

years, before being appointed medical officer of health, school medical officer, and police surgeon. He was a zealous and conscientious medical officer, a man of strong convictions and fearless in expressing them. He is survived by his widow and one son.

Dr. GEORGE EDWARD MILES died at Sydney on June 11th. He was the son of the late G. D. Miles, of Jamaica, and was educated at Guy's Hospital, taking the M.R.C.S. in 1875 and the L.R.C.P. Lond. in 1884. Subsequently he went to Australia, where he filled the posts of medical officer of Callan Park Hospital, Sydney, and Medical Superintendent of the Lunacy Department of New South Wales. He took a temporary commission as lieutenant-colonel in the R.A.M.C. from October 27th, 1915, and served till 1919, receiving the C.B.E. on June 3rd, 1919.

Medico-Legal.

BIRTH CONTROL LIBEL ACTION.

STOPES v. SUTHERLAND AND OTHERS.

THE Court of Appeal on July 20th, 1923, allowed the appeal of Dr. Marie Stopes from the judgement of the Lord Chief Justice on the findings of the special jury in the action brought by her against Dr. Halliday Gibson Sutherland, the author, and Messrs. Harding and More, Ltd., the publishers, of an alleged libel. The trial was reported in our issue of March 10th, 1923, page 445.

The Lord Chief Justice had left four questions to the jury: (1) Were the words defamatory of the plaintiff? (2) Were they true in substance and in fact? (3) Were they fair comment? (4) Damages, if any; and, upon the jury finding that the words were true in fact but that the comment was not fair, assessing damages at £100, the Lord Chief Justice considered the answers of the jury to amount, in law, to a verdict for the defendants.

Lord Justice Banks, in delivering the judgement of the majority, said that the questions left to the jury were not happily framed. Without considerable explanation of what they were intended to cover they were likely to lead—as in fact, they had—to considerable difficulty. There were, no doubt, cases in which the line could be clearly drawn between what were statements of fact and what were expressions of opinion. If there had been no summing up he should have thought that, having regard to counsel's speeches and the form of questions, the jury must have understood that all parties invited them first of all to deal with the libel on the footing that it consisted of statements of fact and to give their opinion whether those statements were true or not, and that they might ignore the remaining questions if they answered this question in the affirmative. But the jury's answers indicated that they did not so understand the position. He was unable to agree with the view taken by the Lord Chief Justice that this was a case in which the rule applied—that the plea of fair comment did not arise if the plea of justification was made good. He thought the Lord Chief Justice invited the jury in his summing up to consider whether the words complained of were statements of fact or expressions of opinion, and therefore the jury were entitled to read the questions as inviting a separate opinion on matters of fact and on expressions of opinion, or partly one and partly the other. As to some of the words, the Lord Chief Justice had clearly intimated his view that they were expressions of opinion. It was impossible to ignore any of the answers of the jury and to deal with the case as the Lord Chief Justice had done by entering judgement for the defendants because the jury had entered a verdict in their favour on what the Lord Chief Justice had described as the main issue. If there was a subordinate issue, and the jury decided in the plaintiff's favour on that issue, she was entitled to the benefit of that decision. In spite of the speeches of counsel, and the challenge taken up by the respondents to treat the issue of justification as a decisive issue, in spite also of the form of questions, Lord Justice Banks considered that the Lord Chief Justice was right in directing the jury as he did as to the separate issues, and that there was evidence on which the jury were entitled, if they thought fit, to treat parts of the libel as expressions of opinion on facts truly stated which were not fair comment, and to which, therefore, a plea of justification of the facts was no answer. The only courses open to the Court were either to order a new trial, or to direct judgement for the appellant on the issue of fair comment. The judgement for the defendants must be set aside and entered for the plaintiff for £100.

Lord Justice Scrutton concurred, but Lord Justice Younger delivered a dissenting judgement. On what he considered to be the narrowest permissible view of the answer of the jury to the second question, the defendants had justified to such an extent as was required and were entitled to hold their judgement.

THE IMPERIAL COLLEGE OF HYGIENE.

IN April, 1922, the Rockefeller Foundation agreed to purchase a site at the corner of Gower Street and Keppel Street, London, from the Shakespeare Memorial Trust for the erection of the Imperial College of Hygiene for £52,000, but in July, 1922, the solicitor for the Ministry of Health, who was acting on behalf of the purchasers, requested the vendor to apply to the Charity Commissioners for their consent to the sale. The vendor, the Earl of Lytton, is the sole surviving trustee of the Shakespeare Memorial

Trust, and, upon an originating summons, he asked the Court for a declaration that he could sell without the consent of the Charity Commissioners.

