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MADRAS RECORD OFFICE.

Government of Madras.

Marine

DEPARTMENT.

G.O. No.

116

Press
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55-56

Dated

28-4-

1862.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Marine Department,
28th April 1862.*

No. 55. Read the following letter from J. J. FRANKLIN, Esq., Superintendent of Marine; to the Honorable T. PYCROFT, Esq., Chief Secretary to Government, Marine Department, Fort Saint George, dated 8th April 1862, No. 1,132.

I have the honor to report the following particulars with reference to the discharge of a Seaman named James Mackay from the British Barque "Titania" at Negapatam, and as I conceive the Master has acted illegally in leaving the man behind, to solicit that the circumstances be brought to the notice of the Board of Trade to be dealt with as they consider right.

The bearer, James Mackay, is the man who was sent on shore at Negapatam in the Presidency of Fort Saint George from the "Titania" on the plea of insanity, and whose case has been brought to the notice of the Board of Trade.

2. James Mackay has shipped on the Screw Steamer "Jason," which vessel sailed from Madras for England on the 29th ultimo, and was furnished with a Memorandum, copy of which is noted in the margin, for presentation at the Office of the Board of Trade on his arrival in England.

3. On the 19th December 1861 the Master of the "Titania," John Good, then at anchor at Negapatam, addressed me representing that he had a man on board, James Mackay, who was a dangerous lunatic. It was stated that he had during the passage attempted to stab one shipmate, and to strangle another: he was consequently kept in confinement and the Master requested me to issue orders as to his disposal.

4. The letter was received on the 23rd December; and on the same day I requested the Collector of Tanjore to cause the man to be professionally examined, and if he proved to be laboring under mental derangement, to have him landed and retained on shore for medical treatment and due security during the vessel's stay in port; the Master paying all expenses incurred. I further requested, as there would be no opportunity of providing the man with a passage to England from Negapatam, that he should be sent on board again prior to the vessel's departure, when his case could be disposed of at Madras, Calcutta or other port at which the vessel might load for Home. Copy of this letter was forwarded to the Master in reply to his communication of the 19th.

5. James Mackay was accordingly landed and placed under the care of the Medical Officer of the Station, an Apothecary. On the 12th January following the Collector while at Vellum, the Civil Station, received a letter from the Master stating that his vessel was about to leave for Colombo on the 14th, and requesting to know what decision had been arrived at with regard to his insane seaman. Instructions were immediately sent to have him put on board in accordance with my previous directions; but the vessel having sailed on the afternoon of the 13th, they arrived too late and the man was left behind.

6. Arrangements were now made to send him to Madras where he arrived on the 19th February. He was immediately placed in the General Hospital whence he was discharged on the 27th of the same month and was then an inmate of the Sailors' Home until he shipped, as before stated, on the "Jason."

7. I would now wish it to be pointed out to the Board of Trade that the Master of the "Titania" has acted in direct contravention of the 207th Section of the Merchant Shipping Act by leaving James Mackay behind in India, not merely without the permission of the authorities, but in defiance of express orders issued. The copy of my letter to the Collector of Tanjore hewed him clearly what course he was required to adopt, and his application to the Collector of the 12th can only be looked upon as a proceeding intended to deceive in an attempt to prove that he had done his duty in asking for instructions. He must have known the Collector was at Vellum, a considerable distance from the port, and he took care to sail a day sooner than the day he himself fixed, and before the reply could reach him.

8. But irrespective of this, it appears from the testimony of the Medical Officers under whom James Mackay was placed, that he showed no symptoms of insanity during the whole time he was under observation, nor has he done so during the 29 days he was in the Sailors' Home, the Superintendent of which reports that his behaviour has been quiet and respectable. I forward Certificate from the Apothecary at Negapatam, and letter from the Physician in charge of the General Hospital in support of these statements.

