

Council of State held to frame the Institution of the Legion of Honour, it was proposed by Count Mathieu Dumas that the several divisions of the order should be conferred only on military men.

"Such ideas", said Napoleon, "might be well adapted to the feudal ages, when the knights combated each other man to man, and the bulk of the nation was in a state of slavery; but, when the military system changed, masses of infantry and phalanxes, constructed after the Macedonian model, were introduced; and after that it was not individual prowess, but science and skill, which determined the fate of nations.

"What is it now which constitutes a great general? It is not the mere strength of a man six feet high, but the *coup-d'œil*, the habit of foresight, the power of thought and calculation: in a word, pacific or civil qualities, not such as we find in a lawyer, but such as are founded on a knowledge of human nature, and are suited to the government of armies. The general who can now achieve great things is he who is possessed of shining civil qualities: it is the perception of the strength of his talents which makes his soldiers obey him."

In order that there may be no mistake as to the fact that the highest qualities of a commander are civil qualities, the great commander here enumerated them; and, further, he has elsewhere declared that one-half the art of war consists in civil arrangement and operation. He defined the art of war to be that of separating one's self in order to subsist, and concentrating one's self in order to fight.

"We must not", he continues, "reason from ages of barbarity to these times. France consists of thirty millions of men, united by intelligence, property, and commerce. Three or four hundred thousand soldiers are nothing in such a mass. Not only does the general preserve his ascendancy over his soldiers by civil qualities, but, when his command ceases, he becomes merely a private individual. The soldiers themselves are but the children of citizens.

"The tendency of military men is to carry everything by force; and the enlightened civilian, on the other hand, elevates his views to a perception of the general good. The first would rule only by despotic authority; the last subjects everything to the test of discussion, truth, and reason. I have no hesitation, therefore, in saying that, if a preference was to be awarded to one or the other, it belongs to the civilian. If you divide society into soldiers and citizens, you establish two orders in what should be one nation. If you confine honours to military men, you do what is still worse, for you sink the people into nothing. Justice is one only in France: the citizen precedes the soldier."

Moved by these profound observations, the Council of State agreed that the proposed honours should be extended to civil and military distinctions indiscriminately.

This was the first example in any modern European nation of the establishment of just principles, in the bestowal of rewards and recompenses; and though imitated in part in England, persons in authority are still not sufficiently alive to the necessity of acting up to the maxims of the French Emperor.

Sir John Malcolm but expresses the sentiments of all meritorious and high-minded public servants when he says: "I have been rewarded, I admit, by distinction in the service; but if a man is wished to go on, further stimulus must be found."

The stimulus of public rewards and honours is, we think, still unjustly denied to civil worth; and we venture to think that the members of our own profession have more to complain of in this respect than any other. In the law and the church, there are prizes at every step, and still in the distance a higher prize, which prevents those really worthy of distinction from giving up the race. The clergyman looks to the bench in the Upper House, and the lawyer to the woosack. The medical man may possibly, if he be a court physician, obtain the honours of knighthood, or, still more rarely, those of a

baronetage; but here he must be contented to rest. He has as little chance of ever sitting in the Upper House as the housemaid has of rising to the dignity of the drawing-room. With all our boast respecting freedom in this country, there is certainly less of it in society than in France, where the scientific man is not unjustly weighted in the struggle upwards for honours and rewards.

### THE WEEK.

WE do not remember ever hearing of a more disgraceful act on the part of a member of the medical profession, than that for the commission of which a person named William McHugh, a member of the Royal College of Surgeons, was tried at Durham on the 4th instant. The prisoner was indicted for the manslaughter of Martha Davis. The deceased was a married woman, in good health, who, on the 13th of August last, was taken in labour of her thirteenth child. She sent for Mr. Carnes, a surgeon, at Coxhoe; but, as he was from home, Mr. Ions, his assistant, visited her, and attended her for three days; during which time little or no progress was made. The woman, becoming impatient at the lingering nature of the labour, demanded assistance: and Mr. McHugh, who resided in the neighbourhood, was sent for. He accordingly came, and suggested that craniotomy should be performed. Mr. Ions objected to the operation; but at length, as the prisoner seemed determined, and the deceased evidently wanted some operation performed, he gave his consent, and Mr. McHugh inserted the perforator twice, apparently with no injurious result, for no blood flowed. A third time he introduced it with violence, remarking, with an oath, "I'll crucify the child." On the perforator being withdrawn for the third time, Mr. Ions saw some blood flow, and attached to the instrument was a piece of flesh. The prisoner then remarked, with an oath, "that he had broken down the wall of the uterus,"—a fact too true, for this was proved to be the case on a *post mortem* examination. The prisoner proceeded a fourth time to insert the perforator; this fourth attempt was attended by a gush of blood, which produced death in a few moments. Medical testimony was adduced to shew that the operation of craniotomy ought not to have been performed in this case; and some female witnesses, as well as Mr. Ions, expressed their opinion that the prisoner was not sober. No one, it would be imagined, could have a word to say in justification of no flagrant a case; and yet, we learn, the summing up of the learned judge was strongly in favour of the prisoner. That a judge should jealously watch against any overstraining of evidence against a person accused, is one of the most glorious principles of British justice: but his lordship carried this principle far beyond its legitimate limit, when he assumed the indictment to have risen out of what he was pleased to censure as the *odium medicum*—in plain words, professional jealousy. He said that "he ventured to hope that the prisoner would receive more justice from the jury than he would have received, had he been handed over to his professional rivals, whose steadfastness to their own theories often led them into the determination to make these appear correct, rather than to bring plain evidence and facts to bear upon the case." Notwithstanding his lordship's remarks, the jury returned a verdict of guilty; and the prisoner was sentenced to twelve months hard labour. Many of our readers have doubt-

less heard of cases, where popular ignorance and misjudgment have marred the prospects of a rising practitioner, because of the death, from unavoidable causes, of a woman in childbed under his care. Men, in this predicament are to be pitied: but we cannot express any other feeling than that of utter disgust at the conduct of Mr. McHugh, in the case which has just been related. But, apart from the reckless manner in which Mr. McHugh acted, the case affords a strong argument in favour of the denunciation of craniotomy uttered by Dr. Tyler Smith at the meeting of the Obstetrical Society on February 2nd. The application of that dangerous instrument, the perforator, is a proceeding which is, we must say, looked on with too much familiarity by the profession in England.

