot be brought home to the parties concerned.

With regard to your concluding remark, "If those on whose reports you rely have any personal knowledge of any facts that ought to be communicated to the authorities, it is their duty to communicate such facts to the authorities on their own personal responsibility,"

I will only observe, and I do so most respectfully, that such a remark from one supposed to know something of the community surprises me. It may be very well in theory, but the history of this island to the present hour most certainly testifies to the fact, that if inquiries into abuses are only to take place, when abuses are *thus* made known to the authorities, very—very few inquiries, indeed, will be held, and sure no abuses will be exposed.

As a reason why action in this matter should be taken without delay, I quote the following from a letter I received this day from a gentleman, who requests that if an *impartial inquiry* is held he may be summoned as a witness.

The note is dated 4th July, and is as follows: "Yesterday I was in the Goffe district of St. Thomas in the Vale, and there heard that in the district, as also in the Cassava River district, the people were dying daily of Small-pox without *any medical assistance*. One female told me that her mother and self had lost two or three children, and that when the Doctor once came to see the sick he stood at the door, gave a look, and turned away. I was told that the only thing they could say they had, were Constables watching over their premises, and in so doing preventing their ever getting neighbours to assist them in burying their dead." \* \* "I am sure," he adds, "neither the Governor nor yourself can know how secretly this gross neglect of the wants of the peasantry in these out-lying districts is sowing the seed of disaffection among them, and tempting them to look on those above them as their enemies."

Surely, such a statement is worthy of being inquired into, and by men, too, who have nothing to conceal, nothing to explain away, nothing to blush for.

It is now one month since I urged the Government to in-



quire into the manner in which those attacked with Small-pox were being treated, but as yet it would appear no step has been taken to do so, except the publication of a report that needs no further comment. The evils complained of still exist, and are being gradually extended over the island.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.,  
Colonial Secretary.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 4394.

Colonial Secretary's Office, 8th July, 1872.

Sir,

I have laid before the governor your letter dated the 1st instant.

I am desired to state with reference thereto that although it would appear that you are aware of particular instances of wakes having been held over the corpses of persons who have died from Small-pox, you do not specify any. As the giving of even one single instance within the personal knowledge of a respectable person, in which names, time, place and circumstances are so specified as to enable the authorities to ascertain precisely the facts of the case would be of much more use than any quantity of vague accusations, I am to request that you will be so good as to state all particulars of the several wakes, and of the cases of improper entrance into quarantine tents, to which you allude as having occurred, as it is to be inferred to your personal knowledge; also the name of the member of the constabulary force alluded to as having known and not prevented such an entrance, with the particulars of the case in question. On receipt of any information as to the occurrence of any instance of abuse of any sort, in which a useful investigation can be made, no time will be lost, I am to say, in causing a special investigation to be made.



I am to observe that enquiries have been instituted as to the real facts of the only case of the holding of a wake which you have particularized, and that enquiries will, in like manner, be made as to the real facts of any other cases you may particularize. General charges however, unsupported by particulars, are of no practical value.

I am to add that your remarks in regard to the Returns of the cases of Small-pox have been communicated to the proper quarter, and that as soon as an explanation on the subject is received, it will be communicated to you.

I am,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, M.D., F.R.C.P.,  
Kingston.

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*Dr. Bowerbank to the Colonial Secretary.*

Kingston, \*8th July, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication No. 4394 of this day's date.

I really am at a loss to perceive what is required of me by his Excellency the Governor. In your communication you write "although it would appear that you are aware of particular instances of wakes having been held over the corpses of persons who have died from Small-pox, *you do not specify any.*"

Again, you write "I am to observe that enquiries have been instituted as to the real facts of the only case of the holding of a wake which you have particularized!"

In my letter of the 6th June I certainly particularized the holding of a wake—over a man and his sister (the Armstrongs) in a hovel near Halfway Tree, and which occurred within the last few days.

In my letter of the 26th June, in consequence of the misrepresentations and threats made use of to deter people

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\* The date of this letter should have been 9th July.



from telling the truth, I forwarded to his Excellency five subjects for inquiry with a list of witnesses to prove facts under each head alluded to in my previous letter of the 24th June, in order, as I stated, "that his Excellency may judge for himself, from it, whether or not there is fair and reasonable ground for inquiry."

Under the first subject of inquiry, namely, the holding of wakes, I alluded by name and locality, and in some of them to time, in no less than eight wakes. Some of which can, at any rate, be proved to have existed by persons whose *respectability* I should think could not for one moment be called in question.

I am at a loss in such a case to understand what a "*respectable person*" implies, but I should conceive that persons included in the Government employ ought to, and must be ranked as such.

To compel a man to be respectable, *i.e.*, to tell the truth, or to be punished if he does not, is in the power of the Government.

Any attempt to deny that a wake was held over the two Armstrongs, brother and sister, on the night of the 29th May, can easily be proved to be false before an impartial inquiry, by written and oral testimony : and gentlemen of the highest respectability, and in the Government employ, will prove that such wake was held.

I warn his Excellency the Governor how he receives evidence to the contrary from persons who have, since the announcement of the fact in my letter of the 6th ult., by means of misrepresentations, threats, &c., done their utmost to get persons to contradict the fact.

In your letter you state, "I am to observe that inquiries have been instituted as to the real facts of the only case of the holding of a wake which you have particularized, and that inquiries will in like manner be made as to the real facts of any other cases you may particularize."

Believing that you here allude to Armstrongs' case, and understanding that evidence has been procured to prove that no wake was held over these persons (brother and sister), and a fresh case of persecution of a witness, by the Government authorities having reached me, I must most respectfully but firmly decline to adduce any further proof of the gross abuses which have existed, and of which I com-



plain, and am ready, before a fair inquiry, to prove, and to make known to the Government, if they do not already know it, why it is not a single sufferer from Small-pox has entered the so-called Small-pox Hospital erected by the Government in St. Andrew's.

Referring to your communication of the 5th inst. I beg you will assure his Excellency that I am fully prepared to prove the correctness of every abuse alluded to under my five heads of inquiry contained in my communication of the 26th June, and in my subsequent letters, and that I am willing to assume any personal responsibility he as Governor may think it fitting to impose upon me, as one who cannot and will not witness the results of gross wrongs and cruelties to which the people have been subjected without doing the utmost that he can to expose and correct them. When I wrote my letter of the 6th June I little thought there would be on the part of the Government any objection to appoint a special enquiry, and I made sure that the authorities themselves would court such an enquiry. It is now my painful duty, after upwards of one month's delay, to assure his Excellency of my conviction, that no inquiry instituted by the authorities themselves will elicit the truth. If the truth is sought for in earnest, it can only be obtained by appointing one or more persons to seek for it, who have no bias one way or the other, and in whose impartiality the people believe.

I have the honor to be, Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

Hon. E. Rushworth, D.C.L., Colonial Secretary.

*The Colonial Secretary to Dr. Bowerbank.*

No. 4461.

Colonial Secretary's Office, 10 July, 1872.

Sir,

I am desired by the Governor to acknowledge the receipt of your letter dated the 2nd instant.

I am, Sir,

Your obedient servant,

EDWD. RUSHWORTH.

L. Q. Bowerbank, M.D., F.R.C.P., Kingston.



*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 11th July, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication No. 4461 of the date of the 10th inst. in which you state "I am desired by the Governor to acknowledge the receipt of your letter dated the 2nd inst."

With reference to that letter, I beg to observe I have as yet received no communication, from the Central Board of Health.

Having had occasion to reperuse the correspondence which has taken place since the 6th ultimo, I have been very much struck with the unsatisfactory character of it, in fact, so far as it has gone, no progress whatever appears to me to have been made as far as any "*useful information*" is concerned, and I might just as well have saved myself the trouble of writing my letter of the 6th ultimo, and the subsequent ones.

I entered into this correspondence from a sense of duty, the more so as I had in my answers to the questions on leprosy, forwarded to your office on the 22nd May, for transmission to the Earl of Kimberly, H. M. Secretary of State for the Colonies, commented on the rumour then prevalent that the Government Medical Officers avoided coming in contact with their Small-pox patients. This I had ascertained on the best authority, to be founded on fact, previous to sending in my answers, and I had hoped that in any inquiry instituted by his Excellency as to wakes, this, together with the other errors of omission and commission, committed towards those suffering from Small-pox in its different outbreaks in the parish of St. Andrew's would have been ascertained and corrected, but nothing was done to remedy the abuses complained of, and which were now, by an accidental circumstance, brought most forcibly to my attention by eye witnesses of them—hence my letter of the date of the 21st June.

After writing this, I must confess that it was with surprise that I heard that the inquiry to be instituted was to be entrusted to the Local Board of Health of St. Andrew's, the acting Superintending Officer of the Medical Department, and the head of the Constabulary force.



I do most solemnly protest against the system pursued of referring inquiry into alleged abuses, to the parties themselves implicated, either by omission or commission, and especially to their proceedings and reports being kept secret, and the case declared to be closed and settled, and the *real facts* of the case to be thus ascertained.

Such Inquiries, I respectfully submit, are useless, and worse than useless—they tend to obscure the truth in any subsequent investigation, and to discourage complaints, and thus to perpetuate abuses—and they most certainly, terribly shake public confidence.

This was the system pursued in the Public Hospital and Lunatic Asylum Question, and was one which was thoroughly condemned by the Commissioners of Lunacy in England, and its mischievous effects were fully demonstrated by the Report of the Commissioners in this island.

After the receipt of your communication of the 21st, which reached me on the 22nd ult., it appeared to me that the whole affair had assumed a very serious aspect, and that for the ends of Justice, nothing but a Special Inquiry would suffice. With this view, in my letter of the 24th I offered to hand in to such Commission, if appointed by the Governor, heads of inquiry, with a list of witnesses to prove facts under each.

Hearing however, that misrepresentations and threats were being made use of to frighten and deter persons from telling the truth, I at once hurriedly and imperfectly drew up those heads of inquiry, with a list of names of persons who could give evidence on each, and forwarded it to you on the 26th June, with the following remark: “His Excellency has not yet, I believe, appointed any such Commission of Inquiry, but as I find misrepresentations and threats of intimidation are being made use of to deter persons from speaking out, and telling the truth, I feel it to be my duty, without delay, to furnish the document above alluded to, in order that his Excellency may judge for himself, from it, whether or not there is fair and reasonable ground for inquiry.”

This document however, which was thus sent to the Governor for himself, *i.e.* for his own information you tell me in your letter of the 5th inst., has been forwarded to the very persons implicated in the alleged abuses, shortcomings, &c.



After this in your letter of the 8th, you tell me "that inquiries have been instituted as to the *real facts* of the only case of the holding of a wake you have particularized, and that inquiries will in like manner be made as to the *real facts* of any other cases you may particularize."

In the same communication you write "I am to request that you will be so good as to state all particulars of the several wakes, and of the cases of improper entrance into the quarantine tents, to which you allude as having occurred, as it is to be inferred to your personal knowledge also the name of the member of the constabulary force alluded to, as having known and not prevented such an entrance with the particulars of the case in question."

The question here arises how I could have stated all this to you, except on my own personal knowledge.

To your request in my letter of the 8th, or rather it should have been dated the 9th, I most respectfully, but firmly decline to comply in as much as from all I hear. I feel assured that the inquiry instituted has not elicited the real facts connected with Armstrong's wake, and I feel thoroughly convinced that no inquiry his Excellency can now institute, or of himself conduct will elicit the truth, the whole truth and nothing but the truth.

The fountain has been fouled and the stream will never flow clear and pure again as it should.

While I decline your request to adduce further evidence through you at present "so that the *real facts* of the case may be inquired into, in like manner," I beg you will assure his Excellency, (that in spite of the delay, and probable mischief already done to the cause of truth, by the acts of the authorities, of my readiness so soon as he appoints a special inquiry to furnish them with not mere heads of inquiry to guide them but with specific charges of abuses to investigate, and I pledge myself on oath to maintain the same by my own evidence and that of others.

On the condition that I am allowed to be present throughout the proceedings, as at the hospital and lunatic asylum inquiry, and that the inquiry is open and free to all as any other court of justice, I will, I have not the slightest doubt, satisfy his Excellency and the community in general that great wrongs have been perpetrated, and thus put an end to similar ones, I trust for the future.



Your remarks as to "general complaints" "vague accusations" "no personal responsibility" "respectable persons" &c., are, I conceive mere inducements to me to throw out additional information on the subject and can in no way conceal the fact that the statements made are very serious and ought to be investigated, and these will, I have no doubt pale and fade away as the real facts of the case *i. e.* the truth come out.

Of course in case of any wilful evasion or of perjury on the part of any one, the Government will be bound to protect the innocent, uphold justice, and punish the guilty, be that person an authority, myself, or any other person.

In this way, too, will the work of the slanderer be best exposed and laid bare, the honest integrity of the Government be manifested, the rights of the people be maintained, and the wrongs of those beyond redress be vindicated.

On the above conditions I will be prepared to act at once as far as I am concerned, to bring this unpleasant affair to a speedy termination.

Should, however, his Excellency decline these conditions it appears to me that there can be no use in further continuing this correspondence for the present at any rate.

I have honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.  
Colonial Secretary.

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*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 13th July, 1872.

Sir,

I think it right to enclose you, for his Excellency's information, a copy of a letter I have this day addressed to the Chairman and members of the Local Board of Health of St. Andrew's.

This communication will explain itself, and needs no further comment from me.



“ Kingston, 13th July, 1872.

“ To the honble. William Barclay, chairman and members  
of the Local Board of St. Andrew's.

“ Gentlemen,

“ Understanding that in a communication of the Colonial Secretary's of the date of the 21st ultimo, your board was called upon to report upon certain statements relative to the holding of “ wakes ” and to the treatment of Small-pox patients in the different infected districts of the parish of St. Andrew's, I feel it my duty to address you on the present occasion.

“ I should have done so previously, but had good reason to believe that no inquiry would be instituted by your board, till, at any rate, the honble. Mr. McDowell returned to the island.

“ I was yesterday informed that your board met yesterday to institute an inquiry, and had adjourned till to-day.

“ If my information is correct, I would most respectfully remind you that no *fair inquiry* can take place into any statement of mine, without my evidence and the evidence of those on whose testimony I have made these statements.

“ I need hardly tell you that I have received no notice of your intention to hold any such inquiry.

“ I have, gentlemen, informed his Excellency the Governor that in order to elicit the truth, an impartial commission should be appointed, and I would suggest to your board that, if abuses have existed as regards acts of omission or commission, in carrying out sanitary laws and precautions, the members of your board should appear rather as witnesses or respondents, than as judges of them in any inquiry that may take place.

“ I have the honor to be,

“ Sir,

“ Your obedient servant,

“ LEWIS Q. BOWERBANK.”

I think it right to add, for his Excellency's information, that in any inquiry he may institute I shall now feel it my duty to require the attendance of the members of the Local



Board of Health of St. Andrew's as witnesses, and in the meantime I can only assure his Excellency that any inquiry which the said Local Board may hold, will not only be *unfair*, and will not only fail to elicit the *real truth*, but will tend to obscure its development before a proper tribunal.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The honble. E. Rushworth, D.C.L.,  
Colonial Secretary.

*Mr. Barclay to Dr. Bowerbank.*

Kingston, 13 July, 1872.

"Hon. L. Q. Bowerbank, Kingston.

"Sir,

"I reply to your letter of this date, addressed to myself and members of the Local Board of Health for St. Andrew's I have to advise, that a meeting was held yesterday when a letter from the Colonial Secretary was laid before them asking them to report on your letter of the 21 ulto. (a copy of which he transmitted therewith) which was done.

"I have the honor to be,

"Sir,

"Your obedient servant.

"WM. BARCLAY."

*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 22nd July, 1872.

