

of his passing at the early age of 52, when he was at the zenith of a brilliant surgical career. Benefiting from a sound surgical grounding at Trinity College, Dublin, and for many years at Shanklin, from the vast experience of John Cowper, doyen of Isle of Wight surgeons, Gaynor quickly gained the esteem and trust of practitioners throughout the island. After the death of Mr. A. A. Straton in an air raid during the last war Gaynor found himself, at an unusually young age, senior surgeon at the Royal Isle of Wight County Hospital, Ryde. He was of a cheerful and sympathetic disposition, and his Irish humour and sparkle endeared him to his many patients. He will be greatly missed, not only in his home town but throughout the island. To his colleagues his loyalty and helpfulness were invaluable. He never spared himself, and to every general practitioner with whom he came in contact he proved a friend and counsellor. His fortitude during a long and painful illness was an inspiration and example to us all.

Dr. PERCIVAL GEORGE QUINTON, who died suddenly on May 21 at the age of 59, received his medical education at University College Hospital and qualified M.B., B.S. in 1918, proceeding to M.D. in 1921 after service in the R.A.M.C. with the British Army of the Rhine. He was superintendent of St. Mary's Hospital, Paddington, before joining in 1924 the staff of the Royal London Homoeopathic Hospital, with which he was connected during the remainder of his professional career. At the time of his death he was physician with charge of out-patients and medical officer to the nursing staff, as well as secretary of the medical advisory committee of the hospital. He was a Fellow of the Faculty of Homoeopathy, which he served in many capacities, including that of secretary. He was in turn assistant editor of the *British Homoeopathic Journal*, hon. librarian, and vice-president. Dr. Quinton was a skilful physician, beloved by his patients and colleagues. He was also a pianist of talent and a good linguist—a gift which led him to a study of the methods of the French school of homoeopathy as represented by Dr. Leon Vannier. He was elected a vice-president of Le Centre Homoeopathique de France, and represented his colleagues in the United Kingdom at many congresses abroad. Two daughters survive him, one being a member of the medical profession.—W. R. McC.

Universities and Colleges

UNIVERSITY OF LONDON

The governing body of the British Postgraduate Medical Federation has approved the award of Postgraduate Travelling Fellowships for 1953-4, tenable for one year, to M. B. McLlroy, M.D., M.R.C.P., of St. Bartholomew's Hospital (respiratory function, U.S.A.); D. Marrack, M.D., of the Postgraduate Medical School of London (biochemistry, U.S.A.); T. A. J. Prankerd, M.D., M.R.C.P., of University College Hospital (haematology, U.S.A.); and P. Story, M.D., of St. Bartholomew's Hospital (haematology, U.S.A.).

J. A. V. Butler, D.Sc., has been appointed to the Chair of Physical Chemistry tenable at the Institute of Cancer Research (Royal Cancer Hospital), from January 1, 1953.

Professor J. M. Mackintosh has been nominated for re-appointment as the representative of the University on the governing body of the Slough Industrial Health Service.

The following have been recognized as teachers of the University in the subjects indicated in parentheses: *Charing Cross Hospital Medical School*, Mr. L. R. S. Taylor (Oto-rhinolaryngology); *Institute of Neurology*, Mr. Harvey Jackson (Neurosurgery); *Westminster Medical School*, Mr. P. D. Trevor-Roper (Ophthalmology); *Institute of Dental Surgery*, Dr. C. F. Ballard (Dental Surgery (Orthodontics)). Mr. A. G. Leigh, who is already recognized as a teacher of ophthalmology at the Institute of Ophthalmology, has been recognized also as a teacher of ophthalmology at St. Mary's Hospital Medical School.

The degree of D.Sc. has been conferred on Professor A. D. M. Greenfield, Dunville Professor of Physiology in Queen's University, Belfast, and on Professor C. L. Oakley, Brotherton Professor of Bacteriology in the University of Leeds.

