

Thus by the sapience of a jury a person with delusions of persecution is let loose upon the public.

*Harward v. The Guardians of the Hackney Union and Frost.*

Plaintiff was taken by Frost, a relieving officer, to the workhouse infirmary as a lunatic. A magistrate who saw him there discharged him as sane. Action for false imprisonment.

The wife of the plaintiff applied to the relieving officer for the removal of her husband as a lunatic, saying that he had threatened to commit suicide and to kill her and his children. Upon this application the defendant Frost directed the removal of plaintiff to the workhouse infirmary, which was accordingly done. Subsequently plaintiff was seen at the infirmary by a justice, who found him sane, and he was discharged. Frost deposed that he honestly believed that it was for the public safety or for the welfare of the plaintiff and others that the plaintiff should be brought to the infirmary and placed under care and control, and that he was actuated by no other motive except that of doing his duty.

The man who removed plaintiff on defendant's instructions was asked by the judge if he saw anything to lead him to think that the plaintiff was a lunatic.

"I cannot say that there was; but I am no judge of that matter. I never thought about it, but simply obeyed my orders."

Dr. J. J. Gordon, one of the medical officers to the infirmary, said that he saw the plaintiff on admission. Plaintiff was then very excited, considered himself persecuted by his wife and some other relatives, and that he was the victim of a conspiracy.

The judge directed the jury that if they thought that Frost had honestly satisfied himself that the plaintiff was a lunatic and should be placed under restraint, then the defendants would be entitled to their verdict. In any case, there was no case against the guardians.

The jury found for the plaintiff, damages £25, on the ground that Frost did not exercise reasonable care to satisfy himself that plaintiff was of unsound mind and dangerous to be at large before arresting him.—Queen's Bench Division (Mr. Justice Hawkins), Jan. 19th and 20th, 1898.—*Times*, Jan. 21st.

On appeal the verdict was set aside, March 22nd.

*Reg. v. Irving.*

Ellen Irving was indicted under Section 315 of the Lunacy Act, 1890, for taking charge of a lunatic for payment in an unlicensed house. There were other counts in the indictment charging that the person mentioned was an alleged lunatic, "was received to board and lodge," and had been "detained." It appeared that in February, 1897, Miss Irving, who kept a convalescent home at Clacton-on-Sea, received a telegram asking her to receive a lady patient. The following day she received a letter from the patient herself asking for a cheerful room. The patient came alone by train, and at this time there was no suspicion that she was of unsound mind. In about ten days' time, however, she became very troublesome and violent. Her friends were communicated with, and in March the patient was removed. The defendant pleaded guilty, but it appeared that she was ignorant of the provisions of the statute.

For the prosecution it was stated that the Commissioners in Lunacy had no wish to press the matter. Their only object was to make it widely known that the reception of a lunatic under the circumstances was illegal.

The judge emphasised the importance of diffusing this knowledge, at the same time stating that the prosecution did not in the smallest degree reflect upon the defendant, whom he bound over to come up for judgment if called upon.—Chelmsford Assizes (Mr. Justice Hawkins), July 1st, 1898.—*Times*, July 6th.

It is satisfactory to find that even in one case, and that a very unimportant one, the Commissioners have been able to prosecute and to secure a conviction under Section 315 of the Lunacy Act, 1890. It is notorious that this enactment is being