

Letters and documents in reference to the recent arbitration by a Committee appointed by the Council of the Metropolitan Branch of the British Medical Association to investigate certain charges made by Mr. W. Adams against Mr. Broadhurst ... / [compiled by] Wm. Adams.

Contributors

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*This Pamphlet contains only a very
mild report of Mr Broadhurst's unprofessional
conduct, & which was denounced at the time
March 1872 by Lord Alington as most disgraceful
& ungentlemanly. See Lancet & other journals
March & April 1872.*

ROYAL ORTHOPÆDIC HOSPITAL.

LETTERS AND DOCUMENTS

IN REFERENCE TO THE

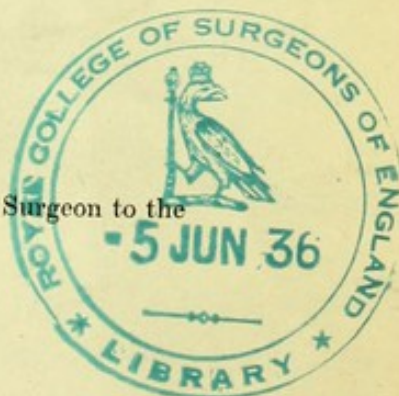
RECENT ARBITRATION BY A COMMITTEE

*Appointed by the Council of the Metropolitan Branch of
the British Medical Association to investigate certain
charges made by Mr. W. Adams against Mr. Brodhurst,
in connection with the events which have lately occurred
at the Royal Orthopædic Hospital.*

BY

WM. ADAMS, F.R.C.S.

Surgeon to the Great Northern Hospital, &c.,—Late Surgeon to the
Royal Orthopædic Hospital.



[For private circulation only.]

ROYAL ONTARIO HOSPITAL

REPORTS AND RECORDS

1900-1901

REPORT OF THE

MANAGING COMMITTEE

FOR THE YEAR 1900-1901

1901

PRINTED BY

THE ROYAL ONTARIO HOSPITAL

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1901

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I have been induced to publish the following letters and documents in reference to the recent arbitration by a Committee appointed by the Council of the Metropolitan Branch of the British Medical Association, in consequence of hearing from various sources that reports are circulated that the charges which I brought forward against Mr. Brodhurst were without any foundation. I feel compelled, therefore, to publish all the facts connected with the subject submitted to arbitration, in order to prove that I was justified in the course which I felt called upon to adopt.

I do not do this in any spirit of finding fault with the conclusion arrived at by the arbitrators, to whom indeed I cannot feel otherwise than much indebted for the time and attention devoted by them to the consideration of the subject. Nor would it be becoming in me to express any feeling of disappointment which I may entertain as to the result of the arbitration; but I am especially desirous that it should be more generally known to what extent I was justified in making the charges of unprofessional conduct against Mr. Brodhurst, it being already stated by the arbitrators in their report, August 16th, 1872, that "the Committee consider that under the circumstances of the case, Mr. Adams was justified in asking for an investigation of Mr. Brodhurst's conduct."

The members of the Committee whose names were appended

to the Report published in the "British Medical Journal" of August 31st, 1872, were:—Dr. Russell Reynolds, F.R.S., Sir William Fergusson, Bart., F.R.S., T. Heckstall Smith, Esq., R. Dunn, Esq., Dr. A. P. Stewart, Campbell De Morgan, Esq., F.R.S., John Marshall, Esq., F.R.S., Dr. Sieveking, John Wood, Esq., F.R.S., and Dr. Henry, Secretary.

The expression of the opinion of the profession, and of the Medical press, has been so condemnatory of the course adopted by Mr. Brodhurst's friends and relatives on the Committee of the Royal Orthopædic Hospital, that, up to the present time, they have been unable to find any surgeons to come forward to fill the offices which Mr. Tamplin and myself felt called upon in honour to vacate. Instead of the surgical staff of the Hospital being increased from four to six, as recommended in the Report adopted at the Annual Meeting in March 1872, the staff is now reduced to two, Mr. Brodhurst and Mr. John D. Hill remaining alone as the surgical staff of the Hospital.

W. ADAMS.

Henrietta Street, Cavendish Square,
November 25th, 1872.

