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THE INVISIBLE THREAT: UNDERSTANDING POISON CRIME IN THE COLONIAL ASSAM

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Abstract

This essay explores the occurrence of poison-related crimes in late nineteenth century Assam, focusing on the movement of toxic substances across various societal domains, including medical practices and the legal system. During this period, Assamese society grappled with what seemed like a surge in poisoning incidents, often involving the use of “aconite” commonly known as “Indian monkshood” or “Bikh”, which held the notorious reputation of being the “king of poisons” in the nineteenth century. From a legal perspective, poisons were insidious tools for carrying out covert murders that proved challenging to prosecute in court. Due to the clandestine nature of poisoning crimes, the testimony of ordinary witnesses was often inadequate, prompting judges to frequently seek the counsel of medical and chemical experts. Consequently, poison in the nineteenth century served multiple roles as an everyday substance, a focus of scientific inquiry, a tool for criminals, a weapon of the vulnerable, and a subject of legal attention. Its meanings and significance varied significantly among different stakeholders, including forensic experts, lawyers, judges, and even poisoners themselves. The essay argues that these movements and interactions were multidirectional, presenting new challenges and complexities for toxicologists in the courtroom. This intricate landscape helps explain why poisoners in the nineteenth century differed significantly from other conventional criminals, not only in terms of gender but also in their social standing. Many poisoners were individuals of respectability who had never before been involved in criminal activities. Some were even close relatives or friends of the victims, allowing them easy access to poisons for domestic purposes and enabling them to administer them discreetly without arousing suspicion.

Key words : Poisoning, Aconite, Court trial, Forensic Toxicology, Superstition

Introduction

Poisoning was an incredibly personal and intimate act in India. It often occurred within the confines of a family home, where unsuspecting members shared meals laced with deadly substances like arsenic or aconite. Close family connections such as spouses, lovers, servants, and even doctors were frequently implicated in poison crimes, either intentionally or accidentally administering toxic substances. Poisons, throughout history, have been tangible entities, akin to everyday commodities, readily

bought, sold, and traded.⁵²⁴ As material substances, poisons have ‘social lives’. They are enveloped by a societal framework that imparts them with particular connotations and unique roles. Their cultural significance is shaped by historical narratives, religious beliefs, and myths, while their nature and standing are molded by a complex interplay of local dynamics and global influences, spanning dimensions of race, class, and gender.⁵²⁵ In the depths of

⁵²⁴ Daniel Roche, *A History of Everyday Things: The Birth of Consumption in France, 1600–1800*, Cambridge University Press, Cambridge, 2000, pp.1–7.

⁵²⁵ Igor Kopytoff, “The Cultural Biography of Things: Commoditization as Process”, in Arjun Appadurai (ed.), *The Social Life of Things: Commodities in Cultural Perspective*, Cambridge University Press, Cambridge, 1986, pp. 64–91.

nineteenth-century Assam, a chilling phenomenon gripped society, leaving a trail of mystery and intrigue poison-related crimes. This essay delves into this ominous era, meticulously tracing the movement of toxic substances through the intricate web of society. Relying solely on meticulous archival research, including police and judicial court trials, this exploration unveils a society plagued by a surge in poisoning incidents, where the notorious “aconite,” known as “Indian monkshood” or “*Bikh*,” earned its title as the “king of poisons.” Within the clandestine world of poison crimes, Assamese society grappled with a pervasive threat, leading to an intriguing confluence of factors. European perceptions of India painted a portrait of a land steeped in poisons and poisoners, shaping the lens through which these events were viewed. Poison, during this period, played a multifaceted role, it was an everyday substance, a subject of scientific scrutiny, a tool for criminals, and a weapon wielded by the vulnerable. Its significance varied vastly among different stakeholders, from forensic experts and lawyers to judges and even the poisoners themselves.

