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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1857	Press / Mis.
277-278	277-278
Dated 21-CD.	1874

26/27

Not to be folded or roughly handled

No. 277. Read the following letter from Surgeon-General E. G. BALFOUR, Surgeon-General, Indian Medical Department, to the Honorable D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Fort St. George, 6th October 1874, No. 460 :—

I have the honor to submit to the Right Honorable the Governor in Council that it be suggested to each of the Municipalities and Local Fund Boards of this Presidency to frame a bye-law regulating the sale of poisons within their respective limits.

2. So far back as the 22nd December 1863 Dr. J. Urquhart, Coroner of Madras, addressed the Chief Secretary to Government on the subject of the unrestricted sale of poisons in connexion with a case of poisoning at Madras where the Jury returned a verdict with the following expression of opinion: "The Jury are of opinion that the sale of poisons should be regulated by law and that some restriction should be put on such sale."

3. Government, in their Proceedings, Judicial Department, dated the 2nd March 1864, No. 291, remark that in the original draft of the Madras Police Act (No. XIII. of 1856) two sections were entered restricting the right to sell poisonous drugs to persons licensed by the Commissioner of Police; that these sections were struck out of the Bill during its passage through the Legislative Council, but Government recognized the expediency of the suggestion contained in Dr. Urquhart's letter and referred it to the Legislative Department.

4. In accordance with these Proceedings the subject was transferred to the Legislative Department, and on the 7th July 1864 "*A Bill to regulate the Sale of Poisonous Drugs*" was prepared and transmitted for the consideration of the Imperial Government. It was originally intended to have introduced the Bill into the local Legislative Council, but on consideration the matter was thought one which would be more fitly dealt with by the Supreme Government.

5. In a communication from the Under Secretary to the Government of India, No. 7030, dated the 29th December 1864, and published in the Proceedings of the Madras Government, Judicial Department, dated the 30th January 1865, the Imperial Government decided that it was not prepared to propose any general legislation such as suggested by the Madras Government.

6. The above letter from the Supreme Government enclosed one from E. C. Bayley, Esq., Secretary to the Government of India, dated the 6th March 1863, No. 1545, paragraph 13 of which contains the following remarks: "It is again proposed that the sale of poisonous drugs should be permitted only under license and that the possession of such drugs for sale without a license should be made an offence. But I am to remark that the correspondence received from the Government of the North-West Provinces shows that the persons who engage in the crime of robbery by administering to their victims poisonous and other drugs have no occasion to resort to the shops of druggists or others for the purchase of the drugs of which they generally make use. Dhatura and kharreera (the sweet-scented oleander), which, or preparations therefrom, are the poisons most frequently used by such persons, grow luxuriantly in jungles and gardens and are often to be found on the roadside. The restriction, therefore, proposed to be placed on the sale of deleterious drugs would in no way interfere with the use of these poisons, while

as regards opium, bhang, churas, ganja, and other intoxicating drugs, which are also used by the same classes of persons with a view to reduce their victims to a state of insensibility before they proceed to rob them, these preparations are already required to be sold under license." Under the above views the Madras Government on the 23rd January 1865, No. 20, recorded the opinion that it was inexpedient at present to legislate on this matter.

7. On the 30th November 1865 the Officiating Secretary to the Government of India addressed a letter, No. 4707, to the Secretary to Government, Fort St. George, forwarding a communication, as per margin, relating to a proposal to restrict by law the sale of poisons and calling for an expression of opinion on the subject from the Madras Government. The letter from the Superintendent, Thuggee, there alluded to, enclosed a Bill (IX. of 1865) for the regulation of poisons in the Bombay Presidency and also gave a list of *vegetable* and mineral poisons for the sale of which a license should be required, and on receipt of these the Madras Government, in their Proceedings, No. 239, dated the 16th February 1866, named the *Principal Inspector-General, Medical Department*, the *Inspector-General, Mofussil Police*, and the *Advocate-General* a Committee to report on the subject "showing the present state of the law regarding the sale of poisons and of what amendment, if any, it is susceptible," and on the 26th April 1866 the Committee submitted their report, of which the following is an abstract :—

From General Superintendent of Operations for the Suppression of Thuggee and Dacoity, No. 930, dated the 13th September, and annexures.

J. Shaw, Esq., Inspector-General, Medical Department.
W. Robinson, Esq., C.S., Inspector-General, Police.
J. D. Mayne, Esq., Advocate-General.

1*st.*—Bill IX. of 1865 (Bombay) not considered desirable; would not prevent poisoning or furnish facilities for detection at all commensurate with the *expense, additional labor*, annoyance, and oppression to which it would give rise.

2*nd.*—Mineral poisons are frequently resorted to, arsenic for instance. The law would be valueless for preventing poisoning, although it might be used for inflicting a minor punishment on the parties acquitted of the heavier charge. A law would render it more difficult to procure this class of poisons, but to make it really effective the unlicensed possession of such drugs must be made penal, &c.

3*rd.*—The law could have no effect on the more dangerous class of vegetable poisons.

4*th.*—The law would not facilitate the detection of crime.

5*th.*—An enormous additional amount of labor would be entailed on the Police, which could not be done without adding to, or altering the character of, the force.

6*th.*—It would also become a nuisance of the first magnitude to the community and be resented as an evil far greater than any it would prevent.

On the whole the Committee were of opinion that the crime of poisoning should be left, as at present, to the ordinary resources of the law, the opinion being that, if the use of mineral poisons was checked, it would direct the poisoner to vegetables, the former class being easy to detect and the latter impossible to trace.

8. The Government, in their Proceedings, Judicial Department, dated the 17th May 1866, recognized all these as objections to any interference with the present state of the law, and, concurring with the report of the Madras Committee, forwarded the opinion to the Supreme Government in letter, dated the 17th May, No. 746, with the opinion that it was not considered "advisable to restrict by *general* legislation the sale and possession of poisons."

9. Here the matter has rested till shown the *Indian Statesman* of the 30th May 1874, when my attention was called to the fact that in Oudh the Municipality by a bye-law regulate the sale of certain poisons; for instance, a man wanting to purchase any such must apply to the Mage (headman), who gives him a pass, which he must take to a licensed dealer, who has to enter all particulars in a book, and I thought that a similar practice might be observed by the Madras Municipalities and have some check on the present free trade in such drugs.

10. I therefore asked the authorities marginally noted whether there was any Municipal bye-law in their districts prohibiting the sale of poisons, and, with three exceptions, the reply was the same, *viz.*, that there was no bye-law regulating the sale of poisons in the different bazaars.

Chief Commissioner, Mysore.
Do. British Burmah.
Do. Central Provinces.
Resident, Hyderabad.
Collector and Magistrate, Trichinopoly.
Do. North Arcot.
Do. South Canara.
Do. Bellary
Do. Malabar.
Coroner of Bombay.
Deputy Surgeon-General, Mysore.
Secretary, Surgeon-General, Calcutta.
Do. do. Bombay.

11. Surgeon-Major Oswald, M.D., at Bangalore, states that the sales of white arsenic and Hydrarg. Perchloridum are only allowed in the bazaar, on the production of an order from the Magistrate, in the case of Shagers, *i. e.*, persons not known as professional men, who use the poisons in their business, and I may mention that this order was in existence at that city when I was serving there in 1837.

The Coroner of Bombay forwarded an Act (Act VIII. of 1866) in force in the Bombay Presidency, and the Surgeon-General, Calcutta, has stated that a Bill restricting the sale of poison in Lower Bengal has been drafted and is now under the consideration of Government; no orders yet issued. A list of Indian poisons forwarded.

12. Such is the state of action taken up to date in different parts of India, and although in 1866 Government decided against any *general* legislation still there might be no objection to Municipalities exercising control over the sale within their limits of poisonous drugs. There can be but one opinion of the extreme necessity which exists for some such measure, and it would, I think, be easy for a Municipality to issue a bye-law and to control the sale of poisons.

No. 278. ORDER THEREON, 31st October 1874, No. 1857.

This letter will be forwarded to all Presidents of Municipalities. They will be informed that the Government will be prepared to take into favorable consi-

deration any bye-law which the Municipal Commissioners of any town may frame for the restricted sale of poisons.

(True Extract.)

D. F. CARMICHAEL,
Acting Chief Secretary.

To all Presidents of Municipal Commissions.
,, the Surgeon-General, Indian Medical Department.
,, the Judicial Department.

Exd. A. S. Rodgers.

Govt. of 1874 Madras.

FINANCIAL.

To

All Presidents of
Municipal Commissions,
&c., &c., &c.

Dated October, 31st.

Read.

G.O., 31st October 1874, No. 1857.

OCTOBER.
Nos. 277-278.

Sale of poisons within Municipalities.—*Letter* from the Surgeon-General, Indian Medical Department, suggesting that the several Municipalities in the Presidency should frame a bye-law regulating the sale of poisons within their respective limits, forwarded to all Presidents of Municipalities with an intimation that Government will be prepared to take into favorable consideration any bye-law which may be framed for the restricted sale of poisons.

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Proceedings of the Madras Government, Judicial Department, 8th October 1862.

No. 61. Read the following letter from G. A. BALLARD, Esq., Magistrate of Malabar; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated Calicut 29th September 1862, No. 82.

I think it my duty to bring the following to your notice:—

2. Last Friday a Jail peon took his son, a boy of about 10 years of age, to the Jail Dresser at this station for medical advice. The Dresser intending to give Santonine, weighed out 3 doses. One was given to the boy according to direction. He was speedily seized with convulsions and died in a few hours. His people gave the other powders to a cat, which died almost immediately. The Dresser found that instead of Santonine he had given Strychnine. He at once reported matters to his departmental superior, by whom he was brought to me. I have taken informations, and the case will be disposed of in due course.

Boy killed by Strychnine given in mistake for Santonine.

3. My object in now writing to you is to bring to notice that the two vials, containing one Santonine and the other Strychnine, appear to have been kept on a separate shelf in the medicine almyra; but that they were kept together; and that even the common precaution of writing the word "poison" on the Strychnine label had not been taken. The vial was simply labelled Strychnine (oz. $\frac{1}{8}$) in writing.

Words of precaution

4. However culpable the carelessness of the Dresser may have been in not examining the label before giving out the contents of the vial, I cannot but think that equal blame attaches to the gross carelessness that allowed such a dangerous medicine to be issued from the stores without greater precaution in the marking; and as Magistrate, I bring the case and its consequences thus prominently to the notice of Government, that such orders as they deem necessary may be issued on the subject.

No. 62. Order thereon, 8th October 1862, No. 1,654.

Referred for full report to the Principal Inspector General, Medical Department.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.

No. 130. Read the following letter from ROBERT COLE, Esq., Principal Inspector General, Medical Department, Fort Saint George; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated 5th November 1862, No. 204.

With reference to the Order* of Government calling for a report on the late poisoning case at Calicut, I have the honor to state, that full inquiry has been made, and it appears that the Strychnine in question was supplied from the Cannanore Depôt, in the usual way, no label indicating it to be "Poison" having been affixed, which it is not usual to do at the Depôts of Medical Stores; but the Regulation† is very precise that it shall be done by the receiving Officer; but it would seem not to have been carried into effect in the case of this virulent drug, though attention was paid to the rule as to other less potent medicines. By a strange mischance, too, the *Strychnine* was placed apart from the other articles in Store, with a comparatively innocuous drug, *Santonine*, the two names having the first and concluding letters the same—hence the error in preparing the medicine. The Deputy Inspector General of Hospitals, in his last Report on the Calicut Jail, states that the medicines were not duly labelled by the Dresser (one C. Mootoosawmy, since discharged the service, having been convicted by the Magistrate of stealing medicines). It will be seen from Dr. Cleveland's (the then Civil Surgeon) letter accompanying, that strict orders were given regarding the labelling, and personal examination made; but, unhappily, the Strychnine must have been overlooked; for the succeeding‡ Civil Surgeon Dr. Wyndowe, reports in the letter§ now forwarded, that the bottle had not the precautionary word affixed.

* 8th October 1862, No. 1,051.

† Medical Code, Section XI, para. 20.

"To obviate risk of accidents, the Medical Board direct the word "*Poison*" in clear characters, to be written on the label of those phials, &c., which contain medicine of a dangerous nature, in all Dispensaries, Civil and Military; and prescriptions for any of the Medicines alluded to, should invariably be prepared by the Apothecary or Dressers and not by Medical Pupils."

2. Though orders may be given by a superior Officer to a Subordinate, the former cannot be exempted from blame, should any evil consequences result from the disobedience or neglect of the latter; because, it is needless to say, if an Officer issues an order, he should see to its fulfilment. Blame must therefore attach to Dr. Cleveland; in a very minor degree to Dr. Arnold also; and to a greater extent than the last named Officer, to Dr. Wyndowe; for, in assuming charge, he should have taken care to see that the regulations of the service were observed in all points.

