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writers have contributed papers on a broad range of law-medicine topics. Some have to do with private law problems of the doctor, and some with public law relations of medicine.

As we pass from isolation in learning and discovery to synthesis of knowledge, law and science cannot remain aloof. From their purposeful interactions we shall gain some great goods.

March, 1943.

HUBERT WINSTON SMITH
Cambridge, Mass.

In this issue the NORTH CAROLINA LAW REVIEW participates in *Scientific Proof and Relations of Law and Medicine*, a symposium series dealing with problems of common interest to both lawyers and doctors. Designed to effect a transfusion of thought between the medical and legal professions, and sponsored by the Department of Legal Medicine of the Harvard Medical School, the symposium consists of many articles written by members of both professions which are to be published in legal and medical periodicals. The scope of the series can be determined by reference to the following index. In this issue the articles Powell, "Compulsory Vaccination and Sterilization: Constitutional Aspects" (p. 253) and Homans, "Circulatory Deficiency in the Extremities in Relation to Medico-Legal Problems," (p. 266) are items in the symposium series.

The Department of Legal Medicine of the Harvard Medical School
Announces its Sponsorship of:

SCIENTIFIC PROOF AND RELATIONS OF LAW AND MEDICINE

A symposium series on law-science problems with particular reference to law-medicine problems

Hubert Winston Smith, A.B., M.B.A., LL.B., M.D., Editor-in-Chief,
Associate in Medical-Legal Research, Harvard Law School and Department
of Legal Medicine, Harvard Medical School.

Note: The Symposium Series is scheduled for publication in the following journals:

Medical Journals:

1. American Journal of Psychiatry (AM. J. PSYCHIAT.); 111 St. George St., Toronto, Canada; price \$1.75 a copy.
2. *Annals of Internal Medicine* (ANN. INT. MED.); Green and Redwood Streets, Baltimore, Maryland.
3. *Annals of Surgery* (ANN. SURG.); East Washington Square, Philadelphia, Pennsylvania.
4. *Clinics*; East Washington Square, Philadelphia, Pennsylvania; price \$2.00 a copy.
5. *Medicine*; Johns Hopkins Hospital, Baltimore, Maryland; price \$1.50 a copy.

Legal Journals:

1. *Boston University Law Review* (B. U. L. REV.); 11 Ashburton Place, Boston, Massachusetts; price \$.70 a copy.
2. *California Law Review* (CALIF. L. REV.); Boalt Hall of Law, Berkeley, California; price \$.90 a copy.
3. *Harvard Law Review* (HARV. L. REV.); Harvard Law School, Cambridge, Massachusetts; price \$.85 a copy.

4. *Indiana Law Journal* (IND. L. J.); 38 Maxwell Hall, Bloomington, Indiana; price \$.75 a copy.
5. *Michigan Law Review* (MICH. L. REV.); Hutchins Hall, Ann Arbor, Mich.; price \$.80 a copy.
6. *North Carolina Law Review* (N. C. L. REV.); University of North Carolina, Chapel Hill, N. C.; price \$.80 a copy.
7. *Rocky Mountain Law Review* (ROCKY MT. L. REV.); University of Colorado Law School, Boulder, Colorado; price \$1.00 a copy.
8. *Southern California Law Review* (SO. CAL. L. REV.); University Park, Los Angeles, California; price \$1.00 a copy.
9. *Tennessee Law Review* (TENN. L. REV.); 720 West Main Avenue, Knoxville, Tennessee; price \$.75 a copy.
10. *University of Chicago Law Review* (U. OF CHI. L. REV.); Chicago, Ill.; price \$.75 a copy.
11. *Virginia Law Review* (VA. L. REV.); Clark Memorial Hall, Charlottesville, Virginia; price \$1.00 a copy.
12. *Yale Law Journal* (YALE L. J.); Yale Station, New Haven, Connecticut; price \$.80 a copy.

If a journal is italicized this signifies it is devoting its entire April 1943 issue to the publication program.

