

through his neglect, the consequences of which Mr. Brown would if possible repair. Dr. Stewart also declares that both Lord and Lady — understood the words in that or an equivalent sense.

In a correspondence which ensued between Lord —, Dr. Stewart, and Mr. Brown, the accuracy of these words or expressions was denied by Lord —, and not admitted by Mr. Brown; and, at the close of the correspondence, Dr. Stewart insists very strongly on the unjust and injurious treatment he himself had experienced, in having been virtually charged by Lord — and Mr. Brown with falsehood, calumny, and ungentlemanlike conduct.

The question, then, is divided into two parts. 1. Whether Mr. Brown's professional conduct when attending Lord —'s child justified Dr. Stewart in giving such a report of it to others as to induce them to decline meeting Mr. Brown in consultation; and 2. Whether Dr. Stewart can be fairly charged with falsehood, calumny, and ungentlemanlike conduct.

Our opinion, however, is more easily formed by considering the two questions together, as they so entirely relate to the same circumstances.

In respect to Dr. Stewart's veracity, we do not for a moment question it. The exact words used on the night of the 27th of April were more likely to have been accurately remembered by him a few days afterwards, than by either Lord — or Mr. Brown six or seven months afterwards; and, in a letter written by Lady — on the 3rd of May, only six days afterwards, she quotes Mr. Brown's remarks in terms which fully confirm Dr. Stewart's version of the words, "that, unless immediate measures were taken, he (Mr. Brown) did not think she had twelve hours to live". It is to our view evident, then, that words were used to that effect.

Dr. Stewart states that he makes no complaint of Mr. Brown having deprived him of the confidence of Lord and Lady —, for he considers the very fact of their sending for Mr. Brown at all proved that that confidence had already gone; nor does he complain of Mr. Brown depriving him of the patient, as he himself insisted on giving up the patient, and being relieved from all further responsibility; but he complains that the phrase in question indicated that the child had been brought to such a state of imminent peril by his previous neglect or wrong treatment.

To come to the facts, as related by Dr. Stewart himself. After seeing the patient, Dr. Stewart and Mr. Brown retired to another room to talk over the case. Mr. Brown's first words were, "That child will kick"; showing at once that, whether right or wrong, he considered the child in imminent danger. Dr. Stewart replied, that though the case, of course, was serious, he did not think it so bad as that. That Dr. Stewart must have thought the case very serious was evident from his having ordered half a glass of wine every hour, and having prepared Lady — to expect that it was likely that it might be necessary to administer nourishment by the means of enemata, implying that the child might be unable to swallow. Mr. Brown, having his own notions of the best treatment of scarlatina, as published by him several years before, of course proposed his own treatment to be followed, having equally, of course, the most confidence in it. Dr. Stewart also had his own notions, the result of his own extensive experience, and had up to that time carried them out as far as he was concerned, though it appears they had not been sufficiently carried out during his absence. Dr. Stewart, however, did not object to the change of treatment; but he declined to have any further responsibility, on account of his feeling that the very fact of Mr. Brown having been summoned proved that the parents had not sufficient confidence in him.

We are not called upon to give any opinion as to which treatment was the best; both might have been equally good. But it is evident by what conversation took place when the two gentlemen were alone, that Mr. Brown *bona fide* thought the child in much greater danger than Dr. Stewart did, and proposed his own peculiar plans as those in which alone he had any hopes of the child's recovery.

If Dr. Stewart objected to the plans, the time for stating his objections would have been when he and Mr. Brown were alone together.

On returning to the room where Lord and Lady — were, it would appear that Mr. Brown announced his own impressions strongly, as a reason for the treatment he wished at once to adopt. We must assume that though, after an interval of seven months, Lord — and Mr. Brown may have forgotten the exact words, yet words to that effect were really used. But we cannot see that such a phrase, even the identical words stated by Dr. Stewart, necessarily implied that Dr. Stewart had previously neglected the child, or treated her incorrectly. We see no reason to believe that Mr. Brown meant to imply either the one or the other.

Dr. Stewart describes the overwhelming astonishment and dismay which the announcement of Mr. Brown produced in the parents; and explains that the reason why he did not at once protest against Mr. Brown's unfavourable prognosis was "out of regard to the feelings of Lord and Lady —". It may be inquired whether it would not have been more comforting and cheering to the afflicted parents, if Dr. Stewart had at once stated that he had a more favourable view of the case, and that he had already told Mr. Brown so in the next room.

We acquit Mr. Brown of an idea of blaming Dr. Stewart's previous treatment by the expressions he used, even if we should admit that such expressions were indiscreet.* If there were any neglect, it

was on the part of the parents in not having carried out Dr. Stewart's directions. Whether Mr. Brown was right or wrong in the view he took, we must presume that he acted *bona fide*, because he had stated the same view in a very colloquial phrase in the next room. We acquit Dr. Stewart of any want of strict veracity. Any difference of statements on other matters may fairly have arisen without any want of truth on either side; for how few persons describe the same event or the same conversation in the same aspect.

We think that it is incumbent on Mr. Brown to write an assurance that he disclaims any impeachment of Dr. Stewart's veracity.

We also are of opinion that Dr. Stewart is bound to assure any of his friends or colleagues to whom he has made any representations on the subject, that we, the referees, think that he has no sufficient reason to accuse Mr. Brown of unprofessional conduct; and that he has no right, after the event, to comment injuriously upon any behaviour which he allowed to pass at the time without objection.

We are decidedly of opinion, that it will be far wiser and better that nothing connected with this unhappy misunderstanding should be made public by forwarding any notice of it to any of the journals. At present the knowledge of it is limited to a very small circle, and it should not proceed further.

CHARLES LOCOCK.
JAMES RISDON BENNETT.

London, April 30th, 1862.

COMMUNICATIONS have been received from:— Dr. RISDON BENNETT; Dr. E. SMITH; Mr. G. F. HELM; Dr. C. HANDFIELD JONES; Dr. W. A. F. BROWNE; Dr. W. K. HILL; Dr. GRAILY HEWITT; Dr. J. G. SWAYNE; Dr. ROUTH; Dr. LATHAM; THE REGISTRAR OF THE MEDICAL COUNCIL; Mr. T. M. STONE; and A COUNTRY FELLOW.

BOOKS RECEIVED.

1. Pathological and Practical Observations on Diseases of the Abdomen. By S. O. HABERSHON, M.D. Second edition. London: 1862.
2. Hemorrhoids and Prolapsus of the Rectum. By Henry Smith, F.R.C.S. Third edition. London: 1862.

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Vide "Medical Times and Gazette," December 14, 1861;
"British Medical Journal," February 22, 1862;
"Dublin Medical Press," January 29, 1862.

* It may probably seem to most persons superfluous to say that by this paragraph we intend decidedly to imply that in our opinion the expressions used by Mr. Brown were indiscreet. The passage, however, has been criticised as equivocal.