*Mr. Adams' First Letter to the Committee of the Council
of the Metropolitan Counties Branch of the British
Medical Association.*

5, Henrietta Street, Cavendish Square,
April 19th, 1872.

Mr. President and Gentlemen,

I am desirous of bringing under the notice of the Council of the Metropolitan Counties Branch of the British Medical Association what I conceive to be in the highest degree the unprofessional conduct of my late colleague, Mr. Brodhurst, in connection with the events which have recently occurred at the Royal Orthopædic Hospital. These events have been so fully recorded in the Medical journals of March 16th, March 23rd, March 30th, and April 13th, and very accurately reported in the "British Medical Journal," that it is unnecessary for me to do more than briefly allude to them.

The Committee and the surgeons were brought into collision by the occurrence of a Coroner's inquest, held at the Hospital on August 15th, 1871, on a child (Henry Bard), a patient of mine, who died of diphtheria on the fourth day of the attack during my absence in the country. I returned to town, however, the day of the inquest, which had been summoned by Dr. Bourne, the house surgeon of the Hospital, as he assured me, solely in defence of his professional character.

Mr. Tamplin and myself were satisfied that every thing was done in the way of medical care and treatment that could possibly have been done for the child. At the Coroner's inquest the general subject of the outbreak of scarlet fever and diphtheria in the Hospital, which had given rise to a heavy mortality, was opened up, and defects in the nursing department made the subjects of inquiry.

Dr. Bourne made certain statements which reflected seriously on the internal arrangements and management of the Hospital.

Mr. Tamplin and myself, as the surgeons of the Hospital, were both appealed to by the Coroner, and felt bound to state on oath, that the statements made by Dr. Bourne were substantially correct, and the verdict of the Coroner's inquest was, "That the deceased died from diphtheria, but we recommend the Committee to adopt and act upon the suggestions of their Medical officers, especially with respect to the appointment of a regularly trained nurse."

At the half yearly Court of Governors held September 17th, 1871, the constitution of the Committee of Management was materially altered. At the Annual Court of Governors held on March 13th, 1872, this newly constituted Committee of Management embodied in their Annual Report three paragraphs, reflecting upon the conduct of the surgeons in not co-operating with and supporting the Committee in the management of the Hospital; but more especially they charged the surgeons with supporting Dr. Bourne, and in giving evidence at the Coroner's inquest "with the object of relieving themselves of responsibility by making grave and unfounded charges against the Committee." Mr. Tamplin and myself protested at the Meeting against the three paragraphs in the Report, as containing statements which were incorrect, as well as observations which were unfair and uncourteous to ourselves. Nevertheless, the report was adopted, and carried at the meeting by a majority of 17 votes, the numbers being 50 against 33.

Immediately upon this act of the Meeting, Mr. Tamplin and myself felt it to be the only course consistent with our personal honour to tender our resignations. In adopting this course we felt entitled to the support of our professional colleague, Mr. Brodhurst.

At this Meeting it was evident, from the number of strangers in the room and the class of people, that a number of new

Governors had been made for the occasion, and that essentially it was a packed meeting. After the Meeting, Lord Abinger inquired into this, and found that thirty-two new Governors had been made, and that the day before the meeting, Mr Brodhurst had given his cheque for £31 10s., and taken thirty separate receipts for the same; each subscriber of one guinea being entitled to vote.*

In Mr. Brodhurst's presence at the Meeting, Lord Abinger repeated this statement, and also added that Mr. Brodhurst, when asked for an explanation, replied that he knew only two of the Governors whose names were given in, and that his conduct was perfectly legal. *P. 3.*

Mr. Brodhurst being called upon for a reply at the Meeting, stated, "I did not make the Governors. It is quite true I brought the names here, and gave my cheque for them; but the money was sent to me, and whether I brought the money or cheque, it made no difference."

