

Statement of circumstances respecting the removal of Dr. Benjamin Browning, from the situation of surgeon, to the prison at Parkhurst, Isle of Wight, on the 17th day of March, 1845 / [Benjamin Browning].

Contributors

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STATEMENT OF CIRCUMSTANCES

RESPECTING THE

REMOVAL

OF

DR. BENJAMIN BROWNING,

FROM THE

SITUATION OF SURGEON,

TO THE

PRISON AT PARKHURST,

ISLE OF WIGHT,

ON THE 17th DAY OF MARCH, 1845.

~~~~~  
PORTSMOUTH :

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Suppl. / P. / BRO



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## STATEMENT, &c.

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ON the first establishment of the Prison at Parkhurst, in the year 1838, I became a Candidate for the situation of Surgeon to that Institution, and transmitted to the Right Honourable Lord John Russell, Her Majesty's then Secretary of State for the Home Department, testimonials of my services and professional qualifications from the various Flag Officers and Captains in the Navy under whom I had served, as well as from various influential Members of the Medical Profession, to whom I was well known ; in consequence of which, I had the honor to receive the Appointment of Surgeon to the Establishment, of which the following is a copy :—

Whereas, by an Act passed in the last Session of Parliament, intituled “ An Act for Establishing a Prison for young Offenders,” it it amongst other things enacted, “ That it shall be lawful for “ one of her Majesty's Principal Secretaries of State, to appoint for “ Parkhurst Prison, a Governor, a Chaplain, a Surgeon, a Matron, “ and such other Officers, Assistants, and Servants, as may be necessary for the Service and Discipline of the said Prison.” Now know ye, that I Lord John Russell, one of her Majesty's Principal Secretaries of State, being satisfied of the fitness of Benjamin Browning, Doctor of Medicine, do hereby in pursuance of the Provisions of the said recited Act, appoint him the said Benjamin Browning, to be Surgeon of Parkhurst Prison, in the Isle of Wight. In witness whereof, I have signed these Presents, at Whitehall this 11th day of October, 1838, and have affixed my Seal thereun

J. RUSSELL,

*Benjamin Browning, M.D.,  
Surgeon of Parkhurst Prison.*



When I first entered upon the duties of my office, there were only about 50 prisoners at Parkhurst, and the stipend attached to my situation amounted to 50*l.* per annum. As the number of prisoners increased the Surgeon's pay was raised to 80*l.* per annum ; and at the end of the first two years and a half, there being then between two and three hundred prisoners, my salary was 100*l.* per annum, including attendance upon the Officers connected with the establishment and their Families.

The Surgeon of Parkhurst Prison is required to record, in books kept for that purpose, all the cases of illness which occur amongst the prisoners, distinguishing the nature of each case, with the symptoms exhibited, and treatment employed, and setting forth all particulars in reference to the condition of the prisoner. The prison is visited several times in the course of a year by some of the Committee of Visitors appointed by the Secretary of State under an Act of Parliament for that purpose, as well as by the several Inspectors of Prisons, for whose information the books so kept by the Surgeon are continually open for inspection.

Towards the latter end of the year 1843, finding that in consequence of a continued increase in the number of prisoners, as well as of the Officers and their Families, my duties had become much more onerous and requiring a larger portion of my time to be devoted to them, I intimated to Mr. Perry (one of the Committee of Visitors and an Inspector of Prisons, on his visit to Parkhurst), that it would be but reasonable that some augmentation of salary should accompany the increase of duties, and this intimation led to the following correspondence between the Committee of Visitors of Parkhurst Prison and myself :—



*Milbank Prison,*

15th Dec., 1843.

DEAR SIR,

At a Meeting of the Visitors held this day, the question of your remuneration was taken into consideration, and the Visitors resolved upon making a recommendation to Sir James Graham, which I think it right that you should be previously informed of, that I may learn your sentiments on the subject.

It is proposed to build a small house for you in the immediate vicinity of the Prison, and that your Salary shall be increased to £150 per annum, on condition that as much of your time as may be required, may be at the service of the Prison.

Will you do me the favour to inform me in a few days of your views upon the matter, and tell me at the same time whether, if the Committee were to relieve you of the duty of attending the families of Officers, any arrangement might be proposed by which you might attend them upon somewhat more moderate terms than they would receive from a stranger.

I remain, dear Sir,

Yours truly,

JOHN G. PERRY.

*Dr. Browning.*

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*Newport, Isle of Wight,*

20th of December, 1843.