3. The Dresser has been guilty of neglect in not attending to a standing rule of the Department, well known and much dwelt upon, in not labelling the most potent of poisons; which it was his duty to have done, as the medicines were in his charge, without any special order from his superior and he was very careless, notwithstanding the absence of the distinguishing word, in dispensing one medicine for the other, for the name of the medicine and its powers were well known to him.

4. I have issued orders that, when medicines are sent out from the Principal Depôt at Madras to the Divisional ones, the precautionary word shall be affixed to the poisonous articles; and Divisional Storekeepers will have supplied to them printed labels to affix to all such medicines issued by them, for the use of Hospitals.

From E. S. CLEVELAND, Esq., M. D., Officiating Garrison Assistant Surgeon, Bangalore; to H. G. GRAHAM, Esq., Deputy Inspector General of Hospitals, Mysore Division, dated Bangalore, 18th October 1862, No. 65.

In reply to the letter marginally noted, I have the honor to submit that the conduct of the Dresser C. Mootoosawmy (who, upon my recommendation has since been discharged the service) was frequently noticed in my letters and reports, and his neglect of duties and disobedience of orders, verbal and written, were fully

No. 65, dated Bangalore, 18th October 1862.

From Secretary to the Principal Inspector General, Medical Department, dated 15th October 1862, No. 2,531.

‡ Assistant Surgeon Arnold was in temporary charge from 30th June till 11th August 1862, at which latter date Dr. Wyndowe took charge.

§ No. 107, dated Calicut, 27th September 1862, and No. 124, dated Calicut, 25th October 1862.

made known to Deputy Inspector General Linton, at his last annual inspection of the Hospitals at Calicut.

2. I spent the better part of two days in personally seeing all the drugs under the charge of this subordinate duly and correctly labelled, a little prior to his dismissal in March last. Two labels were, in my presence, affixed to each bottle, and the word "Poison" attached to such requiring it, as laid down in Section XI, para. 20, page 123 of the Medical Code.

3. The subject of dispensing, and the recommendation of labels being printed at the District press at public cost, will be found noticed in one of my very last Civil Dispensary Reports; not having access to past Records, I am unable to furnish the dates, &c., but, advert to this, to show there was no want of attention on my part in the question under investigation.

4. It may happen, that on receipt of fresh drugs from the Medical Stores new bottles may have been retained and old ones removed; but I venture to state that 98 per cent. of the bottles will be found old ones, still bearing *two labels* and the word "Poison" attached to such requiring it.

5. It is my practice to inspect the drugs frequently, as an inquiry at the Hospitals at this Station will satisfy you, and I have nothing more to add in exculpating myself from any blame attaching to the late accident which occurred at Calicut three months after my relinquishing all charge and responsibility connected with its Hospitals.

From S. JARDINE WYNDOWE, Esq., M.D., Civil Surgeon, Malabar; to H. G. GRAHAM, Esq, Deputy Inspector General of Hospitals, Mysore Division, dated Calicut, 27th September 1862, No. 107.

I regret to have to bring to your notice a case of, I believe, accidental poisoning on the part of Second Dresser C. Menzies, No. 541, d. d. Jail Hospital here.

Yesterday the Dresser informed me that in the morning a Jail Peon asked him to prescribe for his child, he did so and gave him what he supposed to be three, half grain doses of Santonine for worms, from which the child was suffering; about 3 hours after the first powder was administered, the Peon brought the child to the Jail Hospital in a state of violent tetanic convulsions, before any remedy could be made use of the child died; the remaining two powders were administrated to a kitten and occasioned its death also.

Immediately upon receiving this report from the Dresser, I accompanied him to Hospital and found in the medicine Almirah, on the lower shelf lying on some tow and apart from other medicines two small phials, one a little larger of the two, corked but not tied down was labelled Santonine; the other, the smaller corked, and tied down, was labelled Strychnine, this one had evidently been recently opened, and on questioning the Ward cooly, he said it was from that phial the Dresser had given the medicine in the morning.

I then accompanied the Dresser to the Magistrate's Court who received his deposition, directed the exhumation of the body of the child which I this morning examined and removed from it the stomach, portion of intestine kidney, a portion of the liver and spleen; these put in jars covered with spirit and sealed, I have forwarded to the Magistrate for transmission to the Chemical Examiner at the Presidency, as also the body of the kitten. The Dresser has been committed for trial at the Sessions, but released on bail.

Pending further instructions from you, I have directed 3rd class Hospital Assistant A. Paul, No. 635, to take charge of the Dresser's duties at the Jail Hospital.

(Signed) H. G. GRAHAM,
Deputy Inspector General of Hospitals.

From S. JARDINE WNYDOWE, Esq., M. D, Civil Surgeon, Malabar; to H. G. GRAHAM, Esq., Deputy Inspector General of Hospitals, Bangalore, dated Calicut, 25th October 1862, No. 124.

As directed in your letter No. 385, dated 20th October 1862, I have the honor to submit the enclosed list of poisonous medicines. Though prepared from memory it is, I believe, correct.

Immediately after the accident I had all the medicine re-labelled. The bottle containing Strychnine is exactly as received this year from the Medical Depôt, and is at present in the possession fo the Civil Judge.

List of Medicines of a more directly poisonous nature in Jail Hospital, Calicut, as they were labelled on the 27th September 1862.

Medicine.	Label.	Remarks.
Antimonii Potas. tart...	Name and Poison.	
,, Oxysulph....	Do.	
Hydrargyri Bichlorid...	Do.	
,, Ntrico-Oxydum.. ...	Name only.	In paper parcel.
Liquor Plumbi Diacetas...	Name and Poison.	
Opium	Do.	
Tinctura Digitalis...	Name only.	
,, Opii	Do.	
Acidumy Hdrocyanicum...	Do.	Covered up with paper.
Liquor Opii Sedatio...	Do.	
Morphiæ Hydrochloras...	Do.	
Strychnine...	Do.	
Vinum Opii...	Name and poison.	
Zinic Chloridum...	Do.	

(Signed) S. JARDINE WYNDOWE, M. D.,
Calicut, 25th October 1862.

No, 131. ORDER THEREON, 15th December 1862, No. 2,030.

The Governor in Council considers that Assistant Surgeons Cleveland, Arnold and Wyndowe are all more or less responsible for the lamentable accident which forms the subject of the foregoing letter. The examinations of the Stores referred to in para. 2 of Dr. Cleveland's letter must have been very imperfect, when so deadly a poison was allowed to remain unlabelled, and both Dr. Arnold and Dr. Wyndowe are much to blame in not having ascertained, when they took charge of the Dispensary, that all poisonous medicines were duly labelled.

2. The carelessness shown by the 2nd Dresser who administered the poison is altogether without excuse. The bottle, it appears, was labelled with the name of the medicine it contained, and the Dresser cannot have done more than glance at the label, although he was aware that on the shelf from which he took the bottle, one containing the most deadly poison was placed. The Governor in Council cannot permit a man who has been guilty of such gross negligence to continue in the Medical Service of Government. Orders will accordingly be issued in the Military Department for the discharge of the 2nd Dresser C. Menzies.

3. His Excellency in Council is further of opinion that a radical change is needed in the system under which poisonous drugs are issued from the Medical Store Office at Madras, and in the arrangements made for their safe keeping in the local Dispensaries.

4. It appears from Dr. Cole's letter that it has been the "usual way" for the Medical Store Office at Madras to issue to the Provincial Depôts poisonous drugs by wholesale without any label to designate their deadly character. It has also been "usual" for up country Depôts to re-issue these dangerous medicines to the local Hospitals and Dispensaries without anything to distinguish them from the most harmless drugs. The Regulation is indeed "very precise" that the labels are to be put on by the receiving offices, but how that duty has been performed, at the Calicut Jail Hospital at least, may be seen from Dr. Cleveland's letter in which he says that "it may happen that on receipt of fresh drugs from the Medical Stores, new bottles (not labelled) may have been retained and old ones removed," as well as from the fact that when this sad occurrence took place, one-half (7 out of 14) packets or bottles in the Jail Hospital containing deadly medicines had not the poison label.

15-10-7nd

Poisonous Drugs

Proceedings of the Madras Government, Judicial Department, 15*th December* 1862.

5. Dr. Cole has now issued orders that when medicines of a poisonous character are sent out from the Principal Depôt at Madras, they shall be so labelled, and that the same course shall be observed at the Divisional Depôts on their re-issue thence. This is well so far as it goes—but in the opinion of His Excellency in Council it does not go far enough. All medicines of a dangerous quality should be kept in a separate almirah, box or chest apart from the other drugs, and so placed that they cannot be taken for use unless with full knowledge and design. The poison labels should be not only in English, but in the Vernacular languages, Tamil and Teloogoo, and it would be well if all bottles or papers containing poisonous drugs, or at any rate the labels, were to be of some particular color, so that the nature of their contents could be known at a glance. Medical Officers in charge of Dispensaries, Hospitals or Medical Depôts, Civil or Military, should be required to report periodically that these precautions have been observed in the places under their charge, and the Deputy Inspector General should particularly note in their reports how this order has been obeyed, and if they find in the course of their tours that it has not been duly carried out, should remain at the station and see it done. This indeed should extend to the labelling and arranging of *all* medicines, poisonous or non-poisonous, for it is evident that in some disorders the exhibition of a wrong medicine, although not *per se* of a dangerous character, may be attended with as fatal consequences, as the giving of drugs actually poisonous.

6. The Principal Inspector General of the Medical Department will lose no time in preparing instructions on this important subject. They should be submitted to Government for their consideration before being issued.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

3-69-11

Exd. T. McMootry.

13

Proceedings of the Madras Government, Judicial Department, 10*th January* 1863.

No. 33. Read the following letter from R. COLE, Esq., Principal Inspector General Medical Department, Fort Saint George; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated 22nd December 1862, No. 234.

In acknowledging receipt of Proceedings of Government and Order thereon, dated 15th December 1862, No. 2,030, I have the honor, in obedience thereto, to submit the following directions which I propose to issue to my Department on the subject of poisonous drugs in the Stores.

2. I beg to point out, with reference to the observations of Government as to poisonous drugs not having a precautionary word affixed in the Store Depôts, that there no *dispensing* takes place; the drugs are there *in bulk*, at the Presidency Depôt in the state in which they are received from Europe from the Manufacturer or Druggist, without any mark to indicate deleterious qualities; and very many are transferred, in the bottles, &c., in which they are originally received, to the Divisional Stores. It is evident that danger lies only when these medicines come to be *dispensed*, and therefore the rule to indicate the poisonous quality of a drug, has hitherto been restricted to medicines in Hospitals and Dispensaries, where the Medical Officer in charge is ordered to see the mark affixed. Too much care, however, can hardly be used, and the instructions of Government will in future be carried out, and all issues from the General Depôt to the Provinces will be marked, and labels will be supplied to affix to poisonous drugs sent out for administration.

RULES REGARDING THE CUSTODY OF POISONOUS DRUGS.

1. The Medical Storekeeper of the General Depôt at Madras, and all Divisional Storekeepers, are enjoined not to issue any drugs which have been known to cause death, or to give rise to accidents in dispensing, without the word POISON, in large printed characters, being affixed to the bottle, vessel or box containing the drug. The word *poison* should invariably be in *larger characters* than the names of the medicines.

2. For this purpose the Medical Storekeeper at the Presidency will provide himself with *labels* printed on yellow paper, with the word "Poison" in large English characters, and in Tamil, Teloogoo, and Hindoostani, to affix to all bottles, &c., containing such articles which he issues; and he will send with his supplies to Divisional Storekeepers labels, of convenient sizes to suit smaller bottles and vessels, which the latter Officers are held responsible for having affixed to all their issues to Hospitals.

3. In Hospitals and Dispensaries these medicines will be kept separate from all others, in a box or drawer, and the latter also shall have the word POISONS affixed, and no other drugs shall be kept therein. When medicines are in large quantity, as Tint. of Opium, of course it will be necessary to keep apart only the phial from which the medicine is being used for prescriptions, the bulk of the Tincture being put out of the way on the upper shelf of the Almirah.

4. Medical Officers will, in their Annual Reports on their charge, certify in a *foot note*, to the following effect:—I certify that the orders respecting the custody of poisonous drugs, issued by the Principal Inspector General Medical Department, dated December 1862, are fully carried out; and Deputy Inspectors General will, in their Annual Inspection Reports, in reporting on the condition of medicines, state whether these orders are obeyed in the case of all poisonous drugs; and it is to be understood that, in such cases as they may find them unattended to, they will enter the circumstance in their reports, and (if at an out-station) not leave the place without seeing the order fulfilled. In their weekly visits to Hospitals at Head Quarters, they will occasionally examine the medicines with reference to this point.