Sir,

In a communication, No. 4394 of the date of the 8th inst., I had the honor to receive from you, it is stated "I am to add that your remark in regard to the returns of the cases of Small-pox, have been communicated to the proper quarter, and that as soon as an explanation on the subject is received, it will be communicated to you."



Having as yet received no such communication from your office, but the following notice having appeared in a supplement to the Jamaica Gazette of the 11th July, bearing the same date as your communication :

“ Colonial Secretary’s Office, 8th July, 1872.

“ The Governor directs the publication, for general information, of an amended return of the number and results of cases of Small-pox that have occurred in the island from September 1871, to 31st May 1872, the former return having been incorrect in one particular.

“ By command,

“ Edw. E. Rushworth, Colonial Secretary.”

I infer I am to receive this as the return guaranteed by the Government as the correct one, if so, I would respectfully observe that in the amended report, the classing together of the Red Hills and Western district of St. Andrew’s, without an explanation, appears to be no improvement.

The notice in the Gazette states, “ that the former report of the 27th June, was incorrect in *one particular*,” but most absurdly in the amended report there are more alterations than one.

Thus, in the first report, it is stated that in the Halfway Tree district, there had been 24 *cases of Small-pox* of which 7 had recovered, 3 *had died*, and 14 remained on the 31st May.

In the amended report it is stated that in the Halfway Tree district, there had been 31 *cases of Small-pox*, of which 18 had recovered, 13 *had died* and none remained on the 31st May.

Again in the first report, it is stated that in the Eastern district of St. Andrew’s, there had been 29 *cases of Small-pox* of which 5 had recovered, 9 had died and 15 were remaining on the 31st May. In the amended report it is stated that in the Eastern District of St Andrew’s there had been *one case of Small-pox*, which had recovered.

The summary of the first report is that there had been in the island since September 1871, to 31st May, 1872, 249 cases of Small-pox, of which 145 had recovered, 52 had died, and 52 remained under treatment on 31st May. The summary of the second or amended return is to the effect



that there had been in the island since September 1871 to 31st May 1872. 228 cases of Small-pox, of which 152 had recovered, 53 had died, and 23 were under treatment on 31st May.

The mortality in the first report was high, but in the amended report it is higher.

Taking the amended return as accepted, though from all I can gather from respectable persons, best able to give an opinion, and ready too, to do so before an inquiry, I have no hesitation in saying that no dependence can be placed upon it, and as such it is useless and worse than useless as calculated to mislead.

As, however, I have hitherto in a great measure confined my remarks to the Halfway Tree district of St. Andrew's. I will do so on the present occasion.

Here then, in the amended returns 31 cases are said to have occurred up to the 31st May, of whom 13 died. This is a high mortality, but here I would suggest that names and numbers of those subjected to so-called "Quarantine Restrictions, or Terror of the Tents," should be taken.

They are as follows :

Died.	Recovered.
James Barclay.	Edw. Bennett.
William Bennett.	James Bennett.
James Roden.	Sarah Francis.
William Hall.	Fredk. Wiseman.
Alex. Bell.	

That is out of 9 persons in the tents, 5 died, while of those not subjected to so-called quarantine restrictions in tents, out of 22, 8 died.

Let it be asked what was the cause of this difference, with one exception all attacked belonged to the same class or order of life, why then was the mortality among them so different, why so high in the tents ?

This Sir, is the question for an impartial inquiry to determine.

It is asserted and can be proved that those in the tents, from gross mismanagement, and cruel treatment had no chance of recovery, that those who did recover therein, would have died too, had their friends not set so-called quarantine restrictions at defiance, and this too under the



very eyes, and with the knowledge of the Constabulary parading the public road, in front, like puppets, night and day, for nearly six weeks.

Let it too be remembered that the first case which occurred (James Barclay) brought the disease from the Padmore district, and that through the improper and injudicious erection of the tents, no less than eight persons of the neighbouring hamlet (Townshend Town) caught the disease.

Here are their names :

Maria Downer.	Richard Campbell.
James Roden.	Sarah Francis.
Frederick Wiseman.	Edward Bennett.
William Bennett.	James Bennett.

Let it be borne in mind that Bell and Hall were the only two persons admitted into the tents, who did not come from the adjacent yard.

The treatment these two men received in the tents, (and which can be proved) was the cause of no one else going to the tents or to the hospital subsequently erected.

I have already alluded to the injudicious and improper practice pursued, of moving persons in an advanced stage of the disease.

I find that a cruel case of this abuse existed in the parish of St. Andrew's, and which was brought to official notice by a gentleman who, however, was so disheartened with the mock inquiry said to be held, that he declined to interfere any more, but will tell the whole truth before an impartial inquiry. The case I allude to was that of the "Dennys" (two brothers) taken from Maggotty Hall to Stirling Castle (so-called hospital) at night, where they soon after died, unseen by any medical man.

This case is being talked of, and will not soon be forgotten as one of the cruel fruits of the so-called quarantine restrictions enforced by ignorant constables without supervision. It ought to be inquired into !

Surely the Government is wrong, under the abuse of so-called "Quarantine Restrictions" in a place already infected, to allow the lives of people to be sacrificed, and to refuse all fair inquiry over them.

Having received as yet no communication in reply to my letters of dates subsequent to the 2nd inst., I have only



again to assure his Excellency that if he will appoint a fair and impartial inquiry I will prove all I have alleged and more too, at the same time I have respectfully to request that if his Excellency has determined to institute no other inquiry but such as have already been held by parties implicated by acts of omission and commission in the abuses complained of, I may be informed of the same, as I shall then feel it my duty, both to myself and to the profession to which I belong to forward the correspondence between us to the Quarantine Committee of the Royal College of Physicians of London, and to other parties who take an interest in these most important questions.

In conclusion I would respectfully draw his Excellency's attention to a fact which has reached me on very good authority. It is, that a person who, from his position and profession, ought to be acquainted with what was going on in the district in which he resides, and who spoke to me in very strong language of existing abuses, has lately been induced (by a desire, I believe, to "*burke*" any inquiry) to make a private statement to the Local Board of Health of St. Andrew's, that he knew nothing of alleged abuses. This statement is being shown about and boasted of to the injury of the person himself. But let me ask you, Sir, shall such low, mean, dirty dodges frustrate justice and conceal the truth, affecting as it does the very lives of the people?

Why did not the Local Board of Health of St. Andrew's invite me to be present—summons me to give evidence before them at their inquiry.

If a fair inquiry is held, this individual must, on his oath, tell the truth, and explain his conduct in complaining to myself.

This is one effect of partial secret inquiries—they obscure truth, make men equivocate and lie, and perpetuate abuses.

I have the honor to be,

Sir,

Your obedient Servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.,  
Colonial Secretary.



*Dr. Bowerbank to the Colonial Secretary.*

[IMMEDIATE.]

Kingston, 30th July, 1872.

Sir,

In my letter of the 22nd inst. addressed to you, I respectfully requested that if his Excellency had determined to institute no other inquiry, but such as had already been held by parties implicated by acts of omission and commission in the abuses complained of, I might be informed of the same, in order that I might submit the correspondence which had passed, to persons in England interested in such matters.

Well knowing that further delay is mischievous, and having received no answer to my communication of the 22nd inst., or any acknowledgment to some four or five previous letters addressed to your office on this subject, I can only infer that it is neither his Excellency's intention to reply to my letters, or to hold any other inquiry into the alleged abuses.

If such is really the case, I can only say I am sorry for it. At the same time, as I find the part I have taken in this very serious matter is being misrepresented, and doubtless will be more so if no fair and open investigation takes place, and being conscious of having done my duty, and nothing but my duty, as a member of the community who has filled important positions of trust in it, and as a member of the medical profession, I feel bound, in justice to myself, to make known the part I have really taken; and with this object I beg to inform you that it is my intention to publish the correspondence which has taken place between us.

Before doing so, however, I again beg most respectfully to assure his Excellency the Governor that I am prepared, before a fair and impartial commission, to prove by my own evidence, and that of other persons, the truth of every statement I have made relative to the improper and cruel treatment of Small-pox cases in the parish of St. Andrew's; and I again respectfully but solemnly protest against the reception of a denial of my statements, as made by inte-



rested parties after partial and secret inquiries, to his Excellency the Governor.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.

P.S.—Since writing the above, I have been informed that a paid parochial official, (the Incumbent of St. Andrew's), is likely to leave for England in the packet. This gentleman is a most important witness in any inquiry that may be instituted into the management of those who suffered from Small-pox in the Halfway Tree district of St. Andrew's. If his Excellency the Governor intends to institute an inquiry, or is anxious to ascertain the truth, (the real facts), of the alleged abuses, the evidence of this gentleman is most material. The packet will not sail till the 9th or 10th of August, so that there is plenty of time. If this gentleman's evidence is taken on oath, the evidence of a few other witnesses, whom I will name—among them myself—will, I believe, convince any impartial person that gross abuses have existed, and have been talked of by those who witnessed them.

L. Q. B.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 5115.

Colonial Secretary's Office, Jamaica,  
1st August 1872.

Sir,

I am desired by the Governor to acknowledge the receipt of your letter dated 30th ultimo, and to state that, as you have been already informed, your earlier letters were forwarded in usual course for report to the several Departments concerned. The requisite reports having been received, the subject of your letters has now been



taken into consideration and decided upon by his Excellency, and a letter communicating that decision is now in course of being transmitted to you.

I have the honor to be,

Sir,

Your obedient Servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, Esq., Kingston.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 4752.

Colonial Secretary's Office, Jamaica,  
3rd August, 1872.

Sir,

The Governor having received reports from the Local Board of Health of St. Andrew's, the Acting Superintending Medical Officer and the Inspector-General of Police upon the subject of your letter of the 6th June, which, as you were informed by my letter of the 21st June, had been communicated to them for this purpose, and perceiving that the report from Dr. Ross deals also with the subjects of your letters of the 24th June, 26th June, including a memorandum of subjects of enquiry, and 2nd July, considers that he is now in a position, without waiting for the official report from the Central Board of Health to whom was referred your letters of the 26th June, 2nd July and 5th July, to dispose of your proposal for a Commission of Enquiry into alleged abuses in connection with the treatment of sufferers, in the late outbreak of Small-pox in St. Andrew's, especially in the neighbourhood of Halfway Tree.

2. Repetitions of the same general complaints have been  
 1st July, 1872. received in your further letters noted in the  
 8th " " margin, but as those further letters contain  
 11th " " nothing more specific or tangible than the  
 13th " " previous letters (those of the 8th July and 11th July con-



taining distinct refusals to be more specific until and unless a Commission of Enquiry is granted,) it seems to the Governor unnecessary further to delay the disposal of the question, by sending these also, in the usual course to the departments concerned, and awaiting their further reports.

3. The Governor infers that you take it amiss that the departments above mentioned have been in the first instance referred to; and he observes that you strongly complain of their having made any enquiries at all into the matters of your charges, because you say that if a commission were sitting they would not be members of it, but would be made by you witnesses and respondents before it. But in making this complaint you do not seem to have given attention to the fact, that it is a part of the regular duty of the body and officers in question to make departmental enquiries into such questions as you have raised. The Governor thinks also that you have failed to see that at present the question, and the only question which you have laid before him for disposal, is whether there shall be such a commission as you desire, or not. It is not only the invariable rule in public business when a private person makes accusations to send those accusations to the department or officer implicated, and to consider the answer, as well as the charge, before forming any opinion or taking any action on the subject, but it is obviously the only course consistent with reason and justice. It is impossible to admit that every private person who makes charges has a right to insist that a commission formally to try them shall be appointed by the Government off-hand without enquiry of any sort, and without first hearing what the departments concerned have to say. But this seems to the Governor to be the claim involved in this part of your complaint.

4. In speaking of your complaint as that of a private person, the Governor hopes that you will not misunderstand him so far as to suppose, that he fails to pay due regard to your high professional character and long professional experience. On any medical question there is no one whose advice he would consider more valuable than yours. The part of this correspondence, which assumes the character of a medical question; namely, the medical recommendations in your letter of the 24th of June, has much value in the Governor's eyes, and he doubts not will be of



service in the Public Medical Department. But in an accusation against public officers, and authorities of abuse and misconduct in the performance of their official duties, you must be sensible that the medical knowledge of the accuser is as nothing. In such cases the mind must be influenced not by professional authority, but by specific facts, supported by tangible evidence. As tangible evidence the Governor would readily accept in the present stage of the case written statements as to matters of fact, by persons who speak of what is within their own personal knowledge, and who attach their names to their statements. But there is nothing of this sort as yet before the Governor.

5. The Governor also begs you to understand that although he thinks that your communications would have been more useful had they been accompanied by evidence in support of the general complaints they contain, he feels much indebted to you for having brought to his notice a matter, which on any grounds, you think requires to be noticed.

6. The following are the points in connection with the arrangements to meet the outbreak of Small-pox in St. Andrew's, in respect to which you are understood to maintain that a Commission of Enquiry is proper and necessary. Each point taken in connection, with what you say about it in your letters, must be considered as a charge against some person or persons not named.

First. The holding of wakes over the bodies of persons who have died of Small-pox.

Second. The non-enforcement or the improper enforcement of so-called Quarantine Regulations as to the isolation of Small-pox patients.

Third. The inadequate supply of food, clothing, bedding and other necessities and appliances for the sick placed under quarantine restrictions and inattention to cleanliness and to the wards of the sick, and failure to supply as nurses experienced hospital nurses.

Fourth. That the provision of bell tents for Small-pox patients was improper, and was maintained notwithstanding the protest of Dr. Cargill the Government Medical Officer in charge,



Fifth. That the situation of the hospital tents at Townsend Town was bad and was persisted in though remonstrated against by Dr. Cargill.

Sixth. The proper medical attendance and supervision in the Small-pox cases under quarantine restrictions, was not given.

Seventh. That on the whole the hospital treatment of the Small-pox cases in the tents was so extremely objectionable, that the sick consequently refused to enter the more regular hospital when provided for them.

7. On the first of these points the Governor observes, that as you are aware, here, as in England, there is no law empowering the Police or any other authorities or persons to prevent wakes in any cases. This fact sufficiently disposes of the first point as a charge against any executive authority, and would make a commission to try any executive authority upon this point impossible.

8. Nevertheless, the folly of holding wakes over the bodies of persons dying of such an infectious disease as Small-Pox, and in the house where the deceased died, is so apparent, that the propriety, not only on the part of the Police, but on the part of all humane persons, of doing all that can be done by influence, (avoiding such interference as would involve actions of damages or other legal consequences), to prevent the practice in such cases, is unquestionable. There is, however, no reason to believe that this good office has been neglected.

9. In the instance, that of the Armstrongs, most particularly relied upon, it appears that what is known as a wake was not held, though there was what, under the circumstances, was a not very much less foolish, though a much less noisy meeting, namely, an assembly of friends, and unnecessary delay in burying the bodies. Police Inspector Nairne reports thus on this case:—"I have been informed by Mr. Rutherford that no wake was held over their bodies; that Armstrong and his sister died on the 29th May, 1872; that ten individuals, relatives and friends of the Armstrongs, did assemble in the house, read some portion of Scriptures, sang a few hymns, and departed about 11 o'clock, p.m., and then their bodies were interred between 7 and 8 o'clock, a.m., the next day. On hearing that a wake had been held



over the bodies of the Armstrongs, the Sergeant-major was subsequently directed to intimate to those who were afflicted with Small-pox not to hold wakes in future. I have heard of no other occasions on which wakes were held." The Revd. Mr. Braine, the Episcopal Clergyman of the place, whose exertions amongst the sick appear to have been most praiseworthy, writes thus on this point:—"I do not know of any wakes having been held. I do, however, think that the burial of the Armstrongs was unnecessarily delayed, and that persons did sit up with the deceased." The Local Board of Health, the Municipal Board of St. Andrew's, write:—"From such evidence as they have been able to procure that there was no wake. That an assembly of relatives and connections in the house after death may have been, but this the board apprehends cannot be viewed as a wake, and cannot be prevented (against) by any Law."

