



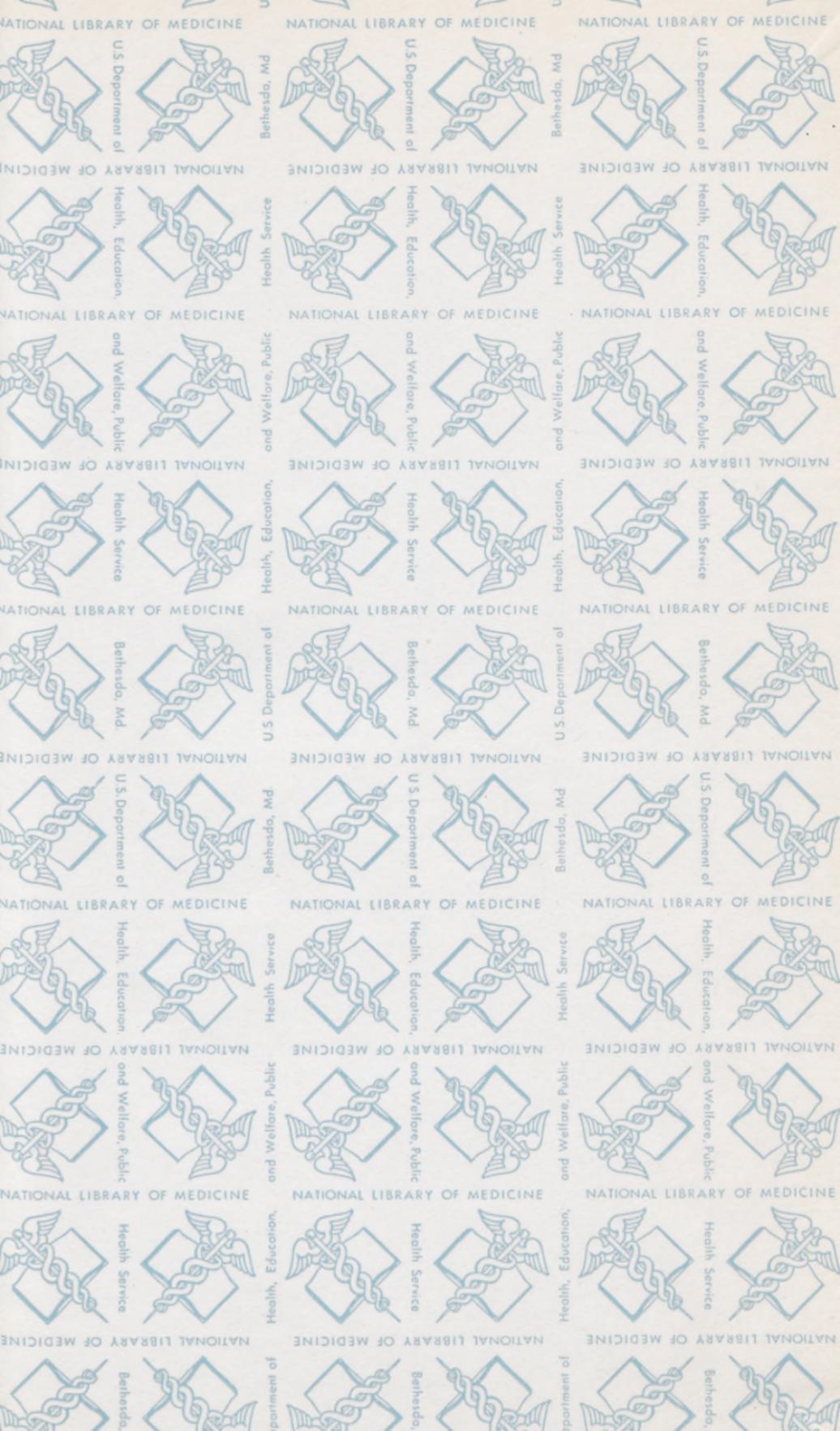
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FRIST ANNUAL DINNER

OF THE

MEDICO-LEGAL SOCIETY

OF THE

CITY OF NEW YORK.

DELMONICO'S, MARCH 19th, 1873.

طُبِعَ فِي مَطْبَعَةِ

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# FIRST ANNUAL DINNER

OF THE

Medico-Legal Society,

OF THE

CITY OF NEW YORK.

DELMONICO'S, MARCH 19th, 1873.

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Mr. William Kurtz,	E. B. Warner, M. D.,
	Hon. Geo. H. Yeaman.

# Menu

## HUITRES

### POTAGE

Tortue

### HORS D'OEUVRE

Bouchées à la reine

### RELEVES

Bass farcie, sauce hollandaise

Filet de bœuf aux champignons

### ENTREES

Escalopes à la milanaise

Ris de veau aux petits pois

### SORBET

à la romaine

### ROTIS

Red head duck

Chapons

### ENTREMETS

Epinards

Haricots verts

Pommes duchesse

### SUCRES

Cabinet pudding, sauce sabayon

Gâteau Savarin

Corbeille Chantilly

Glaces napolitaines

Pièces montées

Fruits et dessert



## ANNUAL DINNER

OF THE

# Medico-Legal Society of New York.

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The first annual dinner of the Society was given at Delmonico's, on the evening of March 18th, 1873.

The President of the Society, Mr. Clark Bell, presided.

Among the decorations of the room were caricatures of the officers and some of the prominent members of the Society, from the pencil of that inimitable artist, Theodore Nast, who has placed his name foremost among the caricaturists of the world.

After the removal of the cloth, Mr. Clark Bell, the Chairman, called the meeting to order, and said :

GENTLEMEN OF THE MEDICO-LEGAL SOCIETY :

If there be any platform upon which the two professions of Law and Medicine can meet upon equal terms, with a common aim, a common purpose and equal skill, it must be on such an occasion as the present—at a dinner, under the auspices of a Society which claims to unite and combine all the higher and nobler talent of both professions, with an earnest endeavor to exclude all the follies and foibles of each. I congratulate the Medico-Legal Society, and you, gentlemen, that, after these few years of patient though earnest work and waiting, you have at last come, and thus early, to the fruition and realization of the hopes of those of our founders who sought to build up in this city so goodly a company of men interested in the grave questions which excite the world connected with medical jurisprudence. It is my good fortune, gentlemen, and I esteem it a high honor, to preside at this, your first annual dinner ; and, while congratulating you on the past labors of your Society, and the bright prospects of its near future, I am happy to be able to announce a quiet solution and settlement of all the questions which have hitherto

aroused, interested, excited and divided us around this peaceful board, and with other implements than those of war or of dispute and strife. This is an occasion when neither the fear of the doctor nor of his scalpel or prescriptions, nor the terrors of the law or of lawyers, need deter or prevent you from eating your dinner or drinking your wine in perfect quiet, security and repose. It has been said by a wise man, that lawyers rarely go to law, and doctors seldom or never take their own physic, but it has never been said of either profession that they were wanting or backward in the discharge of the grave and responsible duties incident to such an occasion as this. (Applause and laughter.) I take it that the doctors among us will be quite content in aiding in cutting up what has been set before them without lugging in the clinic or the scalpel, and that the lawyers will hardly dare attempt to stop the examination of the business in hand at this table for any alleged absent witness or party, or try even to put off this case for a time, or even until another day. (Great laughter.) This is neither time nor place for dilatory pleas of any character. The only execution or judgment in order here is to execute judgment on the good things the Gods have provided, as every restraint upon your action or injunction against a good time in this action has been removed by Mr. Justice Brady, who promised to come up here and sustain his order, which is still in force, so that ye may all eat and drink and enjoy yourselves to your hearts' content. (Renewed laughter.) I once heard a distinguished medical gentleman and authority, and one of the most lustrous among the names inscribed on the roll of this society, remark that the human race was, in his opinion, under, rather than over fed, and that cases were rare, within the limit of his experience and observation, when the human animal ate too much—that he was much more inclined to eat too little. That profound remark of this astute and brilliant thinker was made before he had sat down to the first annual dinner of the Medico-Legal Society. (Laughter.) Perhaps he did not mean to include in his estimates doctors or lawyers, who have, since the world began, had somewhat exalted ideas of the excellence and beneficence of good living and good dinners, and who have thus established for their respective professions something of such a character as that ascribed by Queen Catherine to the great cardinal of her time (Wolsey):

“Men of unbounded stomachs.”

This society, recognizing the force of this great physiological truth, and grappling, with its accustomed courage, the issues of the hour

thus presented, has resolved on this occasion to say to the medical men among us, "Throw physic to the dogs," and attend for an hour to one of the solid comforts and enjoyments of life ; and to the men of the law, "Try the case now at Bar, and forget all else in attacking and demolishing what Delmonico has set before you." (Renewed merriment.) But, gentlemen, I must not be betrayed by the excitement or allurements of such a festive occasion as the present, into inflicting upon you extended remarks, or beguiled into cramming medical jurisprudence down throats already jammed full of the Society's dinner. I shall content myself with congratulating you, as being the pioneer society in this city to bring together the two professions, actuated by a common impulse and a common purpose, to sit down to one table, and quietly decide which can really out-eat and out-drink the other. (Great laughter and applause.) And now, gentlemen, I shall give the toast of the evening—"To the pioneer society, of whose first annual dinner we have partaken—the New York Medico-Legal Society—the first of its name and kind known to the civilized world. May it continue foremost in its great assumed work—the reciprocal instruction and mutual advancement in the essential knowledge of the two great professions—Medicine and Law."

(The toast was received with great enthusiasm.)

I shall call to the floor, to respond to this sentiment, the first President of this Society, one of its founders, a constant friend, a true and earnest worker, a man of distinction and prominence in the medical profession, and one to whom this Society is largely indebted, not alone for his labors\* in its early history, but for his active co-operation in its later labors. I take pleasurè, gentlemen, in introducing

DR. T. C. FINNELL.

