



PRINTED BY RICHARD AND JOHN E. TAYLOR,
RED LION COURT, FLEET STREET.

INQUIRY

(9)

INTO CERTAIN CHARGES

AGAINST DOCTOR LYNN,

PREFERRED BY

REVS. LORD JOHN BERESFORD, MESSRS.
FRITH, LABARTE, AND IRWIN.

BEFORE DOCTOR KNOX,

POOR LAW MEDICAL INSPECTOR.

ON 6TH, 7TH, 8TH OF MAY, 1852.

PRINTED AT THE "ARMAGH GUARDIAN" OFFICE;

Digitized by the Internet Archive
in 2016

<https://archive.org/details/b24935554>

THE MARKETHILL INQUIRY.

In order to give our readers and the public a full and impartial history of the subject, we have prefaced our report of the evidence with certain documents of a preliminary character, all of which appeared at the inquiry, and some of which are in their order misplaced but only with the view of printing the matter consecutively.

At a Meeting of the Governors of the Markethill and Mountnorris Dispensary, held at the Dispensary House, on the 14th January, 1852,—the Earl of Gosford in the chair—certain statements were made by the Rev. Lord John Beresford imputing neglect of duty to Doctor Lynn, in consequence of which the following resolution was passed, and a copy of it forwarded to every Governor of the Dispensary—

Resolved—“That a special meeting of the Subscribers to this Institution be held in this place on Monday the 9th of February, 1852, for the purpose of investigating any causes of complaint on the part of Lord John Beresford against Doctor Lynn, and that the names of the parties complaining be supplied to Doctor Lynn ten days before the meeting.

(Signed)

“GOSFORD, Chairman.”

After this meeting of the 14th of January, 1852, Doctor Lynn forwarded a Copy of the annexed Circular to the Rev. Messrs. Atkinson, Crossle, Tyrrell, Williams, and Seaver, the only Clergymen now living in the United Kingdom who had been Curates of the late Rev. Dr. Blacker, during the time that he (Doctor Lynn) has had charge of the Markethill and Mountnorris Dispensary :—

Markethill, January 15, 1852.

DEAR SIR,—A general charge was yesterday preferred against me (at a Meeting of the Governors of the Markethill Dispensary), of very extensive neglect of the poor recommended to the Dispensary by the Clergy of

Mullabrack, viz., Lord John Beresford, Messrs. Frith, Irwin, and Labarte, which charge is now pending and will be heard at an adjourned Meeting which is to be held on the 9th of February next. May I beg to know your experience whilst acting as Curate of this parish? I may also add that Lord John Beresford has frequently stated at Dispensary Meetings that a general feeling prevailed among the poor of Mullabrack that no patient was properly attended to unless recommended by the late Lord Gosford or Dr. Blacker. Please say whether such a feeling existed in your day, and if so whether it was one justified by facts. On the former charge being brought forward yesterday, Mr. Robinson, Mr. Verschoyle, and Mr. Ross, stated that in their several spheres of duty no such instance of culpable neglect ever came under their notice; and that they believed none such existed amongst those among whom they laboured.—Believe me, Sir, your obedient servant,

J. M. LYNN.

This Circular called forth the following replies, which are the letters alluded to in the 2d Resolution passed at the special meeting of the 9th Feb., 1852—

(Reply of the Rev. R. G. Atkinson, 19 Years Curate of the Parish of Mullabrack.)

Clonmore, Dunleer, 17th January, 1852.

MY DEAR SIR,—My long experience of the working of the Markethill Dispensary under your care, left the full impression on my mind, that the poor patients were treated with the greatest kindness and attention. Such I believe was the general feeling of the people themselves. Some, no doubt, complained occasionally under the influence of the impatience incident to illness aggravated by poverty. But considering the extent of the district, and the number relieved, I do not think that greater attention could have been given to the cases under your care. I was not aware of any feeling among the poor that their cases would be considered with more attention if recommended by Dr. Blacker or Lord Gosford,—there certainly was no ground for any such impression. This I did observe, that visiting tickets were often given more freely from the Glebe than by me; I never gave such tickets unless on personal conviction

of the necessity of a visit. At the Glebe and perhaps elsewhere, they were often given on the simple request of the Applicant: this might lead many to prefer looking for tickets at the Glebe. But I found my Hall-door pretty well frequented notwithstanding this. Another feeling led many to look for tickets at the Glebe and the Castle, viz., a desire to have their cases known to the wealthy and charitable occupants, from whom they not only received the little slip of paper introducing them to your notice, but assistance in money, food and clothing administered with the kindest sympathy and unwearied bounty.

I consider Markethill with its neighbourhood has been peculiarly fortunate in having such a Dispensary under you—a most attentive and efficient and charitable man during so long a time, especially in the many severe visitations of fever and other scourges with which the country was visited. How well it would have been for other districts either destitute or poorly attended, if half the care had been devoted to them which you freely bestowed upon Markethill.—Yours, dear Sir, most truly,

ROBT. G. ATKINSON, Rector of Clommore.

To Joseph M. Lynn, Esq., M.D., Markethill.

Reply from the Rev. W. B. Williams, Curate of Newry.

Newry, January 19, 1852.

MY DEAR SIR,—I regret to find that you have been put to trouble, as regards the dispensary business in and about Markethill, and hope all things may soon come to a better understanding.

As you wish me to say what my experience was, when I acted as curate of Mullabrack, and whether any instances of neglect or undue partiality came under my notice; I have much pleasure in being able to testify, that during my residence in the town of Markethill, no such instances occurred, as far as I knew, and I am sure from the constant and general system of visiting which was usual under the late Doctor Blacker, that had there been such in the parish of Mullabrack, some notice of them would have reached me. On the contrary I was always given to understand, that you were most attentive in the discharge of dispensary duties, indefatigable in your attendance through the district, and very success-

ful in your treatment of the patients under your care. I may add that I never heard any charge of partiality, in attending to recommendations, brought against you in the parish. As far as my own knowledge, and personal experience go, I may say that you appeared to me active, and useful in your duties, and successful in your practice. And I should think if any charge to the contrary, against you, were calmly and accurately investigated, the results would turn out satisfactorily, and creditably to your character and efficiency, as conducting the dispensary business generally.—Your's very truly,
 Doctor Lynn. W. B. WILLIAMS.

From the Rev. Francis Tyrrell.

Milton Parsonage, Lymington, Hants,
 January 19, 1852.

MY DEAR SIR,—Your character as a medical man, and indeed as an honest man, must have undergone a great change within the last twelve years, if there be any truth in the charges which you mention as alleged against you. I can safely say, that during the time I was in Mullabrack, there were no such charges made, and had they been made, they should have been accompanied with very substantial evidence, before I could be induced to listen to them,—my knowledge of your character and conduct, both private and professional, being such as to lead me to believe that they could have no foundation in fact.

The accusation of your attending only to the recommendations of Lord Gosford and Doctor Blacker is one unknown to my experience. Had any person brought it forward in my time, I should have pronounced it *absurd*.

I regret that you should be exposed to the vexation which must attend such charges; at the same time, I am not sorry to have an opportunity of bearing testimony in your favour, if it can be of any service to you; I do so most willingly, and conscientiously.

In the course of my experience then and since, (and it has not been small,) I have not met with an instance of one in your profession more esteemed by all classes than yourself.—I am, my dear Sir, very faithfully yours,

FRANCIS TYRRELL.

Joseph M. Lynn, Esq., M.D., Marketull.

From the Rev. Charles Crossle, Incumbent of Boleek.

MY DEAR SIR,—It is extremely unpleasant to be made a referee in a matter wherein any difference of opinion exists, and most sincerely do I regret the one to which you refer. I cannot, however, refuse the act of justice to which you desire my humble testimony. My sojourn in the parish of Mullabrack was not a very long, but in some respects it was a very eventful one, and in nothing more so than in the sanatory condition of the parish. With the exception of the year 1847, I saw more fever in the parish of Mullabrack during the short time I was curate there, than I have done at any other period for the last eighteen years, during which I have been labouring in various parishes.

I would not be just to you if I did not say, unequivocally, that I have never met any medical superintendent of a dispensary, who gave more general satisfaction.—At the meeting of the governors of the dispensary—in the parish at large—or in my humble estimation, I believe no man in your position could stand higher.—Yours faithfully,

Doctor Lynn.

CHARLES CROSSLE.

Reply of the Rev. Charles Seaver.

Dublin, 13, Old Mount Pleasant,
19th January, 1852.

MY DEAR SIR,—In reply to your letter of the 15th inst., stating “that a charge of neglect in the fulfilment of your duties towards the Dispensary patients” had been made against you, and requesting me to say what my experience in the matter was, I have no hesitation in saying that during the five years and a half I was Curate of Mullabrack, no single instance of neglect on your part, ever came to my knowledge. From my position during part of that time, as secretary to the relief committee, and from my residence in Markethill, I had, probably, more extensive acquaintance with the poor than any other Governor of the Dispensary, and I do, most unhesitatingly say, that there was but one feeling among the poor towards you—that of heartfelt gratitude, for your attention, and almost unbounded confidence in your skill and care. My experience embraces a time of peculiar trial, when famine and pesti-

lence raged, and I state no more than strict justice demands, in saying, that your exertions for the poor, both professionally and otherwise, were above all praise, and ended, indeed in weakness and disease, from the effects of which, you will never probably, entirely recover. Ungrateful, indeed, beyond what I could conceive possible, would the people of Mullabraek prove, if they forget your untiring exertions on their behalf. I may also add that it was, with great difficulty the Governors of the Dispensary, could persuade you to take any rest from your duties even when your health required it.

You also state that an impression seems to exist, that during that time the recommendations of the late Lord Gosford and Dr. Blacker received more immediate attention than those of the other Governors. I certainly never heard of such a feeling before, nor do I think there were any grounds for it. None of the sick in my district ever applied to any one else for recommendations, unless some purely accidental cause brought them in contact with others; and hundreds applied to me (as a reference to my recommendations will show) who had greater claims on Lord Gosford, and equal facility for obtaining tickets from him.

It is a bitter trial, at the end of so many years of hard service, when one's health and spirits are well nigh worn out, to meet such charges: but I have little doubt, that the result of the investigation will prove, that they have arisen from some misapprehension, or incorrect information.

And I trust, for their own sakes, the Governors of the Dispensary will shew, that they are able to appreciate zeal and devotedness such as yours—Believe me very sincerely yours,

CHARLES SEAVER,

Assistant Chaplain of Santford Church.

To Dr. Lynn.

The special meeting was held on the 9th of February, 1852, pursuant to resolution, the following Governors being present:—The Rev. Mr. Foster, Rector of Loughgilly; the Rev. L. H. Robinson, Rector of Kilelnoy; the Rev. Richard Verschoyle, Vicar of Carlingford; the Rev. Alexander G. Ross, Minister of the First Presbyte-

rian Church, Markethill; the Rev. Hutchinson M'Fadden, Presbyterian Minister of Ballylane; Joseph M'Kee, Esq., J.P., Markethill; George Gray, Esq., Glenann; Alex. Greer, Esq.; Lient. H. P. Drumorgan, Sandy Small, Esq., Markethill, and Mr. Sandy Greer, Drumorgan Cottage.