This essay meticulously navigates the challenges faced by the legal system in prosecuting covert poison crimes, where ordinary witnesses’ testimonies often fell short, compelling judges to seek expertise from medical and chemical professionals. The multifaceted nature of poison’s roles created an intricate landscape, presenting new challenges and complexities for toxicologists in the courtroom. Remarkably, the poisoners of this era defied conventional criminal stereotypes, differing not just in gender but also in social standing. Among them were individuals of respectability, some even closely connected to the victims, affording them convenient access to deadly substances for domestic purposes.

Historical Context

In India’s ancient past, deeply intertwined with myth and legend, the practice of poison has a rich and enduring heritage. One illustrative

instance dates back to the fourth century BCE, involving the Mauryan king Chandragupta. This historical account unveils a chilling tale of an assassination attempt through the deployment of a ‘poison maiden’.⁵²⁶ This term was occasionally used to describe women who surreptitiously administered poison to their victims, disguising it within food or beverages. More dramatically, it denoted women whose bodies, over time and through gradual doses, had become so saturated with poison that they posed a fatal threat to any man who engaged in intimate physical contact with them. Despite its fantastical nature, this concept found its way into Indian lore and was deemed credible enough to be incorporated into ancient Sanskrit medical texts like the Sushruta Samhita, which predates the Common Era.⁵²⁷ Underlying this concept was a clear manifestation of misogyny and male anxiety. As later observers noted regarding Sushruta’s account of the Vishakanya or ‘venomous virgin’, ‘*If she touches you, her sweat can kill. If you make love to her, your penis drops off like a ripe fruit from its stalk.*’⁵²⁸ When the Arabs translated the Sushruta Samhita in the eighth century, they incorporated Indian aconites into their Pharmacopoeia, categorizing them as “visa” or poison.⁵²⁹

From the early thirteenth century onwards, medieval and early modern chronicles of India contain a significant amount of information about poisons and their uses, forming a prominent theme in the historical narratives of that period.⁵³⁰ These accounts describe instances where poison was covertly placed in the food and drinks presented by Hindu ‘unbelievers’ to eliminate Muslim conquerors. They also detail how astute rulers and clever commanders safeguarded their lives by being

⁵²⁶ L. A. Waddell, *Lyon’s Medical Jurisprudence for India*, 5th Ed. Thacker, Spink, Calcutta, 1914, p. 414.

⁵²⁷ Jivanji Jamshedji Modi, “*The Vish Kanya or Poison Damsel of Ancient India*”, paper read at Anthropological Papers, Part IV British India Press, 1929. Also see Dominik Wujastyk, *The Roots of Ayurveda: Selections from Sanskrit Medical Writings*, Penguin, New Delhi, 2001, pp.124–26.

⁵²⁸ *Ibid.*, p.126.

⁵²⁹ H. L. Chakravarty and D. Chakravarti, “Indian Aconites”, *Economic Botany*, Vol. 8, Oct. - Dec., 1954, pp. 366-376.

⁵³⁰ Peter Jackson, *The Delhi Sultanate: A Political and Military History*, Cambridge University Press, Cambridge, 1999, pp. 77-176.

vigilant and uncovering plots involving poison. Poison became a common narrative element used to test the abilities of warriors and statesmen, allowing them to demonstrate their superior skills.⁵³¹ In his memoirs, Babur, the Mughal ruler, recounted an incident where he suspected an attempt to poison him. The food he was served made him ill, prompting him to use the common method of feeding his vomit to a dog to detect poison. Although the dog became lethargic and unwell, it did not perish. During the 17th century in Assam, a disturbing period in the region's history unfolded, characterized by the secretive use of poison for political schemes and assassinations. Accounts from Buranjis, such as the Assam Buranji by Kasinath Tamuli Phukan and Radhanath Baruah, as well as Padmeswar Naobaishya Phukon's Buranji, shed light on this nefarious practice. According to these sources, numerous Ahom kings met their demise due to poison administered by their own relatives and nobles, including King Surampha (1644), King Sutyinpha (1648), and King Udayaditya Singha (1673).⁵³² Additionally, evidence indicates that the Mishmis, living near the Dibang River hills, paid tribute to the Ahoms with four baskets of poison, as evidenced by an octagonal stone pillar (1687) found on the banks of the Deopani river.