Who responded as follows :

Mr. President and Gentlemen—In endeavoring to respond to the toast you have proposed this evening, I first prefer to say a few words of the founders of the New York Medico-Legal Society. The names of the gentlemen who first joined together to organize this Society, were Drs. Wooster and John Beach, Wohlforth, Emil Gruening, Leo, J. J. O'Dea, J. F. Chauveau, and your humble servant. This was in 1866, and, after several protracted meetings for organization, in which the usual formula of going through the formation of committees, the presentation of a constitution, and the established means of getting a society in working order, and discussions on medico-

legal topics, the Society, in 1867, had a permanent organization, and in the election for the officers your humble servant was chosen President of the Society. The meetings at first were held at the residences of the members for several months, and finally, through the kindness of the Coroners, we were invited to hold our meetings at the Old City Hall, in the Coroner's office. (Laughter.) A good place to meet, gentlemen. (Renewed laughter.) We were invited afterwards to meet at the College of Physicians and Surgeons. The former place was found too far down town for members to attend the meetings, and we resolved to accept the invitation of the College of Physicians and Surgeons.

As mentioned, the Medico-Legal Society of New York was the first society of the kind organized in any city or country of the world. After we had formed and organized our Society here, by these gentlemen mentioned, then it was ascertained through our corresponding secretary that there was a similar society organized in Paris six months after our own. They knew nothing at all of our organization, for we published no papers; but simultaneously with our own in New York one was established in Paris. And there, under the direction of such men as Drs. Devergie, F. Gallard, Balluer, Lepraud du Saule and others, they formed a society similar to our own, on the same grand principles, believing in this one point mentioned by the President—that if lawyers and doctors would come together, crossing each other in social conversation, they would be in that manner apt to favor each other. Every gentleman knows how unfortunate it is for a doctor to go into Court, and be made a *fool* of by a lawyer (laughter), and every doctor knows what a fool the lawyer makes of himself in asking him a question which means nothing at all. (Renewed laughter.)

As soon as it was ascertained that there was such a society in Paris, I, as President of the Medico-Legal Society, instructed our corresponding secretary to send word to those gentlemen abroad that a similar society was founded here, and we wanted to shake hands of friendship across the ocean. Very soon after we communicated with them they responded most cordially, and since our relations have been of the most friendly nature. Without my knowing it, they elected me an honorary member of the Medico-Legal Society of Paris, an honor that I prize more than anything else. Since that time exceedingly friendly communications have been passed with one another. Our corresponding secretary, Dr. J. F. Chauveau, informed them at the same time of what we had been doing, and

they sent back their publication. I hold in my hands the "Transactions of the Medico-Legal Society of Paris," a book all worthy of such a society. Here you have the contributions of the first men in France, all aiming and endeavoring to instruct lawyers what they should learn and understand in acting in Courts of law; you have here papers read on the variety of poisons, infanticide and so on. I will use their extracts, as translated, of what had taken place in this city. The French Bulletin, page 430, has the title of the topics read before the New York Society. 1st. The causes of sudden death. 2d. Criminal abortion. 3d. Dipsomania. 4th. The hereditary transmission of mental diseases. In addition to these, "We have made a good many autopsies under the direction of our president, in cases of sudden death, or where there was a supposition of assassination, suicide or the presence of poison. The bodies of many new-born children found in suspicious places have been examined by us with a view of ascertaining if they had breathed, and if we had to deal with cases of infanticide."

Now, Mr. President and Gentlemen, he who gave the most help to the organization of this society was Dr. Wooster Beach, now Deputy Coroner of the City of New York. For years it had been in his mind that such a Society should be formed. On a certain occasion in 1860 he called on me with two or three other gentlemen, and we talked the matter over in order to carry it forward. The result was that an organization was made and he, as permanent chairman, eventually got the Society into working order, and in the presence to-night of all these gentlemen, I will certify to you that this work was carried by this man all the way through. Our Society, gentlemen, commenced in 1866 with eight members. We have this night over two hundred.

#### THE CHAIRMAN.

Gentlemen—I propose the health of that profession so largely instrumental in the formation of this Society. In doing so I shall present to you a man of high standing in his profession, one who is inflexible in morals and in ethics, a fit leader and guide for a pure, high-toned and exalted profession, of which he is a successful practitioner and a distinguished member, to respond to the toast of "The Medical Profession, the unostentatious but the constant friend of the sufferer, and the undaunted seeker after truth. To it the world is indebted for invaluable discoveries, as well as for the existence of this Society." I introduce to you Dr. Elsworth Eliot, President of the New York County Medical Society.

## ADDRESS OF DR. ELIOT.

Gentlemen—I don't think I answer very well to the description your worthy President has given. I was invited to come here, not to speak of the medical profession, but expecting such men as Dr. Sayre or other teachers to be called upon to respond to that toast. But inasmuch, however, as your President has called upon me, I don't feel at liberty to decline to say a few words. I am very glad to be here as the representative of a profession whose members compose a Society that dates back nearly seventy years—as the member of a profession which founds any Medical Society—as the member of a profession who place and join themselves shoulder to shoulder to advance the cause of freedom and truth. (Applause.) And yet I must at the same time say, that I feel as I were under a certain *Court* restraint, as if there would be a great many lawyers to cross-question me here as a member of the medical profession. (Laughter.) I was once examined nearly a whole day in Court, and I believe I stood the examination creditably, and yet I felt something at first like that fly experienced when the spider invited him into its net (renewed laughter); but I found the lawyers very amiable, and was not the least restrained.

As I said before, I am very glad to be here to represent the profession, and rejoice in the prosperity of the Medico-Legal Society. I have not the honor of membership in your Society, but I know of the great amount of good it has done. I hope ere long to be in its membership, as I hope every doctor will be.

We should have these associations. Men who have so much in common together can meet together by them, and talk over matters and be friendly. There is not a doctor in the profession who is not in some sort afraid of lawyers. (Laughter.) I must confess, I always dislike to be called to the witness-stand; but I must also say, that I was always treated with the utmost civility, and I have had no lawyer ever attempt to browbeat me. Our early impressions, which we get from our teachers, I must confess made us rather afraid of meeting lawyers. You don't know what the men will think of asking. My old teacher said they were men who would abuse each other like pickpockets in Court, and then go out and become the best of friends, just as ready to take a drink together then as any other time. (Laughter.) I suppose that is kept up yet. (Renewed laughter.)

Instead of lawyers meeting together and browbeating medical witnesses, I am glad to see them locking arms as here to-night.

(Applause.) We should certainly have a better understanding, as there are so many things we might work out in common if we were all of one mind and one heart in the matter. As a rule, I don't think that doctors are disposed to lend themselves to error, and I don't believe that the better part of the lawyers so understand it. To be sure, I heard a judge say once, that a lawyer would send their writings to Court, but for the future he would make the doctors come and swear—but they did not come. I learned afterwards that lawyers went by precedent in this. They had formerly thought that doctors were barbarous, all of one class and kind, and were more like those who are not in the habit of receiving certificates. They do not recognize us as doctors alone. Of course, lawyers don't recognize the distinction; they think every one who calls himself a doctor and is before him in Court as such is as good as another.

There are so many things we might do in common for the benefit of the people. The medical profession is largely devoted to the removal of existing evils. No matter what may be brought forward of this character, the medical profession are almost foremost in the ranks, as in the reformation of the abuses in our city. Lawyers, too, can help the medical profession by making speeches, etc. Eloquence is not a sign of our profession. On the contrary, we are taught to keep still when we go into a sick-room, and see what we see, and learn what we learn, and go out with closed lips. With lawyers it is different. There are a great many abuses in which lawyers and doctors should be hand-in-hand to remove; I need not refer to them to-night; they are constantly brought before your Society, and if the lawyers in your Society and the Bar generally had some knowledge of medicine, it would enable them to do a great deal more good in the community than they do now.

The amount of good done by my profession, unrequited good, cannot be estimated. I have sometimes thought that those who are attended and furnished medicine gratuitously by the medical profession amount to half of the medical work. I don't think I am out of the way in this estimate of the work in this city done by physicians without pecuniary reward. If we could join hands with the lawyers a great many things could be removed. We can point out the nuisances in the streets, but are not able to devise means to remove them without calling upon the lawyers to secure enactments for great evils. Look at the matter of criminal abortion. There is not a doctor that can draft a law that can meet that; perhaps they can do a great deal to prevent it. Various laws have been proposed. I

remember last year one, I think, was enacted, and received the signature of the Governor ; but that is not all. It is not the enacting of the law ; it is to see that it should be carried into effect, and the lawyers will ever find the doctors ready to furnish them with facts. I think it is one of the objects of this Society to remove a great many evils that threaten to overwhelm us—the prevention of pauperism and crime. These are subjects that must engross our attention.

Again, I must say, I am much obliged to the gentlemen meeting here. I hope that when we meet in Court, with ourselves on the witness-stand, that the lawyer or the judge may be more ready and willing to do us justice, and not irritate or annoy us, as may perhaps happen, not by lawyers but by pettifoggers. We should call them *quacks*. (Laughter.) This Society is instituted to prevent that, as well as quackery in medicine. (Renewed laughter.)

But we can learn a great deal from you. I sometimes wish that the doctors would cross-examine themselves as closely in regard to the operation of their medicine as *they* cross-question us in Court. The more severely they do this, the more creditable will be their evidence if called upon in Court on questions which he thought he was informed of, but really don't know much about. I remember a late trial in which the evidence of several witnesses agreed, but what they testified to the lawyers tore to pieces, and showed them they did not know much about it. Such self-examinations are for our credit, and such evils your Society have a tendency to remove.

Let us meet together often. We find fault with the clergy, and suppose many doctors attribute a speedy departure to the efforts of the clergyman ; but the truth is, we are always glad to see them, and are on the best of terms with them, where they do not interfere with us. (Laughter.) If they propose we shall be dismissed, and some other individual substituted, I don't think as highly of him, and don't think that his ways are a demonstration of what should be his duty.

Again, we are working together for the promotion of the cause of society, as instituted. Let us have the most friendly feelings towards each other. Let us do all we can to remove existing evils in society of which we know the bitter fruits ; then we ourselves shall be benefited, and the prosperity and character of our city will be greatly promoted. (Applause.)

THE CHAIRMAN—Gentlemen, the next regular toast of the evening is “To the Legal Profession.” I had the promise of a distinguished gentleman, a member of this Society (Mr. E. W. Stoughton), repre-

sented by our artist in the character of Demosthenes (laughter), to present that profession to you in the manner and with some of the spirit desirable on such a festive occasion. But owing to the recent arrival of the firstborn son of the late King of the Sandwich Islands, he is obliged to entertain that noble guest this evening, and is unable to be present. On learning this, I had some idea of calling a very distinguished member of the legal profession to respond to this toast; but when I remembered his natural modesty, his unwillingness to speak without having at least three weeks' preparation—I allude to Mr. Field—(great laughter), I have decided not to do so. (Renewed laughter.)