(Signed) R. COLE,
Principal Inspector General Medical Department.

No. 34. ORDER THEREON, 10th January 1863, No. 31.

The rules submitted with the foregoing letter are approved subject to the following additions and alterations.

Proceedings of the Madras Government, Judicial Department,
10th January 1863.

2. At the end of rule 2 the words "and Dispensaries" should be added, and then the following sentence should be introduced. "On the labels affixed to bottles containing poisonous medicines intended for use at places where Malayalum or Canarese is the Vernacular language of the District as at Calicut, Cannanore, Mangalore or Bangalore, the word poison should be printed in such Vernacular language as well as in English, Tamil, Telugu and Hindustani.

3. At the end of rule 3 for the words "on the upper shelf of the Almirah" the words "in a box carefully locked," should be substituted. It appears to the Government to be inexpedient that poisonous medicines should be kept in the same Almirah as ordinary medicines even in bulk.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Proceedings of the Madras Government, Judicial Department,
2nd March 1864.

No. 43. Read the following letter from J. URQUHART, Esq., Coroner of Madras; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 22nd December 1863.

I have the honor to state that at an Inquest held before me at the lines of the 4th Regiment N. I. at Washermanspettah on the 2nd instant, and by adjournment at the hospital of the 4th Regiment N. I. at Big Parcherry, Black Town, on the 11th instant, touching the death of Mahomed Khan, the Jury after returning as their verdict, "Deceased died from the effects of opium taken by himself, he being an infant under the age of discretion, and not knowing opium to be poison," made the following presentment, which I beg to submit for the consideration of the Honorable the Governor in Council:—

"The Jury are of opinion that the sale of poisons should be regulated by law, and that some restriction should be put on such sale.

"From the evidence in this case, it appears that any amount of opium can be bought openly in the bazaar by any one. The Jury beg that the Coroner will be so good as to bring this matter to the notice of Government as soon as possible."

No. 44. ORDER THEREON, 2nd March 1864, No. 291.

It is observed that in the original draft of the Madras Police Act, No. XIII of 1856, two Sections were entered restricting the right to sell poisonous drugs to persons licensed by the Commissioner of Police, which Sections, however, were struck out of the Bill during its passage through the Legislative Council.

2. The Governor in Council considers it very desirable that the sale of such drugs should be restricted by law, and he accordingly directs that the letter be transferred to the Legislative Department, in order that the expediency of introducing a Bill for this purpose into the Council for making Laws and Regulations may be considered.

(True Extract.)
A. J. ARBUTHNOT,
Chief Secretary.

To the Coroner of Madras.
„ Commissioner of Police, Madras.
„ Legislative Department.

Exd. J. Tulloch.

Bill to regulate sale of Poisons

Proceedings of the Madras Government, Legislative Department,
7th July 1864.

No. 3. Read the following Proceedings of Government in the Judicial Department, dated 2nd March 1864, No. 291.

Transferring a letter from the Coroner of Madras, dated 22nd December 1863, in order that the expediency of introducing a Bill into the Madras Council for making Laws and Regulations, for the purpose of regulating and restricting the sale of poisonous drugs, may be considered in the Legislative Department. } (Vide Proceedings, Judicial Department, dated 2nd March 1864, Nos. 43 & 44.)

A Bill to Regulate the sale of Poisonous Drugs.

WHEREAS the unrestricted sale of Poisonous Drugs facilitates the commission of Crime, it is enacted as follows :—

I. It shall be lawful for the Local Government to publish in the Fort Saint George and District Gazettes, lists of Poisonous Drugs, and from time to time to add to or vary the same ; and the term Poisonous Drugs in this Act shall be taken to mean such Drugs as are for the time being included in the said lists.

II. The Commissioner of Police in the town of Madras, and in all other places the Magistrate of the District or such other Officer as the Governor in Council may authorise, shall be empowered to issue licenses for the manufacture or sale of all, or any specified Poisonous Drugs, and such licenses shall be in the form stated in Schedule A of this Act, and shall be registered in a book kept for that purpose. Such license may be refused, or may be cancelled by the Officer authorised to grant it, if he shall be of opinion that the applicant, or the person to whom it was issued, is not a fit person to be entrusted with it.

III. Where any license is cancelled, a notification to that effect shall be made in the Registry book, and the party holding the license shall be bound, upon demand, to return it to the office from which it was issued.

IV. Any person who shall manufacture or sell, or who shall keep for the purpose of manufacture or sale, any Poisonous Drugs for which he shall not possess a license, or in respect of which his license shall have been cancelled, or who shall neglect to deliver up his license within a reasonable time after its return shall have been demanded of him, shall be liable, on conviction before a Magistrate, to imprisonment of either description, with or without hard labor, for a period not exceeding six months, or to a fine not exceeding the sum of Rupees two hundred, or to both fine and imprisonment, and all such Poisonous Drugs found in his possession shall be confiscated and sold for the benefit of the Government.

V. Every person who shall sell any Poisonous Drugs shall forthwith, and before the delivery of such Poisonous Drugs to the purchaser, enter or cause to be entered in a fair and regular manner, in a book or books to be kept by such persons for that purpose, in the form set forth in the Schedule to this Act marked B, or to the like effect, a statement of such sale, with the quantity of Poisonous Drugs so sold, and the purpose for which such Poisonous Drugs are required or stated to be required, and the day of the month and year of the sale, and the name, place of abode, and condition or occupation of the purchaser, into all which circumstances the person selling such Poisonous Drugs is hereby required and authorised to enquire of the purchaser before the delivery to such purchaser of the Poisonous Drugs

sold, and such entries shall in every case be signed by the person making the same, and shall also be signed by the purchaser, (unless such purchaser profess to be unable to write,) in which case the person making the entries hereby required shall add to the particulars to be entered in relation to such sale the words "cannot write," and, where a witness is hereby required to the sale, the entry shall also be signed by such witness, together with his place of abode.

VI. No person shall sell Poisonous Drugs to any person who is unknown to the person selling such Poisonous Drugs, unless the sale be made in the presence of a witness who is known to the person selling the Poisonous Drugs, and to whom the purchaser is known, and who signs his name, together with his place of abode, to such entries, before the delivery of the Poisonous Drugs to the purchaser, and no person shall sell Poisonous Drugs to any person under the age of sixteen years.

VII. If any person shall sell any Poisonous Drugs, save as authorized by this Act, or on any sale of Poisonous Drugs shall deliver the same without having made and signed the entries hereby required on such sale, or without having obtained such signature or signatures to such entries as required by this Act, or if any person shall sign his name as aforesaid as a witness to a sale of Poisonous Drugs to a person unknown to the person so signing as witness, every person so offending shall be liable, on conviction before a Magistrate, to imprisonment of either description for a period not exceeding six months, or to a fine not exceeding the sum of Rupees 200, or to both.

VIII. Sections V. VI. and VII. of this Act shall not extend to the sale of Poisonous Drugs when the same form part of the ingredients of any medicine required to be made up or compounded according to the prescription of a legally qualified medical practitioner or a member of the medical profession, or to the sale of Poisonous Drugs by wholesale to retail dealers, upon orders in writing in the ordinary course of wholesale dealing.

IX. This Act shall come into force on the day of 1864.

SCHEDULE A REFERRED TO IN SECTION II.

License for sale of Poisonous Drugs.

A. B. is hereby authorized to *sell* (or *manufacture*, or *sell and manufacture,)* all *(if only some, specify which)* Poisonous Drugs. Such sale (or *manufacture* or *both)* is to be carried on only at house No. . This license is liable to be cancelled upon any breach of its terms, or of the provisions of Act No. of 1864, Madras.

Date.

(Signature of Officer issuing license.)

SCHEDULE B REFERRED TO IN SECTION V.

Day of sale.	Name and surname of purchaser.	Purchaser's place of abode.	Condition or occupation.	Quantity of Poisonous Drugs sold.	Purpose for which required.

(Purchaser's signature.) Witness. Seller's signature.

Or if purchaser cannot write, seller to put here the words "cannot write."

No. 4. To the Secretary to the Government of India, Home Department, (Legislative,) dated Fort Saint George, 7th July 1864, No. 181.

I am directed by the Governor in Council to submit, for the consideration of His Excellency the Viceroy and Governor General in Council, the annexed copy of an order passed by the Madras Government on a letter from the Coroner of Madras, bringing to notice the presentment of an Inquest held before him, suggesting that the sale of poisons should be regulated by Law.

2. It was the intention of the Governor in Council to direct that a Bill on the subject should be introduced into the local Council for making Laws and Regulations, and a Bill was accordingly prepared for the purpose, a copy of which is sent herewith. On further consideration it has appeared to His Excellency that the subject is one which can be more fitly dealt with by the Imperial Government; and I am accordingly to request that the subject may receive the consideration of His Excellency the Viceroy and Governor General in Council.

(Signed) J. D. MAYNE,
Asst. Secretary to Government,
Legislative Department.

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Proceedings of the Madras Government, Judicial Department,
30th January 1865.

No. 271. Read the following Proceedings of Government in the Legislative Department.

Read letter from A. COLVIN, Esq., Officiating Under Secretary to the Government of India, to J. D. MAYNE, Esq., Assistant Secretary to Government, Fort Saint George, Legislative Department; dated Fort William, 29th December 1864, No. 7030.

Home Department.
Legislative.

I am directed to acknowledge the receipt of your letter, No. 181, dated the 7th July, on the subject of regulating the sale of poison by law.

2. In reply, I am directed to transmit to you the accompanying copy of a letter, addressed to the Government of the North-Western Provinces, No. 1545, dated the 6th March 1863, and to state that, with reference to the concluding paragraph of that letter, the Governor General in Council is not prepared at present to propose any general legislation, such as has been suggested by the Government of Madras.

G. of I. not prepared to propose any Genl legislation

3. I am directed to express regret at the delay which has occurred in replying to your letter, and to explain that it has been caused in procuring from another Department correspondence bearing on the question.

From E. C. BAYLEY, Esq., Secretary to the Government of India, to J. D. SANDFORD, Esq., Officiating Secretary to the Government of the North-Western Provinces; dated Fort William, 6th March 1863, No. 1545.

Home Department.
Judicial.

Sir George Couper's letter, No. 849A, dated the 20th of October, having, with its enclosures and the papers noted in the margin, been laid before the Honorable the President in Council, I am directed to communicate the observations and orders of the Government of India thereon, in the following terms:

From Secretary to Government North-Western Provinces, to Secretary to Government of India, Foreign Department, No. 475, dated 11th June 1860, with enclosures.
Ditto, ditto, No. 753B, dated 13th February 1862, with enclosure.

2. In the 6th paragraph of the letter under acknowledgement, the Honorable the Lieutenant Governor states that on three occasions the attention of the Government of India has been invited to the crime of "theft or robbery by poisoning," with a view to special legislation, or action of some kind.

Penal & Cr P Codes contain ample provisions

3. It appears to the Honorable the President in Council that the Indian Penal Code and the Code of Criminal Procedure contain ample provisions for the suppression of the crime in question, and for the detection, conviction, and punishment of persons guilty of the same; and that what is required is not any new or special Law, or any action on the part of the Government of India, but that the existing law should be properly and intelligently administered by the local Authorities.

4. There can be no doubt, the President in Council thinks, that the offence which is declared in the correspondence received from the Government of the North-Western Provinces to be so prevalent in those Provinces is "*robbery*," not simply "*theft*." Section 390 of the Indian Penal Code declares that theft is "robbery," if, in order to the committing of the theft, or in committing the theft, or in carrying away, or in attempting to carry away, property obtained by the theft, the offender, for that end, voluntarily causes, or attempts to cause, to any person death or *hurt*, or wrongful restraint, &c. According to Section 319 of the Code, whoever causes bodily pain, disease, or infirmity, to any person, is said to cause hurt. Any hurt which endangers life, or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits, is declared by Section 320 to be "grievous." Section 321 declares that whoever "does any act with the intention of causing hurt to any person, or with the knowledge that he is

"likely thereby to cause hurt to any person," is said "voluntarily to cause hurt;" and Section 322 points out what constitutes the "voluntarily causing grievous hurt." That the administering poison with a view to rob the person to whom the poison is administered, whereby, if death does not actually ensue, life is almost always endangered, and insensibility, or violent retching, or vomiting and purging generally caused, is within the definition of "voluntarily causing hurt," or "grievous hurt," appears to the Honorable the President in Council to admit of no doubt.*

* (See note on Indian Penal Code by Morgan and Macpherson, page 287, where, in treating of "hurt," it is remarked a person who mixes a deleterious potion and places it on the table of another may cause serious hurt, &c.)

