

Every one who wishes to become thoroughly acquainted with all that is yet known regarding the nature and use of mineral waters, cannot do better than study this book of Dr. Althaus.

## British Medical Journal.

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### CAPITAL PUNISHMENT.

THE late frequent commutation of the capital sentences passed upon individuals convicted of murder indicates, we venture to think, pretty clearly, that the time is not far off when capital punishments will be abolished from the criminal code of this country. No one likes to take upon himself, or rather, every one tries to shirk, the responsibility of the final decision which consigns the guilty to the halter; and the consequence is, that most strange, and we may truly say unconstitutional proceedings, are resorted to in order to save the individual from strangulation. On the face of it, nothing can seem more absurd, or contrary to our English idea of managing justice, than that a man or a woman who has been tried for a crime by an English judge and jury, and convicted and sentenced, should be tried over again in his studio by some unknown official or man of science, and the sentence upset or confirmed at their discretion; yet this proceeding, as all the world knows, is becoming one of not unfrequent occurrence. The case of Smethurst, it will be remembered, was thus reconsidered; and, if we mistake not, the final disposal of his person, whether he should be hanged or let loose again on society, was virtually placed in the hands of Sir Benjamin Brodie, who thus, in fact, revised and actually reversed the judgment of a learned baron and his twelve jurors! The case, again, of Mrs. McLachlan has been similarly disposed of.

It is impossible that facts like these should not go far to decide the question of capital punishment. There is no concealing the fact that, with every late year of modern progress and advancing humanity, the feeling against this taking of human life is becoming stronger and stronger; and certain is it that nothing but the most convincing evidence of a man's guilt will now bring judge and jury and Home Secretary to give an unwilling sanction to his execution. Even the ferocious eloquence of the *Times* fails in waking up the mind of society to a full and fervent belief in the advantages and necessity for the taking of human life in the way of punishment. The grand excuse, and the most prominent, we might say the only justification offered for its maintenance, is, that it acts as a warning to evil-doers, and therefore as a safeguard to society; but then, unfortunately, the proof that it does so operate is hard to give. Indeed,

the fact is very extensively denied, and certainly not justified by what usually appears in the proceedings of the murderer; for, as far as can be judged, the last thing which he has in his thoughts when engaged in the foul business is the dread of a halter suspended over his head.

The plea of insanity, again, has gone far to shake the minds of the enlightened members of society in the virtue and propriety of capital punishments. Judges, and the *Times*, and the lawyers, have had their fling at the doctors on this score; but experience daily more and more certainly proves that the doctors have hitherto been really the men of science and humanity in the matter, and judges mere lawyers, who would cut a Gordian knot by a turn of the halter. Until the law itself can give a definition of the term insanity, it is evident that no legal phraseology can be made to embrace the character of the criminal acts of all persons who are tainted with insanity. Where sanity ends and where insanity commences is as imperceptible as the line of demarcation between the animal and the vegetable worlds; but assuredly the feelings of modern humanity harmonise rather with the merciful idea which (whenever fair grounds offer for the conclusion) would ascribe the criminal act to the impulse of a perverted judgment, than with that brutal selfishness which ignores the finer distinctions of medical experience, and would settle a doubtful question of sanity or insanity by hanging the criminal and ridiculing the doctors. A most strong argument against capital punishment, it has always struck us, is this fact of possible insanity, of a perverted intelligence possessed by the criminal.

It is not, however, our intention here to do more than generally allude to the subject; and we will only add another, as we think, unanswerable objection to capital punishment; and it is to be found in the ignorance, the misery, the brutal nature, the vice, and the physical sufferings of the class who, for the most part, commit capital crimes. We cannot deny that the accidental conditions of society in which the class referred to is placed, into which it is often born, too frequently (and of necessity, as it were) brutalise their minds. Neither can we deny that much of the blame in this wise lies at the door of society; from which consideration it flows, necessarily, that wisdom and absolute justice should temper punishment with mercy. It is one thing to treat these people as if they were brute beasts, to muzzle them, and prevent them from again injuring society; but it is, we must think, an act of fearful selfishness to destroy their lives as a punishment for their crimes, or rather as a protection to society in general.

Another striking example of the unwillingness of the part of individuals to take human life in this way, is again given us in the instance of the man Gardner, who has this week been saved from the

gallows solely (as it would appear) in consequence of the letters of members of our profession, addressed to the Home Secretary; which letters examined critically the medical evidence given at the trial, and showed its defective points!

