

PHYSICIAN'S CLUB OF CHICAGO.

A regular meeting of the club was held February 16, 1904, at the Sherman House, with Dr. Hugh T. Patrick in the chair.

The subject of the evening's discussion was Graft.

The Chairman introduced Mr. Walter L. Fisher, Secretary of the Municipal Voters' League, who spoke on Municipal Graft.

Mr. Fisher said: Graft is as old as the pyramids. It has existed in all ages. It exists in Rome, in London, in Paris, and other countries and cities. It is coincident with municipal government. Municipal government has always been what we might consider an unsolved political problem; but the government of States is almost a fixed political question. One of the most serious questions that confronts the people who are interested in the future of their own country is the future of our great city. Municipal graft, therefore, is an important subject. The organization to which I belong is not one that is interested in a theoretical discussion of graft or any other problem of politics. It is an intensely practical organization, and turns its attention to the practical methods of improving conditions, and therefore I am entirely unfamiliar with and can throw very little light on a theoretical discussion of graft.

Graft naturally divides itself into petty graft and the larger graft, with which, in this city, happily, we have less to do than we used to have. I think it can be said that graft in its larger aspects has been thoroughly rooted out from the City of Chicago, and what we have to do with today is petty graft, administrative graft, which extends through all departments of the city offices. We always come in contact with it, more or less, and the subject has been so thoroughly discussed in the public press that it would be a work of supererogation for me to undertake a detailed discussion of graft at this time. You know that it exists particularly in the departments of inspection, and in many other branches of the city government, but we will find that it exists most in those departments which come most intimately in contact with individuals—the people. It exists largely because of laxity, of utter inefficiency in matters of administration. There is lack of adequate supervision on the part of gentlemen in charge, who think their entire duty is performed when they have selected a head for each department. Having selected such men for these departments, they are allowed to work them as they see fit. If he does not overstep the bounds of reasonable discretion, the head of a department is allowed to carry on his nefarious practice without hindrance by the powers above. The foundation of graft is the self-consciousness of the individual voter; it is the self-consciousness of the individual member of the community, a selfishness which expresses indifference to public duty; willingness on part of the individual to escape responsibility, but an unwillingness to assume active duties.

Without desiring to lose what friends I may have in this Club, I want to say that the medical profession is singularly open to that criticism. There is no class of men in the community who can exert greater influence in up-

holding good government than the physician, yet I think no class of men in the community exercise their powers less in proportion to their ability than the members of your profession. The relations which the physician has to his patients, and the large number of people with whom he comes in contact, afford abundant opportunities for doing great good. Such opportunities should be constantly exercised and taken advantage of more generally than they are. There are very few physicians in this city who have ever taken active interest in public affairs to any thing like the extent they should. It is an acknowledged fact, so far as my recollection serves me, there has never been a member of the medical profession in the City Council. There has not been since my connection with that body. We all know doctors are busy men, but so are lawyers busy men, so are the members of other professions. These men give a certain amount of their time and attention to the work of the city. It is true, we have had a number of physicians from time to time on the Library Board and the Board of Education who have done excellent work; but we have never had a physician in the City Council since my connection with that body.

The future of our great city will depend very largely upon the demonstration of our ability to work out some system of government which is reasonable, and under which we are willing to live. We have had all sorts of schemes of administration of municipal government suggested to us. We have had autocratic and oligarchic schemes presented to us, as well as purely democratic devices, yet this and other cities have increased greatly in population. But the problem of how best to govern a city like this becomes increasingly difficult. There are many men who say it is impossible to solve the problem, who regard the future of our country with apprehension. They are despondent. It seems to me, to a body of physicians like this the question should present itself in an entirely different aspect. We should endeavor to make a man feel that, no matter what the outcome of his condition may be, he must put his shoulder to the wheel and fight and fight to the end, rather than live a living death. We should all take an active part in working out the problem of how this can be done; at any rate, we should use our personal endeavors in this matter because, after all, it depends on the individual citizen. (Applause.)

Graft in the Legal Profession.

Mr. Clarence Darrow was introduced, and spoke on this subject. He said: I know something about graft in the legal profession. I have worked at it now for a good many years, both the profession and the graft, so, of course, I know something about it. I also know something about graft in the different professions and callings in life, and in what little I have to say tonight I shall correlate the graft of the legal profession with the general graft that is everywhere present in the community. The fact is the human race is a race of graft, and it has been a race of graft ever since the original savage took a club and went out to get something away from somebody else because he happened to be stronger than the party whom

he attacked. The human race has lived and grown and evolved by grafting.

A great deal depends upon definition, and for myself I will define graft as I understand the meaning of the word. What is graft? Some people would say it is taking property contrary to the law. That is a very poor definition, as any lawyer knows, and as anybody knows who knows anything about lawyers and law, because if we only look to the graft outside of the law, we will find only a small part of it. Great grafts are done inside the law. The real wise grafter never undertakes to get something contrary to the law. He undertakes to fix the law so that he can get something according to the law. It is a great deal more profitable and is very much safer. The cheap grafter, who does not understand his business, and does things by retail instead of wholesale, and who has little voice in making or administering the law, undertakes to graft contrary to the law, but not your Morgan, your Rockefeller, your Schwab, or any men who really have a graft that is worthy of the name. They do it all inside the law. It is easier for them to choose their agents and their tools to fix the law the way they want it, and they get what they want without running the slightest possible risk.

If I were to define graft, I would define it differently. I should say, it was the effort of any human being to take from society or from another human being or animal more than he really gives to society in return. Under that definition, if any of you are not grafters you are unfortunate indeed, because the world is made up of two classes of people. One class will get a good deal more from society than they have contributed to it, and the other class is bound to contribute a good deal more to society than it gets from it, and all of us, one way or another, fall into one of these classes. Necessarily, we must fall into one of these classes.

The grafter, like everything else, is a product of his environment. Nobody knows how much there is in environment. In fact, there is not anything in a man except heredity and environment, and heredity is the environment of the ancestry. It is all environment when we come to figure it out, and graft is the outcome of environment the same as anything else, whether it is hereditary, or whether it is environment.

