brace and cleanse themselves from a purer and richer fountain of blood, and force will be stored up and energy developed, wherein before was dilapidation and sterility. As a shrewd old Yorkshire doctor once said to me: "It's no use, my lad, putting the hands right upon the clock-face if you haven't cleaned the works."

Gentlemen, we are all one sided; I speak to-day from my own one-sidedness, and my convictions are upon the side of cleaning and repairing the works. Sometimes, no doubt, when the general state of the health is restored, some local trouble set up originally by the constitutional state—be it gout, scrofula, or what not—smoulders on, forgotten, as it were, after the general malady is cured. For such local trouble diathetic treatment no longer avails; it must be wiped out by some local alterative. But, on the other hand, to contend daily with local troubles which daily are regenerated by some vicious habit of the whole system, is to roll up daily the shameless stone of Sisyphus.

A LECTURE

ON THE

RELATION OF MADNESS TO CRIME.

Delivered at the London Institution, February 28th, 1884.

By J. C. BUCKNILL, M.D., F.R.S.,
Late Lord Chancellor's Visitor in Lunacy.

PERHAPS no medico-legal question has been more discussed, and with fewer results, for the last forty years, than the one I have to introduce to you this evening. I have myself taken part in the discussion for nearly all that time, and yet it seems to me fresh and inexhaustible as ever. To say nothing of the mass of volumes, great and small, which have been written on it in this and other countries by men of my own profession, it has engaged and baffled the utmost acumen of the greatest lawyers. It was discussed at length in the House of Lords in 1843. It was argued with the utmost ability by the greatest criminal judges before the Select Committee on the Homicide Bill in 1874; and, again, by the Royal Commission of eminent judges on the Criminal Code Bill in 1879, who declared it to be a "very difficult subject"—so difficult, indeed, that they saw no way out of the difficulty by any definition of insanity which would be both safe and practicable. It has been discussed in two important papers by the late Chief Justice Cockburn, published by order of the House of Commons; and, lastly, it has been fully and ably discussed in the second volume of Sir James Stephen's recent edition of his *History of the Criminal Law of England*.

Sir James Stephen, now one of the justices of Queen's Bench, has made the criminal law his own subject. No other person can speak with anything like his minute literary knowledge of it, and his practical knowledge also has been most wide and varied. The author of the Indian Criminal Code, and of the Homicide Amendment Bill, and one of the Royal Commissioners on the Criminal Code Bill, his special knowledge is unequalled, and all that he has to say on the subject commands the highest respect.

I do not propose this evening to enter at large into the medical aspect of this question—to discuss the nature of the diseases which cloud the reason, or to make any attempt to unravel those trains of deranged emotion and thought which they occasion. What I do propose to show you is that the state of the law of insanity as regards crime, when life is at stake, is as imperfect as the state of the law of homicide and murder generally, of which it forms part, and that, in the words of the Select Committee, "a new definition is urgently needed to rescue the law from its present discreditable state;" for, as they say in their report, "if there is any case in which the law should speak plainly, without sophism or evasion, it is when life is at stake; and it is on this very occasion that the law is most evasive and most sophistical."

What is insanity? Medically, it is disease of the brain affecting the mind. Formerly, medical men recognised only the grosser forms of madness. Dr. Willis, lecturing to the College of Physicians in 1822, recognised only two conditions or varieties of madness, namely, the high and the low state—mania and melancholia.