DEAR SIR,

In acknowledging the receipt of your kind letter of the 15th instant, permit me to offer you my sincere thanks for your private and friendly communication, which enables me candidly to state to you, my real sentiments on its contents.

Viewing the intended proposition of the Visitors to Sir James Graham, as only a temporary arrangement, or until the Establishment be completed, I feel perfectly satisfied, but if considered by them as final, I think you will agree with me, that the Salary is inadequate for my services; and sacrificing as I should do, at present a steadily increasing practice of 200*l.* a year, which has every prospect of much exceeding that amount, at no distant period.

If relieved by the Committee from attending the Families of Officers, which you intimate as being probable, I would take charge of them, at the rate of 1*l.* per annum, each family, a sum, which I hope will be deemed sufficiently moderate.



Apologizing for thus trespassing on your valuable time, and relying on your kind disposition to serve me in the event of the subject being again taken into consideration by the Visitors.

I am, dear Sir,

Your's truly obliged,

BENJAMIN BROWNING.

*J. G. Perry, Esq.*

*&c. &c. &c.*

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*Millbank,*

*11th January, 1844.*

MY DEAR SIR,

I have made the visitors acquainted with your sentiments, on the subject of the proposal made to you ; and am requested to state to you in reply, that the arrangements they propose is intended to be final, and not to be altered on the full occupation of the prison. They are quite sensible that your time may be more *profitably* employed in private practice ; but they feel that the nature of the duties at Parkhurst, and the small amount of illness likely to prevail among boys at the ages of the prisoners there, would not justify them in recommending that a higher salary than £150 (with a house valued at £50), should be paid to the surgeon.

I have considered it better to defer the consideration of the payments by officers for attendance on their families, as I think a better mode might be devised of arranging that part of your duties.

I have entered thus fully into detail, rather than incur the risk of exciting expectations which there is no reason to expect would be realized.

I am, dear Sir,

Your's very faithfully,

JOHN G. PERRY.

*Benjamin Browning, Esq., M.D.*

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*London,*

*27th May, 1844.*

SIR,

Having recommended to Secretary Sir James Graham that in consequence of the additional Medical duty arising from the increase which has already taken place in the



number of prisoners at Parkhurst, and the further increase which will be consequent upon the completion of the Buildings, the Salary of the Surgeon be augmented to £150 per annum, and that a House be provided for his accommodation. We beg that you will inform us whether you are willing to devote your undivided services to the Prison on the terms proposed.

We are, Sir,

Your most obedient Servants,

J. JEBB,

WM. CRAWFORD,

J. P. K. SHUTTLEWORTH,

JOHN G. PERRY,

Visitors of Parkhurst Prison.

*Benjamin Browning, Esq., M.D.*

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*Parkhurst Prison, Isle of Wight,*

*3rd June, 1844.*

GENTLEMEN,

In reply to your letter of the 27th ult., received on the 1st inst., stating your having recommended to Secretary, Sir James Graham, that in consequence of the additional Medical Duty arising from the increase which has already taken place in the number of prisoners at Parkhurst, and the further increase which will be consequent upon the completion of the buildings, the salary of the surgeon be augmented to £150 per annum, and that a house be provided for his accommodation, I beg respectfully to inform you, that I am willing to devote my undivided services to the prison, on the terms proposed.

I am, Gentlemen,

Your obedient humble Servant,

BENJAMIN BROWNING, M.D., Surgeon.

*The Visitors of Parkhurst  
Prison.*

It will be observed, that the foregoing correspondence continued up to the month of June, 1844, at which time I had been the Medical Officer of the Establishment at Parkhurst nearly six years, during which period no complaint



whatever had been made of any injudicious or improper treatment on my part, of patients in the Prison under my care ; nor was there ever any intimation thrown out of my incompetency to discharge the duties of my situation ; indeed the foregoing correspondence expressly disproves the existence of any such complaint or insinuation, for it cannot be for a moment believed that the Committee of Visitors would have proposed to me an augmented salary with a respectable residence near the Prison, if I would devote the whole of my time to the service of the establishment, unless they were fully convinced, after an experience of nearly six years, that I was in all respects fully competent to discharge the duties required of the Surgeon to the Prison, at Parkhurst.

In further proof too of the estimation in which my services were held, I subjoin extracts from the reports made to the Visitors of Parkhurst Prison, by the successive Governors of that Institution :—

*Extracts from Governors' Reports.*

1839—"It has happily been hitherto found possible to dispense with opening an infirmary. No deaths in the prison have occurred. All the cases of sickness have been *successfully treated* by the Surgeon in the dormitory cells.

