go to work again, the law saying nothing specifically about when they may go to work in the morning. Among the suggestions for bettering conditions among women workers, Professor Hewes offers the following: prohibition of night work; reduction of working hours from ten to eight, and for only six days in the week; a minimum time of one hour for luncheon (15 minutes being now allowed in some factories); education in accident prevention, with a compensation law providing higher compensation and a shorter waiting period; provision for clinical treatment of sufferers from industrial diseases, and compensation as in the case of industrial accidents.

Too Many Medical Papers

The scarcity of paper and its increased cost seem to be universal. The *Policlinico* of Rome, in commenting on the fact that many medical journals have suspended and that others have been reduced in size, regards the condition as not an unmixed evil. "The most tangible result," it says, "is that the amount of material published is sensibly reduced. This is not a serious evil, as too much has been and is still being published. It is not a bad thing for literary production to be restrained, condensed, reducing particulars to inclusive wholes. . . . It is certain that the larger proportion of medical journals contain too much that is trite, deplorably banal. They accumulate too many useless data, which might be suppressed to great advantage. Many articles have not the slightest reason for existing, and they merely cumber medical literature. . . . Graphomaniacs [this is not a bad word; it would not be out of place if applied to some medical men in this country] abound among physicians; some are graphomaniacs from temperament, others from policy." Presumably the *Policlinico* means here that it is an elegant and ethical form of self-advertising. Farther on: "Regardless of the superficiality of certain arguments, they dilate on them and dilute their personal observations with a flood of already known facts and opinions. . . . Their writings contain very little that is new, and what is new and interesting is padded out and strung along *ad nauseam*. . . . The same work appears first in some first-class journal and then, under other titles and with slight changes, it appears in minor periodicals and it fills up space and wastes time in medical bibliography. . . . We refrain from further descriptions for fear that they might have a too personal tinge. We all know that the incontinence [a good word in the original—it is *incontinenza*] of these authors might be checked and corrected." The *Policlinico* then begs writers to spare the editorial staff the waste of time and energy required to pass judgment on unworthy articles, "not to mention the disagreeable task of rejecting such manuscripts, and the load of responsibility it places on the editorial staff." The writer concludes with this advice, which we respectfully pass on: "Abstain from recording the commonplace, and let those who have something really interesting to report suppress useless details, long historical introductions, and rehashing of textbooks."

Health Administration.—The results of the health survey of St. Paul, made by Surg. George B. Young, U. S. P. H. S., appear in *Public Health Reports,* January 12. This study is similar to those made by the service in other cities. Dr. Young finds that the situation from a legal standpoint is uncertain. Old ordinances contradict each other or are not in accordance with the charter, while some public health activities are untouched. Some of the provisions of the charter are contradictory and some of the ordinances have been automatically repealed as being in conflict with the charter. The general sanitary status of the city was found to be good; the fundamental elements of a healthful community—a healthful site, a good water supply, a prosperous population derived from strong stock and unweakened as yet by generally congested housing and insanitary industrial conditions—are all present. The death rate for the city per thousand of population was never higher during any year from 1906 to and including 1915 than 11.4, and more than half of those years it has been below 11.

Medicolegal

Using Mails for Fraudulent Scheme of Alleged Divine Healing

(United States vs. Schlatter et al. (U. S.), 235 Fed. R. 381)

