

# SOLDIER'S LIFE DEPENDS ON GUESS, SAYS CORONER AT NEALS INQUEST

Capt. E. A. Smith, M.O., Admits That Medical Officer Relies on Information Supplied by Orderlies Regarding Seriousness of Cases—Major Hunter Says K. R. and O. Not Followed.

## CIVILIAN DOCTOR WOULD HAVE VISITED CASE

Capt. E. A. Smith, medical officer of the brigade to which the late Gunner Albert Neals was attached, made an important admission at the resumed inquest on the death of Gunner Neals at the Morgue last night when he acquiesced in the view of Coroner Arthur Jukes Johnston that the life of a sick soldier depended on the information supplied to the M. O. by a medically uneducated man.

"You say the usual course is to send an uneducated man to get the symptoms of the sick soldier," said the coroner, "and upon that you guess at the seriousness of the case?"

"Yes," replied the witness.

"On that, then, are we to understand, that the life of a sick soldier is dealt with?" Witness answered in the affirmative. There were no instructions, he added upon further questioning, with regard to the visitation of a sick soldier at his home.

Excerpts from the King's Regulations and Orders were introduced by Major Hunter, representing the family, upon which he sought to show that the regulation military law was not followed out in the Neals case. According to the Orders removal of sick soldiers from their homes is to be made only where "practicable and necessary."

The extract of the military law read at the inquest is as follows:

"A soldier on furlough who requires medical aid must, whenever practicable, report himself sick to the nearest military hospital. When this is not possible, he may apply to a medical civilian practitioner, to whom he will show his furlough paper, on the back of which the necessary instructions are printed. The soldier will at once report by letter to his C. O. when he has employed a civilian practitioner. The C. O. will in every such case communicate with the A. D. M. S. of the area in which the soldier is temporarily residing, so that if necessary and practicable arrangements may be made for the soldier's removal to the nearest hospital."

**Medical Officers' Duties.**

The first witness at the resumed inquest was Capt. E. A. Smith, the camp medical officer the day Neals' illness was reported.

"Did you ever see this man Neals?" asked the coroner. "No, I don't remember ever having seen him."

"When did you first hear of him?"

"About 1.30 in the afternoon of Tuesday, Feb. 18. I got a phone message from Sergt. Douglas that Neals was suffering from pneumonia and that the case was not serious. I ordered him to send an ambulance for this man and to have him delivered at my office."

Next morning, Capt. Smith said, when he found Neals had not been delivered to his office as instructed he demanded an explanation. He was satisfied when he learned Neals was at a base hospital in good hands.

"If there was any breach of duty on the part of the ambulance men," said the coroner, "has there been any follow-up to it or enquiry into the reasons for this breach of duty?"

"I don't know, sir," Capt. Smith replied. "That would not be in my hands."

"You will notice in your camp evidence," said Major Hunter, "that you did not say anything about the case being reported serious or not serious?"

"No answer."

The major read over to the captain all his evidence before the military enquiry. Capt. Smith said he was not familiar with the King's Regulations and Orders book, but knew he was bound by it. From it he read instructions to military medical officers that sick soldiers on furlough must, whenever practicable, report himself sick to a military hospital.

"Gunner Neals being sick, it was not practicable that he should report himself at the nearest hospital," asked Major Hunter.

**Mustn't Evade Question.**

The captain was about to argue the question, but Coroner Johnston intervened. "Don't try to evade everything. Answer the question."

The captain agreed that a sick man could not report. He would consider that the Neals family complied with the spirit of the law covering the reporting of ill soldiers.

Mr. Thurston: "Although you say the case was reported to you as not serious, the evidence is to the effect that the report to your office was only a printed slip to the effect that Gunner Neals was ill with pneumonia."

Capt. Smith: "Sergt. Douglas told me over the phone that it was not serious."

Mr. Thurston: "Sergt. Douglas got no such information himself."

Capt. Smith said the fact that the patient was a pneumonia patient would not have caused him to send a military physician, because so many sick reports turned out to be groundless.

Major Hunter returned to the examination with a copy of the King's Regulations and Orders. The medical orderly, according to the Orders, must have a second-class certificate of education.

