

Public (1896) Department.

ORDINARY MS.

G.O., No. 284

Dated 25 Feb. 1896

INDEXED.

[Despatch Abstract.]

TRICHUR POISONING CASE.

Communicating to the Surgeon-General Proceedings, Political Department, regarding a case of suspected poisoning in the Trichur Cantonment, and requesting him to obtain and submit a full explanation from Surgeon-Major Pemberton of his conduct in the matter and to report on the relationship which should exist between the Chemical Examiner and (1) the authorities of Native State, and (2) British officers circumstanced as Surgeon-Major Pemberton was.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	2444 = 80.969 of 1896						

Yrichur
93-9-95

To The Inspector of Police
Yrichur

Sir, On Friday, 20th instant I was in comparatively good health, but immediately after taking my dinner at about 7-30 p.m. I took seriously ill vomiting and continued so till 7 a.m. next morning (Saturday 21st instant). I would beg you will take steps to arrest my cook Michael, whom I sent away yesterday as I suspect he has put some poison in my food. The grounds of my suspicions are that he is a relation of D'Crux recently writer in S. I. Office, whom I have sent away.

I am &c
(Sgd) H. A. Hewell

P.S. I have to add that the Medical Officer in charge of Detachment 28th Regiment M. I. considering this a suspicious case is sending a portion of the vomiting matter to the Chemical Examination Squadra, for analysis (Sgd) H. A. Hewell

(True Copy)
(Sgd) R. Litcher the Medical
2nd Class Magistrate

(True Copy)
Thos
Resident

From Acting Chemical Examiner
Madras

No 972 dated 3rd October 1895

To the District Officer 28 Reg. St.
Trichur.



Your letter No 49 dated 2nd Feb. 1896
Requests favour of
information on the following points
(g) Order of Magistrate or Superior
officer of Police.

Sigd R. Robertson.
M.D.C.D.

Surgeon Captain
Ag. Chemical Examiner

(Enc in)

W. B. M. S. S. S.
B. S. S. S. S.

To The Police Inspector
Trichur

No 51.

Sir, In forwarding the enclosed Memo
No 772 dated 3rd October - 95 - from
the Chemical Examiner Madras (which
please return) I have the honor to request
that he will forward the necessary orders
required by the Chemical Examiner.

I have the honor to.

Sy/ Francis

Asst. Assistant.

Trichur

6. 10. 95.

(The Sir)

W. B. B. B.

Sanj. B. B. B.

7th October 1895
Trichure.

To The Medical Officer
Regimental Hospital
Trichure

Sir, With reference to your letter of 5th date
6th inst. and to its enclosure which is
herewith returned, I have the honour to
inform you, that I am not now in a position
to send any order in the subject referred
to in it, as the Police had an opportunity
to take charge of the mentioned matter since
it was already taken charge of by the
Medical Officer attached to the 20th Coy. R.S.
to be forwarded for Chemical Analysis as
shown in the complaint itself, before the
Police had reached the scene of the occurrence.

I have the honour to be
Sir

Your most obed^t servant

Lt. P. Ramayya Pillay

Adj. Inspector of Police

E. D. W.

(Enc. 1)

W. M. S. S. S.

W. M. S. S. S.

no delivery

Regimental Hospital
Trichur 9. October 96.

No 52.

From Surgeon. Major R Pemberton
Med. Ch. Sect. 28 M. I.
Trichur
To the Chemical Examiner
Madras

Refers: His No 972 dt. 3-10-95

Has the honor to inform that
the omitted matter was taken possession
of by the before the arrival of the
Police and forwarded this office
direct.

Lt Col. R. Pemberton
M. I.

Surgeon. Major.

Enc. 1

A. B. Pemberton
Surgeon Major

Thy

copy of the

no. 52

A brief Summary of the history of the case of (Suspected
poison) Lieut H. A. Newell Officer Commanding the
Detachment 28th Regiment M. I. Grichur.

On Friday 20th September 1895 Lieut H. A. Newell
of the Detachment 28th M. I. Grichur was, apparently
in good health, took his dinner at 7.30 P.M. which
consisted of Soup, Cold meat (beef) and pudding, after
eating his pudding he became violently sick and
continued so till 7.0'clock on the morning of the 21st
instant. He did not suspect that there was something
wrong until Sunday morning 22nd September 1895 when
he sent for Hospital Assistant J. Francis of the
Detachment 28th M. I. who finding that some of the
vomitted matter had not been thrown away advise
him to keep it until I arrived. The suspected matter
was put into a bottle and sealed in my presence
and the sample of the spirit also treated similarly.

I am furnishing the following information
for guidance.

1. Vomitting commenced immediately after
drinking the Soup and continued till next morning
7.0'clock.
2. No purging
3. Did not sleep during the night owing
to constant vomiting
4. There was slight constriction in throat.
5. There was slight twitching of the muscles
of the chest.
6. No delirium.

Patient was weak and complained
 heaviness of head and chest attended with slight pain.
 No other person partook of the suspected food.
 On Friday 20th September 1895 at 6 P.M.
 Cook of the Officer and his brother-in-law a Clerk
 in the Detachment Office who was dismissed from
 service by the Officer (Lieut Newell) and a snake
 charmer, it would appear conspired to poison
 Lieut Newell.

(Sgd) W. Pemberton
 Surgeon Major R.M.S.
 In Med. Charge Detachment 28th M. I.

Grichus
 2nd October 1895

(True Copy)
 (Sgd) W. Pemberton Surg. Major
 In Medical Charge Detachment
 28th M. I.
 Grichus

(True Copy)
 Resubmit

Chemical Examiner Office
 Madras 12 October 1895
 No 1016.
 From Surgeon Major J. L. Van Geyzel
 M.B. F.I.C. F.C.S.
 Chemical Examiner
 Madras

To the Medical Officer
 Regt. Hopt. 28th Regt. Dr.
 Trichur

Sir, With reference to your No 52 dated
 9th October 1895, I have the honour to
 invite your attention to the Rules as
 to forwarding suspected substances
 for medico legal examination, from which
 you will see that such substances
 are not to be sent here except on the order
 of a Magistrate or Superintendent of Police
 or Supt. of Police.
 As I am not authorized to undertake
 examinations without such an order
 kindly obtain and forward it with
 further delay.

I have the honour to be
 Sir J. L. Van Geyzel
 M.B. F.I.C. F.C.S.
 Surgeon Major
 (True Copy)
 W. Pemberton
 Surgeon Major

6
 6

no

Regimental Hospital
Trichure 15th Oct. 95.

No 55.

To the Inspector of Police
Trichure.

As the Chemical Examiner Madras
states that he is unable to undertake
to examine the submitted matter of kind.
Jewell of the Detach. 28th M. I. without
the order of a Magistrate or Police, I have
the honour to request that you will
obtain the necessary order from the
Magistrate and forward the same as early
as possible.

I have the honour to be
Sir,

Lt Col. Francis

Mag. Assist

Detach. 28th M. I.

(Inc. 4)

W. H. Hester
Per [unclear]
Jm

11/10

24th October 1895.
Trichur

From the Inspector of Police
Trichur

To the Medical Officer
Bell. 28 Reg. Q. I.
Trichur

Sir, With reference to your letter to S⁶
dated 15th instant I have the honor to
forward herewith a copy of the letter
received from the 2nd class Magistrate
of Trichur in reply to my letter com-
-municating your request to obtain an
order from him to the Chemical Examiner.
The Magistrate writes on the subject you
know from the copy, is that there is neither
permission nor precedent to correspond
with British Officers directly and that
he finds no reason to write to the Chemical
Examiner in as much the substance of the
in question was not submitted with
intervention of his court.

