

ORDINARY, MS.

Public DEPARTMENT.	
G.O., DATED	24 th Sep 1894
No.	711

INDEXED.

When given for copying.

[Despatch Abstract.]

Recording explanations
of the Officer concerned
in a certain case of
delay in forwarding
a substance for chemical
analysis

REAP AGAIN ORDER OF GOVERNMENT, DATED
189, No. , MISCELLANEOUS.

ENCLOSURE

ORDER No.

STATEMENT WITH DITTO

ORDER OF GOVERNMENT

A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPER NOT FILED UP, BRING BRANT FOR DESTRUCTION
IN ORIGINAL (not paged).

Prob. 4/1 211
24/9/44

GA

If the Chemical Exams
is to have the 40, may
current No. 1230 and 263,
be sent to him in
original for personal
& return.

6/1
29/9

Do not come
to any one

JLR

HID

N.B.

- A - Copy in full
- B - Not to be copied
- C - Copy abstract only
- D - Copy heading only

Public Dept

Current 2634 & file

W
20/9/94

It is submitted
that these papers may
now be "recorded".

The Magistrate's ^{to some extent} expla-
nation is fairly satisfac-
tory and he is not
likely to offend again.
The apothecary is
under suspension &
this matter will no
doubt not be lost
sight of by the S. G.

J. B.
19/9

DP
19/9/94

Encl No 1

CHEMICAL EXAMINER'S OFFICE,

Madras, *31st January* 1894.

No. *93*.

From

Surgeon Major J. L. Vandyke M. B. C. M. F. C.
CHEMICAL EXAMINER.

Madras,

To

THE *Chief Secretary*
to the Govt. of Madras
Public Department
Fort St. George

SIR,

With reference to para 2 G.O.
No. 685 Pub. dated 24th August 1893, I have
the honor to bring the following case to
the notice of Government. Since the issue
of the above G.O. there has not been a
single instance of serious disregard
of the rules, on the other hand there has
been marked improvement in every respect
in the manner of forwarding cases, the
information supplied &c. The following
however is a flagrant case that I am
constrained to report it.

On the 27th October 1893 the sub-
Magistrate of Puzosid Taluk (Christiana)

P. D. Seshachala Pantulu, sent to ^{Hessing}
Civil Apothecary at Bezawada, Mr. Hessing,
a sealed bag said to contain the inner
contents of a cow's body, requesting that
the contents may if necessary be sent to
the Chemical Examiner. It is reported
that the Apothecary addressed the Sub.
Magistrate on the 11th November 1893 (a
fortnight afterwards) asking for certain
information regarding the symptoms &c.
The reply to this was received by the Apothecary
on 22nd December (nearly six weeks after);
but in the meantime, Mr. Hessing was
apparently transferred and Mr. Connor ^{who succeeded him}
~~on the 26th Dec.~~ wrote to Mr. Hessing asking to be
furnished with a sample of the seal used
by him in (I presume) repacking the
articles. The sample seal was received
by Mr. Connor on 30th December 1893; and
then an immediate reference back to
Mr. Hessing was considered advisable -
asking whether the spirit used was for
chemical not reanims and sublimation

Mr Connor reported the matter to the
District Medical Officer and on the 19th
January 1894 Mr Kensing's reply was received
and the articles were then forwarded here.

In the first place, the transference
of viscera in a sealed bag was objectionable
bottles or new earthen vessels should have
been used with country spirit if nothing
better was available.

2 Rule 3
T x Secondly, the Sub-Magistrate should,
after issuing his order of 27th October 1893,
have at once addressed the Chemical
Examiner quoting the no. and date of
his order and giving other information
as required by the S. O. in question.
This is at least necessary for identification
of the articles when received here. No
communication of any kind has
been received from the Sub-Magistrate
in this case.

Thirdly, since the Magistrate had
authorised the articles to be sent
for chemical examination there was

322
Rule 8
68

no necessity for Mr. Hering to keep the articles by him until information regarding symptoms reached him. The articles should have been forwarded and the information should have followed with an explanation for any unavoidable delay in obtaining the same. The subsequent delay owing to confusion regarding sample of seal and purity of spirit arose out of Mr. Hering's detention of the articles.

Rule 9

Fourthly, when a Medical Officer has to unseal and repack articles sent to him, he should note the fact in his report to the Chemical Examiner and state whether he found the seals correct when the articles came into his possession.