The United States District Court, in California, overrules a demurrer to an indictment charging the defendants with the crime of conspiracy to violate Section 215 of the federal penal code. Briefly, the scheme devised and contrived by the defendants, as alleged in the indictment, was that they would induce any and all persons whom they could induce to communicate with them to believe that they could and would cure almost all manner of known diseases by and through the medium of divine power. Specifically, for instance, it was alleged that the defendants conspired to represent to credulous ones, with whom they could get into communication, that they could and would bless a handkerchief, and that, if a person afflicted would apply such handkerchief to the afflicted portion of his or her body, he or she would thereby become cured. This, of course, was to be quid pro quo or consideration; not necessarily certain or definite in amount, but such a sum as the one seeking a cure felt justified in contributing. Substantially, the charge against the defendants was that, with the knowledge that they could accomplish no cures, and with the deliberate intention to defraud, they conspired together to contrive and consummate a scheme wherein and whereby, through the medium of alleged divine healing, they would obtain and convert to their own enrichment the money and property of such persons as might be sufficiently gullible as to be attracted by their specious and alluring promises of relief, all the while intending that such persons should receive no return for their money and property, save that comprehended in a dismal and costly experience. As a part and parcel of the scheme, and in furtherance thereof, it was alleged that they intended to, and actually did, make use of the mails of the United States. The court says that, in its judgment, this stated a complete offense, and, if the proofs be made in adequate support of the allegations in the indictment, there was no doubt but that the defendants should suffer punishment therefor. The point made in the brief of the demurring defendant's counsel apparently was that the defendant was and professed to be nothing more than a divine healer, and that divine healing has been practiced since the time of Christ, and in some form or other is practiced now by many reputable and widely recognized individuals and cults. That mental healing, or even divine healing, per se or in and of itself, is, under the laws of the land, as lawful as healing with drugs or by massage, or other mediums is true. But it is not true, never has been true, and never will be true that fraud can be glossed over or rendered reputable in the eyes of the community merely because it is associated with, or a feature of, some undertaking otherwise lawful in its nature and innocuous in its effect. In other words, the mere fact that a fraudulent scheme centers about divine or other healing does not in any wise or sense serve to take it out of the domain of a fraudulent scheme, and if, in furtherance of such a scheme conceived in fraud, the mails of the United States are made use of, without doubt, by whomsoever conceived or consummated, the perpetrators of such schemes should receive prompt and merited condemnation and punishment. It was therefore no answer to the crime charged in this indictment to assert that the defendants were engaged in the praiseworthy vocation of divine healing. That in no wise answered the charge that, with a knowledge that they were rendering no service at all to their "patients," and with the deliberate intention on their part to defraud their patients, they were using the mails of the United States in aid of their scheme to separate their patients from their money. The whole question, without doubt, revolved around the proposition as to the good faith of the defendants. If they were acting in good faith in their promise to bring the bloom of health back to the cheek of him who might make use of one of their blessed handkerchiefs, then, no matter how visionary their view may have

been, no matter how ill founded their conclusions may have been, no matter how much sheer incompetence in the exercise of judgment may have been their portion, they were not liable to prosecution as for the perpetration of a fraud on those who became their dupes. The simple query in the case was: Were they actuated by good faith? The indictment said they were not, but were moved by an intent to defraud. In the face of that they could not claim that no crime was charged against them.

Admissible Evidence of Criminal Abortion

(State vs. Newell (Minn.), 159 N. W. R. 829)

The Supreme Court of Minnesota, in affirming a conviction of the defendant of manslaughter in the first degree in the commission of an abortion on a young married woman, says that the woman went to the home of the defendant with the avowed purpose, if the testimony of her husband and her mother was credited, of procuring an abortion. There was evidence that there was an abortion. The evidence that the defendant caused it was largely circumstantial, but it rather clearly pointed to her guilt. The question was for the jury, and the evidence very amply supported the finding of guilty. Declarations made by the woman while under treatment, and before the abortion, as to the treatment given by the defendant, were competent evidence. Nor was there error in receiving on behalf of the state the testimony of another woman who stated that shortly before the date of the crime charged she went to the defendant for the purpose of having an abortion performed and that the defendant consented to perform it, though it was not performed. It was urged that the admission of this evidence, and other of like character, was error. The authorities approve such testimony. It is received for the purpose of showing a guilty or criminal intent in doing the act alleged to be criminal. It is not received in proof of the doing of the act or for the purpose of making it more likely in the minds of the jurors that the accused committed the crime charged. The proper application of this rule does not infringe on the general rule that it cannot be shown that the accused has committed other crimes. But the court on request should clearly limit the scope of the evidence.

