IV.—A CORRESPONDENCE CIRCLE.

By MAJOR M. B. H. RITCHIE, D.S.O.
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OFFICERS’ MESSES OF THE ROYAL ARMY MEDICAL CORPS.

The matters on which brother officers have written or spoken about in connexion with the Circle are remarkably diverse. One which may interest everyone is a suggestion that our Journal should contain a series of articles illustrating the various Messes of the Corps. If I remember rightly, a description of the Mess at Hong-Kong appeared several years ago. Also, there was an article on the Talavera Cup. There seems to be ample scope for a series of interesting notes on Messes and their valuable contents. Millbank and Aldershot, Peshawar and Pindi—I do not think they have been written up. The trophies that adorn the Mess in Pindi, from the Ovis Poli head to the chair with a number on its back, acquired by No. 9 General Hospital at Bloemfontein; the beautiful centre-piece of Irish loving-cup design which, I trust, still graces the Mess table on guest nights; an account of these would be welcomed by every reader of our Journal. The original proposal, when the design for this centre-piece came under consideration, was a model of the temple of Æsculapius, or a representation of his son, Machaon, the first army surgeon recorded in history; but the silversmiths reported unfavourably, either on account of inartistic proportions, or of expense, and the cup was chosen instead. Let us hope that officers living in these Messes will be inspired to write them up. It is a bright idea.

OLD COMRADES.

A civilian confrère who has been a good friend to our Corps, mentions in a letter that he has noticed with regret how officers who retire early lose interest in the affairs of the Corps and of their old comrades. After the war, many of our brother officers “found their feet” professionally, and retired into practice or civil appointments; by inclination, or by force of circumstances, their activities were directed into new channels. I remember two senior officers discussing retirement, one stating that the best terms offered by Government were the pension of £1 a day after twenty years’ service, because the officer left at an age at which his mind was flexible enough to make a success of civil practice—and prior to 1914 twenty shillings in twenty-four hours was a useful increment to the credit side of a pass-book. The second agreed, but pointed out how few took advantage of it, except the wealthy and the disgruntled.

This was many years ago, and times have changed; considerable numbers of our best men have gone, long before they need have done so. We must not lose touch with them, nor they with us. Dull cherry is
thicker than tweed. They are well placed in the matter of helping along the interests of the Corps, to which they may return in time of need, and which does not forget them. Though the exigencies of general practice and the complete change of work and environment tend towards an estrangement, let us not lose touch with each other. There is something in what my correspondent states, and it merits our attention.

**How to be Called to the Bar.**

Before the war, several officers of the Royal Corps were called to the Bar, and the following notes may prove of interest to those who have leanings in this direction. They have been contributed by a former D.A.D.M.S., 2nd Division, B.E.F., and Headquarters, London District.

**The Call to the Bar.**

By W. Bentley Purchase, Esq., M.C., M.A., M.B., D.P.H., Barrister-at-Law.

To be a barrister, it is necessary to become a student of one of the four Inns of Court, to "keep terms," to pass the necessary examinations, and to be "called."

**Becoming a Student.**—There are four Inns of Court, namely, Lincoln's Inn, the Middle Temple, the Inner Temple and Gray's Inn; the regulations regarding admission to them all have been consolidated and a copy can be obtained from the Inn chosen by the candidate. The writer does not desire to indicate which of the four Inns he considers preferable, but it is as well when deciding which Inn to join to have regard to any acquaintance the candidate may have with any bencher of an Inn or member of the Bar. This will be illustrated later under the heading of "Call."

The student must have passed a suitable entrance examination; of such examinations a list is given in the regulations, and this list includes "Any examination which entitles those who pass it . . . to a Commission in the Army or Navy." Therefore, from the point of view of the readers of this journal, the entrance examination has no terrors.

The student must fill up this application form and submit two separate certificates of good character from responsible persons.

He is then admitted a student, and must attend the Inn in person to sign certain documents.

**"Keeping Terms."**—There are four legal terms in the year and these must be "kept"—that is, the student must dine in the hall of his Inn on six nights of each term. In passing, it may be pointed out that this is a means of getting an exceedingly good dinner, with wine, very cheaply.

As a student, the candidate must keep in all twelve terms (i.e., three years at least) before he can be called—though he may pass his examinations before then. The terms need not be kept in one continuous sequence.

**Examinations.**—To anyone who has wrestled with the examinations necessary to get a medical qualification, the mental effort of the examination for call to the Bar should not prove very great. It is true that at one
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time the standard was a nominal one and that now it is definite, but if the aspirant has once an understanding of his subject the examination test is not exceedingly high.

