M.R. O. 1—30,000—15-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 239 Press ~~MIS.~~

105-106A

Dated 16-2-1863 ~~19~~

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 16th February 1863.

No. 105. Read the following papers:—

To the Secretary to the Government of Fort Saint George, Judicial Department, dated Bellary, 11th December 1862, No. 3,447.

The humble petition of MAHOMED KASIM, Native Doctor for the 3rd Light Cavalry, Bellary.

MOST HONORED SIR,

I beg most respectfully to bring to your notice that my son-in-law Mahomed Esuf having of late become a Lunatic was sent by Lieutenant W. Sewell, Cantonment Joint Magistrate of Bellary, to the Jail Hospital, and Doctor Jackson, Esq., after treating him for a month ordered his discharge on the plea of his insanity having been removed; but the Cantonment Joint Magistrate objects to the proposal of the Doctor under circumstances that he should obtain special order from Government for his release, and thus loiters the time in vain. My brother is a Naique in the 3rd Light Cavalry which has been ordered to march to Kamptee at once, and I am very sorry that my whole family is detained here for the sake of my son-in-law still unjustly retained in Jail Hospital. I further beg to inform you that I am obliged to leave this station for Kamptee together with my whole family in less than 6 days, and that after our departure there will be none here to look after him and support him. In this manner, the inconvenience arising from his still unjust confinement being considerable, and as he is no more a Lunatic I request that you will be good enough to issue necessary orders for my son-in-law's release from the Jail Hospital at your earliest convenience.

رجوع حکیم محمد قاسم

No. 3,447.

Referred to the Magistrate of Bellary for early report.

By order.

(Signed) P. P. HUTCHINS,
Acting Deputy Secretary to Government.

FORT SAINT GEORGE,
5th January 1863.

No. 106. From A. HATHAWAY, Esq., Magistrate of Bellary; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated Camp Madaksera, 23rd January 1863, No. 3.

1. I have the honor, with reference to the order passed on Petition No. 3,447, 1862, to enclose an original letter from the Cantonment Joint Magistrate, from which it appears that the party alluded to in the said petition (Mahomed Esuf) was directed by an order of Government, dated 16th December 1862, to be detained under medical observation for six months, at the expiration of which period, his case was to be reported upon through the Inspector General of Jails.

2. It further appears from the aforesaid letter, that the Garrison Surgeon, Dr. Jackson, has reported that the said Lunatic has recovered the aid of his senses; but that the Cantonment Joint Magistrate considered himself bound by the above order of Government.

3. His case appears to be one requiring to be dealt with under Clause 3, Section 395 of the Code of Criminal Procedure.

No. 106 A. ORDER THEREON, 16th February 1863, No. 239.

Before issuing an order for the discharge of the deranged prisoner, Mahomed Esuff, under Clause 3, Section 395 of the Code of Criminal Procedure, the Governor in Council requires fuller information, both as to the state of the prisoner's mind since his confinement, and as to the nature of the offence of which he was found guilty. He therefore resolves to appoint a Commis-

sion consisting of the Session Judge, the Garrison Surgeon and some other Medical Officer to be nominated by the Deputy Inspector General, Ceded District, to report on the prisoner's present state of mind, and whether he may be set at liberty without danger being incurred. The Joint Magistrate will at the same time forward a copy of his Diary in the case.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry

Judl. Cotton 4 Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following petition from Mahomed Hassun Native Doctor for the 3 Light Cavalry Bellary dated 11th December 1862 No 3447-

Read also Report from the Magistrate of Bellary Hereunder 23d January /63. No 3-

Order thereon 16th February 1863 No 239.

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MR

To the Session Judge Kutch
" Magistrate of do
" Prime Asst. Engineer Depth.
" Deputy Insp. Genl. ~~of Police~~ Cutch
" Garrison Surgeon, Kutch

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Judicial 1863. Department.

No. 239.

PROCEEDINGS OF GOVERNMENT.

Dated 16 Feby. 1863.

Fort St. 451.

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