I have the honor to.
Sd/- R. Kumaram Pillay
Ag. Inspector of Police
Trichur

(Sd/- R. Kumaram Pillay)
11/10/95

N. 55.

Regimental Hospital
Griechur 15th October 1895

To The Medical Officer
Detachment 28th Regiment - M. I.
Griechur

To The Inspector of Police Griechur

Sir,
As the Chemical Examiner, Madras, states
that he cannot examine the vomited matters
of Lieut H. G. Hewell of the 28th M. I. without
an order from the Magistrate or Police I have
the honor to request that you will obtain the necessary
order from the Magistrate as early as possible and
forward the same to me.

Yours &c
(Sgd) J. Francis
Senior Hospital Assistant
for Med. Officer 28th M. I.
Griechur

(True Copy)
(Sgd) P. Rengum Pucci
Asst. Inspector G. D.

(True Copy)
(Sgd) R. A. Chudamani
2nd Class Magistrate

(True Copy)
M. S. M.
Resident

Translation of Malayalam letter of the 2nd
Class Magistrate of Kichur

No 8. 2nd Class Magistrate's Court
Kichur.

From the 2nd Class Magistrate
Kichur.

To the Inspector of Police
Kichur.

Received your letter of 5th inst. with
the copy of letter from the Medical Officer
Regt. Hospital Kichur, stating that
an order must be sent to the Chemical
Examiner to examine the vomited
matter in question referred to in the report
No 27
1071 A.S. of this station, which was
sent to the Chemical Examiner Madras.
In reply to the above, there is rather per-
-sonal precedent to correspond with
British Officers directly and I find
no reason to write to the Chemical
Examiner in as much as the
vomited matter in question was
submitted with the intervention of
this court, I think it would be better
if the Medical Officer correspond with
that department to issue the necessary
orders.

22.10.95. By 1. 2nd Class Magistrate
Kichur

(True copy) By H. Kanyama Pillay
24.10.95 By Ag. Inspector of Police
S. V. N.

Translation of the Vernacular Papers.

No. 1

Under date the 8th Kanun 1071
23rd Sept. 1895 (2 P.M.) the Chief Head
Constable of the Trichin Cusba Station reports to the local 2nd
Class Magistrate that from a letter written by Lieut. Newell
of the British Regiment stationed there and addressed to the
Police Inspector it appeared, that with an intention of
causing the death of that gentleman, poison was administer-
-ed to him in meals by his Cook, Michael, on the 5th Kanun
1071 (20th Sept. 1895). That Mr. Newell's letter of the 23rd
September, with the Inspector's endorsement that the letter
should be registered and the matter duly enquired into,
was received in the station at 2 P.M. on the 8th Kanun (23rd
Sept. 1895) and the case was registered as No. 27 of 1071.
The Head Constable submits with his report Mr. Newell's
English letter and states that the result of his enquiry will
be reported further on.

No. 2

Under date the 9th Kanun 1071
24th Sept. 1895 the station officer
reports as follows:- Lieut. Newell of the British Regiment
said that he was quite well till the 20th of September.
Friday - but after supper that night he took suddenly
and seriously ill and began to vomit. He was vomiting

so till the next morning (21st Sept^r) 7 a.m. Saturday.
He suspected that his cook, Michael whom he yesterday
dismissed from his employ had administered to him
poisonous matter along with his meals and therefore re-
-quested that he may be arrested and brought to
book. That a man by name D'Curry was a clerk in
the Regimental office; that man he dismissed from
service. The cook mentioned is a relative of his and
hence he suspects him. As the medical officer in
charge of the Detachment of the 28th M.I considers this
a suspicious case the vomitted matter is being sent
for chemical examination to Madras. A letter dated
23rd September to the above effect addressed to the
Inspector with orders for due enquiry was received
yesterday at 2 P.M., registered as no 27 of 1071 and the
matter reported. At 4 P.M. the accused Michael was brought
and questioned on the subject. He states that he is a
native of Trichinopoly that he was living with Lieut.
Newell for 2½ months and that he knows nothing
about the poisoning. As the suspected vomitted matter
has been sent up for chemical examination and as the
case against the accused is under investigation and
as if the accused is let go it will be difficult to get
him, he being a stranger with no property in this
country, the station officer requests that he may

be remanded in custody for 12 days from the 9th Sept^r
24th Sept^r

No. 3

On the 5th Thulam 1071 the Inspector of Police, Trichinopoly
20th October 1945

writes to the 2nd class Magistrate that by letter Lieut.
Newell of the British Regiment has informed him
that poison was given him in his meals by his cook,
Michael, that in consequence, ~~that in consequence thereof~~
he became seriously ill, that the medical officer in
charge of the Regiment suspecting poisoning preserved
the vomitted matter and sent it up to Madras for
chemical examination, that the matter has been al-
-ready reported and that the accused person who was
under arrest and custody has been let on bail on the
expiry of the remand of 15 days granted by the said
Magistrate. That though the Police had no opportunity
of making a gadast as to the vomitted matter as
it was sent away they were waiting for the result of
the chemical examination. Meanwhile in accordance
with a memo received from the Chemical Examiner
for a Magisterial or Police order the Regimental
apothecary applied to the Inspector for such but
the Inspector replied saying that he could not
give the order required. The Inspector consequently

and on receipt of a second letter from the apothecary brought the matter to the notice of the D. Magistrate and that authority having referred him to the Taluk Magistrate he requests him to issue such an order as is wanted by the Chemical Examiner.

No. 4.

In reply to the above letter the Taluk Magistrate informs the Police Inspector (2nd Thulam 1071) that he does not see any ruling or ~~precedent~~ ^{act. 1895} for communicating direct with the officers of the British Government. The article sent for chemical examination has not been forwarded through his court. He does not therefore see any ground to write to the Chemical Examiner. Besides from the copy of letter furnished by the Inspector it appears that the chemical examination can be made on information supplied by the Police or Magistrate and so whatever that is now necessary may be done by his department.

No. 5.

With reference to orders from the District Magistrate requiring the Sheristadar second class Magistrate to explain what action he took and his grounds for such action in the matter of the suspected poisoning of the officer Commanding, Trichur, when he was in charge of the Taluk Magistrate's duties the Sheristadar Magistrate writes as follows:-

That

That on the 5th of Thulam last the day of his taking charge the Inspector of the E. Division submitted a copy of letter from the Regimental Apothecary and requested that a letter might be issued as therein desired to the Chemical Examiner Madras. As there was no precedent or ruling allowing direct communication with the Chemical Examiner and as he was not in possession of all the facts which under rule 4 part 1 of G.O. No. 1062 of 30th May 1883 which regulates the procedure in such matters in British India, ought to be embodied in the letter of a Magistrate or a Police officer to the Chemical Examiner and also as the case being under Police investigation the Police Superintendent was in a position to issue the letter the Chemical Examiner called for, the Magistrate referred the Inspector to the Superintendent of Police. This was on 11th Vrischigam 1071 25th November 1895.

No. 6.

Police Diary in case no. 27 of 1071 of the Carha Register
Section 287 of the Cochin Penal Code.

Occurrence took place 5th Kanuni 1071 20th September 1895 7-30 P.M.

Information reached Police 8th Kanuni 1071 23rd Sept. 95 2-12 P.M.

