

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	70	Press
		~~Mis.~~
Dated	14.1.1867	19

125-126

4/5

Not to be folded or roughly handled

102

18

*Proceedings of the Madras Government, Judicial Department,
14th January 1867.*

No. 125. Read the following letter from J. D. ROBINSON, Esq., Magistrate of North Arcot, to the Chief Secretary to Government, Fort Saint George; dated Chittoor, 22nd December 1866, No. 88.

In February 1864 the party named in the margin was charged with house-breaking and theft, but was acquitted on the ground that he was, at the time he committed these offences, of unsound mind. He was thereupon directed by Government (vide Order, dated 16th January 1865, No. 92, Judicial Department), to be placed in the Lunatic Asylum at Madras. The relatives of the lunatic having subsequently represented that he was no longer insane, and expressed their willingness to take charge of him, Mr. Banbury, the then Acting Magistrate of this District, requested in his letter of the 5th January 1865, No. 1, that sanction might be accorded for the delivery of Narrainsawmy Chetty to his relatives, under Section 397 of the Code of Criminal Procedure. The Government thereupon, in their Order of the 16th January 1865, No. 92, requested the Principal Inspector General, Medical Department, to appoint a Committee to inquire into and report on the mental condition of Narrainsawmy Chetty. On the report of the Committee, the Government directed the discharge of Narrainsawmy from the Lunatic Asylum.

Vide Order, dated 22nd February 1865, No. 297, Judicial Department.

2. In June last this same Narrainsawmy Chetty was charged with having committed theft in a building, an offence punishable under Section 380 of the Code. As it appeared that he was then again laboring from insanity, he was sent to the Civil Surgeon, who has certified to the present unsoundness of his mind. I have the honor, therefore, with reference to Section 394 of the Code of Criminal Procedure, to refer the matter for the orders of Government. The lunatic has, meanwhile, been detained in the Jail Hospital.

3. Dr. deFabeck is of opinion that Narrainsawmy Chetty is not a dangerous lunatic, and recommends that, if possible, he may be entrusted to the care of his relatives.

No. 126. ORDER THEREON, 14th January 1867, No. 70.

The Magistrate does not state whether the prisoner has been tried and acquitted with reference to the provisions of Section 393. If he has not been so acquitted, Mr. Robinson's reference to Section 394 is clearly wrong.

2. If Narrainsawmy is incapable of making his defence by reason of unsoundness of mind, and cannot consequently be put upon his trial, the procedure to be observed is laid down in Section 390.

3. If the charge against the prisoner was preferred so far back as June 1866, it does not appear why a report of his case was not submitted earlier, nor how he has been dealt with since his arrest.

(True Extract).

Chief Secretary.

To the Magistrate of North Arcot.

Exd. J. Tulloch.

Pro No. 146.147
 16.1.65
 206.2.57
 22.2.65

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Magistrate of North Arcot.

Here enter 22nd December 1888.

Order in Law 187 A. 70.

The Magistrate does not state whether the prisoner has been tried and acquitted with reference to the provisions of Section 393. If he has not been so acquitted, Mr. Robinson's reference to Section 394 is clearly wrong.

2 If Narainisamy is incapable of making his defence by reason of unsoundness of mind, and cannot consequently be put upon his trial, the procedure to be observed is laid

down

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 J.
 W.D.

3 If the charge against the Prisoner was preferred so far back as June 1866, it does not appear why a report of his case was not submitted earlier nor how he has been dealt with since his arrest.

To the Mag^{te} of North Arocl. *Dec 17/6*

125-126

Proceedings of the
Department of the Interior

in relation to the
land claims of the
State of California
and the
land claims of the
State of Texas

and the
land claims of the
State of New Mexico
and the
land claims of the
State of Arizona

Judicial 1867. Department.

No. 20

PROCEEDINGS OF GOVERNMENT.

Dated 22 January 1867