

and on the effects produced on them by ligatures, etc. But still it is calculated to be useful to the student and to the practitioner, and therefore we commend it to favourable notice.

British Medical Journal.

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THE MEDICAL TIMES: A MORAL.

THE *Medical Times*, apparently for want of a better subject, last week indulged in one of its periodical fits of abuse of this JOURNAL. We notice the fact, therefore, not on account of the novelty of the thing, nor for the purpose of replying to any of the abusive items—the items contained in it being simply such—but solely for the purpose of improving the occasion by extracting a moral from this tale of journalism. The language of the article, its improper style, and its unfounded statements, forbid our joining issue with the writer on any of the particulars contained in it. We leave him in the quiet possession of all the virtue he can extract from such honey. But we must have the moral. His purposes in writing it may, he fears, be mistaken. Let him lay aside his fears. He may rest assured that there is no chance of any mistake occurring in the matter on the part of any one who reads it. The *commercial trick*, old and familiar, is transparent in every line of it. The writer says that all the readers of the BRITISH MEDICAL JOURNAL read the *Medical Times*, but we believe this is not the case; and we therefore write these lines for the express purpose of calling the attention of those, who have not seen it, to this article. We wish them to have an opportunity of satisfying themselves of the nature of the fruits which a journal conducted on commercial principles can bring forth, when these principles are, either in reality or in imagination, invaded. We venture to prophesy that every one of our readers, who peruses the article in question, will rise therefrom with a conviction of the absolute necessity for the existence of a journal such as the BRITISH MEDICAL JOURNAL, “which represents no individual interests, and which has no commercial considerations to fetter its expressions or qualify its views”. This is the moral we would draw from this journalistic episode.

If, indeed, it were not that we regret to see the medical press so forgetful of its mission, we should feel a personal gratification in this strange exhibition of uncalled for ill-will. It proves in our mind, most unmistakably, the vigorous life and successful growth of our JOURNAL; for only one idea could have produced it. The writer must have laboured under a strong conviction of the (to him) unwelcome

fact, that there is in the profession a very strong determination that this JOURNAL shall flourish, free and independent of all personal interests (we repeat it again), to be a means of sustaining the honour as well as promoting the science of medicine, without truckling or pandering to the individual fancies either of the profession or the public.

This is the reason why we have chosen the *Medical Times* to point a moral, and we regret we cannot add, to adorn a tale. We ask for nothing beyond the fact of the appearance in a respectable medical periodical of such an article as the one we now refer to, to justify the existence of the BRITISH MEDICAL JOURNAL.

THE CORONER'S OFFICE.

IF any one will take the trouble to count the number of cases that have occurred within a given time, in which the superior courts have reversed the decisions of legal and medical coroners, he will, we have no doubt, find that the validity of the verdict delivered in the lawyer's court is far more frequently impugned than that which has proceeded from the doctor's. It is worth while to consider what are the causes that lead to this result.

The coroner's office is one of very ancient date; and in the reign of Edward the First coroners were required to be knights, and to be possessed of considerable landed property—in short, to be men of substance and of enlarged and liberal views. At the present time they appear, when chosen from the legal profession, to retain only that “antique rigour and overdone severity” in the examination of evidence, which, in the more early ages, distinguished all judges, who, being bred in habits of great subtlety, and unacquainted with the general concerns of men, confined the sphere of their jurisdiction to the bare maxims and fictions of law. To this punctilious exactness in the administration of justice, is probably to be ascribed the fact that far more frequent appeals to the House of Lords, and the Council Board, where laymen sat as judges, were made in criminal causes formerly than can be the case now: and hence it is that at the present time the coroners who are chosen from a subordinate branch of the legal profession, and are compelled by the narrowness of their education to confine themselves within the limits of literal interpretations and established precedents, find the pressure of their verdicts resisted, and their restrictive principles not admitted, by those who claim for the elasticity of the law that it shall be governed by the demands of equity, convenience, and natural reason. The medical coroner, on the other hand, has no such fetters to bind his judgment; he sees only the open avenues to justice, and directs his inquiries to that which is the coroner's special duty, namely, the actual cause of death; with him

the rules of evidence are the fundamental canons of ratiocination established by observation and experiment; and, as the law has long ago created a fictitious necessity against the ordinary rules of evidence in favour of the convenience of trade, so the medical judge, abandoning all the artificial guides that have no relation to the subject matter to be considered, proceeds directly to examine the conditions under which the death has taken place.