5. Section 394, to which no allusion is found in the correspondence from the North-West Government, enacts:—"If any person in committing or attempting to commit robbery, voluntarily causes hurt, such person, and any other person jointly concerned in committing or attempting to commit such robbery, shall be punished with transportation for life, or with rigorous imprisonment for a term which may extend to ten years, and shall be liable to fine."

6. Section 310 says:—Whoever shall have been habitually associated with any other, or others, for the purpose of committing robbery by means of, or accompanied with, murder, is a Thug; and the next Section provides that whoever is a Thug shall be punished with transportation for life, and shall also be liable to fine. His Honor in Council has no doubt that the provisions of the two Sections just quoted would be found applicable to very many of the persons who are alleged to be associated together in this country for the purpose of committing robbery by poisoning, or who may hereafter become so associated; and that such persons might be proceeded against under the laws and rules which have from time to time been passed for the suppression of Thuggee.

7. Section 401 of the Penal Code provides that whoever shall belong to any wandering or other gang of persons associated for the purpose of habitually committing theft, or robbery, shall be punished with rigorous imprisonment, for a term which may extend to seven years, and shall also be liable to fine. This Section would doubtless reach many of the persons mentioned in the last preceding paragraph, who might not be within reach of the Section therein quoted.

8. Section 328 of the same Code declares that whoever administers to, or causes to be taken by, any person, any poison, or any stupefying, intoxicating, or unwholesome drug, or other thing, with intent to cause hurt to such person, or with intent to commit or to facilitate the commission of an offence, or knowing it to be likely that he will thereby cause hurt, shall be punished with imprisonment of either description, for a term which may extend to ten years, and shall also be liable to fine.

9. Section 296 of the Code of Criminal Procedure declares that whenever it shall appear to the Magistrate of the District, or to an Officer exercising the powers of a Magistrate, that any person is by repute a robber, or thief, or of notoriously bad livelihood, such Magistrate, or other officer, may require security for the good behaviour of such person for a period not exceeding one year, which period may be extended, under the circumstances stated in the following Section, to three years; and Section 301 provides that, in default of finding the required security, the party may be imprisoned for the full period for which he has been required to give security.

10. Section 209 and 210 of the Criminal Procedure Code contain provisions for the tender of pardon to offenders with a view to secure the conviction of other persons; and Section 54 provides for the remission of punishment after conviction, including (as it appears to the President in Council) the suspension of punishment. The Section says "when any person has been sentenced to punishment for an offence, the Governor General of India in Council or the Local Government, may, at any time, without conditions, or upon any conditions which such person shall accept, remit the whole, or any part, of the punishment to which he shall have been sentenced."

11. With this large body of substantive Criminal Law and Criminal Procedure Law in operation, it appears to His Honor in Council that it cannot be said that the Legislature has not done its duty, or that it has failed to make ample provision for the suppression of the particular crime under consideration, and the detection, conviction, and punishment of those who are

Proceedings of the Madras Government, Judicial Department,
30th January 1865.

guilty of the same. And it certainly does seem to His Honor in Council that if the Criminal Authorities, in the North-Western Provinces, with all these provisions of law in their hands, are unable effectually to cope with the crime, the defect must be not in the law itself, but in the administration of the law, and in the absence of proper arrangements for carrying out its provisions.

12. With regard to what is called the "Approver system," as it is now applied to the crimes of Thuggee and Dacoitee, and the proposed extension of that system to the crime of robbery by poisoning, the President in Council observes that the system rests upon no express provision or authority of Law, beyond what is contained in the Section of the Code of Criminal Procedure relating to the conditional or unconditional remission of punishment, which has been already quoted (Section 54), and in that part of the Law of Evidence, now in force, which declares that no person shall be incompetent to be a witness, in any case, by reason of a conviction for any offence. The system was introduced in the year 1837, not by recourse to legislation, beyond the alteration in the Law of Evidence just mentioned (see Act No. XIX of 1837), but by Circular instructions approved of by the Governor General in Council, and issued by the Court of Nizamut Adawlut for the Lower Provinces of Bengal, under Order, No. 247, dated the 22nd September 1837. These instructions, as originally issued, applied to the crime of Thuggee only, but they were subsequently extended to the crime of Dacoitee. Similar instructions have been issued at different times to the Criminal authorities in the North-Western Provinces, and are still in force in those Provinces. There is ground for believing that the Section of the Criminal Procedure Code (54), relating to the remission of punishment, on conditions, or without conditions, was introduced specially to legalize the use of approvers convicted of Thuggee or Dacoitee, with a view to the conviction of others guilty of the like offences, and their remand to Jail, again to undergo imprisonment, in the event of their failing to fulfil the conditions on which they may have been let out of Jail. It is only necessary to add that the exercise of the power given to this Section is not confined to the Governor General in Council: the power may be exercised by any Local Government. The attention of the Lieutenant-Governor of the North-Western Provinces does not appear to have been directed to this Section.

13. It is again proposed that the sale of poisonous drugs should be permitted only under license, and that the possession of such drugs for sale, without a license, should be made an offence. But I am to remark that the correspondence received from the Government of the North-Western Provinces shows that the persons who engage in the crime of robbery, by administering to their victims poisonous and other drugs, have no occasion to resort to the shops of Druggists or others, for the purchase of the drugs of which they generally make use. Dhatoora and Kharreeara (the sweet scented oleander), which, or preparations therefrom, are the poisons most frequently used by such persons, grow luxuriantly in jungles and gardens, and are often to be found on the road side. The restriction, therefore, proposed to be placed on the sale of deleterious drugs would in no way interfere with the use of these two poisons; while as regards Opium, Bhang, Churus, Ganja, and other intoxicating drugs, which are also used by the same classes of persons, with a view to reduce their victims to a state of insensibility before they proceed to rob them, these preparations are already required to be sold under license,

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Order, 23rd January 1865, No. 20.

Upon a consideration of what has been stated by the Government of India in the letters above recorded, the Governor in Council deems it inexpedient at present to legislate on the subject therein referred to.

not desirable to legislate at present.

(True Extract).

(Signed) J. D. MAYNE,
Assistant Secretary to Government,
Legislative Department.

15-10-71

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Proceedings of the Madras Government, Judicial Department,
30th January 1865.

No. 272. ORDER THEREON, 30th January 1865, No. 163.

Communicated to the Magistrates of Districts and of Police, and to the Inspectors General of Police and Jails, for information.

(True Extract).

A. J. ARBUTHNOT,
Chief Secretary.

To the Magistrate of
" Magistrate of the Police Court.
" Inspector General of Police.
" Inspector General of Jails.

Exd. J. H. Burns

Revival of the subject

2/2

Proceedings of the Madras Government, Judicial Department,
16th February 1866.

No. 160. Read the following letter from the Officiating Under Secretary to the Government of India, to the Secretary to the Government of Fort Saint George; dated Fort William, 30th November 1865, No. 4707.

Home Department,
Legislative.

I am directed to forward a copy of the papers noted in the margin, relating to a proposal to restrict, by law, the possession and sale of poisons, and to request that the Governor General in Council may be favored with the opinion of His Excellency the Governor in Council whether such a measure for all India would be likely to be productive of good, without proving at the same time an engine of oppression.

From General Superintendent of Operations for the Supression of Thuggee and Dacoity, No. 930, dated 13th September, and annexures.

From the General Superintendent of Operations for the Suppression of Thuggee and Dacoity, to the Secretary to the Government of India,—No. 930, dated Simla, the 13th September 1865.

Bombay Bills

I beg to submit, to the notice of Government, the annexed draft of a Bill " to regulate and restrict the sale of poisons in the Bombay Presidency" as proposed in the Local Legislative Council, and published in the Supplement to the *Bombay Government Gazette*, dated 4th instant, this morning come to hand.

2. In the correspondence which I some years previously had with the Bombay Government, on the subject of the expediency of amending the Laws relating to the crime of poisoning, it was remarked by the Honorable the Governor in Council that I had quite shown the necessity for such a measure; but it will be perceived that it was only when public horror was excited by the poisoning of several European children of the Byculla Charity Schools that the present Bill was brought in.

3. I have, from time to time, ventured to urge the adoption of like measures upon the notice of the Government of India. The prevalence of the crime of poisioning in many directions justified me in the step; and although I may not say that a similar catastrophe is necessary to arouse the same attention to the subject, the serious extent to which the crime has reached, and its unabated progress throughout the country, will absolve me for enquiring, *why*, under as dire a necessity, the same and even greater restrictions should not be imposed by the Supreme Government everywhere.

4. In the Report on the administration of Criminal Justice in the North-Western Provinces for 1864-65, just published, it is noticed that crimes analogous to Thuggee, and the giving of stupifying drugs, had revived; and a case is quoted, which presented " all the ordinary features of the old Thuggee system" (the manifestation of which, I regret to say, is not confined to that single instance), of a Chumar personating a highly connected Thakoor. " He was ex- " tremely well dressed, in red turban, a chintz tunic, and a gold necklace. He induced a Na- " tive *bhailee* driver to take him from Itmadpore, in the Agra District, towards Jeytra, whither " he said his son had preceded him in a palkee; on the third day's journey, he stupified the " carter with some intoxicating drug, left him on the road side, and carried off the cart and bul- " locks. This man was said to have been accompanied by twenty Marwaries, men and women."*

In Bengal, the crime had gained such head without detection, that the Local Superintendent of Detective Police was recently directed by the Lieutenant-Governor to place himself in communication with me, and the inquiries which have resulted have led to such astonishing revalations of its fatal extent in that direction, and are attended with such horrible details, that I am left to wonder what the Police could have been about. Several recent instances in Oude show that it is successfully practised there, combined in some cases, as in Bengal, with strangulation after drugging. I do not receive any reports of its

* Quoted from the Pioneer of the 8th September 1865: " The operations of a similar gang of poisoners of hackery drivers, whose field extended from Bundlecund to Oude and Hurdwar, were reported in full detail in my Despatch, in the Foreign Department, No. 794, dated 15th September 1863, paragraphs 19 and 24.

occurrence in the Central Provinces, in Madras, and Bombay territory ; but I have no reason for believing that it does not prevail in those countries. My impression, from observation, being that it exists to a much greater extent in them than is reported or is known,—some cases last year in the former territory having been of a very diabolical nature ; while in the Punjab the example I last year brought to notice, of an escaped Thug approver committing, with associates, in the space of three months only between his escape and capture, so many as *eighteen* cases of it, with fatal effects in almost every instance. Some subsequent cases in the Cis-Sutlege Districts, of a nature akin to that brought to notice in the North-Western Provinces, and the references recently directed to me on the subject of general measures of detection, also preclude me from exempting that Province from the consideration, whether on this side of the Sutlege or on that. Some recent discoveries, too, of Thuggee in Central India, lead me to include those States in the same category ; while the condition of the Hyderabad, Rajpootanah, and other Native States, and the silence which is generally observed with regard to the perpetration in them of acts of crime, afford me no grounds for excluding those countries from it.

5. Life generally is taken ; or if the victims recover, they mostly lose their health and their intellect,—and in frequent cases there is no Police detection. On the contrary, death, if reported at all, is ascribed to disease, suicide, or wild beasts ; and if death is escaped, silence is too often observed to avoid the charge of drunkenness or falsehood,—or, if females should be the complainants, of inchastity and other taunts—at the sacrifice of the property which has been robbed and of justice.

6. Merely, however, to restrict the sale of poisons, would not be, I submit with respect, to go far enough in remedioal measures. The whole Law relating to the crime of poisoning, the sale, purchase, and possession of piosonous or noxious drugs, might, with salutary results, be made more stringent. With no more in this place than merely adverting to the pressing necessity which also exists for supplementing the Police with a detective organization, under a single head not [illegible] dent administration, for the purpose of more effectually repressing this and other henious crimes of the same exceptional character, to cope with which something *more* than ordinary Police action is required, I would here refer more directly to what I have before pressed to notice, namely, the necessity for a Law which shall make it both *criminal* and *penal* to be found in the possession of deleterious drugs, except on the part of licensed vendors, or of person specially permitted to have them. As submitted in another place, the person who desires to obtain such things for criminal purposes would, in reference to any enacted restriction in the *sale* of poisons, have no need to resort to the Druggist's stall, or the Chemist's counter, in a country in which he was able readily to get what he wanted from the roots of trees, from jungle, garden, or the wayside, or for mineral poisons, to the travelling quacks (waids) who numerously roam the country, vending, unquestioned, every noxious thing,—but he would have to be-think himself how to prevent his being discovered to *possess* them, if it was made *unlawful* to do so. Such a measure, however easily it might often be evaded, would, at least, have the effect of checking the crime of poisoning committed from malice, or for the purpose of robbery, or of procuring abortion ; while those who required the drugs for medicinal or honest purposes would suffer little from the mere inconvenience of having to seek the required permission to possess them.