Medico-Legal

VICARIOUS LIABILITY

[FROM OUR MEDICO-LEGAL CORRESPONDENT]

In recent years some legal decisions on the allocation of responsibility between hospitals and doctors have provoked disquiet in the medical profession. Some medical men consider that the holding of a hospital authority to be vicariously responsible for a doctor's mistakes will diminish his sense of responsibility and his independence of professional action. And, some have added, the natural tendency of the hospital authority will be to try by rules and regulations to minimize the possibility of error by the doctor. The converse view has also been expressed that, if hospital authorities are not to carry the responsibility for errors made by their junior medical and surgical officers, the morale of these men will suffer and applicants for hospital posts will be hard to find.

If either or both these views are right, then the effect of the present state of the English law will be disastrous both for the profession and for the community, which the profession exists to serve. It is therefore important to examine whether these views result from a failure to appreciate the true nature of the principle of law concerned, or whether the law is such as to justify them. If it is, then the sooner it is changed by Parliament the better.

Acts of Servants and Agents

The responsibility of the governing bodies of hospitals for the acts of their agents is one of the many examples of the fundamental principle of English law—*qui facit per alium facit per se*. In anything he does a man must take reasonable care not to harm his neighbour. His neighbour is anyone who he ought to realize will be affected by that particular activity. If a person chooses, or is obliged by circumstances, to carry out the particular activity through the medium of someone else, whether the someone else is in his employment as a servant or simply engaged as an agent to do that particular thing, that person cannot thereby divest himself of the duty to take reasonable care not to do his neighbour harm. And if the servant or agent fails to take reasonable care, and in fact does harm, not only is he personally responsible, but the employer is vicariously responsible also.

The owner of a ship that carries passengers from Capetown to London is accordingly under a duty to exercise reasonable care towards them in doing so. This is an activity which he cannot carry out himself. He employs the master of the ship to navigate her as far as Dover. From Dover to Tilbury he employs a Port of London pilot with the necessary specialist knowledge of the Thames and its estuary. The master of the ship is his servant; the pilot is his agent to pilot the ship on that particular voyage up the river. If the ship is cast away and the passengers are injured through the failure of the master to exercise reasonable care in navigating the ship between Capetown and Dover, or the failure of the pilot between Dover and Tilbury, the shipowner is in law just as responsible to the injured passengers as is the pilot or the master. The fact that he is vicariously responsible in no way diminishes the personal responsibility of his servant or agent.

In the same way the governing body of any hospital is under a duty to exercise reasonable care towards people in the hospital. This duty is owed not only to the patients but to its own staff. In so far as the patients are concerned, its duty is to exercise reasonable care over their nursing and any treatment which it sets out to give them or operation which it sets out to perform. None of these activities does it carry out with its own hands, any more than does the shipowner with his own hands navigate his ship. Nurses, physiotherapists, radiographers, house-men are all its servants, just as the master is the servant of the shipowners. Consultants, even if honorary and unpaid, are its agents, just

Dr. C. Metcalfe Brown, M.O.H. and school medical officer of the city of Manchester, has been elected president of the Society of Medical Officers of Health for the year 1953-4.

Professor H. C. McLaren, professor of obstetrics and gynaecology in the University of Birmingham, has been elected a corresponding member of the Société Française de Gynécologie.

Dr. Melville Mackenzie, a principal medical officer at the Ministry of Health, was elected chairman of W.H.O.'s Executive Board for the session which took place immediately after the Sixth World Health Assembly.

Dr. Julius Lempert, the distinguished American otologist, has received the 1953 Award of Merit of the American Otological Society. Dr. Lempert is an honorary member of the Section of Otology of the Royal Society of Medicine.

Dr. H. E. Sigerist, formerly professor of history of medicine at Johns Hopkins University, is to receive the honorary degree of D.Sc. at the Foundation Day celebrations of London University on November 27.