I made the acquaintance, gentlemen, in Washington, in 1864, of a quiet, unostentatious gentleman, who had in an unguarded moment accepted a nomination to Congress from one of the districts of Kentucky, and who was then dragging out the miserable existence allotted to members of that remarkable body. He occupied a prominent position in that Congress, and possessed the confidence of Mr. Lincoln to a very large degree. He subsequently represented this Government abroad near the Court of Sweden, and it has since been the peculiar good fortune of the Bar of this city to induce him to eschew politics, and renew here the forensic contests and successes which distinguished his early practice in his native State.

A man of profound learning in the law, a constitutional student of distinction, a worthy member of this Society, and a man every way worthy and qualified for the position, permit me, gentlemen, to introduce Hon. George H. Yeaman, of our Bar.

Mr. Yeaman responded as follows :

ADDRESS OF THE HON. MR. YEAMAN.

Mr. President and Gentlemen—I certainly feel very much obliged that you have explained that there is such a break in the programme this evening, that you have felt compelled to call on me to respond to this toast. I am sure it could not have entered into the mind of the President to do such a thing. Nothing but the purest necessity would have driven him to this strait. The fact is, Mr. President, the idea of responding to a toast to the Bar is a most difficult performance, and would need careful preparation. The Bar are so much in the habit of speaking for other people, that they don't know how to speak for themselves. (Laughter.) And if they could, or if they

had the chance to prepare to speak for themselves, it is perfectly well known, and I need not mention the fact, Mr. President, that their old renowned modesty would prevent them doing justice to the subject. (Great laughter.)

It was remarked by the last speaker on the floor, that he had a wholesome fear of lawyers, and in pleading for the other side of this professional Society, I am very sorry to have to say to him, Mr. President, that the lawyers heartily and cordially reciprocate the fear. (Great merriment.) You know we are known for our heroism, our daring audacity, all the world over. They are all brave boys ; brave in a legal fight, in a political fight, and some of them have been brave in a military fight. But I have been conversing with some of my legal friends lately, and though all these various experiences have been much varied by an occasional knock-down and drag-out, they have confessed that the only one thing they were afraid of in all this world was the doctor. (Renewed laughter.) There is my friend on the right who complains that lawyers sometimes get doctors into the Court House and make fools of them. Now, Mr. President, with the utmost deference, I have this question to propound : How can a lawyer make a fool of a doctor in the Court House if the doctor was not a fool when he went in there. (Laughter and applause.)

But seriously, Mr. President, if a man would be excused for any remissness on such an occasion as this, I confess I don't feel much like it. We are met here as the representatives of the two out of three of the leading, greatest and most useful of professions. I believe Divinity is not represented among us ; but it is conceded that the three professions of Law, Medicine and Divinity are the most valuable and the most useful. I am afraid the President has taken out of me all the seriousness, and the science, and the logic I intended to get off on this customary occasion. But there is one subject which I would like to let others here explain to me. I have been impressed with it here this evening. I have been surprised on coming in this dining-room to see how large a Society it was. For instance, it may be announced in all the daily journals that certain discussions will take place in our little rooms, corner of Fourth Avenue and Twenty-third Street, where it can be demonstrated to a hair'sbreadth that any member of this assembly is sane or insane (laughter) ; demonstrated what is necessary to constitute an attempt to poison or kill ; and calling there, we find comparatively but few assembled. But here is a little private intimation telling me of a

dinner, and your hall will hardly hold them. I would like the next speaker to explain this.

In conclusion, Mr. President, let me but say, that to my mind this Society, its exertions, its and objects deserve our hearty, persistent, consistent and harmonious labors. It is not only true that there is a certain class of subjects discussed in medical jurisprudence, of which it is a part of the duty of every lawyer and of every medical man to make himself proficient in his profession ; and it is true that there are some subjects coming within the province of each profession in which we all feel interested. The cultivation and development of all these subjects will be accomplished by that kind of co-operation and intermingling which is secured by an organization of this kind.

Now one of our friends remarked in a jocosé way, that he was afraid and shrunk from a cross-examination in the Court-room, but remarked with justice that this examination was beneficial to the medical profession themselves. Have we not such an example of this in the remarkable trials of Schoeppe and Mrs. Wharton. Lawyers cannot get along in such trials without the aid of physicians. I am not one to decry the testimony of "experts" on such an occasion. We must have them, but on the other hand, medical experts will admit that they themselves have been benefited. They have been made more cautious, more diligent, more expert, and I think the standard of their ambition has been elevated by the mode, manner and result of this terrible cross-examination. (Applause.)

THE CHAIRMAN, Mr. Clark Bell, arose and said :

Gentlemen—The Medico-Legal Society is fortunate that it has upon its roll of members a name which represents a peculiar type of the foremost lawyers of the day ; one that has become cosmopolitan in connection with international law, that has drawn down upon himself and his colleagues the anathemas of the old school lawyers of the period before the flood—I beg pardon, I mean the code ; a man who never makes much of a contest over a question in the Courts ; who is usually quite willing to let his opponents have their own way, and who was never known, in the whole course of his practice, to fight or strike back ; a man rarely seen in the Courts at all, and who shrinks with all his nature from the publicity of any trial of notoriety. This gifted and remarkable man, who is a distinguished member of this Society, has broken through the reserve which has ever kept him away from public dinners, or indeed public occasions of any

sort, and is with us to-night, he will tell us how intimate are the relations between medical jurisprudence and the international code. Gentlemen, I have pleasure in calling upon Mr. David Dudley Field, of the Bar of this city.

Mr. DAVID DUDLEY FIELD spoke as follows :

Mr. Chairman and Gentlemen—It will hardly do for me here to say much about civil, or criminal, or international code, for on this occasion it would be hardly in good taste. I would prefer, in this company, to be a listener ; but I may speak of the other relations of that department of knowledge for the promotion of which this Society was formed. No code, no system of law for any place or people can be administered without the light of medical jurisprudence. When you understand what that jurisprudence is, and state the question which it embraces, you state that which goes hand in hand with all Courts—that which attends on all the tribunals, and which is the handmaid of every code, civil, criminal, national and international. Go into that Court-room, and you will see the ownership of a great estate depending upon the question whether a child was born alive—the question to be solved by the medical witness who brings to the witness-stand the study and the experience of a lifetime. Go into another Court, and you will see the question of an inheritance depend upon the probability of a survivorship, where husband and wife, parent and child, have gone down together in a common shipwreck in the open sea. Go into a third, where a homicide is investigated, and you will see the question, Who and what was the cause of death?—which only the medical witness can solve. Go into the fourth, and you will see a question of responsibility depending upon the sanity or insanity of a person accused of crime. These are but the illustrations of the questions which your science is to solve ; and for such science this Society is now laboring. A more praiseworthy object it would be hard to find. The devolution of estates, the honor of families, the sanctity of reputation, the bonds of life itself, may be made to depend upon the fidelity and learning of medical witnesses, and these in their turn upon the encouragement and aid which societies like this give to that branch of learning. Your province embraces the beginning, the duration and the end of life. Your labors extend from the cradle to the grave—nay, they begin before the cradle, and they end only when the last vestige of the human body is resolved into the clod of earth. It is most manifest, then, Mr. Chairman and gentlemen, that you have undertaken a

most useful and honorable work, and that, of all the societies in the land, this is the one which deserves to be commended. And when you are widely known you will be heartily sustained, and receive all that you desire of the riches and appreciation of life. (Applause.)

THE CHAIRMAN—The Society is especially fortunate that it has a distinguished member present who is a prominent surgeon and a popular professor of orthopedic surgery. It is the mission of this gentleman, as I understand it, to make the crooked *paths* straight (applause); and I am told, upon the highest authority, that he is *in all respects a jolly good fellow*. I introduce to you Dr. Lewis A. Sayre, a prominent member of this Society.

DR. SAYRE spoke as follows :

I must express my astonishment at being called upon to make any remarks at this meeting, for it is perfectly unexpected to me. And after the eloquent remarks of the distinguished legal Solons and various other parties present, I am surprised I should be called upon without giving me some definite topic on which I should be expected to make some remarks; unless it is that this whole Society is so deformed in its constituent construction that it requires rectification, overhauling, and being made straight. I can hardly imagine any other topic on which I should be called on to speak. As I know so little of this Society, I can hardly be expected to give a diagnosis. That investigation requires some little time to have been given to it in order to present and comprehend the present condition and proper plan of treatment. (Laughter.) I believe you called upon me to speak of "Orthopedic Surgery." The meaning of that term is to make straight. Most people think it means the feet only, but it means the head, the moral character, and all. If ever I think there was an opportunity for the orthopedic surgeon to display his skill, from what little I have seen since I have been in this room I must confess that I think you meant something of that kind here. (Laughter.) In the first place there is a very great deal of crookedness in the dinner. (Renewed laughter). Commencing at the beginning: Now it is very evident that that must have been done by lawyers, not by the doctors; because the doctors all know perfectly well what is requisite for the physiological condition of man to be best preserved. In making the arrangement of the *cuisine*, certain great mistakes, I find, have been made. We must put that to the doctor's side of the table. In looking over the the *menu*, I find

certain things to eat very small in quantity of material to wash them down. (Laughter.) Crook No. 1! (Renewed laughter.) To be improved the next time. I am very sorry that you called upon me to make an address to you. I have the honor of being a member of this Society, and feel that it is doing a great deal of good, and can be of the greatest possible service to both professions in the future. My constant occupation has prevented me from visiting it as often as I would have wished, but I feel it is a society that every medical and legal man should join heart and hand in earnestly sustaining. That is its great want. No honest man—medical man or lawyer—can be in doubt that there is a great amount of corruption in both of the professions about certain points, which this society will have a great tendency, I think, to rectify.

In regard to questions of jurisprudence which Mr. Field has very properly brought before us: the inviolability of children, the sanity of persons, responsibility for acts—all are questions which should be considered with a great deal more care than hitherto has been done. There are certain questions of "emotional insanity" which should be wiped out of the statute book—and "transitory insanity." It is high time that we, both legal and medical men, should rise in our might and stamp with the infamy it deserves, and call moral depravity—moral depravity! (applause)—and not attempt to excuse it under the damnable garb of moral insanity! (Great applause.) We will then get one crooked thing again straight. (Laughter.) That is orthopedic surgery. It is high time that this garbled falsehood should be viewed in its true light; and thus hold people morally responsible for the proper execution of the law, and when a crime was committed they could not let their discussions, either medical or legal, be prostituted to the covering up of infamy, but give it the proper reception of its just punishment. (Great applause.)