There is considerable grafting in the legal profession; in fact, indirectly, that is what the legal profession is for. It is a business that is chosen by certain men because they think by pursuing it they can get more than they can by pursuing any other business they are familiar with. I take it, that in the main is what the medical profession is for, although I do not deny the fact but that there are here and there physicians who have little thought about the money there is in their profession, and here and there are some lawyers, but the Lord knows they are few who do not think about the money in their profession. They are really following their calling, because they believe that in the particular calling which they choose to follow they can give more to the world than they could in any other calling. I take it, there is

no other definition that is more reasonable or logical than this: The man (lawyer or doctor) who in operating against the law takes more from society than he gives back to society is a grafter or a thief, because in a sense the words are synonymous. He may be either one against his own will. He may be either one because certain things over which he has not the slightest control have placed him where he must be the one, or else he must forfeit his life, and self-preservation is the first great law of nature.

We have a Bar Association in Chicago whose business it is to pick up small grafters in our profession, who from lack of wisdom or opportunity have made their grafts always small, contrary to the rules of the game—contrary to the law. These rules are not always wise, and let us hope they will be often changed in the years to come as they have been changed in the years that have passed. For my part, I have always considered these grafters as unworthy of notice, whether found in the legal profession or any other profession. I have always believed that if we could get rid of the big grafters, the small grafters would get rid of themselves, and these law grafters that are prosecuted by the Bar Association, for instance, are the kind of men who are unable on account of environment, experience, or intelligence, to find anything more profitable. The question is to find something more profitable for them. But there is another class that is very much more baneful to the community, who are not in any danger to themselves, but who operate entirely inside of the law.

My friend, Mr. Fisher, says there are no doctors in the City Council. Well, that is true. That speaks well for the doctor. (Laughter.) I might add, there are few doctors in the Legislature. That is true. That speaks well for the doctor. (Laughter.) There are few in Congress; there are few in the Senate; there are few in public offices of any sort, except on Boards of Health, and they are generally more politicians than doctors, and I trust none of them are present tonight. I do not wish to disparage doctors, because I met a great many of them at Springfield as a member of the Legislature. The fact is, there are more lawyers in all these places than doctors. It is not because the lawyer is a self-sacrificing man. He goes to the Council for the benefit of his country; he goes to the Legislature for the benefit of his country. Lawyers are natural politicians. These people go to these places not because they have been called by their constituents, but because they call their constituents to call them in every instance. Like everything else that goes along the line of least resistance, we find these places filled with lawyers because they are naturally suited to them.

Under my definition of graft, how many lawyers are there in the United States who follow their profession for the sake of bringing about justice on earth? Mighty few, I can tell you that. You find the ablest lawyers are always associated with the biggest fees. Wherever you go that is the case. The great corporations, the wealthy men, are always able to command the best talent in the legal profession. Why? Because they can afford to pay for it. Nothing

else. They can afford to pay for it because their particular graft is so enormously profitable; because they are receiving from society so great an amount in excess for all they have contributed to society, that they can afford to divide up with the able lawyers of the country who themselves become grafters in turn.

We have had in this country many instances of graft. For instance, the Council Committee has been investigating a few people in the City of Chicago who have taken twenty-five cents or twenty-five dollars, and we have spent time and money in investigating it. But we pay no attention to a street-car company that has property worth ten million dollars; that has issued stock for over forty million dollars; or a gas company with property worth fifteen million dollars that is stocked out and which pays dividends through the people of the City of Chicago on a hundred million dollars, with only fifteen million dollars invested. This is not graft, but business.

Not long ago the whole country was up in arms because a walking delegate in New York took a piece of graft from some construction company, and Mr. Parkes was lodged in the penitentiary, and the whole country believed that this was the most grievous offense ever committed in the history of the country. And yet Mr. Morgan had taken three hundred million dollars' worth of property not known, and had put on a mortgage of three hundred and ninety millions of dollars or more than it was worth, and then issued preferred stock for five hundred million more, and common stock for another five hundred million, and sold it to the people of the United States. And this was not graft. That is, by a simple trick and with the aid of the most astute lawyers, made possible by the law, he was able to saddle upon the people of the United States one billion dollars of stock. Nobody calls this a graft because it was so big. We have seen exactly the same thing almost in every great industrial institution in the United States, particularly in the organization of railroads. A railroad is stocked and bonded for four dollars for every one dollar that goes into it, or at least three dollars and fifty cents; yet the people of the United States, by reason of the manipulation of the men who graft, not outside but inside the law, are obliged to pay this enormous load. So in every field of activity and of life, and so far as my profession is concerned, I will say that these gentlemen are advised by lawyers. They are advised by the smartest lawyers we have in this land. They are advised by lawyers who stand well in the community, who are never prosecuted by Bar Associations, or condemned by the public press. They are shown the way by which under the forms of law they may prey upon their fellowmen.

I have not time tonight, or any other night, to consider the cause of the few insignificant lawyers who practice in the justice courts, and who now and then violate the law. These lawyers practice in the Supreme Court, and they not only advise their clients how to evade the law, but they help to frame the law. They go to Congress and to Legislative bodies, and they fix the law so that it will favor the interests

which they represent. This is a dangerous graft in the legal profession, and there are men who practice it who have no idea they are doing wrong; who believe themselves that they are pillars in society, and that they are helping to serve Republican institutions rather than destroy them. But what is the cause of it? Those men are not bad. They are creatures of environment, just the same as the small grafter. The doctor who considers the amount of money he can make in his profession, rather than the amount of human misery he can alleviate and the ills he can cure, is not a bad man. Very few of us do as well as we wish we might do. We find ourselves hedged about wherever we are with those restrictions that force upon us a line of conduct that we wish we might avoid. I take it, there are no physicians in this room who would not gladly give their services, if they could do so, instead of asking for so many dollars for rendering so many hours of service. There are very few in your profession who would not, if they could, alleviate human suffering without pay. But you cannot do it, and we as lawyers cannot do it. We are the product of evolution. The children of the original savages went out with their clubs to get what they could, and we have come along down, stumbling down, through the ages, through oppression and bloodshed, outrage and wrong, the best we could, and each of us has sought to perpetuate his own life and that of his offspring. In other words, we have been selfish, and it is almost impossible to live even in this enlightened age and generation of the world, and so when we come to look at society as it is today, it is pretty much all graft. We do not know where it begins. We do not know where it ends. Every person, great and small, is seeking to get out of society all he can, and give as little as he can in return. Of course, here and there, there are individual exceptions, but if there are exceptions, they are too wide from the rule that they will die. Any man who is simply determined to give all and take nothing cannot live very long. If he did, he would leave nobody to follow his footsteps. The whole construction of society, the whole construction of business, is along the line of everybody looking out for themselves. It is not along the line of cooperation, of mutual assistance, but along the line of the individual wanting more and more, and so long as society is so organized there will be graft; and I do not care how stringently you enforce the criminal law; I do not care how many jails you build or how vigilant the prosecutor may be, so long as society is organized upon these lines, you cannot stop graft. The only way to stop it is by opportunity. For instance, away back in olden times in England they used to transport their criminals to Australia, and when they got there, where land was plenty and opportunity great, they became respectable citizens. They did not steal sheep when they found it was easy to raise them. After a while, they became so respectable they built churches and jails of their own. There is a lesson taught in this, not by dreamers, but by practical men. For instance, fifty years ago Mr. Buckle, in his great history of civilization, covered the statistics of crime, and showed that