10. Whatever the assembly of relatives in the case of the Armstrongs may be called, it appears that the police have gone, to say the least, to the verge of the Law to prevent similar assemblies in like cases recurring, and that their endeavours have been successful. Your assertion as to the occurrence of several other wakes—eight is the number mentioned in one place—being unsupported by any evidence, and being inconsistent with the knowledge of gentlemen who ought to know the facts, who are of unimpeachable character, and whose names are not concealed, cannot be admitted.

11. So far from a commission upon this point being necessary, it appears to the Governor not to require even further departmental action.

12. On the second point, I am to observe that by the Law of this colony, as at present in force, the only regulations of quarantine, or of the nature of quarantine, warranted by Law, are those imposed by Law 37 of 1869 and they relate exclusively to vessels arriving from abroad, at some port of the island and to the passengers by such vessels. There is no Law in force authorizing the isolation or segregation, contrary to their own will, and the will of their relatives and friends, of persons attacked within the island by Small-pox or such like infectious diseases. In this respect also the present Law of Jamaica is the same as the Law in England. Therefore, the remarks made upon



the first point apply in the main to this point also. A commission to try persons for not enforcing properly regulations which they had no lawful authority to enforce at all, would be ridiculous.

13. The action of the police, generally, in this respect is so far from being open to blame for the non-enforcement of what have been called Quarantine Regulations, that it is but the other day, I am to inform you, that the police had to pay damages at law for turning away a stranger from the spot where some Small-pox Hospital tents were pitched. Before the result of that action at Law, the legal position of the question had been misunderstood. The powers, formerly, existing under the 4th Victoria, cap. 32 in relation to this matter, ceased on the passing of Law 37 of 1869, which repealed the former Law. The practice which was authorized by the older Law, was continued after that law had ceased to be in force. It is now necessarily discontinued.

14. Nevertheless as the constables had their orders they would be blameable, departmentally, if they disobeyed them, as you in general terms have said they did. The Governor observes that you have specified no constable or constables as culpable in this particular. Nevertheless the Inspector-General of Police will be directed to institute a formal enquiry into the conduct of those constables who were on duty on the occasion alluded to by you ; guided by the references made in your memorandum.

15. The most useful question, in connection with this part of the subject which seems to the Governor to be raised by this correspondence, is the question of the expediency or otherwise of endeavouring to prevent so far as can be done under the Law, as now recognized the access of strangers to patients in Small-pox Hospital.

16. It seems to the Governor not improbable that the absolute exclusion of relatives and Clergymen from an Hospital, tent or ward, even if permissible, might be unwise, though he can see no reason to doubt that the precautions, which every prudent person would adopt in his own house when a member of his family is stricken by an infectious disease, would be in principle equally appropriate in the case of Small-pox patients, whether in a Public Hospital or in their own houses.





17. The acting Superintending Medical Officer will be requested, I am to say, to lay this general question before the Central Board of Health for consideration.

18. On the third point the Local Board of Health write as follows:—"The board have reason to believe that everything was done that could be on an emergency of the kind, and think that if Dr. Bowerbank, instead of finding fault with what had been done, had offered some practical suggestions to the board as to what should be done, they would have met with that consideration, which, coming from a medical man of his experience, they would be entitled to." This opinion seems to the Governor to be deserving of weight, for the board were not responsible for the medical treatment and arrangements.

19. Dr. Ross, the Acting Superintending Medical Officer, writes: "I visited the Red Hills once and Halfway Tree three times during the prevalence of Small-pox, while the cases were under isolation and treatment in the temporary Hospital at Stirling Castle (Red Hills) and under the tents at Halfway Tree. I made it my duty, at the time, to ascertain from the patients themselves if they were satisfied with the treatment and food they received, and they told me that they had no complaint whatever to make, and were quite satisfied. It was never then, or since then been reported to me officially or otherwise that the wrongs complained of were being perpetrated." Here is real evidence and much to the point, and it is, as Dr. Ross observes, inconsistent with your belief of the patients having been so extremely ill-treated, as you imagine they were. The detailed report submitted by Dr. Ross, taken in connexion with the complete absence hitherto of all complaint, whether from any sufferer, or from any informant having evidence to give of his own knowledge, induces the Governor to conclude that it is improbable that such a degree of abuse as you suspect can have occurred.

20. Nevertheless after considering your letters in connection with the reports of the Acting Superintending Medical Officer upon this point, the Governor does not feel fully satisfied that everything was done on this occasion that should have been done. So far as times, and circumstances made it possible, the patients in question, should have been as carefully attended to, as if they had been in the Public Hospital. To make no allowance for the em-



emergency would be unreasonable, but although no supplies or appliances, asked for, appear to have been grudged, it has not been shewn as yet, to the Governor's satisfaction, that the Government Medical Officer in charge, saw to the general treatment of his patients, as a Medical man in charge of an Hospital, whether under a roof or under canvass, is bound to see to it. Upon this point a formal enquiry has been ordered.

21. On the fourth point the Governor observes that as to tents provided for the sick, on the occurrence of the emergency, were the very tents provided for European Soldiers by the war department ; and are not disapproved for the purpose to which they were applied, by officers who have experience as to tents ; he thinks it unnecessary to make any further enquiry. He observes that you are mistaken in saying that Dr. Cargill objected to bell tents. Dr. Ross contradicts the assertion and Dr. Cargill himself writes. " I did not object to the bell tents."

22. On the fifth point, Dr. Ross explains that he had no choice of situations. The Governor finds that your assertion, that Dr. Cargill had objected to the situation of the tents, was mistaken. Dr. Ross contradicts the statement. Dr. Cargill writes : " I did not object to the site of the tents."

23. These instances of misinformation upon simple facts, the Governor thinks, will shew you how little reliance is to be placed on the hearsay talk of people, who do not profess to speak of what they themselves witnessed, and how dangerous it is to take formal action on no better evidence.

24. Upon the sixth point there is at present no evidence before the Governor. If the medical attendance and management were in any way faulty, Dr. Cargill, as the Government Medical Officer in charge, is the person to blame. If he did not give due medical attendance to his patients his fault, the Governor observes, will be inexcusable. But as you do not profess to know anything yourself about the matter, your adverse impression, in the absence of all admissible evidence in support of it, would be insufficient to warrant a commission of enquiry, even if no other means existed of ascertaining the facts. The Governor, however, not being at present satisfied, after considering your letters upon this point and the report upon it of the Acting Su-



perintending Medical Officer, that Dr. Cargill gave that degree of medical attendance which every medical man in charge of patients in hospital is bound always to give, and which the circumstances of the case required to be given on this occasion; and not being at present satisfied that Dr. Cargill's management of his Small-pox patients in tents was all that it ought to have been, has ordered a departmental enquiry to be made into his conduct in respect of this point of your charges, as well as in connection with the third point.

25. On the seventh point, the Governor observes that Dr. Ross admits that the people refused to enter the hospital at Halfway Tree, but he assigns other reasons for this refusal than those which exclusively are assigned by you. Probably, the Governor thinks, a Small-pox Hospital is not a place to which people are ever anxious to go if they can be treated without going to it, and probably the strict prohibition of the visits of relatives, which was thought advisable, increased the dislike to enter the place; whilst, doubtless, the well-intentioned advice of third parties, attributable to the strict prohibition of all visitors, even Ministers of religion, to which Dr. Ross alludes, must have had a great effect. But the point is one obviously too little susceptible of proof to form a subject of formal enquiry. On the other hand, the assumption by which the refusal to enter the regular hospital is explained by you, namely, alleged ill-treatment and medical inattention and mismanagement in the tents, if really well founded, must be very easily susceptible of proof, and, if proved, would render this seventh point immaterial.

26. Lastly, the Governor remarks that, although there must be a large number of people who have a personal knowledge of the subject, no one but yourself has made any complaint.

27. For the above reasons, the Governor has come to the conclusion that ordinary departmental action, in usual course, is sufficient for all usual purposes; and, therefore, that the commission for which you press is unnecessary.

I have the honor to be,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, Esq., F.R.C.P., M.D., Kingston,



*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 6th August, 1872.

Sir,

I have the honor to acknowledge the receipt of your two communications, Nos. 5115 and 4752, of the respective dates of the 1st and 3rd inst.

As regards the first, which acknowledges the receipt of mine of the 30th ult., no other notice seems necessary.

With reference to the second, I would beg to observe that, by the first paragraph, it is now evident that the memorandum in my letter of the 26th June, intended for the information of his Excellency the Governor himself, got (you do not say communicated by you) into other hands, and thus its contents have been made known, as I had reason to infer in my letter of the 11th ulto., and certain persons have been tempted in departmental communications to contradict certain facts therein stated; which, however, though they may have great weight with his Excellency the Governor, must before a fair and open inquiry be retracted, or those who make them must take the consequences.

It would appear the Central Board of Health have made no report in compliance with his Excellency's request, although two of its members are departmental officers concerned in the alleged abuses. I can only infer that the good sense and proper feeling of the other members has caused their silence.

In my humble judgment, something more than mere "repetitions of the same complaints" were contained in my several communications of the dates of the 5th, 8th, 11th, 13th, and 22nd July, each and all of which I infer arrived safely at your office; but I would respectfully express my concurrence with his Excellency's decision, that it was quite unnecessary further to delay the disposal of the question by submitting these also to the departments concerned in the alleged abuses.

I can assure his Excellency that I do not take it amiss that his Excellency should, on receiving my letters complaining of abuses practised towards Small-pox patients, have referred to the different departments and their officers for information; but what I do take amiss and complain of is the great delay which has been allowed to occur in in-



investigating this most serious matter, and the manner in which the several departments applied to, have obtained information they never possessed previous to my letter on the subject to the Government being forwarded to them, as also the use which has been made by his Excellency of the reports thus obtained. It must be evident to every impartial person that the system pursued, shuts out all opportunity of bringing forward evidence in support of the accusations—that the accusations are dealt with as unfounded or unworthy of consideration, because unsupported by evidence; and yet the evidence is not examined—not even called for, although tendered.

Before communicating with his Excellency on the 24th June, I had taken good care to make myself acquainted with what the different departments could really say in the matter.

And I may observe that the experience, at least, of the Public Hospital and Lunatic Asylum abuses had taught me how far inquiries by, and reports from implicated departments were to be trusted to, for eliciting the real facts of the case; and most assuredly your communication of the 3rd inst. has confirmed me in my opinions of the worthlessness of such inquiries and reports, and of the correctness of my statement that the members of the departments concerned, should not be judges, but witnesses or respondents in any inquiry.

My experience has been that where a department, from top to bottom, has been regardless of its duties, and by its acts of omission and commission has seriously committed itself, it is useless, and worse than useless, to call upon it to make matters worse by inquiring into and reporting on its own shortcomings. Under these circumstances, the truth, and the whole truth, will very seldom if ever be obtained.

With regard to the 4th paragraph, I will observe, as a private individual who has for years past held offices of trust in this community, and who has assisted to expose gross abuses in more than one department of the public service, on hearing of illegal and unnecessary, and therefore mischievous, cruel, and murderous abuses being practised towards Small-pox patients, I represented the fact to his Excellency the Governor, in hopes that he would inquire into them. As he did not do so, I wrote again urging him to do so. On his informing me that he had re-



ferred the matter in question to parties implicated, I assured him that none but an impartial, independent commission would elicit the truth.

I have already stated that, in pointing out to his Excellency the abuses on the part of the Government Medical Officers, I did so as a senior member of the medical profession—indignant that any such charge should be breathed against a member of that profession, without an opportunity being afforded him of openly disproving it.

As to your remarks, “The mind must be influenced not by professional authority, but by specific facts supported by tangible evidence, &c.,” let me ask, what are the written statements sent to the Governor of named witnesses, if they are not tangible evidence, such as the Governor says he would readily accept? With the exception of one particular, they answer the description given by his Excellency of “tangible evidence,” for they are written statements as to matters of fact by persons who speak of what is within their own personal knowledge; the excepted particular being that their names are not attached to each particular fact under each heading of subjects for inquiry, which each can prove—a condition that could, however, have been easily complied with, and, in fact, would be complied with in the promised charges to be submitted to any fair and impartial inquiry his Excellency may appoint.

I have professed my willingness and ability to prove every statement made, either by my own evidence or through the evidence of other persons, and have stated that among these witnesses will be found officials, clergymen, magistrates, and persons of undoubted veracity and great respectability.

I have, under five heads, stated generally the subjects which ought to be inquired into, and in doing so I have given the names of persons, and among them my own, to prove facts on oath; and, to my comprehension, there is little doubt under each to whom blame is attributed.

I would here further observe, that in my letters, and especially in the memorandum, a state of facts is represented which, if true, demonstrates that some public body or official is to blame, or that something is at fault somewhere. Surely, it is the duty of a Government to inquire searchingly in order to ascertain where the blame or the fault lies; and it is objected that an inquiry made by persons who may be



themselves to blame, because they are the persons charged with the duty of looking after the public health, is not likely to be a searching one.

With regard to the holding of "wakes," or assemblages of persons over the dead, I was well aware that there was no Law to prevent it, but under a Paternal Government it appeared to me the height of absurdity that "wakes" should be held over the bodies of Small-pox patients, when so-called quarantine restrictions were being illegally enforced on shore, in the very district, and when passengers in vessels arriving in our port, where Small-pox existed, were being subjected to quarantine restrictions, and clean bills of health were being granted to ships leaving this port, upon the plea of these latter acts being under the provisions of the Law.

It appeared to me the duty of a Paternal Government so soon as such an anomaly—such a cruel contradiction was pointed out—with or without an inquiry into what is well known to be a regular practice among the lower classes of the people, to introduce a short prohibitory Act, and which could, if necessary, be passed at a single meeting of the Legislature (then in Session).

During previous outbreaks of infectious diseases, when Custos of Kingston, I never hesitated for one moment to suppress wakes without requiring the formal letter of the *then* Law to be enforced. *Salus populi suprema lex*—and most assuredly I should, as Custos, never hesitate to exercise such a power, and cause to be *strictly isolated* the first cases of Small-pox which appeared.

With regard to your remarks relative to the Armstrong wake, I have only again to observe that the information afforded by Mr. Nairne, and quoted by you, is incorrect; and that if Mr. Rutherford really did give the account he is stated to have done, I will, before a fair inquiry, bring evidence to prove that he had previously given a very different statement to a gentleman holding her Majesty's Commission as a Justice of the Peace, and who will bring proof of the same.

On this point let me draw your attention to this most important fact: His Excellency has spoken of the evidence sent him as hearsay. How does he describe the evidence on which Inspector Nairne's report is founded? "*He has been informed by Mr. Rutherford that, &c.*" *He has heard*



*of no other occurrence on which wakes were held."* Mr. Braine "*does not know of any wakes having been held."* And this is the evidence apparently on which the charges are met, and are said to have been refuted, bearing in mind that no opportunity has been given of bringing forward the evidence in support of charges, and that no such evidence has ever been asked for by a single official or board to whom the charges have been referred for inquiry,

It certainly appears to me that his Excellency has had full proof from the Local Board of St. Andrew's that a wake, to all intents and purposes, did take place over the Armstrongs; but if further evidence is required, eye witnesses will give written and oral evidence that instead of 10 persons only being present in a place some 10 feet by 14, with two dead uncoffined bodies of Small-pox patients in it, there were double that number, and that as usual praying, singing, and drinking were carried on; and that this continued through the night, and that the next day at the funeral some of the persons were still the worse for the liquor they had drunk through the night.

I very much doubt if Mr. Nairne or Mr. Braine would repeat on oath, in my presence, what they are stated to have said in your letter, as to Armstrong's wake, if they did, it would be my painful duty to call persons to prove that they did at one time at any rate state differently.