COMING EVENTS

East Suffolk Division Coronation Dance.—The East Suffolk Division of the British Medical Association is to hold a Coronation Dance at the Seckford Hall Hotel, Woodbridge, on June 24. Tickets (price 15s.) may be obtained from Dr. T. H. Shaw, 23, Henley Road, Ipswich.

Surrey Coronation Ball.—The Coronation Dinner and Ball of the Surrey Branch of the British Medical Association will be held at the Selsdon Park Hotel, Sanderstead, on June 25, at 7.30 p.m. This promises to be a particularly attractive Coronation festivity. Selsdon Park Hotel is an impressive mansion south of Croydon and can be reached within half an hour of the West End of London. The number of tickets is limited and early application is advised. Tickets (price 2 guineas) may be obtained from Dr. L. A. Gibbons, Fulham House, Waterlow Road, Reigate, or from Dr. J. W. Starkey, 9, Lovelace Road Surbiton.

SOCIETIES AND LECTURES

A fee is charged or a ticket is required for attending lectures marked ●. Applications should be made first to the institution concerned.

Monday, June 15

EDINBURGH UNIVERSITY: FACULTY OF MEDICINE.—At Surgery Lecture Theatre, University New Buildings, 10 to 11 a.m., Sir Geoffrey Jefferson, F.R.S.: Variations in Behaviour of Pituitary Adenomas.
● **POSTGRADUATE MEDICAL SCHOOL OF LONDON.**—4 p.m., Professor T. L. Hardy: Colon Neuroses.

Tuesday, June 16

EDINBURGH UNIVERSITY: FACULTY OF MEDICINE.—At Surgery Lecture Theatre, University New Buildings, 10 to 11 a.m., Sir Geoffrey Jefferson, F.R.S.: Affections of Trigeminal Nerve.

INSTITUTE OF DERMATOLOGY.—5.30 p.m., Dr. P. Wade: Treatment of Cancer of the Skin.

ROYAL EYE HOSPITAL.—5 p.m., Mr. R. P. Crick: Skin Diseases and the Eye.

WRIGHT-FLEMING INSTITUTE OF MICROBIOLOGY, St. Mary's Hospital Medical School.—5 p.m., Alroth Wright Lecture by Professor Gerhard Domagk: The Development of the Chemotherapy of Tuberculosis.

Wednesday, June 17

INSTITUTE OF DERMATOLOGY.—4.30 p.m., Dr. H. Haber: Histopathology of Tuberculosis and Syphilis of the Skin.

● **INSTITUTE OF OBSTETRICS AND GYNAECOLOGY.**—At Chelsea Hospital for Women, 4.30 p.m., Mr. J. W. A. Hunter: Pregnancy Following Fothergill's Operation.

MIDDLESEX COUNTY MEDICAL SOCIETY.—At Willesden Chest Clinic (Central Middlesex Hospital), 3 p.m., clinical meeting. (Postponed from June 3.)
POSTGRADUATE MEDICAL SCHOOL OF LONDON.—2 p.m., Dr. M. G. P. Stoker: Q Fever.

● **POSTGRADUATE MEDICAL SCHOOL OF LONDON.**—4 p.m., Dr. B. Ackner: Depression.

ROYAL EYE HOSPITAL.—5.30 p.m., Mr. L. H. Savin: Ophthalmic Neurology.

Thursday, June 18

BIRMINGHAM UNIVERSITY.—At Large Anatomy Theatre, Medical School, 4 p.m., Ingleby Lecture by Mr. Stanley Way: Aetiology of Carcinoma of the Body of the Uterus.

EDINBURGH UNIVERSITY: FACULTY OF MEDICINE.—At Surgery Lecture Theatre, University New Buildings, 10 to 11 a.m., Sir Geoffrey Jefferson, F.R.S.: Applied Physiology of Cerebellum.

● **HAMPSTEAD GENERAL HOSPITAL.**—3 p.m., Dr. Felix W. Brown: Illness in the Family; 4.15 p.m., Mr. H. D. Johnson: Dyspepsia Without an Ulcer.