"Apparently," said Major Hunter, "you have been extending the intentions of the Orders by sending out for soldiers sick on furlough as well as those on parade." "Not necessarily."

"Do you differ with anybody who says that pneumonia is one of the most dangerous illnesses at this time of the year?" "I don't know. I'm not an expert medical witness here."

Coroner Johnston: "No, we don't have any. Please answer the question."

Capt. Smith: "I don't see that the question is at all relevant to this case."

"Please don't quibble. This is a serious inquiry and likely to take a turn that you and other people do not see."

Capt. Smith: "Well, the death rate from pneumonia is rather high."

Mr. Thurston: "Have you ever had any experience with pneumonia?"

Capt. Smith: "Yes, I practised at Princeton, Ont., and from May to August, 1914, I was at Petawawa Camp."

"Was that all the experience you had?" "Yes, sir."

"How many cases of pneumonia do

you think you have seen?" "About 25."

"What was your death rate?" "Eight or nine."

"What is the Base Hospital death rate from pneumonia?" "About one in eight."

"And yours is one in three."

"Yes."

"Your history on pneumonia is not as good as the Base Hospital." "Because I—"

Coroner Johnston: "Now you are not accused of anything."

"Yes, sir—pneumonia is a serious disease."

Major Hunter: "Is the A. D. M. S. ever notified so that he may use discretion on the necessity of removing sick soldiers?" "I don't know."

"Do you on the daily sick report include the names of men sick on furlough?" "No, sir they have a separate sick reports of their own."

"But when they are brought to your office the discretion has already been exercised as to whether removal is necessary?" "Yes, sir."

"You did not decide whether removal was necessary did you?" "No."

"You left it to the private in the A. S. C. to make the decision whether the removal of Gunner Neals was necessary?" "No, sir."

"How was the discretion exercised?" "I don't know."

"But you ordered the ambulance."

"Yes."

"Was that not deciding the removal of Gunner Neals?" "The orderly exercised the discretion."

Crown Attorney Thurston took up the examination.

"Personally you don't know what kind of a man goes for a sick soldier?" "No."

**Pass Or Furlough?**

Lieut.-Col. MacDonald, A. J. A. C., took up the examinations.

"Are you aware that the regulations read by Major Hunter are imperial regulations?" "No."

"Was this man on pass or furlough?" "Pass."

"What is the difference," asked the coroner.

"The difference is this: A returned soldier, for instance, is here on furlough; a pass is for a period of six days. Furlough is for a longer period."

"A man on pass must report to his unit, not to the A. D. M. S."

Major Hunter: "I am familiar with the regulations in the old country. In the case of a short pass the same practice is followed as in the case of furlough."

Col. MacDonald: "Where is your authority for that?"

Major Hunter: "I know it is done."

Col. MacDonald: "It is not done."

Major Hunter: "It is done in the old country."

Col. MacDonald: "I am speaking of the custom here."

Major Hunter: "There is no custom here."

Col. MacDonald: "There are imperial army regulations."

Crown Attorney Thurston: "What regulations do you follow here?"

Col. MacDonald: "There are no regulations of any importance here."

Mr. Thurston: "Then you must be ruled by the imperial rules?"

Major Hunter: "Where you have nothing else you must follow these imperial regulations."

Col. MacDonald proceeded with his cross-examination.

"Regarding the discretion exercised by Orderly Herring, was that dis-

## A BOSTON CLERGYMAN JOINS BRITISH ARMY

Enlists as a Private—Will Come to a Depot in Canada.

Boston, March 9.—One of the speakers at the British-Canadian navy rally here last night, was Rev. Garfield Morgan, pastor of the Calvary Methodist Episcopal Church in Arlington, who has resigned his pulpit and joined the British army as an infantryman. His resignation from the ministry has been accepted by Bishop Hughes and before the end of this month the fighting parson will be despatched from Boston to an army depot in Canada.

Dr. Morgan, decided after much deliberation and prayer, together with his wife, that it was his duty to take an active part in the war.

cretion well exercised or ill advised?" "It was well exercised."

"It would have been practicable and easy, would it not, for Neals or his family to have reported his sickness?"

"Yes, sir."

"Something has been said as to your not being available on a certain day, now tell us what you were doing on the Tuesday in question. We want to see whether you were doing your duty or not?"