It was in the autumn of 1904 that the late Mr. Richard Badger and Sir Israel Gollancz formed a committee for the organization of a movement for a Shakespeare memorial in London, and early in 1905 a general committee was constituted. In May, 1906, the National Theatre Committee and the Shakespeare Memorial Committee resolved to unite in forwarding a scheme for a Shakespeare Memorial Theatre. It was estimated that £500,000 would be required, and on May 8th, 1906, the late Sir Carl Meyer, without any stipulations as to the particular objects on which it should be expended, paid £70,000 to trustees, of whom the Earl of Lytton is the sole survivor, to hold in trust for the committee. The first annual subscription to the fund was received nine days after Sir Carl Meyer's donation, and down to the end of 1922 £10,321 16s. 7d. was received by way of subscriptions. Upon the outbreak of war the site was granted rent free to the Y.M.C.A. for the use of soldiers, and after the war it was rented by the Y.M.C.A. for the accommodation of Indian students. The increased cost of building and general scarcity of money since the war caused the Memorial Committee to abandon the theatre scheme, and to empower the sole surviving trustee to enter into an agreement to sell the site to the Rockefeller Foundation.

The questions for the Court to decide were: (1) Was the Shakespeare Memorial Trust a charity? and if so (2) was it a "mixed" charity? in which case the Charity Commissioners' consent to the sale would not be necessary.

Mr. Justice Lawrence has now held that it was a good charitable trust on educational grounds, as the main object was an educational scheme to raise the tone of the drama and produce plays for the benefit of the community. The solution of the second question depended upon whether at the date when the £70,000 was given the charity was maintained partly by voluntary subscriptions and partly by income from endowments. This would make it a "mixed" charity from its inception. The learned judge, however, held that it was not, and that therefore the Charity Commissioners' consent to the sale of the land was necessary. Because a charity shortly after receiving £70,000 became a "mixed" charity, or because the committee had intended all along that it should be supported by voluntary subscriptions, did not exempt it from the jurisdiction of the Charity Commissioners.

Universities and Colleges.

UNIVERSITY OF LONDON.

THE following grants have been made out of the Thomas Smythe Hughes Medical Research Fund for the year 1923-24:

1. To Dr. Evelyn E. Hewer, D.Sc., and Mrs. Lucas Keene, M.B., B.S., jointly, £100 for an investigation of the human foetus, with a view to establishing the normal development of organs, their normal microscopical structure at all ages of development, the scope of "physiological" variations, and the effects of various abnormal factors.
2. To Dr. H. M. Woodcock, D.Sc., £50 for an investigation of blood digestion by tissue cells along histological lines; especially in connexion with the increased development of the mammary gland during pregnancy and the formation of milk.

Mr. Raymond Johnson, O.B.E., F.R.C.S., has been re-elected chairman of the committee of the medical members of the Senate.

The following candidates have been approved at the examinations indicated:

M.D.—BRANCH I (Medicine): A. G. Duncan, E. Ellis, D. M. Lloyd-Jones, Olive Rendell.
BRANCH III (Psychological Medicine): P. C. P. Cloake (University Medal).
BRANCH IV (Midwifery and Diseases of Women): T. G. D. Bonar, Mariamne O. Ramsey, P. J. Yeale (University Medal).
BRANCH V (State Medicine): E. W. C. Thomas.
BRANCH VI (Tropical Medicine): G. Covell.
M.B.—BRANCH I (Surgery): M. W. B. Bulman, Esther Richards.

UNIVERSITY OF EDINBURGH.

Ordinary Degrees.

THE summer degree ceremony in medicine of the University of Edinburgh took place on July 20th, when the Principal, Sir Alfred Ewing, conferred the following degrees and diplomas:

M.D.—A. F. Adamson, R. A. Chambers, J. D. M. Claassens, T. H. Clarke, W. H. Dickinson, J. F. Duncan, I. B. A. G. A. Edeiston, T. H. Fairweather, T. J. Howell, T. H. A. Macmillan, B. Mailer, T. G. I. Moriarty, T. P. Watt, H. W. Wilson.
* Awarded gold medal for thesis. † Highly commended for thesis.
‡ Commended for thesis.

