charity from its abuse, and to keep the hospitals from absorbing patients who are able to pay for medical or surgical treatment. Patients in private rooms in public hospitals are to be required to make proper payment to the physician or surgeon in attendance, as well as for their board and lodging. The seventh and eighth recommendations were drawn up with a view to protect medical members of the staff while insisting on proper remuneration in such cases; but incidentally they give moral and material support to the hospital staff in other matters. Whenever one or more members of the hospital staff resign or are dismissed, and the Association finds after due investigation that the resignation was based on just and sufficient cause, or that the dismissal was without such justification, "it is forbidden for any member of the Association to fill the vacancy created thereby."

Other local associations might profit by following the example of the Medical Association of the District of Columbia, and in doing so they would be carrying into practical effect the requirements of the Code of Ethics of the AMERICAN MEDICAL ASSOCIATION.

CORRESPONDENCE.

The Leprosy Conference.

NEW YORK, March 15, 1897.

To the Editor:—I send you the translation of a French circular which I have received from Dr. Ehlers, the Secretary-General of the Leprosy Conference. (Copenhagen). I add my reply sent to Dr. Lassar, a member of the Berlin Committee. Will you kindly publish these papers in the JOURNAL?

Very truly yours, ALBERT S. ASHMEAD, M.D.

COPENHAGEN, Feb. 23, 1897.

Sir and much Honored Colleague:—The conference against leprosy, which will take place in Berlin, in October, 1897, with the support and approbation of the German Government, proposes to itself to seek for information as exact as possible on the distribution and geographic extension of leprosy.

In the name of the committee on organization of said conference, I have the honor to ask you to help it in this work, and to do us the honor to procure us information as to the distribution and extension of leprosy, in the form of a general sketch of the distribution and extension of leprosy.

Your report is to be as short as possible (in German, English or French); we ask you to be kind enough to send it before the 15th of May, to Professor Lassar, 19 Karlstrasse, Berlin, N. W. It will be printed before the Congress, and will serve as a basis for eventual discussion.

I have to observe that we shall have also special correspondents for each country, so that we must ask you to give us only a general sketch.

Accept, Sir, and very honored colleague, the assurance of my high consideration.

DR. EHLERS, Secretary-General.

NEW YORK, March 15, 1897.

Dear Dr. Lassar:—I have to acknowledge the receipt of a letter from your Secretary-General, Dr. Ehlers, by which I am invited to contribute a general sketch on the distribution and geographic extension of leprosy. In reply thereto I have the honor to observe that you will find about everything that I could say on the subject in my writings, some of which I sent you, with references to others which I did not send you. I do not see that there is any use of further talk about the distri-

bution and geographic extension of leprosy. All these things are on record, and nothing is easier for any person anxious to obtain some light on any subject connected with this question than to consult what all good libraries offer.

Allow me to express once more an opinion which I have declared during the last months very frequently: I do not believe in this Congress; its performance will be nothing else but a thrashing over of old straw, in which there is not a grain left. I hope you will pardon the frankness, or perhaps bluntness with which I express my feelings on this subject. I mean no offense, and I repeat only what I have declared, in and out of season, from the very first moment, when the question of a leprosy congress was mooted. In fact, it was Dr. Goldschmidt and I who first suggested it, but not in the form which it takes in your own project. We did not care for "information as exact as possible on the distribution and geographic extension of leprosy." What we wanted is expressed in one word, *isolation*.

Very truly yours,

ALBERT S. ASHMEAD, M.D.

West Virginia Law Amended.

PARKERSBURG, W. VA., March 17, 1897.

