M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 292 Press
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Dated 5-3-1861 19 .

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 5th March 1861.

No. 34. Read the following letter from H. D. COOK, Esq., Sessions Judge of Calicut, to T. PYCROFT, Esq., Chief Secretary to Government, in the Judicial Department, Fort Saint George, dated 19th February 1861, No. 28.

I have the honor to state that the prisoner in Case No. 12 of 1861, who stood charged with having on the 29th January 1861, feloniously, unlawfully and maliciously set fire to the house of one Edathil Parambil Kanaken Keeran, situate in the Divison of Panhikot Talook and Zila of Calicut, with intent thereby to injure the said Kanaken Keeran, who was thereby endamaged in the sum of Rupees 15, was acquitted on the ground of unsoundness of mind at the time the crime was committed, which fact has been satisfactorily established by the evidence of the witnesses and the deposition of the Medical Officer, a copy of which is herewith forwarded.

Kanaky Oonechey (female).

2. The prisoner when placed at the bar was silent and appeared unable to comprehend what was addressed to her. She is in fact an "idiot" but as her malady runs to attempts to destroy herself by fire and set fire to buildings, the Medical Officer is of opinion that she would be safer if confined within the premises of the Jail or Hospital as her mental and physical condition may indicate.

3. Concurring in the view of the Medical Officer, I would recommend her confinement for life in the manner pointed out, as from the peculiar state of her malady called "Pyromania" her release might be dangerous both to herself and others. I have the honor therefore to submit the case for the consideration and final Orders of Government under the provisions of Act 4 of 1849. The prisoner in the mean time is under surveillance.

No. 12 of 1861.

Examination of E. S. Cleveland, Esq., Civil Surgeon of Malabar, taken on oath before the Sessions Court of Calicut on the 18th February 1861.

Questions.	*Answers.*
1. You have perused a translation of the depositions recorded in Session Case No. 12 of 1861, relative to the offence committed by the prisoner Kanaky Oonichy now at the bar. Be so good as to favor the Court with your opinion as to the justness of the inference drawn by them from the facts and circumstances deposed to in regard to the state of mind of the prisoner both before and at the time the Criminal act of which she is accused, was committed?	Having read a translation of the depositions submitted to me in Session Case No. 12 of 1861, I am of opinion that the inference drawn from the facts and circumstances deposed to in regard of the prisoner's state of mind, is just.
2. What opinion have you formed of the prisoner's state of mind and what has her general conduct and demeanor been during the period she has been under your observation?	The prisoner is, in my opinion, an idiot, and, her idiotcy, through perverted moral cause, assumes that form of insanity recognized as Pyromania, which mental condition appears to have led to the perpetration of the criminal act of which she is charged.
3. With your own opinion of the prisoner's present state of mind would you, in the event of her being found guilty of the act of which she is charged but acquitted on the ground of her imbecile state of mind both for-	I would recommend her permanent detention, considering she would be in safe custody within the premises of the Jail or the Hospital, as her mental and physical condition may indicate.

merly and at the time the act was committed, recommend her further temporary detention in the Hospital, or that she may be safely entrusted to the care of relatives or others willing to take charge of her, or consider that it would be unsafe ever to release her out of custody?

(Signed) E. S. CLEVELAND, M.D.
Civil Surgeon, Malabar.

Taken on oath before me in open Court, this 18th February 1861.

(Signed) H. D. COOK,
Sessions Judge.

(True Copy.)

(Signed) H. D. COOK,
Sessions Judge.

No. 35. ORDER THEREON, 5th March 1861, No. 292.

The Government resolve, under Act IV, 1849, to direct that the prisoner, Kanaky Oonechy, be confined for life, or until further orders. She will, for the present, be detained in the Zillah Jail, or Hospital, at Calicut.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No 292 - 5 March 1861.

The Govt. resolve, under Act IV - 1849, to direct that the prisoner, Kanaky Oonechy, be confined for life, or until further orders. She will, for the present, be detained in the Zillah Jail, or Hospital, at Calicut.

The Sessions Judge of Calicut. } Dupl. 5-13-61.
Inspector Genl. of Jails. }

Sessions Court
Radnor

I have the honor to be
Sir
Your Obt Servt
A D Cook
Sessions Judge