11

Fifthly, had the Magistrate addressed me in the first instance as he should have done immediately he issued his order to the Medical Officer, I would have been in a position to call for the articles from the Medical Officer and to obtain

Public Department.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—

From the Chemical Examiner,
Madras, dated 31st January 1894, No. 93.

Order, 16th February 1894, No. 107.
Communicated to the Judicial
Department and to the Surgeon General
in view to notice being taken of the
conduct of the Sub Magistrate and an
Apothecary, respectively.
(True Extract)

Local Division
20/2/94
Ag: Assistant Secretary

The Judicial Department
with orig. current.
a Surgeon General.

Judicial Department
Govt. of (1894) Madras.

1054:22 993R.
769:27-5-92

CURRICULUM 892

To

The Judicial Department

N.

Consent of 23 July 1914 to 375

Refused to the District Magistrate
of Kistna for report.

(By order)

W. H. H. H. H. H.

Under Secretary.

Proceedings, dated

No. 107

26-7-94

Subject.

Consent of 23 July 1914 to 375
Refused to the District Magistrate
of Kistna for report.

To

The District Magistrate, Kistna. C. No. 12

23/2. A. R. of on C. No. 224

mag 1914

mag 1914

mag 1914

mag 1914

mag 1914

mag 1914

mag 1914

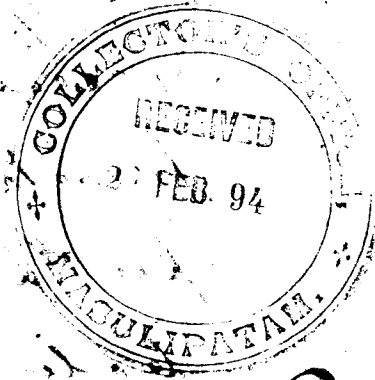
mag 1914

mag 1914

W. H. H. H. H.
pump
connected
papers

C. No. 12

mag



Dated 19 March 1914
Kistna

To

J. B. Atkinson Esquire
District Magistrate, Kistna

The Honorable Magistrate of Kistna
Second Class Magistrate, Kistna
Honored Sir,

With reference to your Honor's
reference on C. No. 224 of 1914 on G. O. No.
107 of 1914, Judicial, I beg to report as follows:-
On 27 October 1913, at about 10 A.M.
I received a report, dated 25-10-13, from
the Station House Officer, Pochampet,
pennine area, with the contents of a cow's
body in a sealed bag. Under orders
of Collector and Head Assistant Magistrate,
I was starting on that day by train
for Kistna, for taking possession of
the Venktrapragada Estate. The train was
due at the station here (Gannavaram)
at 12-10 P.M. The way to the station
was very muddy. I could not delay my trip
to Kistna. I therefore sent the bag

who brought it home, immediately to
the Civil Apothecary, Begwada, with my
letter no. 288. The information required
was, no doubt, wanting, but it was
not given by the station house officer.
The scene of the alleged offense (Lankapelli)
was about 20 miles off from Gannavaram,
my head Quarters, and the station house
officer's station (Bhatlapuram area) is
7 or 8 miles further.

3. What anxiety and pressure of work
I had at Anjirid in connection with the
Kuthapragada Estate from 27 Oct. 1893
to 5 or 6 November 1893 was explained
in my remarks, semi-official reports
and is well known to the head Assistant
Collector also. I had to stay at Anjirid
till 16 November 1893.

4. On 7 November 1893, I wrote to the Civil
Apothecary at Begwada from Anjirid
and asked him if he had examined
the stuff or sent it to the Chemical
Examiner. On 11 November 1893, apparently
after receipt of my letter of the 7 Idem.

not send it to the Chemical Examiner
for want of information about the
Antemortem and Post Mortem symptoms.
I received his letter on 16 November 1893, on
account of my absence in Camp till
15 Idem. I intended to go to Lankapelli
and enquire into the matter myself,
about the beginning of December 1893, and
left my head Quarters on 26 November 1893.
I thought I could not get the station
house officer's report on the subject
earlier, and that I could get no
satisfactory information from the
compaid Zemindary Muzaffar ^{when} I was at
Punamala, an intermediate Camp.
I received telegraphic orders from
Collector to go to Bandur with
Kuthapragada papers. I therefore
had to change my programme. While
leaving for Bandur on 27 November 1893,
I sent out orders to the station house
officer of Bhatlapuram, in the
absence of every other alternative
to furnish the required information
to the Civil Apothecary, Begwada,
direct. The station house officer

Went to the village on 19th December/93,
(obtained the necessary information
and reported it to the Apothecary on
20th December, whose report seems to have
reached the Apothecary on 22nd December/93.