I knew well the evidence the Local Board of Health of St. Andrew's could give on the subject, previous to being called upon to report upon it, and I knew too how they obtained their information, which has in a so-called departmental way been conveyed to his Excellency.

On this point, I repeat, I professed to prove, by written and oral evidence of eye witnesses, that there was a wake, to all intents and purposes, over the Armstrongs (brother and sister) on the 29th May, that upwards of 20 persons were present—from the infant of six months old to the aged grandmother—crowded into a miserable hovel in which was singing, praying and drinking.

Your sweeping manner of disposing of all the wakes, except Armstrong's, surprises me. You write—"Your assertion as to the occurrence of several other wakes—eight is the number mentioned in one place, being unsupported by any evidence, and being inconsistent with the knowledge of gentlemen who ought to know the facts,



who are of unimpeachable character, and whose names are not concealed, cannot be admitted." In reply I would observe, my assertion is supported by evidence. I am not aware that I stated eight wakes took place in one place. The offer has been made to prove what was alleged. The opportunity to do so before a Public Board or Commission has been refused by the Governor, and the evidence has never been asked for by those charged with any inquiry. The assertion ought not therefore to be treated as inadmissible.

I respectfully maintain I have mentioned some eight wakes as having occurred, and I have given time, place, and name of at least one of them—as, for instance, a wake over Robinson, near Temple Hall, on or about the 1st May, as can be proved by the Rev. Mr. Hyams.

It certainly is late now to inquire into the question of wakes, as regards the parish of St. Andrew's—the disease has established itself, and is extending throughout the adjacent district of St. Thomas in the Vale.

Most assuredly after my letter was referred to the implicated departments, wakes in the immediate neighbourhood did not take place, because a report was spread that a fine of £5 could be levied upon every one holding or being present at a wake, and the most was made of this misrepresentation to get persons to deny the previous existence of wakes, and of Armstrong's in particular.

With reference to paragraph 12, I am well aware that the so-called quarantine restrictions I spoke of in my letters, are not provided for by any law. The fact of this being the case, increased the necessity of an inquiry into the unnecessary, sham, and cruel manner in which they were carried out.

An inquiry ought to be held as to who imposed such illegal, and unnecessary, and mischievous restrictions—who kept constables parading for some six weeks, night and day, on the public road, to keep persons from entering the so-called "quarantine ground."

Such an inquiry into the conduct of those who illegally and unnecessarily enforced such restrictions to the destruction of human life, should not be considered as ridiculous, but should be held honestly and openly before persons unconnected with the erring departments of the Government service.



Surely if quarantine restrictions were ordered, though illegally, to be enforced, and constables were detailed for that purpose, it was their duty to perform their duties faithfully, not to allow persons to steal in clandestinely, or to shut their eyes to gross irregularities. If his Excellency wishes the names of the constables on guard, doubtless the Inspector can furnish them. If his Excellency wishes to convince himself of the truth of what I have stated on these points, there can be no difficulty in doing so. I have named persons to him able to tell him how they went into the tents from day to day under the very eyes of the Constabulary, and one person will tell how she was ejected for finding fault with the nursing in the tents, because her brother was fly-blown.

Should *now* any of these persons fail to tell the truth, or the real facts of the case, they can in a properly conducted inquiry be confronted with those to whom they have already made these complaints and statements, and to those who saw them in the tents.

To inquire now among the Constabulary themselves is useless, and worse than useless. They are not likely to confess that either themselves or their wives transgressed the rules.

With regard to paragraph 18, I would only observe that if the Local Board of Health of St. Andrew's, before reporting on my statements, had invited me to be present at their inquiry, they would have acted a more honest and open part. I very much doubt whether, if I had been present, they would have made the remarks quoted in your communication. I am rather of opinion that they would have done what they had done before in my presence, ignored the whole affair, and cast the blame upon the government, for not having previously carried out the provisions of the Law (passed in 1867) constituting and appointing a Local Board of Health, and which most certainly holds them responsible for the carrying out of the medical and other treatment during the existence of epidemics within the parish.

On reference to paragraph No. 19, I will observe that Dr. Ross states he visited the so-called hospital at Stirling Castle in the Red Hills *once*. In answer to this I will only observe that the Small-pox has prevailed in that district from October last till very recently. I would here



ask, as regards this district and the surrounding ones, whether no complaints have been made to his Excellency the Governor, or to Dr. Ross, or to the Government medical officers. Has the Revd. Mr. Hyams complained? Has he done so on more than one occasion? Did he or did he not complain of the manner in which the "Denny's" (two brothers) were carried at night in an advanced stage of Small-pox, from their residence "Maggoty Hall" to the so-called hospital at Stirling Castle? Did he complain that these two men were never seen by any medical man—were found dead in the hospital? Did he complain of the horrible state of fly-blow, filth, and neglect they were in some hours after being admitted into this so-called Hospital.

Has Mr. Hyams begged that the children of his school might be vaccinated? Has he done so in vain for upwards of three months? Is the disease now committing havoc in this very district? Mr. Hyams assures me that he left off complaining because he found it useless, and an inquiry instituted was nothing but mockery—hole and corner work, but he tells me he is willing to give evidence before a full and fair inquiry.

Has a member of a Local Board of health complained to a Government Medical Officer that the people were "*dying like rotten sheep*?" Can the Sergeant-major at Halfway Tree deny he has heard complaints—loud and deep?

Has the Inspector of Constabulary in St. Andrew's had reason to complain of the Government Medical Officer deserting a Small-pox patient? Had he occasion to call in another Medical Practitioner when her life was in danger.

If this or any of it is true, Sir, how can Dr. Ross report: "It was never then, or since then been reported to me, officially or otherwise, that the wrongs complained of were being perpetrated." If this is true how can you write: "Here is real evidence, and much to the point, and it is, as Dr. Ross observes, inconsistent with your belief of the patient's having been so extremely ill-treated as you imagine they were. The detailed report submitted by Dr. Ross, taken in connexion with the complete absence hitherto of all complaints, whether from any sufferer or from any informant having evidence to give of his own knowledge, induces the Governor to conclude that it is improbable that such a degree of abuse as you suspect can have occurred."



In writing as above had you seen certain notices in the newspapers—those which are in the habit of supporting the policy of the Government?—in one of which it is distinctly asserted that “*the people are dying of neglect.*” Are you aware, Sir, that on the appearance of such a notice an implicated official requested the same might be contradicted? Doubtless we shall be told this was a mere anonymous newspaper statement—true still, nevertheless:

“What meaneth this bleating of sheep and lowing of cattle?” or, in other words:

“Where smoke is there is fire.”

Did Dr. Ross ever ask any person if I was the writer of the article in question?

Surely, Sir, this is amusing. I have professed, and do now profess myself willing and able to prove the existence of gross life-destroying abuses by my own evidence, or the evidence of others.

Let it too be remembered that according to Dr. Ross's own showing he was only three times at the Halfway Tree tents during a space of something like six weeks. If on his oath, I would certainly like to hear his answer to the questions—whether he had never heard of complaints being made there; if he had never heard that Dr. Cargill did not enter the tents to examine the Small-pox patients?

When Dr. Ross asked the sufferers in the tent, and they replied “they had no complaint whatever to make, and were quite satisfied,” did he do so being in the tent with the patient?

Was it ever reported to him that nurse Clarke who nursed her own son—the first patient in the tents—complained that her son had been imprisoned and neglected by the Doctor.

Any one who knows the negro character, knows how difficult it is to get him to speak out the truth, especially when those of his own color or class are implicated. If Dr. Ross could in this way be so imposed upon, I beg to assure his Excellency that I have had too much experience at the Public Hospital and Lunatic Asylum to be thus easily taken in.

Such bold, unqualified statements on the part of Dr. Ross are valueless, or worse in my eyes; they tend almost to shake one's confidence in his judgment, his discretion, and



even in his integrity of purpose. Did he see the Dennys lying dead in the Hospital at Stirling Castle, or did he enter the tent at Halfway Tree when Alex. Bell was lying with his wounded, battered head, fly-blown—or when Hall was complaining to the Constable's wife of want of food, throughout a long night of suffering and weakness? (these were the only two admitted elsewhere than from the adjacent yard)—or was it when nurse Clarke was watching her own son, Jas. Barclay—or nurse Sarah Francis tending upon her sick child, Bennett, or her sweetheart? In the latter cases perhaps more mercy may have been shown—more care bestowed by the nurse at any rate. Did Maria Downer or Richd. Campbell ever tell Dr. Ross why they remained in their own yard though suffering from Small-pox—why they would not enter the tents?

Will Dr. Ross declare on his oath that no complaints have ever been made to him that the nurses of any Hospital (Small-pox) were not regularly paid?—(we know how these people work in proportion to the way in which they are paid.) Did Dr. Ross ever tell a Medical Officer, who ordered a bottle of port wine for a Small-pox patient, that he must pay for it out of his own pocket? These are all serious questions affecting the care of the sick, and ought to be inquired into; and, after Dr. Ross's denial of any complaint, they can only be inquired into on oath.

Is his experience of hospitals such as to enable him, at one single visit, or even at three, to take upon himself to swear that no abuses did or could exist?

The 20th paragraph seems to allow that his Excellency is somewhat impressed, from my statements, that all was not right. Would that his Excellency would make himself acquainted with all the "Terrors of the Tents;" with all the neglects, the cruelties, and sufferings of those that entered them, of those that died in them.

I have no hesitation in warning his Excellency that no departmental inquiry he can now make will elicit them.

I would observe that Small-pox has been in the parish of St. Andrew's from October last to date, and after making full allowances for emergencies and all other circumstances, I have no hesitation in stating that the preparations made, and the treatment received, were disgraceful to all concerned. I do not think that the use of bell tents for such a purpose can be justified in a time of peace, and within



three miles of the chief city of the island, and some six months after the appearance of the disease in the immediate neighbourhood.

I certainly am not answerable for the sayings or doings of Drs. Ross or Cargill; the latter may, if he thinks proper, write to Dr. Ross—"I did not object to the bell tents," or, again, "I did not object to the site of the tents." If Dr. Cargill is put upon his oath, I am very much mistaken if he will repeat these two assertions, at any rate, if he does, I will contradict him on my oath, and it will be strange if my evidence is not confirmed. The veracity of one or the other will be tested, and must suffer.

You add he (the Governor) thinks it unnecessary to make any further inquiry. He observes that you are mistaken in saying that Dr. Cargill objected to bell tents. Again you write, "the Governor finds that your assertion that Dr. Cargill had objected to the situation of the tents was mistaken."

And in the 23rd paragraph you write, "These instances of misinformation upon simple facts, the Governor thinks, will shew you how little reliance is to be placed on the hearsay talk of people, who do not profess to speak of what they themselves witnessed, and how dangerous it is to take formal action on no better evidence."

Is it possible that I am to receive this as a specimen of the manner in which departmental investigations are conducted and settled, and how a man's character is to be trifled with behind his back—is this ascertaining the real facts of the case, and then deciding upon them?

This I can only consider as a censure on the part of his Excellency on myself, but I can assure his Excellency that I cannot accept his censure, but am willing before a fair and open tribunal to prove by the case in point, Drs. Ross and Cargill being on their oaths, how dangerous it is for his Excellency to receive such so-called departmental reports from implicated parties, and upon such bare assertions to form his conclusions in matters affecting the rights, the health and the life of the people committed to his care, and the character of those who best uphold his Government by exposing its shortcomings.

As to there being no choice of situation for the tents, such an excuse is, I maintain, puerile. To erect such tents within a few feet of a spot in which some 32 or 33 human



beings were crowded together, was injudicious and mischievous. See the result. Seven of these people caught the disease from the first case placed in the tent.

Your statement in the 24th paragraph, that there is no evidence before the Governor that the medical attendance and management were in any way faulty, is truly surprising.

I have told him it was, and I have professed my ability, by my own evidence and that of others, to prove that the medical attendance of the Government medical officer in charge was faulty—very faulty; and in the memo. of subjects for inquiry I do profess to know something of this matter. Of course, the dead sufferers cannot speak, but their friends and others who witnessed their sufferings, in spite of so-called quarantine restrictions, are ready to do so before a fair and proper tribunal.

My conviction is, that they will not give evidence before a departmental inquiry; they have already been too much coaxed and cajoled, and others too much vilified and abused, threatened, intimidated, and persecuted, to do so. They have had enough of Government treatment for Small-pox; they dread the departments of public health, medical aid, and police.

I have no doubt, however, they will speak the truth before impartial judges, and in open court. Under these circumstances therefore, to deny an independent commission is virtually to refuse justice, “*burke*” the question, and to perpetuate abuses.

Let me ask—is the rate of mortality in the tents no evidence of mismanagement, taken by itself or as compared with the mortality without the tents? This speaks trumpet-mouthed, and of itself should point out the necessity of a very strict, impartial inquiry. 5 out of 9 as opposed to 8 out of 22.

As to the 25th paragraph, there is no doubt that the people refused to enter the tents, especially after the deaths of Bell and Hall; and that they did so because of the character they had obtained. The “*Terrors of the Tents*” deterred them. For the same reasons they have refused to this day to enter the hospital. We all know the aversion people have to enter such a place, but in my experience in Jamaica, I never knew a hospital left altogether and entirely empty. To exclude Small-pox patients from the



visits of their pastor, after once the disease is abroad, is a novel idea and a cruel, oppressive wrong. The Rev. Mr. Braine on this subject expressed an opinion worthy of a Minister of Religion. I have offered evidence to shew why the people would not go into the tents. Surely, the fact of a hospital prepared, but never entered by the people, points to something wrong.

With regard to the 26th paragraph, "The Governor remarks that, although there must be a large number of people who have a personal knowledge of the subject, no one but yourself has made any complaint." I should hardly have expected such a remark from either his Excellency the Governor or yourself—both being men of some experience and men of the world. Why the upper classes do not more frequently expose abuses, I know not; but my experience, especially as regards the Public Hospital and Lunatic Asylum of Jamaica, induces me to believe that few would encounter the task—a thankless one. As regards the lower orders I have little doubt, from my own experience in this island, and from the lesson I have learned since the 6th June last, what does deter them; on this point I have already dwelt. Few men can stand intimidation and persecution for conscience sake.

I doubt if very many persons were really cognizant, as eye-witnesses, of what did take place in the tents. His Excellency and yourself seem to forget the cruel and unnecessary imprisonment enforced. I suspect I have already mentioned most of those who can speak as eye witnesses, and they are necessarily of the poorer class.

In the concluding 27th paragraph you write:—"For the above reasons the Governor has come to the conclusion, that ordinary departmental action, in usual course, is sufficient for all useful purposes, and therefore, that the commission for which you press is unnecessary."

Of course, if such is his Excellency's determination, for the present at least, it must be so. But I most solemnly protest against the propriety and justness of his Excellency's resolve.

Conscious of having done my duty I shall forthwith adopt the necessary means of letting the part I have acted throughout, be known, and thus do my best to administer an antidote to the poisonous and false misrepresentations which have been disseminated as to myself, by such depart-



mental reports and decisions, and the insinuations of some of the implicated parties.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. E. Rushworth, D.C.L.  
Colonial Secretary.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 4929.

Colonial Secretary's Office, Jamaica,  
3rd August, 1872.

Sir,

In reply to your letter of the 22nd ultimo, and in continuation of my letter to you of the 8th ultimo, I am to inform you that the original statement of cases of Small-pox, published in the "Gazette" of the 27th of June, as received from the acting superintending Medical Officer, with his letter of the 12th June, having been discovered by that department to be incorrect, as was justly surmised by you, the amended statement to which you advert was published in the "Gazette" of the 11th ultimo. This is the last return of the sort received in my office.