The case is that with the intention of causing the death of Lieut. Newell of the Trichur Regiment that gentleman's

Gentleman's Cook, Michael, administered poison to him on the 5th Kanuni 1071 in food. In this matter a letter written on the 23rd Sept. 1895 by Lieut. Newell to the Inspector of the E. Division was received in the station at 2 P.M. today with the Inspector's order on it for the letter being registered and the case properly enquired into. In the letter Lieut. Newell stated that he was in good health till Friday the 20th, that soon after dinner that night he became seriously ill and continued to vomit till the 21st morning (Saturday) 7 A.M., that he suspected Michael his cook whom he dismissed from service yesterday (date previous to the date of his letter) gave him poison in his food and requested that steps might be taken to bring the accused to justice. That Michael is a relative of a D' Cruz who was the Regimental clerk but whom he dismissed from service; and hence his suspicion on him. It was stated in this English letter that as the Medical officer in charge of the Detachment of the 28th Bn. considered this as a suspicious case, he was sending the vomited matter to Madras for Chemical Examination. The case was registered as no 27 of 1071 and a report

report sent to the Magistrate. Constable no 233 was sent to bring the accused and he was brought to the station at 4 P.M. He was questioned. He stated that he was living with Lt. Newell for about 2 1/2 months and that he is a native of Trichinopoly. He said that he knew nothing about poisoning and entirely denied the charge. The accused being a stranger to the state and possessed of no property there and as the vomit was sent to Madras for examination and the case against him was under investigation and as it would be difficult to get him if he was now let go he was arrested, examined and committed to custody and the matter reported. It was decided to apply for a remand from the next day. Constable no 26 was deputed to enquire privately. The Inspector was making enquiries.

8th Kanuni 1071

23rd Sept. 1895

9th Kanuni 1071

24th Sept. 1895

The Chief Head Constable applied to the 3rd class Magistrate, as there was no second class Magistrate then, for a remand of 12 days from this date but remand was granted to the 15th Kanuni 30th Sept. 1895

Inspector's Diary

8th Kanuni 1071

23rd Sept. 1895

I proceeded to the spot and enquired of the complainant. He repeated all that was written in his complaint.

and further stated that he heard somebody saying that his dismissed clerk D'Crux, Michael and another man were standing at the eastern gate of his compound and talking something privately. Lieut. Newell said it would be better if enquiry be made about this also. At that time Mr. Hudson Enquirer and Dr. Pemberton and others were there. The doctor said that he had suspicions and he was sending the vomit to Madras. About the private conversation at Mr. Newell's gate of the 3 persons, Mr. Hudson said that he also knew it from some of his servants. Constable no. 233 brought the accused Michael before me at 4 P.M. I questioned him. He said that he did not poison his master and that he did not stand at Mr. Newell's gate on Friday evening and talk to anybody. That his master got by tappal some beef, that that was preserved for 2 or 3 days and that Mr. Newell ate it on Friday evening and he considered that owing to the (old) beef being bad he, Mr. Newell vomited. However, I ordered his arrest and detention and the station officer did accordingly. Constable no. 76 was sent to enquire who all stood in Mr. Newell's gate and talked as said above.

Diary
9. Kanni 1071 } I left the station at 3 P.M.
24. Sept. 1895 } enquired privately into the matter

matter of the alleged conversation between D'Crux, Michael and others but did not get the name of the person who really saw them talking. Constable no. 76 was again entrusted with this work and I returned.

Inspector's Diary

10th Kanni 1071 } At 4 P.M. I went to the Regi-
25th Sept. 1895 } - ment at Apothecary and asked of him what all symptoms appeared when Lieut. Newell first got sick. He replied that the symptoms found were those of indigestion. That he then had no suspicion about poison. It was on the next morning after Mr. Hudson came and spoke something that Michael and D'Crux were suspected. It was Mr. Hudson who spoke as to the consultation of the above persons. At 10 P.M. I returned.

Inspector's diary

12th Kanni 1071 } I saw Mr. Hudson at 6 A.M. in this
27th Sept. 1895 } case. I enquired as to how he got information about the conversation held by D'Crux, Michael and another at the gate of Mr. Newell. He said that his butler (Brown) told him this but he did not see or hear them talking himself (butler); he knew from others. I questioned Brown and he said that he was unable to say who informed him, but he heard several persons speaking about it. Maty Chovan Krishnan was also with him when somebody told him about it and that he might perhaps know the person. Brown said that

Krishnan

Krishnan was then with Mr. Newell. I found Chovan Krishnan and questioned him and he stated he did not hear anybody telling him or Butler Brown about the conversation of D' Cruz and others referred to but that he had often heard D' Cruz abusing Mrs. Hudson and the Commanding officer and this he understood was because he was dismissed from work.

Chief Head Constable - 415
15th Kanuni 1071 } As no information was
30th Sept. 1895 } received about the result of
the chemical examination and as the case against
the accused was under investigation, application
was made to the second class Magistrate for a re-
-mand of 10 days more but the Magistrate let him
(accused) on bail taking 2 sureties on Rs 500 each.

Inspector's Diary
12th Kanuni 1071 } I saw the Commanding officer
27th Sept. 1895 } at 4 P.M. and was informed that
the result of the chemical examination was not known,
that information will be given immediately on its
receipt, that he was and is still getting beef from
Calicut, that he did not consider his sickness
due to eating it, that he was still eating beef, that
Michael may not have poisoned him as he said
but he has seen a boy coming to the kitchen to assist
Michael sometimes and that he might have done
something

something. Mr. Newell requested me to enquire into
this.

30th Kanuni 1071 } Information having been re-
15th October 1895 } - ceived through the Commanding
Chief Head Constable } officer that the vomit sent to Madras
was not examined the Inspector reported the matter
to the District Magistrate.

6th Thulam 1071 } In accordance with the orders
21st October 1895 } received from the District Magis-
Chief Head Constable } - trate in reply to the Inspector's
letter regarding the chemical examination of the
Vomit, the Inspector prepared a report to the 2nd
Class Magistrate and despatched it on the 5th Thulam
20th Oct. at 5 P.M.

8th Thulam 1071 } To the above report a reply was
23rd Oct. 1895 } received from the 2nd Class Magis-
- trate (no. 8 of Thulam 7th). It was stated herein
that as there did not appear to be any ruling or
precedent authorizing direct correspondence with the
British officials and as the vomit was not sent through
his court he did not see his way to write a letter to the
Chemical Examiner as desired by the Inspector.

9th Thulam 1071 } This reply was forwarded
24th Oct. 1895 } for the information of the Regimental Apothecary.

(True translation)

Thom
Resident

Regt. Hospital
Trichur. 30 Oct 95.

No 59. From Surgeon Raji R. Temberton
Lect. 28 Oct 95.
Trichur

To The Chemical Examiner
Madras.

Sir,
With reference to your letter no
1016 dated 12 October 1895. I have the
honour to enclose correspondence
received from the Inspector of Police and
the Magistrate for your information.
Please return the enclosures.

I have the honour to be,

Sy/ R. Temberton I.M.S.

(enc. 4) Surgeon Raji.

W. M. M. M.
Surgeon General

5
12/11
11

3

422-8/8/10
6

No 1106

Chemical Examiner's Office
Madras, 13th November 1895.

From, Surgeon Major J. L. Van Geyzel M.B. & Ch. & F.C.S.
Chemical Examiner
Madras.