To the Editor:—In the JOURNAL of June 8, 1896, I gave a brief history of a suit for damages for malpractice, calling especial attention to the ruling of the trial judge, in denying the defendants from testifying in their own behalf in regard to any personal transaction or communication had with the deceased, whose death it was alleged, ensued because of malpractice by the defendants. The continuance of that history is, that the plaintiffs abandoned the case and allowed a decree of non-suit to be entered, thus ending the suit. The matter was brought up in the last meeting of the State Medical Society, held in Wheeling, June, 1896, and a committee appointed to ask the legislature to change the law, so as to allow a physician sued for damages arising from the death of a patient through alleged malpractice, to testify in his own behalf as to treatment used. This winter, through the efforts of this committee, aided by the counsel and votes of several physicians, members of the legislature, the law was amended. The act as passed is as follows: Section 23 of chapter 130 of the Code of West Virginia be amended and re-enacted to read as follows:

"Sec. 23. No person offered as a witness in any civil action suit or proceeding shall be excluded by reason of his interests in the event of the such action or proceeding or because he is a party thereto, except as follows: No party to any action, suit or proceeding, nor any person interested in the event thereof, nor any person from, through or under whom any such party or interested person desires any interest or title by assignment or otherwise, shall be examined as a witness in regard to any personal transaction or communication between such witness and a person at the time of such examination deceased, insane or lunatic against the executor, administrator, heir-at-law, next of kin, assignee, legatee, devisee or survivor of such person; or the assignee or committee of such insane person or lunatic. But this prohibition shall not extend to any transaction or communication, as to which any such executor, administrator, heir-at-law, next of kin, assignee, legatee, devisee, survivor or committee shall be examined on his own behalf, nor as to which the testimony of such deceased person or lunatic shall be given in evidence. (Amendment) Provided, however, where an action is brought for causing the death of any person by wrongful act, neglect or default, under chapter 130 of the Code, the physician sued shall have the right to give evidence in any case in which he is sued, but in this event he can only give evidence as to the medicine or treatment given the deceased or operation performed, but can not give evidence of any conversation had with the deceased."

Passed the legislature February 22, and signed by the Governor the same day, to go into effect ninety days from date.

As a statute stands in a number of States similar to the one from which our professional brethren suffered, and which has been thus amended, it would be wise for the profession to see that similar amendments be passed, so as to prevent any smart

lawyer raising this point, and any technical judge giving a similar ruling that would prevent the physician defendant testifying in his own behalf, in a suit for damages arising from death of a party from alleged malpractice on part of defendant physician.

There is another gratifying thing about the ending of this case in the fact that the profession had influence enough with our law makers to have them make the needed change.

Respectfully, W. H. SHARP, M.D.

The Insidious Advertisement.

PHILADELPHIA, March 20, 1897.

To the Editor:—Probably no one knows better than a medical editor that eternal vigilance is the price of other things beside liberty; and nowhere is vigilance more essential than in guarding against the schemes of the manufacturer of proprietary preparations. The JOURNAL, with its settled and well understood policy of refusing reading notices, offers an attractive field in which to spread advertisements disguised as regular scientific communications.

Many of the weekly medical journals of the Eastern cities and Europe, lend their aid to such schemes, some of them, perhaps, by inadvertence, others apparently with full intention. But this will not justify the JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION in lowering its standard of requirements in the least. It is perhaps impossible to judge when the eulogy of a special preparation is entirely sincere on the part of a writer, whose judgment and originality may be unequal to his ambition to write; and when it is pure fake, gotten up for a fixed price, or in the hope that the wide circulation the manufacturer will give to reprints will prove a step toward fame (?) or fortune to the writer. But it really is not necessary to go into this question of motives. When an article shows marked enthusiasm for a new drug, the extended use of which will benefit a particular manufacturer, it must be regarded with suspicion, and if in other respects it seems of little importance the safe rule is to return it with thanks—thanks for the fact that we have not been caught by it.