The Governor observes that your criticism of the wording of the notice with which the amended return was published is quite correct. The words "in one particular" were wrong as you have shewn. The medical department is not responsible for the error which was committed by the "Gazette" clerk of my office inadvertently.

You assert that no dependence is to be placed upon the corrected return, but the Governor does not see ground for this assertion. These returns, his Excellency observes, are prepared by persons of honor in a public department, from the records of that department, and as the Governor understands them, profess, by their heading, to show what is known to that department, and of course nothing more. His Excellency, therefore, concludes



that you mean no more than to say that every case of Small-pox that has actually occurred in the island may not have been known to the Government Medical Department, which probably is what no one will dispute.

Your comparison between the proportion of fatal results amongst the cases treated in the Hospital tents and that amongst the other cases, seems to the Governor very pertinent and important, and his Excellency is much obliged by it. The subject will be duly enquired into, in connection with the enquires ordered, of which you were informed in my letter, No. 4752 of the 3rd instant.

The Governor regrets some strong expressions used in the last part of your letter under reply, in relation to an unnamed and unknown person. You are mistaken in supposing that in any form of enquiry, except an action at Law, could oaths be lawfully administered.

I have the honor to be,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, Esq., M.D., F.R.C.P.,  
Kingston.

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*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 6th August, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, No. 4929, of the date of the 3rd inst., as you state in reply to mine of the 22nd ult., and in continuation of yours of the 8th ult.

For the reasons stated in my letter of the 22nd ult., I had accepted the amended return in the Gazette of the 11th July as the one guaranteed by the Government to be correct.

I notice the fact stated that the errors committed were those of a clerk in your office, and are not attributable to the medical department.

You state his Excellency the Governor does not see the



ground on which I state no dependence is to be placed upon the amended return. Before a fair and impartial inquiry, (which, in your letter, No. 4752, of the date of the morning of the 3rd inst., you state his Excellency declines to appoint,) I should have no difficulty in getting gentlemen of honor to prove its incorrectness. Of course, if the return is only looked upon as a mere nominal one—a useless form issued from the medical department—it is a pity it is published at all, as, unless such statistical returns are correct, they are calculated to do much harm and to mislead. Any one off the island reading such a return would make sure it was obtained from the return under a registration of births and deaths, and represented the real history of Small-pox in the island for the time. We do, indeed, require a registration of births and deaths—that great expositor of a country's prosperity—the sure tell-tale of the neglect of the public health.

I am glad his Excellency considers my remarks on the relative proportion of deaths, in and out of the tents, as pertinent and important. On this point I entirely agree with his Excellency, though I respectfully differ with him on the propriety of referring such a subject for explanation to the department which has already ignored and denied the existence of the causes of the high mortality in the tents. Of course, by them this will be attributed to other causes; it is unreasonable to suppose or expect that former expressed assertions will be retracted, and that the high mortality in the tents will be put down to neglect as to general and medical care. Such an inquiry should be entrusted alone to impartial inquirers; and those concerned in the treatment of the people in the tents should be witnesses at least.

I am sorry his Excellency should see reason to regret my course of conduct, or to call in question any expressions of mine. It appears, to me that strong language, honestly expressed, is not out of place. If my method of proceeding in bringing to light facts, appears to his Excellency ambiguous, and not plain, straightforward, I can only say I was taught this policy some years back in the Public Hospital and Lunatic Asylum matter, and subsequent experience has proved to me that to be too explicit will never succeed in obtaining a fair inquiry into abuses in this island.



I beg to assure you that I am laboring under no mistake or misapprehension as to the legality of administering oaths. I am perfectly well aware that with the exception of the the courts of law no commission can legally administer oaths, but I have been all along impressed with the belief that this would form no obstacle—that if the Governor was desirous of ascertaining the truth, the whole truth and nothing but the truth—nothing would be easier than for a Paternal Government to introduce a short bill into the legislature for the purpose ; this might, if necessary, be done in a day and would assuredly be a useful power in the hands of the Governor.

In your letter, No. 4752, however, you tell me that his Excellency is satisfied to refer these serious charges affecting the health and lives of the people to those who, if abuses have existed must of necessity be responsible for them by acts, at any rate of omission if not of commission. Such being the case, I can only now confess my surprise at his Excellency's determination and express my conviction founded on past experience, and recent observation, that such an inquiry must end in a failure of justice, and lead to a perpetuation of the wrongs of the people.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The honble. E. Rushworth, D.C.L.,  
Colonial Secretary.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 5284.

Colonial Secretary's Office,  
10th August, 1872.

Sir,

The Governor desires me to acknowledge the receipt



of your letter, dated the 6th instant, in reply to mine of the 3rd instant, No. 4929.

I am,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, Esq., M.D., F.R.C.P.,  
Kingston.

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*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 12th August, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, No. 5284, of the date of the 10th instant, in which you thus write : " The Governor desires me to acknowledge the receipt of your letter, dated the 6th inst., in reply to mine of the 3rd instant, No. 4929."

I trust my letter of the 6th instant, in reply to yours, No. 4752, of the date of the 3rd instant, has also been duly received, as it was posted at the same time.

His Excellency having decided that no other inquiry but a departmental one is necessary, I trust his Excellency will take care that the false evidence pointed out in my letter of the 6th instant, as having been given by certain parties before the Local Board of Health of St. Andrew's, and the Superintending Medical Officer of the Government, and on which his Excellency the Governor has formed his decision, and has seen fit to censure me, shall be thoroughly sifted and ventilated. In the meantime, I have no hesitation in declaring it to be false, and professing my willingness and ability to prove it so by my own evidence and that of others, before a tribunal (not of implicated persons) but of disinterested men.

Throughout this correspondence, commencing on the 6th June, I have over and over again warned his Excellency of the danger of delay. In my letter of the 30th ultimo, I mentioned that the incumbent of St. Andrew's, a most material witness, was likely to leave the island, and urged



immediate action. Doubtless you have heard of this gentleman's departure by the packet of the 10th instant; under, to say the least of it, most strange circumstances. He has, however, left his written evidence behind; and this, as I have already stated, can be proved to be incorrect by my own evidence and that of others.

Of course his Excellency has the power to refuse an inquiry, which alone can bring to light the truth, and the whole truth. Hitherto time has been wasted, and abuses have been allowed to be perpetuated by the institution of so-called departmental inquiries, which are just as far from exposing the truth, as if they had never been held, in fact they have tended to obscure and conceal the truth. Such inquiries, Sir, will never satisfy the public. They are looked upon with distrust and suspicion, and are believed to be intended to conceal the whole truth—in the words of the poet :—

“ Hide it up, hide it up, draw the decent curtain.”

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The honble. E. Rushworth, D.C.L.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 5285.

Colonial Secretary's Office, Jamaica,  
13th August, 1872.

Sir,

I have laid before the Governor your letter dated the 6th instant, in reply to mine of the 3rd instant, No 4752.

I am to state, in reference to your remark about the memorandum in your letter of the 26th June, that as you had not said that you desired that paper to be treated as a secret communication, or otherwise than as an ordinary official communication, it was communicated, by the Governor's orders, in regular course like your previous cor-



respondence to the department concerned. Had it been known that you desired the memorandum to be considered as secret your wishes would have been attended to. Nothing was apparent from its contents indicating a secret character.

The Governor does not think it would be doing any public service to follow you over the ground of your letter now under acknowledgment, after the full explanation of his views on the subject conveyed in my last letter.

His Excellency will merely point out to you the fact that an inquiry into certain points noticed in your correspondence is in progress, and that if you have any definite and admissible evidence to adduce, such evidence will be readily received and duly considered both by the department and by himself.

You are aware that general accusations of criminality, no matter from whom, will be disregarded, and that reports of hearsay talk and anonymous imputations cannot be listened to. On the other hand, the statement of any person relating a material fact from his own personal knowledge, will be acceptable.

As the case in its present aspect strikes the Governor, it involves this dilemma—either real and admissible evidence in support of some, at least, of your imputations, is admissible by you or not. If any such evidence be adducible by you the Governor thinks you ought to aid the enquiry by adducing it. If not there has been, in the Governor's opinion, more than enough writing on the subject already

I have the honor to be,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, M.D., F.R.C.P.,  
Kingston.

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*Dr. Bowerbank to the Colonial Secretary.*

Kingston, 13th August, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, No. 5285, of this day's date. I can assure



his Excellency that I had no desire that the memorandum should be considered as *secret*, but most assuredly it was intended, as was stated, for the information of the Governor *himself*, in order that he might judge from it whether an inquiry was necessary.

It was not a *secret* but a confidential communication.

In my letter of the 24th June, I thus wrote: "Should it be his Excellency's pleasure to appoint an impartial commission of inquiry, I will take care that such commission is furnished with heads of inquiries, and with a list of witnesses to prove facts under each."

On the 26th June, I wrote:—"His Excellency has not yet, I believe, appointed any such commission of inquiry, but as I find misrepresentations and threats of intimidation are being made use of to deter persons from speaking out, and telling the truth, I feel it to be my duty without delay to furnish the document above alluded to, in order that his Excellency may judge for himself, from it, whether or not there is fair and reasonable grounds for inquiry.

I think, Sir, any one reading these two paragraphs will come to the conclusion that his Excellency was not justified in allowing this document, so sent him, to be made use of in the way in which it has been, and to be talked about to other persons, as I will prove before an inquiry it has been.

The effect, however, of its getting into the hands of implicated parties has been that one of these gentlemen has, in a so-called departmental communication, contradicted a simple fact—a statement of his own—which I will swear he himself made to me on three different occasions, and which I will bring witnesses to prove he also stated in their presence.

If his Excellency after perusing my letter of the 6th instant in answer to yours of the 3rd instant, No. 4752, is still satisfied with his view of the case, as explained in your letter, I fear nothing more I can say will have any influence on his Excellency's decision.

But I again most respectfully, but solemnly, warn his Excellency how he receives reports from implicated parties, and forms his decision upon them, after I have declared to him that the only portions of such reports I have been supplied with as furnished to him are false, and can be proved so by my own evidence and that of persons



who, with their own senses, witnessed the alledged abuses,

I thank you for the information that an inquiry into certain points noticed in my communication is in progress, and that if I have any definite and admissible evidence to adduce, such evidence will be readily received and duly considered, both by the department and by himself (the Governor).

In reply, I beg to state that I have never received any notice whatsoever of any of the inquiries which appear to have taken place into my statements. I can assure his Excellency that I have *definite, real, tangible, admissible* evidence to prove every statement I have made, and which I am ready and willing to afford his Excellency.

I deny that any statement I have made can *now* be declared to be a general charge of criminality. I believe every one can be traced home to the erring party or department; at any rate, I am willing and able to do so. I have already told his Excellency that the memorandum sent in (as regards names attached to it) was hurriedly drawn up and is imperfect, and will require to be added to.

In my humble opinion the case at present involves no dilemma. I have real and admissible evidence not only to support some of my imputations, but to prove all my statements of alledged abuses, and I am ready and willing to adduce such evidence.

I cannot agree with his Excellency that I ought to adduce such evidence in any inquiry presided over or conducted by implicated parties, or by parties whose evidence, as already given, it has been my painful duty to pronounce false, and to offer to prove it so. I could not do such an act as give evidence before them; my self-respect and common sense forbid my so far degrading and stultifying myself.

Such being the case, I may be told that I thus place myself on the other horn of the dilemma. I quite agree with his Excellency that in any case there has been enough, and more than enough, of writing on this subject. But, before concluding, I would most respectfully beg leave to draw his Excellency's attention to the fact, that the present matter is taking precisely the same course as the Public Hospital and Lunatic Asylum question did in 1859.

On that occasion, at a similar stage—after departmental enquiries had been held, and reports made, and decisions



promulgated—the then Colonial Secretary, Sir E. B. Lytton wrote to Governor Darling on the 15th March, 1859, “I had instructed you not to appoint a commission to enquire, but to enquire in your own person, and on your own responsibility, and there was no method of enquiry which could secure greater effectiveness and responsibility than this.”

In fact on this subject I would respectfully draw your attention to the votes of the Assembly 1859–60, appendix No. 1, including the communications of Lord Shaftesbury and Mr. Foster, the chairman and secretary of the board of lunacy of England.

I candidly confess I do not agree with Sir E. B. Lytton as to this being the most efficient form of enquiry, but to show his Excellency that he is mistaken in his judgment of my conduct; and that I have not taken formal action upon mere hearsay evidence, or stated what I cannot prove. Should his Excellency be prepared to act upon the suggestion of the former colonial secretary, and I am allowed to be present throughout the proceedings, and all parties named by me are summoned to attend, and I am permitted through his Excellency to put such questions in writing as I may think proper, I will attend (in spite of what has occurred, and in spite of the absence of material witnesses), and will give evidence, and use my influence to get others to do so, as to the different statements made by me in my memorandum of the 26th June, as also in any of my subsequent letters which his Excellency may select. Of course in such a case, it will be his Excellency's duty to take care that every statement of mine which has been denied to him shall be fully and strictly sifted and investigated.

Trusting his Excellency will not object to this suggestion of the former colonial secretary.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK,

The Honble. E. Rushworth, D.C.L.



*Dr. Bowerbank to the Colonial Secretary.*

[IMMEDIATE.]

Kingston, 17th August, 1872.  
2 o'clock, p.m.

Sir,

As I understand Small-pox still exists in the Halfway Tree district of St. Andrew's (Swallowfield), and complaints of the non-timely attendance there of the Government Medical Officer, have been made by a gentleman of acknowledged honor and veracity, and who has not hitherto concealed his name, and as I am also informed that the Small-pox hospitals in this parish are still untenanted or unoccupied, and that wakes under the novel definition of "*unnecessary delay in the burial of the bodies of those dying from Small-pox*" still take place in some districts, and that a system of "*coaxing intimidation*" is being carried on, on the part of a Government official warned to attend a departmental enquiry on Monday next, with one party, at least, whose name appears in my memorandum of the 26th June last as able to give evidence as to certain alleged abuses, I feel that I should no longer delay addressing you, although my communication of the 13th instant is as yet unanswered.

The point I wish you to bring to his Excellency's immediate attention is this: In your letter of the 3rd August, No. 4929, you state, "You are mistaken in supposing that in any form of inquiry, except an action at law, could oaths be lawfully administered."

Being a private individual, whose duty is not either to make Laws or to be acquainted with them, beyond the necessity of not breaking them, I may readily be excused for my ignorance on the subject; but on reference to Law No. 6 of 1867, I find the following:—

"Preamble—Whereas it is expedient to make more effectual provision for improving the sanitary condition of this island, and for taking precautions against the introduction, origin, and spread of epidemic, endemic, and contagious or infectious diseases amongst the population: It is hereby enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council, as follows:

"First—It shall be lawful for the Governor to constitute and appoint certain persons to be by him named a board for carrying out the provisions of this law, to be



called the ' Central Board of Health of Jamaica,' and the Governor may, from time to time, remove all or any of the persons so appointed, and appoint others in the stead of such of them as shall die, depart from this island, be removed, or be incapable of acting.

" Second—The powers and duties invested in the said board may be executed by such number of the members as the Governor shall from time to time constitute a quorum thereof.

" Third—The said board may appoint, from time to time, one or more superintending inspectors to visit the towns, villages, and other localities of this island, and to make *public inquiry* as to all sanitary matters in respect whereof the said board may desire to be informed.

" Fourth—During any inquiry by a superintending inspector under this law, he may, and he is hereby empowered to summon before him any persons whomsoever, and to examine them upon oath or affirmation, touching *any matter* relating to the purposes of the inquiry ; and whosoever wilfully disobeys any such summons, or refuses to answer any question put to him by such inspector, for the purposes of the said inquiry, shall be liable to a penalty not exceeding forty shillings.

Thirty-seven—Every person who, upon any examination under the provisions of this law, shall wilfully and corruptly give false evidence, shall be liable to the penalties inflicted upon persons guilty of wilful and corrupt perjury."

