

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1424	Press ~~Mis.~~
Dated	3-7-1886	

38-40

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Not to be folded or roughly handled

Read the following papers:—

No. 38. From the Magistrate of South Arcot, to the Chief Secretary to Government, Fort Saint George; dated Cuddalore, 26th April 1867, No. 20.

Under Section 394 of the Criminal Procedure Code, I have the honor to submit the following case for the orders of Government.

2. A woman, named Elesee, stands charged with the crime of arson, or, as designated under the Penal Code, by Section 435, mischief by fire. The house she set fire to was her own, and her husband and child, with herself, were in it at the time. The Police, on securing the woman, at once saw that she was of unsound mind, and accordingly, on her production before me, I sent her for observation to the Zillah Surgeon, who subsequently reported that Elesee was unfit to take care of herself, and was not answerable for her conduct.

3. I have now taken an examination on oath from the Zillah Surgeon, regarding the woman Elesee's state, copy of which is herewith enclosed; and as the opinion of Dr. Bilderbeck is so decided, both as to her present condition, and to the unlikelihood of her ever being amenable to the law, I have no alternative than to solicit the orders of Government for the transfer of Elesee to the Madras Lunatic Asylum, or to any other suitable place of custody which Government may think proper.

EXAMINATION of Dr. J. Bilderbeck, Zillah Surgeon of Cuddalore, taken on oath—deposes:—

The woman Elesee, before the Court, has been under my observation since the 10th March last. I consider her to be of unsound mind, to that extent that she is not answerable for her acts. She has at times lucid intervals, when she appears rational, but they are of short duration. On the whole, my opinion is that she is not fit to take care of herself, and cannot be held responsible for her actions. She is very noisy and abusive and dirty in her habits, very mischievous and destructive—destroying anything that comes in her way, and wasting her food—and her habits are extremely dirty at times. She is also occasionally very violent, and once or twice I have been obliged to place her under more than ordinary restraint.

Cross-Examined.—Elesee is plainly not responsible for the crime of arson, with which she stands charged. I doubt whether she will ever be sufficiently recovered as to enable her to be placed on her trial for the offence alluded to. I find that she has been in her present state for four or five years past, and I do not, therefore, think that any period could be named when she would be able to plead to the charge. I am of opinion that she is a proper subject for a Lunatic Asylum, as, being left at large with her friends, she might commit any amount of mischief, as she has already done. The lucid intervals of which I have spoken have lasted for two or three days—not longer, and at these times she is tolerably rational; but, even then, she laughs and cries to herself, though she is able to answer questions rationally, and does not misbehave herself. I cannot particularize her phase of insanity, but there is no fixed delusion or monomania with it; but I certainly think it is dangerous to the community to allow her to be at large.

(Signed) J. BILDERBECK,

Civil Surgeon.

Taken on oath before me at Cuddalore, this 26th April 1867.

(Signed) C. W. READE,

Magistrate.

No. 39. From the Inspector General, Indian Medical Department, to the Under Secretary to Government, Fort Saint George; dated Fort Saint George, 29th August 1867, No. 337.

With reference to duplicate copy of your Memorandum, No. 131, of 2nd May last, received on the 23rd instant (original not received by this office), I have the honor to state, for the information of Government, that the Superintendent, Lunatic Asylum, reports that there is no room at present in that Institution for the insane woman confined in the Zillah Jail at Cuddalore.

*Proceedings of the Madras Government, Judicial Department,
3rd September 1867.*

No. 40. ORDER THEREON, 3rd September 1867, No. 1424.

Under the provisions of Section 394 of the Code of Criminal Procedure, the Governor in Council directs that the lunatic Eleseo be transferred to the Lunatic Asylum at Trichinopoly.

(True Extract.)

Acting Chief Secretary.

To the Magistrate of South Arcot.
" " of Trichinopoly.
" Inspector General, Medical Department.
" Inspector General of Jails.

Read No. 1782 + 1864

*3rd September 1867 No. 1424.
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W. M.

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*to the Magistrate of
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- " - of Trichinopoly.
- " - Inspector General of Medical Dept.
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