7. I have long aimed to gain for this subject the consideration it seems to merit, and I trust the occasion will be deemed a fitting one for my now again seeking to do so.

8. I am able to submit the correspondence which has taken place relating to it in this office, should it be the pleasure of Government to see it.

BILL NO. IX OF 1865.

A Bill to regulate and restrict the sale of poisons in the Bombay Presidency.

Whereas it is expedient to consolidate and amend the law relating to the sale of poisonous drugs and deleterious substances in the Mofussil of the Bombay Presidency, and to regulate and restrict the sale of such drugs and sub-

Preamble.

stances in the City of Bombay, and throughout the Presidency ; It is enacted as follows :—

I. Section 20 of Regulation XIV of 1827 and Chapter IX of Regulation XXI of 1827 are hereby repealed, except in so far as they repeal the whole or part of any other Regulation.

Laws repealed.

II. From and after the date on which this Act comes into operation, no person shall sell any of the poisonous drugs or deleterious substances specified in the Schedule (A) annexed to this Act, without a license, as hereinafter provided, and every person shall annually pay, in advance, for the said license, a fee of five Rupees.

Sellers of poisons to be licensed.

III. Every license, under the preceding Section, shall, in the City of Bombay, be granted by the Municipal Commissioner for the City of Bombay on behalf of the Justices, or by some person duly authorized by him on that behalf, and in the Mofussil by the Collectors on behalf of the Government, and every such license shall be in the form of the Schedule (B) annexed to this Act.

Licenses to be granted in Bombay by the Municipal Commissioner on behalf of Justices, and in the Mofussil by the Collectors on behalf of Government.

IV. Every license shall have effect and continue in force from the date of the grant thereof until the next 31st day of December ensuing. Provided that any person to whom such license shall be granted after the 1st day of July of any year shall pay only one-half of the fee specified in Section 2.

Licenses to be granted annually.

Proviso.

V. Every person to whom any license shall have been granted, and who shall be desirous of having it renewed after its expiration, as in the preceding Section provided, shall take a fresh license for that purpose for the following year, and shall renew the same from year to year, subject to the annual payment of the fee specified in Section 2, so long as he shall desire.

Licenses may be renewed.

VI. Every person taking out a license under this Act shall deposit a copy of the same in the Office of the Senior Magistrate of Police in Bombay, if such person resides in Bombay ; or if such person resides in the Mofussil, in the office of the nearest Magistrate having local jurisdiction.

Copy of license to be deposited with Senior Magistrate of Police or District Magistrate.

VII. If after the expiry of two months from the date when any person is, by Sections 2 and 5 of this Act, required to take out a license or renew the same, such person shall sell any of the poisonous drugs or deleterious substances specified in the Schedule (A) without having duly taken out a license in accordance with the provisions of this Act, and deposited a copy of the same in the Office of the Senior Magistrate of Police or other Magistrate, as required by the preceding Section, he shall be liable, on conviction before a Magistrate, to be punished with fine, or with simple imprisonment for a term which may extend to one year, or with both.

Penalty for selling poisons without a license.

VIII. Any person required by this Act to take out a license who shall, without reasonable excuse, neglect or refuse to produce, and show his license, when required to do so by an Officer duly empowered in writing by the Municipal Commissioner in Bombay or by the Collector in the Mofussil to make such requisition, shall, on conviction before a Magistrate, be liable to a penalty not exceeding one hundred Rupees.

Penalty for refusing to produce license when required to do so.

IX. Every licensed retailer of poisons who shall sell any of the poisons specified in Schedule (A) shall forthwith, and before the delivery of such poison to the purchaser, enter or cause to be entered, in a fair and regular manner, in a

On every sale of poison, particulars of sale to be entered in a book by the seller, in from set forth in Schedule (C) to the Act.

book or books to be kept by such person for that purpose, in the form set forth in the Schedule (C) annexed to this Act, or to the like effect, a statement of such sale, with the name of the poison and quantity thereof so sold, and the purpose for which such poison is required or stated to be required, and the day of the month and year of the sale, and the name, place of abode, and condition or occupation of the purchaser, into all which circumstances the person selling such poison is hereby required and authorized to inquire of the purchaser, before the delivery to such purchaser of the poison sold; and such entries shall in every case be signed by the person making the same, and shall also be signed by the purchaser, unless such purchaser profess to be unable to write, (in which case the person making the entries hereby required shall add to the particulars to be entered in relation to such sale, the words "cannot write,") and, where a witness is hereby required to the sale, shall also be signed by such witness, his place of abode being also entered.

Restrictions as to sale of poisons.

X. No person shall sell any of the poisons specified in Schedule (A) to any person who is unknown to the person selling such poison, unless the sale be made in the presence of a witness who is known to the person selling the poison, and to whom the purchaser is known, and who signs his name, together with his place of abode, to such entries, before the delivery of the poison to the purchaser; and no person shall sell poison to any person other than a person of full age.

Provision for colouring arsenic.

XI. No person shall sell any arsenic unless the same be, before the sale thereof, mixed with soot or indigo, in the proportion of one ounce of soot, or half an ounce of indigo, at the least, to one pound of the arsenic, and so in proportion for any greater or less quantity: Provided always, that where such arsenic is stated by the purchaser to be required, not for use in agriculture, but for some other purpose, for which such admixture would, according to the representation of the purchaser, render it unfit, such arsenic may be sold without such admixture in a quantity of not less than ten pounds at any one time.

Penalty for offending against Sections 9, 10 and 11 of the Act.

XII. If any licensed retailer of poisons shall sell any of the poisons specified in Schedule (A) save as authorized by Sections 9, 10 and 11 of this Act, or on any sale of poison shall deliver the same without having made and signed the entries hereby required on such sale, or without having obtained such signature or signatures to such entries as required by this Act, or if any person puchasing any poison shall give false information to the persons selling the same in relation to the particulars which such last mentioned person is hereby authorized to inquire into of such purchaser, or if any person shall sign his name as a witness to a sale of poison to a person unknown to the person so signing as witness, every person so offending shall, for every such offence, upon a summary conviction for the same before a Magistrate, be liable to a penalty not exceeding two hundred Rupees.

Act not to prevent sale of poisons in medicine under a medical prescription, or wholesale dealing in poisons.

XIII. Provided, that this Act shall not extend to the sale of any poison when the same forms part of the ingredients of any medicine required to be made up or compounded according to the prescription of a legally qualified Medical Practitioner, or a member of the Medical Profession, or to the sale of poisons by wholesale to retail dealers, upon orders in writing in the ordinary course of wholesale dealing.

Forfeiture of license for breach of Rules regarding sale of poisons.

XIV. A retail dealer failing to conform to any of the Rules laid down in Sections 9, 10 and 11 shall, in addition to the penalty assigned to the offence by Section 12, be liable to the forfeiture of his license, on intimation to that effect by the Municipal Commissioner for the City of Bombay in Bombay, or the Collector of the District in the Mofussil.

Bombay Bill

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SCHEDULE A.

(Referred to in Section 2).

VEGETABLE POISONS.

Name of Plant.	Part of Plant used.	Native name of Poison.
Aconitum Napellus... ...	The root...	Bishnak and Butchnab.
Attropa Belladonna... ...	The berry (Deadly Nightshade)....	Girboolee.
Cannabis sativa...	The herb and the resin... ...	Bhang, Ganja.
Cocculus Indicus, Animirta Cocculus.	The berry...	Kakmari.
Conium maculatum... ...	The fruit called Hemlock seed... ...	Keerdamana.
Croton Tiglium...	The seed (Croton seed)... ...	Jamalgota.
Datura Metel... ... } Datura Hummattu *var* fastuosa }	The seed (Datura)...	Kala-dhatura and Dhatura.
Helleborus niger...	The root (Black Hellebore)... ...	Kalikootkee.
Hyoscyamus niger...	The seed (Faba porcina, Faba suilla).	Khorassanee ajwan.
Ignatia amara....	The seed (St. Ignatius' Bean)... ...	Papeeta.
Mandragora officinalis.... ...	The root (Mandrake)... ...	Yebruj.
Methonica superba..... ...	The root...	Karianag.
Papaver sumniferum... ...	The pounded herb, dry capsule, and concrete juice of the immature capsule, or opium.	Afeem.
Strychnos Nux-vomica... ...	The seed (Nux-vomica)... ...	Koochila and Kajra.
Strychnos potatorum... ...	The seed (Clearing nut)... ...	Nirmullee.
Wrightia antidysenterica... ...	The bark and seed...	Inderjo.
Wrightia tinctoria.. ...	The bark and seed...	Kala-kooda.

MINERAL POISONS.

Name of Poison.	Native Name.
Antimony.	
Sulphuret of Antimony (crude Antimony)...	Soorma.
Arsenic.	
Arsenious Acid.....	Phutkya Somul.
White Oxide of Arsenic...	Shunkhya Somul.
White Arsenic...	Dalimbya Somul.
Red Arsenic...	Gajria Somul.
Yellow Arsenic.....	Huldya Somul.
Red Sulphuret of Arsenic...	Munsheel.
Yellow Sulphuret of Arsenic...	Hurtall.
Copper.	
Sulphate of Copper (Blue Vitriol, Bluestone)...	Morechoot.
Acetate of Copper (Verdigris)...	Jungla.
Lead.	
Red Oxide of Lead (Red Lead)...	Shendoor.
Carbonate of Lead (White Lead)...	Supheta.
Acetate of Lead (Sugar of Lead)...	No Native name.
Mercury.	
Bichloride of Mercury (Corrosive Sublimate)...	Ruskapore.
Red Oxide of Mercury...	Hingool.
Zinc.	
Sulphate of Zinc (White Vitriol)...	Justachaphool.

SCHEDULE B.

(*Referred to in Section* 3).

FORM OF LICENSE FOR THE SALE OF POISONOUS SUBSTANCES.

I, A. B., hereby license C. D., inhabitant of , to sell by retail within the District (City, or Town, Village) of from the date hereof to the 31st December next, the poisonous substances specified in Bombay Act No. of 186 . The said C. D. will conform to the rules contained in the said Act, on failure whereof, and on intimation to that effect by the Municipal Commissioner (or Collector), this license shall be held to be forfeited and annulled.

(Signed) A. B.
(*Municipal Commissioner or Collector*).

Office,

SCHEDULE C.

(*Referred to in Section* 9).

FORM OF ENTRY OF SALE OF POISON.

Day of Sale.	Name and Surname of Purchaser.	Purchaser's place of abode.	Condition or occupation.	Poison sold.	Quantity sold.	Purpose for which required or stated to be required.

Purchaser's Signature, or, if purchaser cannot write, his mark, to be put for him, and the words "cannot write" added.

Witness' Signature.

Seller's Signature.

STATEMENT OF OBJECTS AND REASONS.

On the 27th August 1864, the Honorable Mr. Cassels moved for leave to introduce, into the Council of His Excellency the Governor of Bombay for making Laws and Regulations, a "Bill for regulating and restricting the sale of Poisons in the Bombay Presidency."

In doing so, he explained that many startling cases had recently occurred, which showed the desirability of restricting the opportunities of obtaining poisons in Bombay. Arsenic and other poisonous drugs were freely sold in the bazaar, and every facility was offered to crime from the difficulty of tracing a purchaser. Mr. Cassels, in speaking to the motion, used the following words:—"A lamentable case of poisoning recently occupied the attention of the High Court, in which, through some flaw in evidence, the guilty parties unfortunately escaped punishment. I find that three cases of poisoning by arsenic, which a medical friend of my own has since had under his care, must be considered as the result of this immunity. During the last few days, public horror has been excited by the poisoning of some fifteen or sixteen children of the Byculla schools; and although, happily, no fatal result has ensued, it is clear that, if arsenic can thus with impunity be sown broad-cast about our streets and gardens, some great mischief must sooner or later ensue." Mr. Cassels added that, though in the Mofussil some restriction was put upon the sale of poisons, still the existing law was not sufficient to check "this growing evil," and that a more comprehensive measure was required. Mr. Cassels felt that, in a country "where poison grows rankly in every hedgerow, it was impossible altogether to control it," but he thought that at least that which legislation had done in England and other countries should be tried in India, and he proposed to bring in a "Bill which should be based upon English Acts and established principles of law."

