

Ryall to watch for the passage of the swab. After the operation she gave the patient an enema which was followed by a satisfactory result. As the bowels were cleared before the operation and as no solid food had been given after it she thought the swab had come away and reported accordingly. In charging the jury, the judge said that up to the moment of bringing the action—and this was an important point in the plaintiff's case—the plaintiff said that no one could be found to say that any surgeon would adopt such a method as the defendant appeared to have done. It was quite true that, with one exception, no surgeon except the defendant had ever used a swab in the manner described, but the eminent surgeons who were called as witnesses were all of the opinion that this operation was very difficult and that the patient was fortunate to be alive. Mr. Lane had said that the defendant had shown great resource in using the swab as he did. The instant stopping of the torn bowel was vital. The jury returned a verdict for the defendant.

### PARIS LETTER

(From Our Regular Correspondent)

PARIS, Jan. 20, 1911.

#### How the Fact of Death is Established in France

The Académie des sciences of Paris having recently awarded the Dugate prize to Dr. S. Icard of Marseilles, for his work entitled "The Verification of Death in Hospitals in France and Abroad and the Necessity of Early Necropsies," public opinion has been much interested to learn that the verification of deaths in hospitals is not always surrounded by sufficient guarantee. As usual in such cases, the political journals have greatly exaggerated the facts and have played on the feeling always aroused by the question of burial of the living. It is not in hospitals alone, however, that the verification of death leaves much to be desired. There is a regrettable lacuna in the French law on this point. According to the *Code civil*, the death should be reported to a government official by two persons, if possible by the two nearest relatives of the deceased and verified by the official. In other terms, burial may take place without any medical examination, except in cases in which the cause of death is suspected, in which the official should be assisted by a physician. In practice, no doubt, medical verification is seldom omitted. Thus in Paris, the fact of death has been established, for a long time, by physicians charged with this function and designated under the name of *médecins de l'état civil*. In 1866, a circular of the minister of the interior prescribed that the mayors of all the communes should delegate one or several physicians for this duty; but this circular was observed only in some large cities. In the country and in the small towns there is no organized means for verifying deaths. Accordingly, the interest aroused by the signs of real death to which Dr. Icard has drawn attention may be understood. One of these signs based on the hydrogen sulphid reaction may easily be observed, even by a non-medical person. Taking advantage of the fact that organic decomposition appears rapidly in the lungs, Dr. Icard takes a small strip of paper on which some characters have been traced invisibly with a colorless neutral solution of acetate of lead in distilled water. The strip of paper is placed in one of the nostrils of the body under observation. If at the end of twenty-four hours, the characters appear traced in black, death is certain, since pulmonary putrefaction has begun, disengaging the hydrogen sulphid which, acting on the neutral acetate, forms a black lead sulphid.

By the side of this non-scientific sign, which is manifested only at the end of twenty-four hours, Dr. Icard places a scientific sign, which gives immediate results. This is the fluorescein test, which consists in injecting into the veins or into the muscular masses an aqueous solution of fluorescein, so as to show the persistence or the cessation of the circulation of the blood. When an hour, or at most, two hours, after the injection, no characteristic coloration from the absorption of fluorescein is observed, such as intense yellowness of the skin and the mucosa, or green coloring of the eyes, it may be affirmed without doubt that death has taken place.

#### Illegal Practice of Medicine

In a previous letter (*THE JOURNAL*, Aug. 7, 1909, p. 468) I mentioned the case of the zouave Jacob, who, prosecuted for illegal practice of medicine, had been acquitted, the lower court sustaining the defendant's plea that he was merely a faithful intermediary between the spirits and the patients. This was, said the court, curing by suggestion but not practicing medicine. The court of appeal has reversed the first decision and condemned Jacob to pay a fine of \$20 (100

francs) and \$40 damages to the *Syndicat des médecins de la Seine*, which was civil party. The grounds of the decision were as follows: According to the terms of the law of Nov. 30, 1892, illegal practice of medicine consists in the habitual participation, by a person without the diploma of doctor of medicine, in the treatment of diseases (urgent cases excepted), the word "treatment" including every act or counsel tending to the cure or amelioration of a state of malaise or of disease, and not merely based on knowledge of the disease treated.

#### Professional Responsibility and the Organization of Physicians of the Seine

In view of the recent condemnation of Dr. Bazy to pay \$1,000 damages (*THE JOURNAL*, Jan. 14, 1911, p. 130), the administrative council of the *Syndicat des médecins de la Seine*, representing 1,700 physicians of Paris and the suburbs, passed a resolution that whereas, surgeons under the most critical circumstances need to decide rapidly and sometimes boldly, the indecision and timidity of a surgeon being always injurious to the patient, the surgeon ought to be held responsible only for actual gross fault, clearly established.

#### Reform of the Internship of the Hospitals of Paris

The committee of the *Association des Internes et anciens Internes des Hôpitaux de Paris*, has just adopted a resolution that the interns of the hospital of a provincial city which is the site of a *Faculté de médecine*, when they desire to enter the *concours* of the Paris hospitals, should not be obliged first to pass through the externship, as has been the practice up to the present. The adoption of this resolution would relieve the *Faculté de Paris*, for many provincial students, instead of coming first to Paris, would thus be able to take their first year of study in the province, which would be better for them, the material for anatomy being insufficient in Paris for the number of pupils.

Another resolution passed by this same committee is in line with a resolution passed by the *Congrès de l'Internat français* (*THE JOURNAL*, June 25, 1910, p. 2131), which is to the effect that interns on duty should at their request be allowed to take an entire consecutive year for scientific travel abroad.

#### Personal

M. Mirman, director of hygiene and public charities, department of the interior, was seriously wounded in the thigh by an insane man, who fired two revolver shots in the chamber of deputies, intending to assassinate M. Briand, the prime minister.

#### Advertising by Midwives

In the course of a study on abortion from the medico-social point of view, Dr. Jacques Bertillon, *chef des travaux* of the municipal statistics of the city of Paris, has shown that fifty midwives advertise continually in the Paris papers. By collecting the advertisements from these papers, he has been able to make an exact estimate of the sum so expended annually by each of these midwives. One spends \$2,065 (13,325 francs); another spends \$1,611 (8,055 francs); nearly twenty spend on an average from \$400 to \$1,000 and the thirty others spend on an average between \$200 and \$400. These sums indicate that it is impossible that these midwives should practice their profession ethically and legally. Dr. Bertillon, therefore, believes that it is necessary to have the profession of midwifery put under inspection and to make a report of every miscarriage obligatory.

#### BERLIN LETTER

(From Our Regular Correspondent)

BERLIN, Jan. 12, 1911.

#### Poisoning by Butterine

As I reported to you in a former letter, a number of cases of poisoning were occasioned in Altona, Hamburg, Berlin and other cities by the use of a brand of oleomargarine manufactured by an Altona firm. Investigations undertaken in the institute for infectious diseases in Berlin have shown that dogs fed with the butterine sickened half an hour after eating, with great restlessness and vomiting. Several of the animals nearly died and one did so, twenty hours after the feeding. The necropsy of this animal showed marked reddening and swelling of the mucous membrane of the stomach and upper part of the duodenum. Investigations made under the direction of Professor Dunbar in the municipal institute at Hamburg, gave the same results, and he was able to reach a decisive