Now medical men recognise a great variety of forms and degrees of insanity, and physicians do rightly endeavour to recognise the earliest and slightest forms and degrees of insanity, because these forms and degrees are the most curable, and to cure insanity is the physician's especial duty. The physician must, therefore, observe the causes of insanity in order to remove them. But the duty of the lawyer leads

him to neglect the causes of insanity, and to regard almost entirely its consequences, in order to ascertain the influence of insanity upon the conduct. Conduct is the outward expression of the mental state; but insanity is frequently of such kind and degree, that it does not influence the conduct so as to make the insane man break the law; and thus it becomes the lawyer's task to discriminate between insanity which makes a man break the law from that which does not. It is admitted that man is not responsible for breaking the law, if his action in so doing be helpless. It is admitted that by responsibility is here meant punishability, and that the punishability of an offender is strictly a legal question to be determined by lawyers, physicians as such having nothing to do with it. But physicians who are conversant with the insane, and who know their characteristics, who can distinguish the forms and degrees of the malady, their causes and consequences, can instruct lawyers so as to enable them to distinguish the different kinds of insane persons, and the different kinds of their conduct; to distinguish that conduct which is the result of insanity from that which is not the result of insanity—that which they can help, and for which they are therefore punishable, from that which they cannot help, and for which they are therefore not punishable.

The physician must distinguish, as the lawyer and the public do, between slight medical forms of insanity and grave legal forms of insanity. The definition of medical insanity as disease affecting a man's mind, he must, therefore, supplement with a medico-legal definition. Definitions of insanity are most difficult and arduous. They are either too narrow, and become meaningless, or too wide, and the whole human race are involved in the drag-net. According to the *Times*, July 22nd, 1854, Lord Blackburn said: "I have read every definition of insanity which I ever could meet with, and never was satisfied with one of them, and have endeavoured in vain to make one satisfactory to myself. I verily believe that it is not in human power to do it."

Since this was said before the Select Committee on the Homicide Law Amendment Bill in 1874, Mr. Justice Stephen has attempted a definition as follows. "Sanity exists when the brain and the nervous system are in such a condition that the mental functions of feeling and knowing, emotion, and willing, can be performed in their regular and usual manner. Insanity means a state in which one or more of the above-named mental functions is performed in an abnormal manner, or not performed at all, by reason of some disease of the brain or nervous system" (page 130). But this is a medical definition, covering the slightest deviation from mental health arising from hysteria or alcohol, from bile or gout. It includes states of feeling as sensation, which may not affect the mind. It includes abeyance of mental functions, which is not insanity; for, when the mental functions are not performed at all, there is no insanity.

It is clear from the context that this definition of insanity would include more than Mr. Justice Stephen could allow to be irresponsible; and no good is gained by thus analysing the mind, and detailing the results of the analysis, more or less complete, as functions which may be separately affected. I shall myself venture to make one more medico-legal definition of insanity. *Insanity is incapacitating weakness or derangement of mind caused by disease.* It seems to me to be practically useful and scientifically accurate to make a distinction between weakness and derangement of mind. It seems to me also that all insanity which is not weakness will fairly come under the head of derangement in its widest sense; for morbid states of the emotions derange the play of mind. But the all important term in the definition is, of course, the attribute which points to the want of power to do something. In criminal inquiries, it means incapability of abstaining from the criminal act. It means that condition of irresponsibility pointed to by Lord Bramwell in Dove's trial—Could he help it? It means that which has been much insisted upon by medical writers and great legal authorities, the loss of self-control. Lord Chief Justice Cockburn and Justice Stephen have both expressed the strongest opinion that this state of mind caused by insanity ought to remove responsibility.

Other judges, however, have raised strong objections to the term loss of self-control, and not, I think, without reason. As a matter of fact capable of proof, there is more or less of self-control in the condition of the insane, and more or less loss of self-control in the conduct of sane criminals. But the term incapacitating is less dubious. If a man have such mental disease that he is incapable of obeying the law, that man clearly ought not to be punished by the law. Justice Stephen says, "To threaten such a man with punishment is like threatening to punish a man for not lifting a weight which he cannot move" (p. 172).

In the relations of law to insanity, the question of capacity or incapacity seems always to be involved. In inquisitions, the question

is whether a man is capable of taking care of himself and his affairs; in probate cases, the question is whether a man was capable of making a reasonable will; and in criminal trials, whether a man was capable of avoiding the compulsion of disease to crime.

