

C.S.O.

Please convey to the members of
the Commission my thanks for
and appreciation of their work
on the Commission.

Letter sent 18/9/20

W. H. H.
9.9.20

Hon: M. C. Craigie-Halkett,

Chairman of the Commission.

Will you kindly note the above minute from the
Administrator recording His Excellency's appreciation
of your services on the Commission.

Hon. Sec.

For C.S.
18/9/20.

Thank you. Noted.

M.C.H.
18.9.20

H.B. Submitted: Minute from Mr. Halkett of 15/10/20

for C.S.
15/10/20

C.S.O.

Mr. Halkett's reply of 15.10.20 to
Mr. Hardy is in order.

You can inform Mr. Hardy that I
called a Commission of Enquiry to
report on the circumstances of the
death of the late Mr. Arthur Hardy.

and that I am satisfied that no charge of neglect of duty can be brought against any member of the Hospital Staff during the illness of the patient.

Wm.
18.10.20

Letter to Mr. Hardy of 18/10/20

Submitted: Letter from Mr. Hardy of the 19th Oct 1920.

Wm.
for C.S.
20.10.20

C.S.O.

Please reply to Mr. Hardy that I have received his letter of the 19th Inst, & have nothing to add to the communication already addressed to him by you in your letter of 18th Oct. 1920.

Wm.
21.10.20

As Mr. Hardy's original letter was addressed to the Magistrate, that officer should have replied not the C.S.O.

Wm.

48.

(10)

Does your Excellency wish a reply
sent from the C.S.O. in the present case?
The Magistrate addressed a reply
to Mr Hardy on the 15 Oct-

5th 13
for C.S.
22. 10. 20

(11)

Letter to Mr Hardy of 13 Oct 1920

Letter from Mr Leslie Hardy of the
18th February 1921 Encl 21.

Y.E.

Mr Leslie Hardy is persistent in
his demand for information
connected with the Commission
of Enquiry appointed to inquire
into the circumstances attending
the death, in the K.E.M. Hospital,
of his father - vide (16), (19), (20).

Replies were sent as in (18)
and (20).

I appointed a Commission
to satisfy myself as to the
circumstances of the case.

The death was registered on a
medical certificate. No Coroner's
inquest was held or necessary.

I do not think that Mr
Hardy's demand should be
entertained.

He now applies to Y.E. in (21).

W.H.
22. 2. 21

H.C.S.

Reply may be made to (2) that there is nothing to add to Ultra (20).

2. I understand that the late Mr. Arthur Hardy was a Private Patient & that his representative paid fees for operation? Can you confirm this?

3. I also understand that Dr. Chadwick made a statement before subcommittee to 26th August 1920 that should I think be recorded if you see no objection.

23 July 1921.

Letter to Mr. L. Hardy of the 23 Feb 1921
Encl 22.

ME. I have spoken today with Mr. S. Harkness and Dr. Chadwick in my office, and now enclose (23) which ME. asked for.

10.11.21
27.2.21

Thank you

28 July 1921.

Letter from Mr. L. Hardy of 28 Feb 1921 (Encl 24)

Minute from Col Surgeon (undated) Encl 23.

H.E.

Encls. 24 & 25 submitted.

for C.S.

24 March 1921

H.E.S.

I saw Mr. Leslie Hardy today & told him that it did not appear that any good purpose would be served by addressing Sqs. It is possible that other members of the family may desire to memorialize Sqs.

I will please inform Mr Hardy with reference to (24) that any communication which he thinks proper to address to Sqs will be forwarded without delay: it should be added that there exists the immediate chance of loss.

J.H.

9 March 1921.

Letter to Mr L. Hardy of 10 March 1921 Encl 26.

H.E. the Governor,

Under the circumstances, it is not proposed to take any further action in regard to (25). Shall I so inform Col: Surgeon?

A. C. S.

A. C. S. 10/3/21.

H.C.S.

It is undesirable that in the disbursement
 on the small claim for fees should be
 refused. The amount may be written off.

An.

11 March 1921.

Hon:Col: Surgeon,

For your information & guidance.

W. H. Thompson

A. C. S. 11/3/21.

Hon Col. Secretary.

Noted.

J. C. W. D.

Colonial Surgeon.

11. 3. 21.

PA

569/20

569/20.

5th August,

20.

Sir,

I am directed by the Administrator to inform you that His Excellency has to-day received a telephone message from Dr Herklotts at Darwin, with regard to the death of the late Arthur Hardy on the evening of the 4th inst., asking that an enquiry should be held into the circumstances of the death. Dr Herklotts appears to be under the impression that the deceased should not have died, after undergoing what he considers a successful operation, had the nursing facilities been sufficiently good.

2. This is a matter that can only be commented upon by a responsible medical officer and His Excellency should be glad to have your observations on the subject with a view to finding out whether proper care and attention was given to the deceased after the operation by the nursing sisters in the hospital, and if you think that there was any negligence on the part of your nursing staff.

3. Dr Herklotts has asked that he may be allowed to come in to Stanley on Saturday, the 7th inst., in order to satisfy himself on the subject, and he has asked further that the

Dr. Chadwick,

Ag: Colonial Surgeon,
Stanley.

corps

corpse may be examined on the left side of the trunk with a view to finding out if there are any marks of safety pins having been forced into the flesh, which to his mind would imply carelessness on the part of the nurses attending the patient.

4. I am to ask you to accede to Dr Herklotz's request, and to say that he has been informed by telephone that he is quite at liberty to come in to Stanley for the purpose of satisfying himself with regard to this matter.

I am, Sir,

Your obedient servant,

G. H. B.
for Colonial Secretary.

M. P. 569/20.

569/20
6th August, 1920.