"On Tuesday I was camp medical officer." Witness then proceeded to detail the duties of camp M. O. showing how all his time had been occupied. He had been on duty and at his post from about six o'clock in the morning till eleven o'clock at night.

**Available All the Time.**

Witness said he was available all the time during the Monday night spoken about.

"What do you mean when you refer to 99 cases out of a hundred?"

"I mean that 99 cases out of 100 reported as being pneumonia are not pneumonia. This is the only case that has turned out pneumonia. The other cases were feigning."

"In civilian practice would you have advised that this patient should be removed to hospital?" "Yes."

"Why?" "Because they have more facilities for treatment in hospital."

"Would you accompany the ambulance?" "No."

"Why?" "From what I learn of the man's condition in his case that was not necessary."

"Is it usual for a practitioner to accompany a pneumonia patient in the ambulance?" "No."

"Are you satisfied that any technical breach of orders that may have been made by the orderly in this case was justified by his good judgment in taking the patient to the hospital?" "Yes."

Crown Attorney Thurston: "I would like to ask you regarding some questions that have been put by the assistant judge advocate-general. That is the proper title, is it not?" added the Crown Attorney, looking at Col. MacDonald.

"Yes, that is correct, Mr. Acting Crown Attorney Thurston," said Col. MacDonald, sarcastically.

Mr. Thurston: "Supposing this case had been reported serious at 9.30 a.m., how were they to get you?"

"They could telephone for me at the different units at the camp. The instructions are that if they cannot find me they are to phone the hospital or get another M. O. from some other unit."

"Was it a proper thing to do to get news of a man seriously sick with pneumonia at 6.30 in the even-

ing and not to have it reported to the M. O. until the following morning at 9.30?" "Ordinarily, it should have been reported at once."

Major Hunter: "Do you order all cases of pneumonia to hospital?"

"When they are serious."

"But not if the family do not want it?" "No."

**Would Have Visited Patient.**

A jurymen: "If the orderly had telephoned the doctor that night and said the man was very sick, what would he have done?"

"I would have sent a substitute to investigate the case."

Coroner Johnston: "Do I understand that there are no instructions regarding the seeing of a soldier sick at home?" "So far as I know there are no instructions."

"I understand it depends on the orderly's ability to get the necessary information regarding the sick man and you act on his report?" "Yes."

"It depends on the report of an uneducated man how you will act?" "Yes."

"What do you do then?"

"We investigate the case if it is reported serious."

**Guess at Cases, Says Coroner.**

"So that the usual course, you say, is this. You send an uneducated man to get the symptoms and upon that report you guess at the seriousness of the case?" "Yes."

"On that, we are to understand, that the life of a sick soldier depends?"

Witness answered in the affirmative.

"Is there no other method?"

"If a case is reported serious we communicate with the relatives."

"What is that for?"

"To learn what we can of the patient."

"So that you shift the responsibility from the orderly to the friends. How are they to know?"

"We ask them to tell us what the patient seems to be suffering from."

"In civilian practice would you put any faith in a telephone message regarding the condition of a patient?" "No."

"You would go and see the patient?" "Yes."

"That's just the difficulty here. Why did not any one go and see the patient, and see how serious it was. Do you, as a military surgeon, say that the information of the orderly was sufficient to base your opinion upon?" "No."

Coroner Johnston: "The information of an uneducated man in the case of pneumonia is hardly the kind of evidence that should be accepted by any one, military, civil or even ecclesiastical."

**Was An Acute Attack.**

Dr. W. L. Robinson followed with

the post mortem evidence. "Gunner Neals died of lobar pneumonia," he said, "both of the lungs were consolidated. He had associated with it a pleurisy covering both lungs." The disease, the doctor said, was the result of an inflammation and from the condition of Neals' body he thought that from the first Neals' was a serious case.

"What about exposure?" asked Major Hunter. "Would that have accelerated the illness of this patient?"

"Not necessarily. Cold baths are frequently given for high temperature."

"How about excitement?" "Excitement would be injurious. Moving the patient, I should say, would not have been advisable."

The doctor said it would depend just on the condition of the patient at the time whether he should be moved.

