

## The Midwife.

### DEFYING THE MIDWIVES ACT.

Experience has proved the extreme difficulty of proving that a woman who is not a certified midwife habitually and for gain, attends women in childbirth otherwise than under the direction of a qualified medical practitioner, for the first line of defence of the transgressor is that she acts not habitually but in cases of emergency, and the second that she does not attend for gain but as the kindly neighbour. If it is proved that coin has passed, why then it is in no sense payment for her services, but a token of good will.

If, when both charges are proved, and the woman has thus subjected herself to a penalty of a fine not exceeding £10, the Bench express their very great regret at being bound to record a conviction, and impose a nominal fine of 1s., which a member of the Bench promptly pays, the difficulties in the way of those officers whose duty it is to carry out the provisions of the Act will be greatly increased, yet this is what actually happened in the Ross Police Court on Friday, January 30th.

The Town Hall on that occasion was, according to the *Ross Gazette*, well filled, chiefly by married women with their babies in their arms, when Mary Ann Sherwood, of Kyrle Street, Ross, was summoned by Miss Annie Boden, Inspector of Midwives for the County of Hereford, "for that she did on various dates, between the 26th day of July and the 15th day of November, 1913, habitually and for gain attend women in childbirth, other than under the direction of a qualified medical practitioner, and not being certified under the provisions of the Midwives Act, 1902."

The magistrates present were Captain R. H. Verschoyle (Chairman), Mr. H. J. Marshall, Mr. J. E. S. Hewett, Mr. H. T. Blake, and Mr. J. Meredith.

The defendant pleaded guilty.

Mr. J. B. Evans, who prosecuted on behalf of the Herefordshire County Council, said it was the first prosecution of the kind in that Court. He explained the provisions of the Midwives Act, and showed that though the Act came into force in 1902, the subsection under which the present proceedings were taken did not become operative until 1910 in order to give midwives in practice at the passing of the Act every reasonable opportunity to obtain admission to the Midwives Roll.

#### THE DANGERS OF UNQUALIFIED PRACTICE.

The enforcement of the Act was necessary for the safety of poor mothers. It was with a view to prevent the dangers arising from unqualified practice that the County Council had instituted proceedings against Mrs. Sherwood as well as in the interests of the public generally. Four separate charges were preferred against the defendant, in

reference to her attendance on four married women—Mrs. Alice Edgill, Mrs. Edith E. Baynham, Mrs. Edith Smith, and Mrs. Edith Griffiths.

The Chairman enquired whether the defendant was charged with incompetence. Mr. Evans said this was not alleged, but the Midwives Act must be carried out, and if a woman like Mrs. Sherwood were allowed to practise it would become a dead letter.

Mrs. Edgill then deposed that Mrs. Sherwood attended her when her baby was born on July 26th. No doctor was in attendance or had been engaged. Mrs. Sherwood attended her for about three weeks and she gave her 5s., though she did not make a charge.

#### DID I DO MY DUTY?

Mrs. Sherwood, who cross-examined, asked, "Did I do my duty, Mrs. Edgill?"

*Reply.*—"Yes, you did; no one could have done it better, Mrs. Sherwood."

*Question.*—"Did I make a charge?"

*Reply.*—"No, you did not."

Mrs. Baynham, subjected to the same interrogation, said Mrs. Sherwood did her duty. No one could have done it better. She made no charge. She gave Mrs. Sherwood 5s. as a gift.

Mrs. Smith gave similar evidence. Mrs. Sherwood did her duty by her well. She put no charge upon her. Witness gave her 7s. One thing Mrs. Sherwood said she had forgotten to ask the other witnesses. Did she use plenty of disinfectants? Mrs. Smith said she did.

Mrs. Griffiths said she had nothing to complain of. She would like to have given Mrs. Sherwood more than she did. She put no charge on her. Mrs. Sherwood used plenty of disinfectants.

Miss Annie Boden, Inspector of Midwives, said she had been instructed by the Herefordshire County Council to take these proceedings. She proved that Mrs. Sherwood's name was not to be found in the Midwives Roll, and said no application had ever reached her that Mrs. Sherwood wished to qualify.

Mrs. Sherwood: Did you not come to see me after I made the application to qualify?

Miss Boden: I don't remember ever having a talk with you about it.

Mrs. Sherwood: You do, if you will only speak the truth.

Here the Chairman politely asked Mrs. Sherwood if she had any witnesses she wished to call.

#### A NICE HEALTHY-LOOKING LOT.

Mrs. Sherwood triumphantly pointed to the body of the Court and said, "All these married women with their babies in their arms are my witnesses, gentlemen, and a nice, healthy-looking lot they are, too."

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