

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	2030	Press
		~~Mis.~~
130-131		
Dated	15.12.1862	49

14/15

Not to be folded or roughly handled

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

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.

* 8th October 1862, No. 1,054.

full inquiry has been made, and it appears that the Strychnine in question was supplied from the Cannanore Depot, in the usual way, no

† 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.”

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)

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

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.

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 Depot 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

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

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

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 the Strychnine in question was supplied from the Cannanore Depot, 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

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 letters§ now forwarded, that the bottle had not the precautionary word affixed.

2. Though orders may be given by a

Proceedings of the Madras Government, Judicial Department,
15th December 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 administered 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 WYNDOWE, 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.

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15th December 1862.

Immediately after the accident I had all the medicine re-labelled. The bottle containing Strychnine is exactly as received this year from the Medical Depot, and is at present in the possession of 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 Diacetat...	Name and Poison.	
Opium ...	Do.	
Tinctura Digitalis...	Name only.	
" Opii ...	Do.	
Acidumy Hydrocyanicum...	Do.	Covered up with paper.
Liquor Opii Sedatio...	Do.	
Morphiæ Hydrochloras...	Do.	
Strychnine...	Do.	
Vinum Opii...	Name and poison.	
Zinc 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.

Proceedings of the Madras Government, Judicial Department,
15th 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 Telooogo, 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.

Exd. T. McMootry.

From Secretary to Principal
Inspector General Madras
dated 15th October 1862, No. 2591.

From
E. L. Stenhouse Esq. M.D.
Offg. Garrison Assistant Surgeon.
Bangalore.

To
H. G. Graham Esq.
Deputy Inspector General of Hospitals
Hygiene Division

Sir
In reply to the letter marginally noted,
I have the honor to submit that the Conduct
of the Quaker (Kootaswamy) 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 made known to
Deputy Inspector General Linton, at his
last annual inspection of the Hospitals
at Calicut.

I spent the latter part of two days in
personally seeing all the drugs under the
charge of this subordinate duly and
correctly labeled, 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

H.

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 recommen-
dation 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, each bearing two labels and
the word "Poison" attached to each
requiring it.

5 It is my practice to inspect the drugs frequently,
by, as an inquiry at the Hospitals at this Sta-
tion 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.

Bangalore. I have the honor to be,
18th October 1863 Your most obed^t servant.
J. H. M. Laveland
Offg. Garrison Hospital Surgeon.

OFFICE OF PRINCIPAL INSPECTOR GENERAL MEDICAL DEPARTMENT,
Fort St. George, 5th November 1862.

From

Robert Cole Esq.

Principal Inspector General,
Medical Department,
Fort St. George.

To

J. J. Arbutnot Esq.

Chief Secretary to Government,
Judicial Department,
Fort St. George.

Sir,

8th October 1862
No. 1654.

+ Med. Code Section
XI para 20.

To obviate risk of acci-
dents the Med. Board
direct the word "Poison"
in clear characters, to be
written on the label of
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Dispensaries, Civil &
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cines alluded to,
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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 enquiry
has been made, and it appears that the Strychnine
in question was supplied from the Cannanore Depot, in
the usual way, no label indicating it to be "Poison"
having been affixed, which it is not usual to do at the
Depots 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 Strych-
nine 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

Mr. J. J. Arbutnot Esq.
Judicial Department,
Fort St. George.
Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 8th inst. regarding the-
discovery of cutaneous
medicines in the
Dispensary Calicut.

No 15-100/62
Oct 10/62

Ans 10/62 No 2236

the Medicines were not duly labeled by the Officer
(one L. Mootooanmy, since discharged the service,
having been convicted by the Magistrate of stealing
medicines). It will be seen from D^r Cleveland's
(the then Civil Surgeon) letter accompanying, that
strict orders were given regarding the labeling, and
personal examination made; but, unhappily, the
Strychnine must have been overlooked; for the
succeeding Civil Surgeon D^r Wyndham, reports
in the letter now forwarded, that the bottle had not
the precautionary word affixed.

2 Though orders may be given by a Su-
perior Officer to a Subordinate, the former cannot
be exempted from blame, 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 D^r Cleveland; in a very minor degree to D^r
Arnold also; and to a greater extent than the last
named Officer, to D^r Wyndham, for, in assuming
charge, he should have taken care to see that the
regulations of the service were observed in all points.