crime increased just as the price of bread increased, and that it decreased just as the price of bread decreased, and intelligent people, who do not believe in graft, who do not like the world of graft, who hate to do grafting themselves, must give their attention toward arranging and adjusting society, and whether that arrangement or adjustment is near or far off, whether it shall come in our day or a million years hence, every step of the human race that looks to something higher and better must be a step along the line of eliminating self-consciousness, that will prevent this eternal struggle for existence, that will turn mankind into brethren, helping each other, instead of into cannibals, preying upon each other as we have been through the ages that have passed. We cannot help it. We are the products of the past, but through all this evolution the world has been looking forward to the day when there will be no grafting; when the theory of industrial life will be cooperation instead of competition; when each individual, instead of seeking to take more from society than he gives to society, will be seeking to give more to society than he takes from society—in that day there will be no grafters in any of our professions, if indeed there will be anybody in any of our professions. (Applause.)

Medical Graft.

Harold N. Moyer spoke on this subject. He said: Notwithstanding earnest efforts I have been unable to find anyone in the medical profession who grafts. Since the topic was assigned me I have made diligent inquiry and have been unable to find a single member of the profession who says he is a grafter. I have found one or two who knew of some one who had grafted, but upon inquiry I found this was mere rumor, as the individuals charged all denied it.

A definition of graft has been given us by Mr. Darrow which implies his conception of the word, but no one has attempted to give its etymology. About twenty years ago the word boodle signified what is now understood by the word graft. At the present the term boodle has almost passed into disuse. The word boodle originated in London in the early part of the last century. A certain coffee house was kept by a Mr. Boodle, and in his place about all the crooked work of Parliament was concocted. Macaulay, in the *Georgics*, says:

"And Boodle's patriot band

Fat from the leanness of the plundered land."

The etymology of graft is more obscure than boodle. It is evident that the word implies more than boodle and it is, indeed, a better word. No mere robber or highwayman would be spoken of as a grafter. It implies an individual who uses a position of trust to further selfish ends. This use of the word is clearly reflected in Shakespeare's *Winter's Tale*, where he says: "A servant grafted in my serious trust and therein negligent."

As the word graft has triumphed over its fellows, it may be assumed that it is expressive and accurate and it can hardly be classed as a slang word. It ought to be accepted as one of the strong words of the language.

Mr. Fisher tells us that graft has permeated all governments from the earliest time to the

present; in this respect our times and our government are not different from those that have preceded. I once asserted that the American people were the greatest nation of grafters on the face of the earth. The gentlemen with whom I was conversing said that he did not think so. As he had a wide experience in foreign countries, I asked him what country he thought was worse, and he said that China was worse and that Bulgaria was about as bad.

Mr. Darrow says this question of graft is as broad and deep as our social fabric, and he told us that with society, as now organized, it has got to be so. If it is so and has got to be so, it is all right. I believe that society is evolutionary; that we are struggling on to something better. In the future it is going to be better than it is now. To point out the defects in the present condition of affairs is valuable, just as medical men point out organs that have lost their uses, structures that have become functionally defective, like the appendix vermiformis. It is probable that it is a vestige of something that was once valuable in the human economy, and that now it ceases to be such except as a graft for the surgical fraternity. (Laughter.) I think we can accept Mr. Darrow's dictum in the main, just as we would accept any truthful lecture on pathology in the dead-house. It is just about as valuable as a dead-house lecture, because it is something that deals with the remains of things, and with the excrescences. We are striving toward something higher and better. Of course, we shall not arrive there at once, but we will get there, and so we can in the immortal words of Lincoln at Gettysburg, slightly paraphrased, say: "We here highly resolve, that this, a nation of grafters, for grafters, and by grafters, shall not perish from the earth." (Applause.)

As to medical graft, according to Mr. Darrow's arraignment of society in general, the medical man is a grafter because he belongs to those who get what they can and pay out just as little as they can.

The main topic to my mind—one that is fraught with some peril for the future of the profession—is in relation to medical fees. As a member of the Medico-Legal Committee of the Chicago Medical Society, I attended a malpractice suit against a physician a few days ago. In the examination of the jury two of the men were excused because they were Christian Scientists, and said they did not want to sit on a jury where a doctor was on trial. Two other men (they seemed to be intelligent and spoke English coherently) said they could not sit as jurors and give any physician a fair trial. After the jury was about to be sworn, a third man went to the Judge and said that while he had answered the questions put to him and had been accepted, he was quite sure he could not sit on the jury and give a doctor a fair trial.

There must be something seriously wrong in the attitude of the laity toward the medical profession when three men out of twelve say they can not give any physician a fair trial in a civil case, and I fear this attitude is in some way due to modern medical fees. This subject has been discussed before this club, you remember the happy expression of Dr. Zeisler and how

it touched us all, when he said that the large fee was the normal fee. It was such a nice expression and such a happy thought. Of course, a physician can fix his fee, at what he thinks is right and proper, and when a wealthy man consults one of our ophthalmologists on State street and has a cinder taken out of his eye, and is charged a thousand dollars for it, he thinks the fee is abnormal, but the ophthalmologist tells him that if the cinder was not removed promptly, he might become blind in that eye, and says, "What do you think that eye is worth to you?" Well, he thinks it is worth more than a thousand dollars to him, and so that is one of the normal fees. (Laughter.) I question the soundness of this argument. I have lately seen reports in medical journals of very large fees having been sued for in court against estate of deceased persons, individuals of large wealth. The argument that the wealthy man's life is worth more to him than the poor man cannot apply to the dead rich man. It is illogical to charge a big fee, as life has not been saved; and the fee should be low, or what we call abnormal.

