

## CORRESPONDENCE.

## THE COLLEGE OF PHYSICIANS AND THE COURTS OF LAW.

SIR,—When any discussion is clouded with personalities, it is, perhaps, no wonder that principles are overlooked; but one cannot help feeling curious to know on what principle the Board of Censors of the College of Physicians entertained the complaint made to them by one Fellow of the College against another Fellow on account of evidence given by the latter in a court of law. The by-laws of the College lay down rules of conduct and demeanour to be observed by its members towards each other in their professional duties, that is to say, in their duties as physicians; but the ancient men who framed these by-laws wisely forbore from making futile regulations as to conduct or demeanour outside the limits of professional duty, and they would probably be not a little astonished at the boldness of their successors in office, could they know that the authority of the Censors had been extended to regulating the words and the temper of physicians, who, in the discharge of their citizen duties, were called upon to give evidence upon oath in courts of law.

The Board of Censors have, in the first place, expressed a strong opinion respecting the evidence given by two of their Fellows in the Bravo inquest, as being, in the one case, "very objectionable, from being so open to misinterpretation", and in the other, because "the answers given in court indicated considerable warmth of feeling"—faults which, if they existed, one would have thought it was the proper function of the court itself to deal with.

In the second place, the Board of Censors have laid down what seems to be a new rule of conduct for medical witnesses, which can scarcely be accepted without further inquiry, and, perhaps, not without the sanction of higher authority.

This new rule appears to be that, if one medical witness should hear evidence given in a court of law by another medical witness which is "open to misinterpretation", the former is bound to communicate to the latter "the impression made on his mind, so as to give the opportunity of publicly repudiating the interpretation put upon his words".

The inevitable result of such a rule, if adopted, will be that the lawyers and the public will understand that medical evidence has been pre-arranged by private conference, with the intent that no medical witness may find his "position in the case" prejudiced. The elucidation of truth in the interests of the public does not seem to have been so much regarded in this judgment as the witness's "position in the case", a consideration which is apt to be overlooked in the proceedings of our courts; but whether the new rule will tend to improve the medical witness's "position in the case" is much to be doubted.

The proceedings of our courts of law provide tolerably effective means of correcting evidence which is "open to misinterpretation", and even to any improper display of "warmth of feeling"; but, to supplement these checks by the private expostulations of witnesses who have, perhaps, observed the same facts from different points of view, would discredit medical evidence far more than these very common faults could possibly do. Such private conference or expostulation between witnesses would be mischievous, even when they were on the same side of a case, or in an inquiry where no two sides were distinctly discernible; but, in ordinary trials, either civil or criminal, it would be simply impossible to adopt such a rule of conduct between witnesses on opposing sides. The lawyers would forbid it; and, if it took place without their knowledge and were exposed under cross-examination, the court would condemn it; and the witnesses who had adopted it would find their position very much prejudiced indeed.

One question remains. When a medical witness has found his own evidence in more or less disagreement with that of a professional brother, is he, or is he not, under any obligation to present himself for re-examination?

Practically, the question is answered by the fact that the conduct of the case is not in the hands of the witness, but of the lawyer; and, if the lawyer should claim a re-examination, the witness cannot help himself.

But, more than this, a witness is sworn to tell the truth and the whole truth; and, if he find that he has not told the whole truth in his first examination, he is strictly bound by a "sense of public duty" to pay the whole debt of testimony which he owes to the community; and, if he were to withhold it out of consideration for the feelings of a professional brother, he would, by so doing, place a misconceived professional etiquette above the higher considerations of right and justice.

On the whole, it may appear that the worthy physicians who form the Board of Censors of the Royal College had better stick to their last, regulating with righteous judgment the consultations of the sick room, but leaving their Fellows to follow the dictates of conscience and to obey the rules of legal procedure when called upon to appear in the witness-box of courts of justice; and for medical witnesses, when they have been ruffled in court, there is no good reason why they should take their complaints to the Board of Censors. Surely, they had better follow *Tranio's* advice, and

"Do as adversaries do in law:

Strive mightily, but eat and drink as friends."

I am, Sir, yours, etc., A FELLOW OF THE COLLEGE.