THE CHAIRMAN—We have with us to-night, and I esteem it a high honor, a gentleman who bore a proud and a conspicuous part in the war of the rebellion, now, happily, ended. A gentleman who, as chief of cavalry in McClellan's army at Fair Oaks, at Malvern Hill, whose brilliant fight with Fitz Hugh Lee, at Kelly's Ford, his gallantry at Moorfield, at Rocky Gap, Winchester, Droop Mountain, and a score of hard but well fought fields, ably won the distinction given him by President Lincoln, and the stars that are brightest in a soldier's eye. A gentleman who, having served his country in the field in time of war, and ably represented our Government as Con-

sul-General at the Canadian capital, has, now that war is over and peace come again, unbuckled the sword and dropped his rank to engage in the pursuits and avocations of peace. I introduce, gentlemen, Major-General William W. Averell, who will respond to the "Army and Navy."

ADDRESS OF GEN. AVERELL.

Mr. President and Gentlemen of the Medico-Legal Society—I hereby thank you for the kind manner in which you have received the toast so graciously proposed by your President to the Army, and gratefully appreciate the too flattering terms in which he has been pleased to refer to its humble representative on this occasion. This city and country are to be congratulated on the successful organization of this useful Association, and I congratulate myself that I am permitted the honor of attending your first annual dinner. I am proud to meet so many distinguished representatives of these great professions, who have achieved so much individually for the best interests of science and society. In this age of material progress it is refreshing to witness the organized efforts of noble minds in a development purely intellectual.

As the great political analyst, De Tocqueville, remarked that it seemed necessary to do everything in this country through associations, it appears strange that a century was permitted to elapse before the necessity for this association was recognized. But since the establishment of the Republic our efforts toward material development have been too vehement, the current of capital and labor too swift and strong to permit that leisure which is essential to investigation.

Your objects and aims are most noble. To ennoble, establish, and to maintain rules of conduct from the infinite variety of conditions which surround and control human life is certainly a heroic task. Gentlemen, the army recognizes you as brothers. There subsist between us relations similar to the immutable and mysterious union of matter, force and motion. The medical gentlemen investigate matter, the lawyers, I believe, make motions and extraordinarily can apply force. We each take our turn in prescribing for the ills which afflict humanity. When we prescribe we change the form of a government, perhaps, or set free a race from bondage. Whilst in one of your professions it is occasionally said there is a case of "kill or cure," in our practice we always aim to kill. You treat individuals for the benefit of society which can have only the State for a patient.

When your briefs and labors no longer avail, and the national health and life are threatened our services are demanded. Ten years since we had an extensive practice, were much thought of, talked about, and were popular. Our fee was enormous—two thousand million dollars! The people have ever since, I believe, felt a great interest in that fee. But we received only a small percentage of it—the political quacks and their dependents got most of it. And now, and not alas, our occupation's gone: the pomp and circumstance have departed from the army, and our glories are well nigh forgotten. We are no longer of much account, which may account for the eminent fitness of our being represented on this occasion by so insignificant an individual.

There is a notable proverb in the Talmud, which reads, "When a shepherd is angry with his flock he appoints to it a blind bell-wether." The providence which permitted the organization of this Society certainly smiles upon it, for your bell-wether is not blind to the obstacles which you must encounter, nor to the paths which shall lead you to usefulness. May you deserve success and achieve it. (Great applause.)

THE CHAIRMEN—This Society has lately had the good fortune to enlist in its membership one of the most enthusiastic, jolliest, and best-natured of good fellows in the world. I happen to know that he won his spurs worthily and wore them well in the neighboring State of Michigan, where he was connected with some of the most prominent cases in that Commonwealth; and that he has now come among us only to win new laurels and accomplish fresh victories at the Bar of this city. I have great pleasure in introducing to you Charles P. Crosby, of the new firm of Fullerton, Knox & Crosby.

#### ADDRESS OF CHARLES P. CROSBY, ESQ.

Mr. President and Gentlemen—I have gone through this evening one of the most agreeable chapters of existence that it has ever been my good fortune to encounter for some time. I was a short time since made a member of this Society by the good offices of my friend Mr. Bell, knowing nothing of its purposes or its objects, save that Mr. Bell was the President; that was enough for me. I came here, gentlemen, to-night, and upon coming into the hall was told by my friend that I would be expected to take the place of Mr. Stoughton, who was to reply to the toast of the Bar. Well, I worked for an hour to get myself into proper frame of mind for that. (Laughter.)

Then, finding that my friend of the Kentucky Bar had been selected for the position and that one or two others opened up, I was incontinently choked off by my friend Bell, and really beginning to feel that there would be no opportunity for me to make a speech until the last ten minutes, and I cannot tell you, gentlemen, the gratitude I feel to Mr. Bell for finally giving me the opportunity. (Laughter.) I had supposed myself to be the only lawyer in this Assembly who would make a speech this evening. (Renewed laughter.)

I have had very great pleasure in being present at this first dinner of this Society. I have had pleasure in hearing remarks upon this subject by the first men of the American Bar. I have had the pleasure of listening to some of the first in the medical profession of this country, and my own ideas and notions of the effectiveness of this Society have been enlarged and widened by the opportunity I have had this evening of hearing its distinguished men of the three professions—the Church, the Bar and Medicine.

When I listened to the remarks of Mr. Field, more than ever in my life was brought home to me the idea underlying this Society. And instead of numbering, as it does, two hundred members, it should number, in this city, every respectable member of the medical and legal professions. (Great applause.) It is a shame to us, gentlemen, that the bar, with three thousand five hundred lawyers practising in this city; it is a shame to you, gentlemen of the medical profession, with, I presume, nearly an equal amount of members in this city, that the Medico-Legal Society should number only two hundred members. And I take to myself shame, as a member of an honorable profession, that I have not been more active and more zealous in becoming acquainted with my brethren of the profession of medicine, and not been more active in bringing members of the legal profession into this Society. (Applause.)

The gravest, the most solemn, and the most difficult questions which are the subject of controversy in the jurisprudence of our country become necessary to be handled by the joint efforts of the bar and of physicians. Every capital trial, as Mr. Field has so well, so ably, and so tersely said, the grave subjects of inheritance, of life, property and estate, are to be submitted to the joint efforts of the bar and the physicians.

I am very glad and proud of having the opportunity of meeting so many of the respectable physicians of New York and of this Society, and of being able to extend my acquaintance among them; and I hope this Society will go forward, as it has commenced, for the

advancement of truth and the propagation of a proper understanding of medical and legal jurisprudence; and for its results on the well-being of our own citizens and the proper administration of the law, the proper administration of justice, a better understanding of the professions among themselves will be so great that every member of this Society, small as the number is at this time, will congratulate himself upon the occasion which brought us together and may insist on the propriety of this organization. (Applause.)

THE CHAIRMAN—When I accepted the responsible position of the President of this Society, in an unguarded moment (laughter), it was with the distinct proviso and understanding on the part of the medical profession that I should be supported in the chair of the Vice-President by one of its most illustrious, distinguished and highly prized names. This gentleman, united to the excellence of his own profession, had been selected to head and occupy the chair of a very prominent society of the medical profession of this city, the Medical Journal and Library Association. That is the only society in this city which collects and makes available the current medical literature of the world, and proposes to centralize this idea in founding and preserving a complete library of this character for the use of the medical profession. I have found him persistently following that business, all-patient, of great intelligence, a great worker, a high-toned, courtly and gallant gentleman, and a particularly good fellow after dinner. And I take all the more pleasure on this festive occasion in presenting to you that gentleman, who is pursuing the skeleton of the cholera yonder in the distance, and who believes he will overtake it in the year and summer of 1878, Dr. John C. Peters, of this city.

#### ADDRESS OF DR. PETERS.

Mr. President—I came here on the part of the Medical Journal and Library Association, to give the Medico-Legal Society a cordial welcome into the ranks of the great medical societies of this country. (Applause.) But I was a little staggered when I came here this evening, to see a caricature of yourself, Mr. President, endeavoring to bring law and medicine together—a small, weasened, dried-up, saturnine lawyer, with a portly doctor. You accused me of star-gazing; I was only looking up into the heavens for Mars, or perhaps in the pursuit of Venus with the little columns of *Mercury*. (Laughter.) But he had a strange instrument under his arm. It was not a telescope; it was not a microscope; it was an *endoscope*.

(Great laughter.) Dr. Sayre undertook to inform you, Mr. President, that no physician in the present time would use such an instrument; he would give you a small dose of the last of the cathartics, the citrate of magnesia. Very pleasant and very effective. That doctor evidently had a serious intention upon that poor lawyer. It was one of two things. Dr. Sayre says it was an assault, or perhaps it might be characterized as a great *penal* offence. (Renewed laughter.)

When the Medico-Legal Society came upon the field in 1868, it had to contend, or rather to rival, the great New York County Medical Society, dating back to 1806, numbering six hundred members; it had to rival the Pathological Society, and one of its founders, Dr. Sayre, is now here, and another one is now addressing you, with almost the same number of members as the Medico-Legal Society, two hundred or three hundred members, established in 1844. Then you had also to rival the Academy of Medicine, dating, I believe, in 1847, and numbering at least three hundred members, if not over; then you had to rival the Medical Journal and Library Association, dating to 1806, and numbering nearly four hundred members.

