

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1105	Press
		~~Mr.~~
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Dated	10.7.1863	192

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Not to be folded or roughly handled*1105*
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Proceedings of the Madras Government, Judicial Department,

10th July 1863.

No. 90. Read the following letter from W. M. CADELL, Esq., Magistrate of Tanjore; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Vallum, 27th June 1863, No. 173.

Under the provisions of Section 394 of the Code of Criminal Procedure, I have the honor to report the following case for the orders of Government.

2. An individual named Narayanaien was charged with having voluntarily caused hurt by throwing stones at certain persons in the town of Tanjore, and the Firka Sub-Magistrate to whom the complaint was preferred, held an inquiry into the case and acquitted the prisoner on the ground that, at the time of his committing the offence, he was, by reason of unsoundness of mind, unaccountable for his actions, recording at the same time in his finding, that the act with which Narayanaien was charged *was* committed by him.

3. The Lunatic has relatives who are willing to take charge of him, but only on the condition that they be allowed to place him under restraint; but as the Zillah Surgeon, in his statement given before me (and copy of which is herewith forwarded), has recorded it as his opinion that this course would, in the case of this person, be only productive of evil consequences, I have the honor to report the matter for the orders of Government.

4. The Lunatic is now confined in the Zillah Jail at Tanjore.

Examination of JAMES ROSS, Esq., Zillah Surgeon, Tanjore, before W. M. CADELL, Esq., Magistrate of Tanjore, 22nd July 1863.

Question.—Have you examined into the state of health of the prisoner Narayanaien, and what do you think of his case?

Answer.—I have examined the prisoner, and am of opinion that he is of unsound mind, and that he is consequently unable to distinguish between right and wrong.

Question.—Do you think that he has been long in this state, and is his being allowed to be at large, in your opinion, dangerous to the community?

Answer.—I cannot definitely state how long he has been in this state, but I consider that his being allowed to be at large is unsafe.

Question.—How long has he been under your own observation, and how often have you seen him violent or excited?

Answer.—He has been under my observation for about a month, and during this time I have repeatedly seen him in an highly violent and excited state.

Question.—Do you think his case is hopeful, and one which can be dealt with here by placing him in charge of his relations or otherwise?

Answer.—I do not think so, nor do I consider that placing him under charge of his relations, and who I understand agree only to take charge of him by putting him under restraint would, in his case, answer.

(Signed) J. ROSS,
Zillah Surgeon.

Read over to the witness in the English language which he understood and acknowledged by him to be correct.

(Signed) W. M. CADELL,
Magistrate.

This evidence was taken down in my presence and hearing and under my personal direction and superintendence.

(Signed) W. M. CADELL,
Magistrate.

(True Copy.) (Signed) W. M. CADELL,
Magistrate.

No. 91. ORDER THEREON, 10th July 1863, No. 1,105.
Under Section 394 of the Code of Criminal Procedure, the Governor in Council authorizes the detention of the Lunatic, Narayanaien, in the Zillah Jail of Tanjore.

(Signed) J. D. SIM,
Secretary to Government.

Exd. T. McMecky.

10th July 1863 No 1105. 2/

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To the Magistrate of Tanjore.
" Inspector General of Prisons.
" Sessions Judge of Tanjore. } despatched 13.