Under these provisions, Sir, I have no doubt that even *now* the truth or nearly the whole truth, of the abuses alledged in my memorandum of the 26th June may be brought to light.

There can be no doubt that such an inquiry is the proper and legitimate one to try the matter in question. I have already pointed out to his Excellency that two members of the Central Board of Health are unfortunately implicated in this matter, but nevertheless his Excellency can call upon the board to exercise their function and to nominate and appoint a fit and proper person (or persons) to investigate the charges, which it would appear from your letters have been submitted to them for their consideration since at least the 2nd July, but which have not yet been



reported on by them, as stated in your letter of the 3rd instant, No. 4752.

If such an inquiry is instituted, of course it must be according to the letter and spirit of the law ; conducted in public and unfettered by legal restrictions, &c. From all that has occurred, and is occurring, I feel confident that no exposure of past and present abuses can take place, or improvement for the future be accomplished in the management and treatment of epidemic, contagious, and infectious diseases in this island, without such an inquiry as that thus prescribed in the law.

Should his Excellency determine that this most proper and salutary provision of the law be enforced, I claim the right to be present throughout the proceedings as the promoter of such inquiry.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The honble. E. Rushworth, D.C.L.,

P.S.—I would urgently recommend that immediate steps be taken to settle this matter, as, independent of the ravages of Small-pox, now existing in some of the rural districts, scarlet fever threatens the community ; and the last epidemic of this malady in 1841, was, in its results and mortality, not much less serious and fatal than Small-pox itself might be expected to be—besides which an epidemic of whooping cough is now prevalent.

L. Q. B.

I mark this despatch "immediate" in hope that you will forward it to his Excellency the Governor at his mountain residence without delay, as I have good reasons to believe that if the so-called departmental enquiry takes place on Monday, as is proposed, others besides the Rev. Mr. Braine may afterwards find it more convenient to be absent from any "real inquiry" into the "real facts" of the case.



*Dr. Bowerbank to the Acting Colonial Secretary.*

Kingston, 23rd August, 1872.

Sir,

It was with great regret and surprise I heard, on Wednesday last, of the intention of his Excellency Sir John Peter Grant, K.C.B., to take his departure from the island.

I had hoped to receive answers to my letters of the respective dates of the 13th and 17th inst.

As regards the first, in which, under the peculiar circumstances of the case, I requested to know whether his Excellency would adopt the suggestion of Sir E. B. Lytton, then H.M. Secretary of State for the Colonies, to Governor Darling, under precisely similar circumstances, namely, not to appoint a commission, but himself to preside and examine into alleged abuses.

The departure of his Excellency Sir John Peter Grant in the American packet yesterday, leaves no doubt that his Excellency declines to do so.

I was in hopes by this time to have received a reply to my second letter, in which I urged his Excellency to call upon the Central Board of Health to carry out the 3rd section of the Law No. 6 of 1867—a Law passed by his Excellency himself, and which provides a court of enquiry, with full powers, to examine in a summary manner into all questions affecting the public health. What more proper subject for enquiry for a Central Board of Health to undertake than to ascertain if rumours of mismanagement and ill-treatment of Small-pox patients are true or false? If the disease was being kept up and extended by improper practices? Why a monstrous death-rate, five out of nine, occurred among those treated in bell tents in a particular locality? Why a hospital erected at a heavy expense by the Government for poor persons suffering from Small-pox has never been made use of? Why not a single person has gone into it, although the disease still lingers in the district? Why the poor are not attended by the Medical Officers appointed for that purpose? Why no trustworthy records of the progress of the disease are made public? Why vaccination is delayed in a district till Small-pox breaks out?

So certain was I that his Excellency Sir John P. Grant



would at once concur in the propriety of such an enquiry so provided by a Law of his own passing, and the authority for which I fully believed had escaped his memory, that I immediately after despatching my letter of the 17th set to work to frame charges under the five heads of subjects for enquiry, (most of which were already self-evident,) to be ready so soon as the Central Board of Health, by his Excellency's instruction, should appoint an inspector or inspectors under the 3rd section of the Law.

For obvious reasons I do not *now* forward a copy of the charges, but so soon as the Court is declared open I will present them.

In your communication of the 13th inst., No. 5285, you stated that a departmental enquiry was in progress on certain points of my statements; and further, that such enquiry would extend to Dr. Cargill's treatment of Small-pox cases under his charge. If I mistake not, such departmental enquiry took place on Monday, the 19th, at the police station, at Halfway Tree.

There are a few circumstances connected with this enquiry which, I think, should be made known to his Excellency the Governor of the island, they having been brought to my notice by eye witnesses, &c. in order that he may judge for himself of the manner in which persons named in my memorandum as able to give evidence are being invited to do so, and what these people think of such an enquiry; and that he may see the necessity, the fairness in professing to enquire into my statements, to do so fully and openly by means of the court of enquiry, which the Law provides for the very purpose.

The day before the enquiry took place the District Medical Officer visited some of the persons who ought to be able to give evidence, and whose names are put down in my memorandum of the 26th June as able to do so, and requested them as a favor to himself to attend the enquiry to be held the next day, and to say a few words to Dr. Ross about the manner in which the people in the tents were fed, as Dr. Bowerbank had stated that the people had been starved by the nurses.

On the day of the enquiry (Monday) he returned and reminded them to attend, just to come and say a few words about the food, and assured them that he himself would be there.



Some promised they would do so. One said boldly no ; it was not about the food she would talk, but that when a few gentlemen were appointed to take down what she had to say, she would attend and tell of the abuses and bad treatment she had witnessed in the tents. Another person applied to was asked to attend and say something, and in the course of conversation it was gently hinted that the District Medical Officer's lawyer would also attend. At the appointed hour it appears the "*Court*" met—Drs. Ross and Cargill, and Mr. Inspector Nairne.

You will remember, Sir, that it has already been my painful duty to inform his Excellency Governor Sir John P. Grant that these three gentlemen have reported to him what they cannot repeat on oath.

However, they met as judges ; all other persons were excluded, not even the Sergeant-major was allowed to be near. Six witnesses attended, four of them being the persons who had acted as nurses in the tents—James Marshall, Susan Clarke, Sarah Francis, and Frances Smith, alias Amelia Smith, and two others, who, as patients, had escaped from the tents with their lives.

One by one they were called in to be examined. Doubtless a departmental report of the proceedings has ere this been furnished for the final decision of his Excellency. Is it, Sir, on such indecent hole-and-corner, mock enquiries before such judges that his Excellency the Governor intends to allow this matter of life and death, not only as regards those who were in the tents at Halfway Tree, but of hundreds who are now passing and have yet to pass through the ordeal of an attack of Small-pox, to rest ?

To my mind, Sir, it appears very strange that the nurses should be examined at all as to how the food was supplied to the patients—if they, whose duty it was to receive it, to cook it, and to serve it out, had proved faithless. Is it likely they would criminate themselves ? Besides, is it likely that on such a subject the examination on the part of the medical portion of the Court would be very searching, seeing that if any exposure of abuses on this item of management were proved it would militate against themselves ? The medical attendant must be held answerable for the general supervision of the food, &c., in every public institution claiming the name of hospital,



Evidence as to the manner in which food was supplied, cooked, and apportioned by nurses to those under their charge, must be sought from other sources than from the nurses themselves, or even the Medical Officer. And, Sir, there is no lack of such evidence if his Excellency will receive it.

As to the other witnesses, their evidence as to food, is worth very little, considering that one is a connexion of Sarah Francis, who nursed him, and no doubt took care that he should get his share; as to the other, (F. Wiseman) any evidence he may have given, is of little value after his declaration before going to the court that "he would stand by the Doctor." His friends and others outside who supplied him with food in the hours of his necessity, will deal with his evidence. Let it be remembered that there were only two other persons, who came out alive from the tents, namely, Sarah Francis who was in the tents in a dual position, first as a patient, then as a nurse; and the other Bennett, also a connection of Sarah Francis, 4 out of 9. Where are the other five? Let the Medical Officer, the Nurse, and the Sexton bear witness.

With regard to any evidence Sarah Francis gave to me in June last, I beg to observe that it is in writing "*Literæ Scriptæ manent*" and the only time, and during the whole time I ever saw her, a third person was present, who is a witness as to the alledged abuses, and can speak as to her evidence before the court on Monday last.

If this witness has stated that there were no lack of washing utensils, as tubs, &c., she will not do so on her oath; the contractor will be able to contradict this; the government receipts should disprove this.

Doubtless in giving evidence before the court, James Marshall spoke of Bell's fly-blown head, and how in consequence of this he expelled the unfortunate sister from the tent; he too and the other nurses could tell of the frightful state William Bennett was in. The question arises were these things told? and do they appear in the departmental report? Did Marshall and Sarah Francis, and the other nurses, and the patients equally too, tell how the sick were visited in the tents? how the acting Superintending head of the Medical Department, and the District Medical Officer for Halfway Tree per-



formed their all but sacred duties? how they stood at the tent-mouth? but did not enter the tent? how they never examined a patient, never felt their pulse, never sounded them, never touched them? how they stood at the entrance of the tent, and asked the nurse, James Marshall, how the victim was; and how they were content with his reply? how on more than one occasion when the Nurse begged the District Medical Officer to come into the tent and look at the sick, the dying, he refused, exclaimed "poor fellow!" turned his back, and walked away? Unless, Sir, such evidence appears in the departmental report from these two witnesses at least, the enquiry has been in vain; the witnesses have not stated what they knew, and what they have complained of to others, to myself, and what before a proper court of enquiry they must state and which, Sir, will be confirmed by others who were fellow-witnesses with them of these cruel unheard of abuses, and which on oath will be allowed by the District Medical Officer himself, and his conduct in this respect be attempted to be justified.

In a letter received yesterday from a gentleman, who has been through the infected districts, and who is quite willing to give his evidence and to adduce the evidence of eye witness, he thus writes, "my complaint now is not that his Excellency would willingly tolerate abuses, but that the proper pains-taking method of investigating alledged abuses has been lamentably neglected. As long as delinquent officers are to be informed of all the complaints made against them, while those who make them are not to know the sort of defence put up, and as long as inquiries are to be conducted in a way that imperils at the off set the character of disinterested honest men, there will be found in a very short time very few who will be willing to expose themselves to the fearful odds which such sorts of investigation must incur."

This, Sir, is true, and rendered all the worse, because his Excellency the Governor himself in 1867, passed a law to provide a special court of inquiry for all abuses, &c., affecting the public health. No one finds fault with the system of referring alledged abuses against a department to the head of that department. But when the head of the department is implicated, surely no official authority should be given by which witnesses should



be trifled with, and the truth be attempted to be concealed. His Excellency Sir John Peter Grant himself referred these alledged abuses, (my memorandum of subjects for enquiry) to the consideration of the Central Board of Health previous to the 5th July last, and then stated, he doubted not they would recommend what was right, up to the 13th August they have been silent (let it be remembered that two of its members are implicated in the charges.) But if the Central Board will not perform the duties they are bound to perform under the law, the Governor alone has the power to dismiss them, and to appoint others more faithful to their trust. There is no excuse for not appointing a court of enquiry into the manner in which Small-pox patients have been treated in the Parish of St. Andrew's, and in the Halfway Tree district in particular. The disease is still there ; persons are still dying of it, and the hospital erected by the government is still empty, and will remain so. The Terrors of the Tents have frightened the people and caused them to despise the authorities and to distrust the government.

I repeat, Sir, if any proper court of enquiry is appointed I am prepared to adduce charges and to prove them by my own evidence and that of other persons who themselves witnessed the abuses.

His Excellency Sir John P. Grant has distinctly stated there shall be no other enquiry but a departmental one, which, I have reason to infer, is concluded. I therefore feel it a duty I owe to myself to take the necessary steps to protect my own character from censures and insinuations.

The proceedings of Monday last have excited a feeling of disgust in the people. Those who refused to attend the so-called Court of Enquiry are indignant at the sham investigation that has been held by guilty, interested parties. I will here give the following copies of letters received from persons, since the enquiry on Monday last, able and willing to give evidence before a fair and open enquiry.

The first is a letter which has already been forwarded by the writer to the honorable the Colonial Secretary. This person's evidence, written and oral, I have tested in every possible way, and I have no hesitation in stating



that his evidence can be confirmed by others, and ought to be most solemnly enquired into.

“ Halfway Tree, 21st August, 1872.

“ To the Honble. E. Rushworth,  
&c. &c.

“ Sir,

“ I beg most respectfully to submit, for the information of his Excellency the Governor, that I was invited by Drs. Ross and Cargill, in consort with Inspector Nairne, at the Constabulary-station on Monday last, to give my testimony regarding the abuses at Halfway Tree during the existence of the tents' management, but I refused, on the ground, that the parties holding the enquiry were the parties charged with these abuses, or want of proper *treatment or arrangements* of the *patients*.

“ I shall be glad to give any information, or answer any questions before a fair and disinterested Commission of Enquiry that his Excellency may, in his wise judgment, seem fit to appoint for the future.

“ I am,

(Signed) “ JAS. BYNDLOSS.”

The above was received by me on the evening of the 22nd August.

The second is addressed to myself, and was received on the evening of the 22nd August.

“ Halfway Tree, 20th August, 1872.

“ Sir,

“ I have to inform you that I was called upon on Monday morning by Doctor Cargill, and asked me to come to the station on Monday to tell Doctor Ross what I knew concerning the people that were under the tent, whether they were starving or not. I told him that I could not come because I knew nothing of any one but my brother (F. Wiseman). I took in sick with fever the 10th April. He came on Friday, and on Saturday Doctor Ross and Doctor Cargill came back, and from that time they had never since returned. Whenever he goes to the tent he always enquire how I was. My brother (Fredk. Wiseman) took in on the 13th of the same month. I generally send something for him to eat, as he always complaining that he cannot get anything to eat from the hospital. He generally called



and asked if they had anything for him to eat. A portion of whatever nourishment that was provided for me was given to him daily.

"Your obedient,

"MARIA DOWNER."

The third letter was written and given to me on the morning of the 23rd August (this day) and is to myself—without date.

"Sir,

"I was ask from the bearer of Dr. Cargill to stand an enquiry at Halfway Tree. I refused goin(g) until a proper enquiry (is) held, and I will state what I see, an(d) how about his treatment to the Small-pox people, likewise to myself, for I had the Small-pox, and I never see a Doctor. My housekeeper made known to the Doctor that I was sick with the Small-pox, and he refused coming to see me, and I also prove that he never go to the tent to see those that was sick in them. I can also bring several proofs to it, and all those persons who was tak(en) to the tents died for the wants of a medical attendant and partly from starvation; and some was sent rum and herrings. I witness no more than once or twice mutton—about one pound and a half, the same pork, and one negro yam—about two pounds in waith (weight.) The pation, William Bennett, was almost roting before he was dead, for his private person was eaten in holes, and the nurses mentioned it to Doctor Cargille when parting, and he said to the nurse what I am to do with it, and he drove away. I can take my Bible oath to all this.

"I am, Sir,

"Your most obedient servant,

(Signed) "WILLIAM ALEXR. CAMPBELL."

The fourth is a copy of a letter from James McKenzie to Dr. Bowerbank, written on the 20th August, and received by me on the morning of the 22nd August:

"Halfway Tree, 20th August, 1872.

