

career he intended to take up missionary work, but was prevented from this by health reasons. He then turned his attention to medicine, studying in London, Bristol, and Birmingham, and obtaining the diplomas M.R.C.S., L.R.C.P. in 1895. He held the appointment of house-surgeon to the Birmingham and Midland Counties Throat Hospital for a year, after which he found an opening for his earlier enthusiasm in the Birmingham Medical Mission, of which he was physician and superintendent from 1896 until 1925. In the war he held the commission of major in the R.A.M.C., and was registrar at the Tidworth and Hollymoor military hospitals, being subsequently awarded the O.B.E. He was for some time a medical officer under the Ministry of Pensions. In 1925 he was ordained in the diocese of Birmingham, where he held two curacies before being appointed in 1931 to the vicarage of Muker. Dr. Wilson had devoted himself especially to diseases of children and social conditions. His publications include studies in slum conditions (1911), a programme for the improvement of the slum child (1912), articles on hospital reform and the registration of medical records (1911 to 1914), and books on the Poor Law crisis and child life in cities. A man of versatile outlook, a sincere and practical philanthropist, his closing years in Swaledale were very happy. He had been a member of the British Medical Association since 1901. His only son, Dr. D. B. Wilson, is a medical officer of the East African Medical Service in Tanganyika.

The little town of Stone (Staffs) has sustained a great loss through the sudden death, on May 24th, of Dr. WALLACE H. C. CANDLER, after nearly forty-five years' devoted work in it. He was a Bart's man, taking his M.R.C.S. and L.R.C.P. in 1886, when he became a member of the British Medical Association. He was house-physician to the Victoria Park Chest Hospital (London) and to the Shadwell—now Princess Elizabeth—Hospital for Children (which latter always remained most dear to his heart), and later medical officer of the York Dispensary for several years. In Stone he will be held in loving remembrance by rich and poor alike, not only as one of the best type of old-school general practitioner, who loved his patients and did untiring work on their behalf, and as friend and adviser to all who asked, but also for his unostentatious steady work in the town in various capacities. He was chairman of the Boy Scouts Committee, of the War Savings Committee, and for over thirty years of the Stone Conservative Association. He was also for many years churchwarden, and one of the founders of the St. Michael's Lodge of Freemasons, and in all these activities his unfailing courtesy, his breadth of view, and simple loyalty to each particular cause did much to minimize friction and lessen the difficulties that inevitably arise in public work. Through all this strenuous service Dr. Candler's spirit remained so youthful that it is hard to realize he had passed his allotted span of three-score years and ten.

The following well-known foreign medical men have recently died: Dr. GUSTAV GÜNTHER, professor of pharmacology and toxicology at Vienna; Dr. A. ZIMMERN, director of the municipal institute of electrotherapy of Paris, member of the Académie de Médecine, and officer of the Legion of Honour; Dr. HAROLD NAUCKOFF, senior physician to the King of Sweden, aged 54; Professor FOWINSKI, a Warsaw dermatologist; Geh. Med.-Rat. Professor Dr. ALFRED GOLDSCHNEIDER of Berlin, formerly director of the Third University Medical Clinic of Berlin and president of the Berlin Medical Society, aged 77; Dr. E. POULSSON, emeritus professor of pharmacology and director of the State Vitamin Institute at Oslo, aged 77; Professor CARL STERN, formerly director of the skin clinic at Düsseldorf, aged 70; Dr. F. J. P. DOELEMEN, president of the Rotterdam Medical Society, aged 53; and Dr. JOSEPH THOMAS, co-founder of the Société Internationale de Recherches Contre la Tuberculose et le Cancer and of the journal *Néoplasmes*.

Medico-Legal

THE PATIENT AS TESTATOR

(Continued from page 1151)

UNDUE INFLUENCE

As the first principle of the law concerning wills is that the testamentary document shall be in truth as well as in name the "will" of the deceased, it follows that if a will is made in consequence of fraud or force it is not valid. If, for example, a friend of the testator falsely slanders one of the testator's sons and thereby induces the testator to cut him out of his will, the fact may invalidate the will. Actual force is probably not often used to procure the making of a will or modify its provisions, but threats will taint a will quite as strongly as force if the fear they induce is just—that is, when the will would have been different if they had not been made. A person who attacks the will on the ground of fraud or force must prove that this influenced its provisions, and the decision is always one for the discretion of the judge. If fraud is alleged, he must compare the deceit with the capacity or understanding of the person deceived to decide whether the fraud is of such a kind as to overthrow the will. If the charge is of threat, he will consider the quality of the threats, the power and disposition of the threatening party, and the sex, age, courage—or the reverse—and other characteristics of the threatened.