To
The British Resident in
Travancore and Cochin
Trivandrum

Sir,
I have the honor to state that the Medical
Officer Regimental Hospital, Trichur, forwarded to
me some suspected vomited matter for Chemical
Examination, and I requested him to obtain
and forward an order from a Magistrate or
Superior Police Officer in accordance with the Rules
laid down by Government.

1. The Sub. Magistrate of Trichur
declines to grant the order on the ground that
"there is no provision to correspond with the British
Officers directly and no reason to address the Chemical
Examiner, Madras, as the vomited matter was
not forwarded through this Court."

3. It is not, I believe, necessary
that suspected articles should be forwarded
through the Court, though it is usual for such
articles not to be sent here except after a
Magisterial order has been obtained.

4. In the present case a British Officer is suspected to have been poisoned, and there appears to be a doubt as to who is the proper authority for issuing the necessary orders for the Chemical Examination. For want of such orders the Chemical Examination has been hindered; but I have now taken the responsibility of examining the suspected matter, without the necessary orders, as there is risk of the search for poison becoming unsuccessful by decomposition. In the meantime I venture to trouble you in the hope of having the matter put right, as the difficulty is one which might recur.

5. I would also request the favour of your opinion as to whether the Chemical Examiner may claim the authorised fee from the Cochin State in a case of medico-legal investigation arising out of suspected poisoning of a British Officer stationed in Cochin territory, or whether the analysis in such cases is to be regarded as work performed on behalf of the British Government and not of the Cochin State.

I have
(Sgd) J. L. Van Glyde M.B., F.R.C.P.S.,
Surgeon Major
Chemical Examiner

(True Copy)

Thomson
Resident

Ref: en C. No. 3448

Resident's Office
Gwandam, 16th November 1895

To
The Dewan of Cochin

Sir, With reference to the enclosed copy of a communication from the Chemical Examiner to Government, Madras, I have the honor to request that you will be so good as to inform me of the particulars of the case of poisoning that occurred in the Trichur Cantonment mentioned therein and of the conduct of it by your Magisterial Authorities ^{upto date} and the reasons for the course adopted.

I have
(Sgd) J. Thomson
Resident

(True copy)

Thomson
Resident

Reg: no. 3448

Residents' office,
Gowandram, 16th November 1895

To Surgeon-Major R. Pemberton
Civil Surgeon - Cochin

Sir,

With reference to the enclosed copy of a communication from the Chemical Examiner to Government, Madras, I have the honor to request that you will be so good as to inform me of the particulars of the case of poisoning that occurred in the Griches Cantonment mentioned therein and of the conduct of it by the medical authorities up to date and the reasons for the course adopted.

I have &c
(Sgd) J. Thomson
Resident

(True copy)

Thomson

Resident

817
No. 108.

District Magistrate, Court

Griechur 26th November 1895

To

The Warden of Cochin

Sir,

With reference to your letter No. ²²⁵⁷₂₁₁₅₇₀ of the 21st instant I have the honor to forward herewith copies of records in the suspected poison case within the Griechur Cantonment limits and to submit that the case is being investigated by the Police Inspector of Griechur who seems to have taken statements from Lieut. Newell and a few other supposed to be acquainted with the facts of the case. The accused was at the request of the Complainant arrested and detained in custody until ^{15th Kanni} 30th September but was enlarged on bail pending the result of the Chemical Examination of the Complainant's vomit, for completion of the Police investigation.

The Inspector's diary shows that the offence is said to have taken place on the 20th September 1895 and that intimation was given to the Police on the 23rd i.e. three days after the alleged commission of the offence. It appears that Lieut. Newell, Officer Commanding, Griechur, suddenly took seriously ill after supper on the night of the 20th September 1895 and continued to vomit till 7 am. next morning i.e. (21st September) On the 22nd of the same month he had grown to suspect that he was poisoned by his own Cook - one Michael, whom he dismissed at once. On the 23rd, the Inspector was sent for, while he was in company with ^{Dr. Pemberton} W. Hudson. After receiving written information from the Complainant, the Inspector seems to have

expressed a desire to see the vomit, so that he might
note down the particulars and draw up a Gada, to
which Dr. Pemberton replied that he had taken
care of it and that he would send it up directly to
his own Government without the intervention of the
Police for Chemical Analysis, in his capacity as
Regimental Medical Officer. I sent Hewell thereupon
took back the letter of complaint, inserted an
endorsement in support of this statement and
returned it with a request that the person of his cook
who was a native of Grichinspety should be at once
secured lest he would abscond that night. The accused
was arrested on the 23rd evening and was remanded to
custody for seven days by the 3rd Class Magistrate
of Grichinspety on the motion of the Police. This took place
on the 24th of September. On the 25th statements were
taken by the Police from the Complainant and a
few witnesses named by him to connect the accused
with the offence. On the 27th the Inspector was informed
that the result of the Chemical Examination would be
duly communicated to him in the usual course of
business. The Inspector's diary further shows that the
second application was made on the ^{15th Kanni} 30th Sept^r when
the accused remanded again for a further seven or
10 days which the Second Class Magistrate of Grichinspety
refused and the accused was enlarged on bail.

On the ^{15th October 1895} 30th Kanni 1071 the Police

Inspector without furnishing the facts of this case
submitted a Skeleton Report in which he sought
the advice of this Court as to how he should proceed
in the matter of a requisition made by the Medical
Officer of the British Regiment for an order
demanded by the Chemical Examiner at Madras

in connection with a poison case said to have
taken place within the Cantonment limits. To
avoid delay and inconvenience he was directed
to apply to the Taluk Magistrate to whom he said
he had sent up all the papers about that case as
a local Magistrate having original jurisdiction
to try the same.

On the ^{21st Oct^r} 30th Kanni the Inspector applied to the
Taluk Magistrate for the order referred to in Rule 2,
Section 1, Government Order N^o. 1062 dated 30th May 1883.
At this stage there was a change in the personnel of
the Second Class Magistrate of Grichinspety who seems to have
withheld the order on certain technical grounds. The
Inspector who acted as a medium of communication
between the British Medical Officer and the Magistrate,
communicated the order to the Regimental Hospital
Assistant instead of bringing it to the notice of his own
Superior for remedy or to the Court of the District Magi-
strate to whom the Taluk Magistrate was subordinate
for rectification.

The Taluk Magistrate explains his
conduct by saying that he was not in possession of all
the facts required by Rule 4 of the G.O. above mentioned
to be embodied in the order. Under the peculiar circumstances
of the case he entertained a misapprehension as to the conduct
of the Police in applying for an order from him when the Police
Superintendent, who had ample opportunities of knowing all
the particulars of the case could have easily met the demand.
Being new to the situation, he says he had doubts as to the
propriety of communicating to the British Authorities in a
case like this. Further, the Regimental Medical Officer, without
conforming to the G.O., appears to have taken upon himself
the responsibility of sending the suspected vomit for Chemical
Analysis without obtaining in the first place an order from
the Magistrate or Superior Police Officer, as required by Rule
Section 1 of the said Order. Secondly when at the instance

of the Chemical Examiner a requisition was made for the order in question neither the Medical Officer nor his immediate Subordinate furnished the necessary information on the particulars to be therein embodied. The Sub Magistrate adds that the absence of the Officer at the time from the Station prevented him from getting the required information directly from the Lcent.