## UNIVERSITY COLLEGE HOSPITAL.

SIR,—Certain inaccurate letters having appeared in the *BRITISH MEDICAL JOURNAL* respecting the medical school of University College, London, I have to request that you will give the following statements similar prominence.

1. The question of the total relinquishment of the clinical fees by the staff of University College Hospital has been under discussion by its members during more than a twelvemonth, and the suggestions of the medical staff have been met in the most liberal spirit by the Council of the College.

2. It is sufficient to appeal to the public professional positions of the past and present staffs of University College Hospital, to show the fallacy of statements that the withholding of the fees had driven away eminent and able men from the institution.

3. That the quality of the clinical teaching has not been impaired by the nearly gratuitous nature of it, is best shown by the last return of the College of Surgeons (*BRITISH MEDICAL JOURNAL*, July 22nd, 1876), in which it will be seen that University College sent up a larger number of candidates for the diploma of Member of the College of Surgeons, with a smaller rate of rejections, than any other medical school.

4. So far from the honours gained at the University of London falling off, an investigation of the *Calendar* shows that, during the last ten years, out of sixty possible First Gold Medals, with Exhibitions or Scholarships, University College men have taken sixteen, and of forty possible Second Gold Medals they have also gained sixteen, in competition with the best men from all other schools. The total number of "honours" gained by University College men, during the same period, is one hundred and thirty.—Yours obediently,

THE DEAN OF THE MEDICAL FACULTY.

University College, November 15th.

## CERTIFYING FACTORY SURGEONS.

SIR,—In the *JOURNAL* for October 28th, p. 563, is an article on Certifying Factory Surgeons, which commences by a reference to the Factory Act of 1874, in regard to which it says, "It was completely overlooked that a reduction of sixty to fifty-six hours and a half per week implied a diminution in the work time of all the operatives in textile factories." If your contributor means to imply that this consideration was overlooked in the report presented by Dr. Bridges and myself to the Government in 1873 (the recommendation of which was closely followed by the Act of 1874), a reference to p. 60 of that report will show him that he is in error. That page contains the commencement of the "conclusions" to which our inquiry led us, and is, therefore, the one to which a hasty reader would probably turn first, and to which a reader who intended to use the report would pay the most careful attention. We say there, "Without entering deeply into the probable economic results of further legislative restriction of the hours

of labour, with regard to which the most contradictory opinions prevail, we shall assume, as the most simple if not the most probable hypothesis, that wages as they now stand will be reduced proportionally to the diminution of hours—*i. e.*, 10 per cent., and then we go on to argue on that hypothesis. In fact, it passes my comprehension, how persons so acute as those who took part on both sides of the short time movement in the factory districts, could have overlooked a consideration so very obvious.—I am, yours, etc.,

November 9th, 1876.

T. HOLMES.

## MEDICAL NEWS.

UNIVERSITY OF LONDON.—The following is a list of the candidates who have passed the recent Second M.B. Examination.

### First Division.

Burton, Samuel Herbert, University College  
 Edwardes, Edward Joshua, St. Mary's Hospital  
 Ferrier, John Christian, Guy's Hospital  
 Fox, Thomas Colcott, University College  
 Hancock, John Gatchell, King's College  
 Harrison, Charles Edward, St. Bartholomew's Hospital  
 Hellier, John Benjamin, Leeds, and University College  
 Hunt, Joseph William, University College  
 Jones, Arthur Henry, Guy's Hospital  
 Kidd, Walter Aubrey, Guy's Hospital  
 Lamb, William Henry, Guy's Hospital  
 Pepper, Augustus Joseph, University College  
 Pinnell, Thomas Mark, University College

### Second Division.

Blake, Henry, St. George's Hospital  
 Boddy, Hugh Walter, Royal School of Medicine, Manchester  
 Briggs, Harry Beecham, King's College  
 Duke, Herbert, Guy's Hospital  
 Langley, John Geoffrey, University College  
 Parry, Thomas Sharp, University College  
 Fughe, Rhinalt Navalva ap Joan, Liverpool Royal Infirmary  
 Rogers, Thomas King, University College  
 Rossiter, George Frederick, St. Thomas's Hospital  
 Seward, William Joseph, University College

ROYAL COLLEGE OF SURGEONS OF ENGLAND.—The following gentlemen, having undergone the necessary examinations for the diploma, were admitted members of the College at a meeting of the Court of Examiners, on November 13th.

