

Public (1899) Department.

ORDINARY PRINTED.

G.O., No. 1348

DATED 5-12-88

INDEXED.

[Despatch Abstract.]

Majr C. Adams I.M.S.

Comm. to the Surgeon General letter from the Govt. of India forwarding a copy of the correspondence with Her Majesty's Secy. of State for India regarding the grant to — of a temporary pension of £150 a year for one year, subject to renewal as in the case of a medical officer subject to mil. rules.

Paper taken out of the Records from the charge of the Ref.

Press
Miscellaneous No. 1847 dated 15-12-1899.
Routine

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
20/1/00	Pub	1118200		Wt	23/1/00	M.
25-1-00	Pub	800	00	Wt	29-1-00	
31-1-00	Pub	293	00	Wt	12/2/00	M.
17-3-00	Pub	800	00	Wt	19/3/00	M.
13-11-02	Pub	3943	02	Wt	19/11/02	M.
1-7-03	Pub	1827	03	Wt	24/7/03	M.
5/2/07	Pub	476	07	Wt		
29-10-07	Pub	Refund			22-11-07	PB
13-12-07	Pub	4332	07	Wt	13-1-08	PB
5/3/08	Pub	653	08	Wt	4-4-08	PB
5-4-09	Pub	1303	09	Wt	20/4/09	PB
17-8-11	Pub	2929	11	Wt		
8/12	Marine	Supdt			8-10-12	Wt
4-13	Pub	815	13	Wt	16/5/13	Wt
	Pub	1231	13	Wt		

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1899} of Madras. PUBLIC.

Recd.

Regd.

} 1899.

Enclosures

Spare copies

G.O., No. 1343, 5th December 1899.

DECEMBER.

Major C. Adams, I.M.S.

Communicating to the Surgeon-General letter from the Government of India forwarding a copy of the correspondence with Her Majesty's Secretary of State for India regarding the grant to — of a temporary pension of £150 a year for one year, subject to a renewal as in the case of a medical officer subject to Military Rules.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—again the following papers:—

G.O., No. 1313, Public, dated 5th October 1897.

ABSTRACT.—Granting Surgeon-Major Adams one year's leave on medical certificate and permitting him to retain charge of his duties as District Medical and Sanitary Officer, Madura, during the time occupied by him in appearing before a Medical Board and resume them until he proceeds on leave.

G.O., Mis. No. 22, Public, dated 5th January 1899.

Read—the following letter from Surgeon-General C. SIBTHORPE, C.B., F.R.C.P.I., Surgeon-General with the Government of Madras, to the Chief Secretary to Government (through the Accountant-General), dated 21st November 1898, No. 481:—

I have the honour to forward, for submission to Government, the accompanying letter with its annexures from Major C. Adams, M.B., I.M.S., Civil Surgeon, Chittoor, and now on sick leave, praying for the award of compensation for the injury sustained by him in July 1897 whilst performing an operation in the execution of his duty.

2. The prayer of Major Adams is governed by revised article 787-A, Civil Service Regulations, and I accordingly recommend it for the favourable consideration of Government.

No. I.A.E.—526.

Submitted to Government.

2. The case does not come within any of the rules contained in the Civil Service Regulations.

FORT ST. GEORGE,
6th December 1898.

(Signed)

T. HESKETH BIGGS,
Accountant-General.

Order—Mis. No. 22, Public, dated 5th January 1899.

The application will be forwarded to the Government of India.

(True Extract.)

(Signed)

G. STOKES,
Chief Secretary.

To the Surgeon-General.

G.O., R. No. 940, Public, dated 27th July 1899.

ABSTRACT.—Recording letter from the Government of India stating that a reference has been made to the Secretary of State on the application from Major C. Adams, I.M.S., for compensation for an injury sustained while performing an operation.

Read—also the following paper:—

From R. NATHAN, Esq., Under Secretary to the Government of India. Home Department (Medical), to the Chief Secretary to the Government of Madras, dated Calcutta, 22nd November 1899, No. 1969.

In continuation of the letter from this department, No. 1192, dated the 18th July 1899, I am directed to forward, for the information of the Governor in Council, a copy of the correspondence with Her Majesty's Secretary of State regarding the grant to Major C. Adams, I.M.S., of a temporary pension of £150 a year for one year from the 18th October 1899, subject to a renewal as in the case of a Medical officer subject to Military rules.

ENCLOSURES.

DESPATCH from the Government of India, Finance and Commerce Department (Pensions and Gratuities), to the Right Honourable Her Majesty's Secretary of State for India, dated Simla, 6th July 1899, No. 239.

We have the honour to submit, for Your Lordship's consideration, an application from Major C. Adams, M.B., I.M.S., Civil Surgeon, Chittoor, for the grant of a compensation pension.

2. Major Adams was inoculated with syphilitic poison while conducting an operation in the municipal hospital at Chittoor in July 1897. In consequence he contracted an illness which compelled him to proceed to Europe on a year's leave. This was afterwards extended by nine months, and Major Adams has not yet returned to duty. He was compelled to go to Aix to undergo a course of treatment which appears to have been successful in improving his health. Major Adams asks that he may be paid such an amount as would in some measure make up for the extraordinary expense, trouble and anxiety caused by the disease.

