

CLAYDEN V. WOOD-HILL.

SIR,—The facts of the case of Clayden v. Wood-Hill, recently decided at the Suffolk Assizes, a report of which appeared in your issue of November 26th, when a verdict of £750 damages was given against a medical man for alleged negligence in the treatment of a fractured femur, should be studied by all medical practitioners.

The plaintiff was thrown out of a trap and sustained a fracture of the upper third of the right femur. Two days later she was moved to the Beccles Cottage Hospital, in Suffolk, where Dr. Wood-Hill of Beccles attended her. The fragments united, and in eight weeks she returned home to Hertfordshire, with strict instructions from Dr. Wood-Hill that no weight was to be borne by the limb without the permission of her family doctor. A week later, when standing in her room at home, she felt the limb give way and she fell on to a sofa.

Abundant evidence was produced at the trial that as regards splinting, extension, and position of the limb, the fracture was treated in accordance with modern methods while the plaintiff was an inmate of the Beccles Cottage Hospital.

The verdict of the jury largely turned on the question as to whether, at the second accident nine weeks after the first, a giving way of the previously united fragments took place. By very adroitly drawing from one item in the medical evidence bearing on this question an inference which, from a medical point of view, was entirely unjustifiable, counsel for the plaintiff induced the jury to bring in a verdict for the plaintiff with damages as stated.

Many of those who watched the case throughout its course are convinced that a grave miscarriage of justice has taken place, and for this reason a fund has been started to reimburse Dr. Wood-Hill in the very heavy expenses incurred by him, which, we are informed, will amount, with costs, to about £1,600. Naturally the question of appeal has been very carefully considered, and Dr. Wood-Hill has been advised against this course by both his counsel and his solicitor.

It is true that at the time of the trial Dr. Wood-Hill was not a member of one of the medical defence societies, but this, although showing a lack of foresight on his part, is no reason for refusing to help him in this emergency. The fund will also serve as a token of the respect and esteem in which Dr. Wood-Hill is held in Beccles and the neighbourhood.

The following subscriptions have already been promised:

	£	s.	d.
Mr. Hugh P. Helsham, Beccles ...	26	5	0
Mr. John H. Alden, Beccles ...	20	0	0
Mr. Christopher T. Helsham, Beccles ...	10	10	0
Sir Robert Jones, Liverpool ...	10	10	0
Mr. George E. Gask, London ...	10	10	0
Mr. R. C. Elmslie, London ...	10	10	0
Dr. Samuel J. Barton, Norwich ...	10	10	0
Dr. F. W. Burton-Fanning, Norwich ...	10	10	0
Sir Hamilton Ballance, Norwich ...	10	10	0
Dr. Wilson Tyson, Lowestoft ...	10	10	0
Sir John Lynn-Thomas, Cardiff ...	10	0	0
Dr. H. Muir Evans, Lowestoft ...	5	5	0
Dr. C. B. Ticehurst, Lowestoft ...	5	5	0
Dr. D. W. Boswell, Lowestoft ...	5	5	0
Mr. J. C. Mead, Lowestoft ...	5	5	0
Mr. S. H. Burton, Norwich ...	5	5	0
Mr. Donald D. Day, Norwich ...	5	5	0
Dr. Sydney H. Long, Norwich ...	5	5	0
Mr. A. J. Blaxland, Norwich ...	5	5	0
Dr. R. W. Mullock, Southwold ...	5	5	0
Dr. D. H. Hutchinson, Lowestoft ...	3	3	0
Mr. E. W. Everett, Norwich ...	2	2	0
Dr. H. J. Starling, Norwich ...	2	2	0
Mr. S. F. Smith, Beccles ...	2	2	0

Subscriptions should be sent to Sir Hamilton Ballance, All Saints Green, Norwich, and will be acknowledged from time to time in the medical press.—We are, etc.,

ROBERT JONES, Liverpool.

GEORGE E. GASK, London.

R. C. ELMSLIE, London.

JOHN LYNN-THOMAS, Cardiff.

HAMILTON A. BALLANCE, Norwich.

WILSON TYSON, Lowestoft.

Norwich, Nov., 26th.

SIR,—After reading the account of the above case in yesterday's JOURNAL, also Mr. R. C. Elmslie's letter, surely two thoughts should occur to most of us?

1. We should assure Dr. Wood-Hill of our sympathy with him.

2. We of this generation should consider it our bounden duty, as a profession, to see to it that such a judgement is not allowed to pass unchallenged, both in our own interests and in the interests of those that come after us.

It therefore follows that subscriptions should be raised to defray all the expenses of an appeal. How can this best be done?—I am, etc.,

Cranborne, Salisbury, Nov. 27th.

CHAS J. GIRLING.

SIR,—The case of Clayden v. Dr. Wood-Hill, as reported in the BRITISH MEDICAL JOURNAL of November 26th, makes one wonder if one can really afford to practise medicine and surgery—if after employing all the methods one was taught as a student and doing one's best for a patient (as Dr. Wood-Hill evidently was), to be suddenly savagely penalized to the extent of nearly £1,000 is enough to make any humble general practitioner pause before he tackles a difficult fracture. It is evident that if this verdict is allowed to stand the position of the medical practitioner becomes one of great risk and insecurity, as the whole question of what constitutes malpraxis is changed from what it was before. This being so, is not this a case which should be fought tooth and nail by the Association? If a subscription list were opened I am sure many would avail themselves of the opportunity of rectifying a serious miscarriage of justice.—I am, etc.,

Burwash, Sussex, Nov. 27th.

A. W. S. CURTIES.

SIR,—I trust our Association and the profession at large do not mean to take the decision in this case "lying down." That such a verdict in face of the weight of evidence can be considered as final is unthinkable. No practitioner is safe now, it would seem, from the risk of ruin after he has done everything he possibly could or in reason be expected to do for his patient. It is a very serious position for every one of us to consider.

I have always understood that all that was required of a practitioner—apart from the expert—was that he should have shown all ordinary skill and competence. Dr. Wood-Hill, in my view, did so, and possibly more; and we have the evidence of an expert in Sir Hamilton Ballance, who said Dr. Wood-Hill's treatment was just what he himself would have done. What can judge or jury want beyond this?

Mr. Elmslie's letter is of the highest importance as showing that both judge and jury seemed to have ignored or imperfectly understood some parts of his evidence which had an important bearing in favour of the defendant.

I hope an appeal will be lodged, and that it will have the whole weight of the Association and the profession at large behind it, and, further, that a fund be opened at once to meet the expense.—I am, etc.,

Felton, Northumberland, Nov. 28th.

ROBT. A. WELSH.

PULMONARY CIRCULATION.

SIR,—In the JOURNAL of November 12th Dr. S. W. F. Underhill gives the results of tying the left pulmonary artery, which, he states, has no effect on the aortic pressure. In these experiments the work of Lichtheim is repeated with similar results. Landgraf in 1892 showed quite clearly that the apparent absence of change in the aortic pressure was due to the artificial respiration, and this view is supported by Leonard Hill in Schafer's *Textbook of Physiology*. The recent work of Sharpey Schafer shows what an important part alveolar pressure plays in the causation of respiratory variations in the blood pressure. Similar objections may be put forward regarding like experiments of Bainbridge and Underhill in the *Proceedings of the Physiological Society* of March of this year.

The experiments of Underhill, if carefully analysed, are far from convincing, indeed it is difficult to see how he arrives at his results from them. It may be that his examples are unfortunately chosen. In A. and B. there is a definite fall in aortic pressure after ligation of the left pulmonary artery. That this is obtained during artificial