(Signed)

"R. WOOLCOMBE, Governor."

1840—"No infirmary has been opened in consequence of the temptation such would afford to the idle and deceitful, to feign sickness, for the enjoyment of a fire-side, and other little comparative luxuries not attainable in the wards, in which *all the cases* of sickness have been *successfully treated* by the Surgeon. No deaths have occurred in the prison, nor have any malignant diseases appeared. It is to the *prompt attention* paid by Dr. Browning to every case of sickness at its commencement that the prevention of such diseases may in a great measure be attributed ; and I have to acknowledge his *invariable readiness to co-operate* in all ar-



*rangements deemed beneficial to the discipline of the prison, notwithstanding the additional trouble sometimes thereby imposed on him.*

(Signed)

“ R. WOOLCOMBE, Governor.”

1841.—“ The report of Dr. Browning, the Surgeon, will inform your Lordship of the *general good health* of the prisoners during the past year. *No death* has occurred among the prisoners since the prison was established, nor has any malignant disease appeared among them.

(Signed)

“ R. WOOLCOMBE, Governor.”

1842.—“ The third year has now closed without a death having occurred in the prison, or the existence of any malignant disease among the prisoners.

(Signed)

“ R. WOOLCOMBE, Governor.

1843.—“ The intelligence and unremitting care of Dr. Browning, aided by wholesome, regular, and sufficient exercise in the open air, personal cleanliness, and frequent change of employments, have providentially been successful in preserving the prisoners' health, in a remarkable degree, throughout the year. I am thankful to be enabled to report that no death occurred within these walls during 1843.

(Signed)

“ G. HALL, Governor.”

In the early part of the month of September, 1844, a prisoner, named Benjamin Mee, having died within the Prison, at Parkhurst, an inquest was as usual held on the 9th day of that month, within the walls of the Prison, before Henry Sewell, Esq., Coroner for the Isle of Wight, and a respectable Jury, to ascertain the cause of his death. As Surgeon of the Establishment I was of course examined on that occasion, when, in answer to questions put to me by the Coroner and Jury, the following evidence was given by me :—

BENJAMIN BROWNING.—I am the Medical Officer of Parkhurst Prison, and have been so some years ; knew the deceased. He was admitted here on the 15th of May ; his state of health was apparently good ; his reputed age was 15 ; he was first taken ill in the early part of June, with low nervous fever. He recovered from that after about three weeks treatment ; he was well on



the 29th of June ; he was taken ill again in August, about the 14th ; he was taken ill with bowel complaint, diarrhea ; was a good deal weakened by it. He then in a week or ten days appeared to have recovered from that, and then was attacked with headache ; feverish symptoms followed ; chillness ; weakness ; symptoms fluctuated till about this day week ; I then considered it necessary to remove him to the Infirmary ; from thence he was removed to the Bath Room ; he was getting worse ; considerable weakness, would call it nervous fever ; considered him so ill, called in another opinion, Mr. Tuttiett, who considered him dangerously ill ; he gradually grew worse, and died early this morning.

The Prison Diet is Bread and Cocoa, with Milk, sweetened with Molasses, in the morning. For Dinner—Beef, 4oz., a pint of soup, (the liquid in which the beef is boiled), with vegetables, pearl barley, three-quarters of a pound of potatoes with their Dinner, and 4oz. of Bread, with salt.

Their Supper—Oatmeal gruel or porrage, with bread, that is their daily diet.

His diet was not reduced to my knowledge.

I saw him daily whilst he was ill, and twice in the day ; prescribed medicine, leeches, blisters to his neck, cold application ; there was a good deal of determination of blood to his head ; mustard poultices in the latter stage of the complaint.

Gave him nourishing diet in a lighter form,—such as sago, fried eggs, barley water, toast water.

Was attended by a night nurse at night, and the Infirmary Warden during the day ; all my directions were committed to paper ; everything was complied with.

Mr. Tuttiett considered it was nervous fever.

Did not consider it likely to terminate fatally the first day or two.

Cannot attribute it to any particular cause.

Has always been complaining.

Consider his illness to have been the effect of mental anxiety.

On their reception they are put into cells in the probationary Ward. They are confined in their cells,—with the exception of certain periods of the day. I think the solitary confinement may have brought on the nervous attack with previous predisposition.

