M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 89 Press ~~Mis.~~

129-130

Dated 21.1.1862 ~~19~~ .

8/9

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
21st January 1862.

No. 129. Read the following letter from Major W. J. WILSON, Commissioner of Police; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 13th January 1862, No. 5.

I have the honor to annex copy of a letter from Assistant Surgeon Aitken in Medical charge of the Penitentiary, in which he recommends the transfer of Convict Patrick Donovan to the Lunatic Asylum, for certain reasons stated in the accompanying Medical Certificate.

2. Donovan was sentenced to imprisonment for life in the early part of 1858 for shooting with intent to kill, and his mind has been, affected ever since his admission into the Penitentiary.

3. His disease has now increased to such an extent that I quite concur with Dr. Aitken in recommending his immediate removal.

From Assistant Surgeon W. AITKEN, M. D., in charge Penitentiary; to the Commissioner of Police, Madras, dated 13th January 1862, No. 1.

With reference to the accompanying Certificate, I have the honor to state that I consider it advisable that the man referred to should, on account of his disgusting habits, be removed from the Penitentiary and that, as he is a Lunatic, he ought to be transferred to the Lunatic Asylum.

(True Copy.)

(Signed) W. J. WILSON, Major,
Commissioner of Police.

No. 130. ORDER THEREON, 21st January 1862, No. 89.

The Government authorize the removal of the prisoner, Patrick Donovan, from the Penitentiary to the Lunatic Asylum.

(Signed) T. PYCROFT,
Chief Secretary.

WARRANT.

Whereas Patrick Donovan was tried at the Sessions of Oyer and Terminer and General Gaol delivery and Admiralty holden at Madras on the 5th January 1858, before the Supreme Court on a charge of shooting with intent to murder, and having confessed to the charge, a sentence of death was recorded against him, and it was ordered under the Legislative Act No. 24 of 1855, that he be imprisoned in the House of Correction otherwise called the Madras Penitentiary for the term of his natural life under Penal Servitude.

And whereas William Aitken, M. D., Assistant Surgeon in charge of the Madras Penitentiary, has certified in a Medical Certificate, dated 6th January 1862, that the prisoner, Patrick Donovan is of unsound mind and a proper person to be taken charge of, and detained under care and treatment, and that he has formed this opinion on the following grounds, namely, firstly from observation of his manners and conversation during the time he has been a prisoner in the Penitentiary—secondly, from the reports of the Jailor and others regarding his disgusting and obscene behaviour.

His Excellency the Governor in Council directs under Section VI, Act V of 1849, that the prisoner named Patrick Donovan be removed from the Penitentiary to the Lunatic Asylum at Madras, there to be kept and treated until remanded again to Prison.

By Order of His Excellency the Governor in Council.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Medical Certificate.

I, the undersigned William Keith, M.D. Assistant Surgeon, in charge of the Madras Penitentiary, hereby certify that I, on the sixth day of January, one thousand eight hundred and Sixty two, at the Hospital of the Penitentiary, personally examined Patrick Donavan, a Prisoner in the Penitentiary; and that the said Patrick Donavan 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, 1st From observation of his manners and conversation during the time he has been a Prisoner in the Penitentiary—2nd And from the Reports of the Jailer and others regarding his disgusting and violent behaviour.

Wm Keith M.D

Assistant Surgeon in Charge
Penitentiary.

Madras,
6th January, 1862.

Extract from the Calendar of Persons tried &c. at the Sessions of Oyer and Terminer and General Gaol Delivery and Admiralty holden at the Town of Madras, the Fifth Day of January One thousand Eight hundred & Fifty eight. Before the Supreme Court &c.

No.	Names	Charges	Verdict	Sentences
1	Patrick Donovan	Shooting with intent to Murder	Convicted	Sentence of Death Recorded. Ordered under the Legislative Act No. 24 of 1855, that he be Imprisoned in the House of Correction otherwise called The Madras Penitentiary for the term of his Natural Life under penal servitude.

Madras.
15th January 1858.

(Sgd.) Fredk Orme
Dy Clerk of the Crown

(Sgd.) Chr. Rawlinson
A true Extract
(Sgd.) J. D. Franklin
Sheriff

A true Extract
J. Madon
Commissioner of Police

Certified to be a true Extract from the Calendar of Prisoners tried at the Sessions of Oyer and Terminer and General Gaol Delivery held on the 5th January 1858 &c.

Madras Castle
5th January
1858.

(Sgd.) Fredk Orme
Dy Clerk of the Crown

Certified to be a true Extract from the Calendar of Prisoners tried at the Sessions of Oyer and Terminer and General Gaol Delivery held on the 5th January 1858 &c.

Madras Castle
5th January
1858.

(Sgd.) Fredk Orme
Dy Clerk of the Crown

No. 89 – 2nd January 1862

The Govt. authorise the removal of the prisoner Patrick Donovan, from the Penitentiary to the Lunatic Asylum.

14 & 15 Vict. Cap. XXIII.
Sec. XLIX – 49 Sec. requires Warrant signed

The Commr. of Police – With a Warrant.
" Principal Inspector dispd 21st "
" Asst. Medical Dept. dispd 21st "

Warrant.

Whereas Patrick Donovan was tried at the Sessions of Oyer & Terminer & General Gaol Delivery & Admiralty holden at Madras on the 5th January 1858, before the Supreme Court on a charge of Shooting with intent to Murder, & having confessed to the charge; a sentence of Death was Recorded against him, & it was Ordered under

under the Legislative Act No. 24 of 1855, that he be Imprisoned in the House of Correction otherwise called The Madras Penitentiary for the term of his Natural Life under Penal Servitude —

And Whereas William Aitken, M. D., Assistant Surgeon in charge of the Madras Penitentiary, has certified in a Medical Certificate, dated 6th January 1862, that the prisoner

prisoner, Patrick Donovan is of unsound mind & a proper person to be taken charge of, & detained under care and treatment, and that he has formed this opinion on the following grounds, namely, Firstly, From observation of his manners & conversation during the time he has been a prisoner in the Penitentiary Secondly, From the reports of the Jailor and

and others regarding his 2. obscene & disgusting behaviour ——

H. E.
The Hon'ble the Governor in Council directs that the prisoner named, Patrick Donovan be removed from the Penitentiary to the Lunatic Asylum at Madras, there to be kept and treated until remanded again to Prison.

+ under Section VII Act V of 1849,

By order of H. E. the Governor in Council ——

J. S.
Chief Secretary

Warrant.

-10-89.

E.