The question of medical graft is closely associated with the fee. There is no doubt but that the physician should fix his fees in accordance with what he thinks is right. He has got the right to offer his services for whatever he thinks they are worth and he alone is the judge. But having once offered his services for what he thinks they are worth, there is no logic in saying that one man ought to pay more for those services than another. An interesting decision has been rendered by the Supreme Court of New Jersey in reference to this matter, among other things it says that the medical man has a right to fix a maximum fee. He can charge less if he wants to, but he must not exceed the maximum. In other words, he must exercise some sense in his charges. Over this question of fees and the relation of the medical profession to the public there has been a decided change in the last twenty years, the medical profession and their patients are getting apart; there is not that sympathy and harmony between physicians and patients that existed at one time, which is so beautifully described by the older members of our profession. When the profession is thoroughly organized, we will have to discuss the question of fees more thoroughly and exhaustively. Of course, we can rely for a few years on the beautiful words of Dr. Zeisler in reference to this matter, but they will not last very long because we are rapidly getting into deep water.

There are minor phases of graft; at least, I have heard of them. It is charged that the Cook County Hospital internes have taken money for making out insurance papers certifying to deaths in that institution. The President of the County Board has sat down on this, and it will be stopped. I suppose it amounts to about four dollars a year. (Laughter.) I also heard some years ago that there was a doctor who had obtained some antitoxin for administration to his poor patients without charge; that he had signed the usual blank statement, giving the names of patients, their places of residence, etc. This matter was looked up by the Board

of Charities, and it was found that he was getting antitoxin for nothing.

There are other phases of graft that might be considered, and one of which I have not been able to trace. You are familiar with the frequency with which we receive circulars from instrument houses, offering 25 per cent commission. We promptly consign these circulars to the waste basket; but the persistence of these instrument houses in sending out these circulars is remarkable, in face of the fact that they never have any responses. Recently I received a circular from a drug company in which they wanted physicians to prescribe certain formulae. This company wanted prescribers throughout the country to write special formulae that they would put up and for so doing they would be given fifteen or twenty per cent on all prescriptions that went out from that drug house.

To what extent there is a division of fees no one can answer. It is charged that this practice is prevalent particularly among the surgeons. I have not been able to find anybody who does it. But the thing seems to be going on. These are some of the things that are permeating the medical profession, and I fear the profession is becoming a bit commercialized; not the profession of Chicago, not the members of this Club, but those of the outlying districts (Hear! Hear!) I find this sort of thing is putting the practice of medicine in a position that is not enviable.

Physicians are subject to environment. They try to emulate the manner of the great grafters by whom they are surrounded. If he remains in the social swim he must graft. But why keep in the social swim? Why should a physician live like a millionaire? If he tries to do it he must resort to the sordid commercialism which is called grafting. If the doctor is a true physician, he has the sentiments of humanity and morality in him, and that is the reason he does not go to the City Council and learn to graft. The physician if he turns grafter does so as a rule from force of circumstances. It is environment and an extravagant family that turns him to devious ways, and not a bad heart.

General Discussion.

J. Clarence Webster: We all know that municipal graft has existed from the earliest times, and it was well described by Mr. Fisher. Some of us are surprised to learn that there is such a thing as educational graft, but we are no wiser now than we were before, because Professor Vincent is not here to discuss that phase of the subject. We are not surprised to learn of graft in the legal profession, and we are more emphatic in our belief since Mr. Darrow has spoken.

When Dr. Moyer got up, I hoped he would turn to these gentlemen who represent the laity and say, Oh, ye corrupt citizens, learn now of a pure body of men! But he did not do it. His statements lead us to infer that there is such a thing as medical graft.

In the researches which Dr. Moyer has been making the last week, he has not found quite the correct etymology of the word graft. I am under the impression that the term is of medi-

ral origin, and for the benefit of the lay members, I should like to explain its meaning. I think it was a Swiss doctor who first began to graft. Of course, this was a legitimate procedure. This doctor cut little particles of skin from the patient's body, or from somebody else's body, and stuck them on to raw surfaces. In the course of time grafting became a well-recognized surgical procedure carried out as I have described. At the present time we have departed considerably from the original signification of the term. As it is used tonight it evidently has the general meaning of transferring something from one person to another. Medical graft is the process of removing something from the pocket of the patient by the surgeon or physician and of transferring part of it to another physician. It is this that Dr. Moyer has been describing. At the present time, I think some of us can substantiate the rumors a little more accurately and definitely than Dr. Moyer has done, and it seems to me that we have arrived at a stage in which we can say, are we to continue in practice of an honorable profession or to adopt the custom of competing traders? For many centuries our profession has subscribed to the oath of Hippocrates and has recognized as its totem the cock of Esculapius. You remember the oath of Hippocrates. From the very, very many rumors in the air, which may easily be authenticated, I think there can be little doubt that our profession has to a considerable extent departed from the old, long-observed code of this ancient sage.

Mr. Darrow has given us an interesting definition of graft, the individual taking more from society, or from some other individual, than he has contributed. This definition is well worthy of consideration. Take, for instance, its application to the question of fees. I am convinced, that those who are in the position of getting very large fees are often to blame for the present state of matters. I doubt, for example, if any surgeon is warranted in claiming a fee of a thousand dollars for the repair of a slight laceration of the perineum. I am aware of such a case, and know that it was obtained owing to the ignorance and fear of the patient. It is not surprising that the doctor who took the case to the operator demanded a commission of three hundred dollars. I believe in good fees and in large fees, but they should correspond to the gravity of the operation as well as to the size of the patient's pocket-book. I am certain that many practitioners who are struggling in the country districts, or in poor city practice often feel that the surgeon is a robber and they are tempted to deviate from the straight path, demanding some of the plunder.