I. *Projection Paper*

- (1) Smith, Hubert Winston, Scientific Proof and Relations of Law and Medicine, 18 ANN. INT. MED. (April 1943) —; (April 1943) 1 CLINICS 1353; (April 1943) 23 B. U. L. REV. —; (April 1943) 15 ROCKY MT. L. REV. —; 17 SO. CALIF. L. REV. (April 1943) —; 20 U. OF CHI. L. REV. (April 1943) —; 29 VA. L. REV. (April 1943) —; 53 YALE L. J. (May 1943) —.

PART I

LAW-MEDICINE PROBLEMS AND SCIENTIFIC THOUGHT

II. *Clinical Forensic Medicine*

- (2) Brahdy,* Dr. Leopold and Kahn,** Dr. Samuel, Clinical Approach to Alleged Traumatic Disease, 18 ANN. INT. MED. (April 1943) —; 23 B. U. L. REV. (April 1943) —.
 (*Physician in Charge of Occupational Diseases and Injuries of Municipal Employees, New York City; Fellow, American College of Chest Physicians; Chairman, Committee on Tuberculosis in Industry, American Trudeau Society.)
 (**Medical Examiner in Division of Workmen's Compensation, New York State Department of Labor.)
- (3) Moritz,* Dr. Alan Richards, The Mechanisms of Head Injury, 117 ANN. SURG. (April 1943) 562; 23 B. U. L. REV. (April 1943) —.
 (*Professor of Legal Medicine, Harvard Medical School; Lecturer in Legal Medicine, Tufts College and Boston University; Pathologist to the Department of Public Safety and Consulting Pathologist to the Department of Mental Health of the Commonwealth of Massachusetts.)
- (4) Denny-Brown,* Dr. Derek Ernest, Factors of Importance in Head Injury—A General Survey, 1 CLINICS (April 1943) 1405; 29 VA. L. REV. (April 1943) —.
 (*F. R. C. P., London; Professor of Neurology, Harvard Medical School; Chief of the Neurological Division, Boston City Hospital; formerly Neurologist to St. Bartholomew's Hospital, London.)
- (5) Munro,* Dr. Donald, The Late Effects of Craniocerebral Injuries—A Consideration of the Criteria Necessary to Evaluate the Possible Causes, 117 ANN. SURG. (April 1943) 544; 23 B. U. L. REV. (April 1943) —.
 (*F. A. C. S.; Surgeon-in-Chief for Neurological Surgery, Boston City Hospital; Asst. Prof. of Neurological Surgery, Harvard Med. School; Assoc. Prof. of Neurological Surgery, Boston Univ. Med. School.)

