

Legal Matters.

MAUNDER *v.* BRENTON.

THIS was an action brought by Miss Marie Louise Maunder, a nurse on the staff of the South Devon Hospital, Plymouth, against Mr. William Hore Brenton, a surgeon practising in the same town, for breach of promise of marriage. The case was heard in the Queen's Bench Division before Mr. Justice Hawkins and a special jury.

The case for the plaintiff, as represented by her counsel, Lord Coleridge, Q.C., and herself, was that she was nursing a patient who was under the doctor's care. On February 8th of last year Dr. Brenton asked Miss Maunder to marry him, and the following day she consented. On February 13th, Dr. Brenton was at her father's house and saw her family. After this he wrote affectionately to her. Some time after she received a letter from him, in the course of which he stated that he regretted she had deceived him as to the position of her parents. She wrote to him to explain matters, after which the defendant renewed his promise. On the 9th of May, Dr. Brenton had an interview with her father, after which he finally broke off his engagement. She then put the matter into the hands of her solicitor.

The case for the defendant was that he was induced to promise to marry the plaintiff owing to her misrepresentations. That she had verbally stated to him that she was the daughter of a gentleman of independent means who had come to England from Australia in order to obtain educational advantages for his children, that her father had no occupation, but was living in Plymouth, in his own house, upon money made by him in farming an estate in Australia. She also stated that her brother was a civil engineer at Keyham Dockyard, the fact being that he was an artisan; and that she had taken up nursing as a profession from philanthropic motives, and not as a means of obtaining a livelihood.

After hearing both sides, the jury expressed their opinion that the defendant was not exonerated from his promise, and they found a verdict for the plaintiff for £300.

Mr. Justice Hawkins gave judgment in accordance with the verdict, but declined to grant a certificate for a special jury, as he considered that the case should have been tried in Devonshire.

After reading the evidence we confess we are not impressed with the sagacity and discretion with which Dr. Brenton conducted his love affairs.

It is surely advisable for a man to find out some particulars as to the family of the lady he proposes to make his wife, before he goes the length of asking her hand in marriage. More especially is this the case if he is sensitive upon the subject of social status. Had the defendant been a man of social position, he would probably have been able to discover for himself that his *fiancée* was not of the class of life to which, it is alleged, she represented herself as belonging. The position of the defendant's father was that of a builder, and therefore, had the plaintiff been frank concerning the status of her own relations, we do not see that he would have had any legitimate ground of complaint. But it is plain, from her own evidence in the witness box, that she did misrepresent to the defendant the position of her family, and it appears to us he had therefore just cause to complain of her misstatements. We reiterate, however, that in our opinion it behoved Dr. Brenton to acquaint himself with the real facts of the case by independent inquiry, and we are surprised that the necessity for taking this step was not obvious to him, both as a medical man, and a man of the world. This is not the first case in which women from the domestic class, upon being admitted to a nursing school, have unwisely posed as belonging to a social standing other than their own. The mixing of classes both amongst doctors, and also amongst nurses in hospitals, is a real difficulty, and there are always persons who will pretend to possess, or allow others to assume that they do possess, a position to which they are not entitled. Deception as to the real position of those entering into a matrimonial contract, on either side, can only lead to future unhappiness. If the relations are purely professional the difficulty does not exist, as the *quality* of a nurse's work is of the same value, to whatever class she belongs, but if medical men or nurses wish to enter into closer connection with those whom they have only met professionally, it behoves them to make careful inquiries; otherwise they may find themselves involved in unpleasant complications with those who are not their equals by birth and education, but who have imposed upon them by their assumption of social status.

From sketches, which have appeared in the illustrated papers, we regret to notice that Miss Maunder had the bad taste to appear in the witness box in her uniform. In our opinion there could have been no possible reason for such an ill-advised action, except that of a desire for sensational effect.

We are informed that the Matron of the South Devon Hospital did *not* approve of this hasty engagement, or congratulate the nurse upon it, as

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