Dr. Moyer has spoken of necessity as a stimulus to graft. That is undoubtedly true in some cases. Some poor fellow, with a wife and children, not knowing how he is going to pay his bills, may now and then be stimulated to take his patient to the operator or consultant who will give him a commission, in addition to what he earns by his own work. But what about the prominent Chicago operator or consultant who is not poor or struggling, and who corrupts practitioners with bribes, or who sends agents and letters throughout the country

drumming up cases for him? You know that such men exist and you can put your fingers on them. It is not necessity that impels these men to carry out their nefarious work, a practice which is not only detrimental to their own self-respect, but which is a temptation to their weaker brethren.

I have seen within the last month a circular signed by a surgeon who is connected with one of the well-known hospitals of this city. This circular has been sent around to various doctors in this State and neighboring States, offering bribes for patients sent to him. I know that the same thing has been done by a professor in one of the best medical schools in a neighboring State. These men, gentlemen, are not starving. They do not require to do that business, but yet they engage in it. What is the explanation? It must be either moral degeneration or the recognition of medicine as a trade in which one may do anything to make business. What does it matter that we have the care of human lives? Business is business. We shall use our patients so as to make the most money out of them. We shall take them to the operator who shall pay us most for the chance to operate, regardless of his fitness. A few lives may be sacrificed, but we shall have gained the commission. If we are to occupy this position, why adopt and talk about codes of ethics? Grocers don't require codes of ethics. They do their best to get ahead and in selecting methods of business need only be careful not to be caught infringing the law of the land.

Our profession must decide whether they are to be one thing or the other. At present there are a few who openly believe in graft. I was told a short time ago that a Peoria physician stated in a medical society that he believed in asking for a commission and that he did not employ a surgeon who did not give him one. I have not heard that his distinguished city cooperator has made any such frank admission. Doubtless he will hesitate to commit himself openly, since he may be one of those who denounce in public what they practice in private. It must be very unpleasant to lead such a double existence for it is generally understood that there is an added unhappiness in knowing that one's life is at the mercy of the seeker of commissions, and that the latter often makes bold to demand not ten, but twenty, fifty and even seventy-five per cent for the job.

Palmer Findley: I am convinced that the burden of the graft problem falls upon the young surgeon. The older surgeons who came into the field and were well established before the medical profession began to graft are now able to get along in spite of it, though doubtless with no little embarrassment.

But the young surgeon who is at the beginning of his professional career will learn at the very outset that this question is possibly the most serious one with which he has to deal.

He must take a firm stand against it or he must fall in line with the present trend of the profession in dividing the fee. It becomes a moral issue with him, and if he decides to keep himself free of all such entanglements, he must know that his progress will be slow. Others of less merit who resort to graft to further their

personal interests will outstrip him, at least in the early years of his practice.

He may be said to be between the two horns of a damnable dilemma. On the one hand are eminent surgeons of large experience who do not graft for financial reasons and who would not graft for moral reasons. On the other hand are surgeons of possibly equal experience and reputation who do not graft because of necessity, but who do graft persistently for reasons best known to themselves. Then there are the surgeons of lesser fame but with no less ambitions; these are not confined to our large cities, but are to be found in every section of the country, who feel compelled to divide fees in order to retain their local patronage, which might otherwise go to the large medical centers.

I do not object to the division of the fee because it makes the operator's fee less—for in fact it seldom does—but I do most emphatically object to the practice because it makes the patient's fee larger, and more than this, the patient is not always given the benefit of his attending physician's best judgment in the selection of the surgeon. The surgeon with whom such a deal can be made is the one chosen to do the work, and too often he is by no means the best qualified man available.

I believe "the laborer is worthy of his hire," and every man should have his just reward. But there are ways of accomplishing this that are fair to all concerned.

As a remedy for the graft malady I would recommend what President Roosevelt suggested for the control of the trusts—Publicity. This is in an evil almost confined to the western states. It is little known in the east, and is altogether unknown to other countries. It, therefore, becomes the duty of the profession, and especially of the organized medical societies of Chicago, to take the initiative in the crusade against this vice. And let them first cast the beam out of their own eyes; then shall they see clearly to pull out the mote from their brother's eye. It ought not to be possible for a surgeon who reports to such practices to hold high place in our reputable medical schools and medical societies.

Mr. William H. McSurely: When Dr. Moyer was talking about a doctor's bill being so large and his patient was dead, it occurred to me that it does not seem logical to make such a large charge, because if the patient dies, it would seem the services which the physician had rendered had lost much of their value. I have heard of a case of that sort which was before a member of our (the legal) profession. I will not deny that it was Brother Darrow, and he maintained the correctness of the large bill on the very ground that the patient was rich, and a rafter; that the physician had earned his fee, and that it should be paid in the nature of a reward for services rendered.

In spite of the definitions of graft that have been given tonight, I will venture another in a less than sense. A grafter is one who allies or attaches himself to some outside interest, some interest apart from the main motive of his life, or the purpose of getting from that outside interest something that will be beneficial to the main motive of his life. That definition is a little rough; I have not had time to polish it.

If I had, it would be a stunner. (Laughter.) For instance, here is a lawyer. I see him in church. He teaches Sunday-School; he goes to prayer-meetings, and I say to someone, Who is that? And he says, "That is So-and-So, the young lawyer." If I am wise, I will ask what is his graft? And the answer naturally will be church work. I see a physician who goes to all parties. He subscribes so much for a box at the Auditorium. I see him at every variety of entertainment. Someone asks, What is his graft? Society, of course. What is my friend Fisher's graft? Municipal reform. I have known my friend Darrow for some fifteen years, and if any man should ask me what his graft is, I should say, the laboringman. I say this in the most kindly way. (Laughter.) I think the man who isolates himself from society will remain isolated all his life. Most of us are not that kind of men. (Applause.)