3 The Officer has been guilty of neglect
in not attending to a standing rule of the Depart-
ment, well known and much dwelt upon, in not
labeling this 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

his superior; and, he was very careless, notwith-
standing 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
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I have issued orders that, when medicines
are sent out from the Principal Depot 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.

I have the honor to be

Sir

Your most obed^t servant

Principal M^r General
Med^l Department

C. J. P.

Memo.

From P. J. of Med Dept - 5 Nov. 1862.

This report and the paper which accompany it, disclose a state of affairs very discreditable to the Medical Dept and not a little painful to the general public - and I don't wonder it drops out for fear enough in noticing them -

It appears from Dr. Cole's letter that it has been the "usual way" for the Medical Store Officer at Madison to issue to the Prov. - cial Dep'ts poisonous drugs by wholesale without any label to designate their deadly character - It has no less been "usual" for the up country depots to ^{re-} issue these dangerous medicines to the local hospitals and dispensaries without any thing to distinguish them from the most harmless drugs -

Nov. 3rd Oct 1862 A. 1054

Madison 1862
No. 11-157 1862

From

Dr. Cole
N. Cole 1862

Dr. J. General

Mr. J. Department

Fort Saint George

A. J. Pollock 1862

Chief Secretary of the

Fort Saint George

2030

Oct 5th November

Recd. 5th Nov. 1862

No. 2236

Submitting in reference to

Order of Government No. 1654

dated 3rd October 1862 as report

on the late poisoning and all

related

311 of 1862
A. 17
1862

or at any rate the labels might be of
some marked color
poisonous drugs, even to be of some parti-
-cular color, so that the nature of their
contents could be known at a glance.
Medical Officers in charge of Dispensa-
ries, Hospitals or Medical Depots, Civil &
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been observed in all places under their charge,
and the Dep^y Ins^tment should particu-
larly note in the reports how this order has
been obeyed, and if they find in the course
of their tours that it has not been duly car-
ried out, should remain at that station
and see it done. This indeed should
extend to all labelling and numbering of
all medicines, poisonous or non-poisonous,
for it is evident that in some disorders the
application of a wrong medicine - altho
not of a dangerous character - may be
attended with the fatal consequences, as
the giving of drugs actually poisonous
Nov 17. 1862 JP

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
letter from the Principal
Inspector General Ind^l Dep^y

(New enter 5th Novr 1862 N^o 204)

Order thereon 15th December 1862 N^o 2030

The Governor in Coun-
-cil considers that Assistant
Surgeons Cleveland, Arnold
& Wyndham are all more or
less responsible for the la-
-mentable accident which
forms the subject of the pre-
-going letter. The Examina-
-tions of the Stores referred
to in para 2 of Dr Cleveland's
letter must have been
very imperfect, when so
deadly a poison was allow-
-ed to remain unlabelled,
and both Dr Arnold and
Dr

See memo
JP

Dr. Waddow 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 2^d Doctor who administered the poison is altogether without excuse. The bottle, it appears, was labelled with the name of the medicine it contained, and the Doctor 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

be issued in the Military Department for the discharge of the 2^d Doctor C. Deneys.

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 Depots poisonous drugs by wholesale without any label to designate their deadly character. It has also been "usual" for up the country

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Sail 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 recurrence took
place, one half of out,
of

118
of 14 - packets or bottles
in the Sail Hospital con-
taining deadly medicines
had not the Poison label.
5. Dr. Cole has now
issued orders that when
medicines of a poisonous
character are sent out
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and that the same course
shall be observed at
the Divisional Depots on
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This is well so far as
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order has been obeyed.
and

127
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of drugs actually poison-
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6. The Princ. Insp.
Genl. of the Med. Depart.
will lose no time in pre-
=paring instructions
on this important sub-
=ject. They should ^{be} submit-
=ted to Govt. for their
consideration.

Consideration before being
issued.

W.A.

30 (C. S. 10)

To the A. I. Genl. Med Dept }
" Mil. Dept. }
" Master of Malabar } despatch-17th

W.A.

Pro Secy Dept
Judicial 1872 Dept

N: 2030

Wor. of the Pracs
Government.

15th Dec 1872.

Off. 2507.

Showing that the
various provisions of the
Act are applicable to
the accident in the late
case at Salisbury, in
the case of the late
Dept. to produce within
the 100 days, and for the
labelling of the various
provisions of the Act and
submit them to you for
their consideration.

Draft
Revised

with reference
to the draft of
drafts submitted.

JP.