The use of poison for political executions might seem exceptional, but the stories of court intrigues and imperial punishments reveal a deeper awareness within the subaltern consciousness. They indicate the widespread knowledge in precolonial India about the properties and effects of both plant-based and mineral poisons. This knowledge didn't remain confined to imperial records and court accounts, it permeated into bardic tales, common legends, and popular folklore. Moreover, these accounts didn't stay limited to the boundaries of India. They travelled westward, finding their way into the narratives

of well-known figures like Bernier, which were widely read in Europe.⁵³³ As a result, European perceptions of India began to be shaped as a land of poisons and poisoners. Eventually, these stories even contributed to the anxieties of colonial British rulers who were deeply concerned about their own power and vulnerability in this context.

Poison Trials and Legal Challenges

During the nineteenth century in India, poison incidents started to transcend mere personal significance and became affairs of state. As the nineteenth century progressed, newspaper reports, court cases, and sensational literature collaborated to create a new audience interested in poisons and poisoning. This transformation, from private fear to public concern, marks a significant shift in the perception of poison in Indian society. From a legal perspective, poisons were insidious tools for carrying out covert murders that proved challenging to prosecute in court. Controversies among experts in the field of toxicology during the 19th century were not solely a result of the presence of various chemical tests in forensic practice. Other forms of evidence, such as clinical symptoms and post-mortem examinations, were frequently utilized by forensic doctors, and at times, these medical findings clashed with the conclusions drawn from chemical tests. These controversies were further exacerbated by the diverse backgrounds, experiences, and geographic locations of these experts.

Some examples demonstrate how expert controversies arose in courts. In 1880, at Goalpara two persons, one of whom was a woman, connived to murder one Bomie Sheik (the husband of the female prisoner) by administering poison to him, their motive being to carry on their criminal intercourse uninterrupted, which his existence interfered with. The male prisoner procured the poison, and the woman mixed it in her husband's food,

⁵³¹ H. M. Elliot and John Dowson, *The History of India, as Told by Its Own Historians: The Muhamman Period, Vol. II*, Trübner, London, 1869, pp. 522–23.

⁵³² S.L. Baruah, *A Comprehensive History of Assam*, edited 2002, Munshiram Monoharlal, 2002, pp.103-127.

⁵³³ Michelle Maskiell and Adrienne Mayor, 'Killer Khilats, Part 2: Imperial Collecting of Poison Dress Legends in India', *Folklore* 112 (2001): 164–65.

he partook of it with his three sons, and they were very soon attacked with purging and vomiting, the eldest son died, while the father and the two younger ones were cured with some difficulty. The body was sent to Dhubri for examination. The Civil Surgeon held the post-mortem and forwarded the stomach to the Chemical Examiner, Calcutta, who reported that there was no trace of poison whatever to be found in it. The Civil Surgeon was of opinion that death resulted from the effects of some virulent poison, probably aconite, which could not be traced after the lapse of three or four days. The case was carefully investigated by Sub-Inspector Sadat Hussain. Besides the circumstantial evidence which was forthcoming, the accused confessed, and they were sent up for trial. When first taken before the Magistrate they freely admitted their guilt, but in the subsequent proceedings they both retracted their confessions. They were, however, committed to the Sessions, and were awaiting trial at the close of the year. At the Sessions held on the 14th January 1881 the pleaders for the defence urged that the confession recorded under Section 122, C. P. C., was not admissible, and, the jury accepting this view, they were acquitted. They “unanimously” concluded that “there was a complete absence of any arsenical substance.”⁵³⁴

In this case, the chemical proofs (mostly negative) were contrary to the medical evidence based on symptoms and autopsy (mostly positive). Generally, local doctors tended to rely on clinical symptoms and autopsies, primarily because they had privileged access to such information. It was customary for local apothecaries to be tasked with conducting chemical tests. Experts from Calcutta, on the other hand, only participated in a limited number of trials, usually stepping in when the local experts provided conflicting or inconclusive results. Beyond the inherent disciplinary differences, this heterogeneous group of 19th-century crime experts faced

significant disparities in terms of access to laboratory resources and academic influence.

