

Many times he found himself in the police cell, accused of drunkenness, when he had left home in a state of perfect sobriety. Many times he found himself far from the locality where he had intended to go and in places where he had no reason to be. One morning he woke up in prison; he had been arrested, had undergone his trial, and had been condemned, without being conscious of the fact.

We have, then, in this case, convulsive crisis, loss of memory, ambulatory automatism. And we certainly attribute each of the pretended crimes for which he was sentenced, to a morbid state of mind due to epilepsy.

We must naturally come to the conclusion of irresponsibility in this case, and it is surprising that the court should have refused to accept the sworn testimony that a friend wished to give, viz.: that John M. . . . was an epileptic. John M. has since been transferred to St. Jean de Dieu Asylum.

III.

We see from the above reports and figures that judges, left to their own resources, have been unable to detect insanity in a number of obvious cases, notwithstanding their universally acknowledged perspicacity, carefulness, fairness and learning, to which we wish to render a well-merited tribute.

It is also shown that lunatics have escaped notice in jails and penitentiaries.

From these facts we feel justified to draw the following conclusions:

CONCLUSION.

1. It follows, from what we have just said, that judges are very often unable to appreciate rightly the mental condition of the prisoners brought before them for trial, because they are strangers to the special knowledge of medicine.
2. They should then consider it as one of the duties of their office, to order a medical examination of the mental state of the prisoners, when the circumstances of the crime committed by them, their attitude or their past history point to a defective mental condition.
3. On every occasion, when the defence alleges the irresponsibility of the prisoner, they should order a thorough and independent medical examination, covering all the aspects of the case.
4. They should confide this examination to those who have made a special study of this branch of science.
5. The jail physicians should examine all prisoners immediately after their reception, and report to the magistrate all those who show any doubtful mental condition.