Sir,

I have the honour to submit the following report re the late Arthur Hardy's death for His Excellency's information.

Arthur Hardy was operated on for gallstones on the 26th July. Until Saturday the 31st July he was progressing favourably. On my morning, afternoon, and evening visits to the Hospital, the deceased was receiving proper attention from the nursing staff. At six p.m. on the 31st July I received a message to proceed to the Hospital at once and on my arrival found the patient in a collapsed condition due to a rupture of the operation wound and a consequent protrusion of the greater part of the small intestine, stomach and omentum. I immediately anaesthetised the patient and replaced the above mentioned organs and also sutured up the abdominal wall with all possible speed. Until this time deceased was progressing satisfactorily with no complications. In my opinion his laboured breathing due to bronchitis and his posture in bed were conducive factors towards rupture but some physical strain was the accelerating cause. What occasioned this strain can be better explained by certain relatives and the nursing staff, as I am not a resident surgeon. Therefore the Nurse-Matron is responsible for the nursing, attention, &c in my absence.

After my operation deceased complained
of/

of a pain in the left side which I could not account for. I was not justified at the time in disturbing the patient in order to remove the dressings. Later when this was done, I found a safety pin fastened into the flesh which was undoubtedly the cause of this pain. The patient himself told this fact to certain of his relatives. I viewed the corps this morning and found the entry and exit wounds of the pin still evident. The information as regards the probable casuation of the deceased straining himself was only made known to me by the relatives immediately before and subsequent to his death.

I am
Sir
Your obedient servant.
Hitchcock Chadwick M.B.
Asst. Col. Surgeon

The Hon: Col: Secretary.

Stanley.

368/20.

7th August,

20.

Sir,

I am directed by the Administrator to inform you that His Excellency has been pleased to appoint you to be member of a Commission to enquire into the circumstances attending the death of Arthur Hardy at the King Edward Memorial Hospital on the 4th day of August, 1920.

2. The Commission will commence at 10 a.m. on Monday, the 9th August, 1920, in the Court and Council Chamber, Stanley, when your attendance will be necessary.

I am, Sir,

Your obedient servant



For Colonial Secretary

A. E. Melton, Esq.,

Stanley.

522/20.

7th August,

20.

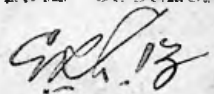
Sir,

I am directed by the Administration to inform you that His Excellency has been pleased to appoint you to be a member of a Commission to enquire into the circumstances attending the death of Arthur Hardy at the King Edward Memorial Hospital on the 4th day of August, 1920.

2. The Commission will commence at 10 a.m. on Monday, the 9th August, 1920, in the Court and Council Chamber, Stanley, when your attendance will be necessary.

I am, Sir,

Your obedient servant


for Colonial Secretary.

The Honourable,

G. I. Turner,
Stanley.

(6)

MINUTE

H.E. the Administrator,

I beg to submit form of Commission of Enquiry herewith. Sergt Lewis T. Barnes who has acted as Clerk to Police Court, will be suitable to act as Secty to the Commission.

H. CH

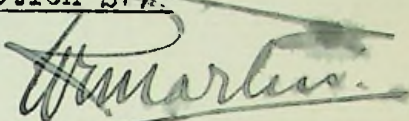
August 7th 1920.

It will be necessary to inform the Hon. G. I. Turner and Mr. A. E. Felton of their appointments as Members of the Commission. The letters should be sent from the Col. Secretary.

(6)

COMMISSION OF ENQUIRY

(Ordinance 3 of 1900 Section 27)



Administrator.

By His Excellency William Paulin Martin, Administrator
and Commander-in-Chief of the Falkland Islands
and their Dependencies.

Whereas it appears to me necessary that an enquiry
should be made into the circumstances attending the
death of Arthur Haray at the King Edward Memorial
Hospital, Stanley, on the 4th day of August 1920.

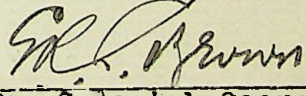
Now I the said Administrator, do hereby appoint
the Honble Montague Cecil Craigie Halkett, the
Honble George Isaac Turner, Arthur E. Felton, Esquire,
all Justices of the Peace for the Colony of the
Falkland Islands, to be a Commission to enquire into
and take evidence upon the said or any other matter
connected with the subject of this enquiry which it
may appear desirable to submit to this said
Commission, and to report to me thereupon.

And I hereby appoint the said Honble Montague Cecil
Craigie Halkett, to be Chairman of such Commission,
with full powers.

And I further appoint Sergeant Lewis T. Barnes, to be
the Secretary of the said Commission.

Given under my hand and seal at Government House,
Stanley, Falkland Islands, this first day August A.D.
1920. Seventh

BY COMMAND.



For Colonial Secretary.



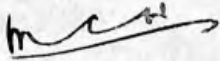
(9)

MINUTE

The Acting Colonial Surgeon,
Stanley.

I beg to inform you that H.E. the Administrator has appointed a Commission of Enquiry to enquire into the circumstances attending the death of Arthur Hardy at the King Edward Memorial Hospital on the 4th August 1920. The Commission will commence on Monday the 9th inst., at 10 a.m., your attendance will be required thereat.

I understood you to state that the death of Mr. Arthur Hardy was caused through the rupture of a wound following an operation for Gall stones, and to the shock and exhaustion caused by a second operation following on the rupture. As it is necessary for me to issue a certificate authorising burial of the body I beg to request that you will, after conferring with the operating Surgeon (Dr. Herklots) let me have your opinion in writing.


Augt 7th 1920.