The means of acquiring knowledge are:

1. Attending lectures given by Readers of the Inns.
2. Private work.
3. Coaching.

Lectures are given by the Readers in the lecture rooms of the Inns and are most useful if time can be given to them; it frequently happens, however, that the students attend none. There is no necessity to get "signed up" for them.

Private reading of various text-books is necessary in all cases, but of itself may not be very satisfying for the worker, who has no idea as to the extent or lack of his knowledge.

Coaching—either personally or by post—is a common means of preparing for examinations and is recommended to those who do not want to waste time and who can afford the expense.

The examinations consist of Parts I and II.

Part I includes:

I. Roman Law.
II. Constitutional Law.
III. Criminal Law.
IV. Real Property or Hindo and Mahomedan Law or Roman Dutch Law at the option of the student.

The part may be taken section by section at any time after admission as a student. No great depth of knowledge is required for a pass, but a good ground work is most useful later.

Part II includes:

I. Common Law.
II. Equity.
III. Evidence and Civil Procedure.
IV. A general paper on I, II and III.

This part must be taken at once and after the student has kept at least six terms.

Fees.

On application for admission ... ... ... £1 1 0
On admission (including two deposits:
One of £100 returnable on Call, the other of £50 to pay for dinners, etc., the balance being returnable on Call). Admission fee, lecture fees and stamps, £58 13s. 3d. ... £208 13 3
On Call ... ... ... ... ... ... £112 0 0
The Call.—Having passed his examinations, the student must be called to the Bar by one of the Benchers of his own Inn, and it is here that it is helpful to know some Bencher. It is very tiresome to search hurriedly for some kindly disposed person.

After Call.—It was written elsewhere that "many are called and few are chosen." Getting called to the Bar and becoming a successful barrister are two things utterly distinct. It is essential to be a pupil (at a cost usually of 100 guineas for twelve months) in good chambers—Mark Twain pointed out the care with which one should choose one's parents, and this is analogous to the period as a pupil. Some go as pupils from one set of chambers to another, and this is a good plan. For instance, six months in good criminal chambers, followed by or preceded by six months in general common law chambers, are a good combination. After this period (and rarely during the course of it) briefs may or may not come. In general, at the present time, anyone of average ability as a barrister may safely budget on living on air more or less for the first five years after call, and, during that time, to spend in expenses in chambers about £100 a year; though, after the third year, he may hope to be recovering in fees a fair proportion of this latter expenditure. It depends on many factors, and the figures are given as an indication of what may reasonably be expected.

For the information of those who desire to take up law, the addresses to which written application should be made in the first instance are given:


NOTES ON MILITARY LAW.

The following notes on Military Law, contributed by an officer of the Royal Malta Artillery, will be of considerable use to anyone who may be called upon at short notice to prepare applications for Courts Martial, or for examination purposes. It applies more particularly to the case of a soldier who has committed an offence which can be dealt with by his commanding officer, but who has elected trial by Court Martial.

APPLICATIONS FOR COURTS MARTIAL.

Forms to be Rendered.

1. Application for Trial. (A.F.B. 116.)
2. Charge Sheet in Duplicate. (Manuscript.)
3. Summary of Evidence. (Original and 1 Copy.)
5. List of Witnesses for Prosecution and Defence (Manuscript) (showing present stations, in duplicate).
6. Statement as to Character and Particulars of Service of the accused.
   (A.F.B. 296.)

7. Statement in writing by accused whether or not he wishes to have an
   Officer assigned for "Defence" (Manuscript). (See R.P. 13a and
   87a.)

8. Certified true copies of any papers or documents to be produced. (In
   certain cases, originals are required: see pp. 523-526.)


10. Certificate in case of written "Statements of Evidence" where:—
    (i) Witnesses cannot attend. (R.P. 4 (g).)
    (ii) Witnesses not subject to Military Law do not attend. (R.P. 4 (h)
         and 4 (g).)

Notes re Forms, etc., submitted.
A.F.B.116. (Application.)

(a) If accused has elected trial, fact should be recorded at top of
    form (in red ink).

(b) If Court of Inquiry is held, members detailed should be different
    to those investigating the case.

(c) The name of the Prosecutor to be stated. (Not necessarily the
    Officer who took down the Summary of Evidence.)

(d) Form to be signed by the Commanding Officer himself.

(e) Medical certificate to be completed. (If possible, Medical Officer
    not to be one of those investigating the case, or Prosecutor.)

Conduct Sheets.