Whilst Mr. Brodhurst admitted that he only knew two of his newly made Governors, it can be proved by the evidence of Mr. Cannan, one of the Committee, that Mr. Carter, also a member of the Committee, said that he knew every one of them, and when he held up his hand, he knew they would all follow him. Thus showing clearly the character of these

* Lord Abinger writes in the "British Medical Journal," March 30th, 1872: "Since the holding of the Annual Court, I have examined the Hospital books, and find that on March 8th eight annual subscribers of £1 1s. were introduced, and that on March 12th (the day before the Meeting), no less than twenty-two annual subscribers of £1 1s. were introduced—all these members being entitled to vote. I have it under the Secretary's own handwriting that the names of thirty of these members were given to him by one of the Assistant-Surgeons, who gave him his own cheque for £31 10s., and took thirty separate receipts for the same. I venture to think that the Assistant-Surgeon in question could hardly have failed to be aware that the adoption of the Report would necessitate the resignation of his two superior officers."

faggot-voters, by whom the resignation of Mr. Tamplin and myself, after being connected with the Hospital for a period of thirty-four and twenty years respectively, have been purchased, through the then Assistant-Surgeon, Mr. Brodhurst.

With regard to the statement made by Mr. Brodhurst on April 9th, and published in the "British Medical Journal" of the 13th inst. that "prior to most of the Annual and special Courts, an active canvass for new Governors has taken place," I can only, for my part, give to it an unequivocal denial.

I charge Mr. Brodhurst with unprofessional conduct :

1st. In having been privy to the purchase and fabrication of a number of votes on the day prior to the Meeting of March 13th, which votes were used at that meeting to injure Mr. Tamplin and myself.

2ndly. In having been privy to the use of these same and other votes similarly purchased at a subsequent date for the rejection of the proposition brought forward and supported by Lord Abinger, Lord Shaftesbury, Lord Ebury and other of the Vice-Presidents, at the meeting of April 8th, for the reparation of that injury.

And I beg to request your Council, after duly investigating this complaint, for which purpose I shall be prepared if called upon to give further explanations, to proceed to pronounce a public decision thereupon.

I regret having to take this course, but I consider this a matter involving important general principles of professional conduct not less than the conduct of a member of the branch.

I am, Mr. President and Gentlemen,

Your obedient servant,

W. ADAMS.

To the Secretary of the Metropolitan Branch of
the British Medical Association.

Mr. Brodhurst's Reply to the Charges made by Mr. Adams.

20, Grosvenor Street,

May 21st, 1872.

Mr. President and Gentlemen,

The letter of Mr. Adams, which you have forwarded to me, contains two specific charges, in which he accuses me of unprofessional conduct.

1. "In having been privy to the purchase and fabrication of a number of votes on the day prior to the Meeting of March 13th, which votes were used at that Meeting to injure Mr. Tamplin and myself."

2. "In having been privy to the use of these same votes, and of others similarly purchased at a subsequent date, for the rejection of the proposition brought forward and supported by Lord Abinger, Lord Shaftesbury, Lord Ebury, and other of the Vice-Presidents, at the meeting of April 8th, for the reparation of that injury."

To both of these charges I now give an explicit and unqualified denial.

I have never been privy to the fabrication of a single vote given either for or against the adoption of the Report of the Committee at the Meeting at the Orthopædic Hospital, held March 13th; nor of any vote given in April. These charges are not only unproven, but also they are untrue.

Lest, however, there should be some difference of opinion with regard to the application of such terms as "privy to the fabrication" and "privy to the use" of votes, I will state simply what was my relation to the new Governors, to whose votes, I presume, Mr. Adams refers.

On February 28th, 1872, a requisition was signed by five Governors of the Hospital (with four of whom I was entirely unacquainted, and concerning which I have never spoken with

the fifth), that the laws of the Hospital should be so far modified that "every Assistant-Surgeon, after having performed the duties of Assistant-Surgeon for an uninterrupted period of twenty years, shall be at once promoted to the rank of full Surgeon."

It was well known that this rule would be applicable to myself. I now, however, state that I did not *personally procure* the votes for new Governors in support of this resolution. Before the Meeting, the names and subscriptions of several new Governors were sent to me by those who were desirous of supporting the resolution, with a request that I would hand them to the Secretary. These votes were unsolicited by me. With this act on my part, my connection with these Governors and their subsequent proceedings absolutely ceases.

The question of the mode of election of medical officers to appointments in public hospitals forms, I apprehend, no part of the subject submitted on the present occasion to the Council of the British Medical Association, and I do not therefore enter into this subject. Were it necessary, I could point out numerous instances in other hospitals, and notably in the Orthopædic Hospital, in which newly created Governors have exercised their right of voting at the election of medical officers, without thereby incurring the censure of the Medical profession either for themselves or for their officers. This question, however, whatever its aspects, is not included in the charges in which I now gladly and confidently await your judgment.

