

NURSING ECHOES.

An interesting case, of nursing importance, recently heard in the Haddington Court of Session before Lord Anderson and a jury, and fully reported in the *Haddingtonshire Advertiser*, was an action brought by Dr. J. G. Wallace-James, Tyne House, Haddington, against Mrs. Baird, President of the Haddington District Nursing Association. The doctor claimed £5,000 damages for alleged slander in a letter addressed by Mrs. Baird to the Chairman of the Parish Council of Haddington, which he alleged contained statements which falsely represented that he had been guilty of gross and wilful failure to discharge his duty as a professional man by omitting to procure for one of his patients "the help which was within reach, and to which she was entitled." The pursuer said that the letter further represented that as medical officer he had wilfully disobeyed the express instructions of the Parish Council by failing, during 1912 and 1913, to call in the district nurse to parish patients requiring her services, and in particular to the patient above referred to, who, he explained, was not a parish patient at all, and was, therefore, not entitled to his services as medical officer. The pursuer contended that the letter was written with the deliberate intention of injuring his reputation.

The defender, Mrs. Baird, denied having slandered the pursuer, and pleaded that, the letter being privileged, the action should be dismissed. She stated that she is President of the Haddington District Nursing Association, which supports a trained nurse for the benefit of the sick, poor patients being attended gratuitously. The attendance of the nurse was only given on the request of the medical attendant, and all the doctors in Haddington approved of the arrangement. In December, 1913, she received a statement from the nurse with regard to a particular patient, and the letter which she wrote to the Parish Council contained the information she received correctly set forth. She wrote the letter as President of the Association in *bona fide*, and in accordance with her duty. It did not convey, and was not intended to convey, an improper imputation upon the pursuer's character or conduct. She had not, and never had, any ill-will towards the pursuer.

Dr. Wallace-James, in the course of his evidence, said that in 1908 he knew certain ladies, including Mrs. Baird, started a Nursing Association in Haddington. He did not favour it, as there were a number of women in Had-

dington who made a living by nursing. He was much annoyed by the letter written to the Parish Council in 1913 by Mrs. Baird, and at the serious charges made against him. The patient referred to in one of the cases was an old age pensioner. He had never been requested by the Inspector of the Poor or the Parish Council to give her medical relief. In these circumstances he had no duty to her as medical officer of the parish. He prescribed for her as a private patient. The charge made against him in Mrs. Baird's letter was that he failed as medical officer to send a nurse to the patient. It was a charge of breach of duty. The statements were false: he took the matter up, and a correspondence followed. Mrs. Baird declined to apologize. In cross-examination, he expressed the opinion that the ordinary untrained nurse was as good as any of the other nurses. The three other medical gentlemen in Haddington had greater faith in the trained nurse than in the untrained nurse. He knew that Mrs. Baird had established this Association, and there was a Benefit Nursing Association before that, the nurses of which got a little payment. The new Association provided free the services of a trained nurse. They applied to the Parish Council for a grant, which contributed to the funds of the Association. The nurse appointed was Nurse Oliver, who had some training. In one case he had the instructions of the Parish Council not to call in a neighbour, but a trained nurse. He did not do so because she was being properly attended to. He did not know that the woman had booked a trained nurse. He did not think it was his duty as medical officer to obey the Parish Council, and call in a trained nurse.

At the conclusion of a lengthy summing up, the Judge directed the jury that if they thought the patient, Mrs. Haldane, was being treated by Dr. James as the parish doctor, they would find for the defender, but if she was being treated as a private patient it would be difficult to find that the pursuer's case was not well founded. Obviously the sum sued for was extravagant, and was put in by pursuer to mark the sense of injury which he had sustained. On the other hand, it was not a case for a nominal award, and they should rather err on the side of moderation than on the side of extravagance.

The jury returned a verdict in favour of Dr. Wallace-James and awarded him £1,000 damages.

Dr. George M. Robertson, Physician-Superintendent of the Royal Asylum, Morningside, Edinburgh, who has always been a strong

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