M.R.O. 1—38,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 579 Press
54-55 Mis.

54-55.

Dated 9.5.1860 19 .

3/4.

Not to be folded or roughly handled

Miles

Proceedings of the Madras Government, Judicial Department, for the month of May 1860.

No. 54. Read the following letter from P. GRANT, Esq., Collector and Magistrate of Malabar, to T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated Calicut, 25th April 1860, No. 30.

I have the honor to submit, for the consideration and Orders of Government, the following case.

2. A sailor, named John Rogers, of Dublin, was met sick on a public street at this place by a Mr. James Andrew, (of the Firm of Andrew and Co.,) and sent by the latter to the Civil Dispensary here, with a note to the effect that he (Mr. Andrew) would pay all his expenses.

3. He remained in the Dispensary for four days, and was then discharged at his own request.

4. A bill was handed over to Mr. Andrew, charging Rupees 22-6-8 for diet and medical attendance on the Sailor in question.

5. Mr. Andrew referred the matter to my office, stating that when he sent the man to the Dispensary with the note, he was under the impression that he would only have to pay for his diet. He afterwards ascertained, that had the Sailor been sent by me, he would have been admitted free under the existing Regulations. He moreover considered the amount demanded to be an overcharge, refused to pay it, and wished that it should be borne by Government, as it was an error of judgment on his part that he sent the man to the Dispensary.

Mr. Andrew represented him as a person in great distress, having been brought up in the Bark "Poictiers" by the Commander of that Vessel, from Colombo for Bombay, as an act of charity, as he could get no employment in Colombo. Mr. Andrew added that he, on his own private account, sent the man up to Bombay by the Steamer "Tilly."

6. I applied to Dr. Cleveland for his explanation of the case. From his reply I find, that the Sailor, on being discharged from the Hospital, stated he was proceeding to Bombay by the Steamer, and that the "Poictiers" would bring his things on to Bombay. This certainly creates a doubt as to his real destitution. Admitting however Mr. Andrew's statement, I consider it a matter of question whether the destitution of the man is a sufficient circumstance to relieve Mr. Andrew from the responsibility he has taken upon himself, of paying all his expenses. But so far as medical attendance is concerned, I doubt that any charge on that account, can in the present instance, be allowed consistently with the Rules* laid down by Government for the management of Civil Dispensaries.

* *Dated 3rd March* 1852.

7. The Sailor adverted to does not appear to belong to any particular Vessel, and was a mere passenger in the Bark "Poictiers." The charge on his account should, therefore, in my opinion, be the same as in the case of any other European in-patient of the richer classes provided for in paragraph 2 of the Rules above referred to, *i. e.*, for diet alone, medical attendance being allowed gratis. I however leave the whole matter for the decision of Government.

No. 55. ORDER THEREON, 9th May 1860, No. 579.

The Government think that Mr. Andrew should only be charged for the *diet* of the Sailor sent by him to the Civil Dispensary. It is observed that Mr. Andrew, when he sent the man to the Dispensary, was prepared to pay for him to this extent.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

2A

Order thereon 9th May 1860. No 579.

The Sort think that Mr Andrews should only be charged for his bill of his sailor sent by him to the Colonial Dispensary — It is observed that Mr Andrews, when he sent the man to the Dispensary, was prepared to pay for him to his extent

J.P.

Wd.

Col. Sy. Trinidad. Dispd. Wt.

10 May

Jud. 1860. Depart.

From

The Collector & Magt
of Malabar

To

The Chief Secretary
to Government
Jl Depart
Fort St George

Dated 25 April 1860
Recp. 27 do
Rec.d

No 30.

do

No 721.

Submitting for the consideration and orders of Government the case of a Sailor sent by a Mr. Andrew for Medical Treatment in the Civil Dispensary at this Station and who refused to pay the fees demanded by the Civil Surgeon on the plea of an overcharge—

With my own Order

C3 Prog
R8 "

54 & 55.