G. Frank Lydston: I was very much interested in the remarks of Mr. Fisher regarding the doctor in politics. I was wondering, as he was speaking, how sincere he was. I suspect if he had told us the truth, his sentiments would have been in line with those of Mr. Darrow. Mr. Darrow expressed his opinion of the doctor in politics when he criticized doctors on Boards of Health, of which more hereafter. If Mr. Fisher is sincere, I presume if he were seriously ill, and had two doctors to select from—one active in political affairs, a man of public spirit, and the other who stayed in his office and attended strictly to business, of the two he would select the politician for his physician. The lawyer, it seems to me, who criticizes the medical profession for not taking an interest in politics and public affairs, does so with bad grace. It is a graft for the lawyer, but a grave for the doctor. The doctor who devotes a portion of the years of his life to politics and to the public service is forever damned not only in the eyes of the public, but in the eyes of members of the medical profession, in case he happens to do anything which savors of political graft. The reverse is true of the lawyer. In politics the lawyer attracts attention to himself. It is about the only way some lawyers could attract attention to themselves. He is elected judge by hook or crook—by ignorance of the people, or multiplicity of votes. After he has presided on the bench for a few months or years with that fairness which characterizes the lawyer on the bench, he retires or is retired, and becomes a great corporation lawyer. Only a little while ago one of our judges had the opportunity of refusing a beautiful bunch of graft of this kind. They rarely refuse. The politicians who control public affairs do not want the doctor because the doctor has no pull. I think the situation was described aptly by a distinguished West side member of the Legislature—one "Bull" Burke by name. I had a chance in a conversation with him at Springfield on one occasion to bring up a certain medical measure in which numerous prominent men were interested, and we were anxious to get it through the Legislature. But he said, "You fellows make me tired; you don't know how to 'kiss' bills through the Legislature." You can draw your own inference from that. It is

evident that members of the medical profession are not experts in "kissing" things through the Legislature; hence our lack of political prestige.

As I take it, Mr. Darrow's definition of graft is simply emoluments of various kinds, money, goods, lands, or what-not, acquired without giving the quid pro quo, which, if I am correct in my assumption, means that nature inclines very kindly to graft.

Grafting is as old as civilization. Wherever the banner of civilization has been carried—wherever man has carried the banner of civilization in his hat, with a Bible in one hand, and a grab game in the other, graft has been at the bottom of it. It is the fundamental principal of human nature.

Mr. Darrow has passed a severe and unjust criticism on the health officers, I presume, of Chicago. I wonder if he knows anything about the record of the City Health Department of Chicago, and whether he read the newspaper attacks that were made upon Dr. Reynolds. I wonder if he knows that Dr. Reynolds is a representative physician, and that whenever a change has been contemplated in the office of Commissioner of Health, an appeal came direct from the medical profession to have Dr. Reynolds represent us. I wonder if Mr. Darrow knows that at the Buffalo Exposition our City Health Department made the best scientific exhibit of any city. Largely through the efforts of the members of our City Board of Health, Chicago is the most healthful city of its size in the world. I wonder if Mr. Darrow appreciates the fact that the President of the State Board of Health is a distinguished Chicago physician, a professor in a medical school, who serves on the State Board of Health without salary. I do not recall any lawyer in a position of equal public importance who serves without salary. I will submit this proposition for Mr. Darrow's courteous consideration, in all good faith, that the professional men who give their services to the public for nothing, and who are not working in their own interests, are not lawyers, but physicians. What about the personnel of the lawyers in the public service as compared with that of physicians in public service? Take, for instance, the Chief of the Marine Hospital Service of this country; there is not a lawyer who does for the public one-tenth of what that man does every year. I am willing to stand by that assertion. I have no doubt Mr. Darrow will convince me that I am wrong, because I am easily convinced. The fact is, America is not only a land where King Graft reigns supreme, but it is a land in which the public likes to be grafted.

Dr. Webster has offered some severe criticisms on the subject of fees or medical grafting. I was wondering while he was speaking, what induced him to leave his position in Canada in a University there, where he made for himself a widespread reputation, had won fame through his scientific labors, and had received every encouragement, to come to this wild and woolly Western town. He may answer that question if he likes; I still have my own opinion. He is going to do his grafting here.

As to his remarks anent the division of fees, the members of the club know my position. I believe the laborer is worthy of his hire. When two men are associated in a case and divide the responsibility and work, each should receive a pro rata. I do not believe, however, that when a man has a case that he cannot handle and brings it to me or to any of you to be operated on, he is entitled to put himself on a parity with myself. If he were, he never would have brought the case to me. I was telling a gentleman at the table an experience I had with reference to a free grafting proposition. A physician asked me to do an operation upon him, which I did, and incidentally I learned that he had two objects in view when he came to this city. One was to have me operate on him for nothing, as he had some confidence in me. He also took a somewhat similar case for operation to another surgeon who, I am told, received five hundred dollars, and who divided the fee with him. He asked me what he could do for me, and I told him the next time he received a fat fee he might turn it my way, and that would even things up. (Laughter.)

Dr. Moyer was unusually modest in his remarks. While he had a good deal to say about the medical grafter and large fees, he did not throw very much light on the subject. I really came here tonight to hear something about that heathen Chinee, "for ways that are dark and tricks that are vain,"—the professional expert, as I think he knows something about him. There is a large element of unfairness which suggests itself to me with reference to surgical fees, which was not considered. I was very much surprised at some of the expressions that were brought out this evening by medical men. For instance, a thousand dollars for a perineorrhaphy, a comparatively simple operation. It would be difficult to convince the husband of the patient, or the father or mother of the patient, or the patient herself, that she was a simple matter for consideration. The proof of the pudding is this: Let such a case go wrong, and that same patient, who objects to paying a thousand dollar fee (and it is excessive) would not hesitate to sue the surgeon for ten thousand dollars, and it might cost him two or three thousand dollars for his defense, even if no judgment is gotten against him.

Mr. Clarence Darrow: I am afraid that my remarks have been slightly misinterpreted. I was a little uncertain regarding one or two statements I made, but after what has been said I am left with the only alternative to tell the truth, and so I will say, that it is even possible that the President of the State Board of Health, who is a worthy gentleman and able physician, does not know the truth in reference to some of these matters.

First, let me say a word or two in reference to the remarks of Dr. Lydston. Dr. Reynolds has been a good friend of mine for years. I have the greatest confidence in him, and when he was under fire some time ago he came to me and asked me to defend him, a thing I could not do because of other work I had on hand. I have great respect for him, and when I made my remarks I was not thinking of him. If I

had known the newspapers were attacking him. I would have assumed at once that he was an innocent man. They never influence me except the other way. (Laughter). What was in my mind were two facts, and I will give them to you because they may be interesting to the medical profession.

