

reply came, it is true, from gentlemen who had acted at one time—not generally—as solicitors of the Association, and our letter was to Sir James Crichton-Browne personally. They had, of course, no power to offer to hold the meeting. I do not know what part they had in the Association, that, when we write a letter to Sir James Crichton-Browne, they at once say that they have the Association at their back, and they will probably convene a new meeting. “We have no doubt we can arrange for a Special General Meeting to be called.”

Mr. MUIR MACKENZIE: Sir James Crichton-Browne is Vice-President. To arrange to have a meeting called would be simply to acquaint the President.

Mr. SCARLETT: When we wanted our bye-laws amended they shelved the question, and would not call a meeting or take any step at all. So that on our first attempt to call a Special Meeting to have the Matrons put permanently on the Association, although pending for two years, they have not moved at all; and so, seeing the treatment we had received for our first request, we were not filled with too much confidence that a meeting would be called on the second occasion. But there was the question of expense; and this lady felt that to call a Special Meeting would cost at least £25, and the condition of the Association was such that the funds had been dissipated; there was nothing to answer the objects of Nurses paying their subscriptions to the Association; the funds were gone, and the Association I think, according to the returns, is several hundred pounds in debt. That being the condition of things; all the benevolent funds gone, the matter having been as it was, mismanaged, and taken into the hands of a few medical men, it was not likely they would care to have money spent in calling a General Meeting. Apart from that it would not do much good to call a Special Meeting. There are 3,000 members spread all over the country; and, I think, in some parts of the colonies and the continent. They have to send out notices to people to attend the meeting. When they come to the Annual Meeting there is a good deal of business to be done; and then our resolution would have been one item to be discussed at the Annual Meeting; but if this matter alone was to be discussed, it is unlikely that people outside, however deep an interest they took in the matter, would come up; and, therefore, when we got to the Great Hall of St. Bartholomew's Hospital, all we should meet there probably would be the great medical men, the Governing Body, and Sir James Crichton-Browne. Therefore, the offer of a General Meeting to submit the resolution to Sir James Crichton-Browne and his co-workers would be a mere farce, and we did not accept it. Therefore we have been compelled to come to this court, not to put money into the pocket of this lady, but to get from you an expression of opinion after hearing all the facts, that Sir James Crichton-Browne has not, I am sorry to have to say it, acted impartially and fairly, as he should do, in putting the resolution to the meeting. It is part of his general conduct, I am instructed, so far as his management of the thing is concerned. I hoped, as I said, that we might be spared going further, and that this might be referred to some independent person to say what was fair to be done—(of course, there is something fair to be done)—between Sir James Crichton-Browne and the Nurses. On the one hand, Sir James Crichton-Browne and a few leading men want to control the whole affair, and do so at this moment. The Matrons

say: “It is our Association, we ought to have a fair hearing and take a fair part,” but they are shut out. There ought to be somebody to decide between them as to whether that is right or not; but that suggestion meets with no response.

Mr. MUIR MACKENZIE: I am not empowered to respond to it.

Mr. SCARLETT: It is funny if your solicitors have the power to offer, on behalf of the Association, to call a Special Meeting, that they have no power, sitting behind you to-day, to say they will fall into a suggestion of this sort. It is strange, that is all. They had the power to write the letter and say they would convene a Special Meeting.

Mr. MUIR MACKENZIE: They said it might be arranged.

Mr. SCARLETT: Well, arranged, but they have not the power to-day to say to my client, “You offer us the olive branch. No doubt somebody can be found to judge fairly.” They do not accept the situation. I am bound, therefore, to say—according to my evidence, I feel I can prove the allegations of fact alleged in my particulars—that this gentleman maliciously and partially conducted the affairs of the Association, and as the result, shut out the resolution of this lady on this day; there has been a technical damage to her, for which she is entitled to some redress at your hands.

EVIDENCE FOR THE PLAINTIFF.

MISS MARGARET BREAY, sworn, and examined by Mr. SCARLETT, stated that she lived at Inglewood, Fleet, in Hampshire, was Matron of the English Hospital at Zanzibar; in 1888, soon after the formation of the Association, joined it as a member when it was a voluntary Association, before a Charter was granted to it, when it was a self-governing Association governed by the Matrons, Nurses, and a small body of medical men; that in 1893 a charter was granted to the Association, and she being at that time acting Matron of the Metropolitan Hospital was one of the ladies named in the incorporation clause of the charter, Sir James Crichton-Browne also being named in the same clause. The members of the Association have to pay a subscription of 5s. a year, or a life subscription of two guineas. The objects of the Association are: “The founding and maintenance of schemes for the benefit of Nurses in the practice of their profession, and in times of adversity, sickness, and old age; the maintenance of an office or offices for supplying information to persons seeking for Nurses, and to persons seeking employment as Nurses; the maintenance and publication of a list of trained Nurses; the promotion of conferences, public meetings, and lectures.” There are about 3,000 members. Until last January, she had taken no active part in protesting against the management of the Association. In that month, she wrote a letter to the Executive Committee, of which Sir James Crichton-Browne is Vice-Chairman.

Mr. MUIR MACKENZIE objected to the question.

The witness continued: In June, 1896, she wrote to the Secretary of the Association, giving notice that a protest would be presented to the Annual Meeting. The protest was signed by thirty-six influential Matrons of Hospitals. That letter was dated 27th of June. The Secretary wrote to her acknowledging the receipt of her letter, and telling her that in accordance

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