Force and fraud are both fairly definite issues, but a will is also invalid if anyone has used such dominance or influence over the testator as to prevent him from exercising his own discretion in the making of his will. This is called "undue influence," and is not so easy a matter to prove. The expression is a little misleading, for the word "influence" is not used in quite the ordinary colloquial sense. Undue influence is by no means the same as bad influence. If a young man becomes infatuated with a prostitute and makes a will leaving all his property to her, the will cannot be upset merely on the ground that she exercised unbounded and harmful influence over him. A man may come under the influence of evil companions and leave them property which should have gone to his wife and children; such a will, though shocking, will be upheld. Influence is not "undue" when its result is that the testator comes to the conclusion that he *will* make a will in a particular person's favour, because in such a case, however deplorable the factors in his decision may be, he has been persuaded really and truly to intend to leave his property to the undeserving beneficiaries. He is acting of his own free will, albeit for bad reasons. The essence of undue influence, as that term is understood in the Probate Court, is coercion. When the testator does not desire to make the will in the way that he has made it, and his will is in some way coerced or overborne, he is said to make it under undue influence.

Sir James Hannen pointed out in his judgement in *Wingrove v. Wingrove* (1886), which is still one of the best statements of the law on this subject, that undue influence in this sense may vary from actual confinement or violence to such refinements of moral torture as the systematic pestering of a sick and helpless man until he will do anything for the sake of peace. In the words of another judge, undue influence is not the influence of affection and attachment; it is certainly not the mere desire to gratify the wishes of another—for that would be strong evidence that the testator was exercising his own real volition. The opponents of the will must prove that it was obtained by coercion so that the testamentary act was done merely for the sake of peace, the motive being tantamount to force and fear. No amount of persuasion or advice, whether founded on feelings of regard or religious sentiment, will avail to set aside a will so long as the free volition of the testator to accept or reject that advice was not invaded. On the other hand, pressure of any kind, whether acting on the fears or the hopes, if so

Operations for Sterilization.—Mr. POTTER asked if the local health authority in the London area maintained any record of operations performed for the sterilization of female patients in hospitals subject to his inspection. Sir HILTON YOUNG answered, on June 6th, that records of all such operations were kept at the hospitals concerned.

Deaf and Dumb: No Legislation Proposed.—Sir HILTON YOUNG, on June 6th, told Dr. Addison that he was not prepared to introduce legislation giving to deaf and dumb persons similar benefits, as well as facilities for training, as are afforded to the blind under the Blind Persons Act. He was not satisfied there was need for such legislation.

Ophthalmic Benefit Report.—The final report of the Ophthalmic Benefit Joint Committee is still under consideration by the Minister of Health. Whether legislation will follow cannot yet be said.

Infant Mortality Rate in Kensington.—The deaths registered in 1934 of infants under 1 year of age represented a rate per 1,000 live births of 93 in Kensington Metropolitan Borough and 62 in Poplar Metropolitan Borough.

Notes in Brief

The Regional Dental Staff of the Ministry of Health consists of fourteen officers, one of whom does not possess registrable qualifications.

An effort is being made to issue by the end of June the annual report of the Chief Inspector of Factories and Workshops.

An officer of the Ministry of Agriculture will visit Pembrokeshire and Carmarthenshire to investigate the use in that area of cyanide fumigation for keeping down rabbits.

Universities and Colleges

UNIVERSITY OF OXFORD

At a congregation held on June 8th the following medical degrees were conferred:

D.M.—C. R. Greene.

B.M.—J. E. G. Pearson.

UNIVERSITY OF CAMBRIDGE

D. H. Barron, Ph.D. Yale, has been appointed University Demonstrator in Anatomy for three years from October 1st, 1935.

Leslie Harris, D.Sc., Ph.D., director of the Medical Research Council's Nutritional Laboratory at Cambridge University, has been approved for the degree of Sc.D. Dr. Harris is known for his work on vitamins and proteins, and for the latter was awarded the Meldola Medal by the Institute of Chemistry in 1924.

