

or more in attendance upon the sick. That the said Association was not established for the purpose of gain, but for the purposes of the improvement of the profession of Nurses, and of the promotion of their efficiency and usefulness, and of assisting them by various benevolent schemes." The benevolent schemes were, as I said, to help, out of the funds, those who fell sick, or were unfortunate in the exercise of their profession.

Mr. MUIR MACKENZIE: That has nothing to do with the government.

Mr. SCARLETT: Then, afterwards, we get expressed what the objects were; so that this is, in no sense, a philanthropic Association, but it is, or should be, a self-governing Association of ladies connected with the profession of Nursing. Now my friend says, "Oh, yes, but Sir James Crichton-Browne gave, and gives, up all his time, and takes the affairs of the Association in his hands."

Mr. MUIR MACKENZIE: I did not say so; I said the reverse.

Mr. SCARLETT: That is precisely what the Nurses complain of. They desire to govern themselves, and instead of allowing them to do that, Sir James Crichton-Browne, and a few others who choose to associate themselves with him, come forward and govern this Society—and misgovern it. That is the sole thing at the bottom of it; instead of allowing these ladies to control their own affairs and govern themselves as they very well could, Sir James Crichton-Browne and one or two others come forward and, taking advantage of the bye-laws, as I pointed out to you in the course of the case, say, "No, you, the Matrons, must go off the Council; you are not to govern at all." Then they take the government into their own hands; and a pretty mess they have got into, through it! Now, gentlemen, as I said, it is not the first and only instance of partiality on the part of Sir James Crichton-Browne that we have drawn attention to on this 22nd of July. This is a thing which had been going on for some length of time. The evidence was from various gentlemen who came to give you evidence. It was no pleasant position for them. They were men associated with the medical profession. My friend claimed that the whole profession was behind Sir James Crichton-Browne's back. It is not so. I called one or two medical men, perfectly independent, who were on the Council and retired and washed their hands of it, and would have nothing more to do with it. They said they had noticed from time to time there was partiality in the government so far as Sir James Crichton-Browne was concerned. You know what partiality is. If you have to be before a tribunal of any sort or kind, you know whether the presiding officer is partial or not; not by his words exactly, not by any act on which you can lay your finger and say, "You are partial in this, that, or the other." Sometimes you can get that; but there is the hearing, the leaning, the sway, the whole matter conducted in one way or the other. You know how it arises, and how you can see it. You cannot lay your finger on it and say "There it is." It is an intangible thing, so far as that is concerned, in a presiding officer. But a man, with his senses about him, if he is present in the room, knows whether there is partiality or not. But two or three gentlemen came before you, and told you their firm and honest impression was that there was partiality, and had been throughout partiality in the way in which this gentleman had conducted the affairs of the Institution. I will pass by all previous

matters of partiality and so forth—the particular instances which have been touched upon. You will not forget them when you consider the evidence.

Mr. MUIR MACKENZIE: There is no evidence of them.

Mr. SCARLETT: We will not enter into an argument between ourselves at this time of the day. You know what the evidence has been, at any rate, and you have paid great attention to the case, and have it in your mind; but, at last, the matter came to this, that Miss Breay felt that the time had come for some solid protest to be made against the proceedings of Sir James Crichton-Browne. She called a meeting at her own house, and a resolution was signed, not by herself alone, but by 36 Matrons—Matrons of leading Hospitals who had been shut out of this Institution; and they protested, in these terms, against what had been done. They wanted the Corporation to express "its strong disapproval of the methods of management pursued by the present Executive Committee, especially concerning the manner in which the pledges given by the Association have been broken; in which the expenditure of the Association has been allowed so greatly to exceed its reliable income; in which the provisions of the charter and bye-laws have been violated; and in which a member of the Association has been compelled to appeal to the Court of Chancery," and so forth. So that you see that there was an accrual of grievances so far as they were concerned, and they sent in that resolution. Directly they sent it in, what happened? There we see Mr. Fardon who, unfortunately, seems to be away. It is most unfortunate. One gentleman came all the way from Scotland—so we hear—to preside at a General Meeting; and I wonder—Mr. Fardon knowing that this action has been going on, or at least threatened ever since last July—it was not arranged that he should be here in October to give an account of it; for, directly we sent in our resolution, we got back an answer which was inspired by Mr. Fardon. That we know now from Miss Guiseppi. I should have liked to ask Mr. Fardon many questions, if I could have had him here in court. The letter says, "I am directed to inform you that, in accordance with the bye-laws governing the Annual and Special General Meetings of the Association, no motion can be proposed or adopted, of which the full text has not been sent by registered letter," and so forth. When we got that, we sent it back in the registered letter, or the letter which you know. It was put in the form of a resolution. It was put into that envelope. Time was pressing, because we had to keep within the twenty-one days' regulation in the bye-law. We took it to Vere Street, so that it might be sent by express delivery, instead of through the Post Office. We registered it; and got a receipt for the registration. At that time there could be no doubt it was a registered letter. It is sent to the office. Miss Guiseppi signed a receipt. She says she did. She must have known it was a receipt for a registered letter. It is only a mode of delivery, and nothing else. This letter went express instead of in the ordinary mode of post. She says she read the receipt, and she is a woman of business. Do you think for a moment she ever doubted that she signed a receipt for a registered letter? Her own action shows it. When we first sent it informally, she wrote back and said she was directed to call our attention to the informality. The next time, we sent it by this letter, and there was not an objection of any sort or kind—not a word drawing our attention to the

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