

Members should especially note that they may discuss a resolution brought before a general meeting without submitting it to the President or Council, even though it has been decided by the President or Council that the vote upon it "shall only be taken at an annual or special meeting called for that purpose." The General Secretary is empowered by Rule XXI. to convene a special meeting, and send to every member a notice thereof, though he is not bound to give notice any definite time beforehand. So that members may receive notice to-day of a meeting to be held to-morrow.

It seems a pity that a code of rules numbering altogether only 110 should have been divided up into five chapters, averaging but 22 rules in each. It would probably have been simpler to have numbered the rules straight through, from Rule I. to Rule CX. For the rule referring to any subject the chapter must first be found and then the number of the rule, bearing a similar number to one in five other chapters, must be quoted. Seeing that the book of rules has no index, this becomes at times somewhat perplexing.

Taken as a whole, we consider a great improvement has been effected, and that great credit is due to the Rules Committee, notably its Chairman, Mr. Whitcombe, for the labour they have bestowed.

Regina v. Sherrard. By GEO. H. SAVAGE, M.D., F.R.C.P.

It is thought best that the annotation on this subject should rather take the form of a personal communication than an editorial, and therefore I purpose setting before the readers of the Journal the chief points in the case which need special consideration.

I may say at once that very many physicians in general medical practice have written or spoken freely on the importance of the case as far as the future conduct of similar cases is concerned. Briefly, Dr. Sherrard has had for some time a medical home, more of the medical boarding house nature than anything else, and into this house he has received from several of the London consultants in lunacy patients who appeared to them to be in the borderland of insanity. In such cases Dr. Sherrard has had considerable

success. Unfortunately a lady who had been staying in his house suffering from mental depression, after having run away from his home on one occasion, and having on another slightly injured herself, either threw herself out of a window or in getting out of the window with the idea of escaping, fell, injured herself, and died. The jury called attention to the fact that this lady appeared to be a person of unsound mind, not being under the proper certificates, and action was taken by the Commissioners in Lunacy. There was one other case for which Dr. Sherrard's conduct was called in question, but in this a patient, after leaving Dr. Sherrard's, went back to the work in the office which he had performed before he went there, and only became bad enough to be sent to an asylum some months later, and the judge and jury thought there was really nothing in this case which could be fairly considered an evasion of the Act.

The details of the first case need not be gone into fully here. It must suffice to say that the lady was at the climacteric, that she had had a great deal of real domestic worry and anxiety, so that the melancholic statements which she made were at most exaggerations of the facts. She had made several hysterical attempts at self-injury, and had on more than one occasion run away from home, but had returned, not having done any injury to herself or to others. She was sent to Eastbourne with a statement that she had suffered from hysterical insanity, but it seems this information did not reach Dr. Sherrard, through an oversight on his part.

After running away and the attempt at suicide Dr. Sherrard was anxious to get rid of the patient, and took the ordinary means by communicating with the husband, but this latter put off his coming, and thus time passed and the accident happened. Doubtless Dr. Sherrard ought legally to have sent the lady to the county asylum when her natural protector did not turn up, but I fancy there are not many who in his circumstances would not have acted humanely and illegally and retained the patient till the expected arrival of the husband. So much for the case; now for the judgment and for the general feeling in regard to it. The patient was recognized as suffering from a form of insanity in which there were recurring periods of mental disorder with long periods of calm, if not mental health. The general feeling seemed to be that in a case where there was certifiable insanity existing for a few days in each month, the rest of

the month being without such symptoms, that it was right not to certify the patient.

Gynecologists gave evidence to the effect that they would not certify, or advise to be certified, such cases, and many other consulting physicians at once said that if this were enforced they should be bound to try and evade it. It was said with some truth that the function of the Commissioners was not to force everyone who is mentally aberrant into asylums, but to look after those who are there, and who are already certified.

I know the difficulty of the Commissioners, and I would not for a moment suggest that they did not perform what they considered to be a painful duty in prosecuting Dr. Sherrard, but I do think that sooner or later some provision will have to be made for cases which are distinctly on the borderline, and who at times are beyond the frontier, but who are so only for short periods.

The former action of agitating against private asylums has had the effect of spreading the care of lunacy in single homes to a most alarming extent, and I believe that a too strict reading of the Act will lead to hiding away and neglect of patients who otherwise might be well treated in doctors' homes.

The question is a difficult one, and I think the time has come when some further legislation is needed.

The Zierenberg Case.

(Further Notice.)

The acquittal of the Zierenbergs on the charge of perjury in connection with their unsuccessful action against Mr. Labouchere has naturally occasioned some surprise in non-legal circles. And yet the explanation is not so remote as might be imagined. In the first place, the issue in the perjury prosecution was much narrower than that in the libel action. In the latter, the whole conduct of the St. James's Home was impugned. In the former, the gravamen of the charge was Mrs. Zierenberg's statements, repeated impliedly by her husband, concerning their affairs in Germany and the arbitration in England in regard to the burning of their property. In the second place, a jury may in a civil case disbelieve evidence on which they