Incapacity therefore is, and must be, the real test of irresponsibility, for otherwise the law would be both foolish and cruel. This principle of law being granted, the working law must go further, and declare what shall be held to constitute incapacity. It does so in other respects; for instance, it declares that a child of such tender years that it has no discretion is not punishable, and that a man under absolute compulsion of any kind is not punishable.

With regard to insanity, the judges have laid down rules, by which they attempt to distinguish an insane offender who is capable of avoiding his offence from an insane offender who is incapable of avoiding his offence on account of mental disease. These rules, which constitute the law of insanity in relation to crime, have varied from time to time. They reflect, more or less, the knowledge of the age in which they are made. From the nature of the case, they cannot precede the knowledge which men have of nature; and the knowledge which men have of the nature of disease has been very slowly acquired, and is still far from perfect. The drugs and the instruments they used but a few years ago are now curiosities, only to be met with in museums; and new discoveries which invalidate old beliefs are still frequently made. Alteration of the law follows slowly in the wake of increasing knowledge; but still it does follow and change as knowledge advances; and I have no doubt that, when the knowledge of insanity possessed by physicians can be shown to be complete, the law of insanity will, after more or less delay, due to professional conservatism, be brought into reasonable agreement with it.

Lord Coleridge, not long ago, said in court that "to adhere too persistently to the old law is to forget that law grows; and that, though the principles of law remain, yet it is one of the advantages of the common law that these principles are applied to the changing circumstances of the time."

No circumstance of the time is so changing or so important as the knowledge which man possesses of the operations of nature; and in no special field of knowledge has this circumstance been more changing or more important of late years than in the pathological explanations of insanity. Unfortunately, theory has oftentimes outrun, obscured, and discredited knowledge; and it is therefore not surprising that the powerful and responsible officials who administer and alter the common law should refuse to make changes, of the reason and necessity of which they have not been convinced.

But we no longer delay to inquire what the law is. I may fairly claim to omit any reference of its earlier phases, and to come at once to that important statement of the law as it was made by fourteen out of the fifteen English judges in reply to questions put to them by the House of Lords after McNaghten's acquittal on the charge of the murder of Mr. Drummond in 1843. I have the text here, but it would take too long to read *in extenso*. The first and the fourth questions and answers refer to delusion. McNaghten, you may remember, shot Mr. Drummond under the influence of a delusion. The judges declare, with regard to delusion, that it is law that the accused is in the same situation as to responsibility as if the facts with respect to which the delusions exist were real. For instance, he might kill a man whom he madly thought to be going to kill him; but if he killed a man whom he madly thought to have inflicted any injury upon him, it would be murder. The second and third questions and answers deal with the terms in which the prisoner's state of mind at the time when the act was committed ought to be put to the jury; and in these the law of responsibility is tersely declared thus.

"To establish a defence on the ground of insanity, it must be clearly proved that, at the time of committing the act, the accused was labouring under such a defect of reason from disease of the mind as not to know the nature and quality of the act he was doing, or, if he did know it, that he did not know he was doing what was wrong."

This is regarded by the great majority of the judges as the law, and the whole law, on the subject-matter; and I think that the contention of Lord Chief Justice Cockburn and of Mr. Justice Stephen, that it is only such part of the law as sufficed to answer the questions of the House of Lords, leaving other important portions of the law unexpressed, cannot be maintained, for the following reasons.

1. It does not appear that the fourteen judges who concurred in answering the questions of the Lords felt any disinclination to expound the law fully in what has been called an extra-judicial judgment. One judge alone, Mr. Justice Maule, did appear to entertain an objec-

tion, and, in consequence thereof, he made separate replies, saying as little as he could.

2. The questions were formulated by members of the House of Lords, who were themselves great lawyers, for the evident purpose of eliciting an explicit declaration of the law.

