Original Communications.

FALSE CERTIFICATES OF DEATH AND THE REGISTRATION LAW.

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In the *London Lancet* for March 21, 1868, on page 396, and under a part of the above heading, is a statement concerning two cases which came before the Liverpool Police Court. It is worth the while of the profession, and more particularly of those who are engaged in public statistics, to pay some attention to the subject. It is not necessary to quote the entire article, but

Dr. Owles, in his evidence, said "he was a physician. He signed a certificate that the child had died from bronchitis. He never saw the child dead. He saw a child the day before he gave the certificate produced, named Regan, and that child was ill of bronchitis. He granted the certificate on the hearsay evidence that the child was dead. This was the ordinary practice of medical men, and he acted on the belief that the person who called on him was telling the truth."

The above is a good text for an examining discussion of the merits of Chap. XXI., Sect. 3, of the General Statutes of Massachusetts. It reads as follows:—

"Any physician having attended a person during his last illness, shall, when requested within fifteen days after the decease of such person, forthwith furnish for registration a certificate of the duration of the last sickness, the disease of which the person died, and the date of his decease, as nearly as he can state the same. If any physician refuses or neglects to make such certificate, he shall forfeit and pay the sum of ten dollars to the use of the town in which he resides."

What may be the practice in other places than Boston and some of the adjoining towns, I am not able to say. In Boston, the Registrar sends to physicians certificates with blanks to be filled, in which they are expected to write the age of the deceased

in years, months and days (although the dead may have been born years before the attendant), as well as the primary and secondary causes of death, and the length of time that those causes existed. If the physician has not seen the deceased for weeks before death, he is still expected to fill out the blank, and many of the profession are in the habit of signing the certificates in full, rather than be bothered by the undertakers.

It would be well for us to be more guarded. No trouble has as yet arisen from carelessness in this matter; but some case of murder will yet inevitably come into court, where the signer of such certificate will find himself cornered by an attorney, the evidence of death from some other cause than that stated having been made plain. Gentlemen of our profession who are members of the Legislature would do well to examine the Registration Act, and see if they cannot devise some means for making it perfect, or for doing away with it altogether. As it now stands, it is useless. The very fact that I saw a man during his last sickness, though it may have been years before he died, makes me liable to the penalty if I refuse to fill the certificate, and notwithstanding another may have been in attendance, or no one in attendance, when the man died. Still, I have refused to fill out certificates. While on duty at the City Hospital, I refused several times to put my name to these papers, because I did not know the patients were dead, except by hearsay; and I would not see the bodies, because *post-mortem* examinations were refused by the friends.

The law, as it stands, is of very little value, and statistics collected under it are worse than valueless for several reasons. The first is, that the certificates are often filled out by persons with no medical education, but who call themselves physicians. This cannot be done away with, because under a republican form of government, any man has the right to enter into the practice of any business he may choose; and in every community there is a large minority who occasionally enjoy irregular practice, and who

at all events demand the "right to shear the wolf." It is questionable, on the whole, as there must be some quackery, whether more harm would not come from it if concealed than open. These certificates, however, have no value.

Second reason. Some physicians certify to the causes of death, and to the age at death, when they should refuse any certificate, having seen patients only *in articulo mortis*, and having no data by which to judge either of the age or sickness; except the statement of some friend. I make this assertion from positive evidence. These certificates have no value, and some day the maker of one will probably find himself exposed to a cross examination, which will be more for the amusement of a jury than himself.

Third reason. Some physicians have given certificates of the cause of death, never having seen the living patient, and without autopsy. This statement I make also from positive knowledge.

Does the statute contemplate that in every case the medical attendant shall give a certificate? The section above quoted says the physician "shall, when requested within fifteen days after the decease, furnish," &c. It does not provide that the last attendant shall give it, but "any physician having attended a person during his last illness." Twice during this winter have I been called upon for such certificate. In one case, another physician was in attendance at the time of the death. In the other case, two physicians were in attendance after me, and I had been confined by sickness myself for weeks before the man's death. Last summer the claim was made upon me for a certificate when the last attendant was a spiritual medium calling herself "doctor," and I refused it, hoping to be called into court, and to have the law examined.

Let me give one or two examples of certificates. The late Dr. Stedman asked me to see a young German child, who, while playing, got a button in his trachea. It was our opinion that tracheotomy should be performed, but the operation was not permitted by the parents. Death occurred within twenty-four hours. Another physician gave a certificate that death took place from *membranous croup*.

Within a few weeks, I saw a certificate of death and its cause, signed by a physician who had not seen the patient for months, and did not know that he was dead, except by the statement of the mother. Upon this certificate there was a

sum of money pending. I had already refused to give one, on the ground that I had not seen the patient for some time previous to death, although I had no doubt of the fact nor of its cause.

The undertakers desire the certificates, and are urgent for them because each of their returns pays them a fee. The registrars desire the certificates, because for each entry they receive a fee. The physician is required to give a certificate without a fee, and is liable to a fine of ten dollars if he does not give it, and in the city of Boston the registrar expects him to certify in years, months and days to the age of the deceased, though he may have been older than the physician's grandmother.

One certificate of death was brought to me to be filled out, in the case of a stillborn seven months' fetus, whose mother was my patient, although the child had not been.

Section second of the registration law it is worth while to publish for the information of the public, and if they who made it law should read it, I have no doubt they will many of them learn something. I have never come across a dozen persons who knew of their liabilities under the law. It is as follows:—

"Parents shall give notice to the clerk of their city or town of the *births* and *deaths* of their children; every *householder* shall give like notice of every *birth* and *death* happening in his house; the *eldest person next of kin* shall give such notice of the *death* of his kindred; the *keeper of a workhouse, house of correction, prison, hospital, or almshouse, except the State almshouses at Tewksbury, Bridgewater and Monson, and the master or other commanding officer of any ship* shall give like notice of every *birth* and *death* happening among the persons under his charge. Whoever neglects to give such notice for the space of six months after a birth or death, shall forfeit a sum not exceeding five dollars"—and doctors who have attended during the last illness shall pay ten dollars unless they write down the cause of death, length of sickness, &c., to which the City Registrar of Boston adds the age in years, months and days.

MUSICAL BULLET PROBE.—At the Paris Exposition there was exhibited a probe for announcing audibly the presence of a bullet in a wound. If the points of the instrument came in contact with a metallic body, an electrical circuit was made and a small bell rung.