- (6) Smith, Dr. Hubert Winston and Solomon,* Dr. Harry C., Traumatic Neuroses in Court, — L. REV. (Summer 1943) —; 99 AM. J. PSYCHIAT. (May-June 1943) —.
(*Clinical Professor of Psychiatry, Harvard Med. School.)
- (7) Ebaugh,* Lt. Col. Franklin G. and Brosin,** Major Henry W., Traumatic Psychoses, 18 ANN. INT. MED. (April 1943) —.
(*Neuro-Psychiatric Consultant, VIII Service Command, A. U. S.; Professor of Psychiatry, Univ. of Colo. Med. School, Denver, Colo., and Director of Colorado Psychopathic Hospital—on leave of absence.)
(**Chief, Neuro-Psychiatric Section, La Garde General Hospital, New Orleans, La.; Asst. Prof. of Psychiatry, Univ. of Chicago Med. School, Chicago, Ill.—on leave of absence.)
- (8) Smith, Dr. Hubert Winston and Cobb,* Dr. Stanley, Relation of Emotions to Injury and Disease—A Call for Forensic Psychosomatic Medicine, 56 HARV. L. REV. (Summer 1943) —; 18 ANN. INT. MED. (August 1943) —.
(*Bullard Professor of Neuropathology, Harvard Medical School; Psychiatrist-in-Chief, Massachusetts General Hospital, Boston.)
- (9) Merritt,* Dr. H. Houston and Solomon, Dr. Harry C., Relation of Trauma to Syphilis of the Nervous System, 117 ANN. SURG. (April 1943) 623; 23 B. U. L. REV. (April 1943) —.
(*Associate Professor of Neurology, Harvard; Assistant Visiting Neurologist, Boston City Hospital; Consulting Neurologist, Metropolitan State Hospital, Waltham, Mass.; Consultant in Neuropsychiatry, U. S. District Court.)
- (10) Pollock,* Dr. Lewis J, Examination of Motor and Sensory Function as Related to Opinion Evidence, 1 CLINICS (April 1943) 1424.
(*Professor of Nervous and Mental Diseases, Northwestern Univ., Chicago, Ill.; Attending Neurologist to Passavant Memorial, Michael Reese and Wesley Memorial Hospitals, Chicago, Ill.)
- (11) Marble,* Dr. Henry C., The Physician and the Workmen's Compensation Law, 1 CLINICS (April 1943) 1441.
(*F. A. C. S.; Senior Surgeon and Chief of the Hand Clinic, Massachusetts General Hospital; Assistant in Surgery, Harvard Med. School.)
- (12) Schwartz,* Dr. Louis, Problems of Proof in Claims for Recovery for Dermatitis, 18 ANN. INT. MED. (April 1943) —; 41 MICH. L. REV. (April 1943) —.
(*Fellow, Am. Public Health Assn.; Chief, Dermatoses Investigations Division, U. S. Public Health; Adjunct Professor in Dermatology, Georgetown Univ. Med. School; Lecturer, N. Y. U. College of Medicine.)
- (13) Homans,* Dr. John, Circulatory Deficiency in the Extremities in Relation to Medico-Legal Problems, 18 ANN. INT. MED. (April 1943) —; 21 N. C. L. REV. (April 1943) 266.
(*Clinical Professor of Surgery, Emeritus, Harvard Med. School.)
- (14) Bennett,* Dr. Granville Allison, Medical Criteria Which Govern Relations of Trauma to Joint Disease, 1 CLINICS (April 1943) 1448.
(*Associate Professor of Pathology, Harvard Med. School.)
- (15) Smith, Dr. Hubert Winston and Bennett, Dr. Granville Allison, Joint Disease in the Courts: Select Problems of Proof, to be submitted for legal publication.
- (16) Ober,* Dr. Frank Roberts, Some Practical Criteria for Use in Forensic Orthopedic Cases, 1 CLINICS (April 1943) 1476; 15 ROCKY MT. L. REV. —.
(*John B. and Buckminster Brown Clinical Prof. of Orthopedic Surgery, Harvard Med. School; Chief, Orthopedic Dept., Children's Hospital, Boston; Orthopedic Surgeon, Peter Bent Brigham Hospital, Boston; Surgeon-in-Chief, New England Peabody Home for Crippled Children; President (1942-3) Am. Orthopedic Assn.)

- (17) Aldrich,* Dr. Robert Henry, Forensic Aspects of Burns, with Special Reference to Appraisal of Terminal Disability, 29 VA. L. REV. (April 1943) —; 117 ANN. SURG. (April 1943) 576.
(*Assistant in Surgery, Harvard Medical School.)
- (18) Hertig,* Dr. Arthur Tremain and Sheldon,** Dr. Walter Herman, Minimum Criteria Required to Prove Prima Facie Case of Traumatic Abortion or Miscarriage, 117 ANN. SURG. (April 1943) 596.
(*Assistant Prof. of Pathology and Associate in Obstetrics, Harvard Med. School; Pathologist to the Boston Lying-In Hospital, Boston; Pathologist to Free Hospital for Women, Brookline, Mass.)
(**Instructor in Pathology, Harvard Med. School; Research Associate in Pathology, Boston Lying-In Hospital, Boston.)
- (19) Joslin,* Dr. Elliott P., Relation of Trauma to Diabetes, 117 ANN. SURG. (April 1943) 607; 15 ROCKY MT. L. REV. (April 1943) —.
(*Clinical Professor of Medicine, Emeritus, Harvard Med. School; Director of the George F. Baker Clinic, Boston.)
- (20) Warren,* Dr. Shields, Minimum Criteria Required to Prove Causation of Traumatic or Occupational Neoplasms (Cancer), 117 ANN. SURG. (April 1943) 585; 20 U. OF CHI. L. REV. (April 1943) —.
(*Assistant Prof. of Pathology, Harvard Med. School; Pathologist to New England Deaconess Hospital, Harvard Cancer Commission, New England Baptist Hospital, Pondville State Hospital for Cancer; Director of State Tumor Diagnosis Service, Massachusetts; President, American Assn. for Cancer Research.)
- (21) Wolff,* Dr. Harold G., Hardy,** James D., and Goodell,*** Helen, The Pain Threshold in Man, 99 AM. J. PSYCHIAT. (March-April 1943) —.
(*Associate Prof. of Medicine, Cornell Medical School; Staff, The New York Hospital, N. Y. City.)
(**Ph.D., Special Research Associate of Dr. Wolff in experimental studies on the pain threshold in man.)
(***B.S., Special Research Associate of Dr. Wolff in experimental studies on pain threshold.)