3. One of the great judges who took an active part in framing the declaration of the law, has left it on record that he meant it to be a full exposition of the law. This was Lord Wensleydale, replying to Mr. Waddington's question before the Royal Commission on Capital Punishment. "You do not think that the sort of insanity which exempts a person from capital punishment in case of murder could be more accurately defined to the jury than it is in the resolutions of the judges in McNaghten's case?" To this, Lord Wensleydale replied: "I do not think it can. I entirely concurred in that judgment, and took a share in the preparation of it, with my late excellent friend, Chief Justice Tindal, who took very great pains, I know, to lay down the law most correctly. I have always acted upon it, and I think it quite right. Whether it could be improved in any respect, I am not prepared to say until this objection shall be made and discussed."

4. Mr. Justice Stephen, who more than anyone contends that the law was, on this occasion, insufficiently expressed, and who maintains that its strict enforcement would lead to "monstrous consequences," fully admits that it is practically the law of the land. "It has been the general practice ever since," he says (p. 153), "for judges charging juries in cases in which the question of insanity arises, to use the words of the answers given by the judges on that occasion. It is a practice which I have followed myself on several occasions; nor, until some more binding authority is provided, can a judge be expected to do otherwise, especially as the practice has now obtained since 1843."

5. And, finally, it is the latest exposition of the law in this country, and in this city, for in two trials at the Central Criminal Court, in its sittings last autumn, this law was declared to the jury in its most unconditional simplicity.

On the trial of William Gouldstone, before Mr. Justice Day, for the murder of his five children, the jury were charged that "if the prisoner, at the time he killed the children, knew the nature and quality of the act he was committing, and knew that he was doing wrong, then he was guilty of wilful murder. The nature and quality of the act meant that the man knew what it was that he was doing, that is to say, that he knew he was killing a fellow-creature. He repeated that, if a man killed a fellow-creature, knowing at the time he was doing wrong, then he was guilty of wilful murder."

At the next sittings of the Central Criminal Court, on the trial of James Cole for murder, Mr. Justice Denman told the jury that "to prove the prisoner was not responsible, it must be shown that he was suffering from such a state of mental disease as not to know the nature and quality of the act he was committing, or that it was wrong." In passing sentence of death upon James Cole, Mr. Justice Denman further said: "An attempt has been made to make out that you were irresponsible; that attempt has failed, and I must express my opinion that, according to the law of England, it has rightly failed. Although it was, I think, established in evidence that you had been suffering from delusions, I cannot entertain a doubt that on the occasion on which you violently caused the death of your child, you knew you were doing wrong, and knew that you acted contrary to the law of this country, and that you did it under the influence of passion, which had got possession of your mind from want of sufficient control, the result being that the poor child came by a sudden and savage death."

The language of this sentence is remarkable as showing with what exact fidelity the judges of the present day adopt and administer the law of their predecessors as it was declared to the House of Lords; namely, that notwithstanding the existence of delusions (the delusions were that he was being poisoned, and that men were hid under the floor and in a cupboard to injure him), the prisoner is punishable if he knew that he was acting contrary to the law of the land. Mr. Justice Denman's language is further remarkable from his employment of the term control. He inferred, not the innocence, but the guilt of a man suffering from delusions, from not having exercised sufficient control over his passion.

Such being the law, so established that the judges cannot be expected to do otherwise than to use the very words of it in charging juries, let us now devote a little time to the inquiry of what the judges themselves think of it; and first let us hear what some of the judges say who approve of the law. The first I shall cite is Lord Blackburn, Chairman of the Criminal Code Bill Commission in 1879, which Commission was satisfied with expressing the existing law with but slight verbal alteration, namely, the change of "not knowing the nature and quality of the act" into "incapable of appreciating the

nature and quality of the act." In his evidence before the Select Committee on the Homicide Law Amendment Bill, 1874, Q. 276, Lord Blackburn gave some details of a trial in which "he felt it quite impossible to say that the prisoner ought to be punished, although, on this definition, you would be obliged to say she was guilty." Therefore, he says: "I told the jury that there were exceptional cases, and on that the jury found her not guilty on the ground of insanity, and I think rightly."

