

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1487	Press Mis.
Dated	19-9-1918	

177-178

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
19th September 1866.*

No. 177. Read the following letter from the Coroner of Madras, to the Secretary to Government, Fort Saint George; dated Madras, 17th September 1866, No. 23.

With reference to the Order of Government, dated 3rd September 1866, No. 1378, I have the honor to state that, in holding Inquests on prisoners dying in Jail, I have been guided by the rules laid down by Jervis in his work, "On the office and duties of Coroners", who states, at pages 24-25, that "the Coroner may and "ought to inquire of the death of all persons whatsoever who die in prison, that the "public may be satisfied that such persons came to their death by the common "course of nature, and not *per dure gard*", and that, "unless there be a reasonable "ground of suspicion, that the party came to his death by violent and unnatural "means, there is on occasion, *except in the case of a person dying in Jail*, for the inter- "ference of the Coroner." I have, at the same time, followed the practice existing in Madras when I was appointed to the office of Coroner, and have acted in accordance with the usage of a large English District, viz., the north Riding of Yorkshire, which, I presume, is not singular, in requiring the Coroner to hold Inquests on all prisoners dying in Jail.

2. As to the impolicy of Inquests on persons dying from Cholera, there can be no doubt, and it was from feeling this that, during the late epidemic, I myself suggested action on the part of the Medical Officers, being perfectly satisfied that the most anxious and unremitting care was always exercised in the Hospital of the Penitentiary, and considering, under the circumstances, if the law would allow of it, Inquests might well be dispensed with in Cholera cases.

3. In the event of my being relieved from the responsibility which appears to me to be incident to my office at common law, even in the case of prisoners dying of Cholera, I beg most respectfully to request that His Excellency the Right Honorable the Governor in Council will be pleased to direct, in Cholera cases, a certificate to be forwarded to me from a responsible Medical Officer, stating that the death has been caused by Cholera, and, in other cases, the ordinary notice to be given, on receipt of which notice I may be permitted to use my discretion as to whether an Inquest is, or is not, desirable.

No. 178. ORDER THEREON, 19th September 1866, No. 1459.

The Principal Inspector General, Medical Department, will instruct the Medical Officers in charge of the Penitentiary and other Jails at the Presidency to furnish the Jailers with certificates showing the cause of death, in all cases of prisoners dying in Jail. The certificates will be forwarded to the Coroner by the Jailer, with the usual notice.

(True Extract),

Secretary to Government.

To the Principal Inspector General, Medical Department.

„ Commissioner of Police.

„ Coroner of Madras.

Exd. J. H. Burns.

Ordered accordingly that
the Principal Inspector of
Med Dept be requested
to arrange for a Certificate
being furnished to the
Coroner in all cases of
death from Cholera
or ~~other infectious diseases~~
in the Penitentiary, stating
that the death has been
caused by Cholera. In
other cases, the ordinary return
will be given on receipt
of W^d. The Coroner will
decide whether an inquest
is or is not desirable.

J. M. D.
Secy
in- of Pen
at Phila Pa

Pro D. Sept 23 1866 Oct 29 to 31.

19 Sept 1866 N^o 1459.

The Inspector Genl.
Pres. Dept. will in-
struct the Medical
Officers in charge of
the Penitentiary &
other jails at the Pre-
sidency to furnish
the families with cer-
tificates showing the
cause of death, in
all cases of prisoners
dying in jail. The
certificates with his
forwarded to the Coroner
by the families with
the usual notice.

W.D. L.S. N^o
77.78.

Sept 1866 Department
N^o 23.

From
The Governor of Madrid.
J.
J. S. San Eigure.
Secretary to Government

Despatched 17 September
Received 17 1866

N^o 2066
Requesting that in
cases when prisoners die of
Cholera in the Penitentiary,
a certificate may be sent
to him from a responsible
Med. Officer stating that
the death has been caused
by Cholera.

Gen. L. L. L.
N^o 2066
Pres. Dept. } Sept 24/
Gov. of Spain }
Coroner of Madrid }