Now I have great pleasure in informing you, Mr. President, that among the five great Medical Societies of this city the Medico-Legal Society makes the fifth, with its two hundred members, and I wish it was nearer three hundred than two hundred. (Applause.) You have to emulate the Academy of Medicine, with a large fund of money in cash, and a great many more thousands in subscriptions, with its purpose of establishing a Medical Hall, where all the great Medical Societies may meet, and I hope the Medico-Legal Society among others. The Academy of Medicine accomplished its work since 1847. Our Society accomplished its work in a year or two. They have their Home and their Library. The Medical Library Association has its library of nearly three thousand volumes, and its medical journals of every country and of every language. You will also have to emulate the Society for Widows and Orphans of Medical Men, numbering not more than two hundred members; which have already collected \$93,000, the interest of which is distributed among the widows and orphans of medical men. That is the work which is before you. Thus far I have spoken as your peer and as your equal as one of the Presidents of these great Societies. In the second place I have to remember as your first officer the instructions placed upon me, as it were, that I was to keep watch over here (laughter); that you expected to have a very nice time at the head of the table

while I was to watch little or nothing. (Renewed laughter.) It was especially charged that I should speak to no one, besides, advance no topic, and that I should not venture to get a good story or joke from Dr. Sayre or any of the good men around this table (laughter); but always to be watchful and preserving the dignity of both professions, under all circumstances. (Uproarious laughter.) Accordingly, I take my chair and will endeavor to preserve it. (Laughter and applause.)

THE CHAIRMAN—I esteem it a pleasure to present to you a distinguished citizen of a sister State, who, in the late “unpleasantness” that existed among the States of the Union—I speak of his State not the gentleman—occupied a position which was not popular, so far as majorities may have been concerned, in the State of New York. But now that the affair has been amicably settled, and he is our friend, and his State being humbled in her submission to the General Government, we will be glad to hear from him in regard to other subjects, rather, perhaps, than anything that relates to that unfortunate affair. For that might mar the pleasant and joyful purposes of the two professions, which is the only thing proper to come in on an occasion of this character. We have the Attorney-General of South Carolina with us, Mr. Samuel Melton, whom I take great pleasure in introducing to you to-night. Mr. Melton was received with a hearty greeting.

#### ADDRESS OF ATTORNEY-GENERAL MELTON.

Mr. President and members of the Bar and Medical profession—I have to speak in this poor stammering tongue, and besides, have nothing which contributes to post-prandial, or the quiet procedure which we call the “after dinner achievements.” And, indeed, I ought to be permitted here the highest privilege of a guest, that of listening to the flow of soul which belongs to this company present, without the embarrassment of having to parade myself. So I have but little, sir, to say.

I see no reason, Mr. President, why I may not, at least in some sort, allude to questions which you have forbidden to me, because I don't think it is in me to allude to them in any other mode but that which is the most genial and pleasant. I am entirely *reconstructed*. (Laughter and applause.) I have had distinguished assistance in my progress to this achievement, and to that assistance allow me to refer for a few moments. It is said, sir, to be congenial if, after

the conquering, the conqueror enforces upon that people his language. You could not then instruct us, for we speak the same language you do, and had only, perhaps, to insist upon a little alteration of the *accent* with which we would pronounce it. In the progress of the rule down there, the idea occurred to some gentlemen whom, I believe, in this part of the country they call carpet-baggers (laughter), to form a commission to revise the laws of the State. It so happened from the amiability of sentiment which belonged to me, although not a member of the party, that I was invited to act upon that Commission. I would not go, because I thought it involved an immense deal of labor which I could not give. Three distinguished gentlemen were put upon the Commission to simply revise and abridge the laws of the State of South Carolina. They took three years in the work they had to do, expended, I am told, \$40,000, and gave us what I could have given in one week, with the assistance of a clerk—that magnificent achievement of modern jurisprudence—the Code of the State of New York, word for word. (Great laughter and applause.)

We have the desired law, and are glad of it and like it. It works well. The old members of the profession don't like it; but the younger members of the profession do like it; and it is its effect upon society with us which has been the efficient instrumentality in the work of reconstruction by the fact of having to make anew our jurisprudence, and to lay upon the shelf those old people who raised this *fuss*, and bring forward the younger members of the profession who are gradually assuming power in the State. (Applause.)

I may wish, in reference to this, to point to what may perhaps have occurred to my brethren in the profession here. What struck me at the outset, and, by the way, we were very badly situated in the day before the Code was passed and made a law in South Carolina. I was elected to the Bench, and it was peculiarly happy for me to introduce the Code to the profession in my State. They knew nothing about the law they got, neither did I. (Great laughter.) Did you ever observe this feature, Mr. President, in that Code? Let me call your attention to it for one moment. It abolishes that great old fraud—the general issue. (Laughter and applause.) That miserable fraud of the general issue, invented in barbarous times to conceal the lines of the defence, in which you were permitted to come into Court and establish you did not do it, when you really meant and did do it. (Laughter.) Gentlemen, there is no more going into Court in South Carolina with a lie in your mouth; you

can't do it. (Applause.) Instead of doing this, our clients are carried into Court upon their sworn proof and pointed statement of the fact—the truth in their mouth.

Now, Mr. President and gentlemen, that one achievement is worth a hundred years to the South. I was at Central Park some time ago, and saw that beautiful monument to Morse. I think there should be a statue somewhere there to Mr. Field. I hope that, in the Providence of God, his fine health will continue with him until all the States of the Union shall appreciate his late work as we appreciate it in South Carolina. (Applause.)

THE CHAIRMAN—Gentlemen, I am about to propose the health of our sister societies whose distinguished representatives are here this evening. I will call first to his feet the representative of the New England Society. It is the good fortune of the Medico-Legal Society to have present on this occasion a son of New England, who has had his foot on Plymouth Rock, and has kept his eye on the *main chance* in every trade of his life; a man who represents New England ideas and views in their purest and least adulterated forms. He is distinguished for those traits of modesty, meekness, and a sense of his own unworthiness and nothingness which have characterized the sons of New England in all time, and distinguished them from all other races of men. I introduce to you Mr. Isaac H. Bailey, of this city, the Vice-President of that society. Mr. Bailey is one of the surviving members of the "Committee of 70" present on this occasion who has avoided the blandishments and allurements of office that have beset that remarkable Committee. And this particular patriotism, and this exception in this city, has won for him not only the admiration of all patriots, but the reformers of his own Committee and Society.

#### ADDRESS OF ISAAC H. BAILEY, ESQ.

Gentlemen—I had no idea, until I heard this introduction, what kind of a man I was (laughter); how much I incarnated to-night in my own person the representation of the New England Society. (Laughter.) I came here without my badge, and without intending to parade before you my official wings. But, in view of the introduction which has been made, I must represent the New England Society. I must say something to you which I should not say in my individual capacity, but which you must attribute to the spirit of that institution I represent.

In the first place, it has been the peculiarity of New Englanders to fight the two professions of law and medicine. We have that painful consciousness that the man who goes to law is in great danger of being despoiled of his property ; while the man who surrenders himself to the care of the physician may be said to be in imminent danger of his life. (Laughter.) And under these circumstances, one of the rules and cardinal principles taught to their young men in the countries of New England is, never to go to law, never to take physic. (Great laughter.) By faithful observance of these two cardinal principles I am what I am. (Uproarious laughter.)

But, gentlemen, you can imagine something of the consternation I felt when I found, as I have found in learning of this institution, that it was destined to bring these two hostile professions into conjunction, and to bring to bear their respective forces for the purpose of making predatory warfare upon the property and lives of their fellow-citizens. (Renewed laughter.) I don't know, and I am quite unable to understand, how society is to be preserved from such a combination. (Laughter.) I have heard, gentlemen, of an Irishman who, finding the gates of Paradise unguarded, quietly stepped within the golden portals ; and he had not roamed long among its streets before he was assailed and his credentials demanded. He was unable to produce them, and was ordered, summarily, to "go out." With an Irishman's ready wit, it occurred to him that he would avail himself of his legal rights ; therefore he resisted. "Be jabers, I will not go out except by due process of law." (Laughter.) And under that justice which is known in Heaven, though we see but little of it on earth, they conceded to him this right ; and the Irishman understood perfectly his safety, in the fact that he could not discover in Heaven any member of the legal profession. (Great laughter.)

Well, now, gentlemen, I have also heard about a doctor in my own section of country, about whom there came a man to inquire of one of your legal profession. And he asked him several questions about him ; and one of the questions was, "Has he many patients living?" (Laughter.)

Gentlemen, there is a member at this table whom I never met before, and naturally so for me, for I understand he is a physician. He has abused a profession to which I have the humble claim of belonging—the profession of the clergy. And he has hinted to-night, here, that the clergy have sometimes interfered with the ministrations of his profession. But, gentlemen, you may tell him that our profes-

sion are never called in until his patient is in extreme danger—until his case is utterly hopeless ; and from what I can gather from the friends of that physician, he has a great many of that kind of interferences. (Laughter.) I hope he will endeavor to avoid them in the future, by preserving his patients from the extreme danger to which they are subjected under the ministrations of gentlemen of his order. (Laughter and applause.)

Gentlemen, I speak to you in all seriousness. I have no idea whatever of undertaking anything like the reform of this Society. I have tried for a great deal, but without success, in the committee mentioned by your Chairman. We have been called a "Committee of 70," but we shall all be seventy or more before we can bring about the result expected of us. And let me tell you, while we are seeking to bring about the reform which is required in the city of New York, we find ourselves hindered by these members of the medical profession ; because we find that those members of society who are of the order who do not require it are not able to obtain the ministrations of the clergy, are amongst the longest-lived people. (Laughter.) It is a misfortune for which your profession alone is responsible, and one for you to remedy of the sanitary evils of the city of New York.

Now, gentlemen, I feel that if you could possibly bring about in this Society an order of things in which it could be proposed that a man beginning in the springtime of life with a lawsuit may, if he lives to the age of threescore and ten, witness its conclusion. You would be bringing about a glorious reform. (Laughter.) On the other hand, if you could proportion the ratio instead of accelerating the people, the medical profession would be making a good thing ; for, as between law and medicine, we are all of an equality ; the only difference is between a lingering and a speedy death. (Laughter.)

THE CHAIRMAN—We have among us a representative of "the land o' cakes," who comes of a good old Scotch stock, and is the head of that celebrated society organized among us who claim descent and lineage from the land that gave us the gifted Burns and the immortal Walter Scott ; who have infused into the American character so much of their greatness, their ruggedness, and that toughness peculiar to the true Scotch character. My friends, when the health is proposed and the sentiment which I have, you will all honor and unite in it with our distinguished friend :

"The Scotchman—valuable to medical science, because it requires a surgical operation to get a joke in his cranium." (Laughter.) I introduce to you Mr. James Moir, President of the St. Andrew's Society.