The Rev. Mr. Foster was called to the chair, and the following resolutions unanimously passed:—

Moved by the Rev. L. H. Robinson, and seconded by Rev. R. Verschöyle.

1st Resolved—"That the meeting of this day, having been held pursuant to a resolution of our last meeting for the purpose of investigating certain charges brought forward by the Rev. Lord John Beresford against Doctor Lynn, ten days' previous notice of the charges to be given to Doctor Lynn, and Lord John Beresford having neglected to give such notice, and failed in coming forward this day with evidence in support of the charges made by him against Doctor Lynn, we are of opinion that those charges cannot be sustained by evidence, and are therefore groundless. We have the less difficulty in arriving at this conclusion inasmuch as the case of Rose Toal, which was put forward at last meeting by Lord John Beresford as the strongest case of complaint, has been satisfactorily met and explained by Doctor Lynn."

Moved by Joseph M'Kee, Esq., J.P., and seconded by the Rev. H. M'Fadden.

2nd Resolved—"That letters addressed to Dr. Lynn by the Reverends Messrs. Atkinson, Crossle, Tyrrell, Williams, and Seaver, formerly curates of Mullabrack, under the late Rev. Doctor Blacker, having been read, we are of opinion that nothing could be more praiseworthy than Doctor Lynn's attention to the sick poor of Mullabrack while they were curates there. These letters also most satisfactorily rebut the statement which Lord John Beresford put forward at the last meeting, as being generally made to him by the poor, to the effect that more attention was paid to the recommendations of the late Lord Gosford and of the late Dr. Blacker than to those of any other subscriber. That a copy of the above-mentioned letters be entered upon the minutes."

Moved by the Rev. Alex. G. Ross, and seconded by George Gray, Esq.

3rd Resolved—"That we regret to observe that a practice has of late sprung up of some subscribers altering the printed form of recommendation, and of entering highly offensive observations on the back of tickets.—That in order to prevent the recurrence of such alterations or observations, Dr. Lynn be instructed to reject any ticket so altered or endorsed for the time to come."

Moved by the Rev. R. Verschoyle, and seconded by the Rev. L. H. Robinson.

4th Resolved—"That the Governors wish, upon the present occasion, to express the high opinion which they continue to entertain of the zeal, ability, humanity, and success, with which Dr. Lynn has ever discharged his duty as their medical officer; and they deeply regret that any unsustained charges against him should have made their present meeting necessary."

Moved by the Rev. A. G. Ross, and seconded by Geo. Gray Esq.

5th Resolved—"That this meeting instruct the Secretary to get the resolutions of this day printed, and a copy forwarded to each subscriber."

Signed, W. H. FOSTER, Chairman.

The Rev. Mr. Foster having left the chair and the Rev. Mr. Robinson being called thereto, it was moved by Joseph McKee, Esq., and seconded by Rev. A. G. Ross, "that the thanks of this meeting are due, and hereby given, to the Rev. Mr. Foster for his proper and dignified conduct in the chair."

L. H. ROBINSON, Chairman.

From this date nothing further was heard upon the subject until the following letter which reached Dr. Lynn on Monday, 8th March last:—

Poor Law Commission Office,
Dublin, 6th March, 1852.
No. 7353-52.
Armagh Union.

DOCTOR LYNN.

SIR,—I am directed by the Commissioners for Administering the Laws for Relief of the Poor in Ireland, to acknowledge the receipt of your communication of the 2d ultimo, declaring yourself a candidate for appoint-

ment to the office of medical officer of the Markethill dispensary district, in Armagh union. I am directed to forward to you the enclosed extracts from letters of the Reverends Mr. Labarte, Irwin, and Frith, which have been forwarded to the Commissioners by the Rev. Lord John Beresford.

The commissioners request that they may be furnished with any observations which you may have to make in reference to the several cases therein specified, before determining as to the steps which it may be necessary for them to take in reference to the office of medical officer of the Markethill dispensary district in the Armagh union.—By order of the commissioners,

W. STANLEY, Secretary.

To the charges contained in the above mentioned letters Dr. Lynn sent an immediate reply, dated 8th March, 1852, being the very day on which the charges reached Doctor Lynn, a copy of which the Poor Law Commissioners sent down to Lord John Beresford, stating at the same time that they (the commissioners) considered the reply satisfactory unless Lord John Beresford impugned its veracity.

On the 12th of April last the annual and final meeting of the governors of the Markethill and Mountnorris dispensary, was held at the dispensary house, Joseph M'Kee, Esq., J.P., in the chair, when it was proposed by the Rev. L. H. Robinson, and seconded by the Rev. Alexander G. Ross, and unanimously resolved—That at this, our last, meeting, we feel ourselves called upon to record our opinion of the very efficient and satisfactory manner in which Doctor Lynn, for a period of nearly twenty one years, has conducted the business of this dispensary. During that time it has been twice visited by Government and Poor Law Inspectors, and on both occasions most favourably reported of.

The institution being now about to come under a new system of management, we have no doubt but that in the able hands of Doctor Lynn it will continue to maintain, as it has heretofore done, a place second to no other similar establishment in the province.

A copy of this resolution was forwarded by that night's post to the Poor Law Commissioners.

The next information which Doctor Lynn received upon the subject is contained in the following letter—

Poor Law Commission Office,

No. 25104-52.

Dublin, 24th April, 1852.

Armagh Union.

To Doctor LYNN, Markethill.

SIR,—I am directed by the Commissioners for Administering the Laws for the Relief of the Poor in Ireland, to acknowledge the receipt of your communication of the 12th inst., and to inform you that the Commissioners have received a further communication from the Rev. Lord John Beresford, relating to the complaints forwarded by him affecting to you, and have deemed it necessary to instruct Doctor Knox, medical inspector, to make inquiry into the charges preferred against you by the Revds. Lord John Beresford, W. W. Labarte, A. S. Irwin, and J. B. Frith.

The commissioners will await the result of this inquiry before taking any further step in reference to the appointment of medical officer for the Markethill dispensary district in Armagh union.—By order of the Commissioners,
W. STANLEY, Secretary.

Pursuant to an order from the Poor Law Commissioners, Dr. Knox held a court of inquiry, at Markethill, on the 6th, 7th, and 8th instant, for the purpose of hearing evidence regarding the charges of neglect of duty, preferred by the Rev. Lord John Beresford and his curates, against Dr. Lynn, Medical Superintendent of the Dispensary in that town. The court opened at twelve o'clock on Thursday, the 6th instant.

Mr. McKee, solicitor, appeared for Dr. Lynn, but his interference having been objected to by the Rev. Lord John Beresford, on the ground that he was engaged by parties who were coming forward to give evidence, who were under compliment to Dr. Lynn, and lest cross-examination by a solicitor might produce ill will, which his lordship wished to be avoided.

Dr. Lynn—The motion to have a solicitor on each side was made by Lord John himself, and therefore I came prepared.

Rev. Mr. Robinson—It has been stated that a solicitor

tor was employed by parties who are to give evidence. I call on Mr. M'Kee to say was he employed by me.

Mr. M'Kee—No, certainly not.

Dr. Knox.—I wish it to be understood that I will admit of no extraneous evidence. We have a question of fact to deal with. Certain allegations have been made and they must be either proved or disproved. In the correspondence which passed between the Commissioners certain charges were preferred against Dr. Lynn by the Rev. Lord John Beresford, Rev. Messrs. Frith Labarte, and Irwin. I am desired to hear evidence in support of and against those charges, and I will confine the inquiry to those charges exclusively. The evidence in proof may be given first, and afterwards the rebutting evidence.

This course was agreed upon, and Mr. M'Kee permitted to remain in the room, but not to interfere.—The witnesses were ordered to leave the room.

The Rev. Lord John Beresford then addressed Dr. Knox. He said he was no doubt aware from the correspondence which had passed between him and the Poor Law Commissioners of the cause of the present meeting. He had felt it his duty as a member of the old dispensary and clergyman of the parish, to state to the committee what he considered was improper in the conduct of the dispensary. The manner in which he had been received by parties composing that committee, showed him plainly there was no use in appealing to them, and he therefore referred to the Poor Law Commissioners. The cases they were now to consider, extended over a considerable space of time, and would be supported by three gentlemen on oath. These were not the only cases that could be brought forward, but they would show the line of conduct pursued in the management of the dispensary. They were examples of the line of conduct pursued towards persons in this district, and which he was always opposed to. The gentlemen with him would bring forward persons to sustain the charges they made, and which would not have been brought here if he (Lord

John) had obtained a fair hearing from the committee. * But, considering his position as a clergyman of the parish, and the manner in which he and others had been used, he deemed it better to refer the whole matter at once to the Poor Law Commissioners for a final decision. He wished to be distinctly understood that he did not make what might be called charges—he only prayed an examination into these cases with the view of eliciting the truth. When he was charged with the word *charges* he strongly objected to that term. He should also remark that from the line of conduct formerly pursued towards him, he requested every thing might come direct from Dr. Knox; as on a previous occasion the language used towards him was not such as should be given to him or one of his rank and position as a clergyman. He therefore requested there should be no personalities used at that meeting. He should also mention that as testimonials were to be given to the character of Dr. Lynn, he should be allowed to ask the witnesses certain questions. He had intimated to the Commissioners that it would be attempted to make this a party question. These gentlemen (some of them at least) who were trying to do so came forward from motives of gratitude †—some of them had

* At the meeting of the 14th January, 1852, the case most prominently put forward by Lord John Beresford was that of Rose Coal, on whose ticket an endorsement had been made by Mr. Labarte, that the woman was dying, owing to the neglect of Dr. Lynn. The case was met and explained by Dr. Lynn, to the full satisfaction of the Chairman, (the Earl of Gosford,) and the Governors present, with the exception of Lord John Beresford, who wished the case to be investigated, but as evidence for and against could not be produced on that day, and as it was deemed unfair to allow such an imputation to hang over the head of Dr. Lynn, longer than was absolutely necessary, it was proposed and passed upon Lord John Beresford that some day within a week should be fixed upon for hearing this or any other case which Lord John Beresford or his curates wished to bring forward against Dr. Lynn. The object in proposing so early a day for investigation was to secure the attendance of Lord Gosford, Chairman, it being known that his lordship was to leave for England in 8 or 10 days. Would not this have been a fair tribunal?

This foul calumny on the Governors of the late Markethill Dispensary will be seen hereafter from the evidence to have had foundation in fact. In introducing the subject of half fees and inter fees, Lord John Beresford has shewn more chivalry and discretion—*verbum sat*.

been professionally attended by Dr. Lynn for nothing—some for half fees, and they were therefore grateful. * One witness will state that he was requested not to attend; there was no great fear of influence, but there was a fear of the parties connected therewith. He would like to bring forward first the Rev. Mr. Frith, who had been a clergyman here for three years. Other clergymen would also be produced.

Rev. Mr. Frith being sworn was about to state something irrelevant, when he was interrupted by

Dr. Knox who wished him to confine himself to the two charges he had preferred to the Commissioners. He would hear him on these and none others.

Lord John Beresford—Three gentlemen will be put on their oath, and will they not be heard?

Dr. Knox—I am here to inquire into certain specific charges. To them I must confine myself. If any further charges be made to the Commissioners, I will return if ordered by them. Mr. Frith has two cases—Jamieson and Rountree, and I will hear him on them.