UNIVERSITY OF LONDON

The following candidates have been approved at the examination indicated:

THIRD M.B., B.S.—*†J. R. Forbes, *†‡§||G. W. Hayward (University Medal), *||G. W. Hearn, *|| E. McLellan, *†||J. Marshall, E. C. Atkinson, H. H. Atkinson, Barbara Bailey, T. A. Baldwin, E. B. D. Bangay, D. S. D. Barber, G. W. Bender, Brenda G. Billings, G. L. Bohn, A. P. Booth, P. I. Boyd, D. J. T. Brinkworth, I. A. Cathie, R. M. Clarke, C. W. J. Claydon, F. T. Clive, V. H. J. Davies, D. W. A. Degazon, Audrey P. Dence, L. Dexter, P. E. Dipple, Lynette Dowsett, F. C. Durbin, H. A. Eason, E. J. Forgan, J. F. A. Forster, Sheila M. Franklin, Joyce C. Goodchild, I. H. Griffiths, W. E. Hadden, Marjorie K. Hall, P. G. F. Harvey, D. A. B. Hopkin, A. W. J. Houghton, P. W. Houghton, I. H. Jenkins, C. McK. Johnston, A. E. Jones, D. M. Jones, J. G. Jones, W. L. Kerr, A. Lasnick, J. B. H. McArthur, J. J. McCann, A. Moore, Elizabeth C. Morris, R. B. Morton, R. F. Mowll, H. E. Offord, E. D. Page, H. S. Pasmore, G. Phipps, D. S. Piper, A. G. Potts, Marjorie A. Powis, V. B. Reckitt, A. H. W. Roffey, K. B. Rogers, C. G. Roworth, J. G. Sheldon, R. H. D. Short, F. Summers, W. H. Summerskill, Margaret E. Sutherland, B. A. Thomas, D. M. Thomson, W. F. Townsend-Coles, Enid L. Weatherhead, F. H. Weston, C. W. K. Willard. *Group I:* B. Cates, R. Cox, Kathleen Craddock, J. V. Dacie, A. M. Desmond, W. J. M. Evans, H. C. H. Higginson, C. E. W. Hoar, T. Levitt, W. N. Mann, R. L. Moody, Margaret J. Moore, C. J. S. O'Malley, G. H. C. Ovens, F. D. Paterson, Millicent I. Rowland, J. K. Samuel, Catherine M. Whitestone, B. L. E. Wong. *Group II:* Mary J. Bartlett, Beatrice A. Blake, C. J. F. Blumenthal, Margaret Brodigan, Annys M. Cusack, Dorothy S. R. Drew, J. A. C. Franklin, L. D. B. Frost, P. Glazer, J. R. Hill, J. H. Lawrence, J. I. Lesh,

H. M. McGladdery, Margaret I. McHaffie, J. I. C. Mason, Margaret J. Montrose, W. L. Ogle, E. U. H. Pentreath, J. B. Phillips, Jean Ross, D. J. Sheehan, B. McN. Truscott, C. E. G. Wickham.

* With honours. † Distinguished in medicine. ‡ Distinguished in pathology. § Distinguished in forensic medicine and hygiene. || Distinguished in surgery. ¶ Distinguished in obstetrics and gynaecology.

Semon Lecture

This annual lecture will be delivered on Thursday, October 31st, at 5 p.m., at the Royal Society of Medicine, 1, Wimpole Street. The lecturer, Sir StClair Thomson, has chosen as his subject "The Defences of the Upper Respiratory Tract."

UNIVERSITY OF SHEFFIELD

A medical scholarship, covering the cost of tuition for a degree in the Faculty of Medicine, has been awarded to John Colquhoun of King Edward VII School, Sheffield.

ROYAL FACULTY OF PHYSICIANS AND SURGEONS OF GLASGOW

At the monthly meeting of the Royal Faculty of Physicians and Surgeons of Glasgow, held on June 3rd, the following were admitted Fellows: S. Alstead, R. M. Ebeid, and W. M. Nichols.

Medical News

Sir Frederick Banting, F.R.S., will deliver an informal address on the history of insulin at the British Post-Graduate Medical School, Ducane Road, Hammersmith, W., on Thursday, June 20th, at 2 p.m.

The next monthly clinical meeting for medical practitioners at the Hospital for Epilepsy and Paralysis, Maida Vale, W., will be held on Thursday, June 27th, at 3 p.m., when Dr. W. Russell Brain will demonstrate. Tea will be provided, and it will be a convenience if those intending to be present will send a card to the secretary.