(8)

FALKLAND ISLANDS

COMMISSION OF ENQUIRY

I ARTHUR E. FELTON.

a Justice of the Peace for the Colony of the Falkland Islands do swear that I will faithfully, fully, impartially, and to the best of my ability, discharge the trust and perform the duties devolving upon me as a Commissioner appointed by His Excellency the Administrator for the purpose of making enquiry into the circumstances attending the death of the late Mr. Arthur Hardy at the King Edward Memorial Hospital, Port Stanley, on the 4th day of August 1920.

Arthur E. Felton

Sworn before me at Stanley, Falkland Islands, this ninth day of August 1920.

M. Francis Barker
Stipendiary Magistrate.

(9)

FALKLAND ISLANDS

COMMISSION OF ENQUIRY

I, Montague Cecil Craigie Halkett
a Justice of the Peace for the Colony of the
Falkland Islands do swear that I will faithfully,
fully, impartially, and to the best of my ability,
discharge the trust and perform the duties devolving
upon me as a Commissioner appointed by His
Excellency the Administrator for the purpose of
making enquiry into the circumstances attending the
death of the late Mr. Arthur Hardy at the King
Edward Memorial Hospital, Port Stanley, on the 4th
day of August 1920.

M. C. Craigie Halkett.

Sworn before me at Stanley, Falkland Islands, this
ninth day of August 1920

G. J. Scrudder
Justice of the Peace for the
Falkland Islands.

(10)

FALKLAND ISLANDS

COMMISSION OF ENQUIRY

I GEORGE ISAAC TURNER
a Justice of the Peace for the Colony of the
Falkland Islands do swear that I will faithfully,
fully, impartially, and to the best of my ability,
discharge the trust and perform the duties
revolving upon me as a Commissioner appointed
by His Excellency the Administrator for the purpose
of making enquiry into the circumstances attending
the death of the late Mr. Arthur Hardy at the King
Edward Memorial Hospital, Port Stanley, on the 4th
day of August 1920.

G. I. Turner

Sworn before me at Stanley, Falkland Islands, this
ninth day of August 1920.

M. Laurie Harder
Stipendiary Magistrate.

Nicholas Chadwick, Surgeon, (M.B. Ch.B. (Vist)).

I am acting Colonial Surgeon, Falkland Islands, a patient named Arthur Hardy was admitted to the King Edward III Hospital on Sunday 25th July, to undergo an operation for removal of Gall-Stones. The operation took place on 26th

July, about 200 gall-stones were removed and the operation was quite successful, up till Saturday 31st July, no complications had ensued.

Hardy was progressing satisfactorily. On Saturday 31st July about 6 P.M. I received an urgent telephone message to attend at the Hospital. I proceeded forthwith and arrived at the Hospital about 15 minutes after receiving the message. On my arrival I found Hardy in a very collapsed condition, suffering from a rupture of the operation scar, with the result that the stomach and the omentum were outside the abdominal cavity. Miss Gule, the nurse matron was in attendance on Hardy, the assistance nurse was out at the time. The Nurse Matron had the whole of the internal organs covered with warm saline cloths, I decided to put patient under anaesthetics and replace the organs, and suturing up the abdominal walls with deep interrupted sutures. At the close of the operation Hardy was in a very collapsed condition and required several stimulating injections. On the Monday the patient was in fairly good condition. On Tuesday his course was progressively down-hill. He died at 8.30 P.M. on Wednesday. I think that the rupture of the operation scar nullified the recovery of the patient considerably. During my visits to the Hospital I found that the patient was properly looked after.

As far as I know, every time I visited the Hospital, there was someone with the patient. The patient made no complaints to me, as to his treatment in the Hospital. He made no complaints after second operation. Mrs Arthur Hardy complained that she visited the Hospital on Thursday afternoon, (previous to the rupture) and met the Nurse Matron coming out of the sitting-room, and together they went to the patient. Mrs Hardy said they found patient very distressed and pillows on the floor, and the safety pins out of the bandage. Deceased said to his wife, don't ever leave me again! The tube draining from the gall-bladder was out of the bottle and coiled up in the bed. I saw him on that day about 12 o'clock, everything was correct. On this particular day Doctor Herklotz dressed the wound. The nurse matron made no report, as to finding the pillows on the floor, or to finding safety pins out of the bandage. To get the pillows on the floor patient would have to strain himself. I did not personally see the patient that evening. I visited Hospital three times each day. It was my duty to see the Nurse's carried out the instructions issued. My orders have been disobeyed In one case just recently, the orders that I gave Nurse Matron were not carried out. If assistance is wanted by the patients a hand bell is provided, this is kept on a table by the bed. The deceased had one by his bed. On Saturday morning, the 31st July, I dressed the wound and everything was alright. Mrs Arthur Hardy informed me, that the bell on one occasion

was too far from the bed. There was no sign of rupture at time of patient's death. I think there must have been some violent muscular effort to have completely ruptured four rows of stitches on the fifth day.

L.T. Barnes. St.

Secretary & Commissioner

made on morning of

Margaret Hardy, Sworn.

I am sister-in-law of the late Mr. Arthur Hardy, who underwent an operation at the K.E. VII Hospital lately. The first time I went to see him was on Saturday night after his second operation. I saw him again on the Sunday afternoon, when he asked to see his daughter. He seemed quite sensible and said Good-bye to us. I saw him again on Monday morning, he was quite sensible to speak to. His wife came to me to take her place at the Hospital, so that there would be someone there with him. His wife said to me, that she wanted me to go up, as she had some business to see to, and that Nurse Yule said, you need not have come, as I shall be there, the nurse meaning herself. I went up, straight into the ward where my brother-in-law was, without knocking. There was no one in the ward. I saw the Nurse Matron in another ward, with blankets on her arm. I did not speak to her. My brother-in-law was asleep when I went in. I remained there, he slept for 15 minutes whilst I was in the ward. He had his pipe and matches in his hand and when he woke up he struck a match to light his pipe, I took the dead match away from him, he said he wished he had this attention from the first and someone to look after him, he then told me, he had to do everything for himself. He said that they had taken the bell away and that he had to mess the bed, because he had no one to help him, and he could not get it himself. He told me that the night, that he was delirious that he shouted for someone to come

to him, and for God sake, get me a drink,
and the big Nurse cause and got him
some tea.

