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A careless mishap killed Sarah Newbery on 28 May 1843. She was a widow in her late 80s living in the parish of Hampton Wick near Hampton Court with her son, John Robert Kensett, who had returned from America to be with her in her old age. Due to recent stomach trouble, that morning she had taken a medicine she believed to be tincture of rhubarb, a common purgative. In reality she had swallowed a massive dose of laudanum. Three or four drops of laudanum (tincture of opium) were sufficient to kill a baby; an adult medicinal dose might have been up to 30 drops; seasoned addicts could cope with at least 200. She had taken a fluid ounce – over 550 drops.

The day before, John Kensett had been unable to find an old medicine bottle in a cupboard of home cures and so he picked up another empty one without checking its label, taking it to Mr Jones’s chemist shop a few minutes’ walk away in Kingston upon Thames. He handed the bottle to the chemist’s assistant, William Fothergill, and asked for two ounces of tincture of rhubarb. Fothergill asked if he was to put it in that bottle and John replied, “Yes, never mind the label.” Fothergill dispensed two ounces of a liquid into it, wrapped it and gave it back to John, who paid one shilling and waited for his change. Fothergill did not offer him any, prompting John to ask for it. “We always charge sixpence per ounce,” was the reply. John accepted this, but maintained he had always had change out of a shilling before.

At home his mother asked him if there was any tincture of rhubarb in the house. He said he had just bought some, but advised her not to take it until morning in case its purgative action disturbed her during the night. He gave the bottle to their servant, Mary Lassam, without examining the contents or the label, and told her to give one-half to his mother at seven the next morning, which Mary did. Sarah told her that it tasted very nauseous. John came downstairs an hour later, feeling under the weather, and decided to have the other half of the medicine himself. He too found it very nauseous. He began his breakfast but soon felt too ill and lay down on the sofa in the parlour. A little later, Mary saw Sarah and John deeply asleep. After another hour she looked in on Sarah and was “struck by [her] wild and singular appearance”. Mary had great difficulty waking John, who was extremely groggy and feeling dreadful. She helped him up the stairs to Sarah’s room, where he could see his mother was in a very bad way. He then checked the bottle’s label, which said “Laudanum – Poison”. They immediately called the doctor, who pumped Sarah’s stomach while John swallowed emetics and large amounts of warm water. John recovered, but his mother died that afternoon. The inquest took place four days later at the local King’s Arms Inn, conducted by William Baker, the Middlesex coroner, with a jury. The Times reported the evidence and the verdict: accidental death from laudanum administered by mistake.

Exactly the same conclusion had been reached by an inquest jury two years earlier, following the fatal administration of laudanum in place of tincture of rhubarb. Elie Galloway, 32, was married to a provision dealer in Newcastle. She had been unwell with digestive problems and by 31 January 1841 she felt much worse. Her husband sent two of their children to the druggist Mr Tinn for three-pennyworth of tincture of rhubarb, with a cup for the medicine and a piece of paper on which he had written “six drachms of the tincture of rhubarb” (one fluid ounce was eight drachms).

The children returned with the medicine, Mrs Galloway drank it and remarked that it tasted like laudanum. Her condition deteriorated rapidly and the doctor was sent for. He confirmed that drops left in the cup were laudanum, and Elie died that evening despite having her stomach pumped. At the inquest the druggist admitted the piece of paper said “tincture of rhubarb” but denied he had dispensed laudanum, because he was “always so particular in selling [laudanum]...and enquired what the drug was for and labelled the vessel”. The Gateshead Observer concluded in its report that “druggists should keep poisons apart from other drugs. A fatal mistake...can hardly be regarded as a ‘pure accident’, unless proper precautions have been taken to guard against error. In the
present case, it does not appear to us that Mr Tim's arrangements afford adequate security, for his customers.