III. Forensic Pathology

- (22) Leary,* Dr. Timothy, How a Modern Medical Examiner's Office Functions in a Typical Investigation of "Sudden Death"; Points of Superiority over Coroner's Office, 18 ANN. INT. MED. (July 1943) —.
(*Medical Examiner for Suffolk County, Mass.; Lecturer in Legal Medicine, Harvard Med. School.)
- (23) Jetter,* Dr. Walter W., When Can It Be Said That Death May Be Caused or Contributed to by Acute Alcoholism, 1 CLINICS (April 1943) 1487.
(*Instructor in Legal Medicine, Harvard Med. School; Assistant in Neuropathology, Harvard Med. School; State Pathologist, Mass. Dept. of Mental Health; Acting State Pathologist, Mass. Dept. of Public Safety; Member National Safety Council Committee for Standardization of Tests for Alcoholic Intoxication.)

IV. Scientific Crime Detection

- (24) Hoover,* J. Edgar, The Scientific Crime Detection Laboratory, 1 CLINICS (April 1943) 1503; 20 U. OF CHI. L. REV. (April 1943) —.
(*Director, Federal Bureau of Investigation, U. S. Dept. of Justice.)
- (25) Wigmore,* Prof. John H., Circumstantial Evidence in Poison Cases, 1 CLINICS (April 1943) 1507; 23 B. U. L. REV. (April 1943) —.
(*Professor of Law and Dean Emeritus, Northwestern Univ. Law School, Chicago, Ill.)
- (26) Walker,* Dr. Joseph, Scientific Evidence in Poisoning Cases, 1 CLINICS (April 1943) 1520; 23 B. U. L. REV. (April 1943) —.
(*Instructor in Legal Medicine, Harvard Med. School; Lt., Mass. Police Force; Director, Chemical Laboratories, Mass. Dept. of Public Safety.)