L. T. Barnes Sr.

Secretary to Commission

Albert Percy Hardy, Sworn.

My brother Arthur Hardy, recently underwent an operation at the King Edward VII Hospital Stanley, I visited him on several occasions I saw my brother on Wednesday afternoon and again on the Friday afternoon. On Friday afternoon he was then having a cup of tea, and I asked him, how he was getting on for nourishment and asked what he had had for lunch that day. He replied, very well, he had some soup and custard pudding. I offered to the Matron, to remain with my brother that night, she said no, she did not think she would require me, she said we can count on you for Monday night, as Nurse Hayton was going to attend the children's treat, my brother's wife arrived and I left. I believe on Tuesday my brother told me, that he had made a mess of his bed. I asked him on several occasions, if he was in pain (this was after second operation,) he said he had a pain in the left side and put hand under the bed clothes to indicate this pain, but I took no notice, As I thought it might be a stitch, but Chadwick showed me, on my brother's body, the marks where a safety-pin had pierced his body. On Sunday morning following the second operation, my brother said to me, my inside came out and I suffered hell, On one occasion when I went to see my brother I knocked at inner door of entrance and in the passage met Nurse Matron, who came from direction of the ward. I asked how my brother was, she said I could pop

along and see him, From what I had seen of my brother, previous to the operation, I should say that he should not have been left alone a minute, on occasions that I saw him, he was wandering in his mind, I was operated on in the Hospital, for the same complaint as my brother, the first night of the operation a temporary nurse sat up with me, Nurse Gyle came back to Hospital the night of my operation, After this, I never saw any Nurse at night, Nurse Hayton nursed me most of the time and I was quite satisfied and I could not wish for better.

I met Dr. Herklotz on Thursday morning in Ross Road, and I asked Dr. Herklotz how my brother was. He replied, he is doing very well. I also asked how the wound was, he said it is getting on nicely, He also said, he must be fed every two hours, He also said that Nurse Gyle stated that they had not sufficient milk, I told Dr. Herklotz I would arrange for more milk.

Lt. James H.

Secretary to Commission

Mary, Catherine, Hardy, Sworn.

My husband underwent an operation at the K.E. III Hospital on Monday, 26th July.
I went to the Hospital on Wednesday afternoon to see my husband, there was nobody with him, the Nurse Matron came out of her sitting-room. She said, your husband was asleep when I last saw him, I went into the ward, he was dozing and woke as I came in. A roller-towel was fastened to the foot of the bed, and tied around his wrist with a Knot, I said you have been asleep, He replied I have just been dozing a bit. He was propped up with pillows in a sitting position. I said how do you feel, He replied, I feel very weak and want something to eat, He drew himself up with both hands by the roller-towel, He said he was very lonely, the nights were terrible, I said why don't someone stop with you. My husband replied, the big Nurse came into see me occasionally. He said I wish I could have some more to drink, They gave him tea. One of the maids brought him a cup of tea and put it on the bed table for him to take himself, or for me to give it to him, My husband complained that tea was no good to him, it filled him with wind, and that he would like some milk. I asked the Nurse Matron if I could send some milk or eggs, She replied, that they had plenty. I said will you let me know if you require anything. I saw my husband on Thursday afternoon I let myself in and went straight to the

ward and found his pillows on the floor and no one was with him. Between three and four Thursday afternoon my husband was awake. He was propped up with a chair and pillow, the three pillows on the floor were his supporting pillows, while I was there my husband asked me to pass him a bottle, I said, hadn't I better call the nurse, my husband replied, I have to do that myself and I have also to use the bed-pan myself. My husband told me that the bed-pan was kept in the bed locker, but was put on the floor for him to reach, I said you cannot manage to reach the pan yourself. He said I have to manage somehow and a fine old mess they had, they had to change my sheets twice, he tried to get the bed-pan but could not manage it. When I passed him the bottle I raised the bed clothes slightly and I noticed the end of the bandage was undone, later on he wanted the pan and I said oh, I'll ring for the Nurse, when the Nurse Matron came I told her that the bandage was undone, she said I'll see to it in a minute. The Nurse gave him the pan, and turned the bed clothes down and said to my husband, your bandage is undone, that accounts for the safety-pins being on the floor this morning I wondered where they came from. She said, you naughty boy you must have taken them out in the night and thrown them on the floor. She did up my husband's bandage. He again told me on Thursday that he was so lonely

at nights as there was no one with him, he was quite clear in his mind. Twice I drew the attention of the Nurse Matron to the fact that the draining tube was not in the bottle, but coiled up in the bed, and she said that it did not matter whether it was in the bottle or not. The nurse matron told me that they settled him down to sleep in the evenings and that there was no necessity for me to see him. On Friday afternoon I again saw my husband, he was again alone, in fact on each occasion that I visited him, the nurses were not with him, my brother-in-law was with him. He said he did not feel so well about the stomach, this was between three and four in the afternoon, he had slight pains, I sat there quite a long time as he did not feel so well, he was rambling a lot on Friday afternoon, and I was quite alarmed to see the change. I remarked to the Nurse Matron that my husband did not feel so well. She said no, but he takes so many changes. On the same night I again went to inquire, Nurse Matron came out of sitting-room. My brother-in-law offered to stay with my husband on Friday night but Nurse Matron refused to let him stay. I said can her Albert Hardy stay with him tonight, as he was not fit to be left alone. The nurse matron turned round and said, who said he was left alone? and that if she was absolutely stuck she would get Albert Hardy. On Saturday morning I rang up and asked how my husband was, she replied, that he had been terrible during

