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Communications collected on all Medical and Scientific subjects, and also Reports of Cases occurring in practice. Advertisements inserted on the most liberal terms. All Letters and Communications to be addressed to the "Editor Canada Lancet," Toronto.

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THE PENGEE CASE.

This case which has lately been a subject of such great interest to the Medical Profession in England, and which has just been terminated by the Home Secretary granting a free pardon to one of the convicts, and commuting the sentence of the others to imprisonment for life, has, we think several important lessons for us in Canada which should not be overlooked. The decision arrived at by Mr. Cross implies no doubt of the guilty intention of the prisoners, but is a result of a memorial signed by seven hundred and thirty-three medical men expressing their opinion that the post mortem appearances of the body of Harriet Staunton were not such as to justify the conclusion that death was caused by "starvation, or any other form of murder."

We do not propose to go into the case itself, with which our readers are no doubt familiar, but to call attention to those points which affect us as medical witnesses in a Court of Justice, and as pathologists. The first point that concerns us, is the increased difficulty there will be hereafter in proving death by starvation. This case, remarkable for the utter failure of the medical evidence to prove what was required from it, will be a standard one to the counsel for the defence in all future charges of a similar character. The medical witness in such a case in future, will not have to rest satisfied with proving that the results of insufficient supply of nutriment to the body were present; he will also be required to be in a position to affirm that these results were not consequent on inability on the part of the deceased to assimilate food, if it had been supplied. In other words, he will be required to prove that both the will to take food, and the power to digest it were present, and the

absence of any disease that would neutralize the benefit of food taken and digested, before he can say that the patient died from being deprived of it. And in giving such evidence, he must be uninfluenced by anything beyond what can be deduced from a careful and thorough examination of the patient during life and after death. We are all conscious of how ready we are to be influenced by the surroundings of a case in forming an opinion; of how ready we are to jump to a conclusion as soon as we have observed one fact on which to found it, and to cease looking further. This tendency has been painfully exhibited in the unfortunate case to which we refer, and we also see how easily it may lead to a failure of justice.

The second point about which we wish to say a few words, is regarding the care required in making post mortems, and the competency of those making them. One unfortunate result of the limited opportunities for anatomical research in this country is, that it is almost impossible for the student to become sufficiently familiar with the appearances of diseased tissues to be able to recognize them as he ought. After entering into practice, his opportunities in the majority of cases of seeing or making post mortems, are practically nil; and a great part of what he had learned, is forgotten, when perhaps some case occurs suddenly requiring large anatomical and pathological experience to enable him to give a correct opinion, the lack of which may lead to the escape of the guilty or the conviction of the innocent. This deficiency is felt in England where the opportunities for pathological research are far in advance of those here. The evil consequently exists to a still greater extent among ourselves, and leads to a great deal of that difference of opinion which is the reproach of the medical profession.

Want of care in making the post mortem sometimes occurs, and though it is to be hoped this is rare, yet cases within our own knowledge have shown that it does take place. One instance of this happened not many years ago, in a case in which a man was tried and convicted of poisoning his wife. The medical man who made the post mortem neglected to tie the stomach before removing it, and so allowed the contents to escape into the abdominal cavity from which he removed them by scooping up what he could with his hands. The jar containing the viscera also remained unsealed for several days before it reached the

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