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28th April 1862.*

9. If therefore the Board of Trade do not decide on proceeding against the Master under the 207th Section of the Merchant Shipping Act, I think it will be but justice to Mackay to oblige him to pay his wages during the time he was on shore without employment, as well as the expenses incurred which have been defrayed from the balance of wages left in the hands of the Agent of the South India Railway Company, to whom the vessel was consigned.

10. Enclosed are the following documents which will be required in effecting an adjustment of Mackay's wages.

1.—Account Current of J. Mackay with John Good, showing a balance of £9-8-0 in favor of the former, which sum was handed over to the Collector of Tanjore in 94 Rupees.

2.—Bill of James Hoyle, 2nd Apothecary, for dieting James Mackay from 23rd December 1861 to 28th January 1862, amounting to Rupees 36.

3.—Bill for subsistence at the Sailors' Home, Madras, from 1st to 29th March 1862, amounting to Rupees (18-2-0) eighteen and Annas two.

I do hereby certify that James Mackay, Seaman of the Ship "Titania" during the time that he was a patient at the Civil Hospital at this Station, viz., from 23rd December 1861 and up to the date of his departure did not at any time evince symptoms of lunacy either in language or action.

NEGAPATAM,
30th January 1862.

(Signed) JAS. HOYLE,
2nd Apothecary.

(True Copy.)

(Signed) W. H. BARTLETT,
Acting Assistant Superintendent of Marine.

From Doctor A. BLACKLOCK, Physician, General Hospital; to the Superintendent of Marine, Madras, dated 27th February 1862, No. 107.

In reply to your letter, No. 628 of the 25th instant and its enclosed copy of a Certificate, I have the honor to inform you that I reported yesterday to the Master Attendant that James Mackay, Seaman of the Barque "Titania" has not exhibited any symptom of insanity since his admission into this Hospital on the 19th instant and is fit to return to duty.

II. From the Certificate of 2nd Apothecary Hoyle of the Negapatam Civil Hospital and Mackay's good health and perfectly sane conduct since he was brought to this Institution, I am convinced he has never been insane since he quitted the Barque at Negapatam. If I am to believe the man's own account of what took place in the "Titania" before he was placed in irons, and I cannot perceive any reason for doubting his truthfulness in speaking of these occurrences, I must go further and conclude that he was not insane at any time from the beginning of the voyage to India.

III. I consider Mackay is a very quiet inoffensive man of good intellect, but at the same time one who will not tacitly permit any person to impose on him. His conduct has been exceedingly good since he came to this Hospital, and I have requested the Master Attendant to allow me to discharge him. His after conduct in Madras may perhaps clear up the few doubts that still rest on the case.

(True Copy.)

(Signed) W. H. BARTLETT,
Acting Assistant Superintendent of Marine.

No. 56.

ORDER THEREON, 28th April 1862, No. 116.

Copies of Mr. Franklin's letter, and of the Certificate and letter referred to in paragraph 8, will be forwarded to the Secretary of State, together with the account of Wages and Bills for the subsistence at Negapatam and Madras of Seaman James Mackay.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

N^o. 116-28 April 1862

Copies of Mr. Franklin's letter, & of the Certificate & letter referred to in para. 8, will be forwarded, to the Secretary of State, together with the Acct. of Wages & Bills for the subsistence at Negapatam & Madras of Seaman James Mackay.

The Suptt. of Marine.
" Collr. of Tanjore.

Despt. 29th

Marine Letter to Eng. 30th April
No 8 of 1862 with 3 Enclosures.

Replied to it 9 Augth
No 14 of 1862.

129/585

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C: 12th April
A 24th

Marine 1862 Sept

from

The Superintendent of Marine

To
The Honorable the Chief
Secretary to Government
Marine Dept
Fort Saint George

dated 8 April 1862
recd. 10th

Enc. 5.

No 115- No 1132

Submits a report of the particulars relative to the discharge of a Seaman named James Mackay from the barque "Sitania" at Nagasaki in view to the circumstances being brought to the notice of the Board of Trade to be dealt with as they consider right.

With an Order.