the night; she then said arrangements will have to be made for someone to stay with him tonight. I saw my husband between three and four pm on Saturday, I noticed a terrible change in him. He said, do not leave me any more, last night I had the horrors of hell. What my husband told me was, that he was alone in the dark and that he was terrified and that he could not find the bell or matches, and something went bump, he did not know what happened and told nurse he was thirsty. From Saturday night onwards till time of my husband's death, there was someone with him, he was never alone, The Matron was more considerate and kind towards me after second operation, I was quite satisfied with the doctor's treatment of my husband, but not with the Nurse's. I made no complaints to the Acting Colonial Surgeon, Mr Chadwick, concerning my husband being left alone at night.

H. J. Barnes Esq.

Secretary to Commission

Gerard. A. Herklotz. Sworn. (M.R.C.S., L.R.C.P.)

I am medical officer for the Falkland Islands Company, Harwin, Doctor Chadwick took me to see Hardy on the Saturday afternoon 24th Feb. I examined him and came to the conclusion that he was suffering from Gall-Stones. He was in a weak state and suffering from starvation. Dr Chadwick put before me the idea that he might have developed cancer, which is a common complication of Gall-Stones of long standing. I was inclined to think that the weak state of Hardy was due to starvation and that an exploratory operation was necessary as I could not diagnosis cancer without seeing it, as he would obviously have died as he was, and I thought that I should give him a chance of an operation at once. He was admitted into Hospital on Sunday 25th Feb. I operated on Monday Morning.

{ "In support of his opinion that an operation was desirable, witness read an extract from the British Medical Journal of May the 15th, 1920, dealing with Gall-Stones."

The patient having been placed under an anaesthetic by Doctor Chadwick, I made an incision over the Gall-Bladder, found the Gall-Bladder greatly distended and packed with stones. There were over two hundred varying from the size of the top of my finger, to the head of a match. I cleared the Gall-Bladder and Cystic duct, then I sewed a tube into the Gall-Bladder by what is called a purse string suture.

After that I sewed the abdomen up with three layers of cat-gut sutures, and a supporting row of silk-worm-gut sutures, After the operation I kept patient under supervision until I left for Darwin. I saw him last on Thursday the 29th ~~August~~. He was progressing most satisfactory. On Thursday morning 29th I went to visit patient and found him alone, the Nurse Matron was in the kitchen. It is not usual to give Nurses, orders of the periods or times, they are to remain with patients, their training teaches them. Patient had no choliform sickness and very little straining as results of his Asthma. He made no complaints to me. On Thursday morning 29th August, Nurse Matron thought patient had pulled tube out of Gall-Bladder, as it was hanging lower in the bottle than usual, I there upon dressed the wound and found everything satisfactory. He was weak and I said all he wanted was feeding up, and that he was not getting enough food. The nurse matron said he would not take it as he had been pampered at home. I told Nurse Matron it was her business to make him take it. I said he was to have plenty of milk. She said, I cannot get enough milk, I said, that's all nonsense, I then told Hardy the patient that I had done all I could for him, and that it was up to him to take all food given to him. I also told Nurse Matron that he was to be fed every two hours, night and day, and that she had better keep a list of what food he had. I was of the opinion that patient was not having sufficient food.

W. B. Baines Esq.
Secretary to Commission

Mary Layton, Sworn.

I am Government Nurse in the K.E. VII Hospital Stanley. That at night time one of the nursing staff is available for immediate duty. When Mr Arthur Hardy was operated on we had two other patients at that time. The first night of the operation there was someone with him all night. The next day there was no one with the patient all the time, only off and on. Some one was sitting up with the patient every night, but not in his ward. The Nurse on night duty remained in her sitting room from which room the slightest sound could be heard. Every five or ten minutes I looked to the patient. The bed-paw was kept in such a position that the patient could not possibly reach it without getting out of bed. That the pulley on the bed would have been dangerous to patient if he had strength to use it. I do not know who put it there. Patient could not have got out of bed, without Nurse knowing it, and one night the patient tied the draining tube in two knots and I untied it, he tied it whilst I was there. There was always a lamp burning in the patient's ward. At 7.0 a.m. on Saturday the 31st I noticed there was a leakage from the wound, and that the bandage on patient was stained. I reported this to Nurse Matron about 8.30 am and she said she would tell the doctor, on the Friday night the patient had a bad night. I was with the patient practically all night. I do not think the patient had sufficient strength to use the towel-pulley, I consider that the position the patient had to be put in, was bad for the stitches

and the wound, Our training teaches us so, the position the patient was placed in caused no strain on the part. Patient's breathing improved, but he was kept in same position, I think patient was properly looked after, Bell was always handy for patient to use if required. As far as I know table was always within his reach.

L. T. Barnes Jr.

Secretary to Commission

Batherine, Charlotte, Gule, Swann.