In June first observed an effect upon his health, then he was allowed to take more exercise.



Has never been removed from the probationary ward till about a week ago.

I think the boys in that ward are more predisposed to illness.

That is one of the regulations of the prison,—they stay in this ward for four months. It is considered to be a severer discipline than the usual prison discipline.

There have been numerous cases of illness.

Bowel complaints are very prevalent.

I think there is a predisposition to illness in that ward. The boy's illness was technically called typhus.

The probationary ward is well ventilated.

On the 16th October, 1844, being about five weeks after the before mentioned Inquest, I received the following letter from Messrs. Crawford and Perry, two of the Visitors of Parkhurst Prison :—

*London, 15th October, 1844.*

SIR,

Having been informed that at a late Inquest, on the body of a prisoner, at Parkhurst, you gave evidence which was calculated to lead to the opinion, that the confinement of prisoners, in the Probationary Ward, is injurious to their health. We beg that you will furnish us, as soon as possible, with the facts which have induced you to form that opinion, together with any observations you may be desirous to make on the subject.

We are, Sir,

Your obedient servants,

WM. CRAWFORD,

JOHN G. PERRY,

Visitors of Parkhurst Prison.

*To Benjamin Browning, Esq., M.D.*

To that letter I gave the following reply :—

*Parkhurst Prison, Isle of Wight,*

*17th October, 1844*

GENTLEMEN,

In reply to your letter of the 15th inst., I beg to inform you, that to the best of my remembrance, I stated in evidence, given at a late inquest on the body of a prisoner, at Parkhurst, that the confinement of the said prisoner in the proba-



tionary ward, predisposed him to illness. My reason for so thinking was, that the lad was of a nervous temperament, fretful, and never seemed contented.

With respect to my evidence being calculated to lead to the opinion, that the confinement of prisoners in the probationary ward is injurious to their health, I beg to be permitted to submit the following facts, which have come under my observation, since the opening of the probationary ward in January last.

1st—That in that ward the number of sick, in proportion to the whole numbered confined, has always been greater than in the general and junior wards; as for instance, on February 13th the number of sick in the probationary ward was 11, whilst the number of the sick in the general and junior wards only amounted to 23 cases; on March 26th there were 14 cases, in the other wards only 23; on April 11th there were 11 cases, in the other wards only 19; on May 24th there were 11 cases, in the other wards only 14; on June 15th there were 11 cases, in the other wards only 16; on July 7th there were 10 cases, in the other wards only 17; on August 23rd there were 15 cases, in the other wards only 26; on September 8th there were 21 cases, in the other wards only 26.

2ndly—That the constitutions of young persons are less able to bear the effects of restriction, separation, continued mental exertion, and the prohibition of conversation, than those of adults, in consequence of their having less energy, and being more quickly depressed by indisposition.

3rdly—That the prisoners of the probationary ward being confined so large a portion of the day, to an artificial temperature were rendered in general, last winter, more susceptible of disease.

4thly—That their exercise being always taken under restraint, without relaxation of mind or body, does not appear to me to be of the same benefit to them, as it would otherwise be.

I have the honor to be, Gentlemen,

Your obedient servant,

BENJAMIN BROWNING, M.D., Surgeon.

*The Committee of Visitors of  
Parkhurst Prison.*

Shortly after these letters had passed between the Committee of Visitors of Parkhurst Prison and myself I



was required to furnish a return of prisoners who had been under medical treatment when confined in the Probationary Ward, specifying their names, age, date of reception at Parkhurst, state of health on reception, date when reported sick, nature of disease, when removed from sick list, how long in Probationary Ward, when taken ill, and when discharged from Probationary Ward.

Also a return of the prisoners who had been under medical treatment in the general and junior Wards distinguishing those who had been previously confined in the probationary ward.

These returns were furnished on the 19th of Nov., 1844, to Mr. Perry, Inspectors of prisons and Visitor of Parkhurst, and to Dr. Cursham who accompanied him to Parkhurst on a Medical Commission of Enquiry. The object of such Commission was I presume to ascertain whether the opinion which I had given as to the effect of confinement in the probationary ward upon the health of juvenile prisoners, was in their judgment well founded or not, but never having been informed what the precise object of their enquiries was,—I can only offer a conjecture on the subject.

These Gentlemen proceeded with their examination of the returns with the books, and asked me a variety of questions respecting cases which had occurred, and in reference to the diseases which had existed in all the wards.