Mr. Cassels obtained leave to bring in the Bill, but his attention was so fully engaged with the Bombay Municipal Bill, during the last few months of his stay in India, that he had not an opportunity of introducing the proposed Bill for regulating and restricting the sale of poisons.

Appt. of Comtee. to prepare law for poisons 31

It seems desirable, however, that the measure should be proceeded with. Mr. Cassels, in the remarks quoted above, gave ample reason why the existing law in the Mofussil should be amended, and why a restrictive enactment should be passed also for the City of Bombay.

The present Bill repeals the existing law on the subject, and re-enacts, with certain modifications, its provisions regarding the grant of licenses to retailers of poisonous drugs. The list of poisons referred to in the present law has been revised; and the restrictions placed by the English Arsenic Act (14th and 15th Vict., C. XIII.) on the sale of arsenic are emobodied, with necessary alterations, in the Sections of the Bill which more especially regulate the actual sale of the poisons specified in the Schedule.

This Bill, which has been entrusted to my charge by His Excellency the Governor, is introduced in pursuance of the leave given on the 27th August 1864.

The Bill and this Statement of Objects and Reasons should be translated into Marathi, Guzerathi, Canarese, and Sindhee.

POONA;
The 30th August 1865.

RUSTOMJEE JAMSETJEE JEJEEBHOY,
By Order of the Honorable Governor in Council,
(Signed) H. BIRDWOOD,
Under Secy. to the Govt. of Bombay.

No. 161. ORDER THEREON, 16th February 1866, No. 239.

Judicial, 2nd March 1864, Nos. 43 & 44.
Legislative, 7th July ,, ,, 3 & 4.
Judicial, 30th January 1865, Nos. 271 & 272.

Resolved that the foregoing letter and its enclosures, together with the Proceedings of this Government of the dates noted in the margin, be forwarded to the Principal Inspector General of the Medical Department, to the Inspector General of Mofussil Police, and the Advocate General, with a request that they will form themselves into a Committee, and submit a joint report, showing the present state of the Law regarding the sale of poisons, and of what amendment, if any, it is susceptible.

(True Extract).

Chief Secretary.

To the Principal Inspector General, Medical Department, with Papers.
,, Inspector General of Police, do.
,, Advocate General, do.

Exd. J. H. Burns.

23 Sep 66
No 2176

Courtesy apt

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Proceedings of the Madras Government, Judicial Department,
17th May 1866.

No. 153. Read the following letter from J. D. MAYNE, Esq., Officiating Advocate General, J. SHAW, Esq., Officiating Principal Inspector General, Medical Department, W. ROBINSON, Esq., Inspector General of Police, to the Chief Secretary to Government, Fort Saint George; dated Madras, 26th April 1866, No. 673.

We have considered the questions submitted to us in the Order of Government, 16th February 1866, No. 239, and now submit our Report thereon.

No general Laws at present

1. There is no general Law in India at present by which either the possession or sale of poisons is rendered penal, or is restricted to persons licensed to sell such drugs. The state of the law as regards the detection and punishment of offences of poisoning is clearly detailed in the letter of the Government of India, 6th March 1863, No. 1545. No change has been in the law since that date.

Bombay Bill not disallowed

2. We do not think that any measure, such as that contained in Bill IX of 1865 (Bombay), is desirable; that is to say, we do not think that it would accomplish any result either in the way of preventing poisoning, or of furnishing facilities for its detection, which would compensate for the expense of carrying out the measure, for the additional labor which it would cast upon the executive, and for the annoyance and oppression to which it would give rise.

3. With regard to mineral poisons, there is no doubt that they are frequently resorted to; arsenic figures prominently in the records of the Criminal Courts, probably because its presence is so easily detected. A law, such as that suggested, would certainly render it more difficult to procure it and poisons of the same class; but to make such a law really effective, it would be necessary to go much further, and to render the unlicensed possession of such drugs penal, as well as their sale. Arsenic is largely used by Native practitioners as a medicine. Their possession of it in considerable quantities would be innocent, and it would still be easy enough to procure it from them, or from others who had become innocently possessed of it, without any infraction of the provisions of the proposed law. It would be generally impossible to prove a sale, and without a sale there would be no offence. But if the mere possession were constituted an offence, this could rarely, if ever, be discovered until the commission of a crime had brought it to light. The law would be valueless as a means of preventing poisoning, though it might in some cases be used for the purpose of inflicting a minor punishment upon a party who was acquitted of the heavier charge.

Cd not apply to vegetable

4. As regards the much more dangerous class of vegetable poisons, the law could have no effect whatever. Many of these, such as *Cannabis Sativa*, *Croton tiglium*, and *Datura* are of common growth, and a person who wanted them for Criminal purposes would not purchase them from a dealer but would pick them up in the nearest field. We are of opinion then, that, for purposes of prevention, the proposed law would, in the case of mineral poisons, have an infinitesimal effect, and in the case of vegetable poisons would have none at all.

5. We do not believe that the law would have any effect in facilitating the detection of crime. Supposing it to be rigorously enforced, the probable result would be that, upon the discovery of a case of poisoning by arsenic, for instance, a search into the books of the licensed dealers would show a few sales to Native Doctors or agriculturists, but to no one who could in any way be connected with

the crime. But it must be remembered that the law would not be rigorously enforced. It would require a very large sale of poisonous drugs to make it worth any man's while to pay a license fee of Rupees 5 annually in advance. Except in very large towns, the law would be evaded, and the only result would be that, after a murder, the vendor, who has now no interest in concealing the sale, would withhold his evidence to screen himself from the penalties of the licensing law. If, however, the difficulty of purchasing arsenic, &c., was sensibly increased, the immediate effect would be to drive intended criminals to the use of vegetable poisons, whose detection in the system is as difficult as that of the mineral poisons is easy. Here again we see no advantage in the proposed law, but rather the reverse.

6. Further, we doubt the possibility of enforcing any such law without entailing enormous additional labor upon the Police, or without adding to, or altering the character of, the force. It would be no slight matter to supervise the sale of poisonous drugs in every village in India, and to do so with effect would require a knowledge of Mineralogy and of Botany, which can hardly be expected from the ordinary Policeman. Indeed, the Superintendent of the Thuggee Department, in his letter of the 13th September 1865, seems to admit the necessity of "supplementing the Police with a detective organization, under a single but not independent administration, for the purpose of more effectually repressing this and other heinous crimes of the same exceptional character." We are not aware of any other exceptional crimes in this Presidency which require such an organization. We cannot disguise from ourselves that a body of officials, armed with the powers of search and inquiry necessary to enforce any really effective law of the sort now suggested, would, before very long, be felt to be a nuisance of the first magnitude, and would be resented as an evil far greater than any they would prevent.

7. On the whole, we are of opinion that poisoning, though undoubtedly a common for. of crime, must be left to the ordinary resources of the law. It might be possible to check the use of arsenic and other mineral poisons which require careful preparation, but the result would only be to direct the poisoner to vegetables which require no preparation, and whose presence it is impossible to trace. An active Police, ready to take immediate cognizance of suspicious deaths, and prompt medical examination, furnish as much security against undetected crime as a Government can afford. As long as motives for poisoning exist, the means will never be wanting.

No. 154. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 17th May 1866, No. 746.

In reply to Mr. Under Secretary Ward's letter of the 30th November 1865, No. 4707, requesting the opinion of this Government as to the advisability of legislative action in the matter of regulating and restricting the sale of poisons, I am directed to forward copy of a letter received from the Officers noted in the margin, who were requested to form a Committee and to submit a report, showing the present state of the law regarding the sale of poisons, and of what amendment, if any, it was susceptible.

Principal Inspector General, Medical Department.
Inspector General of Police.
Advocate General.

2. The conclusion arrived at by the Committee is that, in preventing the criminal use of poisons and in facilitating detection, the result likely to be obtained by the introduction of a measure such as that proposed in Bill IX of 1865, (Bombay) would be in no way commensurate with the labor and expense to Government, or with the general annoyance and oppression which the inquisitory nature of its provisions would involve. They observe that, to have any effect, the unlicensed *possession*, as well as the sale, of poisons must be made penal; that under such a law it might be possible to restrict the use of mineral poisons, but that this restriction would only reach mineral poisons, and would direct the poisoner to the use of *vegetable* poisons, which are easily procured, require no preparation, and the presence of which it is impossible to detect. The Committee further remark upon the enormous additional labor which would be thrown upon the Police, and the absence among them of that special knowledge which is requisite for a thorough supervision of the sale of poisonous drugs.

3. Adverting to the reply* made by the Governor General in Council to a previous application from this Government regarding the same subject, I am desired to observe that, in the correspondence† forwarded with your letter, no new matter appears to be suggested, and to state that the Right Honorable the Governor in Council, concurring with the opinions expressed in the Report of the Madras Committee, does not consider it advisable to restrict by general legislation the sale and possession of poisons.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

* From Under Secretary to Government of India, to Assistant Secretary to Government of Madras, Legislative Department, 29th December 1864, No. 7030.

† From General Superintendent of Operations for the Suppression of Thuggee and Dacoity, Simla, No. 930, dated 13th September 1865.

Exd. J. H. Burns.

Proceedings of the Madras Government, Educational Department, 16th June 1866.

No. 29. Read the following letter from the Director of Public Instruction, to the Acting Chief Secretary to Government, Fort Saint George; dated Madras, 12th June 1866, No. 1182.

In submitting the letters marginally noted, with their enclosures, I have the honor to suggest that the Government Examiners appointed in Order, No. 163, of the 30th ultimo, together with the Professors of Chemistry and Materia Medica at the Medical College, be instructed to examine Mr. Honey, according to the plan laid down in paragraphs 2 and 3 of the letter from the Secretary to the Medical Board, No. 1799, of the 17th November 1852, a copy of which communication accompanies Mr. Shaw's letter of the 9th instant. A similar course might be pursued annually at the time of the final examination of the students in the Medical College, should any Chemists and Druggists offer themselves to be tested in regard to their professional qualifications.

Letter from Principal Medical College, No. 18, of 5th instant.
Letter from Officiating Principal Inspector General, Medical Department, No. 2445, of 9th instant.

2. I think a fee should be insisted upon, in order that unnecessary trouble may not be given by applications for examination from unqualified candidates, as well as that additional weight may be attached to the test. But, I am of opinion that Rupees 50, the sum named by Mr. Smith, is, under existing circumstances, somewhat too high, and might discourage candidates from coming forward. I consider that the fee might appropriately be fixed at Rupees 25, or even Rupees 20; and the sum realized should, I conceive, be carried to the credit of Government. The fee should be paid on applying for examination, and not on passing the test, or the former of the two objects I have named would not be attained.

3. I beg to call attention to the circumstance that the Medical Board, in paragraph 4 of their Secretary's letter above referred to, ordered that, if considered qualified, the candidate was to receive a license to practise as a Chemist and Druggist. This, I presume, was a mistake on the part of the Board, as I imagine they had no authority to grant licenses to practise. Without regular action on the part of Government in its legislative capacity, only a certificate of qualification can be issued. At the same time, if the taking out of a license from competent Examiners were rendered compulsory upon Chemists and Druggists, I cannot help thinking the effect would be very beneficial; and I beg respectfully to suggest that the expediency of adopting such a course be taken into consideration.

4. Early orders are solicited in the case of Mr. Honey, as the Government Examiners will meet on the 15th instant.

From G. SMITH, Esq., M. D., Principal, Medical College, to the Director of Public Instruction; dated Madras, 5th June 1866, No. 18.

I have the honor to forward, for your consideration, a letter from Mr. Honey, who, during the last Session, has attended as a private student the courses of Chemistry, Materia Medica, and Pharmacy. Connected as he is with a Druggist's firm in Madras, he appears to be anxious to secure some certificate of his fitness to act as a Compounder and Dispenser of Drugs.

2. I would suggest that a special Committee, consisting of the Professors of Chemistry and Materia Medica, be appointed to conduct the desiderated examination, and that a fee of Rupees 50 be exacted of the Candidate, in the event of his passing successfully and obtaining the required certificate. The fee might be placed at the credit of Government, or handed over to the Committee of Examination, as a slight honorarium for the extra labor arising from this novel duty imposed upon them.

Exd. of Chemists & Druggists.

Proceedings of the Madras Government, Educational Department, 16*th June* 1866.

From Mr. H. W. HONEY, to the Principal Medical College; dated Madras, Esplanade Dispensary, 5th June 1866.

As I am desirous of obtaining a certificate of qualification in the subjects which I have been studying at the Medical College, viz., Materia Medica, Therapeutics, Pharmacy, and Chemistry, I beg you will kindly authorize my appearing for examination before the Board which will sit at the close of the present Session.