But what does this exceptional case of Lord Blackburn's mean if it does not mean that, if you put the law in force, you will hang innocent people?

I, also, in the course of a large experience, can call to mind another exceptional case which is the converse of Lord Blackburn's. I can remember one case, and one only, of a lunatic on trial for murder, who really did not know the nature and quality of the act which she had committed. It was that of a maniacal woman who had drowned her two children in the Exeter Canal. She was so mad when placed in the dock, that Mr. Justice Coleridge, father to Lord Coleridge, saw that she was unfit to plead. He sent for his brother judge from the Nisi Prius Court, and well I remember seeing the two judges standing in their robes of different colour, and talking low to each other as they looked at the prisoner, and formed their own judgment of her mental state, and Mr. Justice Coleridge ordering her removal to the county asylum. Before the next assize she had completely recovered, and I again received an order to produce her in court, and Mr. Justice Coleridge (for he again was the judge), without taking any evidence, directed the jury to find a verdict of Not Guilty, on the ground of insanity; and, upon that verdict having been given, he ordered her to be given into the care of her friends. I fancy this procedure was not quite regular, but it was most sensible and humane, for she was innocent and she was sane.

The case supplementing Lord Blackburn's, which did not come within the law, goes to prove that, when a prisoner is so mad as actually to come within the definition of the law, the formalities of the trial may be superfluous.

Again, before the same select committee, Lord, then Baron, Bramwell said: "I think that, although the present law lays down such a definition of madness, that nobody is hardly ever mad enough to be within it, yet it is a logical and good definition." I know not how it can be logical to make a law of exemption which exempts nobody, or how a definition can be good which includes nothing. But Lord Bramwell's judgment of what, using the words of the law, we may fairly call the nature and quality of the law, will be fully endorsed by every one who really knows lunatics and the motives of their conduct. "Nobody is hardly ever mad enough to be within it." It would be impossible to invent a more sweeping condemnation of the law than is expressed in that pregnant sentence.

And now let us hear what those judges say who do not approve of this law. The late Lord Chief Justice Cockburn, in his memorandum, July 8th, 1874, on the Homicide Law Amendment Bill, says: "I concur most cordially in the proposed alteration of the law, having been always strongly of opinion that, as the pathology of insanity abundantly establishes, there are forms of mental disease in which, though the patient is quite aware that he is about to do wrong, the will becomes overpowered by the force of irresistible impulse. The power of self-control, when destroyed or suspended by mental disease, becomes, I think, an essential element in the question of responsibility." In his memorandum of June 12th, 1879, the Chief Justice, criticises the law of the Code Bill, which repeats that of the fourteen judges. He says that the language of the essential sentence, namely, that the accused did not know the nature or quality of the act, or that it was wrong, is loose and uncertain; and that it is "language not the less loose and uncertain because it is used by learned judges." Wrong, he thinks, must be understood to mean legally wrong; but what is meant by the nature and quality of the act, he says that he really does not know. To this and to much more criticism he subjected the law, so as to leave no shadow of doubt that he thought that law insufficient and bad.

Now hear what Mr. Justice Stephen says, not when he was contending for his Amendment Bill, but since he has become a justice of the Queen's Bench. How much he may feel himself at liberty to declare the existing law to be a downright bad law, I do not know; but I observe that, as one of the Royal Commissioners on the Criminal Code Bill, he says that a judge "is bound to decide in accordance with principles already established, which he can neither disregard nor alter, whether they are to be found in previous judicial decisions, or in books of recognised authority, and that, in consequence, the elasticity of the law is much smaller than it is often supposed to be" (Report, p. 7). I suppose, therefore, that, as a judge, the expression of his opinions is under some restraint.