The questions thus put to me, with my replies, were taken down by them in writing, and at the close of the examination I requested to be allowed to copy the questions and answers; when Mr. Perry said there was not time to transcribe them, but he promised to furnish me with a copy in a few days: such copy, however, has never been sent to me.

On the 3rd December, Mr. Perry, together with Mr.



Crawford and Major Jebb, also visitors of the establishment, came to Parkhurst Prison, whilst I was confined at home by lameness, arising from an accident which had occurred to me whilst on duty within the Prison Walls. I did not therefore see them ; but on the 5th December, I received from the Governor of the Prison the following note :—

*Parkhurst Prison,*

*Thursday, 5th December.*

DEAR SIR,

I am very sorry to hear that you are suffering so much from the effects of your accident.

I did not receive your note till yesterday morning, and Major Jebb had taken leave of me the evening before ; I could not, therefore, speak to him respecting your house, the very short time I had for conversing with him on the preceding day was entirely taken up with other points.

Messrs. Crawford and Perry were here yesterday and the day before, and from them I learnt with pain, that the report which Dr. Cursham and Mr. Perry are about to send into Sir James Graham, is so strongly condemnatory of your theory respecting the influence of separate confinement on the health of prisoners, that it may, perhaps, affect, very seriously, your position as medical officer of this institution.

I remain, dear Sir,

Faithfully yours,

GEORGE HALL.

*Dr. Browning.*

The Governor subsequently informed me verbally that he had been directed by Messrs. Crawford and Perry to make that communication to me, and I therefore, of course, considered it official.

On the 30th December, and following day, Mr. Perry and Dr. Cursham again visited Parkhurst Prison, and renewed their examination of the books, and of the cases which had occurred ; and they put a variety of interrogatories to me respecting my mode of treatment in different



diseases—which, together with my answers, they reduced into writing.

Feeling that the investigation was now assuming a serious judicial character, I proposed that a third Medical man should be present, which, however, Messrs. Perry and Dr. Cursham refused.

I then requested to be furnished with the copy of questions and answers at the former examination, which Mr. Perry had promised to send to me; but that gentleman replied, that the Committee of Visitors refused to send me such copy, on the ground that I might perhaps publish it. I then took some writing paper, and was about to note the questions which Messrs. Perry and Cursham were putting to me, together with my answers, when Mr. Perry protested against my taking notes, and I was obliged accordingly to desist. Both on this and on their former visit Messrs. Parry and Cursham sent for various prisoners who had been under medical treatment, and examined them and took notes of their statements, without informing me of their intention to make such examination or giving me the opportunity of knowing what those statements were.

Feeling dissatisfied with the extraordinary proceeding which had been thus adopted towards me, I addressed a letter to the Secretary of State, the Right Hon. Sir James Graham, which led to further correspondence, copies of which I subjoin :—

*Parkhurst Prison, Isle of Wight,*

*1st January, 1845.*

SIR,

Having been on Monday and Tuesday last subjected to a second examination by Dr. Cursham and Mr. Perry, not limited to the grounds on which I gave my opinion in answer to questions put by the Coroner, at the Inquest held on the body



of prisoner Benjamin Mee, but extending to various subjects on which medical opinions in the highest grades of the profession may differ; and feeling as I do, that without my having been made acquainted with any charges against me, this investigation has been conducted in a manner, which gives me reason to suppose, that charges against me of some kind, must be in existence, I have to request that you will be pleased to direct, that I may be furnished with a copy of any such charges, which I shall be ready to meet at any time you may think it right to appoint. And if no such charges exist, I have most respectfully to request you will afford me an opportunity of knowing the nature of the Report, which shall be made to you, by Dr. Cursham and Mr. Perry, in order that I may be able to give such explanations as I may consider necessary to my own vindication, before you arrive at any decision on the subject. In making this request, I confidently appeal to your sense of justice towards a professional man of 29 years standing; 22 years of which have been devoted to the public service, and whose reputation is dear to him as life itself.

I have the honor to be, Sir,

Your obedient humble servant,

BENJAMIN BROWNING, M.D., Surgeon.

*The Right Hon. Sir J. Graham, Bart., &c.*

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*Whitehall, 16th January, 1845.*

SIR,

I am directed by Secretary, Sir James Graham, to acknowledge the receipt of your letter, of the 1st instant, and to inform you that Dr. Cursham and Mr. Perry have not in their Report made any charges against you. But they have expressed, to Sir James Graham, their decided opinion, formed after much consideration, that you are not qualified for the peculiar duties which are required from a Medical Superintendent in Parkhurst Prison.

