

## SEPARATION OF A MOTHER FROM HER CHILDREN IN WORKHOUSES.

## IMPORTANT DECISION.

THE QUEEN *v.* THE INHABITANTS OF BIRMINGHAM. —This was an appeal against a Justice's order for the removal from Ashton to Birmingham of two poor children, Harriet and Ann Atkinson, the former under seven, and the latter four years old. The practice observed with respect to passing paupers to the place where they are entitled, by reason of having what is technically termed gained a settlement, to receive relief, is for the overseer of the parish to which they apply, if it is not their own parish, to obtain the order of two magistrates for their removal to the place of their last legal settlement. In the present case the father of these children, whose settlement was in Birmingham, had died, and their mother had married again to a person who was settled in Ashton, in which latter parish all the parties had become chargeable, that is, had applied for and received temporary relief. The children were then, by a magistrate's order, in the manner above-mentioned, which is usually granted far too much as a matter of course, separated from their mother, as was stated, by her consent, and removed to Birmingham, to which parish it was admitted they belonged; and the question now raised was, whether this unnatural removal was not an unlawful one.

We give the remarks of the judges, as they are strangely in opposition to the practice actually adopted in all the "well-regulated" workhouses in the kingdom, where it is the constant practice to separate the mother from the infants.

Lord Denman: There are some cases in which it is necessary to break in upon an Act of Parliament, and upon that which may have existed from all time. It is the mother who is the proper party to have the custody of all her children under seven years of age; and that is not for the benefit of the mother, but for the protection of the children. I think we ought to crush the first attempt to depart from that principle, and it is of the highest importance that it should be considered the undoubted law of the land.

Mr. Justice Coleridge said that the consent relied upon in behalf of the removal was that of a married woman, whose consent to dispose of property would not be of one farthing's value, and yet it was to be considered good for the removal of her young children.

Nothing could be so shocking as for a child of a week old (for that was within the principle) to be removed to a distant part of the country because the mother gave her consent.

Mr. Justice Williams and Mr. Justice Wightman both said the rule was for the protection of the child, and was inflexible.

Rule absolute for quashing the order.—*Worcester Journal*, Nov. 23, 1843.

## MEDICAL ELECTIONS.

Mr. Benjamin Phillips has been elected assistant-surgeon to the Westminster Hospital. Dr. Seth Thompson has been elected physician to the Middlesex Hospital.

## ELECTION AT ST. GEORGE'S HOSPITAL.

TO THE EDITORS OF THE PROVINCIAL MEDICAL JOURNAL.

GENTLEMEN,—Your Journal of the 23rd, which has this day reached me, contains an account of the late election at St. George's Hospital, which states that I "was supported by all Sir Benjamin Brodie's influence."

I beg you will admit in your next Number my denial of that assertion.

*I was not supported directly or indirectly by Sir Benjamin Brodie, who neither voted nor took any part whatever in the election.*

I am, Gentlemen,  
Your obedient servant,  
CHARLES HAWKINS.

The Court Yard, Albany,  
Dec. 28, 1843.

## ROYAL COLLEGE OF SURGEONS OF ENGLAND.

*Members admitted Friday, December 22, 1843.*

J. Burt, P. T. Gunning, W. A. Anderson, R. K. Dunn, A. Wade, N. Ward, M. Anthony, N. S. Smith, M. Balfe, J. Horton, V. Edwards, T. Fleming, J. S. Knight, E. M. Foster, S. H. Swayne, C. H. Fasson, E. P. Phillips, D. Evans, G. Cleveland.

## BOOKS RECEIVED.

The Sixty-eighth Report of the Visiting Justices of the County Lunatic Asylum at Hanwell; including the Fifth Report of the Resident Physician, Dr. Conolly. London: 1843.

The London Physiological Journal, Nos. 2 and 3, for November and December, 1843.—[This cheap and excellent periodical contains some original communications of interest, and a fair resumé of recent microscopical researches.]

Observations on the Arrangement of the Fibres in the Optic Nerve of the Loligo and other Animals. By John H. Power, M.D. Dublin: 1843. pp. 18.

Natural History, Pathology, and Treatment of the Epidemic Fever at present prevailing in Edinburgh other Towns. Illustrated by Cases and Dissections. By John Rose Cormack, M.D.

## TO CORRESPONDENTS.

*Subscribers to this Journal are recommended to ORDER FROM THEIR BOOKSELLERS, without delay, any Numbers required to complete sets, as the first 79 are quite out of print, and but few copies remain of many of the later Numbers.*

Mr. Morris's paper shall appear next week.

Private answers will be sent to several correspondents in the course of a few days.

*Medicus*.—We will speak on this subject next week.

\*.\* Communications, journals, and books for review, to be forwarded (carriage paid) to the Publisher, 356, Strand, London. Letters connected with the Provincial Association, to Dr. Streeten, Worcester.