In his great work on the *History of the Criminal Law*, vol. ii, Mr. Justice Stephen declares his opinion that the "law of England on this subject is insufficiently expressed" (p. 128). Respecting delusion, which, he says, may interfere more or less with every function of the mind, which falsifies all the emotions, alters in an unaccountable way the natural weight of motives of conduct, weakens the will, and "enfeebles every part of the mind," he declares that "upon these questions the answer of the judges throws no light at all, because it assumes the man to be insane in respect of his delusion only, and to be otherwise sane; in a word, the prisoner is treated as a sane person under a mistake of fact for which he is not to blame" (p. 157).

With regard to the emotions and the will, he says: "If the answers were meant to be exhaustive, they certainly imply that the effect of insanity, if any, upon the emotions and the will is not to be taken into account in deciding whether an act done by an insane man did or did not amount to an offence; but they do not explicitly assert this, and the proposition that the effect of disease upon the emotions and the will can never, under any circumstances, affect the criminality of the acts of persons so afflicted, is so surprising, and would, if strictly enforced, have such monstrous consequences, that something more than an implied assertion of it seems necessary before it is admitted to be part of the law of England" (p. 159).

Again, he says that, "carefully considered, they [that is, the judges' answers] leave untouched the most difficult questions connected with the subject, and lay down propositions liable to be misunderstood, though they might, and I think ought, to be construed in a way which would dispose satisfactorily of all cases whatever." The propositions, as construed by Mr. Justice Stephen, certainly offer a remarkable example of legal dialectic. Thus construed, wrong may mean either illegally or morally wrong, and knowledge may mean a calm judgment of the circumstances and consequences of the act. If it be really possible to construe the propositions of the judges as Justice Stephen thinks they might and ought to be construed, I can well believe that "to read judicial decisions correctly is," as he says, "an art in itself, to be acquired only by long professional practice, aided by rules well known to lawyers, but unknown to medical men." But I am happy to say the art of construing does not satisfy the sound common sense of Mr. Justice Stephen, who concludes his efforts in that direction by a distinct proposition of his own as to what ought to be the law of England, which is as different as well can be from that which is the law.

I have come, then, to the end of this part of my task, and I claim to have proved, not from the theories and imperfect knowledge of medical men, but out of the mouths of the great judges of the land, that the law of the land is, to use one of their mildest terms, "insufficiently expressed;" and, to use a stronger term, that, if strictly enforced, it would lead to "monstrous consequences." It would, indeed, lead to frequent acts of the most cruel injustice. With much pleasure, I now pass with Mr. Justice Stephen to the consideration of what the law ought to be. He says:

"The proposition, then, which I have to maintain and explain, is that, if it is not, it ought to be the law of England, that no act is a crime, if the person who does it is, at the time when it is done, prevented, either by defective mental power or by any disease affecting his mind, from controlling his own conduct, unless the absence of the power of control has been produced by his own default."

I entirely agree with the idea contained in this proposition, but I think it would be difficult to put a good and true idea into language more open to dispute. What is meant by defective mental power which is not conditioned by disease? Is it mere folly which is meant, or is it idioey? which, as Chief Justice Cockburn pointed out, is omitted from the present law. "No provision is made for original malorganisation; in other words, for idioey" (Memorandum, 1874). What is meant by "the absence of the power of self-control, produced by the prisoner's own default?" If states of intoxication be meant, they ought to be specified. But, if states of real insanity, caused by evil habits of life of any kind, are meant—as by the context I am led to suppose—then the proposition is, in this respect, impossible to act upon.

