

ORDINARY, MS.

Public DEPARTMENT.
G.O., DATED 23-4-92
No. 272

INDEXED.

When given for copying 23/4

[Despatch Abstract.]

Directing that
Civil Apothecary
A. J. Stone be
deprived of in-
dependent charge
for a period of
2 years—

Current No. 669.

From The Surgeon General.

Dated 11th March 1892.FOR ORDERS.

Civil Apothecary A. J. Home pleads guilty to a charge of failing to pre-serve the viscera &c. in a case of suspected poisoning on which he held a post mortem.

The Surgeon General recommends that he be suspended for one year from rank, pay and allowances. It is subd: that it would be preferable ^{reprimand and to} to reduce him & to transfer him from Biuli: The following reasons against the suspension are subd:

1. The Est^o is already short handed and extra men cannot be obtained.
2. There is a considerable strain on the sub. med. Est^o. which will probably rather increase than decrease in the immediate future.

I would make the recommendation of the Surgeon General.

W.D.
4 Mar

I would suggest to the S.G. (50) whether it is not better to reduce the Apothecary, Home for his & stop his promotion for 2 years, instead of suspending him, in view of the northwardness of service - I & Deputy at some time to the fort. agree with the above & feel that the Apoth. deserves to be much more recommended.

20/3/92

Very truly, Surgeon General

W.D.

During suspension the
apothecary's profession-
al abilities would deteri-
orate for want of practice.

He would be deprived
of all pay, and would
consequently be bound
to get into debt,

which would no doubt
interfere with the proper
execution of his duties
in the future.

Q. B. Mr. Home distinctly either carelessly
or intentionally infringed a very
important rule and it seems very
possible that his doing this has led
to the non detection of a crime. He had
the fact that there was the suspicion
of poisoning, before him - and there
was looking at the circumstances of
the case strong ground for these suspicions.
He seems to have made no attempt
to search for any indications of poison
and he made away with what would
have enabled an expert to say whether
he deceased's stomach had been poisoned
or not. Mr. Home's opinion may have
been quite correct but he certainly
acted in a very reprehensible manner
in putting the testing of his opinion
out of the question.

In regard to the matter of the earth or sand
and to have contained vomited matter -
it seems quite likely that corn tubs and
the way took the original poison and
submitted it to the sand and failed to
send Home for it.

It is submitted that as a suspending ^{20/1/16} would
cause inconvenience he may be severely
reprimanded & transferred to his position
stopped for a year or two.

Q. March

There are no sufficient reasons
for 1 & 2 however much it is
submitted consideration.

Apothecary Home's case

again to

Hon. Mr. Stokes C.S.

on the facts of the case

117/3 | C. 23/3 | C. 31/3
22/3 | R. 31/3 | R. 4/4



Fort St. George,

20th April 1892

789

DESPATCHED

5 APR 92

IN M.S.

My dear de Fabreth,

With reference to your letter of the 8th ult. No. 218, I am directed to tell you that the Govt. agrees that Apothecary Home deserves the punishment recommended by you, but, in view of the short handedness of the service and the

present unusual de-
mand for medical
subordinates I am to
suggest ^{that it would perhaps} ~~whether~~ it
~~would be~~ better to
reduce the Apothecary
to transfer him and to
stop his promotion for
two years instead of
suspending him from
duty. Will you kindly

Let me ^{have your views on} ~~know what you~~
^{his kind} ~~think of the suggestion?~~
S
4 April

Mungumbakum, 6/11/02

CHIEF SEC

10 APR 02

GENL

My dear Pick

In reply to your S.O.
of yesterday regarding
Apothecary House -

If the punishment recom-
mended by me in Letter
No. 218 - of the 8th Ult^{mo} is
approved, Mr. Home will
lose Rs 75 per mensem ^{by} for
12 months' suspension* (Rs 900)
He will also lose 1 year's
pension service.

* Govt would be deprived
of his services meanwhile.

Immediate suggested
that D.O. is engaged

Thorne would lose
Rs 1200 by stoppage of
promotion for 2 years.
He would be transferred.
Govt could retain his
services meanwhile.

✓ Mr Thorne cannot
be "reduced" as he
is in the lowest
Apothecary Grade.

I would propose
Mr Thorne be transferred,
deprived of independent
charge for 2 years
involving a loss to him
of Rs 600; & that his
promotion be stopped
for one year - an ad-
ditional loss to him of
Rs 600 - Total 1200
Govt could retain his
services meanwhile.

Yours sincerely
W. F. de Faber

Sub DEPARTMENT.

Public Dept

Hon: Mr. Stokes C.S.D.
Hon: Mr. Garstin C.S.D.

Read Current 669.

From
Surgeon General W. F.
de Fabree.

Submitted for
orders with reference
to Hill's remarks in
the file put up.

30/3.
7/4 8 April

The proposal as regards stopping
of promotion for one year is con-
fiscious. For it means that you
from now, a new year from that
the man becomes entitled to it by
seniority. Substantially the latter, as
it is treated as increasing seniority
time. The main point is that
I think the two years without in-
dependent charge is sufficient.

To the Surgeon General
with original papers
returned
acct. Genl.

30/3.
20/4.

21 April

DESPATCHED
25 APR 92
IN M.S.

No.

Dated 6 }
Received 6 } April 92.
Enclosures

SUBJECT.

Re: Apothecary Home.

