

only object being to have the profession ridded of an improper character.

Mr. CLUTTERBUCK then put in the declaration made before a magistrate, signed by the defendant, and the extract from the Register, signed by Dr. Francis Hawkins, the Registrar.

Mr. BALL objected to these documents being put in, unless the alleged extracts were proved to be true extracts, and unless proof was given that the declaration was transmitted by defendant to the Registrar.

Mr. CLUTTERBUCK showed that the Act made the mere production of such document sufficient evidence, and the Bench overruled the objection.

THOMAS TOCKNELL was then called and examined. He deposed that he was a labourer. Had known defendant for nearly fifty years. When he first knew defendant he was a sawyer, and afterwards he worked as a labourer for Mr. Paul Beard, and then as a spinner in Mr. Beard's factory eight or ten years. While witness was working with defendant, he hurt his hand, but defendant did not do anything to cure it, and defendant did not at the time act as a medical practitioner. Witness never heard of his practising medicine till ten or twelve years ago.

Cross-examined.—Never walked about the fields with defendant collecting herbs.

JAMES ALDER, a labourer, of Kingstanley, deposed that he had known Burton for more than fifty years, and that he worked for Mr. Beard up to and beyond 1815. Never knew him to be any kind of doctor at that time. Never knew him to attend any patients. The first time witness ever heard of his going "quacking" was eleven or twelve years ago.

HENRY HAGUE proved that he worked at the same mill as Burton in the year 1827, for three months, as spinner. This was defendant's regular employment, and he did not practise medicine. First heard of his doctoring twelve years ago.

DANIEL DARKE, innkeeper, deposed to knowing defendant for ten or fifteen years. Did not know what he did at first. Defendant had told witness that he dared not charge anything for advice or attending; but he charged for his labour in walking, and it averaged about 14s. or 16s. a week. When defendant had spoken of his pills, witness said "Rabbits eat all sorts of vegetables, and they make the best vegetable pills." (Much laughter.) Knew of his practising medicine for about eight or ten years.

Mr. BALL then addressed the Bench in defence. He agreed with Mr. Clutterbuck that this Act was very loosely drawn, and he warmly reprobated the conduct of the Medical Council who could, in the face of such documents as the defendant transmitted to them, have granted him a certificate and taken his money. Only the previous day his certificate had been withdrawn, but the fee of £2 which he paid had not been returned. He contended that the defendant had "practised medicine" prior to the 1st of August, 1815, in making pills, salves, &c., and all that he had done since was to deal in herbs and simples. He could produce evidence that defendant had so acted prior to August, 1815, and if the Bench thought that evidence would be of any use, he would ask for an adjournment to produce it. Eventually he said he would not ask for an adjournment.

The CHAIRMAN asked Mr. Clutterbuck whether, as the name had been expunged from the Register, and the purposes of the Act had been carried out, the ends of justice were not sufficiently answered.

Mr. CLUTTERBUCK replied in the negative.

The defendant, on being cautioned, said he was not guilty.

The CHAIRMAN said the Bench had decided to commit the prisoner for trial to the next sessions. There were many points of difficulty which would be raised at Gloucester, but it was the first case of the kind, and a sufficient *prima facie* case was made out for them to commit upon.

Defendant was then committed for trial, but admitted to bail, himself in £20, and two sureties of £10 each.

This case comes on for trial at the Gloucester Quarter Sessions in the course of the present week. Counsel are engaged, and we learn that the prosecution is to be conducted by the London Medical Registration Association, whose honorary secretary, Dr. Ladd, will proceed to Gloucester for the purpose. This step has been undertaken by the Association as a result of the following correspondence, which proves that the Medical Council under the Act do not intend to become a prosecuting body.

[LETTER FROM DR. LADD TO THE REGISTRAR.]

The London Medical Registration Association,
Committee-room, 5, Charing-cross, June 22nd, 1859.

DEAR SIR,—The Vigilance Committee of this Association desire me to request that you will call the immediate attention of the Branch Medical Council for England to the case of John Burton, recently committed for trial to the next sessions at Gloucester, within a week from this date (but now at large on bail), at Stroud, Gloucestershire, on the charge of fraudulently obtaining admission upon the Medical Register. The Vigilance Committee have received information that in consequence of the expense of the proceedings at the sessions, the case is likely to fall to the ground, to the disgrace of the profession and great injury to the registered practitioners of Stroud. The Vigilance Committee are anxious to see an example made of the impostor, and feel that it is the very case in which the Medical Council ought to proceed, and protect legitimate practitioners. I am, therefore, desirous to inquire whether the Medical Council will prosecute in this case, and I should feel obliged by your sending a decided answer within three days from this date. The Vigilance Committee regret that they are compelled to give such very short notice, but they have no alternative, as the Gloucester sessions will commence at the end of a week from this date; though, inasmuch as this case has been already before the Medical Council, and that body is in possession of all the facts, the Committee apprehend that there will be no difficulty in complying with their request.

