M.R. O. 1—39,000—16-10-43.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 95 Press ~~Mis.~~

128-129

Dated 23.1.1861 ~~19~~ .

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 23rd January 1861.

No. 128. Read the following letter from R. G. CLARKE, Esq., Session Judge of Negapatam, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Tranquebar, 9th January 1861, No. 19.

I have the honor to report that a person named Darmalingum was committed last month to take his trial before the Criminal Court here on a charge of Housebreaking and Theft. The evidence of the Medical* Officer and other witnesses being conclusive as to his insanity, the Principal Sudder Ameen has acquitted† the Prisoner of the charge laid against him. It is desirable that measures should be adopted to prevent the Lunatic from doing injury to himself or others, and as he has no relatives to take care of him, and there is no appropriate accommodation for insane Prsioners in the Jail at this station, I beg to solicit the orders of Government as to how he is to be disposed of.

* *Vide Medical Certificate enclosed.*

† *Vide Report A, dated 4th instant.*

I, the undersigned, Joseph Marcus Joseph, M.D., F.R.C.P.E. and M.R.C.P.L., Civil Surgeon of Tranquebar, hereby certify that, I, on the 4th day of January 1861 at Tranquebar, did personally examine Durmalingum, Prisoner in Criminal case No. 8 of 1860, now in confinement in the Jail at Tranquebar, and that the said Durmalingum, is a person of unsound mind and a proper person to be taken charge of, and detained under care and treatment, and that I have formed this opinion, on the following grounds namely:

1. From facts indicating insanity observed by myself.

2. From personal observation for a period of nine days.

TRANQUEBAR,
4th January 1861.

(Signed) J. M. JOSEPH, M.D.,
Civil Surgeon.

Proceedings of the Madras Government, Judicial Department,
23rd January 1861.

A.

Report of a person tried by the Principal Sadr Amin of Negapatam in the month of January 1861.

Number of the case.	Names of the Parties.	Designation of the offence, of the charge, and date of the complaint.	Date of Apprehension.	Date of Arrival.	Date of Disposal.	How disposed of.	Explanation of delay.
By Panchanadaiyer, Sub Magistrate of Negapatam. of 1860 8.	Regina, versus Darmalingam.	*House breaking and Theft.* *First Count.*—That the Prisoner did, on the night of the 15th December 1860, enter the 1st witness' shop by removing the Tatti fastened to the door way, and steal therefrom sundry articles such as Iron pen &c., valued at Rupees 2-9. *Second Count.*—The Prisoner is further charged with having had the stolen property in his possession knowing it to be such. 15th December 1860.	15th December 1860.	27th December 1860.	4th January 1861.	The evidence of the 1st, 2nd, 3rd and 4th witnesses is conclusive as to the commission of the crime by the Prisoner at the time he was laboring under insanity, which rendered him unconscious that the act he was doing was forbidden by the Law. The 7th witness, the Zillah Surgeon, who was present at the trial of the case, and under whose observation the Prisoner has been for more than a week, has given it as his decided opinion that he must have been in his present state of unsoundness of mind for many years, and that his Lunacy is so clear that no evidence on that head is necessary. Hence, the Prisoner is acquitted of the charge under Section I, Act IV of 1849.	The Sub Magistrate explains that the transmission of the case to the Court was delayed because he had made a reference about it to the Magistrate. NOTE.—The delay in the disposal of this case is attributable to the non-appearance of the parties.

TRANQUEBAR,
PRINCIPAL SADR AMIN'S COURT,
4th January 1861.

(Signed) V. SOONDARA NAIDOO,
Principal Sadr Amin.

No. 129. ORDER THEREON, 23rd January 1861, No. 95.

The Principal Inspector General, Medical Department, will be requested to report whether accommodation can be provided for the prisoner in the Lunatic Asylum at Madras—the man not having, as stated by the Sessions Judge, any relatives to whose care he might be entrusted.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

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No. 95— 23rd January 1861.

The Principal Inspector General, Medical Dept., will be requested to report whether accommodation can be provided for the prisoner in the Lunatic Asylum at Madras— the man not having, as stated by the Sessions Judge, any relatives to whose care he might be entrusted.

The Principal Inspector Genl. of Medl. Dept.
" Sessions Judge of Negapatam
" Inspector Genl. of Jails
" Inspector Genl. Medl. Dept.

Desp 24-1-61.