In the absence of special rules for the guidance of the Magistrate under similar circumstances particularly in an offence of the same kind taking place within the Cantonment where a British Medical Officer is attached to the Staff, the Sheriff of this Court who took temporary charge of the Taluk on the day the application for the order was made might be excused for the course adopted by him in refusing to grant the order and referring the Division Inspector to his own immediate Superior, the Superintendent of Police who was at the time in a better position to comply with the requisition made by the Medical Officer.

Tham
(Sigd) R. Narayana Menon
Sub Magistrate

(True Copy)
(Sigd) V. Subramania Iyer
Dewan

(True Copy)
Tham
Resident

N. 67

Regimental Hospital
Trichur, November 28th 1895

From Surgeon Major R. Pemberton L.M.S.
Civil Surgeon Cochin.
In chd. Charge Detachment 28th Regt In. 9
Trichur

To
J. Thomson Esquire
Resident in Travancore and Cochin
Trivandrum

Sir,
With reference to your letter N. 9448
dated 16th Inst I have the honor to inform
you that on the evening of the 20th September 1895,
Lcent H. A. Newell in charge of the Detachment
28th Regiment In. 9. at Trichur, immediately after
dinner (7-30) was violently sick and continued
so until next morning, the matter was reported
to me on my arrival at Trichur on the 23rd Sept 1895,
and as I considered the case a suspicious one and
as the symptoms were those of irritant poisoning,
I sealed a portion of the vomited matter, and
before sending it to the Chemical Examiner, Madras,
I reported the circumstance to the Inspector of
Police who happened to be in Mr. Newell's bungalow
concerning into the case.

Tham
(Sigd) R. Pemberton Surgeon Major
In chd. Charge Detachment 28th Regt In. 9
Trichur

(True Copy)
Tham
Resident

N^o 2380
P. 360

Arthur Culcheth & Co. Account
Gichur, 1st December 1895

G/

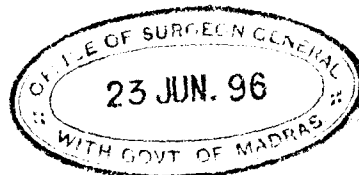
J. Thomsen Esquire
British Resident in
Gravacore and Pochin

Sir, With reference to your letter of the 16th ultimo
Ref: on C. N^o 3448
1895 enclosing copy of a communication
from the Chemical Examiner to the Madras
Government, I have the honor to forward herewith
copy of letter N^o 108 of the 26th idem of
the District Magistrate of Gichur together with
its original enclosures in which are given
the full particulars of the case of poisoning
that occurred in the Gichur Cantonment,
and of its conduct by the Magisterial
Authorities, and the reasons for the course
adopted.

* For details

H. amte
(Sgd) V. Subramania Pillai
Dewan
(True Copy)

Thomsen
Resident



List

of records accompanying the Resident's Letter to Government
Ref: G.O. No. 3736 dated 26th December 1895-

- I. From Chemical Examiner to Government, Madras, to Resident
No. 1106 dated 13th November 1895.
- II. From Resident to Dewan of Cochin, Ref: G.O. No. 3448 dated 16th Nov. 1895.
- III. From No. to Civil Surgeon, Cochin Ref: G.O. No. 3448 dated —
- IV. From Civil Surgeon, Cochin, to Resident No. 67 dated 28th November 95.
- V. From Dewan of Cochin to Resident No. $\frac{2380}{P.360}$ dated 4th December 95.
- VI. 1. From District Magistrate, Trichur to Dewan of Cochin No. 108 dated 26th Nov.
- VI. 2. From Lieut Newell to the Inspector of Police, Trichur dated 23rd Sept.
- VI. 3. Translation of Vernacular (record) (Police) Trichur.
- VI. 4. From the Regimental Medical Officer, Trichur, to the Inspector of Police
No. 55 dated 15th October 95.
- VI. From the Officer Commanding, Quilon, to Resident No. 124 (Confidential)
dated 9th December 1895.
- VI. 1. From ~~the~~ Regimental Medical Officer, Trichur, to the Officer
Commanding Quilon, No. 70 dated 6th December 1895.
- VI. 2. From No. to the Chemical Examiner, Madras, No. 49 dated 2nd Oct.
- VI. 3. From No. Brief Summary of the Suspected Poison Case.
- VI. 4. From the Chemical Examiner, Madras, to the Regimental Medical
Officer Trichur No. 1127 dated 27th November 1895.
- VII. From ~~the~~ District Magistrate, Trichur to Resident
dated 14th December 1895.
- VIII. Statement made before the Resident by the Inspector of Police, Trichur.
- IX. do. by the Regimental Hospital Assistant No. —
- X. do. by the Civil Surgeon of Cochin.

26/12/95

Confidential

Quilon
9th December 1895

N^o 124 C

From Captain W. H. Lowry
Commanding 28th M. Infantry

To The Resident
Travancore and Cochin

Sir,

I have the honor to forward herewith certain correspondence relative to a suspected attempt to poison Lieut Newell at Trichur for any action the Resident may think it desirable to take.

The difficulty of proving anything will, I fancy, be much increased by Lt. Newell's having been invalided home for a year.

I believe that Mr. Hudson, Engineer to the Cochin Government, and one of his servants are the only persons who can give any evidence beyond the medical statement of the case.

I am
(Sgd) W. H. Lowry Capt. .
Comdg. 28th M. I.

(True copy)

Thos
Resident

Regimental Hospital

No. 70

Trichur, December 6th 1895

From

Surgeon Major R. Pemberton I.M.S.
In Medical Charge Detachment 28th Regiment M.I.
Trichur

To

The Officer Commanding
28th Regiment M.I.
Quilca

Sir,

I have the honor to forward for your
information the correspondence in connection
with the attempt to poison Lieut H. A. Hewell.
I consider that steps should be taken as early
as possible to bring all the circumstances of the case
before the British Resident.

I am,
(Sgd) R. Pemberton
Surgeon Major I.M.S.
In Med. Charge Detachment 28th M.I.
Trichur

(True Copy)

Thos

Resident

No. 49

Regimental Hospital
Gyichur, 2nd October 1895

From Surgeon Major R. Pemberton J. M. S.
In Med. Charge Detach^t 28th Regiment M. S.
Gyichur

To The Chemical Examiner
Madras.

Sir,
I have the honor to inform you that
I have this day forwarded by mail train
for analysis a deal wood case containing
"Vomited matters".

I have &c
(Sgd) R. Pemberton Sur. Major M. S.
In Medical Charge
Detachment 28th M. S. Gyichur.

(True copy)

Thos. M.
Resident

2nd

1895

From The Chemical Examiner
Madras

To The Medical Officer
Detachment 28th Regt. In. 9
Trichur

N^o 1127 dated 27th November 1895

Reference

Your letter N^o 49 dated 2nd October 1895

Subject

The following articles were received here by rail
on the 3rd October under unbroken seals which agreed
with the Sample Sent with:-

Vomited matter, and a sample of Spirit-
which was used to preserve it.

We examined the above articles, and we
found the vomited matter to consist of a turbid
fluid containing particles of partially digested
food. The vomited matter contained Arsenic in
soluble form equivalent to three grains and twenty
two thousandths of a grain ($3\frac{22}{1000}$) of white Arsenic.
The Sample of Spirit was free from Arsenic.

The report was delayed owing
to correspondence which ensued in the attempt
to procure a Magisterial or Police Order for the
Chemical Examination in accordance with G. O.
N^o 685 Public dated 24th August 1873. We
finally felt compelled to undertake the

by amputation without such order as we did
not feel justified in delaying the examination
any longer and thereby risking failure in the
search for poison on account of decomposition.
The Resident of Travancore and Cochin, has been
addressed on the difficulty regarding the Magis-
trate's order.