5. I was not aware of the despatch of information to the Apothecary till 26 January/94 when I wrote to the Police Inspector Bunder for it. I was informed that the report had gone already to the Apothecary. In the meantime I had a copy of Chemical Examiner's certificate, on 30 January/94.

6. The cow's body was cut and the contents secured in a bag by the station house officer on 25 October, two days before the station house officer's report reached me. To detain the stuff longer, specially when I was going to ~~the~~ ^{the} rigid, seemed ~~to be~~ objectionable, as it might decompose and give out a noxious odour. To secure the whole bag of stuff in spirits seemed impracticable with the very limited time at my disposal, besides being too costly.

To select the most important portion of the contents, was beyond the scope of an unprofessional man. There was no medical

Officers along head Quarters to help
me in such matters.

On the strength of the 1st report from the Station House Officer of Bhatlapuram I was not inclined to give a definite order for transmission of the stuff to the Chemical Examiner, having regard to rule 4-I of the Chemical Legal Examination rules. I preferred to leave the matter to the discretion of the Medical officer (vide my letter to 289 ²⁹⁻¹⁰⁻³³). Rule no. 2 of the Chemical Legal Examination Rules, also seems to give medical officers some discretion in the matter. As I gave no definite order I did not address the Chemical Examiner on the subject at the outset. In this connection, I must admit that this was the first instance in my experience as Magistrate, in which I had to deal with such matters and that the very limited time at my disposal on 27th October/83, prevented me from doing more at the time.

(8) From the above, your honor will be pleased to observe that the omission to furnish a more complete information and a definite order to the medical officer was due to the absence of funds.

information in my possession, and to the pressure of other work. If the explanation is considered unsatisfactory I beg to be excused for the defect. The papers bearing on the subject are all enclosed in original and noted in the margin.

- (1) Order under reference
- (2) S. H. O's report of 25-1-94 with office copy of my letter no 209 to Civil Apothecary, Bellwada.
- (3) office copy of my letter no 319 of 7-4-93
- (4) Apothecary's no 256 of 8-4-93
- (5) Letter no 26 of 26-1-94 to Bader Police Inspector
- (6) Copy of Chemical Examiner's Certificate with Apothecary's endorsement of 28-1-94.
- (7) Bader Inspector's report of 1-3-94.

I beg to remain

Most honored Sir

Your most obedient & humble servant

(Signed) Keshaphelapete

20 (for Page 21-3)

(True Copy)

Submitted to the Chief Secretary to Government Judicial Department in reply to Govt's endorsement dated 23-1-94 no 375 which is herewith returned with enclosure. It is true that

the Submagistrate was detained at Nagod from the last few days of October till the end of the first fortnight of November by very pressing & troublesome business. His omission to communicate at once into the Chemical Examiner was a reprehensible omission. But the person most at fault was apparently the Civil Apothecary Mr. Herring. Had he called for information as soon as he received the bag, the subsequent inordinate delay & neglect of rules would have been avoided.

Kistna District
Magistrate's Office
Marsulpatan
24th March 1894

for District Magistrate

judicial sep
1894 1230
1786

1054: 22732
1054: 2052352
22572

From

The District Magistrate
Kistna

With record papers. 10/4

The Chief Secretary

Government, judicial
Department, Madras

Dated 24-3-94.

Recd
CHIEF SECRETARY
6 APR. 1894
GOVERNMENT OF MADRAS

Dis No. 254
May 7/94.

Enclosure one (2)
As 892 refd.
Subject

Submitting the explanation
of the District Magistrate Kistna
in connection with the irregular-
ities in a certain chemical
legal case - in reply to Govt.

Of 375
23294

MR 11/4
12/4

(For order)

Forwarding

Transferred to the Public Dept.

Abutterworth
Under Secretary.

21/4. Encl. No. 889 of 4th May '94 -
Ref.

With ref. to G.O. of
16.2.94, No. 107, the Sur-
geon General is re-
quested to submit
an explanation of
apothecary Messing's
neglect for the
information of Govt.

3/5
30/4

3/5794.

To the Surgeon-General

Depd
4-5-94

2012

OFFICE OF SURGEON-GENERAL

WITH THE GOVERNMENT OF MADRAS,

No 7/113
Encl.