#### ARTIFICIAL DELIVERY IN EXTREMIS.

DETAILS of an interesting case of extraction of the fœtus from the womb of a dying woman, by Dr. Belluzi, are given in *L'Union Médicale*. In 1861, the doctor relates that he was called to a woman far advanced in pregnancy, and in the last stage of phthisis. He considered it a favourable case for the *post mortem* extraction of the fœtus, as recommended by Professor Rizzoli, *per vaginam*, in preference to the Cæsarean section.

On July 11th, the woman's death seemed rapidly approaching, and the fœtal heart was distinctly heard. A few hours later, the fœtal sounds became sensibly diminished in force; and thereupon it was resolved, instead of waiting for the woman's death, at once to extract the child, while both it and the mother were still alive. The woman was drawn to the edge of the bed, and her legs supported on chairs. "Whilst Professor Rizzoli kept the uterus", writes Dr. Belluzi, "in a suitable position, I introduced my right hand, in the form of a cone, into the vagina, gently dilated the neck of the womb, and at last felt a knee of the fœtus, ruptured the membranes, and brought the knee down into the vagina. At the same time, Professor Rizzoli pressed with his hands upon the fœtus (through the walls of the abdomen), so as to aid in imparting to it the movements which occur in the version. This first stage of the operation completed, I baptized the fœtus through the left foot, which protruded. Then, on drawing upon this limb, a spiral movement was given to the fœtus, whereby the nates were turned forwards as they reached the vulva. Immediately afterwards, the other limb was protruded, then the trunk, the shoulders, and the head. The child was alive. The uterus contracted sufficiently to detach the placenta. The mother (who, apparently, was insensible to the operation) was replaced in bed. The child was vigorous, though evidently not at full time. It was taken to the *Enfants-Trouvés*; and two months later, at the time I write, is still there. The operation did not seem to have in any way injuriously affected the mother. She survived it twenty hours. A *post mortem* examination was made twenty-two hours after her death. The uterus was regularly contracted; and no injury was noted, except a slight scratch on the mouth of the womb. This fact demonstrates the ease with which a living fœtus may be extracted from a dead woman, when no signs of labour have appeared. And it will be readily admitted that in the dying woman the operation is as

easily performed as in the dead. The case shows that we may, under certain circumstances, rationally resort to the forcible extraction of the fœtus *before* the death of the mother, as thereby we give the child a much greater chance of life. In every case we should follow the rule of Professor Rizzoli, which is, that the operation should be practised whenever the sounds of the fœtal heart become enfeebled. I strongly recommend this operation to the profession; for until now I could not have believed that it was of such easy execution."

#### THE WEEK.

MR. ERICHSEN was, on the 15th instant, elected Examiner in Surgery of Candidates for the Licence of the Royal College of Physicians of London.

DR. GARROD has been appointed by the Council of King's College, Professor of Materia Medica at King's College, and Physician to King's College Hospital. In consequence of this appointment, there is a vacancy in the Chair of Materia Medica, and in the Hospital of London University College.

MR. PRESCOTT HEWETT has been nominated by the Council to be President of the Pathological Society for the ensuing year.

MR. MITCHELL HENRY has resigned the surgeoncy of the Middlesex Hospital; and, more than this, has (as we understand) withdrawn from the profession. Accession to a brighter worldly fortune than usually smiles on members of the medical profession has, we must suppose, been the cause of his retiring from the practice of surgery.

THE female doctor question has received a blow, instead of a lift, at St. Andrew's University. It is, indeed, high time that this unnatural and preposterous attempt on the part of one or two highly strongly minded women to establish a race of feminine doctors should be exploded. How is it possible, in accordance with any of the notions of propriety and of sentiment which we feel towards the female sex in this country, for any man of proper feeling to sit by the side of a lady at a dissecting-table or in an anatomical lecture-room? If there is really a need or a demand for doctors of the female gender, let the needers or demanders show they are in earnest by establishing schools for their especial instruction. One thing is perfectly certain—common decency demands that the sexes shall not be mixed together in this studential life. At all events, there appears no hope for the sex at St. Andrew's.

"The Senatus of the University of St. Andrews having decided adversely to Miss Garrett's claim for admission to that university, and directed the fees paid by her to