Sir James Graham therefore feels himself under the necessity of proposing to you to tender your resignation, as he is unwilling to adopt a measure which you might, perhaps, consider injurious to you in your practice, until he shall have given you an opportunity of resigning.



If you should refuse to avail yourself of this opportunity, Sir James Graham feels that he has no alternative but that, which he would wish to avoid, of appointing another professional gentleman for the office.

I am, Sir,

Your obedient servant,

S. M. PHILLIPPS.

*Benjamin Browning, Esq., M.D.,  
Parkhurst.*

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*Parkhurst Prison, Isle of Wight,*

20th Jan., 1845.

SIR,

I have the honor to acknowledge the receipt of your favour, of the 16th instant, and cannot help expressing my very great astonishment at the intimation which it contains.

I had the honor to be appointed Surgeon of the prison at Parkhurst in the year 1838, by Lord John Russell, then Secretary of State for the Home Department, having been selected from a considerable number of other candidates, in consequence of the satisfactory testimonials of my professional qualifications and public services, which were then laid before his lordship.

For more than six years I have held the appointment and during that period have laboured assiduously and unremittingly in the discharge of its duties, and in proof of the successful result of my exertions, I would point to the fact that although the aggregate number of prisoners has been 974, and the number of cases under my care has been 3657, the total number of deaths, has amounted only to four.

No complaint has ever been made of the manner, in which the duties of the situation have been discharged by me, nor was there ever a whisper breathed of my supposed incapacity, until I was in the month of September last, called upon to give evidence, on an Inquest held on the body of Benjamin Mee, one of the prisoners, when in answer to questions from the Coroner and jury, I gave my opinion as I was bound by my oath to do conscientiously.

On the 16th of October last, I received a letter from Messrs. Crawford and Perry, two of the Visitors of the Prison, requesting me to furnish them as soon as possible with the facts which had induced me to form the before mentioned opinion, together with any



observations, which I might be desirous of making on the subject ; and with that request I complied on the 17th October and beg to refer Sir James Graham to my letter of that date.

In the month of November Mr. Perry accompanied by Dr. Cursham, came to the Isle of Wight and examined me touching the opinion I had given, and they have subsequently visited me and put to me a variety of questions, and examined my books to ascertain my general mode of treatment.

In reference to these examinations, I have to complain that I have not been furnished with copies thereof, although at the conclusion of the first examination, Mr. Perry promised that a copy should be sent me, and when on his revisiting me I asked for the copy which he had promised, Mr. Perry said that the Committee refused to let me have it, their objection being that I might perhaps publish it. On the second examination, I was not permitted to make notes either of the questions put to me, or of my answers, nor did Mr. Perry or Dr. Cursham intimate to me their opinion of my mode of treatment, neither have I had an opportunity of knowing what are the terms, in which their Report has been conveyed to Sir James Graham.

Under these circumstances, I feel that my professional reputation demands that I should not tacitly admit my incapacity for properly discharging the peculiar duties of my situation, by voluntarily resigning it, and as no charges are preferred against me, I respectfully ask it, as a matter of justice to myself, that I may be afforded an opportunity, of giving explanations upon any points, which may have been urged by Mr. Perry and Dr. Cursham, as grounds of my incompetence, before so important a step, as my removal from a situation which I have so long held, shall be decided on by Sir James Graham, in conformity with their opinion.

I have the honour to be, Sir,

Your obedient humble servant,

BENJAMIN BROWNING, M.D. Surgeon.

*S. M. Phillipps, Esq., &c.*

Not having received any reply to this letter, I went to London for the express purpose of seeking a personal interview with Sir James Graham ; but he was unfortunately engaged in public duties, and I was unable to see him.



I however addressed to Sir James the following letter :

*London, 1st February, 1845.*

Sir,

Having come to town for the express purpose of soliciting the honor of an interview with you, but not being fortunate enough to accomplish that object, I take the liberty of thus addressing you.

I have been upwards of 29 years a member of the Medical Profession, and have been 22 years in the Navy, during 14 years of which, I was employed in active service. I served at the Battle of Navarino, as Senior Assistant Surgeon in the Flag Ship of Admiral Sir Edward Codrington, who was pleased to promote me to the rank of Surgeon for my services on that occasion, and which Promotion was confirmed by the Admiralty.