Mr. Frith then deposed that the brother of Sarah Jane Jamieson, on his return on a summer evening, requested a visiting ticket for his sister, whom he stated to be extremely ill; it was between six and seven o'clock in the evening. I gave him the ticket, and he delivered it to Mr. Pratt immediately. I know he delivered it because I lived next door to the Dispensary, and I saw him go in; next morning I was surprised to find her brother coming again, and he said the ticket had not been attended to. I believe Dr. Lynn had attended a private call in the meantime. I went to see the girl, and found her extremely ill; she lay insensible for more than a week. My charge is that he attended to a private call, and not to my Dispensary ticket.

Dr. Knox—I thought the time of visiting depended on the Doctor's own judgment. If he got a dispensary and a private call, it would be the urgency of the case that should govern his conduct.

Mr. Small, treasurer and secretary, was here called to prove the rule as to visiting tickets, which he read,

“That it be the duty of the Medical Officer to vi-

* See second note, page 14.

sit at their respective homes such patients as shall be certified by a member of the institution to be unable to attend at the dispensary."

Dr. Lynn—There were no *printed* visiting tickets in the Dispensary, previous to October, 1849, when Mr. Frith got them printed, and the rule upon the ticket was that it should be presented at the Dispensary, on one of the appointed days, and within the appointed hours, and this rule was always acted on, unless in cases of emergency, when these tickets were attended to on all days, and at all hours.

Mr. Frith—There were visiting tickets long before that.

Dr. Lynn—I repeat there was no visiting ticket before 1849.

Dr. Knox—I wish to see one of these visiting tickets. [One was here handed him.] This ticket states that it was to be presented at the dispensary on a dispensary day. I want to see if there be any other form of visiting ticket.

Mr. Frith—It was perfectly understood that when a visiting ticket was presented it was to be attended. The medicine and visiting tickets were printed in almost the same form to save expense.

Dr. Knox—I can take no understanding.

Lord John—Upon this very point we had a meeting, and it was unanimously agreed that the Dr. should have no discretionary power.

Dr. Lynn—There is no such resolution on record.

Mr. Frith.—I have no witness in this case but myself. Sarah Jane Jamieson is living. The tickets were printed by my direction, and without instruction from the committee, at the expense of the dispensary. I cannot remember if there were any printed visiting tickets before 1849. This case occurred since the visiting tickets were printed.

Dr. Lynn—The rule of the dispensary previous to 1849 was: the patient was recommended without reference to visiting. The practice was: the person came, and I inquired into the case and acted accordingly. It was spoken of at a meeting, and the late Dr. Blacker said such things were to be left to the discretion of the

medical officer, as if you could not place so much confidence in your medical officer he (Dr. Blacker) said he was not fit for his office.

Mr. Frith—Dr. Lynn was bound to attend a visiting ticket. I heard him say so.

Dr. Knox—There is no question but he was bound to visit—it is the time I want.

Mr. Frith—I proposed for a fair tribunal to examine the matter, but I could get none. * This case occurred in the latter end of Summer. I think the Dr. was not at home at the time. I think Mr. Pratt saw the girl the next day. I believe the private patient was visited subsequently on the same night that the ticket was delivered; the private patient had got her arm broken.—Jamieson lived in the townland of Retarnet.

Dr. Knox—I think a medical officer would not be doing his duty if he did not attend the more serious case first.

Mr. Frith requested it to be taken in evidence that it was an understood and acknowledged regulation of the dispensary that Dr. Lynn was bound to attend a visiting ticket immediately whenever it was presented to him.

Lord John—I don't think it is strong enough. No resolution to this effect appears in the minutes of the governors of the dispensary, as it was not considered necessary to add it to the resolution of 24th Oct., 1849, for the foregoing reason.

Mr. Frith to Lord John—I heard the people say they had been better attended to since you came to the parish.

Mr. Frith then went on with his second case—I went to pay a clerical visit to Widow Rountree, and found her sitting at the bedside, as she stated, extremely ill, but dressed and sitting up. She complained that Dr. Lynn had not attended to her, although she had sent him a ticket three days previously. I wrote on a piece of paper to that effect, drawing Dr. Lynn's attention in writing, to the case. I came into Markethill, and found him going to visit her about three hours after he had received my note. I consider he attended to her at once

* See note, page 14.

after he got my note. The place was three miles distant. Dr. Lynn made no observation to me about the case when he met me. She complained afterwards that Dr. Lynn did not attend to her properly.

Mr. Frith to Dr. Lynn—I did not know of my own knowledge whether the woman had a ticket at all or not, and cannot tell when it was presented. I cannot say how often I visited the woman afterwards. I was in the house more than once. Mrs. Romtree lived more than a fortnight after my first visit. I know from her statement that Dr. Lynn visited her more than once.

Mr. Frith to Lord John—It was a week before her death that Mrs. Romtree made a complaint about Dr. Lynn's not sufficiently attending her; Dr. Lynn did not allege he had not visited the woman on account of private practice; Mr. Wright, my fellow-curate, told me that Dr. Lynn had been in attendance on him within 20 hours previously to his visit of Mrs. Romtree; her first was a very bitter complaint, for she said she was dying; she died.

FOR THE DEFENCE.

Dr. Pratt examined—Recollects being called on by dispensary ticket respecting Sarah Jane Jamieson, of Retarnet, in the absence from home of Dr. Lynn; it was delivered on a fine summer evening but late in the evening; asked what she complained of, and heard she was very ill, in bed, in a fit of fainting, and presenting other symptoms that led him to conclude she had hysteria, which was a disease he had never known to be fatal, nor a disease of itself dangerous to life; at that season and especially after night it was very difficult to get to Jamieson's; had to get off the horse and lead him along a potato fur; could not get near the house for a considerable number of perches; sent the patient medicine on the night he got the ticket by the messenger; visited her next day in the forenoon; had ridden down two horses that day; on that evening of the visiting ticket being received, Lord John's man came saying to go out as quick as possible to Mullabrack Glebe for a serious accident had occurred; a note of urgent character had been written by Lord John's housekeeper stating that one of the servants had met a serious accident and would

be glad he would go out as soon as possible ; the man who brought the message said " come immediately or she'll be dead ;" the accident was fracture of the radius ; was not certain that it was a case for which he would be paid ; spoke to Dr. Lynn afterwards and asked him did he think it would be a dispensary case ; Dr. and Mrs. Lynn were absent two or three days at that time.

To Lord John—I am not certain whether it was a man or woman brought the visiting ticket for Jamieson ; went the direct road to the house ; returned the same way ; was not aware of having taken a short cut ; went the best way he could ; is sure he sent medicine that night ; went to Lord John's house on a horse of Dr. Lynn's ; one of the two he had knocked up that day ; cannot produce the note, nor repeat the particular words, but can state the substance, recollects perfectly it was an urgent call ; it was near 10 o'clock when the note came ; Jamieson's ticket was in the evening, about two hours before the call to Lord John Beresford's servant ; the man who came with the note was, I think, Smith ; is aware of entries of private practice for Lord John ; Lord John had never made use of the dispensary for his servants, * but did for his landsteward's children ; did not consider from the nature of the disease it was necessary to visit Jamieson immediately ; when a ticket was presented he asked the symptoms, and if he thought it was urgent he attended it at once, but if not he postponed it till next dispensary day ; considered it was discretionary with him, and acted on that impression ; for the last five years this was the understood practice of the dispensary ; has no doubt the medical officer had a discretionary power in all cases, and generally acted on it ; tickets which should have been presented on dispensary days were visited every day when urgent.

To Dr. Knox—Dr. Lynn did not consider himself bound to visit any case immediately when not urgent ; always considered he had the power of holding over

* By a reference to the dispensary books it has been found that some of Lord John Beresford's domestic servants did receive relief from the dispensary.

chronic cases till the next dispensary day ; never received any instructions from the governor.

Lord John Beresford—The practice when I came to the parish was to have two sorts of calls—one a visiting, the other a medicine ticket. In consequence of what I considered improper conduct as to visiting, I explained my opinion at a meeting held in the dispensary. I proposed that visiting ticket should be written on the back of the ticket, and the Doctor to be obliged to attend. The feeling of the meeting was strongly in favour of what I proposed, and I wished to have it put on the books, but it was overruled, because it was stated to be understood. I proposed that urgent and visiting ticket should be written on the ticket. Dr. Lynn then acknowledged the duty, and it was unanimously agreed to at a full meeting of the governors of the dispensary on Oct. 24th, 1849. It was an acknowledged principle that it was the Doctor's duty to give immediate attendance in all cases of visiting tickets being presented, and being so universally acknowledged as a fixed principle it was not considered necessary to enter it as a regulation on the books. No discretionary power was allowed to the Doctor.

Lord John to Dr. Lynn—The matter was universally acknowledged ; I was appointed to this living in Jan., 1849, and did not come to reside here for a couple months after ; did not find any printed form of visiting tickets then, the system being to write all tickets ; in the letters which passed between me and the Commissioners I stated that more attention was paid to Dr. Blacker's and the late Lord Gosford's tickets ; the feeling in the parish was that no one but these two gentlemen had any authority to distribute tickets ; I was present at a meeting held on 14th January, 1852, Earl Gosford in the chair.

Dr. Lynn—Did you make any statements at that meeting in reference to Rose Toal and Jamieson ?

Lord John—I am not aware of making allusion to Jamieson, nor to Rose Toal.

Lord John—I did not state you had wilfully neglected your duty, nor words to that effect. I requested the

governors of the dispensary to examine into the conduct of the dispensary.

Dr. Knox—Did you then bring forward charges of neglect of duty against Dr. Lynn?

Lord John—I requested the governors to examine into certain statements.

Mr. Small—It was resolved to hold a meeting to investigate the matter.

Lord John—I wanted an impartial hearing.* I brought in a clergyman who was going to make a statement and he was refused a hearing.

Dr. Lynn—I want to know if Lord John did not then make a statement of neglect of a woman named Grenlee?

Lord John—When I went to the meeting I saw the gentlemen there were trying to make it a personal quarrel. I said examine into the charges I have to make. Mr. Labarte was commencing a statement and he was stopped by saying it was false. The governors said they were quite satisfied with their Doctor. It was a falsehood on the part of the Doctor. +

Dr. Knox—You will excuse me for saying that is strong language.

Lord John—I beg pardon.

Lord John to Dr. Lynn—I have always been most particular in giving visiting tickets. When I have been able to get at persons themselves I have always examined them at great length, and I have always carefully avoided giving visiting tickets, knowing the trouble it gave the Doctor, and never gave a ticket except in cases of necessity. I subscribed two guineas to the dispensary last year. I considered all my curates and my wife were eligible to give tickets on this subscription. Lord Gosford allows his agent, and the

* See note, page 14.

