

engaged in public health work in this country. Among other things he acted as tuberculosis officer for the County of Dumfries and for the Borough of Fulham. Dr. Thomson's outstanding quality was the complete integrity of his mind and character. Inaccuracy of statement and unethical conduct were equally repugnant to him; he was a quiet man, of gentle and courteous manners, and possessed of unfailing tact, but his opinions were definite, and he could be entirely firm when occasion demanded it. His culture and intelligence were high, and it was an education and a pleasure to know him. He had an unusually harmonious family life, marred only by the premature deaths of his two daughters, Dr. Elsie and Dr. Ruby Thomson. He is survived by his son, Dr. Frank Thomson, Dundee, and by his widow, for whom the deepest sympathy is felt by their many friends.

## Medico-Legal

### ASSESSMENT OF BLOOD-GROUP EVIDENCE

Blood-group evidence can show in certain circumstances that a given man is not the father of a given child. An immense amount of work has been done on its scientific foundations, and in the hands of an expert it approximates as nearly to certainty as does any other kind of scientific evidence. On the whole, English courts have been quite ready to accept it when it has been available—in fact, some critics have complained that the experts have had too much of their own way. A case recently heard by Mr. Claud Mullins at the South-West London Police Court indicated the place which such evidence should properly take in our judicial system. The case was not the usual bastardy application, but a summons by a wife against her husband for maintenance. They had been married two or three years, but because each had a war job in different parts of the country they had never made a home together. The husband, however, visited her whenever possible. At the beginning of March, 1943, she bore a child. The husband expressed pleasure on hearing it was coming, and paid all the hospital fees. Two months later, however, he stopped sending her remittances, which had before then been regular, and denied paternity. His solicitors suggested a blood test; the wife, indignantly repudiating the suggestion of adultery, consented. Dr. David Harley, who tested the bloods, found that the husband's group was OM, the wife's AM, and the baby's AMN. Apparently the N factor must have come from another man. Dr. Harley's evidence was the husband's sole reason for opposing the wife's application; he produced no evidence of adultery and did not even name an adulterer, and his reason for disputing paternity never appeared. He was not allowed, under the rule in *Russell v. Russell* (1924) A.C. 687, to deny that he had had access to his wife at the material, or any, time. At first Mr. Mullins was inclined to think that, albeit very reluctant, he was bound in law to accept the result of the blood test, not because as a man he thought the doctor was right but because as a magistrate he thought that the evidence was legally convincing. Moreover, he recalled that the Select Committee of the House of Lords had published in its report on Lord Merthyr's Bastardy (Blood Tests) Bill, 1939, some very dogmatic statements on the reliability of the test.<sup>1</sup> Later in the case, however, after the wife's sister, with whom she lived, had given evidence that the husband had visited the wife at the time when conception probably took place, and after the husband had been closely cross-examined, Mr. Mullins indicated that he was not prepared to bastardize the child on blood-group evidence alone. He did not, having heard and seen the wife, think she was of a type that commits adultery. The legal presumption that a child born in wedlock is legitimate is very strong, and he was not prepared to upset it solely on scientific evidence. The husband thereupon agreed to make a home for his wife, maintain her and the baby, and accept it as his child. Few who heard the decision doubted its wisdom. It would be an evil day for our courts if they ever felt obliged to elevate scientific evidence into a class by itself, instead of, as at present, keeping it on the same footing as other evidence.

<sup>1</sup> *British Medical Journal*, 1939, 2, 453.

## The Services

Major (temp. Lieut.-Col.) W. L. Brown has been awarded the D.S.O., and Capt. (temp. Major) M. E. M. Herford, M.B.E., M.C., R.A.M.C., a bar to the M.C. in recognition of gallant and distinguished services in Italy.

Major (temp. Lieut.-Col.) I. Fraser, O.B.E., R.A.M.C., has been awarded the D.S.O. in recognition of gallant and distinguished services in Sicily.

Temp. Surg. Lieut. W. B. Wallace, R.C.N.V.R., has been mentioned in dispatches for services in caring for the wounded in H.M.C.S. *Athabaskan* after his ship was attacked by aircraft.