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When Sarah and Elie were poisoned, few truly effective medicines were available and the sale of dangerous drugs and poisons was not legally controlled. Numerous concoctions, powders, mixtures and elixirs, tinctures and pills were on sale in shops and from all kinds of 'experts', their extravagant and unverifiable claims advertised in papers and posters. Itinerant quacks could do good business at local fairs and door to door. Several patent medicines contained the poisons opium, mercury and antimony. The training and skills that doctors, apothecaries, chemists and druggists possessed was limited at best. Most people were their own diagnosticians, physicians and prescribers; some sought advice from family and friends, or from qualified and unqualified doctors and chemists, or took their chances with patent medicines, but it was guesswork for everyone.

A handful of substances were known to be useful for some conditions. Rhubarb was a purgative, while opium was a sedative that also suppressed coughing and diarrhoea. Opium itself is extracted from poppy sap, and has been known and used for more than 2000 years. It contains morphine and codeine; it is addictive and a powerful poison. Laudanum is powdered opium dissolved in wine with added saffron and cinnamon. It was sold in stoppered glass bottles and was easily available from druggists for about sixpence for one fluid ounce (a very small fee at the time). Laudanum was widely recommended for cholera symptoms.

Laudanum had long been a drug of choice for suicide. In 1743, William Hogarth had depicted a laudanum-induced suicide in the final scene of his series 'Marriage à la mode', showing the Countess expiring, the empty laudanum bottle by her foot. Sarah and Elie were not alone in their fate. A report to the House of Commons on the causes of death recorded at coroners' inquests in England and Wales in 1837–38 had already demonstrated that laudanum and other opium preparations were responsible for a third of the deaths investigated – and almost all the child deaths – whether by overdose or accidental substitution for another medicine, including syrup of blackthorn, Godfrey's Cordial (laudanum, sassafras and molasses), paregoric (opium, alcohol, camphor and honey), antimonial wine (tartar emetic and alcohol) and, of particular interest here, tincture of rhubarb. Furthermore, there would have been additional laudanum deaths not seen by coroners, or attributed to other causes. In 1861, Mrs Beeton recommended readers of her Book of Household Management to include opium powder and laudanum in their home medicine cupboards, but not to use Syrup of Poppies or Godfrey's Cordial to get their children to sleep.

Despite rising public concern, Parliament was not inclined to protect people from unsafe prescribing, careless chemists, or hazardous and adulterated remedies. It was more responsive to practitioners' demands for exclusivity. The 1815 Apothecaries Act, the 1852 Pharmacy Act and the 1858 Medical Act became law through hard lobbying by those groups to secure statutory powers of self-regulation, thereby protecting their own sectional and commercial interests. Although advocates claimed that customers would benefit from these measures too, anyone could still buy or sell opium and laudanum, and deaths from accidental and intended poisoning continued throughout the 19th century.

The 1868 Pharmacy Act included a two-part schedule of poisons, reflecting the chemists' success in protecting part of their market share. All listed substances had to be labelled with the contents of the container, the word 'poison', and the name and address of the seller. Chemists now had to keep a record of sales of substances in Part I, including preparations of arsenic, cyanides, mercury and strychnine, stating the date, substance, quantity and intended purpose, purchaser's details and signature; and purchasers had to be known or recommended to them. "Opium and all preparations of Opium or Poppies" were relegated to the end of the lighter-touch Part II list (only needing a label), together with chloroform, belladonna, oxalic acid and oil of almonds. Chemists flouting these rules risked a modest fine of up to five pounds (about half a week's wage for the average day labourer at the time – expensive but not prohibitive) for a first offence. The Act entirely excluded patent medicines sold by a registered apothecary or chemist, as well as all exports and wholesale supplies. British legislators had already lagged behind several other countries and did not revise this law until the very end of the century.

These historical cases alert us to how long it took to regulate over-the-counter medicines and why, by the end of the 19th century, it was necessary to do so. In an internet era when self-dosing is once more rife, the challenge facing all consumers is: how much can you trust the e-quack? Unsafe medicines remain as much a danger to modern consumers as they were to Victorian ones.