From J. SHAW, Esq., Officiating Principal Inspector General, Medical Department, to the Director of Public Instruction, Madras; dated Fort Saint George, 9th June 1866, No. 2445.

Referring to your letter as per margin, I have the honor to state that, on reference to correspondence in this office, it has been ascertained that Government, in 1852, sanctioned the examination of persons who proposed to practise as Chemists and Druggists in the town of Madras, by a Committee of Professors of the Medical College.

No. 1142, of 7th June 1866.

2. There seems to be no objection to Mr. Honey's appearing before the Board of Examiners, who might be assisted by the Professors of Chemistry and Materia Medica.

3. No authority exists for exacting a fee for Canditates for the druggist's license.

4. Copies of correspondence referred to are forwarded for your information.

No. 30. ORDER THEREON, 16th June 1866, No. 182.

Ordered, accordingly, that the Committee, appointed under date the 30th ultimo, together with the Professors of Chemistry and Materia Medica at the Medical College, be requested to examine Mr. Honey, according to the plan referred to in the foregoing letter, and to furnish him with a Certificate of qualification, should he be entitled to it.

2. A similar course will, as suggested by the Director, be pursued annually for the examination of any Chemists and Druggists who may be desirous of presenting themselves for the purpose; such examination to be held simultaneously with the final examination of the students of the Medical College.

3. The Government agree with the Principal of the College and the Director that a fee should be exacted from each Candidate for examination. They are, however, of opinion that one of Rupees 25 will suffice, and that it should, in all cases, accompany the application. All such fees will be credited to Government.

4. The subject of paragraph 3 of the Director's letter will be referred to the Officiating Principal Inspector General, Medical Department, the Inspector General of Police, and the Commissioner of Police at Madras.

(True Extract).

Acting Chief Secretary.

To the Director of Public Instruction.
" Acting Deputy Inspector General of Hospitals.
" Surgeon Major P. G. Fitzgerald, M. D.
" Surgeon Major W. J. vanSomeren, M. D.
" Principal Inspector General, Medical Department.
" Inspector General of Police.
" Commissioner of Police, Madras.

Exd. J. H. Burns.

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Proceedings of the Madras Government, Judicial Department, 6*th July* 1867.

Read again letter from the Director of Public Instruction, dated 12th June 1866, No. 1182, recorded in Proceedings of Government, Educational Department, dated 16th June 1866, No. 182.

Read also the following papers:—

No. 57. From Major C. S. HEARN, Commissioner of Police, to the Acting Chief Secretary to Government, Fort Saint George; dated Madras, 4th July 1866, No. 74.

With reference to paragraph 4 of Order of Government, No. 182, of the 16th June, regarding Chemists and Druggists, I have the honor to report as follows.

2. I conclude that the Director of Public Instruction, when recommending that the taking out of a license from competent examiners should be made compulsory, alludes to the large Chemists and Druggists' establishments, for the sale of European medicines, kept almost exclusively by Europeans and Eurasians. Such a measure could scarcely be enforced with reference to the numerous Native sellers of drugs, medicinal roots, and leaves; and it may be observed that these Native vendors, though doubtless unable to pass an examination in Chemistry, are practically well acquainted with the nature and properties of the articles they sell. Instances of death arising from the sale of deleterious substances by mistake are almost unknown in Madras. Indeed, no such case can be traced in the records.

3. There are at present seven European and Eurasian Chemists' Firms in Madras; Messrs. Barrie and Co. (Partners, Messrs. Kennedy, Renéaux, and Kennedy) have two establishments—one in the Mount road and one in the Poonamallee road—so that there are eight large shops in all. And there are five or six smaller shops for the sale of European medicines kept by Natives. Most of these persons have either been Apothecaries themselves, or have persons trained as Apothecaries or Medical Students for their assistants. One or two are private medical practitioners, and all, so far as I can ascertain, are practically well acquainted with the details of their profession.

4. In the present limited state of this trade, the individual qualifications of Chemists and Druggists must be well known to the Medical Officers of Madras, and probably to the community also. The matter would scarcely seem to call for legislative action.

No. 58. From the Inspector General of Police, to the Secretary to Government, Fort Saint George; dated Madras, 19th November 1866, No. 1916.

General Department.

With reference to G. O., No. 182, dated 16th June 1866, I beg to state that I consider that it would be of much advantage to adopt a system of granting certificates of professional competence to persons intending to practise as Chemists and Druggists

2. Hereafter, when these certificates are more sought for, and more extensively possessed, some system of compulsory license might follow; but it must be obvious that nothing of this kind could as yet be adopted up-country.

No. 59. From the Principal Inspector General, Medical Department, to the Chief Secretary to Government, Fort Saint George; dated Fort Saint George, 27th November 1866, No. 420.

With reference to Order of Government*, No. 182, of 16th June 1866, I have the honor to state that I concur generally with Mr. Powell in thinking that the effect would be beneficial if all Chemists, Druggists, and even Native Doctors, were compelled to take out a license to practise their several pursuits.

* Educational Department.

2. It seems to me, however, that the introduction of such a measure would be involved in grave difficulties, and that, to be of any use, the proposed legislative enactment should include the Mofussil equally with the Presidency town, to which Mr. Powell's observations appear to be chiefly intended.

3. If a knowledge of the "Indian Pharmacopœia" (now under preparation in England, and which is to contain an account of all the indigenous drugs, and their modes of preparation and use) was made the standard by which to test the acquirements of Native Doctors and Druggists, there cannot be a doubt but that much good would result.

4. I have recently had occasion to address the Revenue Department regarding the difficulty of organizing a system of medical relief for our cholera and fever stricken Districts, and I have pointed out that the first essential is to improve the professional status of the class upon whom nineteen-twentieths of the people depend for medical advice and assistance. A copy of the communication is attached.

No. 4688, 27th November 1866

5. With a system of licensing applied to Native Druggists and Doctors, there would be less difficulty than now exists in controlling the indiscriminate sale of deadly poisons, such as arsenic and corrosive sublimate.

6. Whatever Government may determine upon in this matter, I am of opinion that, for some years to come, the tests for the acquisition of a license must be of a simple and elementary character. Further, if an Act is prepared to embody the views of the Director of Public Instruction, it would be necessary to provide penalties for non-observance of the Act, and to fix upon a schedule of fees legally claimable by licensed practitioners for professional services rendered. In this way, perhaps, Native Doctors and drug-sellers might be gradually improved up to the requisite standard of efficiency.

From the Principal Inspector General, Medical Department, to the Secretary to the Board of Revenue, Madras; dated Fort Saint George, 27th November 1866, No. 4688.

With reference to the Proceedings of the Board of Revenue as per margin, I have the honor to remark that, with reference to Mr. Ellis' report, paragraphs 40 and 41, it is not very easy to see how there can be any systematic "organization for affording medical advice and relief" during cholera epidemics, considering the wide tracts of country involved, the almost constant presence of cholera in the country, and the very insignificant establishment of the Medical Department, which is almost entirely occupied in ministering to the wants of the civil and military servants of the State.

No. 7813, dated 29th October 1866.

2. It seems necessary, before proceeding further in the consideration of this important question, that the views of Government should be definitely ascertained on the following points :—

(*a*).—Whether it is expected that medical aid is to be afforded under direction of the Government Medical Establishment to the entire population,

or

(*b*).—Whether the efforts of the Medical Establishment are to be mainly directed in the future, as in the past, to providing aid for the military and civil establishments, and finding subordinates for duty in the Civil Dispensaries already or hereafter to be established. I shall be glad, therefore, if the Board of Revenue will be so good as to elicit an expression of opinion from Government on this very important question, before I proceed to submit in detail a scheme by which such an organization as the Sanitary Commissioner contemplates might be provided.

3. It may save time, however, if I briefly review some of the difficulties which will have to be considered in the organization of a scheme of medical relief, to be practically useful to the people generally.

4. The first that strikes the attention is the inadequacy of an establishment formed solely for the benefit of Government officials to provide for the wants of the entire population.

The population of the Madras Presidency may be reckoned at about 24 millions, and of Great Britain 28 millions. In the former, we have a Medical Establishment of all ranks numbering 736; and in the latter it is calculated that 20,000 educated and legally qualified medical men find employment in ministering to the health of the population.

5. The contrast just made is, in point of fact, not quite a fair one, for the Madras Medical Establishment furnishes Officers and Subordinates to the provinces of Mysore, Coorg, Travancore, Hyderabad Assigned Districts, a portion of the Central Provinces, Burmah, and the Straits Settlements; and, if the population of these districts are taken into account, it will be found that the Government establishment of 736 individuals are the only persons available for the medical relief of a population half as large again as that of Great Britain. A considerable number of the "Hospital Assistant" class, moreover, are not fitted by experience or training for anything more than the carrying out of orders for the preparation and exhibition of medicines; so that, practically, the numbers given are not really available for giving medical assistance to the civil population.

6. The first thing to be done, if Government desires to take up in earnest the question of medical aid to the people, is to establish arrangements to ensure to the Native public a supply of doctors who may be capable at least of recognizing the symptoms of ordinary diseases, and of following an appropriate line of treatment. Practitioners of medicine abound in every Native town and village, but as their professional knowledge, even of the most elementary kind, is subjected to no test, and their practice to no kind of supervision, it is very questionable whether any benefit would be gained by the employment of such persons to look after the health of the sick poor. When the great wave of epidemic cholera from the north passed over Southern India in 1818, the records of the Medical Department show that it was a common practice for the civil authorities to entertain some of these Native practitioners to assist the Government Medical Establishment in administering medicines, under orders, and in visiting the people in their own houses. At that time, cholera in an epidemic form, had not (previously) prevailed within the memory of those living.

It was a new and terrible disease, and every effort was made by the Government of the period to provide medical assistance for those who might be attacked. Consequently, hospital sheds, and conveniences for the sick, were put up in all populous localities, and "hakeems" were engaged to administer medicines, and carry out a course of treatment laid down by Civil Surgeons, or which had been approved of by the Medical Board.

7. The epidemic visitation which called forth these extraordinary measures for the relief of the people has unhappily been followed by an almost annual accession of cholera in many districts and localities, and familiarity with the fact, if it does not "breed contempt," has apparently had the effect of leading those entrusted with the administration of affairs and the people to despair of eradicating it, either by a liberal provision for medical treatment of

the sick, or a comprehensive measure for enforcing the observance of hygienic laws. The small Government establishment of Medical Officers and Subordinates have always done their best, in their own limited spheres of duty, to afford medical aid during epidemic seasons; but, as their circles of duty have been, for the most part, confined to military cantonments and civil stations, it follows that the assistance they have been able to afford to the general population has been infinitesimal in character.

8. To place medical aid within reach of the people, so as to be of any practical use, I believe it will be necessary to employ to some extent the indigenous practitioners of the country, and it is for the Government to determine how far it may be practicable and advisable to legislate for the issue of licenses to such Native Doctors as may hereafter pass a test of minimum qualification regarding the nature and the uses of drugs, and of the treatment of the more common forms of disease. The present race of hakeems cannot, of course, be interfered with, but, as a temporary expedient, it may be advisable to have some of them instructed in the most approved modes of treating cholera, fevers, &c., for employment, under the Revenue Department, in districts noted for liability to outbreaks of epidemic diseases.

In this way it might be possible to make a beginning of a system of medical relief that in time would enable the Government to cope in some degree with the present unresisted progress of disease amongst its Native subjects.

9. Epidemic diseases, such as cholera, fever, &c., to be treated efficiently, must be treated early. To accomplish this, with the limited Staff of the Medical Department, for the people generally, is manifestly impossible. Even in Great Britain, where medical men bear so much higher a proportion to the population, it is found that a cholera epidemic (such as the one now passing over European countries) taxes to the utmost the energies of the medical profession, and that, even with the facilities which exist in civilized countries for obtaining medicines and advice, many people die for want of early and prompt treatment. Until every considerable village in India possesses a medical practitioner who is capable of affording aid to the cholera and fever stricken inhabitants, the medical treatment of disease must be regarded as not satisfactorily provided for.

10. Should the Government be satisfied, on consideration of these initial difficulties, that the Medical Establishment sanctioned and kept up on account of the various departments of the State are inadequate to the demands of the civil population for medical aid and that it is desirable to do something to mitigate, as far as possible, the scourges which destroy so many of the population, then, I would respectfully submit, it is highly desirable that measures should be considered for training up a class of medical men competent to afford the aid which the Medical Establishment of the State, from their location and duty engagements, are unable to give.

11. Meanwhile, as desired, instructions will be drawn up for the guidance of Collectors as to the best mode of organizing a system for the distribution of medicines.