I am nurse matron at the R.E. VII Hospital. I remember an operation being performed on the late Arthur Hardy. Either myself or the nurse were always on duty, but it was utterly impossible for either of us to be continually in the ward with the patient. After the operation I received no instructions from Doctor Chadwick or Doctor Skerrett, that patient was not to be left alone, it is an understood thing that nurses do not leave patients till they come round. I remained with patient as much as I could. The Nurse on night watch remained with Hardy as much as she could, but other times she had other patients to see to. During the day I visited the ward constantly. From the sitting room in the Hospital any sound in the wards could be distinctly heard. I fitted a roller-towel pulley on bed day after operation. I put it on to please patient, he was too weak to use pulley. Mr Hardy's relatives offered to sit up with him, but I said, if I could manage without them I would. The Nurse reported to me that there was some serum and bile on patient's bandage. I reported it to Doctor Chadwick on Saturday morning. Doctor Chadwick took out the supporting stitches on Saturday morning. On Saturday afternoon the patient was quiet, so much so that I made him comfortable for the night after the other patients. This was about 6.30 to 7.0 pm. The patient told me that he felt something wet. After I had everything

ready I took the bandage off and found that the wound was ruptured. On the Friday night the patient was particularly restless. On each occasion when I went to see patient he was quite alright. On one occasion I found a pillow on the floor, the one under his arm had slipped. I do not know on what day, but only on this one occasion. It would be impossible for patient to get urine bottle as it was kept in bed-locker with bed-pan. The bed-pan was never placed on floor for patient to reach. As far as I know patient always used bed-pans, and never soiled sheets. I do not recollect being told by Mrs Hardy that her husband's bandage was undone. I have no knowledge of roller-towel being fastened to Hardy's wrist. I am not aware that patient ever used roller-towel.

L.T. Barnes Sgt.

Secretary to Commission

William Basil Dickson, Sworn.

I stayed with the late Mr. Arthur Hardy on the Sunday night and on the Tuesday night. He was not rambling on the Sunday night. He told me on one or two nights he had been left alone, and that somebody had come and looked round the door, and went away again. I saw nothing fastened on the bed. He said nothing to me about how his operation scar, became ruptured, but complained of a pain in his left side. Miss Hayton visited the ward four or five times during the night. On Tuesday night he said nothing. On the first night I had to sit there with my coat on. It was warmer the second night. He only moved his arms and made no attempt to get up on Sunday night. On Saturday night I offered my services to sit up with Arthur Hardy but the Nurse Matron said I should not be wanted, but if she required me, she would send for me.

L.T. Barnes Esq.

Secretary to Commission

Raymond. Virian Hardy. Sworn.

I am a Nephew of the late Mr. Arthur Hardy.

I am aware that my uncle underwent an operation at the K.E. VII Hospital

The first time I went to see my uncle was between 7 and 8 pm on 1st August.

His wife and sister-in-law were in the ward with my uncle. I sat up on Monday night 2nd August with my uncle. He woke at several times and I attended to his wants, and he then remarked to me, that it was a treat to have someone to attend to him. I did not notice a roller-pulley towel on the bed. Nurse Layton came into the ward at about 11.30 P.M. She gave me no instructions about calling her, if she was required. She visited ward at about 4.0 Am: during the night I felt the cold very much, I was sitting with my overcoat and gloves on and a blanket round my legs. From the distance of the ward my uncle was in, to the Nurses sitting room, I do not think any movement from the bed could be heard.

L.T. Barnes. St.

Secretary to Commission

Mr. Arthur Chadwick, recalled, sworn.

I was at Hospital at about 10-30 on Saturday morning 31st. I dressed the wound and found it alright, with just a slight oozing round the tube. There was a very good union of the wound, otherwise I should not have taken stitches out of wound. I am of the opinion that if patient used roller-towel pulley, he would be liable to strain wound.

I gave Nurse Matron directions that patient was not to be left and that somebody was to remain in the ward with him all the time. I am of the opinion that the Nurse Matron was not justified in removing the bandages on patient until I arrived.

On my visits to the Hospital I noticed the towel pulley, but did not comment on it; as the towel was rolled up at the bottom of the bed, apparently not in use. Had I been consulted on this matter after operation I should have condemned the towel arrangement as being inadvisable after this particular operation.

L.T. Barnes, Esq.

Secretary to Commission

for Gerard A. Merkels, recalled, Sworn.

I found it necessary to have patient propped up in a sitting position owing to difficulty of breathing. It is usually after a Gall-Bladder operation to keep patient flat for about 12 hours. The position he was in might throw very slight strain on wound. the object of keeping patient flat, after a Gall-bladder operation, is for the Gall-bladder to adhere to the wound.

I do not think roller-towel should have been provided for patient to pull himself up. I think that if patient used roller-towel, he would be liable to strain wound and then cause a rupture.

I am of the opinion that Nurse should have remained with patient. I gave no instructions for pulley to be fixed up or supplied,

H. T. Barnes Sgt.

Secretary to Commission

(14)

PORT STANLEY,
FALKLAND ISLANDS,
26th AUGUST 1920.

We have the honour to inform Your Excellency that in accordance with the terms of your Commission dated the 7th day of August 1920, we have made enquiry into the circumstances attending the death of the late Mr. Arthur Haray, who died at the King Edward the Seventh Memorial Hospital, Stanley, on the 4th day of August 1920.

2. We have the honour to transmit herewith a list of the names of the witnesses examined before us together with their evidence.

3. From the evidence taken we are of opinion that the late Mr. Arthur Haray, who was operated on at the King Edward Memorial Hospital on the 26th July 1920, for gall-stones, was left alone a great deal more than was necessary, even when taking into consideration the number of the Hospital Staff. The Medical evidence shows that instructions were issued to the Nursing staff to the effect that the patient was not to be left alone, but the evidence of other witnesses shows that these instructions were not faithfully observed as it is stated that the patient was generally found to be alone.