## ADDRESS OF JAMES MOIR, ESQ.

Mr. President and Gentlemen of the Medico-Legal Society—Allow me, in the name of St. Andrew, to thank you for the opportunity of being present at your opening dinner, and for the courteous reception accorded to their representative to-night. All organizations that will alleviate the woes or elevate the condition of mankind, or even promote brotherly love, should be encouraged, whether done under the name of Solon, of Esculapius, or of St. Andrew; we therefore hail you as one of our sister societies, and with cordial greeting tender to you the right hand of fellowship, and trust that we may long, not only exchange civilities, but go hand in hand in progressive advancement and usefulness. I am charged by my fellow-countrymen to call the attention of your medical brethren to the wholesome diet of oatmeal, on which most of us have been brought up, which not only makes the body strong but has proved the most invigorating diet for the brain ever known to man, as evidenced by the great names which Scotland has produced; and while she points with pride to our great novelist and ploughman poet, she also shows on this long line of traditional blazonry eloquent and deeply-read barristers and highly original and observant physicians. And why cite names before an audience so thoroughly instructed as the one I have now the honor to address? Mansfield, Eldon, Erskine and Brougham are names familiar to every schoolboy; and such names as Abernethy, Hunter, Bell, Clark and Ferguson, the Queen's Physician, are known to the veriest tyro in medicine and surgery. For myself, gentlemen, I have a fellow feeling for physicians; my father himself was a medical man; and pardon a brotherly pride if I add, my brother was for some time President of the Royal College of Physicians in Edinburgh, and the friend and adviser of the late lamented Sir Francis Simpson, the discoverer of the anæsthetic properties of chloroform.

Your profession, gentlemen, has made great strides since Voltaire asserted that you poured drugs of which you knew little into bodies of which you knew less, and I presume there are still some Dr. Hornbooks who have taken up the trade and advocate them.

“ Calces o' fossils, earths and trees,  
 True salmanicum o' the seas,  
 The farina o' beans and peas,  
 They hav't in plenty,  
 Wi' aquafortis, what you please,  
 They can combat ye.”

Still, gentlemen, in our social life, who so longingly looked for, so

enthusiastically welcomed as the doctor, the preserver of life, the bringer of hope, the alleviator of the last physical pangs to which mortality is heir. The splendor of undying self-sacrifice illumines his path of noble philanthropy.

In the United States, law and medicine have become necessary to each other, especially since the new disease of emotional insanity has become so prominent, and it now takes both professions to convict or liberate—to decide as to insanity from drink or inheritance, as may suit the case; thus rendering the study of physiology very essential to the lawyers of the present day. It has been said that the errors of physicians lie buried deep in earth, while those of lawyers swing high and ghastfully in the face of Heaven; but let us not forget that amid all the corruption that has lately been laid low, the body of our lawyers and judges come out of the ordeal unscathed; and we acknowledge the lawyer as the guardian of our property, of social order, and of eternal justice; and the physician as the moral hero, who dares foul disease and the horrors of infection, and fears not the sublime combat with the king of terrors, Death. Thus greet we, with full soul, the bar and medical faculty of New York; may public order, personal security and divine justice rule wherever her eloquent advocates plead; and may the returning health of all suffering patients cheer the weary footsteps and solace the anxious hours of all true physicians.

THE CHAIRMAN—I expected to have the pleasure of presenting the Bar Association in the person of Mr. Justice Noah Davis, who is connected with this Society, but regret to hold a note explaining that illness prevents him from being present.

The St. Nicholas Society is one which has always been to me very suggestive. Its name smacks of Paas, of Easter eggs, of Patroons, and of the staunch, broad-bottomed, broad-shouldered Knickerbocker stock so happily portrayed by our Washington Irving.

I have great pleasure in saying that a true descendant of that old Dutch Admiral, Van Tromp, who carried a broom at his masthead and with it swept all the seas, is with us to-night. He unites in himself the two characteristics which we so wish to honor, as Secretary of the Bar Association and the representative of the Knickerbocker's Society, the St. Nicholas. Mr. A. R. McDonough, of the Bar of this city, whom I have the honor to introduce to you to-night.

#### ADDRESS OF MR. McDONOUGH.

Gentlemen of the Association—It is, as I understand, in the lat-

ter of the two capacities named by your President that I am here to-night. My words of welcome shall be very brief, for they are sincere in the inverse ratio of their diffuseness. Brevity is the soul of hospitality in talking as it is in wit. In welcoming, therefore, the Medico-Legal Association into the band of these accustomed to meet in annual festivities, I do it as a representative of an association older than any existing in this city; for although the Knickerbockers claim to be next, the St. Andrew's and St. George's Societies both anticipate us in point of date. There have been six associations of the kind I have named in this city. The Medico-Legal Society makes the seventh. You complete the mystic number. We welcome you into it. I extend to you all an invitation to the festivities of the St. Nicholas Association whenever they shall meet. (Applause.)

THE CHAIRMAN—I take pleasure, gentlemen, in introducing to you a gentleman who has made for himself a high name in the editorial profession; who has high aims for the future destiny of the American Press, and whose greatest triumph is, that although still a young man, he fills the editorial chair of the newspaper founded by Horace Greeley, the New York *Tribune*—Mr. Whitelaw Reed.

ADDRESS OF WHITELAW REED, ESQ.

Mr. Chairman—This seems to me beyond the bill. We have heard to-night from the professions which are so eloquently, I might almost say voluminously represented. We have heard also from the societies of New England, St. Andrew's and the Knickerbocker, which give us welcome to these sacred festivities—and all these societies, I think, have been especially named—that there are precisely three professions; and so says that phrase of my old friend of many years, who has told us that he represents one profession and Dr. Sayre represents another, and that as there is no clergyman present, therefore, there is no third. That, Mr. Chairman, which you call upon me to speak for represents an association. It is not to be dignified by the title of a profession. We who speak by the press are not to be known among respectable organizations, though it seems like a combination of something of the learned professions. After all, Mr. Chairman, it seems to me that the representatives of the press might stand here to-night saying that they were only crucified between two thieves. Because, on the one hand, we find the lawyers quarrelling for their property, and on the other hand we find the physicians disputing as to their bodies and their minds; and between the two there is very little left for them. (Laughter.)

I say, Mr. Chairman, we have been really cast into the limbo of utter darkness ; nevertheless, I shall in all seriousness speak for no profession whatever, speaking only of that one that disorganizes organization, which ought to be repressed and suppressed as well alternately from the lawyers as from the doctors. I wish only to suggest as a sentiment to close these prolonged festivities, and hope that we may all agree upon that theory ; and that is, that the lawyers and doctors here assembled may take into view the present condition of things in New York, in which the press, unfortunately, has to come in, and agree, as the serious, solemn conclusion of these festivities, to decide that henceforth they will, in a meeting of their two recognized professions, agree to abolish forever from the face of the earth the doctrine and the practice of "Emotional Insanity." (Great applause. A voice—Good.) I am sure on that question that I can have the testimony of the medical profession, as represented by Dr. Sayre, and of our late minister to Copenhagen ; and if you will only formulate this influence into a declaration which shall be recognized and accepted by the community, you will give to this Medico-Legal Society a very fit work and a very noble achievement. Thanking you for the kindness with which you have mentioned the press, and begging to excuse it for making any speeches—its business is to report them, not to make them—I return you many thanks. (Great applause.)

The CHAIRMAN—Gentlemen, our distinguished friend of the *Tribune* has taken advantage of the absence of one of the most pronounced advocates of the latest departure (Dr. Hammond—whose place was at the head of that table), in this doctrine of "Emotional Insanity." But he has overlooked the fact that we have among us a man from my own county, a classmate of mine, who has come into this great city, and made for himself, although still a young man, a prominent name as the physician in charge of the City Lunatic Asylum at Blackwell's Island.

Indeed, I think I may take the liberty of saying that he has already come to be an authority as a medical expert. He has bothered more juries, flustered more District Attorneys, and been more uncertain as to the sanity or insanity of the accused than anybody except perhaps Dr. Hammond himself. (Laughter.) He is one of those fellows (I mean, of course, of our Society) who can tell an insane man by looking in his eye, like the doctor who was spoken of in the *Times* article the other morning. If put upon the stand he would swear positively as to the insanity of many of you, if you were on trial for your life, and

he would have great doubts as to the perfect sanity of any one of you selected by lot under like circumstances. (Laughter.) I introduce Dr. Ralph C. Parsons, of the City Lunatic Asylum.

ADDRESS OF DR. PARSONS.

Mr. President—Not very many weeks ago, at a meeting of the Medico-Legal Society, one of the members of the Society, a medical member, asked me if I was not mistaken as to insanity; if I was not sure that those men who had the care of the insane understood the insanity of a man the least of all men; were the least fit to judge of the insanity of other men. He urged that those insane doctors were so accustomed to associate with crazy men, and so unaccustomed to associate with sound men, that they were in such a state of mind themselves that they could not tell the difference between soundness and unsoundness of mind. I very sincerely trust that our worthy President does not hold the same opinion. It is said, sometimes, that when a lamb is placed in a lion's cage the lion adopts the lamb as his companion. In that line of compromise and friendship and amiability there is certainly one advantage—the medical profession compose the legal society. In this close association, then, we find the lions of the legal profession perceptibly disposed towards the lambs of the medical profession. (Laughter and applause.)

THE CHAIRMAN—I am not able, gentlemen, to introduce a representative of St. Patrick's Society this evening. I hold in my hand a letter from Judge Brady, accounting for his absence, who was to respond to the toast of "The St. Patrick's Society." I also hold in my hand several letters from the members of the Judiciary in this city—Judge Blatchford, Judge Charles P. Daly, Judge Joseph F. Daly, Judge Sedgwick, Judge Noah Davis, Judge Balcom of the Supreme Court, and Judge Van Voorst of the Superior Court—some of whom united in saying that they were so intensely occupied at the St. Patrick's Dinner last night, that they were prevented from attending again another dinner so shortly after that occurrence.

I hold also letters of regret, of which notice should be made sometime at this dinner, from Gov. Dix, Hon. Reuben E. Fenton, Recorder Hackett, and one from Hon. Benjamin F. Butler, giving his ideas of medical jurisprudence, regretting his inability to attend, and urging that his political duties prevented him from so doing.

I have just received a telegram from the President of the United States, which, with your kind permission, I will read :

“I regret that public duties enforce my absence from your festive board to-night. Devoted as I am to civil service, I have had little opportunity to master the intricacies of law ; and, fortunately, still less occasion to test the virtues of medicine. Though a doctor of laws, I have no disposition to administer laws to the doctors.”