It has seemed to me that in two or three recent instances good opportunities for indulging in such thankfulness have been missed, and that articles have appeared in the JOURNAL that are liable to bring a crop of such concealed reading notices regarding other patented or proprietary preparations. Of course it is very hard to refuse some member of the ASSOCIATION, who thinks he has discovered a good thing and wants it published in the JOURNAL, not recognizing that the source of his discovery was the plausible talk of the glib agent who left him the sample. This being the case, the members of the ASSOCIATION ought to make it as easy for you as possible to refuse such communications, by calling attention to them and expressing the general feeling through the columns of the JOURNAL. Even the vigilance of the editor will relax, or prove insufficient unless it is actively supported by the sentiment of the ASSOCIATION. Therefore I write to express to you my opinion of the articles in question, which need not be further advertised here, but which are named on the accompanying slip, and to ask others who notice what seem to be delinquencies of the sort, to pursue a similar course, and not to allow the unity and influence of the ASSOCIATION to be undermined by secret criticism and dissatisfaction.

Cordially yours, EDWARD JACKSON, M.D.

The Physio-Medical School?

NORTH EAST, PA., March 15, 1897.

To the Editor:—Can you give through the columns of your valuable JOURNAL a short history of what is known hereabouts as the physio-medical school of the practice of medicine. I would like to know something as to its origin, wherein it differs

from the Regular, how many colleges it has, and as to what States recognize it as a *separate school*, and especially as to whether any State law names a physio-medical practitioner as one of the legal examiners for that school upon any State Medical Examining Board?

This may seem to be a long string of wants, but I am anxious to have it answered, as I see you are in the business of exposing humbugs.

The following is my reason for asking you for the above information. We have near here a physio-medical practitioner who has never been before our State Board, and is not registered. He has been cited before the Board, but refuses to go on the ground that there is no one on the Board of his particular school to examine him. The State Board notified him to cease his illegal practicing, but so far he has taken no notice of their warning. Our society has now taken the matter in hand and has him under bonds for court. He proposes to fight on the ground that his school is not recognized by the State, and hence he is not answerable to its law. He claims to have been before the Illinois Board and to be registered in Cook County. Hence my question: Has the Illinois Board a physio-medical man as one of its members, and is that school thus recognized by the State law? By giving a short history in the JOURNAL you will greatly oblige a subscriber.

B. H. PUTNAM, M.D.

A Revival of the Kansas Case.

MILWAUKEE, WIS., March 22, 1897.

To the Editor:—In your issue of the 20th inst., you speak of the "Kansas Hypnotism Case" and say that it was "one of the first in which the plea of hypnotic influence had been employed by the prosecution in the criminal courts." In the JOURNAL for June 8, 1895 (p. 903) you published a letter written by me in which the points discussed in the supreme court of Kansas were quoted and the law journal in which the case first appeared was named. It was then shown that the supreme court had nowhere, in its summing up of the testimony, mentioned the subject of hypnotism. Soon after the publication of this letter, some magazine, which I can not now recall, published an interview with the trial judge of the case; and he rather emphatically denounced the story that the plea of hypnotism was entertained by his court, and said that it was the work of a sentimental reporter. The only basis for the story was the fact that McDonald's lawyer in speaking of the influence that Gray held over him (McDonald) said: "This influence was so great that one might almost say it was hypnotic."

J. M. MADDEN, M.D.

Muscular Dystrophy.

PHILADELPHIA, March 15, 1897.

To the Editor:—I am desirous of learning of the occurrence of muscular dystrophies, including pseudo-hypertrophic paralysis, idiopathic muscular atrophy, Erb's juvenile (scapulo-humeral) atrophy and facio-scapulo-humeral (infantile) atrophy of Landouzy-Dejerine, in colored persons and especially in those of pure, unmixed African parentage. I shall be grateful to receive information from any one who has encountered or has knowledge of cases of this nature.

Respectfully,

AUGUSTUS A. ESHNER, M.D.

224 South Sixteenth St.

The Journal Train.

PURCELL, IND., March 20, 1897.

To the Editor:—Will you kindly state in next JOURNAL the exact date the JOURNAL Train will leave Chicago, over what road, the rate for round trip from there, time limit at Philadelphia, and must passage be engaged in advance for that train. Very respectfully, MILTON McMURTRY, M.D.

ANSWER: The JOURNAL Special Train will leave by the Penn-