(Sgd) M. C. Mangunda Rao
B.A.M.B. & C. M.
1st Asst. Chemical Examiner

(Sgd) J. L. Van Gaxel M.B. & J.C. & C.S.
Surgeon Major
Chemical Examiner

(True Copy)

(Sgd) R. Pemberton
Surgeon-Major, I.M.S.
Bombay Detachment 28th Regt. Inf.

(True Copy)

Thos. M.

Resident

407

Trichur, 14th December 1895

Sir,

I beg to enclose herewith copy of the G.O. dated
30th May 1883 referred to in my letter to the Dewan
dated 25th November 95 about the Prison Case in the
Cantonment.

On the 15th October the Superintendent of
Police and the Division Inspector appeared before my
Court in a particular case. After the Superintendent
had left the Court house a report was placed on my
table by the Police Inspector who appeared to seek my
advice rather than the order required by the Chemical
Examiner. I questioned him as to the particulars
necessary to be embodied under Section 4 which he
said he had furnished the Taluk Magistrate. Without
anticipating the turn the case has since assumed
I referred him to the Taluk Magistrate. I never knew
that the order was refused until the Dewan called
upon me for explanation. I was also not aware
that Mr. Newell would be leaving the Station.

This is the first time an application
was made before this Court in which the Chemical
Examiner calls for the order through the British Apothecary.
Generally, we apply through the Dewan, who I believe,
communicates through the British Resident.

I do not know why the Police Inspector
addressed this Court for the order which he could have
obtained from the Superintendent who was with him
on the day the reference was made to this Court.

I remain Sir
(Sgd) K. Narayana Menon
Perthar

(True Copy)

Thos. M.

Resident

410

1895 Trichur

Police Inspector Kunjunn Pillay - stationed at Trichur
examined on 15th December says:

Q. When the Regimental Apothecary called on you for an
order to the chemical examiner Madras to examine the vomit-
ted matter in connection with Lieut. Newell's complaint
of poisoning and when you were unable to obtain one
from the Taluk Magistrate why did you not obtain and
send an order from the Police authority so as to fulfil
the Government order?

A. The orders of the Regimental apothecary required a
Court order or an order of a superior officer of the Police.
I was not a superior officer of the police.

Q. Did you obtain one from the Superintendent?

A. I referred all these matters after replying to the
Apothecary, to the Superintendent.

Q. Did you ask for an order from him?

A. No.

Q. Why?

A. The apothecary in his letter wanted me to send an
order. He did not require one to be got from the Super.
so I did not ask one from the Superintendent.

Q. Have you found out in this case anything more than
appears

shows from the Police papers before me? and shown you?

A. After submitting the police report a week ago, the Station House Officer examined the son of Michael the Cook, who said that they two used to eat a portion of the meals prepared for their master Mr. Newell before it was served, to know if it was well prepared or not and did so on the particular day - 20th Sept. - with no bad results. The Station House Officer also enquired to find if any one in the bazaar was selling Arsenic and found, by private information that one Pottan Dewasi was selling Arsenic some time ago. Pottan Dewasi has become old and is not going to his shop now a days and his son Thoma has been managing for the last 15 years. Thoma was sent for and denied that he had Arsenic in his shop for sale and had not at all sold Arsenic. I don't know if he was interrogated whether he had sold Arsenic to Michael the Cook.

I have sent for one Velam Krishnan on information given by Mr. Hudson that he was one of the "conspirators". He has not yet appeared. I don't know anything of the man referred to.

Q. An interval from 23rd Sept. to 2nd Oct seems to have occurred before despatch of the committed matter to Madras. Do you know the reason of this?

A

A I do not know.

Q. When did Mr. Newell leave the station?

A. On 1st October 18th Oct., I think.

Q. Have you any evidence on which to lay a charge in this case?

A. Yes. Mr. Newell had only one servant this Michael. He must have mixed the poison with the food or some one with his knowledge must have done so. There is no other evidence as yet.

Q. Is there any evidence of illwill between the Cook and his master?

A. No. There is understood to be illwill between the brother-in-law of the Cook, D' Cruz who was the Regimental writer - and Mr. Newell.

Q. Why did you let the matter rest, doing nothing, when the chemical examiner was calling for the order.

A. I privately appealed to the 2nd class Magistrate, Gopalakrishnan, to give us an order in order that we might learn the result of the chemical examination. He refused to depart from his Court order. I submitted the papers to the Superintendent. But I did not ask him to expedite matters. I thought the Apothecary would address the Superintendent or refer the matter

to higher authorities. I supposed that the medical officer would take action.

Q. Did the matter of the cost of the chemical examination influence you in your conduct in any way?

A. It did not. It was not referred to by the Court or any one. In my private conversation with Gopalakrishnan he remarked if I order the chemical examination I do not know who will be responsible for the cost of it.

(Sigd) P. Kunjamma Pillai
Ag: Inspector, & Dr.

(Sigd) J. Thomson
Resident.

18-12-95.

(True Copy)

Thomson

Resident

Th

Trichur, 15th Decr. 1895.

Simon Francis Senior Hospital Assistant attached to the 28th Bn. I. at Trichur says:

I am 22½ years service. On Sunday morning 22nd Sept. suspicion arose that Lieut. Newell's illness was due to something bad having been administered to him. Mr. Hudson raised the suspicion. He said he heard there was a conspiracy on 20th Sept. evening by three persons the Cook, Mr. Newell's discharged writer D. D'Crux, and a snake charmer of Velam Caste. He told this to Mr. Newell. I visited Lieut. Newell as usual at 8.30 am. & 5 minutes after leaving he sent for me again and told me there was some doubt in his case whether it was not poisoning instead of indigestion. I asked him if any portion of the vomit had been kept or if all had been thrown away. He said all had been thrown away. On the Sunday morning I gave him some medicine for his weakness. In the evening at 5.2 clock I saw him again. He then told me that the vomit had not all been thrown away; some of it was kept in the Commode covered. Along with him I inspected the vessel. It contained indigested rice and bits of meat. I took charge of it. I left it there. Mr. Newell said he would look after it that Dr. Pemberton was coming next morning - on his regular monthly inspection - he had not been sent for - & he would confer with him.

Next morning, Monday, Dr. Pemberton arrived and first visited the Hospital and then went to the bungalow. The committed matter was produced by me; I brought it from the bathroom. Dr. Pemberton bade me bring spirit and bottles and I packed it up and it was sealed in the

the presence of both. About 10 P.M. of the 20th Mr. Newell sent for me by the boatman Serab Raman and I went & found Mr. Newell seated on the bed vomiting into a vessel kept in front of him. I asked the cause, and he told me very likely it was indigestion. I asked what he had been eating and he said cold beef. I did not ask to see it. Next morning he asked me to see it and bade me throw it away. It looked not in good condition: it was three days meat. It was fresh meat not salted.

He had complained of pain in the chest and a tickling sensation in the throat. There was no twitching of the muscles of the throat no burning sensation and no purging. He had told me that he vomitted directly after taking the soup. I did not ask, he did not tell me, and I do not know whether he took more of his dinner than the soup.

I cannot say looking back now at the symptoms and knowing that Arsenic has been found in the vomit, that the symptoms then indicated Arsenical poisoning. But the symptoms would not fully be shown unless the arsenic had been taken into the system.

