

Legal Matters.

"Sus'n Ann."

AN EXTRAORDINARY PROSECUTION.

An extraordinary prosecution was instituted by the National Society for the Prevention of Cruelty to Children when Mrs. Caroline Russell was summoned before Mr. Baggallay, at the Tower Bridge Court, for neglecting her son, aged eight years. Mr. Huntley Jenkins, who appeared for the Society, said the point raised was a somewhat unusual one. The case was not one of ordinary neglect, the defendant being a fond and careful mother, but there was medical evidence to show that an operation was absolutely necessary and the defendant declined to have it performed. The child first came under the notice of the Society last December. He was then a cripple, and the defendant stated that the child had been operated on three or four times at Guy's Hospital and that since that time she had taken him to a Mr. Burgess. The boy was kept under observation, and on August 10th the defendant consented to the child being examined by a doctor on behalf of the Society. The examination took place by Dr. Macdonald Judge, and on August 13th the Society's officer, Mr. Lodge, read to the defendant the doctor's certificate, which stated that the boy was suffering from necrosis of the left thigh bone, and in his opinion surgical interference was absolutely necessary to save the limb and possibly the child's life. The defendant still refused to have the operation performed, and declared her intention of continuing to use the ointment which she received from Mr. Burgess, and which she considered was making the child better. Mr. Burgess was not a medical practitioner, but there was no complaint against him.

Dr. Macdonald Judge, giving evidence for the prosecution, said that the boy should be under a surgeon and an operation should be performed. He recognised that the child had been well cared for by the mother, who had built up his general condition by intelligent treatment. He was aware that the child had already undergone four operations, but sometimes a dozen were necessary in cases of this kind.

The magistrate said that Dr. Judge was a general practitioner and before taking proceedings of this kind the Society should have called in a specialist, in his opinion the Society had commenced proceedings too quickly. The child had already undergone four operations and the mother was not satisfied that another was really necessary. The mother was entitled to know from a specialist that a fifth operation was essential. Under these circumstances, the summons would be dismissed.

It is difficult to understand why the Society instituted proceedings against the mother of the child for neglect while admitting that she was a fond and careful mother. Error of judgment on her part there might be, but surely the proper procedure in such a case would be to convince the intelligence of the mother instead of endeavouring to procure a conviction against an affectionate parent of having neglected her child which, as the magistrate pointed out would be recorded against her for all time. We all think our own opinion right, but the N.S.P.C.C. took a very peremptory way of proving it.

A humorous incident once occurred in our eye ward, in which a patient was known to get out of bed to assist in a search instituted to find him. It was an accident that might easily occur. There were eight beds in the eye ward—one on either side of the door, and six in a row opposite the door.

No. 1 patient, on left of door as you enter, was an old man brought in to be operated on for cataract. He was waiting his turn and sleeping in the meantime in No. 1 bed. No. 6 bed of the row opposite the door happened to be empty. The Night Superintendent in making her round at 9.0 p.m. had noticed that one of the beds was unoccupied, but did not particularly notice which, except that the beds on either side of the door were occupied—the one on the left by S., the patient I am about to tell of.

Now this S. in No. 1 bed was just starting an attack of delirium tremens, in fact, it only began that night, and the first symptom was the restlessness which caused him when the Night Nurse was out of the ward to leave his own bed by the door and get into No. 6, the empty bed.

When the Night Sister was doing her rounds at midnight and entered the ward with the nurse, the first thing they noticed was that No. 1 bed was empty. The night nurse vowed that he had been in the bed when last she was in the ward, not ten minutes previously. Those of the Patients who were awake were questioned, but they could not solve the mystery. No. 1, now in No. 6 bed, hearing, as he put it in his sailor parlance, that there was "A man overboard," got up at once to assist in the search, thus, of course, leaving No. 6 bed empty and confirming more than ever the general opinion that there was a man missing. Great excitement prevailed, the matter was reported to the House Surgeon, who, with the Night Sister and two porters, sallied forth in the darkness and dampness of a wet November night with lanterns and torches to search the gardens and grounds for the missing patient. While they were gone, the poor worried night nurse, left alone, pondered how this thing could be; and after carefully going round all the beds saw the mistake that had been made, for No. 1 was back in his own bed once more, having returned there as soon as the party had left to search the garden. She, however, could not leave her ward and so was unable to relieve the minds of the anxious searchers amongst the cabbages, who, after an hour's fruitless hunting, returned dejectedly, only to be met by the

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