M.B.—CH.B.—J. N. Adam, S. F. Allison, D. G. Anderson, D. T. Anderson, E. W. Anderson, H. P. Anderson, D. Band, J. S. Banks, C. Bateman, Elizabeth A. Baxendine, B. S. Begbie, M. J. Bett, A. Beveridge, Helen Blacklay, Anna L. Blair, C. E. M. Blumer, Harriette G. Bogie, J. P. S. Bow, G. P. F. Bowers, Margaret G. Bowie, E. F. Boyd, W. Boyd, B. D. Bradshaw, D. Brims, N. M'D. Brown, W. N. Brown, W. J. Burns, T. D. Burt, A. J. M. Butter, Eva T. Cairns, Flora H. M. Calder, D. Cameron, J. D. S. Cameron, A. Campbell, L. F. Capell, R. Carmichael, H. Carter, W. H. Carter, Aileen M. Chester, Dorothy A. Christie, A. L. Clark, A. G. Cola, H. H. Condie, J. Cooper, A. Cowan, J. M. Cowan, Margaret A. Craig, J. Crooks, J. F. Cunningham, J. D. Dear, R. Dick, A. Dickson, W. E. Duff, G. A. Dunlop, H. H. Dunlop, C. W. Durward, †Caro ine A. Elliott, Helen B. Ewart, Marjory H. Ewing, W. R. D. Fairbairn, J. S. Faulds, A. W. Fawcett, A. W. Gardiner, Elizabeth M. B. Garrigan, F. W. Gavins, J. Gillies, M. A. Graham-Yooll, R. Grant, †J. Gray, A. M. M. Grierson, D. Grieve, I. M. D. Grieve, B. T. Halliwell, R. W. W. Hardie, G. M'N. Hargreaves, C. H. de la Harpe, J. A. Harris,

Edith N. Hartley, W. M. Hetherington, S. L. Hislop, P. C. C. B. Hook, Doris M. Hopps, G. Horne, Agnes M. M. Hunter, Edith I. M. Irvine-Jones, Agnes L. Jenkins, C. D. Kennedy, A. M. Kerr, H. J. R. Kirkpatrick, P. L. Kock, Ena M'L. Laing, J. Lambert, W. T. Lawson, T. K. Lee, R. Levinson, Nora Lister, Elspeth H. R. Livingstone, W. Love, E. B. Low, Phyllis M. H. Lunn, G. A. Macadie, D. I. Macaulay, A. R. MacCallum, A. R. M'Clure, A. D. Macdonald, J. A. Macdonald, A. M'Dowall, W. S. M'Ewan, R. M. Macfarlane, J. S. MacGill, I. H. Maciver, F. B. MacKenzie, A. MacPherson, J. B. C. Madge, W. F. Mair, D. S. Malone, A. Marly, J. J. B. Martin, G. A. Mason, R. J. Matthews, Margaret G. Maxwell, [†]Alison J. Maxwell-Wood, H. Miller, Ellen A. Morrison, G. H. Morrison, W. Morrison, Janet M. Morton, R. Morton, H. Munro, H. B. Newcombe, Agnes M. Ogilvie, D. C. Osborne, L. C. Palmer-Jones, [†]J. R. K. Paterson, Susanne J. Paterson, Kate Y. Pearson, A. Penman, G. H. Percival, O. O. Popper, F. N. R. Price, Jean R. Purves, A. L. K. Rankin, J. Reid, R. J. Reid, J. S. Riddle, F. L. Riffill, R. P. A. Rigg, Hilda C. Roberts, I. M. Robertson, G. M. Ross, A. A. M. Sandison, P. Schneideman, W. C. S. B. Sewry, D. A. M. Shearer, B. Siddons, W. A. Simpson, J. Sinclair, C. Siung, J. M'F. Smellie, A. B. Smith, A. F. Smith, Dorothy F. Smith, Jean L. Smith, S. M'K. Smith, G. Somerville, R. C. Sreirs, Alice Steven, D. B. Strachan, [†]J. Sturrock, T. J. Sumner, H. W. Sutherland, C. J. Swanson, R. E. M. Taunton, L. M. Thompson, Vera Thompson, Elsie Thomson, F. B. Thomson, G. H. Thomson, K. J. Thomson, M. S. Toukhy, J. Trotter, T. Tully, Anne M. Turnball, D. A. Urquhart, E. R. C. Walker, F. M'D. Walker, E. P. Waters, W. N. B. Watson, G. M. Westwood, [†]A. C. White, I. G. Williams, J. H. Williams, N. B. Williamson, C. R. Wilson, Jeanie Wilson, Mary Wilson, [†]W. M. Wilson, J. F. S. Wiseman, G. K. Wood, E. D. M. Wright, D. H. D. Young, J. B. Young, J. N. Young.