+ What Lord John in his bold dashing manner here states as a falsehood, on the part of the Doctor, was the explanation given by Doctor Lynn of the case of Rose Toal to the Governors, and by them accepted as satisfactory. This explanation was afterwards verified upon oath by Dr. Pratt, and confirmed by Ellen Toal, as will be seen in the proceedings of the last day of the inquiry.

bailiff. Lord Charlemont the same. * I firmly believe I did not give blank tickets to any other persons. I am not aware that I gave any to schoolmasters. I consider that if I could get 10 qualified persons I have a right to give them tickets for distribution. I do not remember having given any to Mr. McCallan of Cabra. I gave few tickets last year. I was always anxious to give few that there should be no grievance. I wanted to make every man influential according to his subscription, so much a guinea, and was anxious that the subscribers should be limited in giving tickets by the amount of subscription. I was willing to give as large a subscription as was required. I never said I would annihilate the Markethill Dispensary, as it was an object I was much interested about. Any thing I would take in hand I would most thoroughly carry it out no matter what it would cost.

Eliza Hare, of Drummorgan, sworn—Remembers accompanying Dr. Lynn to Widow Rountree's—when we went in the woman was walking about; she went and brought out some medicine which she had been taking from Dr. Armstrong, of Armagh; knows that Dr. Lynn went to visit her frequently afterwards; from the first time he visited her it was three weeks until she died; was frequently in Rountree's house during that period; during all those visits did not hear her complain of Dr. Lynn's inattention.

To Dr. Knox—She was under another Dr. previously to Dr. Lynn; she complained of Mr. Frith for not sending her wine, and distinctly stated Dr. Lynn was attentive to her, and good to her.

To Lord John—Is daughter of Alexander Greer; the first time I knew Mrs. Rountree was ill I went with Dr. Lynn; I saw her the morning she died; saw Dr. Lynn go towards the house more than once; he left his

* Lord Gosford never gave Dispensary tickets himself. He subscribed £15 per annum to the funds. His agent necessarily issued tickets, but his bailiffs never exercised that privilege.—Neither Lord Charlemont (who subscribed £88s per annum, and does not reside in the county,) nor his agent, has ever recommended a single patient. The poor on the property were necessarily recommended by the bailiff.

horse at my father's house ; is not aware that Dr. Armstrong had been attending the children.

The Rev. L. H. Robinson sworn—In attending to visiting tickets the medical officer always was allowed to use a large discretion according to the urgency of the case. The dispensary may be divided into two periods—from 1830 to 1849 we had but one form of ticket. Previous to 1849, in any case appearing to require a medical visit I was in the habit of stating at the bottom of the ticket in manuscript, that the patient required to be visited—this I judged of either from personal inspection during my professional intercourse with the sick, or from strict inquiry from the applicant. Since 1849 there was a printed form of visiting ticket which made it imperative on the Doctor to pay a visit, but there was left to him a large discretionary power as to time. These tickets were to be presented on dispensary days, and to be attended in the order in which they came. Dr. Lynn I believe was bound to pay a visit on receiving the ticket, but I should certainly say the Doctor had a large discretionary power with reference to the time and order of visiting, and if the case were not urgent he might defer it till next dispensary day. I am Rector of a large parish in Dr. Lynn's district—I have known him 20 years, and have had most ample opportunity of observing Dr. Lynn's conduct since his appointment to the Dispensary. I have formed the highest opinion of his integrity, his intelligence, and professional knowledge, and I think it would be utterly impossible that more attention could have been paid to the poor than Dr. Lynn has paid—ministering not only to their bodily diseases but to their bodily wants—supplying money and food where required. I think the neighbourhood has been blessed by having such a medical man in it. We had 29 candidates when he was appointed, and I ever thought we had been most fortunate in having selected him.

Dr. Lynn to Mr. Robinson—I asked Lord John had his Lordship ever stated he would annihilate the Market-hill Dispensary.

Mr. Robinson—He stated so to me in Armagh, I think sometime in March, 1850. On that occasion I

said very well, my lord, on that question I shall meet you foot to foot.

Dr. Lynn—Lord John stated that at a previous meeting of the governors of the dispensary, Lord Gosford in the chair—it was unanimously agreed that it was the duty of the medical attendant to visit all cases immediately, leaving him no discretionary power.

Mr. Robinson—I was present at the meeting, but I have not the slightest recollection of any understanding of the kind. It was agreed that we should have visiting and non-visiting tickets, but I have no recollection that any understanding was come to curtailing the medical attendant's discretionary power. It was stated by Mr. Frith that if Dr. Lynn paid a visit we were under a complement to Dr. Lynn. I stated that I thought otherwise. It is unlikely any resolution could have been come to without my recollection. I was at that meeting from the beginning to the end.

Dr. Lynn—Do you think Mr. Robinson was this question got up for the purpose of benefitting the poor?

Dr. Knox—I overrule that question.

Mr. Robinson—Up to 1849 I was a regular attendant at the dispensary meetings. I never knew an angry word or unfriendly feeling exhibited. Sorry am I to say that since the year 1849 our dispensary meetings have been nothing but scenes of turbulence and strife.

Lord John—Mr. Robinson are you under any obligation to Dr. Lynn pecuniary or otherwise?

Mr. Robinson—None whatever, professional or pecuniary.

Lord John—Has he ever taken half fees from you?

Mr. Robinson—Never.

Lord John—Has he ever attended you professionally?

Mr. Robinson—Never.

Lord John—Has he ever attended any member of your family?

Mr. Robinson—Never.

Dr. Lynn—Lord John said that Dr. Lynn would bring forward certain persons who were under complicity to him?

Mr. Robinson—Dr. Lynn has conferred no favour on me. I am under no obligation to him pecuniary or

otherwise. He has never attended me or any of my family.

Mr. Robinson to Lord John—Before 1849 we had only one form of ticket. There was a printed form previously. The object of writing the word visit was that the person should be visited—I considered it imperative on the Doctor to visit, on receiving a visiting ticket leaving a reasonable time for the Doctor's discretionary power; in a great measure this discretionary power referred to chronic cases. In cases of accident or great injury, I conceived the Dr. was bound to visit immediately if possible; we had a very long conversation and a very painful one in Armagh, and you stated you would annihilate Markethill Dispensary; in my opinion you meant by the expression that you would totally change the constitution of the dispensary; I have heard you say you would contribute £50 to accomplish your objects; previous to '49 the dispensary meetings were as well attended as since; I did not attend on 1st May '49 nor the previous year, because I was on a sick bed at one time, and at another absent on business; I have attended upwards of three-fourths of the Dispensary meetings for the last twenty years; I never was connected with Mullabrack; my evidence was confined to my own parish of Kileluny; I do not mean that what I have said should refer to Mullabrack; previous to '49 I never saw an exhibition of angry feeling at the dispensary meetings; I never had any misunderstanding with the late Lord Gosford at a dispensary meeting although Lord John Beresford has persevered in asserting this after it had been denied again and again. I never had any angry or disagreeable discussion at a dispensary meeting with the late Lord Gosford; I never had any dispute with the late Dr. Blacker, with reference to the dispensary; the late Dr. Blacker had the highest opinion of the manner in which the duties of the dispensary were discharged by Dr. Lynn; I never had to make either a verbal or written apology to Earl Gosford or Dr. Blacker in reference to anything which occurred at a dispensary meeting; the assertion is utterly unfounded, and if it were necessary I could enter into explanation which would reflect no credit on Lord John

Bere-sford; I never heard any governor say that he was under personal obligations to Dr. Lynn; I never heard a member of the dispensary say he had paid only half fees or quarter fees to Dr. Lynn; Dr. Lynn does not attend my family, but if I was about to change my medical adviser, or to call in additional assistance, I know no man I would rather employ than Dr. Lynn; I never gave a visiting ticket without personal conviction of the absolute necessity of the case.

Dr. Knox—I understood Lord John to mean no charge against Dr. Lynn but against the committee when he stated the dispensary was neglected previous to 1849.

The Rev. Wm. White Labarte—The first case I have is Andrews of Ballynewry, a person to whom I was brought and found him confined to bed by a running sore in the arm, and in very extreme suffering; I asked him why he did not apply for a ticket, and I desired him to send his daughter in; I gave her a visiting ticket, and pointed her to Dr. Lynn, and I saw her leave the dispensary.

Dr. Knox—I think the girl should be produced.

Mr. Labarte—It was acknowledged by Dr. Lynn in a letter that the girl had been there and that she was desired to come on a dispensary day but did not, which accounted for the error; I called after a fortnight to see Andrews, and heard from the man that the Dr. had not seen him; his daughter said she was the sole support of herself and father and child, and she was working for 4d a day and that she could not come as desired by the Dr. on a dispensary day; I wrote then to Dr. Lynn and his reply was that he would attend to the case that evening, and he did so that evening or the next morning, on my own private note, after which I wrote thanking the Dr. for attending my *private* letter.

To Dr. Lynn—I don't know how long the man was ill—I would not say it was an immediate case; I cannot tell what day or hour the ticket was presented; it was after two o'clock, at which hour the dispensary was closed, according to the regulation on the ticket; I do not remember the month.

Dr. Lynn—The ticket was dated 27th June, and it

will appear it was not presented till July, when I was on leave of absence.

Mr. Labarte to Dr. Lynn—Andrews told me he had not been visited by you nor your assistant; I do not remember that he ever mentioned you having advised him to go to the infirmary or workhouse; I granted visiting tickets after seeing the person, or some one on whom I could depend after due inquiry; I never gave a ticket to any person of comfortable circumstances; I do not recollect giving a ticket to a person named Copeland of Teemore, or Ferriss of Cabra; I was then a stranger; I gave the visiting tickets to persons able to come to the dispensary, in cases where the diseases were urgent requiring medicine; I was in the habit of altering the form of recommendation prescribed for visiting tickets; I not only watched patients going from my door to the dispensary, but I have walked up and down before Dr. Lynn's door, and looked in to see if Dr. Lynn were in the house; did not call with Dr. Lynn to remonstrate with him about his neglect; * there had occurred many instances of persons coming back saying the Doctor had refused to receive tickets except on dispensary days; I complained of the neglect to Lord John, but did not call a meeting, nor make any complaint to the governors.

Dr. Knox inquired if the girl Andrews were living, and having been replied to in the affirmative, he said she ought to have been summoned, as in a case of this kind, direct evidence should be given when it was possible. He then issued a summons for her appearance next morning at ten o'clock, to which hour the court was adjourned.

FRIDAY MORNING.

The court opened at ten o'clock.

Rev. Mr. Labarte re-examined—His reason for not calling a meeting was the expressed opinion of Rev. Mr. Frith and Lord John Beresford, that the governors would not give him a fair hearing. †

* Mr. Labarte made a similar statement at the meeting of the Governors, on the 11th January last, which produced a very general expression of disapproval on the part of the meeting, at the course which Mr. Labarte said he had been in the habit of pursuing.

† See note, page 11.

Ann Andrews, of Ballynewry, sworn—Remembers getting a visiting ticket from Rev. Mr. Labarte nearly a year ago; brought it to Dr. Pratt the same evening she (witness) got it; saw Dr. Pratt at the dispensary; asked him if he would take the line: he (Dr. Pratt) said he would take it only on the dispensary day; told the doctor that her father was very ill, suffering great pain; told him she could not spare her day's work to go again, and that if Dr. Lynn was there he would take the ticket; called a second time that evening with the ticket; saw Dr. Pratt again; asked him the second time if he would take the ticket; he refused; never took the ticket to the dispensary afterwards; Dr. Pratt visited her father about a fortnight afterwards—the same day that Mr. Labarte paid his second visit; her (witness's) father died about two months after Dr. Pratt's first visit; Dr. Lynn also visited him subsequently; his arm had been ill about six weeks when she got the ticket.