HONYMAN GILLESPIE LECTURE.—At University New Buildings, Edinburgh, 5 p.m., Dr. Robert Brown: Contracted Pelvis.

● **INSTITUTE OF OBSTETRICS AND GYNAECOLOGY.**—At Queen Charlotte's Hospital, 4.30 p.m., Mr. V. O'Sullivan: Acute Inversion of the Uterus.
LONDON JEWISH HOSPITAL MEDICAL SOCIETY.—At 11, Chandos Street, W., 8.30 p.m., (1) A.G.M. (2) Symposium: National Health Service. Mr. C. S. Bangay, Dr. F. Gray, and Dr. M. Sorsby will take part.
NORTH-WESTERN TUBERCULOSIS SOCIETY.—At Hefferston Grange Hospital, 3 p.m., summer meeting.
● **POSTGRADUATE MEDICAL SCHOOL OF LONDON.**—4 p.m., Dr. J. W. D. Bull: Neuroradiology—Its Scope and Limitations.
ROYAL EYE HOSPITAL.—5.30 p.m., Mr. G. C. Pritchard: Ophthalmic Problems in a Neurological Clinic.
ROYAL SOCIETY OF TROPICAL MEDICINE AND HYGIENE.—7.30 p.m., annual general meeting followed by ordinary meeting. Medical films.
ST. GEORGE'S HOSPITAL MEDICAL SCHOOL.—5 p.m., Sir Paul Mallinson: postgraduate demonstration in psychiatry.

Friday, June 19

BIRMINGHAM UNIVERSITY.—At Large Anatomy Theatre, Medical School, 4 p.m., Ingleby Lecture by Mr. Stanley Way: Aetiology of Carcinoma of the Body of the Uterus.

INSTITUTE OF DERMATOLOGY.—5.30 p.m., Dr. P. F. Borrie: Vascular Diseases.

KENT AND CANTERBURY HOSPITAL.—8 p.m., clinical meeting.

OSLER CLUB OF LONDON.—At 1, Wimpole Street, W., 7.45 p.m., Mr. A. Dickson Wright: Some Royal Case-histories (with slides).

POSTGRADUATE MEDICAL SCHOOL OF LONDON.—2 p.m., Professor J. D. Boyd: Pigment Cells in the Body.

● **POSTGRADUATE MEDICAL SCHOOL OF LONDON.**—4 p.m., Dr. R. I. S. Bayliss: A.C.T.H. and Cortisone.

Saturday, June 20

BIOCHEMICAL SOCIETY.—At Department of Biochemistry, University of Oxford, 11 a.m., scientific papers.

● **INSTITUTE OF OBSTETRICS AND GYNAECOLOGY.**—At Hammersmith Hospital, 12 noon, Mr. J. Peel: Diabetes in Pregnancy.

APPOINTMENTS

MANCHESTER REGIONAL HOSPITAL BOARD.—I. M. Gow, M.B., Ch.B., D.A., and R. G. G. Jones, M.B., B.S., D.A., Consultant Anaesthetists to South Manchester Hospital Centre; C. F. Cuniffe, M.B., B.Ch., D.A., Assistant Anaesthetist to Preston and Chorley Hospital Centre; C. St. J. Davies, M.R.C.S., L.R.C.P., D.M.R.D., Assistant Radiologist to Bolton and District Hospital Centre; D. H. Teasdale, M.B., B.S., F.R.C.S., Consultant General Surgeon to Rochdale Hospital Centre; J. F. Donovan, M.R.C.S., L.R.C.P., D.P.M., Consultant Psychiatrist and Deputy Medical Superintendent to Prestwich Hospital, Manchester; R. C. Cunningham, M.B., Ch.B., D.P.H., D.P.M., Consultant Psychiatrist and Medical Superintendent, Royal Albert Hospital, Lancaster; F. M. Benton, M.B., Ch.B., D.M.R.T., Assistant Radiotherapist, Christie Hospital and Holt Radium Institute, Manchester; A. L. Thorburn, M.D., D.P.H., Tuberculosis Physician, Salford and West Manchester Hospital Areas; A. K. Karfoot, M.B., Ch.B., D.A., and R. I. Dixon, M.R.C.S., L.R.C.P., D.A., Consultant Anaesthetists, Barrow and Furness Hospital Centre; J. I. Capper, M.B., Ch.B., Tuberculosis Physician and Medical Officer in Charge of Mass Miniature Radiography Unit based on Preston; H. B. Slater, M.B., Ch.B., Tuberculosis Physician, Oldham and Ashton Hospital Centres.