"Sir,

"I have the pleasure, with great truth, to inform you of what I have seen from the month of April and May of this present year. I am living adjoining the Small-pox hospital, which are formed or made by pitching of tents. I see



the Doctor come there no more than once or twice a-day, and whenever he does come he never entered into the tents, he only ask the nurses how the pationers were getting on, and upon such inquiry from them he goes away. He generally come there every day. The deaths of each pationer are from seven to nine days different from each other. I sometimes steal my way into the tents. I remember sein William Bennett, his penis or private part was in a state of mortification. I felt greatly for him. I believe he was suffering greatly. I asked one of the nurses why don't he report to the Doctor, she said she has done so but the Doctor will not look at him or come near, but only ordered poultices to be applied for the same. Sometime after the Doctor come, and standing outside the tent as usual, Amelia Smith said Doctor, Bennett private is very bad ; he said, I am nothing to do with that, it is a question of matter. I have never seen him go inside the tents at any time ; he only gain information from what the nurses tells him. I stole my way several times under tents, and on the 27th April I heard a great crying in the Small-pox hospital among the nurses ; Marshall was also crying. I asked what is the matter, they said Bennett is on dying ; I sliped into the tent through a gap adjoining Mrs. Townshend yard, which is the customary place I generally walk. I saw him lying on his side ; he said to me James, good bye, tell my mother good bye for me, she won't see me any more, I am going to die. A while after Doctor Cargill came in and stood outside the tent door, that is to say before the door ; he asked how is Bennett, at the same time peeping into the tent looking upon him. The nurses replied Doctor, Bennett is dying he retreated himself saying poor fellow. I was under the tent ; I do not believe Doctor Cargill had seem me, they generally put Constables outside to hinder persons from going under the tents ; if any person or persons were found under the tent would be sent to the station. When Doctor Ross came it was before Bennett went under the tent ; it was in the month of April, he came through a gap from the Small-pox hospital which leads into Mrs. Townshend yard ; he went to Maria Downer first, and then to Bennett, and stood some yards before his door, and said where is the man that has the Small-pox, bring him out to me. Bennett then came out, he would not allow him to come near ; he said stand there, you must go under the



tent ; if you will not, when you are better, I will have you punish, for you will be infecting the people about here. Bennett said, I cannot go because the tent is too hot. From what I was told that is the only time I remember seeing Doctor Ross commin there. There was a tent pitched sometime before Bennett made up his mind to go in there. Bennett is the longest survivor that lived under the tents. I heard the voice of Wm. Hall on Sunday morning, at about quarter to eleven—half hour he died. The Doctor came in hospital yard about two o'clock ; he was told Hall is dead ; he went away ; he said that the nurses must not allow any more person that has Small-pox to come under the tent—they must remain home, for the tent is not a fit place for them, he said to one of the nurses. I heard these words myself—they were said on Sunday evening.

“ I remain, yrs. obt.,

(Signed) “ JAMES McKENZIE.”

“ To L. Q. Bowerbank, Esq., M.D.”

These letters, when carefully read and facts alluded to are explained, bear upon them the indelible stamp of truth.

Such is a mere specimen of the evidence to be obtained on a few points of the alledged abuses, and even this may be much multiplied ; besides which, such evidenee will be confirmed by the evidence of other persons, as, for example, the Rev. Mr. Braine, for what he did say is known to several persons, and among them Clergymen of the highest respectability—in fact, he publicly stated what he did, as to the neglect of the District Medical Officers and the Armstrongs' wake, at a meeting of the Diocesan Council of the Church of England in Jamaica. Other persons, too, of the higher class (if their evidence is really considered essential) will confirm the evidence of eye witnesses as to the cruelties in the tents, most of whom of necessity were of the lower orders, but who know what an oath means. In fact, I repeat every statement I have made can and will be proved, in spite of the denials made, or the total omission of them in any report by implicated, interested individuals.

If his Excellency was satisfied that the reports he received were just and fair, before he weighed them with my statements, or before he formed his judgment and promulgated a final decision, why did he not make them public,



or call upon me to go over the same with his Excellency? Still if there is any doubt let his Excellency the Governor, reconsider the matter, and carry out the Law.

*"The truth, Sir, is great and will prevail."*

I have the honor to be, Sir,

Your obedient servant,

LEWIS Q. BOWERBANK,

To the Honble. the Acting-Colonial  
Secretary,

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*The Colonial Secretary to Dr. Bowerbank.*

No. 5484.

Colonial Secretary's Office, Jamaica,  
22nd August, 1872.

Sir,

I am desired by the Governor to acknowledge the receipt of your letter, dated 13th instant, in answer to mine of the same date No. 5285.

I am to inform you that if you had marked the word "confidential" on the paper you meant to be treated otherwise than as an ordinary official record, it would not have been treated otherwise than as a confidential paper. I am to repeat the expression of his Excellency's regret that any paper sent to him by you has been treated in a manner not intended by you. But his Excellency thinks that the mistake was in your own omission to make your meaning in any way apparent.

In the fifth paragraph of your present letter the Governor observes a statement, the first of the sort which he has observed in this long series of letters, which, if only the name of the person accused be added to it, will be the indication of real evidence. In this statement you charge a person unnamed with falsehood, in proof of which you state that you are able to swear that the person so charged three times stated to you as a fact, what he has since contradicted in an official communication.

If you will put into the form of a charge, naming the



person charged, this imputation of falsehood, then as you have affirmed that you can prove the charge by your evidence of what is within your own knowledge, and have indicated what your evidence goes to, your own evidence being capable of support by other witnesses (presuming, as his Excellency does, that the person named has a public employment) he will immediately appoint a commission to enquire into this charge of falsehood, provided that you will state your intention to appear before the commission to prosecute the charge, and to give your evidence before it.

Similarly, if you will give particulars in relation to the imputations of falsehood in some officials report not specified, and will shew how you can prove any particular statements in such reports to be knowingly false, by your own evidence as to what is within your own knowledge, or by similar evidence of any other named person, who will openly state, as you have stated of yourself in respect of the above charge of falsehood, what it is he can so depose to and who will promise to appear and to depose accordingly when requisite, the Governor will be prepared to appoint the same, or another commission to enquire into this charge also when put by you into form.

Upon the eighth and following paragraph of your letter his Excellency can only repeat that if what you believe to be evidence at your command be really "definite, real, tangible, admissible evidence" (a question as to which it is impossible for him as yet to form even a guess) it is a pity that you do not adduce it. Till something of this character shall be adduced, you are aware that in his Excellency's view of things, it must ever remain impossible, not only for him but for any man of business to take any such action in the matter, as nothing but something of that character actually adduced and very grave in its nature would justify it.

You are aware that there can be no commission until somebody adduces so much real evidence as would justify a commission. This you will not, or cannot do. If also you will adduce nothing before any other form of enquiry the case is hopeless, for no one but yourself is stirring in the matter.

In conclusion, I am to remark, that the Governor must



decline to enter into any discussion of occurrences which happened in and about the year 1859.

I have the honor to be,

Sir,

Your obedient Servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, Esq., F.R.C.P.,  
Kingston.

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*The Colonial Secretary to Dr. Bowerbank.*

No. 5557.

Colonial Secretary's Office, 22nd August, 1872.

Sir,

I have laid before the Governor your letter marked "immediate," dated the 17th instant.

His Excellency desires me to state in reply that the Central Board of Health have the power of appointing a Superintending Inspector to make enquiry into sanitary matters, in the manner which you suggest; and if they think fit to exercise that power they are of course at the fullest liberty to do so; and every necessary facility will be afforded them, and any necessary expense will be provided. But it is for them to judge whether a case requiring the exercise of this power exists or not. The law does not impose on the Governor the duty of interfering with the board in this matter, and does not contemplate such interference. In the marked absence of evidence in support of your imputations, the Governor will abstain from saying anything to the Board likely to move them one way or the other. But your letter will be sent to them for their careful consideration.

If the board should appoint a Superintending Inspector it will be for them, and for them only, to lay down the plan on which such officer shall make the public enquiry as to the sanitary matters in respect to which they may desire to be informed.



As the law contemplates a public enquiry, of course you will have the same right to be present that any other person will have. The Governor does not know that the appointment of any "promoter of the enquiry" will be considered as a necessary or proper form. Nor can he say whether, if such an office be constituted, you will be, or ought to be, selected by the board to fill it. The board cannot be dictated to by any person in regard to any particular plan of enquiry, if they should come to the conclusion that any such enquiry at all is necessary, supposing a Superintending Inspector or Superintending Inspectors to be appointed by the Board to make any enquiry, all subsidiary arrangements in connexion with that enquiry will be made by the Board.

I have the honor to be,

Sir,

Your obedient servant,

EDW. E. RUSHWORTH.

L. Q. Bowerbank, M.D., F.R.C.P.,  
Kingston.

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*Dr. Bowerbank to the Acting Colonial Secretary.*

Kingston, 23rd August, 1872.

Sir,

I have the honor to acknowledge the receipt this evening, of yours enclosing two communications Nos. 5484 and 5557 of the date of the 22nd inst., in reply to mine of the respective dates of the 13th and 17th inst.

My letter of this day's date addressed to you and forwarded mid-day, renders it I think unnecessary that I should say much in reply to your two communications.

I beg to assure his Excellency that I am quite willing to stand by any statement I have made. My object is to obtain an inquiry into the existence of gross abuses affecting the rights and the lives of the people in order that if these abuses are proved to exist they may be checked for the future.



If his Excellency the Governor will appoint such an inquiry or take care that such an inquiry is appointed, I again repeat I will prove all I have stated by my own evidence or the evidence of others.

In the mean time if any official or any one else lays himself open by any act of his own to the charge of falsehood &c. I respectfully decline to have anything to do with any special commission to enquire into such matter.

A full, fair and open inquiry will prove the truth and the whole truth; and will expose deceit and falsehood where it exists.

I consider commission upon commission to consider any such statement made by individuals in so-called departmental inquiries would be mere waste of time, and might indeed damage the general inquiry, which I believe though delayed will ultimately take place, and in which alone I am interested.

His Excellency Sir John Peter Grant referred the matter in question to the Central Board of Health, and of course his Excellency may now do as regards this Board what he thinks proper.

I note the concluding portion of your letter, No. 5557, and when an enquiry is appointed either by the Central Board or by his Excellency the Governor I shall be guided in my action by the conduct of those who conduct the inquiry.

I have the honor to be, Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

To the Honble. Acting-Colonial  
Secretary.

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*The Acting Colonial Secretary to Dr. Bowerbank.*

No.—5779.

Colonial Secretary's Office, Jamaica  
28th August, 1872.

Sir,

I am directed by the Lieutenant Governor to acknowledge the receipt of your letter, dated the 23rd instant, and



in reply to state that a copy of this further communication has been transmitted to the Central Board of Health for their careful consideration in connection with your letter of the 17th instant, which already is in their possession under the order of Sir John Grant.

I am,

Sir,

Your obedient servant,

JOHN W. STRATON.

L. Q. Bowerbank Esq. M.D. F.R.C.P.  
Kingston.

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*Dr. Bowerbank to the Acting Colonial Secretary.*

Kingston, 2nd September, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication No. 5779, of the date of the 28th ultimo, in answer to mine of the 23rd ultimo, in which you state "that a copy of your letter of the date of the 23rd inst. has been transmitted to the Central Board of Health for their careful consideration, in connection with your letter of the 17th inst. which already is in their possession under the order of Sir John Grant."

In reply I would only suggest that it would be well *now* if the entire correspondence on this subject were submitted to the Central Board, more especially, *both* my letters of the date of the 23rd August.

By the last Gazette I observe that his Excellency has added two more members to the Central Board of Health. It would be well however that it should be known that Doctor Ball is either now absent, or will be on sick leave; it must be remembered too, that the Honorable Mr. McDowell is the chairman of the Local Board of Health of St. Andrew, and has been so since the passing of the law No. 6 of 1867, *or soon* after it. During his absence for a few months Mr. William Barclay acted for him, and who is now off the Island.



Since my last communication I have received a document which, in my humble opinion, is a valuable one, coming as it does from a person who you will observe is not conspicuous for his literary attainments, but who, during the last twenty years or so, I have always found honest, truthful, and fearless in exposing abuses. On reference to Mr. Trueman's evidence in the report of the Public Hospital and Lunatic Asylum commission, it will be found that in no instance did he waver in telling the truth and the whole truth. His present evidence is valuable as it concerns one of the nurses, who lately gave evidence before a departmental enquiry. The person alluded to is Frances Smith, alias Amelia Smith, alias Emma Smith. I received it on the 19th August.

I enclose also for the careful consideration of the Central Board, a document I have repeatedly alluded to throughout this correspondence. It is a note from Mr. James Byndloss to Mr. Stephen Cooke (a Government Official). It has no date, but was I believe, written on the 4th or 5th of June. Mr. Stipendiary Justice Bicknell will, when called upon, be able to explain how this note came into my hands.

I think Sir, it will be well for the Central Board to weigh Mr. Byndloss's statements which can be confirmed by eye witnesses, against the hearsay report sent up by the Local Board of Health of St. Andrew's to his Excellency the Governor, relative to the wake over the Armstrongs.

It will be well too for them, as two of their number, are directors of the Government water works, to consider very carefully the sad story of how those unfortunate people were supplied with water (tho' being in the immediate locality of the Government water works.) I annex these two documents selected from others, and I will beg leave to remind the Government that it is now nearly three months since I brought these gross abuses to their notice, and that the disease is still ravaging this Parish. By a return from a Medical Officer in a District of this Parish, in which are no tents, or so-called Hospitals, he tells me that he has had 20 cases of Small-pox, and has lost 2. A little different this Sir, from 5 out of 9. I regret to say however that in other Districts of the same Parish, irregularities and abuses still exist, traceable to the dreadful doings in the tents at Half-



way Tree, and which, if not exposed, will extend throughout the Island.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. John Straton, Acting  
Colonial Secretary.

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*Letter from Rev. Geo. Trueman to Dr. Bowerbank.*

" To Doctor L. Q. Bowerbank, Esq.

" Deare Sir,—My having being inform that you have been determine to bring before the Governor notice certain abuse that have been practis on person that have been afflicted with Small-pox in the Parish of St. Andrew's this abuse is said to be on the part of the Medical Officer and the authoritys—I George Trueman, Minister of the Baptist Denomination, and Minister of Saint John Baptist Chapel, on land of Gordon Pasture in the Parish of St. Andrew, for the last eighteen years, do feel it my duty to acquaint you of a circumstance that hapen some two months, my having been in the vestrie of the Chapel, I heard a conversation of a woman by the name of Sarah Francis in regarde of the tent that the authority had prepare for the use of Small-pox ; she stated that it was a most miserable place, she would not send a dog there, and that if she had eney one with Small-pox, she wold run the risk of the law, and keep them at home. Since that it has been only a day nor two ago that I had a conversation with her, respecting the tent, and the Medical Officer, she stated that it was a most miserable place, that it was expose to the sun at a most awful rate, it was hot, and at night still more so when the lamps had been lited with the kerosine oil, so bad was the place, no place for the smoke from the lamps to pass, that it was awful, so that at eney time she cough she would preceive a black stuff from her stomach. During the time she was employ has a nurse at the tent her



son was attacked with Small-pox and when the Medical Officer enquire of her, if she did not intend to bring him in the tent, she reply no Sir, I will keep him at home. In regard of the conduct of the Medical Officer, he never came in the tent, but stop at the door of the tent, and make enquire how the sick was, so that he never handle them, but order what ever he like for them, the place was so bad that she had ask for her discharge, but the fact is that she took it herself.

“ I remain your obt. humble servt.

(Signed) “ GEORGE TRUEMAN.”

“ Deare Sir,—I have on the same day, seen Elis Brown, he state that he had three children with Small-pox, but he keep them at home and that the Medical Officer came to the house. But never came in the house. But made enquiry of the stat of the sick, and gave medicin. In regard of the tent he state that it was a most miserable place, he also state that being a poor man and that having lost the mother of the children, not long he had to get a person to care the children, he apply to the Revd. Braine for aid at that time he granted him three shillings, he mad a secon appeal to him he then gave him four shilings making in all seven shillings ; this poor man made a third appeal to the Rev., but he was sent away stating, that he was not rich, and that he had beter go to the Custos. Brown never use the medicin gave him, I had seen it.