Moreover, the phrase "prevented from controlling his own conduct," is liable to objection, and has, indeed, been objected to by many judges, and has not been a little worried by Mr. Justice Stephen himself. How can it be said with accuracy that a man controls his conduct when he refrains from a crime, and does not control his conduct when he commits one? Mr. Justice Denman, as we have seen, condemned James Cole on the ground that he did not control his conduct. Surely, the most undoubted lunatic, who purposes and plans and executes the most insane homicide, does control his conduct, though in an insane fashion, as the sane man who is tempted to crime and refrains from it

controls his conduct sanely, from higher or lower motives of duty or selfishness. For my part, after having long used the term "loss of self-control" in this relation, I give it up as altogether too loose, ambiguous, and inaccurate for so grave and precise a purpose as the definition of responsibility. There are many more definite terms to choose from: incapable, unable, compelled to, cannot help, helpless, cannot avoid; and of these, the first seems as good as any, and it is used in the Criminal Code Bill: "incapable of appreciating." I would suggest therefore the following simplification of Sir James Stephen's proposed law of England as it ought to be. *No act is a crime if the person who does it is at the time incapable of not doing it by reason of idiocy, or of disease affecting his mind.* I know not whether Lord Blackburn would think that this definition would be leaving the question "too much at large," as he said; but surely it would be better than any definition which would leave exceptional cases to be provided for. I think it ought not to be objectionable to Lord Bramwell, who, when trying a lunatic who was also an abominable villain, put the law into a nutshell when he said that the real question was, "Could he help it?"

It contains no medical theories or views, but is wide enough to contain all medical knowledge, and is yet definite enough to meet the practical requirements of the lawyers; and it is, I believe, entirely in accordance with Mr. Justice Stephen's own line of thought as to the principle of the needful amendment of the law, although it is expressed more simply and tersely than his own proposition of what the law ought to be.

(To be continued.)

A LECTURE ON ASIATIC CHOLERA.

Delivered at the Westminster Hospital, March 4th, 1884.

By C. MACNAMARA, F.R.C.S.,
Surgeon to the Hospital.

GENTLEMEN,—My colleague, Dr. Allchin, before completing that part of his course of lectures on medicine which refer to Asiatic cholera, has asked me to address you on this subject. I am glad to accept Dr. Allchin's offer, because I thoroughly appreciate the spirit in which it has been made; and, further, I think the circumstances of the late epidemic in Egypt should be carefully considered. I have never, so far as I can remember, spoken to Dr. Allchin on the subject of cholera; the idea of asking me to address you was entirely his own, arising from a desire on his part that you should hear the impressions formed regarding this disease by one who lived for nineteen years in the "home of cholera," and who, when there, certainly tried to learn something of its nature and properties. I do not purpose referring to the pathology or the treatment of cholera; for in Dr. Quain's *Dictionary of Medicine*, and elsewhere, I have written fully on these subjects.

During the year 1866, with the consent of the British and other governments of Europe, an international conference on the subject of cholera was held at Constantinople. The objects of this meeting were to investigate the cause, and to devise means for preventing this disease from so frequently spreading from India to Europe, especially through the Suez Canal. One of the results of the conference was the appointment of an International Sanitary Board, having its headquarters at Constantinople, with medical officers under it stationed in Jeddha, Suez, Alexandria, and, in seasons of cholera, at Mecca, and other important points. The duty of these officers was, through the aid of constituted authorities, to prevent infected persons or things from carrying the disease into distant parts. Within thirty-three years—that is, from 1830 to 1864—epidemic cholera had extended from India to Europe and America on four different occasions, each invasion of the disease having been attended with a terrible loss of life; but since the establishment of the international sanitary service in 1866, no epidemic outburst of cholera such as those which had previously occurred has visited this Continent. It is true that epidemic cholera of a virulent type spread through Lower Egypt last year, but our military operations in that country in 1882 had practically, for the time being, suspended the working of the sanitary service so far as the Suez Canal was concerned.

