

clients, an unqualified apology that any imputation should have been made upon her.

MR. PATRICK HASTINGS said that all her working life Miss MacCallum had been a professional nurse. These two papers, *The Hospital* and *The Nursing Mirror*, of which Sir Henry Burdett was the editor, circulated almost entirely among nurses. The same course was pursued by both. They published a most serious libel, the effect of which was to characterise Miss MacCallum as an untruthful, unscrupulous, and dishonest person, determined to ruin a body of nurses of which for twenty years she had been a most devoted member, the result being that her friends dropped away from her.

The case centred round two organisations, one the Union of Nurses, which Miss MacCallum was anxious to form, the other the Nurses Co-operation, of which she was a member of the staff. Under the rules of the Co-operation, if the Society were wound up the nurses could not benefit by the surplus funds, but they were to go to some other body. Briefly, the libel complained of was, as Mr. Patrick Hastings explained, the defendants considered that if they could suggest that Miss MacCallum was a fraud, and that she was trying to ruin the Nurses' Co-operation in order to get hold of its reserve funds (some £25,000) to finance the Union of Nurses, sympathy would be alienated from her, and they would smash the Union. If all the Burdetts in the world were alive, he would throw down the challenge that there was not a tittle of ground, except in their malignant imagination, for such an accusation.

Counsel also showed that the result of Miss MacCallum's efforts to form a Nurses' Union was that she, and two of the friends who supported her, were dismissed from the Co-operation, a letter being received by her from the Secretary, dated February 18th, 1920, informing her that in the event of her resignation not being received by that date, her name would be removed from the Register of the Nurses' Co-operation.

THE LORD CHIEF JUSTICE asked who wrote the letter, and Counsel replied, "The Secretary of the Co-operation." His lordship said he would like a copy, and this was accordingly handed to him.

Mr. Patrick Hastings read extracts from the articles complained of, and said that the advertisements appeared to be the more valuable part of the papers. If the articles were a type of the sort of stuff that was published, the literary matter could not be of much value to anyone. He also read an anonymous letter, signed "A Loyal Sister," published in *The Nursing Mirror*. He remarked that he would like to know whether the same person wrote every one of those articles, including the letter signed "A Loyal Sister." "It does happen, you know, that letters are written in the office."

Concluding, Mr. Patrick Hastings said there was not a word of truth in the allegations which had been made, and invited the jury to cast their minds back and think whether in all their lives they had heard of such a case as this. The defendants had had ample time in which to justify their pleas, and they said they were true; then, at the last moment, when they knew they were coming

into court to be cross-examined, they withdrew them. He invited the jury to award substantial damages, because the greater the damages given the clearer his client would leave the court. Though her object was not to obtain damages, yet, if she were only awarded a small sum, the public might think that though she had won her case she had not made a favourable impression upon the jury.

MISS MACCALLUM then went into the witness box and bore out her Counsel's statements. She said that it never entered her head that the accumulated funds of the Nurses' Co-operation should be used for the Trade Union, but it was within her knowledge that some of her older colleagues on the Nurses' Co-operation were ill and almost starving, and she was anxious that pensions and annuities should be started out of the surplus funds. The remuneration of nurses generally at that time was very poor. Quite a usual salary for a hospital sister was £30—£40 a year—and in nursing homes nurses were often paid a similar sum while the patients paid £3 3s. and £4 4s. for their services.

THE LORD CHIEF JUSTICE said: "Some of us have discovered for ourselves that the fees which we pay, and *gladly* pay, for our nurses, do not always go to the nurses, but to other persons. The plaintiff struck a most sympathetic note when she wanted to alter that."

MR. BARRINGTON WARD, at the commencement of his cross-examination, formally tendered to Miss MacCallum, on behalf of the defendants, an expression of unqualified regret for making any imputation against her.

Shortly afterwards, on the intervention of the Judge, counsel and their clients conferred, with the result that the defendants expressed their willingness to pay Miss MacCallum the sum of £500 and indemnify her for her costs.

MR. PATRICK HASTINGS, on behalf of Miss MacCallum, accepted the offer, saying that her object was not primarily damages, but to advance the interests of nurses, and to defend her personal and professional reputation. That had been achieved. Every imputation had been withdrawn, and her friends might know that she was worthy of their friendship, and more—of their admiration.

THE LORD CHIEF JUSTICE said he was glad that the parties had come to terms. He thought they had come to a right settlement. It was proper that the plaintiff should have substantial damages. A juror was then withdrawn.

We heartily congratulate Miss MacCallum on the result of her fight for right, justice, freedom of speech and freedom of co-operation amongst the members of her profession.

#### PROFESSIONAL UNION OF TRAINED NURSES.

The monthly meeting of the Public Health Section of the Professional Union of Trained Nurses will be held at 17, Evelyn House, 62, Oxford Street, W.1, on Friday, November 26th, at 6 p.m.

[previous page](#)

[next page](#)