BIRTHS, MARRIAGES, AND DEATHS

BIRTHS

Benson.—On June 6, 1953, at the Swindon Maternity Hospital, to Joan (formerly Flint), B.D.S., wife of W. G. Benson, M.B., Ch.B., a son.

Carey.—On June 1, 1953, at Burton-on-Trent, Staffs, to Margaret, wife of Dr. A. S. Carey, a sister for Michael—Christine Elizabeth.

Milligan.—On May 28, 1953, at the Ashleigh Private Hospital, Newcastle-upon-Tyne, to Leonore, wife of Councillor Dr. Reid Milligan, a brother for Carole and Judith.

Molloy.—On May 30, 1953, at the University College Hospital, to Audrey Molloy (formerly Mounce), wife of Robert Molloy, M.B., B.S., a daughter—Penelope Anne.

Rickham.—On May 30, 1953, at the Liverpool Maternity Hospital, to Elizabeth (formerly Hartley), wife of P. P. Rickham, M.S., F.R.C.S., a daughter—Susan Diana.

Short.—On May 29, 1953, at the Robroyston Hospital, Glasgow, to Jane, M.D., F.R.F.P.S., wife of Douglas W. Short, F.R.C.S.Ed., of 16, Second Avenue, Millerston, Glasgow, twin sons (one stillborn).

MARRIAGES

Dobson—Dalzell.—On May 30, 1953, at the Parish Church, West Wickham, Kent, Donald Joseph Dobson, M.B., Ch.B., D.C.H., D.Obst.R.C.O.G., of Christchurch, New Zealand, to Ellen Margaret Dalzell, N.Z.R.N., N.Z.R.M.N., of Sefton, New Zealand.

Thomas—Owen.—On June 4, 1953, at Llanbeblig Church, Caernarvon, Robert Garym Thomas, B.M., B.Ch., to Nansi Wyn Owen.

DEATHS

Foulds.—On May 2, 1953, at Cheltenham, Glos, Mathias Frederick Foulds, M.R.C.S., L.R.C.P., Major, R.A.M.C., retired, aged 75.

Greenwood.—On May 2, 1953, at Springfarm House, Redcross, Co. Wicklow, Eire, Henry Walmesley Greenwood, M.R.C.S., L.R.C.P., aged 52.

Gyle.—On May 9, 1953, at Elmbank, Dudhope Street, Dundee, John Burnside Gyle, M.B., Ch.B.

Herdman.—On May 7, 1953, in a nursing-home, Edinburgh, Kenneth Norman Abbott Herdman, M.D., D.A., of 6, Craigmillar Park, Edinburgh.

Hirsch.—On May 5, 1953, at his home, Valentine Robert Hirsch, M.R.C.S., L.R.C.P., aged 61.

Mendez.—On April 27, 1953, at St. Mary's Hospital, London, W., René Leo Mendez, M.B., B.S., of 25a, Cleveland Terrace, London, W.

O'Neill.—On May 6, 1953, Francis O'Neill, L.M.S.S.A., of The Pines, Rhymney, Mon., aged 75.

Reid.—On April 28, 1953, at Arbroath Infirmary, Alexander Reid, M.D., of 40, Addison Place, Arbroath, Angus, formerly of Riverdale, Inverness, aged 80.