

character of this branch of applied science in Great Britain.

A characteristic and illustrative feature of his work as an investigator was the pleasure with which he would find that the record of some phenomenon, which being, perhaps, contrary to all preconceived and established opinion, he had made, as he used to say, "most unwillingly," was, in fact, the demonstration of some greater and unexpected truth.

The same spirit that illuminated his scientific work was strikingly reflected in his clinical work, not only in his treatment of disease, but also in his earnest desire to establish greater accuracy in diagnosis.

It is impossible to conclude such a slight sketch as this without alluding to the deep impression his character and gentle influence made on all who knew him, and above all on his colleagues, in whose warm esteem and affectionate remembrance he will always live.

SAMUEL GRIFFITH, M.D. ST. AND., J.P.,

PORTMADOC, NORTH WALES.

WE record with deep regret the death, at the age of 74, of one of the best known and most respected members of the profession in North Wales—Dr. Samuel Griffith of Portmadoc—which took place suddenly at his residence in that town on Tuesday, December 1st. As he had only been laid up since the previous Friday few knew that he was ill, and the sad news of his sudden death from cardiac failure cast a gloom over the whole town and the surrounding districts.

Born in 1834 at Tremadoc, only a mile away from the town in which he spent his life, he was apprenticed to Mr. Rowland Williams, a local practitioner and a surgeon of considerable repute, who, although he died at a comparatively early age, initiated into the profession men who afterwards became most successful practitioners in Carnarvonshire. The subject of this notice was by no means the least distinguished of them. On completing his apprenticeship he entered Anderson's College, Glasgow, and qualified as M.R.C.S. Eng. and L.S.A. in 1860; two years later he took the M.D. degree at St. Andrews. He commenced practice at Portmadoc, and being, apart from his high professional attainments, possessed of a kind and genial disposition, he soon won the confidence, respect, and favour of those he came in contact with.

Dr. Griffith was no ordinary man; he was possessed of fine and noble qualities, and those so blended together that they formed a type of practitioner who readily commanded the respect and admiration of all who knew him. In person he was fine and dignified, at heart kind and generous, particularly just and resolute towards his fellow men, ever anxious to find some redeeming feature whereby to minimize the faults or failings of others, at all times ready to help and relieve those who needed his assistance. This characteristic was evidenced in many ways beside the mere giving in money or in kind, for being a man of sound judgement he was essentially a counsellor, and his advice was largely sought for and readily given. In his conversation he had a particularly happy manner that made every one feel, and especially the young, that he took a personal interest in them. Thoroughly conscientious in all his dealings he was an uplifting force in every sphere in which he moved.

He took a very deep and active interest in the North Wales Branch of the British Medical Association; not only was he a most regular attendant, but being always abreast of the times and a keen observer, he contributed the fruits of his wide and long experience in the form of papers and discussions. In 1881 he filled the presidential chair with his customary dignity and ability. From 1892 to 1902 he was Hon. Treasurer of the Branch.

Soon after commencing practice he began to take an active interest in the public life of Portmadoc and surrounding district; he became a member of the Local Board, and was for many years its Chairman; for a long period he served on the Board of Guardians, and in education he took an especial interest; a pioneer of the Portmadoc Intermediate School, he was a member of the governing body from its inception up to the time of his death; in addition he was for some years a member of the Court of Governors of the University College of North Wales.

In 1881 he was placed on the Commission of the Peace for Carnarvonshire; he attended regularly to his judicial duties and was the Senior Magistrate sitting at Portmadoc. In politics he was a Conservative, but he took no active part. He was a staunch and zealous Churchman, being one of the most loyal, active, and esteemed members of St. John's Church, and for many years and up to the time of his death he was churchwarden. He frequently read the lessons at St. John's and occasionally at Tremadoc Church, his reading, whether in English or in Welsh, being most impressive. He was recognized as a biblical scholar of very considerable ability, and was up to the last a Sunday school teacher, a position which he had held with great regularity and enthusiasm for many years. The same bent which made him so keen a biblical scholar and believer in the Sunday school was also responsible for his pronounced faithfulness to the local branch of the Bible Society with which he had been connected as Chairman for about a quarter of a century.

He was also a prominent Freemason, being one of the founders and a Past Master of the Madoc Lodge, and in 1897 he was appointed Provincial Grand Senior Warden of North Wales. In Royal Arch Masonry he twice filled the First Principal's chair in the Eryri Chapter, and was Past Grand Third Principal in the Province.

Dr. Griffith married Mary, daughter of the late Mr. Richard Roberts, of Liverpool, who, together with two sons (both members of the profession) and two daughters, survive to mourn his loss.

The interment took place on Friday, December 4th, at the old parish church of Ynyscynhaiarn, and although of a private character, several of his professional and lay friends attended at the church to pay their last tribute of respect to one of whom it can be truly said that he had the good fortune to live respected and revered by all who were privileged to know him, irrespective of differences of class, creed, or politics.

Medico-Legal.

SALES OF A MEDICAL PRACTICE.

A CASE of much interest to medical practitioners was heard on appeal in the Court of Session, Edinburgh, on December 1st. This was an appeal from the judgement of Sheriff Guthrie in an action raised in the Sheriff Court, Glasgow, by Dr. Rodger, Sanquhar, against Dr. Herbertson, New Cumnock. The pursuer asked the court to find and declare that he was entitled to, and was vested in, the exclusive right to the medical practice which was carried on by the defender, Dr. Herbertson, in Sanquhar prior to 1891.

It appeared that in May, 1891, Dr. Herbertson, who carried on practice in New Cumnock and Sanquhar, sold his practice in Sanquhar to his assistant, Dr. Macgregor, for £150, and, under an agreement with the latter, bound himself not to practise in Sanquhar and surrounding district, except in such cases as should be sanctioned in writing by Dr. Macgregor, whom he undertook to introduce to his patients. Dr. Macgregor paid the price and carried on the practice until 1896, when he sold it to Dr. Jackson for £535. In 1904 Dr. Jackson sold the practice to Dr. Rodger for £600, who now raised this action, as assignee of Dr. Macgregor and Dr. Jackson. The Sheriff dismissed the action, on the ground that the agreement of 1891 was a purely personal agreement between the defender and Dr. Macgregor, and was incapable of being assigned to a third party so far as the restraint on the defender was concerned. Against this decision the pursuer appealed.

The case was heard in the Court of Session, before the Lord-President, Lords Kinneir and Johnston. The court (Lord Johnston dissenting) affirmed the judgement of the Sheriff, and found the appellant liable in expenses.

The Lord President said that the first clause of the minute of agreement between Dr. Macgregor and Dr. Herbertson provided that the latter should cease to practise his profession at Sanquhar and surrounding district from and after its date under certain reservations. It was in virtue of that stipulation, which the pursuer said had been transmitted to him by the successive assignments, that he said he was entitled to restrain the defender from practising. The Sheriff had assailed the defender on the ground that he considered the stipulation as not practising was a personal contract incapable of being assigned. His Lordship had come to the same conclusion as the Sheriff. He did not doubt that a stipulation might be so conceived that it would be transmissible on successive sales of business, to the sale of which the stipulation was an adjunct, but each case must obviously depend upon its own terms and upon what was a just construction of the bargain. It was not a matter in which there was anything that could be termed a general rule of law. The point was, What did the two parties bargain between each other? When he looked at the agreement as a whole, he came to the