Having gone upon Half-pay in the year 1837, I was in 1838, appointed Surgeon of Parkhurst Prison, by the selection of Lord John Russell, whose good opinion, I have reason to believe, I have ever since enjoyed ; and I have performed the duties of my office for six years and three months, to the entire satisfaction of the Committee of Visitors, and of the successive Governors.

In proof of my qualification for the office, I respectfully refer to my past services, both at sea and on shore, as well as to the fact, that I have passed all the requisite professional examinations with credit, and have been recently elected one of the Fellows of the Royal College of Surgeons of England.

I beg to add that I shall at all times be most ready to adopt any suggestions made to me, by the proper authorities, for carrying on the duties of my office ; and to prove by continued zeal and energy, that I am not unworthy of the situation, which I have the honour to hold.

I must now beg Sir, to call your attention to the letter which I had the honour of addressing to the Under Secretary of State, on the 20th January last, relative to certain charges made against me of incompetency in the discharge of my duties as medical officer of the Parkhurst Prison, upon the presentation of which it is intimated to me that I am no longer fit to fill that situation, and which employment I am invited to resign. I have not yet had the satisfaction to receive any official report of these charges of incapacity, and have not therefore had any opportunity of refuting them, or of vindicating my professional character, and I now again, Sir humbly



appeal to your well known sense of justice, honourable alike to your high character and station, to afford me the opportunity of replying to these injurious impeachments of my professional ability, so seriously reflective upon my merits as a public officer and as a private practitioner.

Trusting therefore that you will be pleased to relieve my mind, from a suspense rendered most painful, as it involves the vitally important subject of my professional reputation.

I have the honor to be, Sir,

Your obedient humble servant,

BENJAMIN BROWNING, M.D.

Surgeon to Parkhouse Prison.

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This letter led to the following further correspondence :—

*Whitehall, 3rd February, 1845.*

SIR,

Having laid before Sir James Graham your letters of the 20th ult. and 1st. inst., I am directed to acquaint you that he has caused further enquiries to be made, the result of which compels him again to urge upon you the propriety of tendering your resignation. Should you still decline to avail yourself of this opportunity, Sir James Graham will have no alternative but that of superseding you by the appointment of another Medical Officer in your place. He will regret if you compel him to adopt this necessary alternative.

I am, Sir,

Your obedient Servant,

H. MANNERS SUTTON.

*Benjamin Browning, Esq., Parkhurst.*

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*Parkhurst Prison, Isle of Wight,*

*6th February, 1845.*

SIR,

I have the honour to acknowledge the receipt of your favour of the 3rd instant, and in reply thereto, I beg to say, that if I were conscious of having acted improperly, in my situation as Surgeon, at Parkhurst, or did not believe myself competent to discharge the duties devolving upon me, I should not hesitate to embrace the opportunity afforded me of tendering my resignation. But being convinced, that I have done nothing deserving of censure, and there being no charges whatever preferred



against me, and my competency for discharging the duties of the situation having been established, by my successful performance of them for six years and three months, I feel that my professional character and standing in the naval service, render it impossible for me to adopt a course which would inevitably lead to the conclusion, either that I had done wrong, or was incompetent to the discharge of my duties.

I am of course in the hands of Sir James Graham, but before he takes the final step at which your letter points, I ask, as a matter of justice, that I may not be condemned unheard ; but that I may be informed of the reasons given for my alleged incompetency, and may be permitted to shew (as I am sure I can do), that such reasons have no just foundation.

I have the honour, to be, &c.

BENJAMIN BROWNING, M.D.

*The Hon. H. Manners Sutton, &c.*

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*Whitehall, 12th Feb. 1845.*

SIR,

I am directed to acknowledge the receipt of your letter of the 6th instant, in which you inform Sir James Graham of your determination not to resign the situation you hold in Parkhurst Prison, and require as a matter of right to be informed of the reasons for which Sir James Graham decided that, in case of your refusal to resign, he would be under the necessity of superceding your appointment. Being so called upon, Sir James Graham directs me to state to you the grounds of his decision.

Two Medical Gentlemen, of experience and skill, who were directed by Sir James Graham, in consequence of official returns made by you, to enquire into your medical treatment of cases of sickness, and to call upon you for explanations, if any should be necessary, have, after the fullest enquiry, and after personal conferences with you upon the subject, made their report to Sir James Graham: from which it appears to him to be clear, that some cases, the real nature of which would have been immediately understood by any person conversant with disease, were mistaken by you, and mismanaged ; and that other cases, the real nature of which you must have known, were nevertheless treated by you in a manner that shews entire unacquaintance with the principles upon which their cure should have been conducted.



