

Legal Medicine

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BOOK REVIEW

R. B. H. Gradwohl, *LEGAL MEDICINE*: C. V. Mosby Company, 1954.
\$20.00.

A great deal of literature has appeared in recent years on a wide variety of so-called medico-legal subjects. This literature, for the most part, may be divided into two broad categories: First, textbooks written by lawyers for physicians, for the purpose, presumably, of furnishing the latter with a basic introduction to law as it applies to the medical profession; secondly, textbooks written by physicians for lawyers on medicine insofar as it is related to common legal problems. The most striking feature of Dr. Gradwohl's work is that it cannot be classified into either of these groups. The work, rather, may be described as a massive collection of 39 articles dealing with a wide assortment of problems of interest to specialists within both professions.

Six of the articles deal with problems of essentially legal nature; the rest cover a number of fairly unrelated medical subjects. All of the articles appear to emanate from the pens of eminent authorities in their respective fields.

All of the legal articles deal with interesting and timely subjects, and their reading should prove remunerative to the lawyer and physician in general practice who might wish to refresh his recollection or acquire a basic introduction in the fields concerned. The first of the legal articles, contained in Chapter 3 of the work, discusses the law governing autopsies. After enunciating the basic common law principle that autopsies must be performed only upon legal authorization, and that a violation of this rule may subject the parties responsible to liability, criminal or civil, or both, it goes on to examine the statutory basis for autopsy and the prescribed method for obtaining the authorization in the 48 states. The statutory provisions governing the performance of the autopsy as well as the enactments governing criminal and civil liability are also summarized for all of the American jurisdictions. The discussion concerning the Wisconsin law is well annotated with the basic decisions, and special consideration is provided for workmen's compensation cases.

The next legal article summarizes the law relating to medical practice, with particular reference to the doctor's diagnosis and treatment of patients. This article is somewhat too terse to afford a basic research tool in malpractice cases for the purposes of the practicing lawyer, and is annotated primarily with Missouri statutes and decisions. It should serve, however, as a clear and concise introduction to that important area for the practicing physician.

An article contained in Chapter 22 contains an extremely interesting and informative discussion of paternity proceedings and blood tests. The author, a distinguished member of the New York Bar, first examines these proceedings under the New York statutes and decisions, then goes into a discussion of the medical evidence commonly used in proceedings of that nature. His discussion of the serological basis for blood test exclusions, which is annotated by a number of leading New York decisions, is especially useful to attorneys who may be involved in this not infrequent litigation. Chapter 27, containing an article on medico-legal problems of workmen's compensation cases, which discusses the technique recommended in establishing medical conclusions before the various state administrative agencies charged with the enforcement of workmen's compensation statutes, is also of considerable utility.

The statutory as well as the case law of abortion, in all of the American jurisdictions, is concisely summarized in Chapter 30. Chapter 32, entitled "Legal Relations of the Mentally Ill" contains an excellent and well annotated discussion of the legal status of the mentally ill, legal and medical problems connected with their commitment, contractual and testamentary capacity of the mentally ill, as well as the criminal and tort liability of persons confined in the mental institutions.

The final legal article, contained in Chapter 34, deals with the medical and legal aspects of lie detection, and includes an exhaustive discussion of the constitutional, evidentiary and medical aspects of this technique.

The medical articles of this symposium may be divided into three broad categories; first, a number of articles dealing with the medical aspects of autopsy, including such subjects as post-mortem changes, vital reaction embolisms and their aspects on autopsy, common causes of unexpected deaths and pathological findings in poisonings. The discussion, for the most part, is highly technical and amply illustrated with pictures, graphs and other medical evidence. These articles are, of course, of primary interest to the coroner, medical examiner or pathologist concerned with a medical determination of the cause of deaths, but it might be of occasional use to the defense attorney in criminal cases involving pathological evidence concerning the cause of death.

The second group of articles concerns a number of problems in forensic medicine, such as the forensic aspects of trauma, identification and testimony in rape and carnal knowledge cases, skeletal identifications, dental evidence in identification and criminology, and the examination of blood stains, hairs and fibers. These articles are of far

broader interest than those in the preceding group, in that they touch on a number of problems which practicing physicians and attorneys may commonly be confronted with in their own practice as well as in litigation involving death or injury.

The third group of subjects deals with procedural medico-legal problems, such as police laboratory administration, medico-legal investigations and narcoanalysis for criminal interrogation. These articles are rather narrowly technical, and should be of primary interest to those involved in the administration of the criminal law.

The work can hardly be considered a comprehensive text on any of the subjects it touches on; nor can the organization of the articles be considered logical in order of subject matter from either a legal or a medical standpoint. It is, however, a symposium on medical and legal problems with an unusually wide scope which should be of general interest, and occasionally of great value, to practitioners in law and medicine and to those in related fields.

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