

registered letter or not. That point had gone by. The object of the registration was to get the matter upon the agenda; it had gone upon the agenda, it was there, everything was in form; and if Sir James Crichton-Browne had not had in his mind that he desired to stifle the discussion, which was a very unpleasant discussion on the management of the affairs of this Association, he would have let the matter go forward, because he could have had no honest doubt in his mind that the letter was a registered letter, and had got on the agenda in perfectly proper form. Then they say that, when they were appealed to, they said: "We will give you a new Special Meeting." That is very curious. In the first place I cannot understand how the solicitors had any power to offer a Special Meeting when we wrote to Sir James Crichton-Browne about his conduct; but the solicitors write back and say they could arrange for a new Special Meeting. It looks very much as if all the power of the Association was in Sir James Crichton-Browne's hands. My friend shakes his head.

Mr. MUIR MACKENZIE: I did not shake my head, I assure you.

Mr. SCARLETT: I beg your pardon.

Mr. MUIR MACKENZIE: I assure you I have been listening with rapt admiration!

Mr. SCARLETT: Then you ought to shake it the other way! But the fact remained that when we wrote this letter to Sir James Crichton-Browne the reply came from the solicitors, who said no doubt they could arrange for a General Special Meeting to be held. Gentlemen, as I pointed out, that was useless. As I said, the thing was to come before the Annual General Meeting, and people will come to an Annual General Meeting to conduct the general business there; there they are, and they will consider matters of this sort; but they will not come up for this matter alone, because they are all over the country. Therefore the meeting was not any use to us. Then, as I pointed out, we had not much confidence in the providing of a Special Meeting. My friend said Her Royal Highness might have called one, or somebody else, but the thing is they will not call one. Here was in 1895 a resolution sent in by more than the proper number of people, asking them to call a Special Meeting, and they would not; and now Sir James Crichton-Browne says: "We brought that matter into consideration eighteen months ago, but we have only just begun to sit."

Mr. MUIR MACKENZIE: He did not say that.

Mr. SCARLETT: Something like it. You know what the evidence was. If they did that in the one case what is the use of calling a special meeting. The matter is one of the very gravest importance, so far as Miss Breay is concerned, because she is representing not only her own, but other and very important interests in the Association. There are at least thirty-six ladies who signed this protest, Matrons in Hospitals in the Metropolis and round, Matrons holding important positions. They feel they have a right to protest, and something to protest against. People do not keep on protesting unless they are being ill-used—you know that, as men of the world. When people in the position of Miss Breay (because she was not an unreasonable woman—you saw her) when she and thirty-six other ladies of good position, Matrons of Hospitals and so forth, meet and sign a protest protesting against the way in which this Association is governed, you may be very sure indeed,

gentlemen, that there is good and solid ground for their action before they sign any protest of this sort. Why should Nurses wish to quarrel with men at the head of the profession like Sir James Crichton-Browne? Their interest is the reverse. But when they find that in effect they are oppressed, that their Association is taken out of their hands, and they are governed—or mis-governed—by people who have no right to govern in their Association, and that the government of the affair is taken out of their hands altogether, that they meet and protest, and they wish to pass resolutions, and that they are driven to, and eventually bring, actions, you may be perfectly sure these people have some very solid wrong to complain of before they take steps of this nature. Gentlemen; this lady felt at last that there was no other way to redress the wrongs from which these ladies suffer in this Association than by bringing the matter before this Court and asking your verdict on it. My friend says we have come here to ventilate a grievance. Is it true, is it consistent with what I have said in this Court? Before an unpleasant word was uttered of any sort or kind, before feelings were wounded or pride hurt in any way whatever, I said, "Is there no way of referring a dispute of this sort to some perfectly impartial and independent person to say what is right and proper to be done between these parties." I should have thought there was. They cannot deny that there are grievances, and they were wrong. My friend says "They have grievances, and they come here to air them." They *have* grievances, and they *do* come here to air them. If we have grievances why should not they meet us and give us what is right and proper. We do not want to dictate what it is. I said, "Let us refer to some independent person." "No"—there was a shake of the head—"You must go on."

Mr. MUIR MACKENZIE: I must again repudiate the shake of the head. I said I have no power.

Mr. SCARLETT: No power to shake your head!

Mr. MUIR MACKENZIE: No power to make any such offer.

Mr. SCARLETT: They had power.

Mr. MUIR MACKENZIE: I do not know who you mean by "they." I am appearing for Sir James Crichton-Browne.

Mr. SCARLETT: But you are appearing instructed by solicitors, I presume.

Mr. MUIR MACKENZIE: Yes.

Mr. SCARLETT: I mean by "they" the solicitors. They had power to offer us a special meeting, but they had no power to let this matter go to arbitration, so that the difficulties might be settled. Gentlemen, I sum up the whole case in this way. The lady is one of a body of Matrons, who for a long time—and, perhaps, at the hands of Mr. Fardon and one or two others who are acting with him—has suffered. Sir James Crichton-Browne was not acting impartially; he was acting from an indirect motive, which in law is malice (and I ask you to say so), in rejecting this resolution, and not allowing it to be put to the meeting. Having done so, I ask you to find that as a fact! Then so far as the damages are concerned, a man in law if he has a right infringed has a right to damage. I do not care what it is; Miss Breay does not come here to put money into her pocket. *I ask you to find that Sir James Crichton-Browne, on the 22nd of July, was influenced by an indirect motive, therefore a malicious and partial motive, in refusing to put this resolution to the meeting as it was his duty to do.*

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