Ensure: (i) K.R. 1708 is complied with.

(ii) Offence not already dealt with.

(iii) In cases of Drunkenness, that the soldier is liable to be
     Court Martialled. (K.R. 572 especially, also 569-573.
     re N.C.O.'s, see page 21, rule 26.)

Charge Sheet.

(i) If elected trial, fact must be clearly stated at top of sheet
    in red ink. (Page 703, rule 2 (j).)

(ii) Sufficient space left at foot of sheet for orders of Convening
    Officer to be entered. (Page 703, rule 2 (h).)

(iii) Permanent Rank of accused to be stated, with acting rank
     (in brackets) following permanent rank, e.g., Corporal
     (Acting Serjeant), etc.

(iv) Form and wording of Charge to be in accordance with
     specimens on pp. 649-676. (See page 703, rule 1 (e).)

(v) The Section of the Army Act to be entered in the margin,
    in red ink, opposite charge to which it refers. (Page 703,
    rule 2 (l).)

(vi) If accused has elected trial, "Charge" as read out to the
    accused from the Guard Report, cannot be added to or
    increased in gravity. (Page 703, rule 1 (f).)
(vii) Re alternative Charges. (See pp. 438, 436.)

Re separate Charge Sheets. (See pp. 610-612.)

(viii) Insure that:— (Pp. 702-703, rule 1 (a) to (f).)
(a) Accused is charged with an offence which is an Offence against the Army Act.
(b) Accused is not exempt from trial under A.A. 161 or R.P. 36 (a).
(c) Offence is not one of those in K.R. 543, to be dealt with by Commanding Officer, unless there are special circumstances, or accused elects trial.

(ix) In case of "deficiencies," "losses" or "damages," actual value of each item of Public Property to be quoted in words and figures. (K.R. 623.)

(x) Sheet to be signed by Commanding Officer himself.

Summary of Evidence: May be taken on Oath (R.P. 4 (f)).

1. Each statement to commence with:—
   No. ...... Rank ......... Name ......... Unit ......... (or appropriate States:— particulars).
   Place ......... Date ......... and Time (if material). (Page 703 rule 2 (1).)

2. Statements for prosecution are taken down first:—
   Then for Defence, unless reserved. (R.P. 4 (e).)
   (See amendments to R.P. 4 (e) by A.O. 439/1920.)

3. Signature of Witness (or mark attested) after each statement (including cross-examination if any). (R.P. 4 (e).)

4. Re written statements of Persons who do not attend for summary.
   (See R.P. 4 (g) and (h).)

5. Evidence.

   (a) Inadmissible: If irrelevant. (Page 703, rule 2 (b).
   If hearsay. (Page 59, rule 15.)
   If opinions, suspicions, surmises (ditto).
   If reference to previous offence, unless directly connected with present offence. (Page 60, rule 20.)

   (b) Secondary: see pp. 63 and 64.

   (c) Refreshing Memory: see pp. 73, rule 70.

   (d) Confessions: see pp. 68, 73-75.

   (e) Documentary: Statement of person producing documents should be included. (Page 703, rule 2 (k).)
   Any "Certified copy of Order, etc.," which it is intended to produce to the Court Martial, must be produced in evidence in the Summary.

   (f) Must be sufficient to justify trial on the Charge made. (Page 703, rule 1 (d); also R.P. 5.)

   (g) In case of Desertion, A.F.B. 115 (or A.B. 161) will be required. (Page 639, note 3, last sentence.)
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(h) In case of "deficiencies," evidence required that:

(i) Accused was in possession of a complete kit, or articles deficient, at some time previously.

(ii) Proper inventory was taken, when deficiency was discovered, and total deficiencies noted.

(iii) No articles, found deficient at taking of inventory, have since been found. If any found, state circumstances; if no blame re deficiency attaches to the accused, strike out the charge.

(iv) If articles are Public property, actual value of each to be stated. An official required with priced vocabulary to give evidence. (K.R. 623.)

(v) In case of "damages," expert evidence required.

6. Concluding Para.

Taken down by me in the presence of the accused, who was given every opportunity of cross-examining the witnesses at .............. this ...... day of ............... 19......

Signature of Officer taking Summary.

Before investigating the case, the C.O. should consider whether the Offence is likely to require a Summary Punishment.

If he thinks so, it is very necessary to ensure that:

The form and wording of the charge, as read out from the Guard Report, are in accordance with specimens on pages 649-676, 659, Manual of Military Law. (See also K.R. 543.) See Manual of Military Law, p. 703, rule 1 (f).