I despatched the sealed articles to the chemical examiner. It was sometime after Dr. Pemberton said he would send them from Cochin after seeing the proceedings of the Madras Government. He sent me a draft letter, I fair copied it and sent it him for signature. He sent it back signed and I sent it off with the vessels to shore.

The chemical examiners letter I opened, did not

& i.s. after going
to Cochin as I understand

not send to Dr. Pemberton - in urgent cases I sign for Dr. Pemberton - and I wrote a letter to the Inspector of Police asking him to get an order for the chemical examiner. He replied that the matter was taken charge of by the medical officer not by the police and so he was not in a position to get or give any order. I thereon sent it all on to Dr. Pemberton and with a covering letter sent copies to the chemical examiner. The chemical examiner wrote me again that an order must be got, or the matter could not be examined. I again forwarded to the police inspector and also pointed out the proceedings to the Police Inspector. He sent me a copy of the Magistrate's letter in Malayalam with his own covering English letter that the Magistrate was not in a position to communicate directly with the officers of the British Government and requested that the matter had been taken charge of by the British medical officer. These letters were a record time communicated to the chemical examiner.

The Inspector of Police was present when the vomitted matter was taken charge of by Dr. Pemberton.

Mr. Newell left the station on 14th October

(Signed) S. Francis

Senior Hsptl. Asstt:

Dett: 28 Regt. M.D.

(Signed) J. Thomson
Resident

15-12-95

(True Copy)

Thomson

Resident

Boyleberry - 23/12/95

Surgeon Major Pemberton examined says:

I arrived at Trichur on 23rd September 1895 and on getting there was informed of Mr. Newell's illness. He described the symptoms to me. I heard also what Hospital Assistant Francis had to say.

The idea of poisoning had been entertained before then. On the accounts given me I considered poisoning to have been probable.

Immediately after I arrived at the house - Mr. Newell's the vomit was shown to me. It was in the commode pan. I looked at it and put it into a bottle at once. I cannot say if it bore traces of lying undisturbed for some days or not - in the commode pan. It was an evident vomit.

I sealed the bottle and gave it to the medical sub-ordinate and told him to forward it as soon as possible. I wrote to the chemical examiner myself when I forwarded it. The delay from 23rd Sept. to 2nd October was probably due to the papers having to come to me for signature at Cochin.

The first part of the summary attached to my letter

letter no. 49 of 22. Oct. I took from Mr. Newell's own lips. I cannot say now for certain whether he had eaten beef for his dinner or not. As a matter of fact he had not been in good health; been suffering from fever. The Hospital Assistant told me that the beef was bad.

The Hospital Assistant was informing me that the Chemical Examiner was making delays and calling for a certificate to let him examine the matter sent. I bade him apply to the Magistrate or Police for a letter. He replied they would not give him one.

I told the Surgeon at Mr. Newell's home that I would keep possession of the committed matter & he should refer it to the Magistrate. I was not aware that Mr. Newell had withdrawn the matter from the Police as per his postscript to his complaint. If the Police had asked for the matter they would have got it from me.

Mr. Newell had two bathrooms and evidently had used both on the particular night: hence I concluded the commit had been allowed to remain where it was found.

I consider that the Chemical Examiner should have proceeded to examination of the matter

matter on my letter of 2nd October.

The usual course in the Cochin state when any suspected matter was sent to the Chemical Examiner was that it was either sent by the police to the Hospital or forwarded by the Magistrate to the Hospital. The Hospital authority would seal it up and report to me and I would apply for sanction to send it to the Chemical Examiner. That is with regard to Cochin state matters. The Cantonment of Trichur might be regarded as requiring a different treatment.

(sigd) R. Pemberton
Surgeon Major & M.S.
Civil Surgeon Cochin

Prochotz
23rd Decr. 1951.

(True Copy)

Thomson
Resident

429

3
Resident's office on circuit
Cochin, 26th December, 1895.

From

J. Thomson Esquire
Resident in Travancore and Cochin

To

The Chief Secretary to Government
Fort St. George

Sir,

I have the honor to report the following
for the information of Government and for such orders as
it may deem necessary to issue for the better guidance of
all concerned. The connected records are forwarded as
per list.

2.

On 13th November last in his letter No.
1106 the Chemical Examiner to Government reported to me
that the Medical Officer Regimantal Hospital Trichur
had forwarded to him some suspected vomited matter
for chemical examination, that he had requested the
medical officer to obtain and forward a magisterial
or police order in accordance with the rules of Government
No. 62 of 30th May 1883; that the sub Magistrate Trichur
declined to grant any order as he could not correspond with
British officers directly and the vomited matter had
not

In G.O. 685 P. 24. 8-92

6
PAC
1

not been forwarded through his court, that the chemical examination had been thus hindered but had been made in case delay rendered examination abortive and he therefore addressed me as there seemed to be a doubt as to who should issue orders for examination in such cases and he also wished to know if the Cochin Government had to meet the cost of the particular examination made.

3. I called for a report of the particulars of the case from the Dewan of Cochin and from the Civil Surgeon of Cochin - Surgeon Major Pemberton - who has charge of the Trichur Regimental Hospital. Surgeon Major Pemberton replied to me on 28th November and the Dewan of Cochin on 4th December. The Officer Commanding Quilon also addressed me on 9th December. And when I came through Trichur I interrogated the Peishcar and recorded statements given by the Hospital Assistant with the Detachment and the Cochin Inspector of Police; and have here taken a statement from Surgeon Major Pemberton.

4. The material facts of the case appear to be as follows:-

Lieut. Newell was the officer in charge of the Detachment at Trichur on 20th September. At dinner on that day he was seized with vomiting and

and continued ill till next morning. The Hospital Assistant Simon Francis attended him at 10 P. M.; and both evidently regarded the sickness as due to indigestion, which opinion, poor health, due to fever, and the weather, not in good condition, certainly favoured.

5. Between the 21st and 22nd suspicion had been aroused in Mr. Newell's mind by Mr. Hudson, Chief Engineer of the Cochin State, dwelling near by, who had heard some rumour of poison having been administered. Part of the vomit had not been cleared away and was detained pending the arrival of Surgeon Major Pemberton who was expected on the 23rd on inspection duty. He arrived, packed the vomit and left it with the Hospital Assistant who despatched it with Surgeon Major Pemberton's letter of 2nd October to the Chemical Examiner. The letter covered a statement of the case.

6. On the 23rd Mr. Newell gave a written complaint to the Inspector of Police at Trichur asking for the arrest of his cook Michael, as suspected of having put poison in his food. That report was taken on the file and the cook arrested. He was in custody till the 30th September and then released on bail.

7. The Police record shows little or nothing done towards working out the case. Before the 15th of October the Chemical Examiner would appear to have commenced

...cated his objection on the score of the want of an order to the medical officer at Trichur & the Hospital Assistant seems to transact business there referring to his superior when necessary. The Hospital Assistant referred the objection to the Inspector of Police who applied to the local Magistracy. The Taluk Magistrate refused any order on the grounds already stated (by the Chemical Examiner) and this was communicated to the Chemical Examiner. He persisted in requiring an order but the Cochin Magistracy continued to refuse.