12. It is scarcely necessary for me to add that the proposed measure will necessitate larger indents on the Home Government for stores, or that the formation of a class of Native doctors for the whole community must prove a costly proceeding. Should the Government, however, desire an expression of my views on the best mode of undertaking this important work, I shall be ready to give them when required so to do.

No. 60. ORDER THEREON, 6th July 1867, No. 1065.

In the Order of Government above noted, arrangements were made for the holding of annual examinations of Chemists and Druggists desirous of obtaining certificates of qualification in compounding and dispensing medicines.

2. The Director of Public Instruction, in his letter recorded with the above-mentioned Proceedings, rightly remarked that, without legislative action on the part of Government, no license to practise as a Chemist and Druggist could be granted, but that certificates of qualification only could be issued. The Director, at the same time, expressed an opinion that very beneficial results would ensue, if the

Opinions of Officers in favor of licensing Chemists & druggists 42

taking out of a license from competent examiners were rendered compulsory. This suggestion was referred for the opinion of the Heads of the Medical and Police Departments, and of the Commissioner of Police at the Presidency. The replies of these Officers are contained in the letters above recorded.

3. The Principal Inspector General concurs generally with Mr. Powell, in considering it desirable that all Chemists, Druggists, and even Native Doctors, should be compelled to take out licenses to practise. He is of opinion that this system would provide a more sufficient check upon the sale of deadly poisons than at present exists, and that, to be of any use, the system should be extended to the Mofussil.

4. The Inspector General of Police considers it very desirable that the system of granting certificates to qualified persons should be adopted, adding that, though in time this system might be made compulsory, it is obvious that nothing of this kind could as yet be adopted up-country.

5. The Commissioner of Police, Madras, concludes that licenses could not be exacted from the numerous Natives, sellers of herbs, drugs, and leaves, in Madras, who he considers are practically acquainted with the use of their wares, adding that no single instance of death caused by deleterious substances taken or given by mistake is on record. Concluding that the proposed system is only intended to apply to European and East Indian Firms, of which there are only eight, all of whom are duly qualified or have qualified Assistants, and whose merits or demerits are known to the Profession, if not to the Public, Major Hearn is of opinion that the matter scarcely calls for legislative action.

6. The Government, concurring generally in the opinions expressed by the Inspector General of Police and the Commissioner of Police, are of opinion that more cannot at present be done than to grant certificates of qualification to persons who may present themselves for examination, and who may, on examination by competent authorities, be declared qualified to prepare and dispense medicines. It may, at some future time, be found desirable to make such examinations compulsory, and to provide for the punishment of unlicensed practitioners, but the time for such a measure has not yet arrived.

7. As regards the Chemists' shops in Madras, experience shows that they are attended to by competent practitioners; while, under existing regulations, any person preparing or administering medicines without due knowledge and care does so at his own risk, and is held answerable for the consequences of his ignorance or carelessness.

(True Extract).

Acting Chief Secretary.

To the Inspector General, Medical Department.
" Inspector General of Police.
" Commissioner of Police.
" Director of Public Instruction.

Exd. J. H. Burns.

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No. 460

Surgeon
OFFICE OF INSPECTOR-GENERAL, I. M. D.,
Fort Saint George, 6 October 1871.

From Surgeon General Edward Balfour
Surgeon
THE INSPECTOR-GENERAL OF HOSPITALS,
Indian Medical Department,
Fort Saint George.

To

The Chief Secretary to Government
Judicial Department
Fort Saint George.

SIR,

I have the honor to submit to the Right Honorable the Governor in Council that it be suggested to each of the Municipalities and Local Fund Boards of this Presidency to frame a bye-law regulating the sale of poisons within their respective limits.

Jud 2 March 64-291

2. So far back as December 22d 1863 Dr. Ezechiel, Coroner of Madras, addressed the Chief Secretary to Government, on the subject of the unrestricted sale of poisons, in connection with a case of poisoning at Madras, where the jury returned a verdict with the following expression of opinion. "The Jury are of opinion that the sale of "poisons should be regulated by law, and that some restrictions "should be put on such sale."

3. Government, in their Proceedings, Judicial Department, March 2d 1864, No. 291, remark that in the original draft of the Madras Police Act, No. XIII of 1856, two sections were entered restricting the right to sell poisonous drugs to persons licensed by the Commissioner of Police: that these sections were

struck out of the Bill during its passage through the Legislative Council, but Government recognized the expediency of the suggestion contained in Mr. Ingpraict's letter, and referred it to the Legislative Department.

4. In accordance with these Proceedings the subject was transferred to the Legislative Department and on the 7th July 1864 "A bill to regulate the sale of poisonous drugs" was prepared and transmitted for the consideration of the Imperial Government. It was originally intended to have introduced the bill into the Local Legislative Council, but, on consideration, the matter was thought one which would be more fitly dealt with by the Supreme Government.

5. In a communication from the Under Secretary to the Government of India, No. 7030 dated 29th December 1864 and published in the Proceedings of the Madras Government Judicial Department 30th January 1865 the Imperial Government decided that it was not prepared to propose any general legislation such as suggested by the Madras Government.

6. The above letter from the Supreme Government enclosed one from C. C. Bayley Esquire, Secretary to the Government of India, March 6th 1863, No. 1545, para 13 of which contains the following remarks: "It is again proposed "that the sale of poisonous drugs should be permitted only under "licence, and that the possession of such drugs for sale "without a licence should be made an offence. But I am to "remark that the correspondence received from the Government "of the North West Provinces shows that the persons who engage "in the crime of robbery, by administering to their victims "poisonous and other drugs, have no occasion to resort to

"the shops of druggists or others for the purchase of the drugs "of which they generally make use. Dhatoora and Kharreera "(the sweet scented Oleander) which, or preparations therefrom, "are the poisons most frequently used by such persons, grow "luxuriantly in jungles and gardens and are often to be "found on the roadside. The restriction therefore, proposed "to be placed on the sale of deleterious drugs would in no way "interfere with the use of these poisons; while as regards Opium, "Bhang, Churas, Ganja and other intoxicating drugs, "which are also used by the same classes of persons with "a view to reduce their victims to a state of insensibility before "they proceed to rob them, these preparations are already re- "quired to be sold under licence." Under the above views the Madras Government, on the 23rd January 1865 No. 20 Re- -corded the opinion that it was inexpedient at present to legislate on this matter.

7. On the 30th November 1865 the Officiating Secretary to the Government of India addressed a letter, (No. 4707) to the Secretary to Government, Fort Saint George, forwarding a communication as per margin, re- -lating to a proposal to restrict by law the sale of poisons and calling for an expression of opinion on the subject from the Madras Government. The letter from the Superintendent Thuggee there alluded to, enclosed a Bill IX of 1865, for the regulation of poisons in the Bombay Presidency and also gave a list of vegetable and mineral poisons for the sale of which a license should be required, and on receipt of these, the Madras Government, in their Proceedings No. 339,

From General Superintendent of Operations for the Suppression of Thuggee and Dacoity, No. 930, 15th December and annexures.

dated 16th February 1866 named the Principal Inspector-General, Medical Department, Inspector General, Mofussil Police, and the Advocate-General a Committee to report on the subject "showing the present state of the Law regarding the sale of poisons and of what amendment, if any, it is susceptible;" and on the 26th April 1866 the Committee submitted their report of which the following is an abstract.

J. Shaw Esqre - Inspector General Medical Dept.
W. Robinson Esqre C.S. - Inspector General Police.
J. D. Mayne Esqre - Judge Advocate.

1st Bill IX of 1865 (Bombay) not considered desirable - would not prevent poisoning - or furnish facilities for detection at all commensurate with the expense - additional labour - annoyance and oppression - to which it would give rise.

2d Mineral poisons are frequently resorted to arsenic for instance - the law would be valueless for preventing poisoning: although it might be used for inflicting a minor punishment on the parties acquitted of the heavier charge. A law would render it more difficult to procure this class of poisons, but to make it really effective, the unlicensed possession of such drugs must be made penal, &c.

3d The law could have no effect on the more dangerous class of vegetable poisons.

4th The law would not facilitate the detection of crime.

5th An enormous additional amount of labour would be entailed on the police which could not be done without adding to, or altering the character of the force.

6th It would also become a nuisance of the first magnitude to the community and be resented as an evil far greater than any it

would prevent.

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Be the whole the Committee were of opinion that the crime of poisoning should be left as at present to the ordinary resources of the law, the opinion being that if the use of mineral poisons was checked, it would direct the poisoner to vegetables - the former class being easy to detect and the latter impossible to trace.

8. The Government in their Proceedings, Judicial Department, 17th May 1866, recognized all these as objections to any interference with the present state of the law and concurring with the report of the Madras Committee, forwarded the opinion to the Supreme Government, in letter dated 17th May, No. 746, with the opinion that it was not considered "advisable to restrict by general legislation "the sale and possession of poisons."

9. Here the matter has rested till shown "The Indian Statesman," of the 30th May 1874, when my attention was called to the fact that in Dadh, the Municipality, by a bye-law, regulate the sale of certain poisons. For instance, a man wanting to purchase any such must apply to the Wagi (headman) who gives him a pass, which he must take to a licensed dealer, who has to enter all particulars in a book, and I thought that a similar practice might be observed by the Madras Municipalities, and have some check on the present free trade in such drugs.

10. I, therefore, asked the authorities mar-

-ginally noted whether there was any Municipal Bye-law in their districts prohibiting the sale of poisons, and with three exceptions the reply was the same, namely, that there was no bye-law re-gulating the sale of poisons in the different bazaars.

11. Surgeon Major Oswald M.D. at Bangalore states that the sales of white arsenic and Hydrarg. Perchloridum are only allowed in the bazaar on the production of an order from the Magistrate, in the case of Shagers, ie. persons not known as professional men who use the poisons in their business. And I may mention that this order was in existence at that city, when I was serving there in 1837.

The Coroner of Bombay forwarded an Act, Act VIII of 1866, in force in the Bombay Presidency.

And the Surgeon Genrdl, Calcutta, has stated that a bill restricting the sale of poison in Lower Bengal has been drafted and is now under the consideration of Government, no orders yet issued. A list of Indian Poisons forwarded.

12. Such is the state of action taken up to date in different parts of India, and although in 1866 Government decided against any general legislation, still there might be no objection to Municipalities exercising control over the sale, within their limits, of poisonous drugs. There can be but one opinion of the extreme necessity which exists for some such measure and it would, I think, be easy for

Chief Commissioner, Mysore.
" " British Burmah
" " Central Provinces.
Resident Hyderabad.
Collector & Magistrate, Trichinopoly
" " North Arcot.
" " South Canara
" " Bellary.
" " Malabar.
Coroner of Bombay.
Deputy Surgeon General, Mysore.
Secretary, Surgeon General, Calcutta.
" " " Bombay.

a Municipality to issue a bye-law and to control the sale of poisons.

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I have the honor to be
Sir
Your most obedient Servant

Wm Taylor Surgeon
Surgeon General
Indian Medical Dept.

Judl D 2 March/64 - No 186
Legis " July — " — 181.
Judl — " — " — 3163
— " — " 16 Feb/66 — 239
— " — " 17 May/66 — 746.
Edul 16 June/66 — 182.
Judl " 6 July/67 — 1065.
Demi Offl " 12 Oct 1868
— " — " 11 Nov — " —
Supplement, Bombay Gazette
of 4 April/66.
Judl " 8 Oct/62 — Ll " 1654.
— " 15 Dec — " 2030.
— " 10 Jany/63 — " 31.

No 277 & 278.
C19/10 R 28/10

1874. Despatch

From Surgeon Colonel E. Balfour

The Inspector-General of Hospitals,
Indian Medical Department,
Fort Saint George,

To Fort 31st October 1874

The Chief Secretary to Government.
Judicial Dept.
Fort St George.

31 Oct 1874
No 1857

Dated 30 October

Despatched

Received 12th — " — R 2115

No. 460

Subject.

Suggests that the Municipalities of this Presidency be asked to frame a bye-law regulating the sale of poisons within their respective limits.

Council.

Sir Walter Elliot
Surgeon Lieut Col Balfour
Medical Dept

I doubt the advisability of the measure in a country where homicides are so abundant. Accidental deaths from this cause are very rare — & the measure of the nature in the enactment is contemplated would be missing.

I. O. L.

Sir Walter Elliot

Received 31 Oct/74 No. 1857

This letter will be forwarded to all Presidents of Municipalities. They will be informed that the Govt will be prepared to take into favorable consideration any Bye Law which the Municipal Commrs of any Town may frame for the restricted sale of poisons.

H.E. - 18/10/74

There is reason to think that restrictions of the kind proposed would be very little use for the purpose in view: and as they would be in themselves vexatious & inconvenient, I do not see my way to undertake it.

H.E. 28/10