* Passed with first class honours.

† Passed with second class honours.

D.P.H.—Esther J. Campbell, Mary C. Campbell, Grace Cumming, Gladys H. Dodds, T. Ferguson, Elspeth L. Gilmour, Elizabeth R. Kemp, Catherine A. J. Mitchell, Dorothea M. Norwell, Annie C. Roberts, Jessie W. Strang, Isabella Taylor, Annie E. Webster, Doris S. Williams.

Fellowships and Prizes.

The following Fellowships, scholarships, prizes, etc., were presented:

Thesis Gold Medallists: R. Mailer, M.D., H. W. Wilson, M.D. The Cameron Prize in Practical Therapeutics: J. J. R. Macleod, M.B., F.R.S., Professor of Physiology in the University of Toronto, for important contributions to physiology, especially concerning carbohydrate foods in the treatment of diabetes. The Gunning Victoria Jubilee Prize in Materia Medica: J. H. Crawford, M.D. The Gunning Victoria Jubilee Prize in Forensic Medicine: D. J. A. Kerr, M.B., Ch.B. The Gunning Victoria Jubilee Prize in Obstetrics: D. A. Miller, M.B., Ch.B. The Etches Scholarship and Leslie Gold Medal: R. Carmichael, M.B., Ch.B. The Allan Fellowship in Clinical Medicine and Clinical Surgery: J. Gray, M.B., Ch.B. The Murchison Memorial Scholarship in Clinical Medicine: J. G.ay, M.B., Ch.B. The McCosh Graduate's and Medical Bursaries: W. N. B. Watson, M.B., Ch.B. The Beaney Prize in Anatomy and Surgery: Caroline A. Elliott, M.B., Ch.B. The Mount Scholarship in the Practice of Physic: J. L. N. Dinwiddie, M.A., M.B., Ch.B. The Conan Doyle Prize: G. G. King, M.A., Oxon., M.B., Ch.B. The Annandale Gold Medal in Clinical Surgery: J. M. Cowan, M.B., Ch.B. The Buchanan Scholarship in Gynaecology: I. M. Robertson, M.B., Ch.B. The James Scott Scholarship in Midwifery: F. B. Thomson, M.B., Ch.B. The Scottish Association for Medical Education of Women Prize: Caroline A. Elliott, M.B., Ch.B. The Dorothy Gilfillan Memorial Prize: Harriette G. Bogle, M.B., Ch.B. The Wellcome Medals in the History of Medicine; Gold Medal, J. Aitken; Silver Medal, D. G. S. M'Lauchlan. The Wightman Prize in Clinical Medicine: W. J. A. Coldstream. The Cunningham Memorial Medal and Prize in Anatomy: G. Brown. The Whiteside Bruce Bursary: I. G. W. Hill.

Honorary Degrees.

The Senatus Academicus resolved to offer the honorary degree of LL.D. to the following members of the eleventh International Physiological Congress now being held in Edinburgh: Filippo Bottazzi, Professor of Physiology, University of Naples; Willem Einthoven, Professor of Physiology, University of Leiden; William Henry Howell, Professor of Hygiene, University of Baltimore; J. E. Johansson, Professor of Physiology, Caroline Institute, Stockholm; Albrecht Kossel, Professor of Physiology, University of Heidelberg; Hans Horst Meyer, Professor of Pharmacology, University of Vienna; Ivan P. Pavlov, Professor of Physiology, University of Petrograd; Charles Richet, Professor of Physiology, Sorbonne, Paris.

ROYAL COLLEGE OF PHYSICIANS, EDINBURGH.

THE Dr. Jessie Macgregor Prize in Medical Science for the present triennial period has been awarded by the trustees to Miss May Laurie Walker, M.B., Ch.B. Edin., of the Department of Physiology in the University of Edinburgh, for her record of work on the anatomy and physiology of the depressor nerve. The value of the prize is 50 guineas.

SOCIETY OF APOTHECARIES OF LONDON.

THE diploma of the Society was granted to the following candidates entitling them to practise medicine, surgery, and midwifery: W. E. Farnham, A. Gullertstein, N. Howard, C. M. John, E. F. Johnson, I. Lipman.