Bain, David S. E., L.S.A., Newbury, Berkshire  
 Blaker, Thomas F. J., L.S.A., Brighton  
 Coates, William H., Hackney Road  
 Cree, Percy K., L.S.A., St. John's Park, N.  
 Grant, James D., M.B. Edin., Edinburgh  
 Hassall, John, M.B. Edin., Northwich  
 Higgins, George H., L.R.C.S. Edin., Leeds  
 Irwin, John A., M.B. Dub., Manchester  
 Jackson, Edwin, L.S.A., Whalley Range  
 Jolly, Robert W., L.S.A., Shooter's Hill  
 Mills, Robert J., M.B. Aberd., Norwich  
 Montbrun, Domingo, M.D. Caraccas, Port of Spain, Trinidad  
 Norman, John E., Durham  
 Proffitt, William J. W., Burton-on-Trent  
 Rees, Alfred, L.S.A., Maesteg, Glamorganshire  
 Rigby, William B., L.S.A., St. Helens, Lancashire  
 Rule, George F. H., L.S.A., Elgin Crescent  
 Scott, William F., M.D. McGill, Hull, Canada  
 Simpson, James H., M.B. Aberd., Pontefract  
 Skerman, Sidney, L.S.A., Waltham Abbey  
 Smelt, Frank H., L.R.C.S. Edin., Old Trafford  
 Symons, John, L.S.A., Penzance  
 Taylor, Henry E., L.S.A., Bradford  
 Thain, Leslie, L.S.A., Peckham Rye  
 Todd, Howard J. McC., L.S.A., Kennington  
 Tucker, Milton M., M.D. Toronto, Ontario  
 Watson, Charles S., M.B. Edin., Ochterlony, Forfar  
 Wilkie, David W. B., M.B. Melb., Melbourne, Australia

The following gentlemen were admitted members on November 14th.

Alford, Charles E., L.S.A., Crewkerne, Somerset  
 Blake, William H., Lymington, Hants  
 Buncombe, John D., Wellington, Somerset  
 Cambridge, Thomas A., L.S.A., Gower Street  
 Dring, William E., L.R.C.P. Edin., Camden Road  
 Farbstain, Henry, Hull  
 Ferguson, John, Manchester  
 Gibson, Charles P., Leeds  
 Goodchild, Francis, Ealing  
 Greenwood, Major, Dalston  
 Herbert, Ethelbert E. H., L.R.C.S. Edin., Devonport  
 Hudson, James, L.S.A., Holt, Norfolk  
 Kyan, John H., Preston  
 Newton, James, Manchester  
 Procter, Henry C., Leeds  
 Sangster, John J., Barnsley  
 Walker, Horace, L.R.C.S. Lond., Camberwell  
 Whitley, Francis G. H., L.S.A., Truro  
 Wickham, Henry, L.S.A., Tetbury, Gloucestershire

The following gentlemen were admitted members on November 15th.

Collins, William E., Brecon  
 Cuthbert, William W., L.S.A., Mendlesham  
 Elcum, Donald, L.S.A., Hampstead  
 Gadsby, John T., Godmanchester  
 Giles, George M. J., Alexandra Square  
 Ingram, Ernest F., Worcester  
 Lewis, Thomas P., Edinburgh  
 Rean, William H., L.S.A., Poplar  
 Richardson, Sidney Longden, Sydney, N.S.W.  
 Sedgfield, Arthur R. W., Hammersmith  
 Webb, William H., L.S.A., Wellington, Shropshire  
 Wickers, Henry A., Pimlico  
 Young, Archibald P., Norwood

