

MADRAS RECORD OFFICE.

Government of Madras.

Jurisdiction DEPARTMENT.

364-365	G.O. No.	1397	Press
			~~Mis.~~
	Dated	29-8-1867	

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
29th August 1867.*

No. 364. Read the following letter from the Magistrate of Ganjam, to the Chief Secretary to Government, Fort Saint George; dated Chatterpore, 17th August 1867, No. 146.

Mr. David Bartley, pensioned District Moonsiff, a resident of Russelcondah in this District, lately went mad. A Medical Officer certified to his being dangerous by reason of lunacy; and the local Magistrate, Mr. Goodrich, after a personal examination of the patient, wrote an order for his reception into the Lunatic Asylum at the Presidency, agreeably to Section 4, Act XXXVI of 1858, it being first ascertained that there was room for him in that Institution.

2. The Act says that the lunatic shall be sent in "suitable custody" to the Asylum. Mr. Bartley has a son, one of our Inspectors of Police, whom I sent down with his father by the steamer of the 8th instant. He came back this morning by the return steamer, and it will be seen, from the statement* he has made before me, that his father was, in a manner,

* In original.

rescued out of his hands, before he could lodge him in the Asylum, by one Mr. Ignatius Perriman, Shop-keeper of Black Town, a connection of the family, and that Mr. Perriman has been aided and abetted therein by a Pensioned Apothecary of the name of Avers. It appears that Perriman designs to treat the patient at home—probably out of some irrational objection to a public asylum.

3. The certificate of the local Medical Officer and the "Order for reception" are with the Superintendent of the Asylum. I sent them by post some days before the Bartleys started. It seems highly irregular that private persons, from whatever motives, should interfere with the due course of law, in the manner Messrs. Perriman and Avers have done; and I beg to report the matter to Government, in view either to Mr. Goodrich's order being acted on, or a fresh inquiry held under Section 6 of the Act, if the original proceedings are no longer valid, owing to the patient being now at large in the Presidency Town.

PRESENT.—D. F. CARMICHAEL, Esq., Magistrate of Ganjam.

William Bartley.—I am Police Inspector of the Aska Taluq in this district. My father, Pensioned District Moonsiff Bartley, left Gopaulpore for Madras by steamer on 4th August instant. I went to take charge of him, and to deliver him over to the Superintendent of the Lunatic Asylum at Madras. The steamer anchored in Madras Roads on the afternoon of 8th instant. I got my father ashore at 6½ o'clock. I thought it was too late for the Asylum, so I took him to the house of a connection of the family, Mr. Perriman, a Shop-keeper in Black Town. I left him (my father) there, and went myself, with my mother and the rest of the family, to another house. Next day, and ever after, up to the date of my coming back to my duty by the return steamer, on Monday the 12th, Mr. Perriman refused to let me remove my father to the Asylum. I explained to Mr. Perriman all that had occurred here; that my father had been pronounced a lunatic by a Medical Officer; that a Magistrate had concurred in that opinion, and had directed my father's removal to the Asylum; and that the Judge had appointed me manager of my father's estate—but all to no purpose; he would not let me act; said he would keep him safe, and get him pro-

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perly treated in his own house. Mr. Perriman did not, however, call in any medical man, and on Sunday afternoon, the 11th, while Perriman was at Chapel, my father walked off to the house of Mr. Avers, a pensioned Apothecary, an old acquaintance of his. Hearing this, I went after him, but Mr. Avers would not let me into his house. He said my coming to the house made my father worse, and he advised me, as a medical man, to go away. I then did so, and the next day I had to return here.

By the Magistrate.—It did not occur to me to apply to the Superintendent of the Asylum. I knew that the order for my father's reception there had gone down to that Officer. However, I was so bewildered in a strange place, I did not know what to do. I did not know any one to advise with. There are two brothers named Perriman; they live together. It was the elder one, Ignatius, who refused to let me remove my father. I asked Captain Carr for additional leave, but he refused it, except without pay, which I could not afford. I did not explain the case fully to Mr. Avers. I had no opportunity: he was so furious in driving me away at once from his door.

CHETTERPORE,
17th August 1867.

(Signed) W. H. BARTLEY.

Sworn before me

(Signed) D. F. CARMICHAEL.

Magistrate.

No. 365. ORDER THEREON, 29th August 1867, No. 1397.

The Commissioner of Police will call upon the Officer in charge of the Lunatic Asylum for the Order for reception and the Certificate of the local Medical Officer which have been sent to the Superintendent of the Asylum, and, on satisfying himself that there are grounds for detaining Mr. David Bartley in the Asylum, will take steps for confining the alleged lunatic in the Asylum.

2. The Commissioner of Police will then be at liberty, on being satisfied that the lunatic will be properly taken care of, to hand him over to the care of friends or relatives, as provided in Section 4 of Act XXXVI of 1853.

(True Extract).

Acting Chief Secretary.

To the Commissioner of Police.
„ Inspector General, Medical Department.
„ Magistrate of Ganjam.

Ed. J. H. Burns.

*Judicial Dept.
Read the following letter from the Magistrate
of Ganjam dated 12th August 1867. N^o. 46.*

Order Thereon 29th August 1867 N^o. 1397.

The Commissioner of Police will call upon the Officer in charge of the Lunatic Asylum for the Order for reception and the certificate of the local Medical Officer which have been sent to the Superintendent of the Asylum, and on satisfying himself that there are grounds for detaining Mr. David Bartley in the Asylum will take steps for confining the alleged lunatic in the Asylum.

2. The Commissioner of Police will then be at liberty, on being satisfied that the lunatic will be properly taken care of, to hand him over to the care of friends or relatives as provided in section 4 of Act XXXVI of 1853.

*To the Commissioner of Police
Inspector General Medical Department
Magistrate of Ganjam*

W. H.

J. H.