The London Medical Registration Association has been making a vigorous raid upon the Bennett-Watters-Colston-Singleton-etc. gang of charlatans; or rather, we should say, on the many-named brothers J. G. Bennett, and William Bennett. Saturday last, March 5th, was appointed for the hearing, in the Bow Street Police Court, of a summons against these worthies, who, however, were not present. Mr. Bower May, the solicitor to the Association, entered into the details of several cases, and produced a quantity of the "mixtures" which were sent out in packets and boxes for which £5, £50, and £100 had been charged. They were advertised as the remedies for deafness, a perfect and instantaneous cure being in each case guaranteed, the defendant and his colleagues having instituted themselves "the British and Foreign Ear Infirmary," of 32, Spring Gardens. These "mixtures" had been analysed, and were proved to be composed of urine and alum only! The defendants had been realising £4000 per annum by these frauds from a confiding public, and among the unscrupulous means employed to deceive them, sham extracts from the leading journals, highly commending their skill in the treatment of deafness, were concocted and widely circulated in almost every quarter of the globe. Among the witnesses called, was a fisherman, from St. Andrew's, Fife, who had been deaf thirteen years: he had sent a post-office order, but could never obtain benefit. A man, named Thomas Oldfield, deposed, that he had been porter to John Gibson Bennett, who practised under the name of Dr. Watters. He had assisted to make up medicines from a vessel containing urine. Claude Edwards deposed that he was factotum to the Bennetts, under the title of chief assistant. He was engaged by John Gibson Bennett, who went by the name of Dr. Watters, and in that name received from various persons sums of £57, £34, £25, etc. There was, he said, a Dr. Watters, who used to come occasionally, but very seldom, and who was very sorry for having lent himself to "these vagabonds" at all. William Alfred Bennett, the brother of J. G. Bennett, was in partnership with him. The two Bennetts made about £2,000 a year each. W. A. Bennett practised also in Tavistock Street, as "Dr. Brandon." "D. Brandon" used also to write testimonials in favour of "Dr. Watters," who had cured him of "deafness of twenty-three years standing. A person named Lewis stated that, about fourteen years ago, the Bennetts were billiard and card-sharpers: they were in no way connected with the medical profession. Mr. Henry, the sitting magistrate, granted warrants for the apprehension of both brothers; and at the Middlesex Sessions, on Monday last, the grand jury returned true bills of indictment

against John Gibson Bennett, William Alfred Bennett, Henry Lee Bennett, and John Nichol Watters.

Our attention has been directed to the new by-laws of the Royal College of Physicians for the admission of University Graduates as Licentiates during the next year, with special reference to the fact, that persons holding foreign diplomas are admissible to the College for two months after the register, as provided by the Medical Act of 1858, is closed on them. In order that the matter may be understood, we will quote from the Act and from the by-laws of the College. The Act provides for the registration, *inter alios*, of any person who is a

"Doctor in medicine of any foreign or colonial university, practising as a physician in the United Kingdom, before the first day of October, 1858, who shall produce certificates to the satisfaction of the Council, of his having taken his degree of doctor of medicine after regular examination, or who shall satisfy the Council under Section XLVI of this Act, that there is sufficient reason for admitting him to be registered."

The College of Physicians say that, *inter alios*,

"Every person practising as a physician in England and Wales, who shall, after regular examination, have taken the degree of doctor in medicine at any foreign university approved by this College, at least *three months previously to the first day of March, 1859*, \* \* \* may at any time within twelve months from the said first day of March, 1859, be admitted a Licentiate of the said Corporation, etc."

Thus a person who obtained a foreign diploma between the first of October and the first of December, 1858, will have easy access, through the College of Physicians, to the register, from which he would otherwise be excluded. Such an arrangement must surely be an oversight on the part of the College authorities: and we take the earliest opportunity of pointing out the error into which they have fallen, in the hope that measures will at an early period be taken to rectify it. Unless this be done, we fear that much distrust of the College will be engendered. The Medical Council, of course, must take cognisance of the matter.

## Association Intelligence.

### BRANCH MEETINGS TO BE HELD.

NAME OF BRANCH.	PLACE OF MEETING.	DATE.
BIRMINGHAM AND MIDLAND COUNTIES.	Hen and Chickens Hotel, Birmingham.	Thursday, April 14th, 6 P.M.
[General Meeting.]		

### SOUTH-EASTERN BRANCH:

SOCIAL AND SCIENTIFIC MEETINGS OF THE MEMBERS RESIDENT IN ROCHESTER, MAIDSTONE, GRAVESEND, DARTFORD, AND THEIR VICINITIES.

Social and scientific meetings of members of the South-Eastern Branch resident in Rochester, Maidstone, Gravesend, Dartford, and their vicinities, will be held on the undermentioned days:—

Friday, March 25th, 1859, at 3.30, at the Town Hall, Gravesend.

Friday, April 29th, 1859, at 3.30, at the Town Hall, Dartford.

The members resident in this district will be gratified by the attendance and assistance of any of the members of the British Medical Association.

JAMES DULVEY, *Honorary Secretary.*

Brompton, Chatham.