The annual general meeting of the National Birthday Trust Fund (Safer Motherhood Appeal) will be held at 57, Lower Belgrave Street, S.W.1, on Tuesday, June 25th, at 3.30 p.m., with Sir Julien Cahn in the chair. The speakers will be Dame Janet Campbell, M.D., and Mr. L. Carnac Rivett, F.R.C.S.

The new theatre and out-patient block and the new wards of the Wilson Hospital, Mitcham, will be on view at 3.30 p.m. on Saturday, June 22nd, when Dr. Alfred Cox will give a short address.

The annual general meeting of the Royal Society of Tropical Medicine and Hygiene will be held at 26, Portland Place, W., on Thursday, June 20th, at 8.15 p.m., when the new president, Sir Arthur Bagshawe, will be inducted, and the Manson and Chalmers Medals will be presented to Professor J. W. W. Stephens of Liverpool and Professor W. H. Taliaferro of Chicago respectively. Dr. S. Somasundram of Kandy Hospital, Ceylon, will demonstrate temperature charts illustrating the action of atebirin musonate in malaria, and Sir John Megaw will open a discussion on "Typhus Fever in the Tropics."

The annual dinner of the Royal Medico-Psychological Association will be held at Claridges Hotel, W.1, on Wednesday, July 3rd, at 7.45 for 8 o'clock.

The eighth International Congress of Military Medicine and Pharmacy will be held in Brussels from June 27th to July 3rd, on the occasion of the World Exhibition. The following subjects will be discussed: principles of organization and working of the health service in mountain warfare; determination of fitness for various specialties in the land, sea, and air forces; sequels of wounds of the abdomen; unification of methods for analysis of the food and drink of the soldier; bucco-dental service at the front; comparative study of the administrative sanitary services in the land, sea, and air forces.

The fourth Spanish Congress of Urology will be held at Cadiz from June 22nd to 25th, under the presidency of Professor Enrico Bastis.

At a meeting of the Senate of the University of London on June 12th Mr. H. L. Eason, superintendent and senior ophthalmic surgeon, Guy's Hospital, was elected Vice-Chancellor for the year 1935-6, in succession to Professor L. N. G. Filon.

An international congress of physical medicine will be held in Brussels from July 1st to 6th under the presidency of Professor I. Gunzburg.

The Fellowship of Medicine (1, Wimpole Street, W.) announces that an intensive course in diseases of the heart will be given at the National Heart Hospital from June 24th to July 6th. Two "refresher" courses in medicine, surgery, and the specialties will be given at Prince of Wales's General Hospital from June 17th to 29th and from July 1st to 13th. Other forthcoming courses include proctology at St. Mark's Hospital, July 1st to 6th; urology at All Saints' Hospital, July 8th to 27th; medicine and surgery at Southend General Hospital, July 13th and 14th; and dermatology at Blackfriars Skin Hospital, July 15th to 27th. Detailed syllabuses, giving the exact ground covered by the various courses, are available from the Fellowship a few weeks before the courses are due to begin. With the exception of the cardiology course, the courses, clinics, etc., arranged by the Fellowship are open only to members and associates.

As announced in our issue of May 25th (p. 1082), the Anti-Noise League has organized an exhibition at the Science Museum, South Kensington, S.W., from May 31st to June 30th. In addition to the exhibition the League has also arranged a conference at the same place, to be held on Wednesday, Thursday, and Friday, June 26th, 27th, and 28th. The conference opens on June 26th, at 3 p.m., with a reception by Lord and Lady Horder in the exhibition gallery, and will be followed at 4.15 with a discussion, in the lecture room, on "Sound and Noise," to be opened by Dr. G. W. C. Kaye. On June 27th, at 11.30 a.m., Mr. H. G. Strauss will speak on "The Law and Noise," and will be followed, at 3 p.m., by Mr. Hope Bagenal on "Housing and Noise." On the third day, at 11.30 a.m., Sir Henry Richards will deal with "Education and the Noise Problem," and the conference will close with an address, at 3 p.m., by Lord Horder, chairman of the Anti-Noise League, on "Health and Noise."

Viscount Wakefield of Hythe will distribute the prizes at St. Thomas's Hospital Medical School in the Governors' Hall on Tuesday, June 25th, at 3 p.m.

Mr. John Masefield, O.M., the Poet Laureate, will distribute the prizes to students of the London Hospital Medical College and Dental School in the Library of the Medical College on Thursday, July 11th, at 3 p.m.