I am, dear Sir, faithfully yours,

THEOD. ED. LADD, *Hon. Sec.*

To Dr. F. Hawkins, Registrar.

[REPLY.]

Medical Registration Office, 32, Soho-square, London, W.,
June 23rd, 1859.

SIR,—In the case of John Burton, it has been proved to the satisfaction of the Branch Council for England of the General Council, that the said John Burton is not entitled to be registered, and that the entry of his name on the Register has been fraudulently or incorrectly made.

Whereupon it has been directed, by order in writing, that the name of John Burton should be erased from the Register.

The Branch Council, having thus discharged the duty imposed upon them by the 26th section of the Medical Act, have not thought proper to enter upon any further prosecution of the case.

I am, Sir, your obedient servant,

FRANCIS HAWKINS, *Registrar.*

Dr. Ladd, *Hon. Sec.* of the London Medical
Registration Association.

Correspondence.

"Audialteram partem."

THE COLLEGES OF PHYSICIANS.

To the Editor of THE LANCET.

SIR,—The reasons why the great majority of applicants for the licence of the Edinburgh College of Physicians are from England are not only plain to us L.R.C.S.s, but explain the whole of the senseless hubbub which a few enemies of the College have lately raised. They are, as regards Scotland—

1. That hitherto one diploma, the L.R.C.S., has been received as the general practitioner's sufficient qualification, the Edinburgh College of Surgeons having always examined in medicine and midwifery, as well as in surgery.

2. Although the possible extension to Scotland of the Poor-law regulation, requiring two qualifications, may by-and-by make us take a medical diploma also, we are not the fools to do it until we are obliged.

3. Those who would take the physician's licence merely as an honour, are also not the fools to pay £25, when they know the expense will shortly be only £10 as soon as the stamp duty comes off. The canny Scot thinks twice before he throws away £15.

4. Those of us who wanted an additional title, as a decoration, have nearly all got that of M.D. already; our M.D., you are aware, not being what it is in England, but an easy-going M.D., which nearly every other Scotch general practitioner has. There is no difference, professionally or socially, between our L.R.C.S.s. and our M.D.s. They are not, the one surgeon,

the other physician, but are both to be found in every country town and district as rival general practitioners, both alike handling the knife and the stethoscope, supporting the perinæum, and in the remote districts supplying their own patients with medicines, though never charging for them; in fact, our M.D.s. and L.R.C.S.s, like the Apostle Paul, are all things to all men, and to all women too. The only difference is that our M.D. had to pay his money to professors, instead of going to the school where he thought he could get the best education, the Scotch professors having a snug little monopoly of the profitable business of M.D.-making in Scotland. The attempt of the said professors to get the licence of the College of Physicians tied up to M.D.s, excluding the L.R.C.S.s, was a very nice way of trying to get everybody here to take the M.D., not at all for everybody's benefit, but for the benefit of the said professors. The party, magnificently called the University party, in the Edinburgh College of Physicians, it now turns out consists merely of a few of said professors, commonly known, it seems, as "the Junta," with a few attached followers. It was very natural for this Junta to try and do a little bit of business for itself, although at our expense, and we may therefore excuse a little of the spite and rage which have lately defiled the pages of a contemporary, who has been deluded into the idea that he was on the popular side. The Junta is furious at the College of Physicians, because it refuses to make every practitioner take this professor-enriching M.D.; because it permits the general practitioner, under the prospective two-diploma system, to take his medical diploma from a College of Physicians, as he takes his surgical diploma from a College of Surgeons.

As regards England, the reasons why the Edinburgh physician's licence is chiefly, as yet, sought from England are—

5. That a double qualification is considered necessary in England. Hence the number of M.R.C.S.s who apply—men who have been for years in general practice, but who suddenly find the law compelling them to have a medical diploma as well. Are these men to be subjected to an examination, and would an examination in medicine be anything to a man who has been for years engaged in general practice? Surgery might frighten him, but medicine could not. Why not, under the present legal changes, admit such men as they admit fellows, by ballot after inquiry? For we must recollect that the fellowship is a legal qualification to practise, as well as the licence. If the College of Physicians admits, as it is bound to do, Scotch M.D.s without any examination whatever, there is no reason why the L.R.C.S.s should not be equally so admitted. If it had been for the interest of the Junta, they might have flared up equally at the idea of the admission of M.D.s without examination.

6. Had the London College of Physicians done its duty, those now applying for the Edinburgh licence, although already possessing the L.A.C. and M.R.C.S. qualifications, would not have needed to do so. They do not choose to be called apothecaries if they can help it. The London College would not help them in 1815, nor has it yet tried to help them, but only plays the dog in the manger with the Edinburgh College. But the Edinburgh College has helped them. Hence the spleen of the London College. It knows that it ought to do what the Edinburgh College has done, and feels that it has lost the credit of taking the lead. If it does not follow, the Apothecaries' Company must get their name changed, and come out as the Royal College of Medicine. But the fact is, the Edinburgh College has solved the problem, and those who might have preferred the London licence have meanwhile applied to Edinburgh. So the London College had better be quick, unless it intends all the future medical licences for England to be taken in Edinburgh; for, depend on it, no one will take the licence of the Apothecaries' Company when he can get that of a College of Physicians. The Apothecaries' Company should become a Pharmaceutical Society, and license and reign over the druggists. The London College of Physicians must raise their present licentiates to the fellowship or membership, and clear the way for giving the licence to the general practitioner, just as the College of Surgeons does. There is no reason why the one should not as well as the other. Why should the College of Physicians turn up its nose at the general practitioner any more than the College of Surgeons?