V. *Modes and Mechanisms of Scientific Proof*

- (27) Donaldson,* Dr. Samuel W., Medical Facts that Can or Cannot be Proved by X-Ray; Historical Review and Present Possibilities, 18 ANN. INT. MED. (April 1943) —; 41 MICH. L. REV. (April 1943) —.
(*Fellow, Am. College of Radiology; Chairman, Medico-Legal Committee, Radiological Society of North America; Roentgenologist, St. Joseph Mercy Hospital, Ann Arbor, Mich.)
- (28) Riseman,* Dr. Joseph E. F., Principles of Electrocardiography, 15 ROCKY MT. L. REV. (April 1943) —; to be submitted for medical publication.
(*Instructor in Medicine, Harvard Med. School; Instructor in Medicine, Tufts College Med. School; Associate in Medical Research and Associate Visiting Physician, Beth Israel Hospital, Boston.)
- (29) Smith, Dr. Hubert Winston and Riseman, Dr. Joseph E. F., Applied Use of the Electrocardiogram in Legal Proceedings, 15 ROCKY MT. L. REV. (April 1943) —; 18 ANN. INT. MED. (July 1943) —.
- (30) Snyder,* Dr. Lemoyne M., Criminal Interrogation with the Lie Detector, 15 ROCKY MT. L. REV. (April 1943) —; 18 ANN. INT. MED. (April 1943) —.
(*Medico-Legal Director of the Michigan State Police.)
- (31) Boyd,* Dr. William, Protecting the Evidentiary Value of Blood Group Determinations, 1 CLINICS (April 1943) 1536; 17 SO. CALIF. L. REV. (March 1943) —.
(*Associate Prof. of Biochemistry, Boston Univ. School of Medicine; Special Research Associate, Harvard University; Associate Member, Evans Memorial and Massachusetts Memorial Hospitals.)
- (32) Maguire,* Prof. John M., A Survey of Blood Group Decisions and Legislation in the American Law of Evidence, 1 CLINICS (April 1943) 1560; 17 SO. CALIF. L. REV. (March 1943) —.
(*Professor of Law, Harvard Law School; Asst. Reporter, The American Law Institute's Committee on Evidence, which developed MODEL CODE OF EVIDENCE.)
- (33) Schoch,* Dr. Magdalena, Determination of Paternity by Blood Grouping Tests; The European Experience, 1 CLINICS (April 1943) 1579; 17 SO. CALIF. L. REV. (March 1943) —.
(*Formerly Assistant Prof. of Law, Univ. of Hamburg; now Research Assistant in Comparative Law, Harvard Law School.)
- (34) Ladd,* Major Mason and Gibson,** Dr. Robert B., Legal-Medical Aspects of Blood Tests to Determine Intoxication, 18 ANN. INT. MED. (April 1943) —; 29 VA. L. REV. (April 1943) —.
(*J. A. G. D., U. S. Army; Prof. and Dean, Univ. of Iowa College of Law—on leave of absence.)
(**Associate Professor of Biochemistry, State Univ. of Iowa, Iowa City, Ia.)

VI. *Scientific Proof as a Means of Testing Premises Underlying Legislation or Legal Doctrine*

- (35) Rock*, Dr. John, Medical and Biologic Aspects of Contraception: Scientific Contraindications to Legal Restriction of Contraceptive Advice, 1 CLINICS (April 1943) 1598; to be submitted for legal publication.
(*Instructor in Gynecology, Harvard Med. School; Visiting Surgeon and Director of Fertility, Endocrine and Rhythm Clinics, Free Hospital for Women, Brookline, Mass.)
- (36) Myerson,* Dr. Abraham, Certain Medical and Legal Phases of Eugenic Sterilization, 18 ANN. INT. MED. (April 1943) —; 53 YALE L. J. (May 1943) —.
(*Clinical Professor of Psychiatry, Harvard Med. School; Professor (emeritus) of Neurology, Tufts College Medical School; Chief of Department of Neuropsychiatry, Beth Israel Hospital, Boston; Chairman, Committee on Research, American Psychiatric Association.)

VII. *Medical Criminology*

- (37) Lennox,* Dr. William Gordon, Amnesia Real and Feigned, 99 AM. J. PSYCHIAT. (March-April 1943) —; 20 U. OF CHI. L. REV. (April 1943) —.

(*Assistant Prof. of Neurology, Harvard Med. School; Visiting Neurologist, Boston City Hospital; Fellow, Am. Psychiatric Assn.; President, International League against Epilepsy.)

VIII. *Socio-Medico-Legal Problems*

- (38) Stearns,* Commander A. Warren, Medical and Social Factors in Crime, 18 ANN. INT. MED. (April 1943) —; 18 IND. L. J. (July 1943) —.

(*Commander (MC) U. S. N. R. on active duty; Professor of Psychiatry and Dean, Tufts College Medical School—on leave of absence.)

IX. *Scientific-Legal-Medical Correlations*

- (39) Hooton,* Dr. Earnest Albert, Medico-Legal Aspects of Anthropology, 1 CLINICS (April 1943) 1612; 15 ROCKY MT. L. REV. (April 1943) —.

(*Fellow A. A. A. S., Royal Anthropological Institute and Am. Academy of Arts and Sciences; Chairman, Dept. of Anthropology of Harvard University; Curator of Somatology, Peabody Museum, Cambridge, Mass.)

X. *Historical Notes on Law-Science Relations*

- (40) Thayer,* Prof. James B., Note on Poison in Roman Private Law, 1 CLINICS (April 1943) 1625; 23 B. U. L. REV. (April 1943) —.