Cross-examined—Her father was delicate for many years; recollects Dr. Lynn frequently attending on former occasions; was perfectly satisfied with his attendance; he was always kind; gave pecuniary benefits frequently to her father; it was about seven o'clock when Dr. Pratt visited the patient on Mr. Labartes' note; got medicine frequently from the dispensary at all hours and on all days when she (Ann Andrews) applied for it during her father's illness; Dr. Lynn, on his visit, advised him to go into hospital as she (witness) could not care him as well at his own place as in the hospital, and that he would also get the necessary nourishment which he could not get at home, gave him (the patient) a shilling on the occasion; had medicine from the dispensary up to the time of his death; witness attended once each week for medicine.

DEFENCE.

James Bryans, a farmer, saw Dr. Lynn at Andrews's house; learned from his daughter that Dr. Lynn gave him money, and wished him to go into hospital.

Surgeon Thomas Pratt sworn—[Ticket No. 778, for Hugh Andrew's produced]—Does not remember when this ticket was presented to him, or if presented before he visited Andrews by Doctor Lynn's request; the

ticket after some search was handed to witness in the patient's house; the disease of the patient was scrofula, of a year's standing; considered nourishing food necessary, and spoke of getting the man into the infirmary; thought food more necessary than medicine for the man who appeared to be suffering from the disease; does not remember if Agnes Andrews came more than once for medicine; each ticket is only once entered in registry; the date of Andrews ticket is 27th of June, 1851, and the date entered in the registry is the 26th of July; must have come into his (Dr. P's) possession between the 22d and 26th of July, both being dispensary days; tickets received in the interval are not entered in the registry until the ensuing dispensary day.

Rev. Mr. Labarte, already sworn—Thomas Grant, of Macantrim, he believes in August, told him (Mr. Labarte) his children were very ill in measles; gave him a visiting ticket; told him it was available on any day; it was his (Mr. Labarte's) practice at this time to watch the patients coming from the dispensary to see whether the Doctor had attended to them or not; the reason of this practice was that he had heard so many complaints of tickets being refused when not presented on dispensary days; never heard of tickets being refused on dispensary days; called Grant whom he watched on his return from the dispensary, and found he had still the ticket; sent him back forthwith; told him to leave it again with the doctor; saw him going back to the Doctor; saw no more of Grant until last January; does not remember how many children's names were on the ticket.

Cross-examined—Does not know whether the ticket was presented on a dispensary day.

Dr. Pratt examined—Dr. Lynn was not at home at or before the 3d of July, and for some time after, being then absent on leave; Doctor Lynn told him (Dr. Pratt) to visit Hugh Andrews, as he alleged, in consequence of a note from Mr. Labarte; will not swear that Doctor Lynn was at home on the 27th of June; was not at home on the 1st of July.

Thomas Grant sworn—Got a visiting ticket from the

Rev. Mr. Labarte in the month of August ; explained that it was a visiting ticket ; brought it the same day to Dr. Lynn and gave it to him ; it was not on a dispensary day ; told him the children were very ill ; the Doctor told him (witness) that he could not give them any thing until dispensary day ; returned the ticket to him ; Mr. Labarte called him on his return and sent him back to Dr. Lynn ; told him (Dr. Lynn) he wished to get something for the children, and Dr. Lynn replied that it would be time enough on dispensary day ; saw Dr. Pratt who told him he could do nothing for him until dispensary day ; told him the next day would be dispensary day ; he returned next day when Dr. Pratt told him it was not the dispensary day ; sent the ticket in on the next day which was Saturday ; says the messenger was told that the first day the Doctor would be round he would call ; subsequently he applied elsewhere for medical relief.

Cross-examined—Dr. Pratt did not visit until subsequently to his having applied to another medical man ; he visited them the same day that he applied to the other medical man.

Re-examined—Dr. Pratt spoke sharply, asking him (witness) why he did not apply on a dispensary day ; neither of the children mentioned in the ticket died ; all the children were ill at the same time ; one died ; Maria Grant came to him (witness) yesterday and told him that Dr. Lynn desired him not to come to the investigation and he would be obliged ; came forward to give evidence notwithstanding.

A summons was here issued by Dr. Knox for Maria Grant, that she might make her appearance forthwith to give evidence in the present case.

George Gray, Esq., sworn—Was a governor of the late Markethill dispensary ; says that there was no understanding of the governors that the dispensary ticket must be immediately attended to if not presented on the dispensary days ; the decided understanding of the governors was, that the medical man had discretionary power in such matters ; in case of accident or sudden illness he should attend immediately, and did at my request in one case in my neighbourhood ; Dr. Lynn has

always been very attentive to all persons in his (witness's) employment; about 12 o'clock at night witness has sent him a dispensary ticket which was immediately attended to; is decidedly of opinion that any charge against Dr. Lynn for neglect of duty would have got a fair and impartial hearing at a meeting of the governors of the dispensary.

Cross-examined by Lord John Beresford—Has been attended by Dr. Lynn; he attended his family; paid him not by annual salary but by fee as he required his services.

What fee were you in the habit of giving?

Dr. Knox overruled this question.

Mr. Gray said he would be willing to answer the question * if Dr. Knox permitted. He has witnessed very unpleasant altercations at dispensary meetings; at one meeting the Rev. Mr. Frith insulted me, and I never saw him insulted except when he provoked that insult by insulting remarks himself: never saw any unpleasantness until Mr. Frith became a member of the committee; has seen Lord John Beresford both insulting and insulted at these meetings; Lord John Beresford brought forward several charges against Dr. Lynn; the insults arose out of Lord John Beresford's statements; does not recollect Mr. Labarte being insulted; these altercations arose out of discussions at dispensary meetings on dispensary matters.

Sandy Small, Esq., secretary and treasurer to the late Dispensary, and poor law guardian, sworn—It was not an understanding between the governors of the late Dispensary that a visiting ticket should be *immediately* attended to except in case of emergency; this was his own impression of the practice; never heard any complaints with regard to Dr. Lynn not attending to any tickets issued by him, or of his neglecting to attend on them; considers Dr. Lynn incapable of neglecting the poor; is of opinion that any charges brought against Dr. Lynn at the committee meetings would have been fairly dealt with.

* Mr. Gray need not have been ashamed to have answered this question, by stating that in February last he gave Dr. Lynn a fee of £10 for attending two members of his family.

Cross-examined by Lord John Beresford—Was a subscriber for one year, but his father was for many years; he became secretary and treasurer for the dispensary from 15th January last; no person asked him to become a subscriber; believes that Lord John Beresford forgot whether he was the rector of the parish or not, for he has acted more like a tyrant than otherwise at the Dispensary meetings, and but for him (Lord John Beresford) there would never have been any disagreement of this kind; Lord John objected to the tribunal as partial, and said he wanted an impartial one.

Rev. Alexander Gowdy Ross, Presbyterian minister, sworn with uplifted hand—Was a governor of the late Markethill Dispensary; is of opinion that Dr. Lynn had a discretionary power with regard to the visiting tickets; is of opinion that there was no understanding that the medical attendant had not a discretionary power; is perfectly sure and aware that the people to whom he gave tickets were perfectly satisfied with his (Dr. Lynn's) attention; does not think Dr. Lynn capable of neglecting the poor; believes, in his (Mr. Ross's) own opinion if Lord John had brought forward any charges against Dr. Lynn he would have been impartially heard; if any of the grave charges brought forward against Dr. Lynn had been substantiated, has no doubt but the Committee would have dismissed him.

Cross-examined—Considers that if Dr Lynn had not attended on the dispensary ticket, if reported, it would have been fairly and fully investigated; believes that all tickets should be presented except in case of emergency on the prescribed day; and in despite of Lord John's threat to go out and bring in the paupers off the street and make them governors to swamp the dispensary it still remained the rule of the dispensary.

Rev. Mr. Labarte examined—Sarah Wright, of Mar-laco, got a visiting ticket from him, (Rev. Mr. Labarte) for her son who is about twenty years of age; believed him to be ill of fever; returned with the ticket saying the doctor refused to receive it; was sent back by Mr. Labarte to the doctor; Mr. Labarte saw the patient on same day; he (the patient) was stupid.

Cross examined—Does not know the day or month in

which this took place ; is almost sure it was not on a dispensary day ; was told by the mother that the patient was visited that evening or the next morning by the Doctor.

Sarah Wright sworn—Said he (the doctor) could not attend to the ticket as it was not a dispensary day ; the patient was confined to bed then ; he said he could not go till Saturday ; said it was a fever and to get his hair cut off ; he (the doctor) threw the line down and bid her bring it back to them she got it from ; both Dr. Lynn and Dr. Pratt were present, ; brought the ticket to Mr. Labarte who told her to bring it back again to the Doctor ; she went back and left it on the Doctor's counter ; the Doctor came in the evening when she was in the act of cutting off the patient's hair.

DEFENCE.

Dr. Pratt again examined—Does not recollect Sarah Wright at the Dispensary ; visited her son ; considered him labouring under influenza, and that he was not seriously ill ; inquired within 10 or 12 days afterwards, and was told the man was perfectly well.

Cross-examined—If a conversation took place in the shop he would have remembered it ; remembers nothing about the conversation which the woman Wright swears to ; does not remember seeing any person applying cold water to the boy or cutting off his hair ; Dr. Lynn is not in the habit of using any rude language to any person.

Rev. Mr. Labarte further examined—Believed Allen received a visiting ticket for her sister Sarah Jane, on 12th March, 1852 ; came back the next morning and said Dr. Lynn declined to receive it on the previous evening ; said she had forgot the ticket at home ; the 12th of March was not a dispensary day.

Rebecca Allen, sworn—Got a visiting ticket from Rev. Mr. Labarte on a Friday, but not on a dispensary day ; brought the ticket to Dr. Lynn ; he said Dr. Pratt was not at home ; Dr. Lynn looked at it, and put it down, and she (witness) took it up and left the shop ; got a note on the next day from Mr. Labarte, which she gave to the Doctor ; he wrote something on it and returned it by witness to Mr. Labarte ; got a note from Mr. La-

barte the second time, on presenting which to Dr. Lynn he gave her medicine for her sister.

Cross-examined—On the evening she got the ticket she asked Dr. Lynn if he would visit her sister the next day; he said he would, and did so the next evening; did not ask Dr. Lynn to go on Friday, being the day she got the ticket from Mr. Labarte, because she was ashamed; it was not a dispensary day; does not remember what Dr. Lynn said to her on Saturday; told Dr. Lynn her sister was not at her father's house, but at Mr. Cooper's; said she did not wish the Doctor to visit her on Saturday, as she thought she was a little better, and that she would bring her home to her father's and inform the Doctor if she should get worse; also said she did not wish the doctor to visit her sister until she would bring her home; says further that Dr. Lynn could not have left the shop as Dr. Pratt was not there, and therefore did not ask him; she was brought home the next day; Dr. Lynn visited her sister sooner than she wished him.

Thos. Grant re-examined by Lord John Beresford—The message he got from Dr. Lynn, through Maria Grant was, that he, (Dr. Lynn) would *recompense* him *handsomely* if he (Grant) staid away from this inquiry; did not say so before, as he did not wish to be too severe upon the Doctor.