Poisoning crimes, although constituting a small fraction of total murders in nineteenth-century Assam, captured significant public interest. Courtrooms were filled with diverse and large audiences, attentively following the hearings and the dramatic presentations by prosecutors and lawyers. The public was intrigued by the mysterious nature of these crimes, the uncertainties surrounding verdicts, and especially the uncomfortable revelations about victims' or defendants' private lives that emerged during criminal investigations.

The Poisoned Voyage: Weapon of Weak

The most renowned poisoning trial of the nineteenth century occurred in 1878, when the Deputy Commissioner of Goalpara drew attention to a peculiar incident. It involved a group of five Bengalis hailing from Furidpur, who had been traveling in Assam for several months. Among them, two were Kabirajes, traditional healers, while the other three were either relatives or friends from the same village. They assisted in navigating the boat on which they were traveling and shared in the profits. During their stay in Dibrugarh, they encountered a man named Nabin from Backergunj, who sought passage home and agreed to work alongside the others on the boat. With Nabin as their new addition, the group continued their journey downstream at a leisurely pace. The Kabirajes had amassed a substantial sum through their healing practice.

One fateful day, they anchored near a small village below Dhubri. During the evening meal, Nabin was suspected of having poisoned the food, which nearly everyone but himself consumed. Tragically, one of the Kabirajes and one crew member succumbed to the effects of the poison. The accused individual was taken into custody and faced trial at the sessions. However, he was ultimately acquitted due to inconsistencies in the statements given by the witnesses, which had changed from what they initially told the Deputy Commissioner. The

⁵³⁴ Annual Report on the Police Administration of the province of Assam, 1881, ASA, p.33

considerable delay between the time of the initial commitment and the final trial at the sessions proved detrimental to the case.⁵³⁵

The motive behind his alleged crime was speculated to be a desire for a larger share of the profits. Being alone among the group of five Bengalis, it was believed that Nabin resorted to this cowardly act to eliminate his competitors and fulfil his selfish desires. The trial proceedings revealed the complexities of justice during that era. Nabin's act of secret poisoning highlights not only his desperation but also a disturbing trend in the society of that period, where treachery was chosen over direct violence, indicating a lack of regard for human life and a morally weak character. These poisoning trial not only serves as a historical account of a specific incident but also provides valuable insights into the social and moral fabric of nineteenth-century society. It showcases the challenges faced by the justice system and the complexities of human nature, revealing a tale of betrayal, desperation, and the dark motives that can drive individuals to commit heinous acts.

The Social Paradox: Respectable Poisoner

In another case from Sylhet in 1900, where a religious mendicant poisoned a 10-year-old boy, offers a striking example of the use of poison as a means to safeguard one's reputation and dignity. The motive behind this poisoning was the consequence of the boy chastising the mendicant for being unduly intimate with a woman. In response to this perceived insult, the mendicant decided to take a drastic and fatal step by mixing arsenic with food and giving it to the young boy. What makes this case particularly notable is the social standing of the accused. Religious mendicants were highly revered in society, often viewed as Gurus, god-like figures, or living idols, and served as role models to many. The mendicant's involvement in such an appalling crime, using poison, is indeed ironic and sheds

light on the intricate landscape of social dynamics during that era.⁵³⁶

The role of poison in this case is emblematic of the broader pattern of poison-related crimes in the nineteenth century. Poison was often chosen as a weapon of choice by individuals seeking to resolve personal disputes and protect their reputation or interests. It offered a covert means of eliminating perceived threats or adversaries without resorting to direct violence. In this case, the mendicant's use of arsenic to poison the boy demonstrated the sinister nature of this method and the lengths to which individuals would go to safeguard their social standing and honor.