“ U. S. GRANT.”

(Laughter.)

THE CHAIRMAN—I invited General Thomas B. Van Buren, who is our representative at the Exposition of Vienna, to be present on this occasion. I see around me at this festive board some of the distinguished gentlemen who took part in a recent public testimonial to that gentleman. He was good enough to write a note to me, which I received on the eve of his departure for Europe, too soon to permit him to unite with us to-night. With your kind permission I will read it :

“ NEW YORK, Saturday, March 15, 1873.

“ TO CLARK BELL, ESQ., *Pres't Medico-Legal Society.*”

“ MY DEAR SIR—Nothing would give me greater pleasure than to avail myself of your kind invitation to dine with the Medico-Legal Society next Wednesday, but I had already engaged passage and paid for my ticket in to-day's steamer, and I am compelled to sail, though I should have been glad to have remained in New York a week later.

“ I hope, sir, your Society will decide to send to the Vienna Exposition some of its finest specimens ; and if you will permit me to suggest, I would recommend that a sample medical expert, and, if possible, one of your latest and best developed specimens of “ Emotional Insanity,” be shipped to Vienna. I think no American product would excite more interest or surprise in the coming Exposition at the Austrian capital. The steamer *Guard* is now lying at the Navy Yard, and any packages you choose to send, if confided to my care, will receive my personal attention ; and I promise your Society as much space as will be accorded to any branch of mechanics or department of science.

“ I am nearly worn out with work and extra labor, and with the annoyances I have suffered at the hands of the State Department ; but

I go out to Vienna to represent the great American nation, and I shall accomplish my mission or die trying.

"Thanking you and the Society you represent for the distinguished honor conferred by your courteous invitation,

"I am, dear sir, very truly and faithfully yours,

"THOS. B. VAN BUREN,

"*U. S. Comm'r to the Vienna Exposition.*"

THE CHAIRMAN—I will crave your indulgence while I read some telegrams received during the dinner :

"BERLIN, PRUSSIA, March 19, 1873.

"CLARK BELL, ESQ.,

"*President, &c., New York.*

"SIR—Your telegram reached me too late for acceptance, as a special train would have missed the only steamer sailing. I feel sure the united German Nation sympathizes with the ends and aims of your Society—and although I have no doubt of the favorable views of the Kaiser William, I am unable to-day to advise you authoritatively of his action.

"Science is a true, patient and careful teacher. You may be impatient at sitting at her feet and waiting. Still, when she does speak, she is certain and unerring.

"Germany rejoices that you have ranged yourselves as her votaries and her devotees.

"We have placed the volume of your transactions in the Royal Library, and have ordered our Berlin Society to publish a similar one for the advancement of medical jurisprudence in fatherland.

"Our advice is to hang Scannell and Stokes, and thank the Governor who has refused to interfere with the execution of the law in Foster's case.

"Prussia congratulates the Medico-Legal Society of New York on its great success.

BISMARCK."

(Laughter and applause.)

"LONDON, March 18, 1873.

TO CLARK BELL, ESQ.,

"*President of the Medico-Legal Society, New York City.*

"Permit me to thank you for your courteous invitation to attend the first annual dinner of the Medico-Legal Society of the City of New York, and to tender my regrets at my inability to be present.

“ I have, sir, a high sense of the importance of such a Society in New York, and trust its influence may be felt in restraining the commission of crime (which it is said is there largely on the increase), by aiding in the more careful administration of justice in criminal trials.

“ I have long felt a desire to visit your interesting country, and I am frank to say that, if I had foreseen the recent action of our Commons on the Irish Educational Bill, in season to have made the trip, I should have overcome my repugnance to a winter passage of the Atlantic, and availed myself of my present leisure to have accepted the proffered hospitalities of your Society. Receive, sir, for yourself personally and the Society you represent, the assurance of my distinguished consideration.

“GLADSTONE.”

(Laughter and applause.)

“THE TUILLERIES, PARIS, March 17, 1873.

“MONSIEUR CLARK BELL,

“*President, &c.*”

“SIR—The Republic of France is assured, but I cannot leave my country, even to visit yours.

“The pact of Bordeaux shall be maintained, and France will be ever true to her ancient destiny.

“You are doing a grand work, and our French Society honors and follows you. Insanity is not crime. It is a part of your mission that crime shall not hide herself behind insanity as a shield. We confide in you and trust the Society, whose guest we should gladly be, may attain the highest end of its great mission.

“Carry, sir, to your Society the assurance of the regret I feel that an ocean separates us on the night you inaugurate your great work.

“Very faithfully yours,

“A. THIERS”

(Laughter and applause.)

THE CHAIRMAN—I had hoped, until the last moment, to have been able to introduce our friend Sothorn, who promised me he would come. This note I received to-day, in which he said, if well, he hoped to be present here this evening.

Among the newly-elected members of this distinguished body is a young man who has followed his inclinations in a Medico-Legal

way in uniting with this body. He has a way of his own, of going to the bottom of all things, and to the *root* of the matter. He worthily represents the newly-elected members of this Society.

I take pleasure in introducing Mr. Elihu Root, a young man of distinction at the Bar of this city.

#### ADDRESS OF MR. ROOT.

Mr. President and Gentlemen of the Association—I did not think, prior to being introduced to you, of replying in a carefully-written address, for this occasion ; and I congratulate you upon that. I have here a card ; on one side is the honored name of Clark Bell ; the other side, “Mr. Root shall call upon you next. Bell.” That is the first time I ever knew of that a bell has ever tolled so mournfully for me. I am sorry that the bell has tolled so mournfully for you. (Laughter.) As somebody, I think it is Florence, says : “As I have no original ideas of my own, I have to trust to my poor memory for ideas.” It is hard to think what to think when you can’t think of anything worth thinking. (Laughter.) And I don’t know at this stage of this meeting that we are exactly prepared to receive any serious thoughts, even if I had them to offer. I shall therefore mention but one, and not as a speech, but simply a thought that has occurred to me while the various gentlemen—who are the seniors of the profession of law, and who have been followed by gentlemen as eminent in the sister profession of medicine—have been offering their suggestions upon the common ground of our professions, and that suggestion is this. That while the members of my profession have everything to gain from association with the members of the medical profession, there is one great danger to the gentlemen of the medical profession from their association with us. And when I, as a lawyer—sincerely, I hope—aiding in the elevation of the law, desiring in the truest and the noblest sense that the efforts of my brothers in the profession of the law for the administration of justice, of pure justice, may be accomplished, I, as a lawyer, as a theoretical lawyer, sincerely hope the gentlemen of the medical profession will aid us. And it is not only in this city, where the division of labor is carried to such an extent, and where the acquisition of wealth has become so engrossing ; where the acquisition is apt to overwhelm and submerge all within sight, the higher towers the object of our professional life. Both lawyers and doctors are apt to yield to, and be held by, the side employing them. And that danger, it seems to me, is

this ; that in our professional life, when we present to Courts subjects of medical jurisprudence, we are too apt to be influenced absolutely and exclusively by the interests of our individual clients, and to leave out of mind entirely those higher and broader interests of principles which are to be applied, and so to effect the interests which are, to a great extent, to determine the happiness, life and prosperity of our fellow-citizens upon all other occasions, and in other Courts and other places. The lawyer, when he comes before a Court, comes as the personal and individual representative of his client, whether his client is right or wrong ; whatever of right or justice he has, it is the lawyer's duty to present whatever the wrong is that is done ; whatever of obligation there is to show. It is the duty of the other side to present their side ; and the lawyer is forbidden by his professional duty from doing anything but presenting merely tersely what his duty demands—the rights of his own clients.

But, sir, it seems to me that the physician and medical expert has a higher duty and more unrestricted powers, a broader field for the application of his knowledge and the exercise of his powers ; and I have been pained, in many cases, to see that scientific experts, medical and chemical, are becoming too exclusively partisan in the evidence which they give ; so that I am sorry to see, and I am sure all of us have been sorry to see, experts who are put on the stand—gentlemen of science, gentlemen of recognised position in their profession—are looked upon by the bench and the bar and the gentlemen in the jury-box, not as experts, not as professional men giving their opinions professionally, and, to a certain extent, judicially, but as partisans. I have known, in many cases, gentlemen who have been retained. I believe that is the common practice. There is nothing wrong about it. They are generally retained upon one side or the other. In a particular case, to go on the stand and swear the case through.

Now I say this is proper. I don't mean it is proper to swear a case through, or unprofessional to be retained on one side or the other of a case, because we cannot expect members of the medical profession, mechanics, etc., to devote their time to the investigation of questions involved in litigation, to go upon the stand day after day and week after week, during the trial of a case, for nothing. They must be paid for their time ; the pittance made to witnesses is not sufficient for these. But I do say this : the gentlemen of the medical profession add to the dignity and the science of that profession

if they be above mere pecuniary advantage which they have devoted themselves to seeking. When they go upon the stand, in every litigation, they should not be mere partisans; they should not bind themselves, as the lawyer is bound, to the mere narrow side of the client and the side they are retained for, and give only a partial and incomplete, and even, because partial and incomplete, perhaps a wrong statement of scientific facts.

I hope the influence of this Society may in some part lead our medical experts, when they go upon the stand, to recover to the profession of medicine some of that judicial power, some of that judicial force, which in older times was given to the members of the profession while on the witness-stand. (Applause.)

THE CHAIRMAN—Gentlemen, there is here a man who made me sign a bond that I would not call him out; but I am in the position of that somewhat notorious lawyer of this city in the late *coup d'etat* in Erie—that bond has become accidentally torn up in the struggles incident to such an occasion as the present one. Without comment, I introduce a young man of the legal profession who is abundantly competent to speak for himself, and, I am sure, to your enlightenment—Mr. J. K. Herbert, of our Bar.

#### ADDRESS OF MR. HERBERT.

If it were not disrespectful, and if we had a body to speak to in such a case, I would like to move for the impeachment of our President. (Laughter.) I have agreed with many of the flattering things said about ourselves to-night, and that there is a field to be occupied by the Medico-Legal Society. A great interest each of the two professions particularly have in the administration of justice. It is my intention to prepare with some care, and read to our Society, a paper which, I am perfectly certain, will set my brethren of both professions by the ears at what I propose to advocate. I am very certain, of two very distinct sides, nearly all the people will be on the side I don't represent. (Laughter.)