The County Borough of Middlesbrough has issued invitations to the official opening by Sir E. Hilton Young, late Minister of Health, of extensions to the male surgical and male tuberculosis wards at Holgate Municipal Hospital, and the new cubicle isolation block at West Lane Hospital on Saturday, June 22nd.

The issue of the *Wiener klinische Wochenschrift* for May 18th is a Festschrift in honour of the 150th anniversary of its foundation.

D. Appleton-Century Company announce for early publication a new, twelfth (1935), edition of Osler and McCrae's *Principles and Practice of Medicine*, revised throughout by Dr. Thomas McCrae. Through its first eleven editions "Osler" has been reprinted seventy-three times. The price is maintained at 30s.

We have received the first issue, published in April at Buenos Aires, of an Argentine monthly journal named *Publicaciones medicas*. The issue contains original articles by Professor H. Roger of Paris on the internal functions of the lung, cancer of the oesophagus by Dr. Juan I. Zorrilla, and an experimental study on the toxicity and fixation of manganese in the animal organism by Drs. R. E. Carratalá and C. L. Carboneschi.

Professor Cornelius Winkler, emeritus professor of neurology and psychiatry at Utrecht, has recently celebrated his eightieth birthday.

Letters, Notes, and Answers

All communications in regard to editorial business should be addressed to **The EDITOR, British Medical Journal, B.M.A. House, Tavistock Square, W.C.1.**

ORIGINAL ARTICLES and LETTERS forwarded for publication are understood to be offered to the *British Medical Journal* alone, unless the contrary be stated. Correspondents who wish notice to be taken of their communications should authenticate them with their names, not necessarily for publication.

Authors desiring REPRINTS of their articles published in the *British Medical Journal* must communicate with the Financial Secretary and Business Manager, British Medical Association House, Tavistock Square, W.C.1, on receipt of proofs. Authors over-seas should indicate on MSS. if reprints are required, as proofs are not sent abroad.

All communications with reference to ADVERTISEMENTS, as well as orders for copies of the *Journal*, should be addressed to the Financial Secretary and Business Manager.

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The address of the Irish Office of the British Medical Association is 18, Kildare Street, Dublin (telegrams: *Bacillus, Dublin*; telephone: 62550 Dublin), and of the Scottish Office, 7, Drumsheugh Gardens, Edinburgh (telegrams: *Associate, Edinburgh*; telephone: 24361 Edinburgh).

QUERIES AND ANSWERS

Vulvo-vaginitis in a Child

"Z.Y.X." writes from Ceylon: Will any reader kindly suggest a means of curing an intractable case of vulvo-vaginitis in a girl of 5 years. The symptoms consist of slight reddening of the mucous membrane and an offensive discharge, which adheres to the skin of the part. There have been remissions in the severity of these signs, and the change to a warmer climate has coincided with an increase in the symptoms.

Elastoplast for Impetigo

Dr. DOUGLAS J. NICOL (Birmingham) writes: In his article on the treatment of warts Dr. McAusland asks if there are other skin conditions that might be treated with elastoplastic bandage. I would like to state that I treat impetigo by the application of elastoplast. As is well known this condition under the old ointment treatment is often very slow in clearing up, and certainly very difficult to keep from spreading. Now with the use of elastoplast I find it clears up in a few days, and there is no need for the child to be absent from school. I apply the elastoplast directly to the sore, and leave it on for as long as it will stay on. Sometimes it requires renewal daily if the sore is near the mouth.

Malaise after Motoring

Dr. G. A. FERRABY writes in answer to Dr. Hawkyard's query (June 1st, p. 1155): For the "sick headache" more or less like migraine, due to travelling by train, or motor, or other vehicles, as well as for sea-sickness, I have found that a five-grain dose of barbitone for an adult, taken at the commencement of a journey and repeated, if necessary, in from four to eight hours, will usually prevent the onset of symptoms. No drowsiness seems ever to have been induced, under conditions of travel, by this dose. One patient who never took an hour's motor ride without vomiting found that with two doses she could travel by road from Nottingham to Torquay and to Blackpool without discomfort. The second dose was taken as soon as pallor and slight discomfort came on.

Income Tax

Legal Expenses

"C. W. F." has become involved in a lawsuit in connexion with repairs to his car. He has lost the case, and has to pay heavy costs. Can they be regarded as allowable for income-tax purposes?

** In our opinion they are allowable in the same ratio—for example, 90 per cent.—as that applied to running costs and depreciation to cover professional use, but there does not appear to be a decided case on the precise point.