(*Professor of Law, Harvard Law School.)

- (41) Polsky,* Samuel and Beresford,** Spencer, Some Probative Aspects of the Early Germanic Codes, Carolina and Bambergensis, 18 ANN. INT. MED. (April or May 1943) —; 23 B. U. L. REV. (April 1943) —.

(*Student research assistant, in second year of Harvard Law School.)

(**Formerly third year, Harvard Law School, and student research assistant; now Ensign, U. S. Navy.)

- (42) Simboli,* David, Medico-Legal Vignettes, 1 CLINICS (April 1943) —.

(*B.A., Harvard 1940; Instructor in private school, New York State.)

PART II

LAW-MEDICINE PROBLEMS AND LEGAL DOCTRINE

I. *Expert Testimony and Juridical Mechanisms*

- (43) Morgan,* Prof. Edmund M., Suggested Remedy for Obstructions to Expert Testimony by Rules of Evidence, 1 CLINICS (April 1943) 1627; 20 U. OF CHI. L. REV. (April 1943) —.

(*Royall Professor of Law, Harvard Law School, Cambridge, Mass.; Reporter, The American Law Institute's Committee on Evidence, which developed MODEL CODE OF EVIDENCE.)

- (44) Pound,* Prof. Roscoe, A Ministry of Justice as a Means of Making Progress in Medicine Available for Courts and Legislatures, 1 CLINICS (April 1943) 1644; 20 U. OF CHI. L. REV. (April 1943) —.

(*Dean Emeritus, Harvard Law School; University Professor, Harvard, Cambridge, Mass.)

- (45) Chafee,* Prof. Zechariah, Jr., Privileged Communications: Is Justice Served or Obstructed by Closing the Doctor's Mouth on the Witness Stand? 18 ANN. INT. MED. (April 1943) —; 53 YALE L. J. (May 1943) —.

(*Langdell Professor of Law, Harvard Law School, Cambridge, Mass.)

II. *Private Law Problems of Interest to Medical Men*

- (46) Dodd,* Prof. Edwin Merrick, Jr., Contracts Not to Practice Medicine, 18 ANN. INT. MED. (April 1943) —; 23 B. U. L. REV. (April 1943) —.

(*Professor of Law, Harvard Law School, Cambridge, Mass.)

- (47) Scott,* Prof. Austin Wakeman, Tort Liability of Hospitals, 18 ANN. INT. MED. (April 1943) —; 17 TENN. L. REV. (April 1943) 838.

(*Dane Professor of Law, Harvard Law School, Cambridge, Mass.)

- (48) Ludlam,* Warren, Plaintiff's Duty to Minimize Defendant's Liability by Surgery, 17 TENN. L. REV. (April 1943) 821; to be submitted for medical publication.
(*LL.B. Harvard Law School, January 1943.)
- (49) Smith, Hubert Winston, Legal Responsibility for Non-Therapeutic Surgery; to be submitted for medical publication.
- (50) McCurdy,* Prof. William Edward, Insanity as a Ground for Annulment or Divorce in English and American Law, 99 AM. J. PSYCHIAT. (May-June 1943) —; 29 VA. L. REV. (April 1943) —.
(*Professor of Law, Harvard Law School, Cambridge, Mass.)
- (51) Arthur,* Prof. William R., Some Legal Aspects of the Use of Drugs, (Tentative title), 15 ROCKY MT. L. REV. (April 1943) —; to be submitted for medical publication.
(*Professor of Law, University of Colorado, Boulder, Colo.)

III. *Public Law Problems of the Medical Profession*

- (52) Powell,* Prof. Thomas Reed, Compulsory Vaccination and Sterilization; Constitutional Aspects, 18 ANN. INT. MED. (April 1943) —; 21 N. C. L. REV. (April 1943) 253.
(*Story Professor of Law, Harvard Law School, Cambridge, Mass.)
- (53) Griswold,* Prof. Erwin N., The Doctor's Federal Taxes, 18 ANN. INT. MED. (April 1943) —; 32 CALIF. L. REV. (June 1943) —.
(*Professor of Law, Harvard Law School, Cambridge, Mass.)