Cross-examined by Dr. Knox—Had no communication with any person on the subject of his evidence, touching this inquiry, since he was examined about two hours ago.

Cross examined by Dr. Lynn—Had no communication with any person since last examination, relative to the message by Maria Grant; admits *now* that he had a conversation with the Rev. Mr. Labarte on the subject; forgot this conversation when he swore to Dr. Knox that he had none.

Mr. Labarte, (who had been in the room during all Thos. Grant's re-examination,) re-sworn, and examined by Dr. Knox—Had a conversation with Thomas Grant since his former examination, touching his evidence on this inquiry, but only a few words, at the head of the stairs.

Maria Grant, sworn—Had a conversation with Thos.

Grant ; went to Thos. Grant's to ask about a sick child ; Grant gave witness a summons to read ; swears she never told Thos. Grant that if he would stay away from this inquiry Dr. Lynn would recompense him ; had no authority to make any such proposal. The summons shewed witness was to attend this inquiry ; Grant told witness he owed money to Dr. Lynn ; she then advised Grant to stay at home.

Lord John Beresford requested Maria and Thomas Grant to be confronted ; but Dr. Knox declined to do so as not likely to answer any good purpose, he himself having formed his own opinion as to the comparative credibility of the witnesses.

Rev. Mr. Labarte further examined—Ellen Toal applied on behalf of her sister Rose Toal, for a visiting ticket which he gave ; she said her sister required immediate relief ; said she got a great injury from a fall ; she returned in a fortnight afterwards and then asked for a ticket for her sister's confinement ; she then cried at the Doctor's not going out and said that her sister was dying in consequence of the neglect of the Doctor not going out ; she told him (Mr. Labarte) she delivered the ticket ; gave her a second ticket, on which he wrote that Ellen Toal assured him that he (Doctor Lynn) never called to see her sister in consequence of which she is now dying ; on the second ticket was written, " for her confinement," which he invariably put on all cases of the kind.

Cross-examined—Has no evidence to show that Doctor Lynn got the ticket ; the first ticket was not for midwifery ; the patient Rose Toal did not die, but the child was born dead, which in his (Mr. Labarte's) opinion corroborated the fact of the fall ; more than ten days elapsed between the giving of the first and second ticket ; believes the resolution No. 3 of the meeting of the 9th of February, 1852, had reference to what he had written on tickets.

Re-examined—Saw the first ticket on the file in the dispensary ; the first ticket had not the word " confinement" on it.

The business for the day here closed, and the court was adjourned to next morning.

THIRD AND LAST DAY.

The court opened this morning at half past ten o'clock.

Ellen Toal was then called, and not having answered to her name, it was observed by a person present that she was in Dr. Lynn's kitchen.

Lord John—It is very extraordinary that Dr. Lynn should have the Rev. Mr. Labarte's witness in his kitchen.

Dr. Lynn—She is not Lord John Beresford's witness. She was summoned by Dr. Knox, and not even at Lord John's request. Had not Mr. Labarte a number of witnesses shut up in his house for the last two days.

Dr. Lynn, sworn and examined—I met Ellen Toal on the street, and told her she might wait in my house until she was called. I asked her if she recollected the circumstances respecting her sister, which occurred in last November, and told her then to swear the truth and nothing but the truth.

Dr. Knox—It would have been more discreet if Dr. Lynn and other parties had had no conversation with the witnesses.

[This is the ease of the ticket on which an endorsement was made to the effect that Rose Toal was dying owing to the neglect of Dr. Lynn, and to which the third resolution passed on the 9th February alluded.]

Ellen Toal was then sworn—Remembers calling and getting a visiting ticket from the Rev. Mr. Labarte within the last year for her sister Rose Toal; told Mr. Labarte she was poorly and would shortly be confined, and asked a ticket for that purpose, but he gave her a ticket for medicine; she got medicine; asked Mr. Labarte for a ticket for Dr. Lynn to attend her sister in her confinement, but got it for medicine; told Mr. Labarte her sister was very poorly at that time; said to Mr. Labarte at the time that she had got a fall; did not go to Mr. Labarte to get a ticket in consequence of the fall; thought it was dangerous to her confinement; did not say any time for the doctor to attend, but only asked him to attend when at her confinement; Mr. Labarte scolded her when she went for the ticket, and reluctantly said he would give her the ticket, hoping it would make her sister a better girl; remembers her second visit to Mr.

Labarte about a month after the first visit ; Mr. Labarte asked her was her sister better, and she said her sister was very bad in her confinement ; blamed no person for the state she was in then at that time ; Mr. Labarte asked her if Doctor Lynn had attended her sister on the line, and she said he had not as she did not require him to the present time ; Mr. Labarte gave her another ticket—a labour ticket—at that time ; took this ticket to Dr. Pratt, and gave it to him in Doctor Lynn's shop ; Dr. Lynn was not at home ; Dr. Pratt told her Dr. Lynn would not be at home until eight o'clock ; told Dr. Pratt the case, and he immediately got on horseback and visited her ; Dr. Pratt said she was not at her confinement yet, that is, she was not at her full time, and that there was no danger ; told her if she took worse to send for him ; did send for him and he came immediately ; he brought some medicine with him, which he gave her, and she got better, whilst he remained there ; she got bad again the same night about two or three o'clock ; she was not ill more than five minutes ; did not send again for the doctor ; was not very bad afterwards ; she was up out of bed in a few days ; witness went to Dr. Lynn's the same day ; saw Dr. Pratt and told him the case ; he sent her medicine with witness, and Dr. Lynn visited her the following forenoon ; told her mother to send for any medicine she stood in need of, but she did not require any.

Cross-examined by Mr. Labarte—Knows the nature of an oath and believes it to be nothing but to tell the truth ; did not complain of Dr. Lynn for non-attendance on the first ticket ; had a conversation with Dr. Lynn this morning ; asked Dr. Lynn why she was brought here ; his reply was that she must go and tell the truth ; said she would not go as she was not in good apparel, and he said she must go and tell the truth, and that was all that was required ; neither eat or drank in Dr. Lynn's house or any other ; had no conversation with any other person about the case ; never had any child but the one, (referring to a child she had in her arms previous to her being sworn) ; she was never married ; her sister Rose Toal is not married, and has no family ; her sister's child was dead born ; can read ; cannot read writing, but can read print ; says the one ticket had all black strokes

on it, and the other had none on it: her father was in the Rev. Lord John Beresford's employment; does not know whether he was turned off, as she was not in the kingdom at the time; he might or he might not for aught she knew; no inducement by any party to give evidence either for or against Dr. Lynn was offered her; had no conversation with her mother about the case.

Dr. Pratt examined—Recollects the last witness, Ellen Toal, coming to the Markethill Dispensary, with this ticket, dated 8th November, 1851; she said she wanted her sister to be attended in her confinement; Dr. Lynn said it was not marked a labour ticket as usual, and asked was her sister in bed; she said not; Dr. Lynn asked if she required to be visited, and she said not until her confinement, and he sent her a dose of salts; said her sister had got a fall long previously, and that she knew the infant was dead; a second ticket with something written on it intimating her to be in labour was received two or three weeks after; visited her on receipt of the labour ticket; found her in labour, and saw it was not likely she would get better that night; went home; told them to send for him if she required him; no person came; went to see her the next day, and found she was ill, but not very bad; told them again to send for him if necessary; no person came to him after; the patient got better.

Cross-examined—Has no recollection of any conversation with Doctor Lynn about the second ticket.

The Rev. A. L. Irwin, examined—On the 17th November last, visited Robert Taggart of Curry; found he had been visited by one of the medical officers of the dispensary, and got medicine; visited him again the next week; found he got some benefit from the medicine; Taggart told him the medicine was done; asked him why he had not it renewed; said he had no money to pay for medicine; asked him did he get a dispensary ticket; he said he had got a visiting ticket, and had been visited on it, but was under the impression that he was not entitled to receive medicine on a visiting ticket without money; visited him the next week; his wife told him that on Doctor Lynn's handing her the medicine he said the sooner you pay for this the charge will

be the smaller for the next; wrote these words in his book a few weeks after the time; after the meeting in January; read the words to her and asked "was that correct;" she said they were; the man died.

Cross-examined—Never knew any case in which Doctor Lynn charged for medicine on a dispensary ticket; the woman was very poor; knows she got medicine subsequently on his insisting on her going back; never said on a subsequent occasion that she was asked for money.

Jane Taggart sworn—(This woman is sister to T. Grant who was examined yesterday)—Got a visiting ticket from the Rev. Mr. Labarte to go out to see her husband; gave it to Doctor Pratt; brought the ticket to Doctor Pratt on Saturday, at the dispensary; Doctor Pratt went to see her husband on the same evening; got medicine on Sunday morning from him; Doctor Lynn said to her when she was in the shop that the sooner this was paid the charge would be the smaller; on Tuesday evening last James Parkes said to her "to go into Mr. M'Kee, of Armagh," law-agent, she thinks to her landlord; went to Armagh, to Mr. M'Kee, on Wednesday; Mr. M'Kee asked her what she had to say to Doctor Lynn's business: she stated what Doctor Lynn said to her regarding paying for the medicine; Mr. M'Kee said to her "if she had any business at home, she would be as well there;" does not recollect Mr. M'Kee saying anything else about the case; saw Doctor Lynn on Thursday night last when he came to see her sister-in-law; she had a visiting ticket; her sister-in-law does not live in the same house with her; Doctor Lynn asked her "would she be in Markethill next day;" asked her what she could say about him; did he not attend particularly; she replied that Mr. Labarte had given her a line which she gave to Doctor Pratt; she went on Sunday morning for medicine, and when she got the medicine Doctor Lynn said, "the sooner this was paid the charge would be the smaller;" Doctor Lynn said "he did not know of saying that;" this was all witness remembered; witness thought Doctor Lynn, when he used those words, "the sooner this is paid the charge would be the smaller," was not aware that she had

given a dispensary ticket to Doctor Pratt; Doctor Lynn did not see it given; thinks Doctor Pratt could have heard what Doctor Lynn said to her if he were paying attention; Doctor Lynn was in his own shop off the dispensary from whence he might hear what had passed in the dispensary; got the medicine in the back shop (the dispensary;) Doctor Lynn was in the front shop at the same time.

Cross-examined—James Parks is the person who served an ejection and other processes on me (witness); said that his (Mr. M'Kee's) reason for speaking to her was that she would not be allowed to hold on the premises, and to provide another place; does not remember whether Mr. M'Kee told her to tell the w. the truth and not to be biassed by any one, but will not swear he did not use these words; he did not threaten her; she was unwell and does not recollect what took place exactly.

Re-examined—Her husband was a good while ill; died of a decline; the reason of Dr. Lynn being at witness's house on last Thursday was that he was looking for her sister-in-law, who had a visiting ticket; got medicine for her husband several times on the same ticket in the three months previous to his death; Dr. Lynn never asked her subsequently for any money, and never paid him any; witness's head was tied up when Dr. Lynn visited her sister-in-law; Dr. Lynn told her she might come into Marketbill the next day, as anything she could say would do neither harm or good; will not swear that Dr. Lynn did not advise her to come in.