I don't believe that the principles upon which our civil jurisdiction is based are sound at all. I think that the principles of moral science, which I was taught before I learned Blackstone, will not permit the doctrine of punishment as we have it; and I will illustrate it briefly, thus: If a man is born with one arm or one leg, we never think of demanding of that man the same amount of service

or labor that we would demand of a perfectly sound man—a perfect man. So of a man who is born with a defective intellect, or gets it by accident, it must happen that we never think of demanding of that man fair evidence of a healthy, strong man. If a man is wounded or taken sick, we never think of punishing him and compel him to become healthy, but take him kindly and lay him on the bed, and treat him and commit him to the kind offices of our brethren. I take it that a sound man, a properly organized man, will not be guilty of crime; that a man who is guilty of crime is incapable of it for one or two reasons—either because he is born with a defective organization, and in that question he has had no interest, or because he has been defectively educated; and he had nothing to do with that, and is not responsible, in both cases. (Laughter.) If, instead of punishing them, we would take a man who has a defective intellectual and moral nature, and educate him in some sort of a moral hospital; educate him under such jurisdiction from harming society, in such a way as to train and cultivate him. I don't believe that there is any principle, and that we have any right or jurisdiction to go to work and punish men by strangling or putting them in prison, or set them in a field chained, breaking stones. Now, people say that such and such a murderer is not fit to live—that is, good orthodox folks. Presbyterians think and say they are not fit to live. I answer that by asking, Are such fit to die? Then coming back, they will say, "We will give him time to repent." You make a Christian of him, and then you take your Christian and strangle the life out of him. I do not believe that can be justified on any moral principle. I give you distinct notice that I will discuss this question, and I know you will all take sides against me.

THE CHAIRMAN—I have reserved to the Society the pleasure of hearing one of the most promising of the *Jeunesse Doree* of the Bar of this city. Descended from a good legal stock in Otsego County, he has decided to make this city the field of his professional labors. I predict for him a brilliant and honorable future. Douglass Campbell, Esq.

#### ADDRESS OF DOUGLASS CAMPBELL, ESQ.

I have listened with great interest to the remarks of my friend who has just sat down on his theory of punishment. But what will he have to say of a poor unfortunate like myself, who met the

President of this Association only last Saturday week, and over the convivial glass was induced to come here to-night, and now finds himself brought upon the floor without having consciously committed any offence, and asked, after such an introduction as this, to speak to this Society, of which he is not even a member. (A voice—"Serves you right!") Yes; that is what the great mass of the community say in connection with its criminals. (Laughter.)

I am delighted, Mr. President, to meet here to-night so many members of this legal profession. I am at a little loss at not meeting members of that other profession, the theological. Because I devoted some years of my life to that profession; because I had something of the experience of that young man, who, while in college, studied theology, and he was met by a college friend some years after practising law; and his friend said: "How do you here chance to be practising law, when ten years ago you and I were studying theology together." The fellow said: "Well, in college I believed that the highest object of man was the salvation of his soul, therefore I studied theology. After devoting two years to it, I found that man never cared anything for his preacher until having dispatched everything connected with his body, and I went into medicine. Then, after practising medicine awhile I found that men did not care anything about the rules of their physicians unless the question of dollars and cents established that question. Therefore I devoted myself to the practice of law, where I found men think a great deal more of their pockets than of their bodies or souls.

It is proper that the medical and legal professions should join hand in hand as we go step by step in life together; as the lawyer takes possession of the man's estate, when the physician leaves his body. I know no two professions so closely allied as ours. It is a great and serious question with scientists whether men have souls at all therefore the theological profession, perhaps, has no scientific basis. But as a question of fact every man has a body and has a knowledge of the medical profession. Every man has an estate, and every man has an interest in the profession of law; therefore it is only proper to look at the body and the estate, the *corpus*, the word used in both the medical and legal professions. And this Society, incorporated under such happy auspices, will grow from year to year to a successful future. I wish you all God-speed. I can recognize in my own profession, having occasion to call on eminent scientists and members of the medical profession for their assistance, and see how closely in

union all our relations, medical and legal, are united together. I see how much you may do together, particularly in getting up this great scheme of a complete library of medical jurisprudence in this part of our country. Every member of the Bar will shake hands with you, gentlemen, in this ; and it seems to me that every medical man in the country will shake hands with our legal profession. (Applause.)

The CHAIRMAN—I cannot close without calling to his feet a zealous, talented, and although young, a distinguished member of the Bar, who has lately united with this Society, and who promises well in regard to his future action and co-operation in its labors. I introduce Mr. Chas. Woodbury.

#### ADDRESS OF MR. WOODBURY.

Mr. President and Gentlemen of the Society—I think we have reason to congratulate ourselves upon making discoveries ; the first of which is the complete union of heart between the two professions of law and medicine ; too long have they been separated. But by the influence of this Society and the influences it has created, though long separated, it is uniting in harmony. Doctors will attend their cross-examinations now without anxiety. It seems to me a brilliant augury of our future success. The other congratulation which pleases me, particularly the busy branch of the profession, is what has been discovered by our brother Attorney-General of South Carolina, in what is known as our Code of Procedure, it having resulted in his State of abolishing falsehood in pleadings. I am glad that such success has been obtained in that one State. If it could be obtained in this State of New York, the father of the Code of Procedure would not only have a statue in our Central Park, but he would receive a number of them ; he would find one in every valley. On the contrary, I don't believe that that Code of Procedure ever resulted in the elimination of any falsehood, where anybody is disposed to set it up.

In litigation it has, in results, done more harm than any benefit as a reformatory measure. With reference to the moral facts of the time and speedy punishment it is a very large question, and one which requires serious consideration and serious thought of the manner in which it should be finally disposed of. Crime is by some regarded as the offspring of mental disease ; by others, of defective

education, or the want of proper education. But if there is to be any real punishment; if they are to be put in reformatory institutions merely, I do think we cannot build sufficient institutions in this city of New York to put every one in them who is guilty of crime. On the contrary, if there were no firm beginning with these criminals, if this rule of crime is to continue, I have no desire to live here. I think that human life is too precious; I think that the dangerous men of the city of New York are sufficiently terrible to a man, especially if he is called upon to go often at early hours in the evening upon our most prominent street railroads. Having seen it myself, I think that crime needs a more restraining influence, a more repressive influence; that the law which is in this State existing should be more rigidly enforced; and that the terrors of it should be brought home to every person who is inclined to take it into his own hands. (Applause.) And I, for one, in the present state of public feeling, feel a conscious security which I did not three weeks ago. (Renewed Applause.)

THE CHAIRMAN—Gentlemen, the hour of twelve has arrived, and Mr. Delmonico has notified me that this meeting must close at five minutes after. I feel myself compelled, much against my inclination and perhaps against your wishes, to close the duties of the occasion.

In bringing these festivities to a close, I shall call to his feet a man whom I have reserved to the last. This gentleman is a man who has no sympathy with those who abet crime, whether they be lawyers or doctors; one who strives to prevent the admission of all pretenders to the ranks of either profession.

This man has deliberately sworn an oath (which is like Shylock's registered a bove) never to allow a member of the profession to have rest until the library of the association contains every work on medical jurisprudence published in the English, French, and German languages. I introduce Stephen Rogers, my distinguished predecessor in the Chair of the Medico-Legal Society.

#### ADDRESS OF STEPHEN ROGERS, M.D.

Gentlemen—I have been canvassing in my own mind what I can possibly say. Most of the Presidents, indeed, all the Presi-

dents, of this Society, have been distinguished for something. The first President's distinction is well known to those who make the laws. The second President being absent from the dinner this evening, I do not feel at liberty to mention the distinction, inasmuch as he has distinguished himself for not being present at this dinner to-night. Modesty forbids that the third President should say much about his distinction, and your President having said quite as much as there was the slightest reason for his having said, your fourth President, who is the person to whom we are indebted mostly for the entertainment to-night, is also a distinguished man already, and it is just that point which I think remains untouched.

He has distinguished himself for zeal, but he has struck out on the right path in a line of conduct that has scarcely been touched by any of his predecessors. We have already had some comments upon the picture represented yonder, but I do not read that picture as the emblem of the real facts of the organization. The President, then, gentlemen, knew that the members of this Society, the members of the bar, and the members of the medical profession, were wandering about in promiscuous places searching for information connected with the objects of this Society. They could find a book or two in the library; another book or two in some friend's library; but a very large number of books in which they have cases they could not find at all. His characteristic cuteness in seeing what is necessary, and "putting things where they would do most good," made us efficient on the subject of attempting a library. Nearly every member of the Society has had information of the programme, and we have a considerable nucleus of books already formed for the library of medical and legal knowledge. (Applause.)

That picture represents, as I understand it, the President leading two of these wandering members of the Society to their library. I cannot say what the instruments are to be employed for. (Laughter.) I wish to add, gentlemen, in closing, that every member of the Society should present their cause, and present their friends in this cause; and any friend of any member present would be quite as likely to contribute, and their contributions will be gratefully received—books, or money for the purpose of buying books, for this library. (Applause.) The contributions sought for will be received, and large numbers of books have been received already, and will be taken care of by the President, at the President's office, No. 20 Nassau Street. When the library is completed we can secure a permanent building

for it, where a larger number of books than the President can accommodate can be kept. This, it seems to me, is all that remains to be told of the objects and the mission of this Society to-night. You have yourselves, it seems to me, been thoroughly, and, as one of the speakers said, *voluminously* told.

I cannot sit down, sir, without expressing the feeling of satisfaction that I have enjoyed at this meeting, at the manifestations of the zeal and ability with which this Society is being conducted by its officers. And the satisfaction is made grander far by the fact that I proposed, and was possibly the first person to suggest our present President. Knowing his great tact, his great ability, and his great industry, I congratulate the Society on its prospect under his administration. Mr. Bell then retired from the chair.

The Vice-President, Dr. Peters, having taken the Chair, James Moir, Esq., President of St. Andrew's Society, proposed the next toast, as follows :

Allow me, a stranger, to propose a toast. Gentlemen, considering the pleasant evening we have had to-night, I propose the health of your worthy President, Mr. Clark Bell.

The health was drank enthusiastically by the company, standing.

The President, in response, told a *story*, and the rest of the evening was pleasantly spent in social conversation and story-telling until the adjournment.









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