8. Both Surgeon Major Pemberton and Mr. Isambard Superintendent of Police, were made aware of this hindrance to the work of the Chemical Examiner but neither intervened. The Peishcar (District Magistrate) professes ignorance of the full transactions so far as himself is concerned and excuses his subordinate, the Taluk Magistrate, on the ground of the novelty of the situation — British Cantonment officials concerned and Surgeon Major Pemberton's intervention — the articles not being sent through the Court —; and holds that the Police should have issued the order. Surgeon Major Pemberton considers that the Chemical Examiner should have proceeded on his letter forwarding the matter for analysis. It is unnecessary to ask Mr. Isambard for a reason; as matter of fact the Inspector

Inspector never made any direct appeal to him for the required order.

9. It cannot be said that either the Cochin officials or Surgeon Major Pemberton was alive to the possibilities of the case or the necessity for prompt action. The former were hidebound in obstinacy, a complaint being already on the Criminal file and nothing further than an order being required. If full compliance with the Madras Government order was regarded as necessary they should have put themselves in communication with Surgeon Major Pemberton. Surgeon Major Pemberton ought to have demanded such an order when he took up himself the despatch of the matter for analysis; and if this original neglect was due to mistake he ought certainly to have set himself right when the repeated demands of the Chemical Examiner were made known to him by his local subordinate.

10. The truth seems to have been that no one attached very much importance to the probability that the idea of poisoning was correct, and the Cochin officials were not solicitous to involve the state in the amount of the Chemical examination fee.

11. However, the Chemical Examiner having proceeded to examination by the 27th November found the matter submitted to contain $3\frac{22}{1000}$ grains of

of white arsenic in soluble form; and the question now is what further steps, if any, are to be undertaken.

12. Lieutt: Newell went before a medical Commission about 16th October and was invalided home for one year.

13. The Peishear has I understand, proceeded to make formal enquiry with the cook Michael, as accused in the case. So far as the records before me show the points throwing suspicion on him are that he was Mr. Newell's chief if not only servant, and that he is the brother-in-law of one D' Cruz clerk in the detachment office who was dismissed immediately before the occurrence and is stated to have been heard using threatening expressions on that account towards Mr. Newell; and that the symptoms of Mr. Newell's illness on the night of 20th September indicated Arsenical poisoning conveyed in his dinner.

14. On the other hand it would appear that a boy at least had access to the kitchen, that the meat of the dinner was not in good condition, that so far there is no proof of the cook having been supplied with the arsenic, and that the matter submitted for chemical analysis was lying undisturbed for a period of 3 nights and two days. Lieutt: Newell and the Hospital Assistant had no suspicions till they were communicated to them by Mr. Hudson who seems to have done so on servants' talk that the cook, the discharged writer and a "sorcerer" had been overheard "conspiring" at Mr. Newell's gate on the evening of the 20th September. The Police tracked this gossip to Mr. Hudson's butler and from him to a metey who denied such knowledge.

15. As matters at present stand there is obviously no good ground for proceeding to try the cook on a charge of attempted poisoning nor for requiring Mr. Newell's presence to give evidence. Whether more energy and acuteness on the part of the Cochin police would have added to the incriminating evidence cannot with certainty be stated: but undoubtedly the delay and laxity that have occurred have reduced the chances of detection if the fact is that Mr. Newell's life was attempted.

15. I shall report further if anything is elicited in the enquiry which I understand is being now prosecuted by the Trichur Police and Magistracy.

I have the honor to be

Sir

Your most obed^t. servant

Ch. J. J. J.

Resident.

1845

3

Political Department

From

The Resident in Travancore
+ Cochin

2

The Chief Secretary to Government

For St. George
- 2 JAN 1946
GOVERNMENT DEPT

dated 26/12

Recd 2/1

Regd 3/11 Ref: enc no. 3736

1 Enclosures 11

Reporting for the information
of Government and for issuing the ne-
cessary orders a case of suspected
poisoning that occurred in the Trichur
Cantonment and forwarding the
connected records.

US 115 Summary

Referred to the Public
Department

Admiral Dice

Chief Secretary

C.S.
20.1.96

No.

The Chemical Ex.
is under Public. No
further action as regards
the cook seems to be
called for in Political
but the papers are cited.
W.H.S. the Examiner for
information

C.S.
20.1.96.

There can be no doubt that a thorough
water search to town on the Newell
and I can surely detect that the
Coke has the house. We will look
over the edge of the case and the
lighter but not intended for any
with the house and the
hunting down the offender. In
the summer house the
house. I have been taking the
house the house of the house
house (the house of the house
and the house). The work is
the house is the house of the
house. I have been house
and the house has been house
house. I do not see a house
house the house of the house
house the house of the house

A. Hewitt's case

The Chemical Examiner may be under Public - but there appears to me that Pol^t should do more than refer this matter to that Dept. as regards the Chemical Examiner. I think it is most important that the exact relations which should exist between the Magistracy of Cochin and the Chemical Examiner of Madras in cases wh. arise within Cantonments should be explained. The note says nothing of this, and I should like to see what their position is. As far as I can judge the Resident sh^d be told (in the Pol. Dept.) that we are very much dissatisfied with the conduct of the Magistrates and the Police concerned, especially with the supineness of the latter - not only in their general conduct of the case - but also as to their omission to examine the shop from which it was suggested the arsenic had come. But I want more information as to the Magistrates, and their position in dealing with the British Cantonment.

Cases.

Again from the Resident's letter para 9 - of Dec. 26. 1895. it would appear that Surgeon Major Pemberton should have bestowed himself much more than he did, when he found what the "hide-bound obstinacy" of the Cochin officials was resulting in. This should also be referred to the Public Dept. I do not suppose that any enquiry now will bring out anything, but he ought to take some notice of the general neglect of the case.

W

22 Jan

Political Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT

Read the following:-

From the Resident in Travancore and Cochin, dated 26th December 1895, No. 3736.

O R D E R:- No. 114, dated 15th February 1896.

The Resident will draw the attention of the Cochin Darbar to the unsatisfactory conduct of the local magistracy and the Police in the case reported in the letter read above. The Police appear to have been especially supine not only in their general conduct of the case but also in regard to their omission to examine the shop from which it was suggested that the arsenic had come. The conduct of

- (1) Surgeon Major Pemberton in the matter will be dealt with in the Public Department which will also be requested to consider the relations which should exist between the Chemical
- (2) Examiner and (1) the authorities of native states and (2) British officers as circumstanced as Surgeon Major Pemberton was.

(True Extract)

W. W. Phillips

Ag. Assistant Secretary,
for Chief Secretary.

To
The Resident in Travancore & Cochin.

Political Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT

Read the following:-

From the Resident in Travancore and Cochin,
dated 26th December 1893, No. 2736.

O R D E R:- No. 114, dated 13th February 1896.

The Resident will draw the attention of the
Gosain Darbar to the unsatisfactory conduct of the local
magistracy and the Police in the case reported in the letter
read above. The Police appear to have been especially supine
not only in their general conduct of the case but also in
regard to their omission to examine the shop from which it
was suggested that the arsenic had come. The conduct of
Surgeon Major Pemberton in the matter will be dealt with in
the Public Department which will also be requested to consider
the relations which should exist between the Chemical
Examiner and (1) the authorities of native states and (2)
British officers as circumstances of Surgeon Major Pemberton
was.

(Two Exhibits)

AG. Assistant Secretary,
for Chief Secretary.

To The Resident in Travancore & Cochin.
Public Department

Govt. of Madras.

To

The Collector

Proceedings, dated 15th November 1896.
No. 1114

Subject.

De vesting the land in
Thamara and Pochu to form
the station.
The land is situated
between the local station
and the station of the
Government. The land is
situated between the local
station and the station of the
Government.

H.M.

G.O.

Comd

interior

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