“ I remain your obt. humble servt.

(Signed) “ GEORGE TRUEMAN.”

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*Letter from James Byndloss to Stephen Cooke Esq., Halfway Tree.*

“ Stephen Cooke, Esq.

“ Sir,—Referring to your application regarding the wake that was kept up at the residence of the late Mr. Armstrong, I have to say that there was upwards of twenty



or more there, to my personal knowledge, among whom I noticed the following viz : —

George Hall.	Miss Lodge.
“ Hall.	Miss Moore.
“ Forbes.	Miss Messam.
George Lodge.	Miss Armstrong.
Alexander Lodge.	Mrs. Lodge.
Hughie	Mrs. Armstrong.

an old woman with a sore leg, and two infants, age about six months.

Miss Bryan and a young female, about the age of fifteen, with a very bad sore foot, and from what I could gather, there was five of them *that had* also very bad sore legs.

The building is about ten feet by fourteen, and is *wattled and plastered*, and all the worse for use, and that the inmates numbered eight in all that actually resides there ; the number of persons that died there was five in three weeks or thereabouts.

Susan Clarke and Agnes Davis informed me that they went there a few hours before a quarter to 8 o'clock, the hour that Armstrong and his sister died, and that they had not even water to keep the rags in use clean. And from my own personal knowledge, on Monday the 27th May last, I was told by Mrs. Lodge and her daughter, that they could scarcely get water to keep the things clean that were in use, in fact she had a small *yaba* \* using to wash the soiled clothing instead of a tub.

You must excuse the manner in which I have forwarded this, having to attend to the call of the shop momentarily.

I am,

Sir,

Yours respectfully,

JAMES BYNDLOSS.

Marshall and John Marsden who accompanied me that day can verify the same about water.

J. B.

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\* Yabba is a small earthen pot or bowl, like a “ pipkin ” without a handle.



*The Acting Colonial Secretary to Dr. Bowerbank.*

No.—5930.

Colonial Secretary's Office, Jamaica,  
4th September, 1872.

Sir,

The Lieutenant Governor desires me to acknowledge the receipt of your letter, dated the 2nd instant, and to inform you that a copy thereof has been transmitted to the Central Board of Health, together with a copy of your second letter of the 23rd ultimo.

I have the honor to be,

Sir,

Your obedient servant,

JOHN W. STRATON.

L. Q. Bowerbank Esq. M.D., F.R.C.P.  
Kingston.

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*Dr. Bowerbank to the Acting Colonial Secretary.*

Kingston, 16th September, 1872.

Sir,

In your communication, No. 5930, of the date of the 4th instant, you inform me, by direction of his Excellency the Lieutenant-Governor, "that a copy of your letter of the 2nd instant has been transmitted to the Central Board of Health, together with a copy of your second letter of the 23rd ultimo."

The matter in question, I would respectfully remind you, is one of life and death—*past, present, and future* to the unfortunate people attacked with Small-pox. I would also inform you that the disease is still in the Halfway Tree district, and in other parts of the parish of St. Andrew's, besides having extended itself to the neighbouring parishes of St. Catherine (Spanish Town) and St. David's, thus surrounding this the chief city of the island.

Besides this, I would also remind you that two material



witnesses have left the island, and I understand two others, at least, are likely to do so. Under these circumstances, I have felt it my duty to address the Central Board of Health as follows :—

“ To the Chairman and Members of the Central Board of Health of Jamaica.

“ Kingston, 10th September, 1872.

“ Gentlemen,

“ His Excellency the Governor Sir John P. Grant and the Lieutenant-Governor having informed me, on some four or five occasions during the last two months and upwards, that certain communications of mine, relative to the ill-treatment of Small-pox patients in the parish of St. Andrew's have been referred to your Board for consideration and report,

“ And being thoroughly convinced that delay in more ways than one, has, and is seriously damaging the cause in question, and affecting injuriously the health and the lives of those suffering from Small-pox, I request to be informed whether it is the intention of your Board to take any action in the matter ; and, if so, what may be the nature of that action, and when it is proposed to take such action.

“ If the delay is occasioned by any of my statements requiring further explanation, I now beg respectfully to express my readiness to attend, and to afford any information in my power.

“ I have the honor to be,

“ Sir,

“ Your obedient servant,

“ LEWIS Q. BOWERBANK.”

Beyond an acknowledgment of the receipt of the above from the Secretary on the 10th instant, I have heard no more.

If, Sir, the Central Board of Health, after upwards of two months possession of the greater portion of these documents, have taken no notice of them, it appears to me useless, and worse than useless, for the Government any longer to expect their co-operation. And surely, Sir, in a matter of this kind, involving as it does the honor and character of the Government, and when the most dire and fatal of all



diseases in an epidemic form is ravaging the community, it ill becomes the Government to defer action because a Board of its own appointment fails in its duty.

I respectfully maintain that it was the duty of the Government to have enquired into the statements contained in my first letter of the 6th June. As they failed to do so, I wrote my letter and memorandum of the 26th June, which letter virtually contained distinct charges of abuses on the part of officials and departments, with the names of witnesses to substantiate each, (my own occurring some five times among them.) I hesitate not to declare that in my humble opinion, the Government, in the use they made of these documents, have greatly committed themselves; and in not at once instituting a full, fair, and searching enquiry, signally failed in their duty. Later still, as the Governor, Sir John P. Grant, refused any other enquiry than partial ones, conducted in private by implicated and interested individuals—and on the strength of reports from such enquirers, did positively pre-judge the case and pass censure on my conduct, I took upon myself to perform the duty appertaining to the Government; and obtaining the written evidence of a few of the witnesses I had previously named to the Government, I forwarded it to you in my letter of the 23rd ultimo; but, nevertheless, still in vain.

At first, Sir, I was actuated solely by a desire to see these gross, cruel, murderous wrongs to the people, exposed and redressed, and a disgraceful scandal cast upon the profession to which I belong, removed; but, *now*, I feel that I have myself been placed by the conduct of the Government on my own defence.

On these grounds, I claim an open, strict enquiry by disinterested and impartial persons, bent alone upon eliciting the truth, the whole truth, and nothing but the truth; and before such a tribunal, I again pledge myself to prove every statement I have made, either by my own evidence or that of others.

The offer of his Excellency Sir John P. Grant to myself to appear before a commission to prove my assertion, that an official had stated what was false, I declined, for the reasons alleged in my letter of the date of the 23rd August, but be assured that my statement is true, and will be proved so before an enquiry into the whole case.



And here let me observe, that the peculiar sensitiveness displayed by his Excellency as to the veracity of an official very much surprised me—as on a previous occasion, during a long correspondence which took place in 1869–70 between his Excellency Sir John Grant and myself, and which terminated in March, 1870, in my resigning the office of Custos of Kingston, on the plea that in consequence of the want of truthfulness on the part of certain Government officials, I felt my character, in the capacity of Custos of Kingston, was not safe; and that, therefore, I felt I could no longer hold the office with credit to myself, or advantage to the public. No notice was then taken, nor was I asked to appear before any commission to prove my assertions.

The correspondence, Sir, is in your office, and can *speak* for itself.

His Excellency Sir John P. Grant has stated that I am the only *one* moving in this matter. On this point I would beg leave most respectfully to remind the Lieutenant-Governor, that the Rev. Mr. Hyams addressed a letter to the Governor through Captain Lanyon, as far back as the 5th February last, relative to existing abuses, and after a useless appeal to the Chairman of the Board of Health of St. Andrew's.

Also, that on the 15th April the same gentleman wrote to the head of the Medical Department, stating that certain reports of mal-treatment and cruelty, and death in the Sterling Castle hospital were abroad, "which were prejudicing the people's mind, and making them unwilling to report any existing cases of Small-pox, or in allowing the afflicted to be removed from their houses;" at the same time adding, "While there may be no foundation of truth in these reports, I am sure you will cause them to be *properly* investigated; and if, in doing so, I can in any way assist in eliciting the truth, I shall be most ready to do so." Suffice it to say, no acknowledgment of this communication was made, and no enquiry but what was subsequently termed by an official engaged in it, "*a humbug one*," was instituted. Of course, Mr. Hyams' offer to assist in eliciting the truth was not accepted—he was in no way consulted—but he is ready now, before a proper enquiry, to give evidence which will elicit the truth of the cruel and brutal treatment the two brothers (Denny) received at the



so-called Small-pox hospital at Sterling Castle, he having since taken the trouble to ascertain the truth of the reports previously alluded to by him.

I have already informed you that I have prepared a series of charges to be submitted to any Court of Inquiry the Central Board or the Governor may appoint. I have also expressed my intention in self-defence to make public the correspondence which has passed between the Government and myself, but which I have put off from time to time in hope that an enquiry would be appointed.

It appears to me, however, useless and damaging to defer any longer in expectation of such enquiry; and I shall, therefore, consult my own interest by making known the part I have acted throughout this most painful and protracted attempt to expose abuses; and thus, as far as I can, acquit myself of any imputed blame attributed to me, and administer an antidote to the false statements and insinuations spread abroad by implicated parties.

At the same time, I beg most distinctly to assure his Excellency the Lieutenant-Governor that my charges are completed, and that if any enquiry is appointed I will be quite ready to perform the part I have professed myself ready to assume, believing, as I do, that it will be quite impossible to obtain the whole truth without my evidence; and I believe, *now*, in consequence of the delay and other discreditable impediments, which have been put in the way, without my assistance in the same manner as was done in the very similar case of an enquiry into the Public Hospital and Lunatic Asylum of Kingston.

*"Fiat Justitia ruat Cælum."*

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. John Straton.

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Annexed are the charges in general; for obvious reasons I refrain from inserting the particulars under each head, or



the list of witnesses to prove each—all of which, however, are ready :—

Statements and charges to be substantiated by Dr. Bowerbank on his evidence, and that of other witnesses, relative to the recent outbreaks of Small-pox ; shewing that proper measures were not taken by the Authorities for its suppression, and for the treatment of the patients :

#### CHARGE No. I.

That, the bodies of those dying of Small-pox were allowed to remain unburied for an undue length of time, and that “ wakes,” or assemblages of persons, were permitted to be held over the dead, by which the disease was fostered and fomented.

#### CHARGE No. II.

That timely and proper measures for the isolation of patients, so as to prevent the spread of the disease, were neglected ; and the isolation, when imposed, was enforced injudiciously, oppressively, and cruelly.

#### CHARGE No. III.

That the presence of proper and suitable appliances and other necessities as regards the description and situation of tents, and as regards food, clothing, bedding, and cleanliness, were neglected by those whose duty it was to see that these were provided.

#### CHARGE No. IV.

That the necessary medical supervision and attendance were not paid to those suffering from Small-pox, and necessary measures to prevent its spread neglected.

#### CHARGE No. V.

That the treatment to which the people in the tents at Halfway Tree, and in the Small-pox hospital at Sterling Castle were subjected, caused general dissatisfaction, and resulted in those affected with Small-pox refusing to enter them and other Small-pox hospitals.

#### CHARGE No. VI.

Miscellaneous charges.



*The Acting Secretary of the Central Board of Health to Dr.  
Bowerbank.*

C. B. of H.—No. 1736.

Office of Island Medical Establishment,  
16th September, 1872.

Sir,

In reply to your letter of the 10th September, 1872, addressed to the Chairman and Members of the Central Board of Health, I have the honor to forward the enclosed copy of a Resolution passed at a meeting of that body held this day.

I have the honor to be,

Sir,

Your obedient servant,

D. P. ROSS,

Acting Sec. C. B. of H.

Dr. L. Q. Bowerbank, Kingston.

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Copy of a Resolution from the Minutes of a meeting of the  
Central Board of Health, held on the 16th September,  
1872 :

“That the Secretary inform Dr. Bowerbank that the Board intend to institute an Inquiry, under the 3rd Section of Law 6 of 1869, into the outbreak of Small-pox in the Halfway Tree District of the Parish of St. Andrew's; and that he will be further advised of the day fixed for the Inquiry.”

True copy from the Minutes,

D. P. Ross, M.D., Acting S.M.O., and

Secretary C. B. of Health.

16th September, 1872.



*Dr. Bowerbank to the Acting Secretary of the Central Board of Health.*

Kingston, 17th September, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, C. B. of H., No. 1736, of yesterday's date, containing a resolution passed at a meeting of the Central Board of Health on the 16th inst.

By the resolution I find that the enquiry to be instituted, is "into the outbreak of Small-pox in the Halfway Tree district of the parish of St. Andrew."

It may be very well to confine the enquiry as much as possible to the Halfway Tree district; at the same time, as the disease has now existed twelve months in the island, for eleven of which it has been in the parish of St. Andrew, I do not think the enquiry can be limited *strictly* to the particular district of Halfway Tree. At any rate, reference to other districts will, I think, be necessary. It would be well that this should be pointed out to the Board before making their final arrangements. I fear any attempts to limit the enquiry to any precise boundaries, or within certain dates, will tend much to lessen its usefulness.

I beg you will assure the members of the Central Board that I shall be prepared, so soon as they initiate the enquiry; and, on this point, I would respectfully remind them that delay has had a damaging effect.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

D. P. Ross, M.D., Acting Secretary to the  
Central Board of Health.



*The Acting Colonial Secretary to Dr. Bowerbank.*

No. 7169.

Colonial Secretary's Office, Jamaica,  
19th September, 1872.

Sir,

I am directed by the Lieutenant-Governor to acknowledge the receipt of your letter, dated the 16th instant, in which is set forth a letter, addressed by you on the 10th instant, to the Central Board of Health.

With regard to any communications you have addressed, or may address to that Board on the subject of the enquiry you desire to be instituted by them, to investigate a series of charges preferred by you against certain officers and others in the treatment of patients labouring under the disease of Small-pox in the parish of St. Andrew, I am desired by his Excellency to refer you to the letter No. 5557, written to you by direction of Sir John Grant on the 22nd ultimo, and to state that the decision then conveyed to you by his order will not be disturbed by the Lieutenant-Governor.

With respect to that part of your letter which refers to the departmental investigations held by the order of Sir John Grant, his Excellency desires me to observe, that it is for the Executive alone to take such action thereon as may be proper.

I have the honor to be,

Sir,

Your obedient servant,

JOHN W. STRATON.

L. Q. Bowerbank, Esq., M.D., F.R.C.P.,  
Kingston.



*Dr. Bowerbank to the Acting Colonial Secretary.*

Kingston, 20th September, 1872.

Sir,

I have the honor to acknowledge the receipt of your communication, No. 7169, of the date of the 19th instant.

I thank you for referring me to the communication of his Excellency Sir John P. Grant, No. 5557, of the date of the 22nd August. In reply, I would beg to observe, that Sir John P. Grant having referred this matter to the Central Board of Health, in the early part of July last, for their consideration and report, I felt it my duty to forward to you a copy of my letter to that Board, of the date of the 10th instant, requesting to know from them whether they intended to take any action on his Excellency's request. In reply, I have received from the Board a resolution passed at a meeting on the 16th instant, that they intend to initiate an enquiry into the charges of ill-treatment of Small-pox patients in the Halfway Tree district of St. Andrew, and of which I shall be further advised.

I can assure his Excellency the Lieutenant-Governor that I have no desire to *dictate* to the Central Board. They, in appointing an enquiry, after upwards of two months delay, are answerable for the manner in which that enquiry is conducted, not to me, but to the public. I entirely concur with you that it is for the Executive alone to take such action on the departmental investigations which have taken place as may be *proper*, and which I maintain can only be apparent after a full and searching enquiry has been made into all the facts of the case, by disinterested, impartial enquirers.

I have the honor to be,

Sir,

Your obedient servant,

LEWIS Q. BOWERBANK.

The Honble. John Straton, Acting  
Colonial Secretary.





ERRATUM.

Page 7, line No. 17, for force read *foist*.