4. It appears that the Nurse Matron refused outside help when it was proffered from the relations or friends of the patient, with the result that the patient was unnecessarily alone. If relations were considered undesirable, we think that capable outside help could have been procured and considering

considering the mental and physical state of the patient should have been obtained.

5. From the Medical evidence, we are of opinion that the Nurse Matron exceeded her duties by removing the bandage and dressings from the Patient on Saturday evening the 31st July 1920, before being told to do so by the Medical Officer in charge. The removal of the bandage and dressing resulted in the internal organs of the patient becoming exposed for some time and to the patient suffering from consequent shock and exhaustion.

6. It was stated in evidence that after an operation for gall-stones it was usual to keep the patient in a flat position for some hours, but owing to asthma trouble it was found necessary to place Mr. Hardy in a raised position to relieve his breathing which position, it was stated, would throw a slight strain on the operation wound.

7. The Nurse Matron stated in evidence that she fastened a roller towel at foot of the patient's bed to please him. From the Medical evidence on the subject, we are of opinion that the roller towel was unnecessary, as if used by the patient would in all probability throw strain on the operation wound and cause a rupture thereof. Mrs. Arthur Hardy, wife of the patient, stated in evidence that she actually saw her husband pull himself up by pulling on the towel with both hands, thus showing that the patient did use the towel for the purpose of helping himself up.

8. Both Nurses stated that when on duty they use the sitting room instead of sitting in the Ward with

with the patients from which they could hear the slightest sound. After examination of the Hospital, we are of opinion that from the Ward in which the patient was placed to the sitting room occupied by the Nurse on night duty, that it would require considerably more than the movement of the patient in the bed to be heard. In view of the serious condition of the patient, we are of opinion that the Nurse on duty should have remained in the Ward with the patient and not in her sitting room, from which she only made casual visits to the Ward.

9. In her evidence, the wife of the patient stated that on one occasion when visiting her husband she found him alone and his pillows on the floor, we are of opinion that this shows that the patient was not properly attended to.

10. From the evidence taken it would appear that the heating of the hospital (at night) was faulty. If it is necessary to keep up the temperature during the day when the Hospital has no patients to be cared for, how much more necessary should it be, during the winter nights when the wards are occupied - one witness stated that when sitting up with the patient he had to keep on his overcoat and gloves and place a blanket round his knees as the Ward was so cold and another Witness stated that he had to keep his overcoat on while sitting up at night with the patient. It is not to be wondered at that the Nurse on night duty prefers a comfortable chair in a warm room to the Ward of the patient where the mercury in the thermometer was probably near freezing point. We are of opinion that the Officer responsible for the heating of the Hospital should be called upon

to give an explanation as to why the heating was not properly attended to between the nights of the 31st July and the 3rd August last.

II. From the evidence taken we consider as follows:-

(a) That the patient was successfully operated on by Dr.G.A.Herklots on the 26th July 1920, and that he was progressing favourably up to the evening of Saturday the 31st July 1920, when it was discovered that the operation scar was ruptured.

(b) That both Dr.G.A.Herklots and Dr.H. Chadwick (Actg.Colonial Surgeon) did all they possibly could for the patient.

(c) That the Nurse Matron did not carry out the instructions given to her to the effect that the patient was not to be left alone.

(d) That the patient should have had continuous attention, at any rate for the first few days after the operation.

(e) That the Nurse Matron should have obtained Medical assistance before touching the bandage and dressing of the patient on the evening of the 31st July.

(f) That the rupture of the operation scar was caused by some strain which we attribute to:-

(1) The position in which the patient had to be placed to relieve his breathing, which position it was stated in evidence would throw slight strain on the operation wound, and

(2) To the fact that the patient used the roller towel attachment to pull himself up with, thus throwing strain on the operation wound.

(g) That the roller towel was fastened to patients bed so that he could pull himself up without having to call assistance, and not as stated by the Nurse Matron 'to please the patient'.

(h) That the rupture of the operation wound as set out in (f) materially contributed to the patients ultimate

death

death from collapse.

All of which we respectfully submit,

M. Francis Barker
Chairman.

Arthur E. Fulton

E. J. Lawrence

H. T. Barnes, Jr.
Secretary.

26th August 1920.

LIST OF NAMES OF WITNESSES REFERRED TO IN PARA.
2. OF THE REPORT OF THE COMMISSION.

- I. Dr.Hitchon Chadwick, MB. ChB (Vict) Acting
Colonial Surgeon.
2. Mrs.Margaret Hardy (Sister-in-law of late
A.Hardy)
3. Albert Percy Hardy (Brother of late A.Hardy)
- 4.Mrs.Mary Catherine Hardy (Widow of the late
A.Hardy)
- 5.Gerard A.Herklots, M.R.C.S.,L.R.C.P. (Medical
Officer for the Falkland Is.
Co,Ltd, Darwin, E.F.
6. Mary Layton, District Nurse,King Edward VII
Memorial Hospital.
7. Catherine Charlotte Yule,Nurse Matron,King
Edward VII.Memorial Hospital.
- 8.William Basil Dixon (Friend of late A.Hardy)
- 9.Paymond Vivian Hardy (nephew of late A.Hardy)
- IO. Dr.Hitchon Chadwick (recalled)
- II. Dr.Gerard A.Herklots (recalled).

L.T. Paines. S.
Secretary to Commission.

(13)

569/20.

18th September

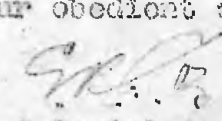
20.

Sir,

With reference to the letter from this office of the 7th August, last, appointing you to be a member of a Commission to enquire into the circumstances attending the death of the late Mr. Arthur Hardy at the King Edward Memorial Hospital, I am directed by the Administrator to convey to you His Excellency's thanks for and appreciation of your work performed in this connection.

