

COURT OF EXCHEQUER, WESTMINSTER,
FEBRUARY 12, 13, & 14.

LIBEL.

WAKLEY, M.P., v. HEALEY & COOKE.

Before the Lord Chief Baron and a Special Jury.

THIS action was brought by the plaintiff, in consequence of libellous and malicious attacks upon his alleged conduct at the well-known Hounslow inquest, held in August, 1846, on the body of WHITE, a private soldier, who, it was alleged, had died from the effects of the lash. The libels were published in the *Medical Times* of that period, and HEALEY and COOKE were the editor and publisher at the time. The trial of the cause occupied three entire days. It commenced on Monday morning, and terminated on Wednesday evening. The jury having retired for about half an hour, returned into court, and announced their verdict to be for the PLAINTIFF, on every count.

Damages—THREE HUNDRED AND FIFTY POUNDS.

Loud applause from the spectators in a crowded court followed the announcement of the verdict.

For the Plaintiff.

COUNSEL—The ATTORNEY-GENERAL, MR. JAMES, and MR. BRAMWELL. SOLICITORS—MESSRS. LOFTY, POTTER, and POTTER.

For the Defendants.

COUNSEL—MR. SERJEANT WILKINS, MR. DEARSLEY, and MR. JONES.

THE CHELTENHAM HOSPITAL.

A CORRESPONDENT has forwarded to us the following rule, which he states is to be proposed for adoption, at a meeting of the subscribers to the hospital which is to be held on the 27th instant.

"Rule 43.—And no medical officer of a poor-law union shall be eligible for any office in this institution; and in cases where partnerships exist, only ONE member of any firm shall be eligible to any office in this institution."

From the nature of the propositions contained in this motion, it appears to us that the motion owes its origin to private motives. Restrictions of the kind here proposed are always objectionable, and are calculated to prevent the governors and subscribers to public medical charities from making the best selections for filling their vacant offices. The novelty of the scheme is certainly no justification for its adoption. The fettering, by new restraints, of long-established usages, is objectionable in principle, and cannot be warranted, except by circumstances and facts, the existence of which admits of being clearly and distinctly proved. If the medical officer of the poor-law union be the best qualified candidate, why should he not be elected? If two partners in one firm be the most efficiently qualified men, why should not both be chosen? Whence, then, the necessity for imposing such restraints on the selection of medical officers as the proposed resolution announces, in the absence of existing regulations amongst the by-laws of the hospital? The subscribers are not bound to elect either two partners in a firm, or the medical officer of the union; but if such candidates are the most efficient, yet to be rejected, the only effect the rule would have would be to prevent the best candidate from being appointed.

Correspondence.

"Audi alteram partem."

MEDICAL FEES AT ASSURANCE OFFICES.

To the Editor of THE LANCET.

SIR,—There is a determined attempt being made just now by the metropolitan police to exterminate beggary in London. You

also are actively engaged in endeavouring to put down begging of another description, practised by certain assurance offices, who filch from medical men valuable information, whereby, it is said, that they also have got rich.

I received from the Sovereign Life Assurance Company the enclosed circular, requesting information as to the health &c. of Mrs. —, and I would particularly direct your attention to the note at the foot thereof, which I consider to be a piece of gratuitous humbug. I replied I should be happy to furnish the required information providing my fee were forthcoming; and I also wrote to Mrs. —, giving my reasons for not filling up the report. I need not say I heard no more from the Sovereign Assurance Company, but Mrs. — informed me that she had been examined by the physician of the Company, who told her that "he did not see anything was the matter, and so far all was satisfactory;" that her life had been accepted, and "she was very much surprised I had not received my fee."

Now, I would only ask, was there or was there not such a note as that at the bottom of the circular appended to the proposal sent to Mrs. —? If so, Mrs. — would never have expressed surprise at my not receiving the fee. If not, the paltry subterfuge on the part of the office deserves exposure.

I am, Sir, your obedient servant,

Manchester, January 30, 1849.

R. TRAFFORD WHITEHEAD.

Sovereign Life Assurance Company, 5, St. James's-street,
London, January 21, 1849.

SIR,—A proposal having been made to this company for an assurance on the life of Mrs. —, she has referred the directors to you, as her ordinary medical attendant, for information as to the state of her constitution generally, from the earliest period you have known her.

The directors annex some important queries for your consideration, and they will feel obliged by your answering them as explicitly as it is in your power to do. You may be assured that your answers will be considered strictly confidential, and not assigned as the cause, should the proposal be rejected.

Requesting your reply by an early post, as addressed,

I have the honour to be, Sir, your obedient servant,

H. D. DAVENPORT, Secretary.

R. T. Whitehead, Esq., Elm-terrace, Manchester.

Note.—The Company feel, that for the opinion of every professional gentleman, he is entitled to his fee; and, with this view, a note is appended to the proposal for the assurance of the above life, directing the attention of the proposer to this subject, and requesting that this matter may be arranged, in the first instance, with the medical attendant.

THE MANCHESTER SCHOOL OF MEDICINE.

A CORRESPONDENT complains of "the utter absence of all surgical clinical instruction in the Royal Manchester Infirmary—one of the first institutions of the kind in the kingdom, and one, therefore, which should set an example to the rest in the advantages it offers for the acquirement of surgical knowledge."

"So far from this being the case, clinical lectures are not recognised within its walls as a necessary part of the curriculum; and with the exception of two or three in the course of a session, they are utterly unknown to the students."

"Though unconnected with the medical profession, I am nevertheless aware of the extreme importance of such oral instruction as that which is conveyed by lectures on cases in the wards of the hospital, and of the impossibility of acquiring a profound knowledge of the science without them; and I cannot but think it a great pity that the medical officers of the establishment should not coincide with me in this opinion."

NAVAL ASSISTANT-SURGEONS.

To R. Osborne, Esq., M.P.

SIR,—Although I have not the honour of being known to you, I am induced to address you in consequence of having read in *The Times*, during last year, the observations made by you in the House of Commons on the subject of that very ill-used class, the assistant-surgeons of the navy. Admiral Dundas is reported to have said, that "in the event of assistant-surgeons messing in the wardroom, the mates, and half-a-dozen other officers should also go there." Why, Sir, it has been over and over again shown that there is not the slightest analogy between the case of the mates and that of the assistant-surgeons. The latter officers come into the service, not to learn, but having acquired their profession, to practise it; they are of mature age; they have ceased to be