In 1874, another international conference on cholera was held at Vienna, with the object of defining more clearly the quarantine regulations which were to apply to vessels arriving in Egypt or Europe

from ports affected with cholera. The regulations then drawn up virtually formed a contract between the consenting parties, of which England was one; and these regulations were based unquestionably on the understanding that Asiatic cholera was a communicable disease. This fact had, however, been admitted by our Government previously to the Vienna conference; for, in an Order of Her Majesty's Privy Council, dated August 1871, it is stated that, as Asiatic cholera was "prevailing in foreign ports within a few weeks' voyage of this country, and may probably extend to others which have still quicker communication with England, it is not unlikely that, within the next month or two, cases of the disease may be brought to the ports of this country." This order lays down the principles which guided the Government in its action, as follows:

"Asiatic cholera has a peculiar infectiousness of its own which, when local conditions assist, can operate with terrible force, and at considerable distance from the sick. All matters which the patient discharges from his stomach and bowels are infective; probably the patient has no power of infecting other persons except by means of these discharges, nor any power of infecting even, except in so far as particles of these discharges are enabled to taint food, water, or air which people consume."

These principles not only expressed the opinions of Her Majesty's Privy Council in 1871, but, outside the immediate influence of the Government of India, they accurately expressed the opinions of all the leading medical and sanitary authorities of Europe and America.

We must clearly bear in mind the fact that the above-quoted Order of Her Majesty's Privy Council was issued, because cholera had appeared in places within an appreciable distance of Europe. Nevertheless, in July 1883, Earl Granville (Secretary of State for Foreign Affairs), in a despatch sent to the French Government, complaining of the tone adopted by the press of that country towards England, for our supposed inaction with reference to the cholera in Egypt, remarks that the principles which have guided Her Majesty's Government are based upon the following considerations (the italics are mine). "*Every time there has been an outbreak of cholera, people have invented some story, more or less credible, to demonstrate in what manner the disease was imported. These stories have been carefully examined in their time and place, and Her Majesty's Government experience no hesitation in affirming that no outbreak of cholera in Egypt, or even in Europe, can be considered as having occurred by the importation of the disease on board ships arriving from the Indies. Supported by this information, Her Majesty's Government offer a serious and well founded objection to the theory generally admitted, and the custom of quarantine.*" "Sanitary measures have proved to be the only efficacious means of impeding the march of an epidemic." "In spite of some divergence of opinion with regard to the contagium, the avowal that no theory concerning the origin or propagation of cholera should be accepted as true, and the history, the cause, and the nature of the disease, both in its endemic and epidemic forms, are yet to be discovered." We read with infinite regret a statement of this kind, which seems to throw discredit on the work done by Simon, Parkes, N. Radcliffe, and many other able observers, to elucidate the circumstances of this fearful disease. The question, however, arises, How is it that our Government has abandoned the teaching of these authorities, admitting, in 1871, the communicability of cholera with all its consequences, and in 1883 declining to entertain this doctrine? Earl Granville, though responsible for the despatch above quoted, must have been guided by the opinion of the medical men he consulted on the subject. So long as Mr. Simon held office, it would appear that the Government referred to him on these matters. Dr. G. Buchanan succeeded Mr. Simon, but not quite to his office; that was created by statute, and it lapsed when the Local Government Board was constituted by a later statute. Nevertheless, I believe that Dr. Buchanan, and the department over which he presides, helped to work out Mr. Simon's reports, and that the opinions they hold on the subject of Asiatic cholera are in accord with the views so admirably expressed in the report of the Local Government Board, dated 1875. It seems hardly possible, therefore, that Earl Granville's despatch emanated from the health-authorities of the Government, and it is generally assumed that Sir J. Fayrer was authorised by Government to select some one to go out to Egypt, and report upon the cholera prevalent there in 1883. Dr. Hunter, now Sir W. Guyer Hunter, was chosen for this office. If I am not mistaken, Dr. Cunningham, the Sanitary Commissioner with the Government of India, was also in London in the spring of 1883. On referring to the published opinions held by these three physicians upon the subject of cholera, we find that they as closely coincide with the ideas expressed in Earl Granville's despatch as they differ from those of Mr. Simon and the Local Government Board. Sir J. Fayrer states "most emphatically that he does not believe in the contagiousness or communicability of Asiatic cholera"