To Mr. M'Kee, Solicitor—Her (witness's) landlord had a decree against her for debt; brought a letter to Mr. M'Kee, his law agent, asking for time for payment; got from Mr. M'Kee the full time asked for and more; brought her cows away by night to prevent their being taken in arrest for the debt until she got the money paid, and then she brought them back; there were farms to which she could have taken her cows and sold them in the interval; had two cows.

Cross-examined—Understood by Mr. M'Kee saying she might as well stay at home, he might injure her as

she was in his power at this time an ejection decree being hanging over her ; paid Mr. M'Kee a year and a-half's rent ; paid Mr. M'Kee all she promised to pay him ; paid the year and a-half's rent previous to her being spoken to by Mr. M'Kee.

Dr. Pratt examined—Will not swear if the conversation did not take place between Dr. Lynn and the woman about the money ; thinks he could have heard a conversation in the dispensary if any had taken place ; the medicine that was given was given from the dispensary, and such medicine was never charged for upon any occasion.

Joseph M. Lynn, Doctor of the Markethill dispensary, sworn—Never used the expression attributed to him by Mrs. Taggart, that the sooner this medicine was paid for the charge would be the smaller ; never got any money for medicine procured on a dispensary ticket ; saw her on last Thursday evening in consequence of having to go to her house to visit a relative of Mrs. Taggart, for whom he had received a visiting ticket, and whom he found in Mrs. Taggart's house ; on that occasion he strongly recommended her to come in and give evidence touching this inquiry.

John M'Kee, Esq., Solicitor, sworn—Saw Mrs. Taggart in Arnagh last Wednesday, having sent for her by the bailiff of the property ; his reason for sending for her was because her landlord was going to eject her ; this was his only reason ; swears positively that he never said or hinted to her that she would be better at home if she had business than attending this inquiry ; was aware of the Rev. Mr. Irwin's interference and kindness to her in getting her time for the payment of money, and lest she should be influenced by the kindness of any person, told her to attend the inquiry and when there to tell nothing but the truth ; she did not pay the money she swore she had paid him ; he had to recover it from her bailsmen ; never attempted in any way to influence her evidence or keep her from attending here this day ; has sent for several other parties in the same townland for the same rent purposes within the last ten days ; Dr. Lynn's instructions to him, as his solicitor, had been to elicit the entire truth.

Rev. Mr. Labarte, examined—Gave a visiting ticket to Mrs. Woolsey for her daughter Sarah ; it was not on a dispensary day he believes ; on her return to Mr. Labarte, she said that the Doctor refused to give her relief or visit her that day ; told this to the Rev. Mr. Irwin the same evening ; his impression was that it was not a dispensary day.

Rev. Mr. Irwin sworn—Went to Dr. Lynn the same evening and told him Sarah Woolsey's was a most important case, that she was in a dangerous state from scarlatina ; Dr. Lynn said if witness insisted he would visit that evening ; witness said that if Dr. Lynn would give him a blister, as the evening was severe, and as he was going out himself, he would apply it, and that Dr. Lynn could go out the next day ; got the blister and applied it ; Dr. Lynn might have said that his reason for not sending medicine was that he had not seen the patient.

Mrs. Jane Woolsey sworn—Got a visiting ticket from Rev. Mr. Labarte on Friday ; took it to Dr. Lynn, who said he could not attend to it that day as it could not be entered till next day, but perhaps some of them would go the next day ; witness insisted that he would go the next day as the child was very ill ; returned to Mr. Labarte, who sent word by her that it would oblige the Rev. Mr. Irwin if he would visit that day or send some medicine ; Dr. Lynn refused to give anything on the second application, but said that perhaps some of them would be out the next day ; witness's husband is a weaver ; she (witness) lives about three miles from Markethill ; the doctor visited her daughter next evening and gave her medicine ; she took part of it and she remained very ill ; was not satisfied that the doctor did not come willingly at first and was forced to come ; applied in four or five days to Doctor Patton.

Cross-examined—Asked Dr. Lynn if he could not come to send her (the patient) something ; said Dr. Lynn would not come ; swears he did not state what kind of a ticket it was, but could not enter it till next day.

Dr. Pratt examined.—Mrs. Woolsey came to Doctor Lynn's shop on a market day, not a dispensary day ; presented a visiting ticket to Dr. Lynn, and told him

distinctly that she did not want him to visit on that ticket: the reason for her getting a visiting ticket was that she might get medicine on that day; Dr. Lynn said he would give no medicine till he would see the child; Dr. Lynn got his horse about three o'clock to see the child; Mr. Irwin, rode up and prevented him from going to see the child as he (Mr. Irwin) knew what the child required—a blister; Mr. Irwin got the blister; found fault with Dr. Lynn for not sending medicine on a visiting ticket, but found no fault for his not visiting her; Mr. Irwin did not press him to visit next day, but certainly Mr. Irwin prevented Dr. Lynn visiting the patient that evening.

Rev. Mr. Irwin examined—Margaret M'Murry applied for a dispensary ticket saying she was very ill; desired her to go to Dr. Lynn, that if he would attend to her case he (Mr. Irwin) would, on his return, give a dispensary ticket; on returning from the country filled up a visiting ticket and gave it personally to Dr. Lynn, saying to him, "This is for the poor woman you attended for me to-day;" he took it and said these words, "Oh, yes; I have looked to her for you."

Cross-examined—Does not think that Dr. Lynn would be justified in giving dispensary medicine upon the compliments of any man, would not say that such act would be justifiable; the words in the complaint to the commissioners were "Oh, yes, I attended to her;" the words "for you" were not in the original complaint, but I now swear Dr. Lynn used them; Margaret M'Murry told witness she gave his message to Dr. Lynn, and that he said he could not give her medicine off dispensary day and without a ticket, she stated Dr. Lynn charged a shilling for the medicine as she had no ticket.

William M'Murry, Cornacrew, sworn—His wife could not leave her bed from sickness and therefore could not attend here to-day; she went to Dr. Lynn for medicine and was charged a shilling for it.

Dr. Pratt examined—Saw Mrs. M'Murry on Saturday last; she told him she was not wishing to apply for the ticket, that it was proposed to her by Mr. Irwin, and that she was on her way to consult the doctor at the time.

This closed the cases.

Mr. Knox the Inspector, here mentioned that he would send forward any statements made by either parties to the Commissioners with regard to the cases.

Rev. Edward Campbell, P.P., sworn—Is Roman Catholic clergyman of this parish; has had ample means of knowing Dr. Lynn's conduct as dispensary attendant for the past 15 years; never heard a charge of inattention or neglect of duty except one case, in 1847, when a fearful epidemic raged in the country; but this case, on investigation by witness, turned out not to be one of neglect, but arose from the doctor being overpowered with work; never was a member or subscriber to the Markethill Dispensary; never heard any other charge against Dr. Lynn; believes him to have discharged his duty faithfully and well towards the poor; had it been otherwise, he (Mr. Campbell) must have known it.— [A letter was here read from the Rev. Mr. Daly, Mr. Campbell's curate, to the same effect.]

Charles M'Anally, Esq., sworn—Resides in Market-hill; is half pay Lieutenant in the 8th Regiment; has had means of knowing the working of the dispensary since its origin by three excellent medical officers prior to Doctor Lynn, and the duty was never better done than by Doctor Lynn; considers Dr. Lynn's high character, his kind and unremitting attention, and his extreme charitableness render him a very eligible person for a dispensary; has known him for 20 years; attended his family, which from the kindness of Providence and his (Doctor Lynn's) attention to them, have always been restored; never was a subscriber to the dispensary; his knowledge and manner of knowing how the poor were attended to is from constant intercourse with them; his (Mr. M'Anally's) intercourse was with the poor in coming into Markethill, and through the country.

Lord John Beresford here wished to know if Mr. M'Anally was in the habit of paying fees to Dr. Lynn on his visits to his family during the past few years.

Dr. Knox overruled the question.

[A letter was here handed in by Mr. M'Anally to Doctor Knox, on having read which Doctor Knox ob-

served, "from this letter it appears that Dr. Lynn has been liberally paid by Mr. M'Anally."]

Lord John Beresford—May I beg to see that letter?

Doctor Knox—Certainly not.

Lord John Beresford asked how much landed property Mr. M'Anally owned in the parish.

This question was also overruled by Dr. Knox.

Joseph M'Kee, Esq., J.P., sworn—Lives in Market-hill; has had sufficient means of knowing the working of the Market-hill dispensary since 1831; is a subscriber since his father's death; never recollects hearing any complaints against Dr. Lynn until very recently; there never were any complaints to any of the tickets he (Mr. M'Kee) issued—and he issued a very large number; from what he knew of Dr. Lynn's character thinks he is incapable of neglecting the poor; the recent cases of complaint to which he referred are the cases now under investigation here; is of opinion that any charge of neglect of duty against Dr. Lynn would have met a fair and impartial hearing by the governors; supposed a visiting ticket should have been attended to on any day when urgent; believes he (Dr. Lynn) had a discretionary power as to the time of visiting, but in a case of emergency should attend immediately; is of opinion the printed words on the visiting ticket should not be there (on the ticket) "this ticket to be presented at the dispensary on the appointed days, and within the appointed hours."

Sandy Small, Esq., of Market-hill, examined—Has had ample means of knowing Doctor Lynn's working of the dispensary; considers him a very efficient surgeon, and very attentive; believes, from his own knowledge, Doctor Lynn would be incapable of neglecting the poor, and as far as his knowledge goes there has not been any neglect (Letter here proved from Mr. Alex. Greer to him, see below,) also Robert G. Atkinson's, Rector of Clonmore, proved; Rev. Charles Seaver's, of Dublin, proved; Rev. W. A. Williams's, of Newry, proved; Rev. Mr. Crossly's, proved.

Lord John Beresford objected to Mr. Crossly's testimony, being but from 3 to 6 weeks' a Curate in Mulla-

brack; he was a Curate 16 years ago, and was a governor of the dispensary.

It was sworn by Rev. Mr. Irwin, that he (Mr. Crossly) was but 6 weeks in Mullabrack parish.

The rest of the letters here followed—Rev. Mr. Tyrrell's proved; Edward Senior's, Esq., proved; Rev. Mr. Verschoyle, proved; Right Hon. Earl of Gosford's, proved.

Rev. Mr. Labarte again examined at the request of Lord John Beresford, as to whether any charges brought against Doctor Lynn at the dispensary meetings for non-attendance on the poor of Markethill dispensary would have got an impartial hearing—Mr. Labarte is of opinion that any charges brought by Lord John Beresford would not get a fair and impartial hearing; attended but one meeting at the dispensary; made all the observations he had to make to Lord Gosford, the Chairman; while doing so was interrupted, and was grossly interrupted; this was the only meeting he (Mr. Labarte) attended, and never was treated in the same way during his whole lifetime before, from which he firmly believed that Lord John Beresford would not get a fair hearing; saw Lord John most grossly insulted at the meeting; did not see or hear Lord John insult any person at that meeting; it was on Lord John making statements against Dr. Lynn that he was insulted by a great many persons, and of which he (Mr. Labarte) was witness.