Madras, 9th July 1894

From

SURGEON MAJOR-GENERAL F. SIBTHORPE,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

Madras.

To

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

Public DEPARTMENT.

SIR,

With reference to your
Memo of the 23rd June, calling for
an early reply to memo no: 889 of 4th May
1894, I have the honor to inform you
that as the Chemical Examiners' Letter
recorded in G.O. no: 107 of 16th February
contained all particulars of the case,
and clearly showed that Civil apothecary
F. C. Messing neglected his duties, it
was not considered necessary to call for
an explanation and he was therefore
severely censured and warned. On
receipt of your memo no: 889 of 4th
May an explanation was called for,
from the apothecary, and has not yet
been submitted.

2 A telegram has now been
sent to the District Surgeon, Kistna
expedite

expedite the explanation and will be
submitted to Government when received.

I have the honor to be

Sir

Your obedient servant

C. T. Thorpe D. M. C.

Region General
with the Govt of Madras.

LD

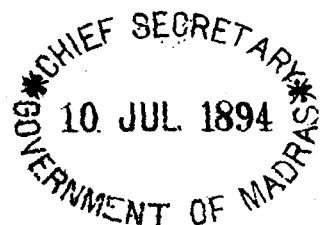
2012

Public (1894) DEPARTMENT.

From

SURG. MAJOR-GEN. C. SIBTHORPE,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,

To



No. 2/113

ENCLOSURES.

Dated 9th }
Recd. July 1894

No.

Subject.

Inform that the
Dist. Surgeon Kichu has
been wired to expedite
explanation from Civil
Apothecary J. G. Sessing.

CURRENT NO. 2624

OFFICE OF SURGEON-GENERAL,

WITH THE GOVERNMENT OF MADRAS,

Madras, 15th September 1894

No. 515

Encl.

From

SURGEON MAJOR-GENERAL C. SIBTHORPE, F.R.C.S.,

SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,

Madras,

To

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

Public Department.

Sir,

With reference to my no. 2/113 of
the 9th July 1894. Mr. Sessing's ex-
planation was received in my Office
on the 12th instant. He has been giving
much trouble and has been insubordi-
nate and is now under suspension pend-
ing the investigation of other charges
against him.

The following is his explanation:-

"In regard to the complaint preferred
"by the Chemical Examiner, I beg to
"state that as the rules in respect
"to the analysis and forwarding of the
"substances to the Chemical Examiner
"were communicated to the Magistrate
"as well as myself. I awaited a few
"days for a statement of symptoms
"without which the case would be
"complete. not getting a reply within

a fortnight I at once wrote for the same
and this was not received till I had
been transferred when the matter then
came under the charge of my successor.
The delay was due to my considering
it absolutely necessary that every
case should be accompanied by a
statement of symptoms &c, and in the
absence of specific rules directing
that the substances for examination
might be sent in advance of the
statement of symptoms I felt I could
not send one without the other. If
this was a mistake it was an error
of judgment which I deeply regret.
In regard to the delay in replying
to Mr. Connor I beg to state that this
was at the most ten days on the pre-
sumption that he wrote to me in
regard to the spirit on the 30th
December 1893 or immediately on
receipt of my reply about the seals,
for, no date is given of Mr. Connor's
letter to me about the spirit and a
week must have elapsed in transit
by post of his letter to me and my
reply thereto. Even this delay if it
existed was doubtless due to press
of work it being the end of the year

and the time for preparation of
returns. Lastly as the parcel was
not sent by me to the Chemical
Examiner but by my successor no
report was made to that Office in
regard to the seals.

I have the honor to be
Sir,
Yours most Obedt. Servant

Clinchamps,
Surgeon Major Genl.
Surgeon General
with the Govt. of Madras

D

Pub. No. 107 of 16-2-94

Puclic (1894) DEPARTMENT.

From

SURG. MAJOR-GEN. C. SIBTHORPE,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,
Madras,

Order of 24th Sep. 94, No. 711.
Recorded.

To

CHIEF SECRETARY
17 SEP-1894
GOVERNMENT OF MADRAS

from orders.

No. *515*

35B.
21/9

22/9/94

ENCLOSURES.

Dated *15th* } *September 1894*
Recd.

No.

Subject.

Towards the explanation
of Civil Apothecary F. G.
Assessing regarding the
delay &c. inspection
in connection with certain
chemical analysis.