Two cases, recorded in this JOURNAL, have occurred within the last few weeks, which fully illustrate the point. Dr. Watson, of Chester, has very properly appealed, in a case of supposed death from the incautious use of opium, from the verdict of a coroner's jury to the highest authority in Europe. It is at once both amusing and instructive to see how differently Dr. Christison deals with the evidence before him from the good men of the ancient city of Chester who composed the jury. Dr. Christison, with a suggestive suppression of a great deal that might be said on the coroner's analytical abilities, and the "uncommon" wisdom of the jury, passes the verdict by with a good-humoured shrug, and at once addresses himself to the science of the facts, which he treats with all the skill and dignity of a master. The other case, which has been reported by Mr. Dayman, is of equal interest to the general practitioner. The whole gist of the story here turns upon an every day occurrence, which is a fruitful source of bickering and blunder to medical men, namely, the insufficiency of most verbal messages that are transmitted from the patient to the doctor. In the case in point, the message represented one thing—the patient was suffering from another—death ensued. The legal coroner, we presume, tried to ignore the evidence of the inadequate message, but, failing this, was obliged to content himself with a parting thrust at the doctors, by telling them they had narrowly escaped being tried for manslaughter. In the course of the investigation, the coroner gave a reading of the law, as it affects the relative positions of medical men and the public, which appeared to some persons concerned so questionable, that counsel's opinion was taken on the point. The result of that opinion has been published with the case, and we cannot too strongly recommend its sentiments to the consideration of our readers.

It would be monstrous, indeed, if, according to the strict formalities of the law, the liberties of medical men were placed, even for a few hours only, at the mercy or the caprice of an ignorant and unscrupulous coroner. We apprehend, however, that no medical man, not disqualified by legal impediment, or by any physical or moral cause, from practising his art at the moment, can, while exercising his calling in a case, become the subject of a *criminal* prosecution, either for neglect or unskilfulness. If a question of neglect to fulfil a contract should arise,

as in the case of an union surgeon and a Board of Guardians, the remedy by removal is in the hands of the latter. If a want of sufficient skill in the management of a case should appear, the surgeon is liable to an action at law. The boundary between the protection of the public and the security of the medical profession may be very nice to determine; but the equitable adjustment of that question can never be settled while the ban of a penal enactment is held *in terrorem* over the acts of a learned and honourable profession.

It may be objected that in cases of death taking place from malpractice during the temporary incapacity of the doctor, as in midwifery cases when the surgeon is intoxicated, the attendant should be held criminally responsible; but here, we contend, that the doctor is disqualified by a moral cause, and, having so far forfeited his professional title, is liable to be tried as an ordinary person.

In the present unquiet state of public opinion in respect of the jurisdiction of coroners, we may truly say that we have no desire either to suppress the office or to abridge its usefulness. We have, however, the warrant of no less an authority than Lord Mansfield that the rules of natural justice should not be confined within artificial circumscriptions, but that the liberality of the law should keep pace with the infinitely diversified occasions of men. The time is not far distant when the duties of the coroner's inquisition must be revised; but whether this reform shall include a Court of Review for checking erroneous verdicts, as Dr. Christison has suggested, or whether a distinct medical element shall be introduced into all inquests, cannot at present be discussed by us. In the meantime let our motto be that of all sound lawyers, *Boni judicis est ampliari justitiam, non jurisdictionem.*

THE WEEK.

A SUBJECT of interest to every member of the profession—one, at all events, utterly free from all taint of speciality—was discussed at the last meeting of the Royal Medical and Chirurgical Society; and we regret to add, notwithstanding its immediate importance, that the question in debate was left in a complete state of stagnation. We refer to the debate on the means of restoring suspended animation in the apparently drowned. Never was there exhibited a more striking proof of the want of some machinery to supplement the necessary shortcomings of the Society's meetings. The plan, so often and so wisely urged by Mr. Charles Hawkins, of delegating to well selected committees questions of this nature, might have been most usefully followed in this instance; indeed, there was, as far as we can see, no other method by which the Society could attack the subject. We believe that it is by our