The Services.

TERRITORIAL DECORATION.

THE Territorial Decoration has been conferred upon the following officers of the R.A.M.C., T.A.: Lieut.-Colonel (Brevet Colonel) A. B. Gemmel, C.B.E., ret. (General Hospital); Major A. B. Murray; Major H. M. Fort, and Captain E. P. Minett, ret.

Medical News.

THE University of St. Andrews will celebrate the installation of Mr. Rudyard Kipling as Rector by conferring the honorary degree of LL.D. upon a number of distinguished persons, including Sir John Bland-Sutton, President of the Royal College of Surgeons of England, the Prime Minister, and Mr. Kipling himself.

THE Council on Medical Education and Hospitals of the American Medical Association reports that the number of medical schools in the United States is now 81, a decrease of two from last year due to the closing of two homoeopathic medical schools. The number of medical schools at the present time is exactly half the number that existed in 1906, when there were 162. The number of medical students during the present year is estimated to reach a total of 17,700, the largest number enrolled since 1912. In 1919 the total was 13,052, which was the lowest number recorded since 1890, but of this number approximately 90 per cent. possessed higher educational qualifications as compared with only 6.2 per cent. in 1904. The average age of the medical students who graduated in 1922 was 26.8 years.

THE trustees of the fellowships founded as a memorial to the late Sir William Ramsay, F.R.S., Professor of Chemistry at University College, have made their awards for 1923-24. Since the institution of the trust in 1919 twenty-one fellows have been appointed and nine others have so far been nominated this year. Among the appointments is that of a Norwegian fellowship of 5,400 kroner to Mr. Gunnar Weidmann, to work at Cambridge under Professor Gowland Hopkins. Information received with regard to the present position of earlier fellows shows that most of them are now occupying important posts.

THE Minister of Health has drafted Regulations as to the labelling and composition of dried milk on the lines of the Regulations recently made with regard to condensed milk. Copies can be purchased under the description "Draft of the Public Health (Dried Milk) Regulations, 1923," from H.M. Stationery Office, or through any bookseller (price 2d.). Any representations on the subject should be addressed to the Secretary to the Ministry at an early date. The Regulations are intended to come into operation on January 1st, 1924, and will apply to all dried milk intended for sale for human consumption in England and Wales.

DR. W. CAMPBELL LYONS, who recently resigned the post of medical officer of health to the South Shields Town Council to take up private practice, has been presented by the members of the departmental staff with a handsome mahogany bureau.

PROFESSOR ROGER has been re-elected Dean of the Paris Faculty of Medicine. Professor Pierre Marie will resign his chair in the Faculty on August 1st.

A GIFT of 150,000 dollars by Mr. John D. Rockefeller, jun., is to be distributed among fifteen hospitals in the United States and Canada for the purpose of promoting the use of insulin in the treatment of diabetes. The hospitals will be selected from all parts of the countries.

THE second International Congress of Military Medicine and Pharmacy was recently held in Rome, when the following subjects were discussed: (1) carrying out of evacuations; (2) collaboration of civil and military authorities for the protection of public health; (3) methods of disinfection and disinfection.

AN All-Russian Congress for combating venereal disease was held at Moscow from June 6th to 9th. The fourteenth Congress of Roentgenologists was recently held at Moscow, under the presidency of Professor Nemenow, Director of the State Institute of Roentgenology, and was attended by representatives from America, Bulgaria, China, Czechoslovakia, Holland, Hungary, Italy, Japan, Jugo-Slavia, Norway, Rumania, Spain, Switzerland, and Turkey.

SIR HUMPHRY ROLLESTON, K.C.B., President of the Royal College of Physicians, has accepted an invitation to join the honorary medical board of Lord Mayor Treloar Crippes' Hospital and College.

THE William Gibson Research Scholarship of the Royal Society of Medicine has been awarded to Miss M. Forrester-Brown, M.D. Lond., of Dundee.

THE seventeenth French Congress of Medicine will be held at Bordeaux from September 27th to 29th. The subjects for discussion include: (1) Remote sequelae of malaria, by Professor Le Dantec, Dr. Hesnard, Dr. Marcel Léger, and Dr. Broden, of Brussels; (2) relationship of the sympathetic system and the endocrine glands in pathology, by Professor Pachon and Dr. Perrin; (3) treatment of meningococcal infections, by Professor Dopter and Dr. Boidin.