When I was a member of the last Legislature, we had before us bills to regulate more stringently the practice of medicine. I do not need to discuss the origin of those bills. On the whole, I was rather in favor of these bills, because so many of my good friends in the medical profession wanted them, and I did not see anything very wrong about that particular bill last winter. But here is something you can look up and verify if you desire. We had before the Committee the Secretary of the State Board of Health, whose name I do not need to mention. We had other members of the State Board before the committee, and we were assured that the Board did not want this new medical bill passed, although they did not say so to the committee. But there were a number on that Board, officials and otherwise, who were making their living out of it, and who did not want the new law passed, which created another Board, and which would put them, to a certain extent, out of business. If you investigate this matter, gentlemen, right down to the bottom, you will find it is absolutely true. I do not say every member of that Board, but members who came before us, and notably officials, and the attorney of the Board was a member of the committee, and the reason the bill did not pass is because the State Board of Health did not want it to go through. I am not guessing at this.

Another illustration came to me personally last week, and I had these two things in my mind when I spoke of physicians posing for public offices, which I do not believe in any more than the last gentleman who spoke. A man by the name of Fuchs, who takes X-Ray pictures or skiagraphs, who is among the best X-Ray men in the city of Chicago, and who is patronized by a large number of the best surgeons in the city of Chicago, brought to my office the other day a letter which was addressed to him by one of the officials of the State Board saying he was going to be prosecuted for taking these pictures or skiagraphs because the law did not allow anybody but a licensed physician to take these skiagraphs. A number of surgeons in Chicago had spoken to me about this, because they are very much interested, and have asked me to do what I could in the man's defense. Of course I told them I would. But it appeared to me then, as it appears to me now, that this is purely a case where political doctors, not the best doctors in Chicago, who are put in office and are making money out of the office attacking this man as they attack dozens of others in your profession, for the graft that there is in it. These were the only two matters I had in mind.

George W. Webster: As President of the State Board of Health, I went to Springfield and appeared before the Judiciary Committee of the House at the last General Assembly, of which

Mr. Clarence Darrow was a member. I had previously written Mr. Darrow and every member of that Committee in regard to the bill which was then pending before the Committee. I said in the most emphatic words I could command, I am in favor of this bill. That was the concluding sentence in my letter. I reiterated it throughout that letter. If Mr. Clarence Darrow will produce that letter, he will see that I told the truth. I can produce a copy of it, which will show that I was in favor of that bill. The records will show, aside from Dr. Evans, that I was the only member of the regular profession of the City of Chicago to go to Springfield and appear before the Judiciary Committee and plead for the passage of the bill. Furthermore, I had with me every member of the State Board of Health at my back, every one of whom said he was in favor of the bill. Now, I say, gentlemen, Mr. Darrow or anybody else, who says that I was not from first to last in favor of the medical practice bill (Senate Bill 370) says what is absolutely and unqualifiedly false. That is the position I took in this matter.

The Chairman (Hugh T. Patrick): Mr. Darrow wishes me to say that he did not have Dr. Webster in mind, but someone else on the State Board of Health.

Dr. Webster: I want to make my position clear as false statements have been made in regard to my position in this matter, and there are men in this room who will bear me out in what I have said. I will simply say again, that every member of the Board was in favor of the passage of that bill. I will say, furthermore, that Dr. Egan has said, as Secretary of the State Board of Health, that he has been first to last in favor of that bill. He was one of the first men in the State of Illinois to propose a medical examiner's bill, which he did five or six years ago. He has constantly favored such a bill from that time until the present. I will say, that it would not make any particular difference in Dr. Egan's salary, because this would be the creation of an entirely different Board, and Dr. Egan would continue as Secretary of the present Board with a salary practically the same as at present. Therefore, the statement made that the State Board of Health was opposed to this bill was not true. As I have said, I appeared before this Committee (of which Mr. Darrow was a member), which had the bill in charge. The bill never got out of the pockets of the Committee. I do not know why. I was told that we were not good enough grafters; that we ought to grease the Committee.

Mr. Darrow: Isn't Mr. Smeijkal, who was a member of the Judiciary Committee of the House, the Attorney for the State Board?

Dr. Webster: No, sir. Smeijkal has nothing to do with the Board. He is not attorney for the Board, and has not been for a long time.

Mr. Darrow: When the Legislature met he informed us he was,

Dr. Webster: He was formerly attorney for the Board, but was not at the time of meeting of the General Assembly. The Attorney for the Board was not in Springfield on the day in

question, and did not appear before the Judiciary Committee of the House.

As all of you know, neither the President nor any of the members of the Board, except the Secretary, have ever been paid a salary, so that the statement that we opposed it, because it would reduce our salaries, is equally false and absurd. I have served on this Board for years and in as faithful a manner as I know how, and have never received a cent of salary.

NORTHWEST BRANCH.

Is Radio-Therapy of Any Value in Pulmonary Tuberculosis.

By Karl F. M. Sandberg, Chicago: Very soon after the publication of Professor Roentgen's discovery, the medical profession began to use the X-rays both for diagnostic and for therapeutical purposes, and it did not take a long time before articles on sciagraphy and on X-ray therapeutics appeared in the medical journals in the different countries.

Eight years have now elapsed since the discovery of the X-rays, and during this time the usefulness of the agent in medicine has become an established fact, and its field is so large that the X-ray specialist now is a necessity.

The different civilized countries have already their Roentgen ray or X-ray societies, with their special journals and meetings, that only devote themselves to the X-ray work.

Previous to the therapeutical use of the X-rays, experiments were made with bacteria to find out how the rays acted on them. Many different kinds of bacteria in cultures were already, early in 1896, exposed to the rays by different scientists. The result of these experiments seems to have been that the X-rays do not influence bacteria in cultures.

The next step was to inoculate guinea pigs or rabbits with different bacteria, expose them to the ray, and observe the effects; and the reports of these experiments are more favorable. In the middle of 1896, Professor L. Lorbet et Genoud, in France, published an article on "Tuberculose Experimentale Attenuée par la Radiation Roentgen," in which they report that guinea pigs inoculated with tuberculosis when exposed to the X-rays recover or live longer than guinea pigs that have not been exposed.