The sources of the recent attempt to cast dirt on the Edinburgh College are therefore transparent,—the Edinburgh Junta, and the London disappointment at having been outstripped by the Edinburgh College in discharging a duty which all the Colleges of Physicians have long owed to the profession.

I am, Sir, your obedient servant,

June, 1859.

L.R.C.S. EDIN.

THE PHYSIOLOGY OF HEARING.

To the Editor of THE LANCET.

SIR,—Permit me to draw your attention to a paper recently read by Mr. Toynbee, before the Royal Society, "On the Mode in which Sonorous Undulations are Conducted from the Membrana Tympani to the Labyrinth in the Human Ear," of which an abstract appears in THE LANCET of June 18th, p. 612. I am glad to perceive that Mr. Toynbee has at length been led to adopt the opinion usually entertained by physiologists,—namely, that sonorous undulations pass from the membrana tympani to the vestibule *through the chain of ossicles*. This, it will be observed, is one of the leading conclusions of his paper. It is not a little remarkable, however, that Mr. Toynbee, no later than 1857, held opinions widely different from those just alluded to; for we find him stating in the number of the *Medical Gazette* for Nov. 21st of that year, "that the sonorous undulations, instead of passing through the chain of ossicles to the labyrinth, are conducted *to the air* in the closed tympanum, and thereby impinge upon the membrana fenestra rotundæ."

This change of opinion is the more gratifying to me, as, having had strong convictions on the subject, I took occasion some months since to write a paper in vindication of the generally accepted views, as opposed to those lately held by Mr. Toynbee. That paper is published in the last volume of THE LANCET, p. 236 *et seq.* Though no allusion whatever is made to it in Mr. Toynbee's communication, I cannot help thinking that to my remarks is mainly to be attributed this striking change in his views of the physiology of hearing. It is, indeed, satisfactory to find that his able experiments have amply confirmed the usual doctrine, to which comparative anatomy, as I have elsewhere shown, affords the strongest support.

Trusting, as Mr. Toynbee has not done me the justice to acknowledge the correctness of my observations, that you will give these lines a place in your valuable columns,

I am, Sir, your obedient servant,

Weymouth, June, 1859.

J. MOORHEAD, M.D.

TREATMENT OF RETENTION OF URINE IN DISEASE OF THE PROSTATE.

[LETTER FROM OUR HOSPITAL REPORTER.]

To the Editor of THE LANCET.

SIR,—Had "An Old St. George's Pupil" attentively read the case of a man "admitted for relief of retention of urine" from enlarged prostate, and the remarks, in the "Mirror" of June 18th, he must have seen that the observations of Sir B. Brodie which he quotes do not relate to the point in question. Sir B. Brodie does not refer at all, in that passage, to the relief of urgent retention of urine, and to the measures necessary in that emergency, but advises the best mode in which a patient's urine should be daily and habitually removed from the bladder when for years its successive contents have been allowed to remain stagnant and decompose there, and have caused disease of the kidneys. Mr. Thompson's remarks were quoted, not as "a novelty," as a "St. George's Pupil" erroneously asserts, but as embodying an important practical direction, the necessity for remembering which observation had shown. It was simply remarked in relation to the treatment of *urgent retention* in such cases, that, "so far as we are aware, Mr. Thompson is the only writer" (English) "who specially draws attention to the subject, and the value" (not the "novelty") "of his remarks is the excuse for quoting them entire." Your correspondent has shown no cause whatever for modifying that statement.

I am, Sir, faithfully,

June, 1859.

YOUR HOSPITAL REPORTER.

WAR OFFICE, PALL MALL, JUNE 24TH.—66th Foot: Surgeon Wm. Sim Murray, M.B., from the Staff, to be Surgeon, vice Hanley, appointed to the Staff. 83rd Foot: Assistant-Surgeon Edward O'Connell, from the Staff, to be Assistant-Surgeon, vice Miles, appointed to the Royal Artillery. 91st Foot: Assistant-Surgeon J. McLean Marshall, from the Staff, to be Assistant-Surgeon, vice O'Nial, promoted on the Staff.—*Hospital Staff*: Surgeon Dudley Hanley, M.D., from the 66th Foot, to be Surgeon, vice Murray, appointed to the 66th Foot. Assistant-Surgeon John O'Nial, from the 91st Foot, to be Surgeon, vice Halahan, deceased. Acting Assistant-Surgeon Henry Fred. Meadows has been permitted to resign his appointment.