M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 288 Press ~~Mis.~~

33-34

Dated 6 - 3 - ~~19~~ 1934

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 12th March 1858.

No. 33. Read the following letter from C. F. CHAMIER, Esq., Acting Register to the Court of Foujdaree Udalut; to T. PYCROFT, Esq., Chief Secretary to Government, dated 26th February 1858, No. 7.

SIR,

The Judges of the Foujdaree Udalut direct me to forward copy of a letter, dated 20th Instant, from the Acting Session Judge of Cuddalore, respecting a prisoner named "Oonamalay" charged with murder, but acquitted on the ground that she had committed the deed, being then of unsound mind; and as the Medical Officer is of opinion that the prisoner's mental condition is such as to render her a fit object for the Lunatic Asylum at Madras, the Judges recommend that she be transferred to that Institution.

From GEORGE ELLIS, Esq., Acting Session Judge of Cuddalore; to C. F. CHAMIER, Esq., Acting Register to the Court of Foujdaree Udalut, dated 20th February 1858, No. 5.

SIR,

In forwarding the Calendar of case No. 4 of 1858, in which the prisoner is charged with murder, I have the honor to report the following circumstances under Act IV of 1849, with reference to the state of mind the prisoner was in, when she committed the act charged against her.

2. From the Calendar of the case it appeared that the plea urged on her behalf was that she was insane. Immediately on the receipt of the case, I desired the Zillah Surgeon to take the prisoner under his observation, in view to receiving his opinion on her mental condition. After allowing a sufficient time to admit of his forming a definite opinion, I took up the case.

3. When arraigned before the Court the unfortunate woman appeared quite unconscious of the nature of the proceedings going on. Her answers to questions (which had to be repeated several times) were incoherent, while her demeanor throughout was such as to indicate her decided insanity, and more resembling an animal than a human being.

4. The deposition of the prosecutor (her son) was taken, from which it appears that the prisoner had been subject to fits of insanity; that it had first shown itself last year, that she continued in this state for 4 or 5 months when she attempted suicide, that she recovered from this attack, and had about 5 months ago, a relapse, during which she was not regular at her meals, and remained in a listless melancholy state, her general disposition was kindness to the family and the deponent expresses his belief that she had committed the act when under the influence of insanity.

5. The Medical Officer certifies that the prisoner is suffering from "Homicidal Monomania." I have further examined him on oath before the Court. His evidence is that, from the time the woman first came under his observation, she was *non compos mentis*, shewing signs of depression and melancholy; that she has had no lucid interval, and that it was his opinion that the prisoner was not feigning the malady.

6. The Mahomedan Law Officer also has declared his "opinion" that "the woman is mad."

7. From the evidence thus before me, I did not feel it necessary to do more than, on the receipt of Law Officer's Futwah, to record a special verdict acquitting the prisoner, on the ground that she had committed the act charged against her, when she was of unsound mind, so as to excuse her under the Law, and submit the case for the consideration and orders of the Foujdaree Udalut and Government, with my recommendation that the prisoner be removed to the Lunatic Asylum at Madras: the Medical Officer being of opinion that her mental condition is such as to render her a fit object for that Institution.

(True Copy.)

(Signed) C. F. CHAMIER,
Acting Register.

No. 34. ORDER THEREON, No. 298; dated 6th March 1858.

The Right Honorable the Governor in Council authorizes Oonamalay being sent to the Lunatic Asylum at Madras as recommended by the Court of Foujdaree Udalut. The Acting Sessions Judge of Cuddalore, will be accordingly instructed to make arrangements for sending her in charge of a proper person and under such restraint as may be deemed necessary, reporting the date of her probable arrival at Madras to the Commissioner of Police, who will receive her and have her conveyed to the Lunatic Asylum.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Jud Ltr to Engd No. 9
30-6-58

Para 32 No 298

The Right Revd the Governor in Council at Bathurst Ordinance Carp. being sent for the Lunatic Asylum at Madras as recommended by the Court of Inquiry held at Bathurst the 28th day of October last will be accordingly attended to & make arrangements for securing the services of a proper person and keeping him under restraint as may be deemed necessary, during the date of his passage back to Madras & the Commissioner of Police will remember to have him conveyed to the Lunatic Asylum.

Fort St George
6th March 1858

Copy to Foujdaree Adawlut, Court of Police & Dr Surgeon Reid C.B.

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