### CASUALTIES IN THE MEDICAL SERVICES

*Missing, presumed to have lost his life.*—Temp. Surg. Lieut. A. D. Bone, D.S.C., R.N.V.R.

*Died from injuries received whilst attempting to reach British lines in Italy.*—Capt. E. T. M. Smith, R.A.M.C.

### DEATHS IN THE SERVICES

By the death on Dec. 24 at Bickington, Devon, of Major-Gen. Sir FOSTER REUSS NEWLAND, K.C.M.G., C.B., C.M.G., A.M.S.(ret.), the dwindling band of officers of the old Army Medical Service has lost a distinguished member a few days before reaching his 82nd birthday. His father was a doctor, and he was educated at Shrewsbury and Trinity College, Dublin, at the latter of which he took the M.B., B.Ch. degrees in 1885. He accepted a commission in the Army Medical Service in the following year, and went on service to India. He served throughout the South African War and won the Queen's medal with five clasps. In the war of 1914-18 he served in France up to 1917, when he went to Italy as D.M.S., and from 1918 to 1922 he held the same administrative rank in Egypt until his retirement in the latter year. He was mentioned in dispatches seven times during the last war, and for his various services he was successively awarded the C.M.G. in 1917, the C.B. in 1918, and the K.G.M.G. in 1919. Other distinctions included the honorary degree of M.D. of Trinity College, Dublin, in 1931; Commander of the Order of St. Maurice and St. Lazarus, Italy; Knight of Grace of the Order of the Hospital of St. John of Jerusalem in 1918; and Silver Medal "Al Milito della Sanita Publica," conferred on him by the King of Italy in 1912. In 1918 he married the daughter of an Italian general, by whom he had one daughter.

Major-Gen. GEORGE SOMERS McLOUGHLIN, C.M.G., D.S.O., R.A.M.C.(ret.), died on Dec. 27, 1943, aged 76. He took the M.B. Durham in 1888 and the B.S. in 1889, and entered the Army Medical Service in the following year. In 1897-98 he served in Uganda and was awarded the D.S.O. and the 3rd class Brilliant Star of Zanzibar, and in 1900-1 won the Queen's medal with four clasps in the South African War. His next active service was with the B.E.F. in France in the 1914-18 war, where he was A.D.M.S. to the Guards Division until 1917, when ill-health necessitated his return to England, and he was mentioned in dispatches and awarded the C.M.G. In 1922 he retired with the rank of major-general.

## Universities and Colleges

### UNIVERSITY OF LONDON

The following candidates have been approved at the examinations indicated:

M.D.—Branch I (Medicine): L. P. R. Fourman, B. F. B. Russell, A. Wardale. Branch II (Pathology): R. M. Haines. Branch V (Hygiene): I. G. Davies.

### ROYAL COLLEGE OF SURGEONS OF ENGLAND

At a quarterly meeting of the Council held on Jan. 13, with Sir Alfred Webb-Johnson, President, in the chair, a resolution of condolence was passed on the death of Dr. G. C. Anderson, Secretary of the British Medical Association. It was reported that Prof. G. Grey Turner had consented to deliver the Hunterian Oration for 1945. The Council agreed that the President should serve as an *ex officio* member of the Committee of Management of the Royal Medical Benevolent Fund. Diplomas of Membership were granted to B. Haigh, A. Taylor, and Margaret R. Todd.

Diplomas were granted, jointly with the Royal College of Physicians, as follows:

DIPLOMA IN PUBLIC HEALTH.—J. C. Boyle, Marjorie Swain.

DIPLOMA IN PSYCHOLOGICAL MEDICINE.—Elizabeth G. W. Barker, H. Coates, Esther A. Davidson, J. E. Glancy, R. Krambach, H. G. Miller, Margaret V. Saul, G. C. Tooth.

DIPLOMA IN LARYNGOLOGY AND OTORHOLOGY.—F. Bauer, G. A. Coggin, K. W. MacKenzie, P. C. Rushton, J. A. B. Thomas.