Mr. Labarte cross examined—The meeting commenced at 12 o'clock; was not there from the commencement; went there (to the meeting) after two o'clock; the meeting was quiet when he went in; the meeting became turbulent on his (Mr. Labarte) making the statement affecting Doctor Lynn, and upon Lord John saying he could bring forward corroborative proof; did not say that it was a prejudiced committee in the hearing of any one except in a whisper to Lord John Beresford which no person in the room could hear; * was desired to address the chair; was addressing Mr. Robinson

* So audible was the whisper that three of the Governors challenged the statement instantly.

when called to address the chair ; it was when addressing the chair that he (Mr. Labarte) was insulted.

Lord John was asked if he had any other witness to bring forward, to which he replied in the negative and expressed himself satisfied that the evidence already given was sufficient to prove the charge.

Dr. Lynn stated, from the testimony elicited from Lord John Beresford's witnesses, he did not consider it necessary for him to enter into a formal defence. He (Dr. Lynn) had witnesses in waiting, but he did not now feel it requisite to produce them—he left the matter with confidence in the hands of the Commissioners.

It was here observed that whatever difference of opinion there might be among the parties as to the charges at issue, on one point they must all agree, that the investigation was conducted by Dr. Knox ably, courteously, and laboriously. In this sentiment all parties fully coincided.

The following letters were put in evidence, read and proved :—

Drumorgan Cottage, May 5, 1852.

To Mr. Sandy Small.

DEAR SIR,—As you are Secretary and Treasurer to the Markethill Dispensary, I consider it my duty and privilege to make some remarks on the charges *now* preferred against Doctor Lynn. My apology for so doing is, that I am, I believe, the only surviving *original* subscriber to that institution ; and for the last thirty years residing in this locality have known much of the poor, and of Doctor Lynn's attention and benevolence towards them, and will venture to *assert* that his character for professional *skill*, *humanity*, and *christianity*, are not surpassed in the present day ; therefore it is *unlikely*, absolutely *improbable*, that Doctor Lynn would treat the poor with wilful neglect ; on the contrary I have known him in *many* cases, in addition to medicine

and advice, to supply his patients and their families with *pecuniary* and *other aid*. And the late Lord Gosford, and much deplored Rev. Doctor Blacker, from their knowledge of Doctor Lynn, made him their almoner in many acts of charity. Believe me, very sincerely yours,

ALEXANDER GREER.

Lieut. half pay 6th Regiment Foot.

And for many years Poor Law Guardian.

From Edward Senior, Esq., Poor Law Inspector.

To Doctor Lynn.

DEAR SIR,—In reply to your letter received to day, I have to state, that during the year 1847 I resided in the Markethill Dispensary District. I considered you a most active, intelligent medical officer, and I never heard any complaint from either rich or poor as to the manner in which you discharged the duties. I lived at the extremity of the district, and gave a considerable number of orders. It was the year of famine and pestilence, and had you neglected to visit the sick, in my opinion I must have become acquainted with the fact.—Faithfully yours,

EDWARD SENIOR.

From Rev. Richard Verschoyle, Vicar of Carluarod.

To Joseph Lynn, Esq., M.D.

MY DEAR DOCTOR LYNN,—I am greatly grieved to find that any further appeal to the governors of the late Markethill and Mountorris Dispensaries, on your behalf, should be deemed necessary. I must be permitted to say, that in my judgment, a reference to the dispensary books, in which we have repeatedly, for a long series of years, (and especially on a late occasion,) expressed our highest sense of the very satisfactory manner in which you discharged all the arduous duties which devolved upon you, ought at once, and for ever,

to settle the question ; however, I shall always be ready either by letter or by word of mouth, to reiterate the high opinion which I have ever entertained both of your character and abilities in every respect. For a period of 18 or 19 years, I acted as a Governor of the Markethill Dispensary, of which, for the same period, you were medical officer, and I was generally appointed as one of the managing committee.

During the chief portion of that time, I was one of the parochial ministers in an *extensive* parish within your district. The nature of my duties, as well as my own inclination, called me to move much amongst the *lower orders* of my people, and especially amongst the *sick poor* ; and I may venture to say, that no governor of the dispensary had more abundant opportunity of forming a correct estimate of the manner in which you discharged your duties. I ever found you most attentive, tender, kind, and *generous* in all your dealings with the poor people when afflicted with sickness. I often admired the patient and christian forbearance with which you bore with many provocations from them. I was often astonished at the number and frequency of the visits which you contrived to make in your *extensive* district, and I am well aware that in a time of peculiar pressure you injured your health, and indeed nearly sacrificed your life by your constant and close attention to the unceasing demands made upon you. I have had some complaints made to me of want of attention on your part. I believe it to be utterly impossible that any man in your position could entirely escape such reproaches. When I investigated them I *always* found that they were either without foundation, or that the expectations of the complainant were quite unreasonable. And I now declare that during the entire time of my connexion with you as our medical officer, I never could trace a single instance of *wilful* neglect. And in mine heart, from my knowledge of your principles and character, I believe you to be utterly incapable of such criminal conduct. It is my full conviction from a long and *intimate* knowledge of all your dealings that a kinder, better-principled, higher qualified or more successful medical officer than you have proved yourself to be, could not be easily found.

And as a former governor of the Markethill Dispensary, and one who felt a real concern in its best interests, I would consider myself guilty of deep ingratitude towards you, if I were not prepared to go any distance, or appear before any tribunal, to support in the most *solemn manner* what I have here asserted, and to defend the character of one, whom I have so long known as an honest, zealous and most efficient medical officer, who faithfully discharged the very responsible duties which devolved upon him.

You have my full permission to make whatever use you please of this letter.—And I am, my dear Doctor Lynn, your very sincere friend,

RICHARD VERSCHOYLE,
Vicar of Carlingford.

From the Rev. W. H. Foster, Rector of Loughgilly.

Loughgilly, May 3rd, 1852.

DEAR SIR,—In reply to your letter of the 30th ult., I have pleasure in stating that I have known you as medical superintendent of the Markethill and Mountnorris Dispensaries for above ten years. During that time I have frequently met you in the houses of sick persons to which our respective avocations led us, and during those ten years I have had occasion to call upon you for a very large number of visits to the sick poor in my parish. I bear willing testimony to the attention which you have uniformly paid to those visiting tickets I gave, and, according to my judgment, to the medical skill which you exhibited in treating the cases.

If the poor have complaints to make they are naturally disposed to prefer them to the clergymen of the parish, and had there been cause for such, it is impossible that they should have been unknown to me, but on the contrary, I have ever heard the poor speak with gratitude of your uniform kindness and skill.

I feel bound to say that I could not number the cases in which your kind sympathy for the suffering poor has

been evinced by more than medical care. I *know* from the poor, that you have constantly and liberally assisted with money, many whom you had been called on professionally to attend, and I am satisfied that the feelings of the poor towards you are those of respectful regard and gratitude. I believe, I do not say it on light grounds that you endeavour to discharge your duty, not as an eye servant, but as a servant of the Lord, and under this conviction, I could not for a moment entertain the idea that you were capable of wilfully neglecting the poor. I am obliged this day to go to Dublin upon urgent business, and hope on my return D. V., next week, to hear that the investigation will show that the charges against you have been made under an erroneous impression.—I am, dear sir, faithfully yours,

W. H. FOSTER.

To Dr. Lynn, Markethill.

From the Earl of Gosford.

April 24, 1852.

MY DEAR SIR,—I should be acting in total opposition to my own feelings and convictions, and very ill indeed towards the inhabitants of the district in which I reside, if I were to fail in using my utmost endeavours towards maintaining you in the position you have filled for some twenty years with credit to yourself, and with advantage to those about you. Ten years ago I felt pleasure in testifying to your exemplary conduct in the performance of your duties—ten years more have made a change, but only in doubling my anxiety that nothing may occur to deprive us of your services. I have known you long enough to be able to say with the fullest confidence that you are incapable of wilful neglect, and I may add the testimony of one, who it must be admitted had every opportunity of watching and judging of your conduct, I allude to my father, who had the highest opinion of you, and who would have greatly deprecated and earnestly opposed

any attempt to remove you. Such an attempt, if unfortunately successful, will be deeply regretted, not merely by myself, but by all those who from long acquaintance are best able to decide upon your conduct.

As a local inquiry is determined on, it will not be proper for me to write to the Commissioners, as I should otherwise have done. I am happy to see, however, that they have considered as satisfactory your replies to the complaints brought against you.

With the full conviction that any further inquiry will be attended with the same results, I remain

My dear Sir, very faithfully yours,

GOSFORD.

To Doctor Lynn, Markethill.

THE DECISION.

The following is the final decision of the Poor Law Commissioners upon the foregoing charges—

Poor Law Commission Office,
Dublin, 20th May, 1852.

No. 31,44 '52. Armagh Union.

*To the Rev. Lord John Beresford, &c., &c., &c., Mulla-
brack, Markethill.*

MY LORD,—Adverting to the Commissioners' letter to your Lordship of the 24th ult., stating that they had instructed Dr. Knox, medical inspector, to make inquiry to the charge of neglect of duty preferred by your Lordship and the Revds. W. W. Labarte, A. S. Irwin, and J. B. Frith, against Doctor Lynn while acting as medical attendant of the late Markethill and Mountnorris dispensary, in the Armagh union, I am directed by the Commissioners for Administering the Laws for the Relief of the Poor in Ireland, to state that they have received Dr. Knox's report, together with the evidence taken by him on the inquiry.

The Commissioners have fully considered the evidence

produced to sustain this charge in the cases brought forward at the inquiry, and also the evidence produced on the part of Dr. Lynn in reference to those cases, and the favourable testimony borne as to the general character of that gentleman, by parties who have known him for a number of years, and who have had opportunities of judging of his efficiency while medical attendant of the above dispensary, and the Commissioners do not consider that any charges against Doctor Lynn have been sustained that would justify them in longer withholding their order declaring him to be the medical officer for the Markethill dispensary district—to which he claims to be appointed under the 14th section of the Medical Charities Act—and the Commissioners have given directions for the issue of such order accordingly.

A difference of opinion appears to have existed with respect to the duty of the medical officer in regard to attendance on patients on other than dispensary days, but the commissioners do not deem it necessary to go further into the subject in the present communication.—I have the honour to be, my Lord, your Lordship's obedient servant,

W. STANLEY, Secretary.

ERRATUM.

We have been requested to make the following correction in the evidence on the third day of the inquiry. The paragraph as it appeared in our last paper was as follows :—

“It was sworn by Rev. Mr. Irwin that he (Mr. Crossle) was but six weeks in Mullabraek parish.”

It should have been—“The Rev. Mr. Irwin swore, that as far as his memory served him, his impression was that Mr. Crossle told him that he (Mr. Crossle) was was but six weeks curate of Mullabraek.” *

* There is the best authority for stating that the Rev. Charles Crossle was curate of Mullabraek from the 1st of April, 1836, till the 11th of July, in the same year.

Extracted from The Armagh Guardian of May 29, 1852.

I AM A CHURCHMAN.

INTENDED FOR THE YOUNGER AND MORE UN-
LEARNED MEMBERS OF THE

Church of England.

BY THE REV. HUGH STOWELL, A.M.

I AM a Churchman—because the Church of England is one of the oldest branches of the Christian Church ; she can trace back her history, not merely, as some would have it, to the time of the Reformation, but almost to the days of the apostles themselves,—for she was not first formed by the Protestant fathers, she was only *reformed*. And they were her own children who purified her from the errors and defilements of Popery. I love my Mother Church