## MEDICAL VACANCIES.

THE following vacancies are announced:—  
 BOURNEMOUTH GENERAL DISPENSARY—Resident Surgeon. Salary, £140 per annum, with furnished apartments, coals, gas, and attendance. Testimonials, diplomas, etc., to be sent in on or before December 31st.  
 BRIDGEND and COWBRIDGE UNION—Medical Officer and Public Vaccinator for the Western District. Salary, £58 per annum, and fees. Applications on or before the 24th instant.  
 CONSUMPTION HOSPITAL, Brompton—Resident Clinical Assistants. Applications, with testimonials, on or before December 4th.  
 DERBYSHIRE GENERAL INFIRMARY—Assistant House-Surgeon. Applications on or before November 25th.  
 EAST LONDON HOSPITAL FOR CHILDREN and DISPENSARY FOR WOMEN—Resident Medical Officer. Salary, £60 per annum, with board, lodging, and washing. Applications on or before the 24th instant.  
 LEEDS FEVER HOSPITAL—Resident Medical Officer. Salary, £150 per annum, with board and lodging. Applications on or before November 29th.  
 LINCOLN UNITED FRIENDLY SOCIETIES' DISPENSARY—Medical Officer. Salary, £170 per annum, with house-rent free, and midwifery fees. Applications on or before the 30th instant.  
 LONGFORD UNION—Medical Officer. Salary, £120 per annum. Applications on or before December 5th.  
 NATIONAL DENTAL HOSPITAL—Assistant Dental Surgeon. Applications to the Treasurer, 149, Great Portland Street.  
 NORTH RIDING OF YORKSHIRE LUNATIC ASYLUM—Assistant Medical Officer. Salary, £120 per annum, with board, lodging, etc. Applications on or before November 18th.  
 QUEEN'S HOSPITAL, Birmingham—Honorary Physician. Applications, with testimonials, on or before December 2nd.  
 ROYAL ALBERT EDWARD INFIRMARY, Wigan—Assistant House-Surgeon. Salary, £60 per annum and rations. Applications on or before November 27th.  
 ROYAL SOUTH LONDON DISPENSARY—Honorary District Surgeon. Applications on or before the 30th instant.  
 ST. GEORGE'S and ST. JAMES'S DISPENSARY—Surgeon. Candidates to attend with diplomas and testimonials at 60, King Street, Regent Street, on the 30th instant, at 4 P.M.  
 TRINITY COLLEGE, Glenalmond—Resident Medical Officer. Applications on or before November 20th.  
 WEST SUSSEX, EAST HANTS, and CHICHESTER INFIRMARY and DISPENSARY—Assistant House-Surgeon. Salary, £20 per annum, with board, lodging, and washing. Applications on or before November 27th.

## BIRTHS, MARRIAGES, AND DEATHS.

The charge for inserting announcements of Births, Marriages, and Deaths, is 3s. 6d., which should be forwarded in stamps with the announcement.

### BIRTH.

SKRIMSHIRE.—On November 2nd, at Clydach Villa, near Abergavenny, the wife of Charles Parnham Skrimshire, of a son.

### DEATH.

WILDING.—On November 8th, at Church Stretton, Shropshire, Susanna, wife of \*Richard Wilding, M.R.C.S. Eng.

THE Assistant Professorship of Pathology at Netley will be filled by Surgeon-Major J. P. H. Boileau, M.D.

LADY BELL, widow of Sir Charles Bell, F.R.S., expired at her residence in Albany Street, on November 9th, in the ninetieth year of her age.

COUNTY HONOURS.—Amongst the gentlemen nominated for the office of High Sheriff of their county, we observe the name of Richard Woosnam, Esq., a retired officer of the Honourable East India Company's Medical Service, and a member of the Royal College of Surgeons. His son, Mr. Bowen Pottinger Woosnam, B.A. Oxon., is in the office of the Secretary of the College.

AT the Mansion House, a proceeding under the Nuisances Removal Act was instituted by the Commissioners of Sewers relative to a quantity of tea estimated to weigh 40,000 lbs., which had lain for nine years in a warehouse of the Messrs. Wrightson. The medical officer of health, in his evidence, said the tea was adulterated with colouring matter, sand, and olive leaves, and his samples were putrid. The Messrs. Wrightson stated that they were merely the custodians of the tea, and they did not even know to whom it belonged. The magistrate ordered it to be destroyed by fire.