Sir James Graham directs me to add, that in a case of this description, where the health of prisoners is concerned, he cannot longer delay the appointment of a successor.

I am, Sir,

Your obedient servant,

S. M. PHILLIPPS.

*Benjamin Browning, Esq. Parkhurst.*

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*Parkhurst Prison,*

14th Feb., 1845.

Sir,

I have the honor to acknowledge the receipt of your letter of the 12th instant, and must express my surprise after having been informed by letter from yourself, dated 16th Jan., last, that no charges had been made against me, now to find that my intended dismissal from the situation of Surgeon to this establishment is founded entirely on the serious charges of professional mismanagement, mistakes, and incapacity contained in a Report made to Sir James Graham, with the contents of which I am totally unacquainted. As a matter of justice to myself I respectfully request to be furnished with a copy of that Report, or to have the opportunity afforded me of knowing the particular cases therein alluded to, which are adduced as evidence of my mismanagement or want of skill. I feel that I have great reason to complain of the exparte examination which was made by the two medical gentlemen who came to Parkhurst and of my being denied the presence of a third medical man which I requested, as also of my not being allowed to make notes of what passed at such examination.

Under these circumstances and in a matter so deeply affecting my professional reputation, I must again appeal to Sir James Graham's sense of justice not to allow me to be condemned unheard, but to afford me an opportunity of giving such explanations, as I believe will be fully satisfactory, in any cases mentioned in the Report in which the opinions of the two medical men referred to, may have differed from mine.

I would again respectfully refer to my successful treatment of 3657 cases during a period of six years and three months, in which time only four deaths occurred, as a strong proof of there having



been neither want of skill nor mismanagement in my medical treatment of the prisoners under my care.

I have the honor, &c.

BENJAMIN BROWNING, M.D.

*S. M. Phillipps, Esq.*

*Whitehall, 17th Feb., 1845.*

Sir,

I am directed to inform you that Sir James Graham declines to furnish you with a copy of the Report which he has received; and is satisfied that his decision in your case was well warranted and absolutely necessary.

Upon this decision Sir James Graham intends to act, and will be under the necessity of rescinding your appointment.

I am, Sir,

Your obedieut servant,

S. M. PHILLIPPS.

*Benjamin Browning, Esq.,  
Parkhurst.*

Accordingly, on the 17th of March, 1845, I received from the Governor of Parkhurst Prison a notification of my dismissal in the following terms:—

*Parkhurst Prison, 17th March, 1845.*

SIR,

It is my duty to acquaint you, that I have received an official notification, that the Secretary of State has been pleased to appoint Dr. Benjamin Lancaster Jemmett to be Surgeon of Parkhurst Prison, I have, therefore, to request that you will transfer the medical charge of the Infirmary, and of the Surgeon's Books of the Prison, to Dr. Jemmett, on Tuesday the 18th instant.

I have the honour to be,

Sir,

Your obedient servant,

GEORGE HALL, Governor.

*Dr. Browning, Newport.*

It will thus be seen, that for upwards of six years, during which my medical treatment of the prisoners under my care at Parkhurst proved highly successful, no com-



plaint was ever made against me, nor any question raised as to my professional competency to discharge the duties of Surgeon.

As soon, however, as I had, in answer to questions from the Coroner and Jury, on the before-mentioned inquest, given my evidence on oath, conscientiously, and as an honest man I was bound to do, means were immediately applied to procure my removal from the establishment at Parkhurst.

Exparte examinations were taken, of which, after having been promised a copy, I was refused, on the ground of my thus being afforded an opportunity of publishing it. The presence of a third impartial medical man was refused. The right to take notes of the examination was denied me, and examinations of prisoners were taken without my having an opportunity of being present. I was officially informed, that there was no charge against me—and yet a secret report of two medical men, whose reasons for their opinion are quite as likely to be questionable as mine, is made to the Secretary of State, of which Report I was refused a copy—but was called upon to resign my situation, which, conscious of having committed no wrong, and convinced that I had always faithfully discharged my duty; I declined doing; and yet I am, by the strong arm of power, unceremoniously dismissed from my situation.

In vindication of my professional character, I have felt it necessary to make this statement, and I leave it for my friends and the public to decide, whether I have been treated with justice or fairness.

BENJAMIN BROWNING, M.D.

NEWPORT, 10th April, 1845.

HARRISON, PRINTER, PORTSMOUTH.