"What about a distressing scene in the house?" "That would create excitement and probably injure."

Jurymen: "What would be the effect of moving a patient from a warm room out into the cold and rain, although he was provided with blankets?"

Dr. Robinson: "As I said before, that is sometimes given as the treatment. The effect of the cold on the face is a stimulant and there is good in fresh air."

Jurymen: "How about night air and rain?"

Dr. Robinson: "There is no difference in night air and day air. Humidity would be the same outside

as inside and the only difference in the temperature."

**How Deserters Are Treated.**

Major James Widgery was then called by Major Hunter. He said he had been in the service for 40 years. "You have taken a lot of men out of their houses in the case of defaulters and deserters. What do you do when the man is sick?"

"If the man we are seeking is sick, my men are instructed to leave him there and stay with him and report to me and I send a medical officer."

"That is in the case of a default-er?" "Yes."

"He is different from a soldier who reports his illness?" asked Col. MacDonald. "Yes."

Major Hunter: "I just wanted to point that out. If this poor boy had been a deserter he would have been better treated."

Col. MacDonald: "That is a question."

Major Widgery: "I would not take upon myself the responsibility of moving a sick man without a medical officer having seen him."

The jurymen were then shown the stretcher on which Neals was carried into the ambulance, the object being to show that the canvas was a few inches from the ground and that Neals' body was not allowed to touch the snow.

The inquest was adjourned till Thursday night.

## Soldiers in Majority

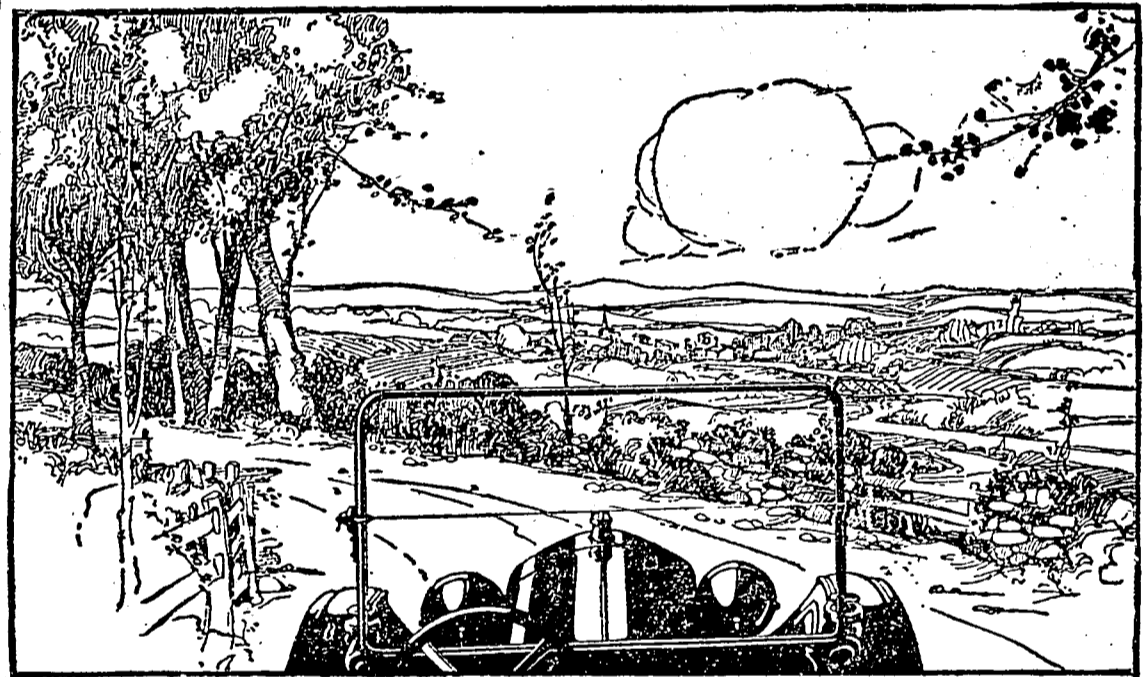
On a southbound Yonge street car at 6.30 a.m. to-day there were 2 male passengers. Four were apparently foreigners. Of the remainder no less than 14 wore returned soldiers' badges.

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