3. The case is typical of its kind and does not present any special feature. It should therefore, in our opinion, be governed strictly by the general rules applicable to such cases. We are in some doubt as to Your Lordship's intention with regard to the interpretation of those rules, and we therefore propose to state our difficulty and to ask you to deal with the case without any recommendation from us.

4. Sir Henry Fowler, in Despatch No. 123 (Financial), dated the 5th July 1894, granted a temporary pension of £150 a year (subsequently made permanent) to Surgeon-Major A. Tomes who was also inoculated with syphilis whilst performing an operation, and whose case differed from that now under consideration only in the greater severity of the illness which resulted. But this pension was granted under Army Regulations, and Your Lordship having stated in Despatch No. 61 (Financial), dated the 25th March 1897, that Military rules are not applicable to Military officers receiving injuries whilst in civil employ, we are doubtful whether the case should be regarded as a precedent. Treating the matter under Civil rules a pension could be granted under article 780-A of the Civil Service Regulations only if the injury was met in the performance of a duty attended with extraordinary bodily risk within the meaning of article 782. A gratuity not exceeding Rs. 1,000 could be granted under article 787-A even though the conditions of article 782 were not strictly fulfilled, but if anything at all is admissible, Rs. 1,000 would be altogether inadequate. We think it doubtful whether our past practice would justify us in ruling that the performance of the operation in the course of which Major Adams absorbed the poison was a duty attended with extraordinary bodily risk, but on the other hand we are not sure that the case does not fall within the interpretation of article 782 given in Your Lordship's Despatch No. 65 (Military), dated the 30th June 1898.

From the Right Honourable Her Majesty's Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated 19th October 1899, No. 208 (Financial).

I have had under my consideration in Council your despatch in the Finance and Commerce Department, No. 239, dated 6th July 1899, regarding an application for compensation preferred by Major C. Adams, I.M.S., Civil Surgeon, Chittoor, who was inoculated with syphilitic poison while conducting an operation in the municipal hospital, Chittoor, in July 1897.

No. 1348, PUBLIC, 5TH DECEMBER 1899.

2. Having regard to the insidious and far-reaching results of syphilitic poisoning, I consider that the performance of operations on venereal patients may fairly be regarded as a duty involving extraordinary bodily risk within the terms of article 782 of the Civil Service Regulations, and cases of Civil Medical Officers injured in this manner may be dealt with, under those Regulations, on the principles laid down in my Military Despatches Nos. 19 and 65 of 1898.

3. Major Adams appeared before the Medical Board of this office on 5th September 1899, and a copy of their report is enclosed. The Board consider the injury very severe and permanent in its effects on Major Adams' constitution, and in the possibility of its recurrence I have accordingly granted him a temporary pension of £150 a year for one year, from the 18th of October 1899, subject to renewal as in the case of a medical officer subject to Military Rules (see articles 1502 and 1504, Army Regulations, India, Volume I, Part I).

F 3861-99.

MEDICAL BOARD,
INDIA OFFICE,
5th September 1899.

We certify to have carefully examined Major C. Adams, I.M.S., and find that the evidence is clear that he contracted syphilis during the execution of his duty as Surgeon to a Government hospital, and whilst he was seriously affected with malarial poison. He has undergone a special course of treatment for the last two years at Aachen and elsewhere for constitutional syphilis, and although he is now free from any manifestation of it, he is, as a medical man with strong reason, apprehensive of recurrence of the disease. He is still suffering from the effects of malarial poisoning, the spleen being considerably enlarged, and the liver somewhat thickened. We are satisfied that his general health has undergone considerable deterioration, he looks several years older than his age, and has well-marked cachexia; and his present condition chiefly results from constitutional syphilis.

W. R. HOOPER, Surgeon-General.
E. F. DRAKE-BROCKMAN, Lieut.-Col., I.M.S.
E. WILSON, Major, R.A.M. Corps.

ORDER—No. 1348, Public, dated 5th December 1899.

Communicated to the Surgeon-General.

(True Extract.)

G. STOKES,
Chief Secretary.

To the Surgeon-General.
„ Accountant-General.

Exd. A. F. Eccleston.

[Pub.]
1,000-11-8-98.

Public (1899) Department.

CURRENT No. 3299

From

The Govt. of India

Home Dept
Medical

No. 1969

Order

Dated 22-11-99

Received } 27-11-99

Registered } Refd 4.30 Pm

Enclosures 2

Spare copies.

See
original

SUBJECT.

Forwarding a copies of his correspondence with H. M's Secretary of State for India re: the grant to Major C. Adams I.M.S. of a temporary pension of £150 a year for one year from 18-10-99 subject to a renewal as in the case of a Medical Officer subject to Military Rules

G.O.	No.	Department.	Date.
R940	22-23	gll	
1313	gll		

G.O.	No.	Department.	Date.

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A 1299.
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Public DEPARTMENT.

A of Oct End 20.

Reading and to the 22-3 Public of 5. 1. 29

" " 940 R Public of 27-7-28

" " 1313 Public of 5. 10. 97

C. No. 3228 From the *Govt. of India*, No. 1969, dated 22.4.1899.

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Order No. 1348 of 5-12-88
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Communicated to
the Surg Genl.

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Dr. 1/24/88

To The Surgeon-General
in Acet. Zinc.

Despal.
4-2-99