I state positively that I had no cognisance of, nor did I directly nor indirectly seek to influence the vote of any Governors, new or old, respecting the adoption of the report of the Committee which has ended in the resignation of Mr. Adams and Mr. Tamplin. And I further state that I had no

knowledge of the contents of the Report, nor that it contained anything that, if accepted by the Meeting, would necessitate the resignation of my colleagues.

I also state, in respect of the second of Mr. Adams' charges, that I was not cognisant of or privy to the creation of a single new Governor, which Mr. Adams calls the "fabrication of votes" for the purpose of supporting that Report, or of opposing Lord Abinger's motion at the Meeting held in April, nor did I in any way, or at any time, attempt to influence the vote of any one of the Governors, new or old, who were present at that Meeting.

When you first did me the honour to call my attention to Mr. Adams' letter, I intended to have requested your judgment on various points connected with Messrs. Adams and Tamplin's conduct towards me as a colleague during my connection with the Orthopædic Hospital; but on further reflexion I have decided that these questions would be painful to the Council, and fruitless to the Medical profession. I have, therefore, confined myself simply to refuting the charges which have been untruly and without foundation brought against me, and I confidently await your judgment respecting them, being satisfied that you will find that they are entirely unsupported by the facts of the case.

I am, Mr. President and Gentlemen,

Yours faithfully,

B. E. BRODHURST.

To the President and Council of the Metropolitan Counties Branch
of the Medical Association.

*Resolution passed at a Meeting of the Committee,
July 29th, 1872.*

“That a copy of Mr. Brodhurst’s letter, dated May 21st, be forwarded to Mr. Adams, and that he be requested to furnish the Committee of the Metropolitan Counties Branch of the British Medical Association with such evidence as may enable them to arrive at a decision with regard to the following two specific charges against Mr. Brodhurst with reference to recent occurrences at the Royal Orthopædic Hospital, viz. :—

“1. Of having been privy to the purchase and fabrication of a number of votes on the day prior to the Meeting of March 13th.

“2. Of having been privy to the use of these same votes, and of others similarly purchased at a subsequent date, for the rejection of the proposition brought forward and supported by Lord Abinger, Lord Shaftesbury, Lord Ebury, and other of the Vice-Presidents, at the meeting of April 8th, for the reparation of that injury.

“And that Mr. Adams be requested to forward his reply to the Secretary within a week from the present date.”

ALEXANDER HENRY.

Secretary to the Committee.

*Letter from Mr. Adams to the Committee as a Rejoinder
to Mr. Brodhurst’s Reply.*

5, Henrietta Street, Cavendish Square,
August 3rd, 1872.

Mr. President and Gentlemen,

I beg to acknowledge the receipt of a letter forwarded to me by Mr. Alexander Henry, enclosing a copy of the resolution passed by your Committee on the 29th July; and also a copy

of Mr. Brodhurst's letter to your Committee in reply to the charges of unprofessional conduct which I have brought against him.

Mr. Brodhurst states that it is unfounded, and untrue to allege that he was privy to the purchase and fabrication of a number of votes on the day prior to the Meeting held at the Royal Orthopædic Hospital on the 13th March which votes were used at that Meeting to injure Mr. Tamplin and myself. He, however, admits that the names of the thirty new governors were handed to him, and by him forwarded to the Secretary, together with his own cheque for their subscription the day before the meeting; and he states in a letter to the Editor of the 'Lancet,' published in that journal April 13, (see letter sent), "I made no concealment about it, but gave to the Secretary, together with the names, my own cheque for the amount due from the subscribers, some of whom sent me the money previously, and others subsequently to my paying it."

Mr. Brodhurst states that the object for which these new Governors were created, was to support a resolution at the Special Court held on the same day as the Annual Court; (see official notice of meeting), which, if carried, would have placed Mr. Brodhurst in the position of full Surgeon; and Mr. Brodhurst states, that in the Orthopædic Hospital newly-created Governors have exercised their right of voting at the election of Medical officers.

I may at once point out that Mr. Brodhurst here falls into error, inasmuch as by the rules of the hospital, a copy of which I enclose, (see Rule 2), no governor can vote at such election unless his subscription has been paid six months before the day of election.