These and other similar experiments gave start to an extended trial of the rays in different tubercular lesions. Tuberculous skin diseases, as lupus and scrofuloderma; tuberculosis of the lymph glands; tuberculous joint affections, and even tuberculosis of the peritoneum and of the lungs were subjected to the action of the rays. From all countries the reports, as regards the effectiveness of the X-ray treatment of tuberculous skin diseases, are unanimously favorable, and the rays are now considered as good as the Finzen light, or even better.

Favorable reports of treatment of tuberculous glands and tubercular joint affections are also to be found, and some cases of tuberculous peritonitis have been treated with the X-ray with striking effect.

The effect of the rays seems most doubtful in pulmonary tuberculosis, and the opinion amongst the X-ray workers is much divided.

Owing to the importance of this disease, it will therefore be of interest to consider the literature on this subject in the different countries.

The first record of the X-rays used in the treatment of pulmonary tuberculosis that we have been able to find in French literature is an article in "Le Bulletin Medical," Jan. 17, 1897, page 45, by Mm. Rendu et Du Castel, with the title: "Sur un Cas d'Application des Rayons Roentgen au Traitement des Phlegmasies Aigues de l'Appareil Thoracique."

The authors give a detailed and very interesting report of a case of pulmonary inflammation in a twenty years old man. (Case tabulated below.)

The next record of X-ray treatment of pulmonary tuberculosis is in "Paris Bulletin de l'Academie de Medicine," 38, 1897, page 66.

M. Bergonie et M. Ch. Mongeur, read at the "Seance du 13 Juillet," a paper with the following title: "Les Rayons Roentgen ont-ils une Action sur la Tuberculose Pulmonaire de l'Homme?"

It is a report of five cases of pulmonary tuberculosis treated by the X-Rays. (Cases tabulated below.)

The following technique was used: (Page 66.) The patient was lying in a bed, the tube placed over the sick parts, the distance from the target to the skin, 20 cm. The time of exposure, ten minutes, and treatment was given three times a week. A Rubinkorffs coil, of 35 c. m. spark length, with Galfie interruptor (trembleur rotatif de Galfie) was used. A Muret tube was used, and the radiations were of such a strength that they gave a good radiograph of the hand after ten to twelve minutes exposure.

In regard to conclusions, the authors remark as follows:

"The impartial examination of these five observations allows us to draw the following conclusions:

"1. In two cases of acute phthisis in patients in whom the organic degeneration was increased by alcoholism and privations, the action of the X-ray has been absolutely none either upon the local or upon the general condition.

"2. Three cases of chronic pulmonary tuberculosis have given us the following results:

"Observation 3. No result.

"Observation 4. Immediate improvement of the general condition. Return of strength and appetite. No change in the local condition.

"Observation 5. Improvement of the local and general condition in one month and a half. Afterwards an exacerbation of the disease, caused probably by grave dyspeptic troubles.

"3. In the three cases in which the X-ray have had no favorable action, the pulmonary tuberculosis has followed its course without any new exacerbation of the disease that can be believed to be due to the treatment. We have in no case observed the least accident, not even a superficial one.

"4. The bacillus of Koch has not appeared changed, neither as regards number nor the form under the action of the rays.

"These facts, few as they are. Do they encourage to continue?

"We are not afraid to give an affirmative answer under certain reservations. The X-rays

key to successful combat against the great white plague. More time will be required, but the hygienic and sanitary reforms necessary to eliminate Tuberculosis will assist in eradicating other diseases at the same time. So rapidly is the death rate from Tuberculosis decreasing in Prussia that it is believed that by 1927 it will disappear from the list of diseases. What Prussia is doing other countries can and will do. The Illinois State Medical Society will have much to do with bringing this about in America.

THE TRUTH ABOUT SMEJKAL.

In the April issue of this Journal, pages 847-856, will be found a very interesting and enlightening discussion on the subject of "Graft" which took place at the February meeting of the Physician's Club of Chicago. To those members of the State Medical Society who re-call the circumstances of the defeat of the bill introduced into the 43rd General Assembly by the Legislative Committee the remarks of Mr. Darrow and Dr. G. W. Webster will be especially entertaining. A reference to that part of the discussion will show that Mr. Darrow asked Dr. Webster the following question. Isn't Mr. Smejkal, who was a member of the Judiciary Committee of the house, the attorney for the State Board (of Health)? To this Dr. Webster replied. No sir, Smejkal has nothing to do with the Board. He is not and has not been for a long time. Mr. Darrow then retorted. When the Legislature met he informed us he was. Dr. Webster finally replied he *was* formerly attorney for the Board, but *was not at the time of the meeting of the General Assembly.*

As Mr. Edward J. Smejkal resides in the same district with Mr. Clarence Darrow it is probable that Mr. Darrow had accurate information as to the employment of his

colleague. From the report of the Legislative voters League we take the following extract regarding Mr. Smejkal which would seem to indicate that while that gentleman may not have been entitled to the appellation of attorney of the State Board of Health, yet he did hold or does hold such close relations with the Board that he was probably correct in announcing himself and Mr. Darrow was correct in believing him an attorney for the State Board of Health. Certainly Mr. Smejkal's active opposition to the bill would lead one to believe that some powerful influence was lending encouragement to his efforts.

Copy of Report of Legislative Voters League.

Edward J. Smejkal (rep.), on pay roll of state board of health, resides 77 Bunker street; voted against bad amendments to civil service bill, except the one to omit certain officers from its operation; is not recorded as voting on Powers' amendment to city law; was active supporter of lawless house organization and fought enabling act, but finally voted for it when its passage was certain, and for charter amendment; opposed adding to investigating committee; introduced and pushed bill to allow "floaters" to become judges of election; an unsatisfactory record.—Chicago Tribune, April 11, 1904.

GOVERNOR YATES AND THE MEDICAL PROFESSION.

Governor Yates has apparently discovered that he is not popular with the medical profession. We believe he has misconceived the reason for this unpopularity and supposes that it is wholly due to his attitude on the bill creating a board of medical examiners which failed to pass at the last session of the general assembly. In this misconception