

Case No. 7,047.

INGRAM V. BUTT.

[4 Cranch, C. C. 701.]¹

Circuit Court, District of Columbia.

March Term, 1836.

FALSE IMPRISONMENT—PLEA OF GENERAL ISSUE—WHAT MAY BE PROVED UNDER.

In an action of false imprisonment against the superintendent of the Washington asylum, he may plead the general issue, and give in evidence his justification under a warrant from a justice of the peace.

INGRAM v. BUTT.

This was an action of assault and battery, and false imprisonment [by Washington In-gram,] against [Richard Butt], the superintendent of the Washington asylum.

Mr. Bradley, for defendant, offered to give evidence in justification, under a warrant from a justice of the peace; under the English statute of 7 Jac. I. c. 5, made perpetual by 21 Jac. c. 12, § 2; and also under the English statute of 21 Jac. c. 12, § 5, which statutes, in this particular, were in force in Maryland, and adopted by the act of congress of the 27th of February, 1801 (2 Stat. 103), concerning the District of Columbia. See Kilty's Report upon the English Statutes, 236.

Mr. Dermott, contra.

THE COURT (MORSELL, Circuit Judge, doubting) permitted the evidence to be given. The plaintiff became nonsuit.

¹ [Reported by Hon. William Cranch, Chief Judge.]