

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	498	Press
		Mis.
Dated	S. 4	19. 1866

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

5th April 1866.

Read the following papers:—

No. 31. From the Magistrate of the Vizagapatam District, to the Chief Secretary to Government, Fort Saint George; dated Vizagapatam, 5th December 1865, No. 374.

I have the honor to enclose copy of a deposition made before me this day by Dr. Dougall, the late Acting Civil Surgeon of this place.

2. It explains itself. You will observe that the Sub-Magistrate sent a female corpse, for examination, to the Civil Hospital, on the afternoon of the 19th November ultimo, and that Dr. Dougall, after inspecting the body, at 7 o'clock on the morning of the next day, sent in a certificate stating "that the body was quite decomposed, and *no marks of violence visible*."

3. To this latter clause of his certificate, together with the passage in his deposition, which I have underlined, we must look for Dr. Dougall's reasons for abstaining from a *post mortem* examination. But I submit that this is hardly satisfactory. A body is sent to the Civil Hospital in cases where a healthy person, without any obvious cause, and under circumstances which are suspicious, comes to a sudden end. "Marks of violence" are visible enough to persons not pretending to any scientific knowledge. Where they are not present, or, being present, do not account for the death of the subject, an internal examination is surely imperatively required.

4. Nothing can be done now in the present case, but I beg to suggest that some general rule may be laid down, for the guidance of Medical Officers, by the Head of their Department.

VIZAGAPATAM, 5th December 1865.

Present.—Sepoy Tataya, Prisoner.

Deposition of Joseph Dougall, on oath, saith:—

I am an Assistant Surgeon, Madras Army. I was lately in charge of the Civil Hospital. I remember the 19th November last. It was a Sunday. I got information about 20 minutes or half past 5 o'clock p. m. that there was a corpse for examination come to the Hospital. I was then in a carriage in the bazaar. I asked when was it brought and where from. My informant, the Dresser, said "a short time ago that afternoon, and from Alipur*." The next day I went to the Hospital about 7 o'clock

a. m., having already been informed by the Dresser that there were no external marks of violence. On arriving at the Hospital, I inspected the body. It was, I believe, a female corpse. I can't say as to age. It was in an advanced stage of decomposition. I should say 40 hours dead. There were slight stains of blood on the cloth, which had every appearance of menstuous blood, but there were no signs of abortion. The body was swollen and putrid, and there were no signs of any unnatural death. She did not seem to be a pregnant woman.

2. I look at the certificate. I see it is dated 19th in the Dresser's hand-writing. I don't know how that arose. I signed it on the 20th, immediately after inspecting the body.

3. Nothing could be discovered now by exhuming the body.

(Signed) J. DOUGALL,

Assistant Surgeon.

(") D. F. CARMICHAEL,

Magistrate.

Proceedings of the Madras Government, Judicial Department,

5th April 1866,

N. B.—The certificate is as follows:—

"This is to certify that I have examined the body of a woman (sent by the Sub-Magistrate of Vizagapatam) which is quite decomposed, and no marks of violence visible."

VIZAGAPATAM, 19th November 1865.

*(Signed) J. DOUGALL,
Acting Civil Surgeon.*

(True Copy).

*(Signed) D. F. CARMICHAEL,
Magistrate of the District.*

Referred to the Principal Inspector General, Medical Department, for his opinion.

*FORT SAINT GEORGE,
16th December 1865.*

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

No. 32. From the Principal Inspector General, Medical Department, to the Chief Secretary to Government, Fort Saint George; dated Fort Saint George, 21st December 1865, No. 388.

In returning letter, No. 374, dated Vizagapatam, 5th December 1865, from the Magistrate of the District, and its enclosure, received with your endorsement of the 16th instant, I have the honor to state that it does not appear to me necessary to lay down any general rule on the subject. Every Medical Officer is aware that, in this climate, no time should be lost in proceeding to examine a body. Under such circumstances, Mr. Dougall seems to have erred in not going at once to inspect the corpse, when informed, on the afternoon of the 19th November, that it had been brought to the Hospital for that purpose. It is very probable, however, that, amid the various duties which a Civil Surgeon has to perform, something more urgent may have prevented his doing so, and his being right, or otherwise, in refraining from making a post mortem examination, appears to me to depend greatly on the information communicated to him by the Magistrate regarding the circumstances of the case, or whether he was left any discretionary power to decide on the necessity or otherwise of opening the body; for, unless necessary, it is very desirable that such an examination of a decomposed mass should be avoided.

2. I would take this opportunity of stating that it seems to me very desirable that, before the conduct of a Medical Officer in such matters is brought to the notice of Government, he should have an opportunity of explaining his reason for acting as he has done. Though the Civil authorities of the District cannot directly call for such explanation, they have it in their power to do so through the Deputy Inspector General of Hospitals of the Division, and I would suggest that this course should, in future, be adopted.

No. 33. ORDER THEREON, 5th April 1866, No. 498.

The Principal Inspector General is requested to ascertain and report whether the information received by Dr. Dougall on the 19th of November was conveyed to him through a written communication, or by a mere verbal message, and whether there was no written report of any kind from the Sub-Magistrate regarding the corpse, either to himself or to the Dresser.

(True Extract).

Chief Secretary.

To the Principal Inspector General, Medical Department.

Ed. J. H. Burns.

5 April 1866 No 498.

The Principal Inspector General is requested to ascertain & report whether the information received by Dr Dougall on the 19th of November was conveyed to him through a written communication or by a mere verbal message, and whether there was no written report of any kind from the Sub Magistrate re. opening the corpse, either to himself or to the Dresser.

*To the Principal Inspector General
Medical Department*