This, however, is of small importance compared with the fact that Mr. Brodhurst's admission does, as I submit, clearly

prove that he was privy to the making of the new votes, and that on March 13 about thirty, and on April 8 about seventy of such votes were used for the purpose of retaining in the Committee Report the remarks which compelled his colleagues to resign.

The Report of the Committee contained a recommendation that the surgical staff should be increased to three full surgeons, and three assistant-surgeons, instead of two full surgeons, and two assistant-surgeons as heretofore. It was well known that no objection would be offered, either by Mr. Tamplin or myself, to the promotion of the Senior Assistant-Surgeon—Mr. Brodhurst. The Report also contained some paragraphs reflecting upon the conduct of the Surgeons, amounting to a vote of censure upon Mr. Tamplin and myself.

It was moved at the Annual Court by Mr. Money Wigram, a cousin of Mr. Brodhurst's, that the Report be received and adopted. An amendment was then moved by the Chairman, Lord Abinger, and seconded by one of the Vice-Presidents, Mr. Wright, that the Report be received and adopted, with the exception of the paragraphs reflecting upon the Surgeons, (see Report of Meeting ;) therefore both the original motion and the amendment adopted the recommendation that the surgical staff should be increased, and this obviously implied the promotion of Mr. Brodhurst to the surgeoncy—that is to say, such recommendation was unanimously adopted.

Mr. Money Wigram, however, refused to listen to the peaceful solution offered by Lord Abinger's amendment, and was determined to press the reception of the Report in full to the vote. This he did, and obtained a majority of 17, the numbers being 50 to 33. Thus, *the majority of 17 votes was obtained directly by the 30 new votes made for the occasion, and for which Mr. Brodhurst had given his own cheque.*

The Special Court of Governors held on the same day as the Annual Court, and immediately after it, for the purpose of carrying out such recommendation, was therefore merely formal, all present having already voted for it.

But Mr. Brodhurst's promotion to the surgeoncy was made more sure by a resolution that every assistant-surgeon should be promoted to the office of full-surgeon, after twenty years' service. (See Special Notice of meeting.)

At the second Special Court, held on April 8, with the President, Lord Shaftesbury in the chair, it was proposed by Lord Abinger, seconded by Lord Ebury, "That the Special Court reconsider the Annual Report of the Committee of Management as passed at the last Annual Court, and expunge therefrom the paragraphs reflecting on the two Senior Surgeons." And on this occasion the same tactics were pursued by Mr. Brodhurst's friends as at the Annual Meeting, and a further batch of about 40 more Governors were made by them for the occasion, so that about 70 newly-made Governors voted, and a majority of one vote against Lord Abinger's proposition was obtained, the numbers being 99 and 98.

I repeat, therefore, there was no need of the new Governors, except to force the resignation of Mr. Brodhurst's colleagues, and such was the use made of the new votes; and Mr. Brodhurst's admission has fully identified him with the fabrication of at least a portion of these votes.

Mr. Brodhurst states that the Governors were unknown to him. If so, by whom were they obtained? Mr. Brodhurst is silent on this subject; but it is clear they were procured by some one acting in concert with him, or he would not have advanced the money for some of their subscriptions, his own statement being "some of whom sent me the money previously, and others subsequently to my paying it." (See letter in

'Lancet,' April 13). Thus he advanced the money for some governors, to whom, according to his own statement, he was unknown. As the list of subscriptions was sent in by him only the day before the Meeting to the Secretary, the evidence is, I submit, in that respect complete, proving that Mr. Brodhurst either acted as the principal, or the willing agent of the principal, in the sudden creation of these 30 votes the day before the Meeting.

With regard to any direct or indirect influence exerted by Mr. Brodhurst on the votes of the new Governors, Mr. Brodhurst states: "Nor did I directly, nor indirectly, seek to influence the vote of any Governor, new or old, respecting the adoption of the Report of the Committee, which has ended in the resignation of Mr. Adams and Mr. Tamplin." To this statement a most emphatic denial was given by Mr. T. H. Cooper, Surgeon to the Great Western Railway, in a letter published in the 'Lancet,' May 11, (see letter), in which he states, "I was present upon the occasion referred to, and saw Mr. Brodhurst at the Annual Court of the Hospital hold up his hand in favour of receiving the Report of the Committee of Management in its entirety, containing the obnoxious paragraphs which necessitated the resignation of Messrs. Tamplin and Adams. I can also as positively state that neither Mr. Tamplin nor Mr. Adams, who both sat near me, voted upon that occasion."