Basis for Injured Person to Recover for Medical Treatment and Medicine

(Tarrant County Traction Co. vs. Bradshaw (Tex.), 185 S. W. R. 951)

The Court of Civil Appeals of Texas says that one of the physicians who attended Plaintiff Bradshaw and treated him for his injuries attributed to the negligence of the defendant company testified that the reasonable charges for the treatment and medicine which he gave him, if a man was able to pay it, would be $25. The Court thinks this was sufficient to sustain a recovery as to the medical services and medicine. The Court says that it does not think the inclusion of the clause, "if a man was able to pay it," would destroy or necessarily limit the force of the testimony to the effect that the reasonable charge for the treatment and medicine would be $25. The Court understands that the witness meant to say, or that at least such was the permissible construction of his language, that the services rendered and the medicine furnished were of the reasonable value of $25, and that the witness regarded the plaintiff legally bound by reason of said services and medicines furnished to pay said sum, but that by reason of the plaintiff's physical and financial condition, he might not be able to pay said amount, if any at all. Where a plaintiff is entitled to recover for medical attention and medicines necessary in the treatment of injuries, the defendant is liable, not for the amount actually expended or incurred by the plaintiff, but only for the reasonable or market value of such services, drugs, etc., as were reasonably necessary and for which the plaintiff has paid or has become legally bound to pay. The defendant, not being a party to the contract of employment between the plaintiff and the physician or nurse, or the contract of purchase between the plaintiff and the druggist, his liability, if at all, is not fixed by the amount paid or promised to be paid by the plaintiff for such services and supplies as were reasonably necessary in the treatment of the injuries, but the defendant's liability is limited to the reasonable or market value thereof. In this case the fact that the plaintiff sent for the physician, as testified by the former, and accepted his services, would, in the absence of some other agreement, create a legal liability to pay therefor on the part of the plaintiff. Therefore there were services requested, rendered and accepted, and evidence of the reasonable value thereof, which the Court deems to be all the law requires as to this character of proof.

Society Proceedings

COMING MEETINGS

Congress on Medical Education, Public Health and Medical Licensure, Congress Hotel, Chicago, Feb. 5-6.
Western Roentgen Society, Hotel Sherman, Chicago, Feb. 16-17.

CHICAGO MEDICAL SOCIETY

Meeting held Jan. 10, 1917

The President, DR. A. AUGUSTUS O'NEILL, in the Chair

Social Insurance: Its Bearing on the Profession and the Public as Observed in Great Britain and on the Continent

FRANCIS NEILSON, M.P., England: Americans are not informed as to the economic, industrial, social and religious condition of the British people. You cannot understand the genesis of insurance in Great Britain unless you know something about these conditions.

Those familiar with the history of the first half of the nineteenth century, and who have relied on newspaper reports for knowledge of current conditions, have assumed that Parliament has reformed certain conditions. It is a sad commentary on the economic conditions when you find people agitating for national insurance. There was no popular demand for the insurance act. It was sprung on Parliament and on the people. Perhaps no one was more surprised than Lloyd George himself. How was it possible for the Liberals to bring forward a measure that occupied half the time of Parliament without there being any demand for it? The national insurance bill was not in the official program put before the electors six months before the national insurance bill was introduced in the House of Commons. In the official program put before the electors in December, 1910, we asked for economic legislation, for constitutional reforms, for better housing laws, for electoral reforms, for educational reforms, and bills for many other things, but not for national insurance. It was simply a political dodge.

We had had a few years before a royal commission to inquire into the condition of the poor laws. Usually in Great Britain when we want to put a rather awkward question out of the way, we form a royal commission to inquire into it.

The Poor Law Commission reported that certain evils ought to be remedied by Parliament. This commission had the benefit of the investigations of Booth and Rowntree. I do not know to what extent the investigations of Booth and Rowntree on social evils are known in America. Booth showed that 12,000,000 British people, a little more than one fourth of the population of the United Kingdom, were living on the poverty line. We had employers' liability and the friendly societies. They did an enormous amount of good. But just before the insurance bill was introduced into Parliament, the government received returns from these friendly societies, showing that they were not all solvent but that through precariousness of employment there was something like a quarter of a million paying members lapsing in a year. Many of the smaller lodges, particularly in rural areas, were in serious financial condition. Under the old friendly society grant there was a great deal of malingering. Trade unions were also benefit societies. We had also small insurance