Notably, poisoners in the nineteenth century differed significantly from other conventional criminals, not only in terms of gender but also in their social status. Many poisoners were individuals of respectability who had previously maintained a clean record and had never been involved in criminal activities. This highlights the complexity of motivations and societal pressures that could drive even highly regarded individuals to commit such heinous acts. The case serves as a stark reminder of the hidden dangers within society and the intricate interplay between reputation, honor, and the use of poison as a means to achieve one's aims, regardless of their esteemed social status.

Conclusion

Poisoning crimes, although constituting a small fraction of total murders in nineteenth-century Assam, captured significant public interest. Courtrooms were filled with diverse and large audiences, attentively following the hearings and the dramatic presentations by prosecutors and lawyers. The public was intrigued by the mysterious nature of these crimes, the uncertainties surrounding verdicts, and especially the uncomfortable revelations about 'victims' or 'defendants' private lives that emerged during criminal investigations. During the colonial period, poisoning became a way to

⁵³⁵ Annual Report on the Police Administration of the province of Assam, 1878,ASA, p.25

⁵³⁶ Annual Report on the Police Administration of the province of Assam, 1901,ASA, p.10

label India as a whole, especially its marginalized classes, as criminal. Despite ample evidence of poison-related crimes in Britain, France, Europe and the United States during the nineteenth century, poisoning was often portrayed as uniquely 'oriental' not just in its origin but also in its cruelty, barbarity, and cunning, often associated with femininity.⁵³⁷ The enactment of the Criminal Tribes Act in 1871 reinforced the notion that India harbored a group of 'professional' poisoners connected to criminal tribes. This negative stereotype was further propagated by Norman Chevers, *Manual of Medical Jurisprudence for Bengal and the North-Western Provinces*, first published in 1856. Chevers, a respected Bengal surgeon and principal of Calcutta Medical College, dedicated a significant portion of his work to discussing poisoning. He depicted it as a cowardly and harmful practice, symbolizing a weak Indian character and a lack of regard for human life.⁵³⁸

Detecting and punishing poison-related crimes was a significant challenge in the nineteenth century. In Bengal, the chemical examiner F.J. Mouat urgently requested an investigation into the poisons sold in Indian markets in 1843. This inquiry revealed information about over 30 drugs, such as aconitum and datura, raising serious concerns about their criminal misuse.⁵³⁹ In the 1870s and 1880s, there was a 'poison panic' in Assam, but the government didn't act at first because European lives weren't often at risk. Even though there was evidence of arsenic being imported and possibly used to harm people or animals, the government didn't want to restrict trade in it. Detecting poison was difficult in Assam because bodies were cremated or decomposed quickly, and there were few doctors to perform autopsies. Arsenic poisoning symptoms were similar to cholera. The police and courts were skeptical of doctor's claims about poisons, and the government

hesitated to regulate widely used drugs. In 1866, a law was passed in Bombay to regulate poisons, but more extensive regulation came in 1904 and 1919. By the 1930s, there was a long list of regulated substances, including aconite, arsenic, datura, and opium.⁵⁴⁰

⁵³⁷ David Hardiman, *Toxic histories: Poison and pollution in modern India*, Cambridge University, Cambridge, 2016, p.183.

⁵³⁸ Norman Chevers, *A Manual of Medical Jurisprudence for India*, 3rd Ed. Thacker, Spink and co., Calcutta, 1870, p.103.

⁵³⁹ F.J. Mouat to Secretary, Home Department, 18 May 1843, Bengal public proceedings, no. 26, 12 June 1843.

⁵⁴⁰ Government of Bengal, Police Department, *Poisons Manual*, Calcutta, superintendent, Government printing, Bengal, 1934, pp. 18–20