248 16/4/92

19/4.
R 19/4.

READ AGAIN ORDER OF GOVERNMENT, DATED
18, No. MISCELLANEOUS.

ENCLOSURES

CURRENT No.

669

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DEBATE
IN ORIGINAL (not paged).

with origl. papers } Sent 26/4/92
ret'd. to the Surg. Genl.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.

No. 218

From. Govt. of Madras
Madras 8th March 1891

The Surgeon General
In the Govt. of Madras
L

The Chief Secy. to Government
Public Department.

Sir,

I have the honor to submit for
the orders of Government the en-
closed correspondence regarding
the conduct of Civil apothecary
A. J. Home attached to the Municipal
Hospital Bindipatam.

2. It will be seen from the letter
of the Collector Vizagapatam) District Magistrate
Chase against
the apothecary
preserve the
of the stone
sent to him;
- tion, it being
report which

cons is also very clear and
- para 4 there is a clear infer-
- ence that in a case of poisoning
the Medical Officer must keep
certain articles and using his
discretion may forward more
than those enumerated to the
Chemical Examiner for
analysis, but in no place
is he at liberty to forward less.

Para 8 of the instructions dis-
- tinctly lays down the correct pro-
- cedure in such cases. The
articles should be preserved by
the Medical Officer who should
report the result of his examina-
- tion to the Police and await the
receipt of an order from them.

b. It will be seen from the
above facts and circumstances
that apothecary Home was either

grossly

the deceased in my go.
before his sudden death and
there was a strong suspicion
of murder having been committed
by the administration of poison.
(Circumstances which should
have induced the apothecary
to be cautious in the disposal of
the viscera &c) the apothecary
has deliberately neglected the
instructions contained in G. O. No.
1062 Public dated the 30th May 1883
and issued to the Department in
the form of a Circular from
this office. In para 1 of section
2 of the instructions it is distinctly
stated that "in cases of suspected
"poisoning, it is exceedingly import-
"ant that viscera and other
"suspected matters liable to
"rapid decomposition sh^d be
"be placed in spirit as soon
"as practicable." Para 3 of the
instruction

...giving me said require
investigation by the Police Authorities.

8. The District Magistrate mentions other matters to prove that the apothecary is incompetent and unpopular but these are in my opinion irrelevant so far as the present charge is concerned.

9. After a due consideration of all the circumstances of the case and the gravity of the offence I am of opinion that Civil apothecary A. J. Home should be suspended for one year from rank, pay & allowances and accordingly recommend the same for the approval and confirmation of Government.

I have.

grossly careless in the management of the case, or wilfully aided in concealing the crime, but in the absence of any evidence direct or indirect in support of the latter presumption it must be assumed that he stands guilty of the former.

7. Connected with the case there is a matter important in itself but which does not affect the main charge - viz: that the Earth containing the vomited matter was not produced by the policeman who brought the Report and that the mud or Sand subsequently produced was free from Smell. It would appear that Mr. Home did not preserve this Sand and in this he was wrong - vide part of the instructions quote to the circumstances detailed.

h

I have the honor to be
Sir,
Your most obedt. Servant.

J. W. F. G. G. G. G.
S. M. G.

Surgeon General
with the Govt. of Madras

11

Public (1892) Department
From.

The Surgeon General
with the Govt. of Madras
Kungumbalam

No. 218

Dated 8th } March 1892
Recd }
Recd 11th

Encls: 20

CHIEF SECRETARY
10 MAR 92
SUBJECT

Submits for the orders
of Govt. the enclosed —
correspondence regard-
ing the conduct of Civil
& Mty. A. J. House of
Municipal Hoeph.
Bimlipatam and
recommends that the
may be sus-
sided for one year
in rank. pay and
allowances.

grossly careless in the management of the case, or wilfully aided in concealing the crime, but in the absence of any evidence direct or indirect in support of the latter presumption it must be assumed that he is not guilty of the former.

7. Connected with the case there is a matter important in itself & which does not affect the main charge - viz: that the Earth containing the vomited matter not produced by the person who brought the mud or said produced was free. It would appear that he did not preserve this in this he was wrong - of the instructions given but the circumstances of

the case is also very clear and there is a clear inference that in a case of poisoning a Medical Officer must keep a note and using his discretion may forward more than those enumerated to the Medical Examiner & physician, but in no place at liberty to forward less.

As 8 of the instructions displays down the correct procedure in such cases. The result should be preserved by the Medical Officer who should forward the result of his examination to the Police and await the order of an order from them. It will be seen from the facts and circumstances that the case of Home was either

orders
Subject: —

Submits for the regard.
of Govt: the encls. of Civil
Correspondence at Hosp:
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Municipal may be sus.
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Public (1892) Department
From.

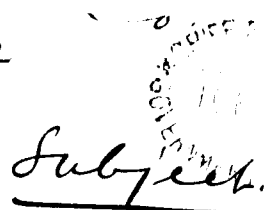
The Surgeon General
with the Govt. of India
Kungumbai

No. 218

Dated 8th

March 18

March 18



orders

Subject -

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Genl. Secy.

Submits for the regard.
of Govt. the enclosure of
Correspondence of Hosp.

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J. J. J.

On receipt of the Municip

Surgeon General and called up of Government. pay and

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reply is enclosed for

of Government. I

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in District Magistrate

chase again

(11)

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rather increase than
decrease in the immo
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