

Nova et Vetera

CHANGE OF SEX SANCTIONED BY A MALTESE LAW COURT IN THE EIGHTEENTH CENTURY

In view of the correspondence about the legal and psychological implications of a late change in the established sex of adults (*Journal*, 1954, 1, 694, 710, 876, 1040), the following case of pseudo-hermaphroditism recorded in the documents of the old Grand Court of Malta in 1774 may be of interest. The manuscripts, so far unpublished, form part of a collection of legal papers entitled "Bandi 1772-1779" and are to be found in folios 80 and 81 of MS. 429 at the Royal Malta Library of Valletta.

They concern a certain Rosa Mifsud, from the village of Luqa, who was brought up as a girl apparently because from the anatomical configuration of her external genitalia at birth she was thought to be a female. The documents referred to above are not as informative as one would wish them to be, for they leave us in the dark concerning the circumstances which led to the appointment by the Grand Court of two medical experts to examine and report on the sex of Rosa Mifsud when she attained the age of 17 years. It may be noted, in passing, that Malta was then ruled by the Knights Hospitallers of the Order of St. John of Jerusalem, also known as the Knights of Malta, to whose Medical School and Holy Infirmary of Valletta students resorted to learn anatomy and surgery and foreign patients flocked to seek advice and treatment.

That great importance was attached to the case in question by the court is shown by the fact that the experts chosen were the Physician-in-Chief of the island (whose status is comparable to that of Chief Government Medical Officer) and one of the senior surgeons of the Holy Infirmary. Their report is written in Italian, and the following is a translation:

We, the undersigned, have been nominated by the Grand Court to visit Rosa Mifsud, the baptised daughter of Joseph and Theresa, aged about 17 years.

She is of a lean physique, has an alert facial expression and an elongated, dry-skinned visage. She shows no sign of nascent breasts and her voice is more masculine than feminine.

We hereby declare and certify, to all whom it may concern, that, after an accurate examination of her pudenda and after mature reflection on our part, we have come to the conclusion that her genitalia conform more to the male than to the female sex.

There is a small penis which is covered by a prepuce but which lacks a urethral canal for the discharge of urine. A urethral opening is, however, present at the base of the said penis as proved by the passage of a catheter, introduced by the Master Surgeon, and by the evacuation of a copious amount of urine. Two folds, one on each side of the penis, simulate the labia of the vulva: they, however, contain the testes and epididymides, the right one being of a greater size than the left one.

There is a sort of aperture between the two folds which is narrower than what one would expect to find in a young woman of 17 years and which shows no evidence of the "carunculae myrtiformes": besides, it is positively impossible to introduce therein one's small finger.

From the examination of her pudenda we are of opinion that the male sex is the dominant one, though the examinee is incapable of procreation.

Given on the 17th May 1774.

(sd) Giorgio Imbert, Prothomedicus.
Antonio Cabanez, Principal
Surgeon of the Holy Infirmary.

On the strength of this report the court issued this decree: "This Grand Court, having considered the above report, orders that the said Rosa Mifsud must, from to-day onwards, wear male clothing and must not dare appear in public in female attire. This order has been communicated to Joseph Mifsud, her father, who was summoned before this Court on the same day."

Stress was laid by the court on the kind of clothes to be worn, because in those days it was a legal offence to garb oneself in such a way as to conceal one's identity (*Del Dritto Municipale di Malta*, Malta, 1784, pp. 311 and 328).

It seems that the court's ruling was appealed against, for on May 28 another panel of experts, this time composed of seven medical men, was appointed to re-examine Rosa Mifsud. This second set of experts confirmed the findings and opinion contained in the previous report. The experts were Dr. G. Imbert, physician-in-chief; the principal surgeons of the Holy Infirmary, Antonio Cabanez and Giuseppe Farrugia; the surgeon of the Infirmary and Grand Prison, Michele Grillet; the surgeons Michel'Angelo Grima and Aurelio Badatt; and Dr. Giorgio Lucano, professor of anatomy at the Holy Infirmary.

An extensive search for further documents to trace the end of the story has revealed no more papers about this case; but it may be presumed that, in view of the unanimous agreement between all the medical experts, the court disallowed the appeal and confirmed its original decision with regard to Rosa Mifsud's change of sex.

It would be interesting to know if similar cases had been dealt with by other courts of law previous to 1774.

PAUL CASSAR.

Reports of Societies

THE USE AND ABUSE OF ANTIBIOTICS

A combined meeting of the Sections of Medicine and General Practice was held at the Royal Society of Medicine on November 24 to discuss the uses and abuses of antibiotics. Dr. R. J. MINNITT was in the chair.

Penicillin

Dr. DAVID WHEATLEY opened the discussion by reviewing some of the uses of antibiotics from the general practitioner's point of view. He dealt mainly with the use of penicillin. He had found subcutaneous injection of single daily doses of 500,000 units of penicillin in 1 ml. both effective and less painful than intramuscular injection, especially in children. The long-acting intramuscular preparations sometimes caused pain for several days at the site of injection, and had proved less effective in his hands than the short-acting compounds. Oral penicillin, on an eight-hourly basis, was very valuable in children, especially when given as the long-acting and palatable dibenzyl compounds (used over a period of three to four days), and had greatly lessened the sequelae of streptococcal infections. Apparently no unfavourable reactions to oral penicillin had been reported. In acute otitis media oral penicillin had been effective when given alone in the milder cases, and when combined with sulphadimidine in the severer cases. There had been no instance of perforated drum or subsequent deafness in his series.

Professor L. P. GARROD started by stressing that penicillin, if indicated, was the antibiotic of choice. He then showed experimental data on the progressive duration of action of sodium penicillin, procaine penicillin, and the benethamine and benzathine derivatives, in that order. Whether to aim at continuous low blood levels of penicillin or intermittent high blood levels was, from a bacteriological point of view, a very complex problem.

He divided bacterial infections into two classes, those that could and those that could not be treated confidently without bacteriological investigation. In the first group were such conditions as typhus, typhoid, plague, and pneumococcal and haemolytic streptococcal infections, the organisms causing which were always sensitive to the antibiotic indicated; and in the second group, infections with staphylococci and various Gram-negative bacilli, in which it was impossible to predict the response to any antibiotic at all. There was need for more frequent bacteriological investigation in such cases.