Then with regard to the second meeting on April 8th, summoned at the request of Lord Shaftesbury, and other noblemen, when it was proposed by Lord Abinger, and seconded by Lord Ebury, "to reconsider the Report, and expunge therefrom the paragraphs reflecting on the two senior surgeons," it cannot be doubted that Mr. Brodhurst indirectly influenced the votes of the new Governors by being present at

the Meeting, and not supporting Lord Abinger's proposition, which on a division was lost only by one vote, the numbers being 98 and 99, so that every attempt to repair the injury done at the Annual Meeting was thus frustrated. If Mr. Brodhurst had desired to have the imputations against his colleagues expunged from the Report, ample opportunity of so doing was afforded him at this Meeting.

Mr. Brodhurst, in his peculiar way, denies that he had any knowledge of the contents of the Report.

He does not venture to assert that every portion of its contents was unknown to him; nor does he deny his knowledge of the reflections made in it upon myself and Mr. Tamplin, but contents himself by stating that he knew not that it contained anything to "necessitate the resignation" of Mr. Tamplin and myself.

It should not be forgotten that two of the Committee were his own relations, viz., Mr. Money Wigram, his cousin, and Mr. Gregg, his father-in-law. And having regard to all the facts admitted by himself, it is impossible to conceive that he was kept in ignorance of all that was going on with reference to the Report, and the mode of supporting it, by the fabrication of votes.

I have now, Mr. President and gentlemen, submitted to your consideration such additional facts and observations, as will, I trust, enable you to come to a decision which will be satisfactory, equally to the members of the British Medical Association, and the medical profession generally.

I have the honour to be,

Mr. President and Gentlemen,

Your obedient servant,

W. ADAMS.

To the President and Committee of the Metropolitan Counties Branch
of the British Medical Association.

Report of Committee.

August 16th, 1872.

The Committee appointed by the Council of the Metropolitan Counties Branch of the British Medical Association to investigate certain charges made by Mr. William Adams against Mr. Brodhurst in connection with recent occurrences at the Royal Orthopædic Hospital, beg to report as follows:—

Mr. Adams charges Mr. Brodhurst with unprofessional conduct.

“1. In having been privy to the purchase and fabrication of a number of votes on the day prior to the Meeting of the Governors of the Royal Orthopædic Hospital, on March 13th, which votes were used at that Meeting to injure Mr. Tamplin and Mr. Adams.

“2. In having been privy to the use of the same votes, and of others similarly purchased at a subsequent date, for the rejection of a proposition brought forward and supported by Lord Abinger, Lord Shaftesbury, Lord Ebury, and other of the Vice-Presidents, at the Meeting of April 8th, for the reparation of that injury.”

To these charges Mr. Brodhurst gives an explicit and unqualified denial. He asserts that the names and subscriptions of new Governors were sent to him prior to the Meeting of the Governors of the Royal Orthopædic Hospital, on March 13th, for the support of a resolution which would place him in the position of full Surgeon. He states positively that he had no cognisance of, nor did he directly or indirectly seek to influence the vote of any Governor, new or old, respecting the adoption of the Report of the Committee which has ended in the resignation of Mr. Adams and Mr. Tamplin; and he further states that he had no knowledge of the contents of the Report,

or that it contained anything which, if accepted by the meeting, would necessitate the resignation of his colleagues. He also denies that he was cognisant of or privy to the creation of new Governors prior to the Meeting of Governors on April 8th, for the purpose of supporting the Report, or of opposing Lord Abinger's motion; and states that he did not in any way or at any time attempt to influence the vote of any one of the Governors who were present at that meeting.

While the Committee consider that, under the circumstances of the case, Mr. Adams was justified in asking for an investigation of Mr. Brodhurst's conduct, they cannot refuse to accept Mr. Brodhurst's positive and emphatic denial, as they have failed to obtain sufficient evidence to establish the charges made against him.

(Signed)

WM. FERGUSSON.