I am, Sir,

Your obedient servant,


for Colonial Secretary.

The Honourable,

G. I. Turner,

Stanley.

(14)

569/20.

18th September

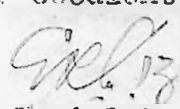
20.

Sir,

With reference to the letter from this office of the 7th August, last, appointing you to be a member of a Commission to enquire into the circumstances attending the death of the late Mr. Arthur Hardy at the King Edward Memorial Hospital, I am directed by the Administrator to convey to you His Excellency's thanks for and appreciation of your work performed in this connection.

I am, Sir,

Your obedient servant,


for Colonial Secretary.

Arthur E. Polton, Esq., J.P.,

Stanley.

(15)
OFFICE OF THE STIPENDIARY MAGISTRATE,

STANLEY, FALKLAND ISLANDS,

OCTOBER 15th 1920.

Sir:

With reference to your letter dated the 13th instant requesting information as to the verdict of an enquiry held on the 9th August last concerning the death of your father, the late Mr. Arthur Hardy, I have the honour to inform you that no Magisterial enquiry was held into the matter but that a Commission of Enquiry was appointed by the Administrator for the purpose of supplying His Excellency with a Report into the circumstances attending the death of the late Mr. Arthur Hardy.

2. I have accordingly forwarded your letter to the Colonial Secretary for submission to the Administrator.

I have the honour to be,

Sir,

Your obedient servant.



Stipendiary Magistrate.

Mr. LESLIE HARDY,

STANLEY BAKERY.

PORT STANLEY.

(16)

Stanley Bakery

Port Stanley

Oct. 13th. 1920

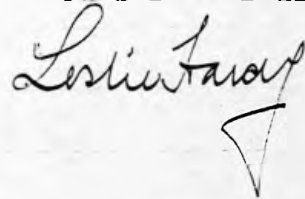
Sir

As eldest son of the late Arthur Hardy I wish to know the verdict of the enquiry held on the 9th. of August last relating to my fathers death

Also the reason for the following :

- (1) A safety pin being put through the aforesaid's bandages and fastened through his flesh.
- (2) The reason why the draing tube which led into his gall was on two occasions out of the bottle under the bed and twisted up in the bedclothes .

Yours Faithfully



The Magistrate

The Police Court

S T A N L E Y

17

MINUTE

Hon.Col.Secretary,

Letter from Mr.Leslie Haray together
with my reply thereto,submitted.

2. I do not know that Mr.L.Haray is entitled
to be furnished with replies to the questions asked by
him. No Magisterial Enquiry was held.

3. The death of the late Mr.Arthur Haray
was registered on a Medical Certificate issued by the
Ag.Colonial Surgeon, had there been no Medical Certificate
then a Coroners Inquisition would have been held.

The Commission of Enquiry appointed by the Administrator
was for the purpose of making Report to His Excellency
into the circumstances attending the death of the
late Mr.A.Haray, and if after reading that Report

His Excellency was satisfied that the Hospital staff did
what they could for the patient then I think it will be
sufficient if Mr.L.Haray can be so informed.

M. Francis Hadden
October 15th 20

569/20.

18th October,

20.

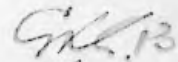
Sir,

I am directed by the Administrator to acknowledge the receipt of your letter of the 13th inst. to the Magistrate, Stanley, concerning the death of your father, the late Mr. Arthur Hardy, and to inform you that from the report of the Commission appointed to enquire into the circumstances attending Mr. Hardy's death, His Excellency is satisfied that no charge of neglect of duty can be brought against any member of the Hospital Staff during the illness of the patient.

I am,

Sir,

Your obedient servant,



For Colonial Secretary.

Mr. Leslie Hardy,
Stanley.

Stanley Bakery

Stanley 19th.1920

Your Excellency

In answer to your letter No.569/20

Your Excellency does not answer my two questions in my letter of the 13th.inst. to which I require an Answer . Also please let me have a copy of all evidence given at the Commission of Enquiry . If I cannot receive any satisfaction in this matter I intend to appeal to another source .

I Am

Sir

Yours Obediently

Lizzie Hardy

His Excellency

The Administrator

Stanley

569/20.

23rd October,

20.

Sir,

I am directed by the Administrator to acknowledge the receipt of your letter of the 18th inst., and to inform you that His Excellency has nothing further to add to the communication already addressed to you in my letter of the 18th October.

I am to request you to address through this office any correspondence you may desire submitted for the consideration of His Excellency.

I am,

Sir,

Your obedient servant,



For Colonial Secretary.

Mr. Leslie Hardy,

Stanley.

Stanley Bakery

Stanley

18/2/1921

Your Excellency

I beg to ask that I might be furnished with a copy of all evidence given also the verdict of the inquiry held on August the 9th last relating to the death of my father (Arthur Hardy) in The King Edward Memorial Hospital on the 4th. of the aforesaid month.

I am

Sir

Yours Obediently

His Excellency the
Governor

S T A N L E Y

Leslie Farley

(22)

569/20

569/20.

23rd February;

21

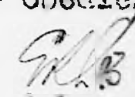
Sir,

I am directed by the Governor to acknowledge the receipt of your letter of the 18th February, and in reply to inform you that His Excellency has nothing further to add to the communication addressed to you from this office on the 23rd October, 1920.

I am,

Sir,

Your obedient servant,



For Colonial Secretary.

Mr. Leslie Hardy,
Stanley.

(23)

27/2/21

Stanley

Sir,

supporting I removed 3 of the 5
deep sutures, on account of the
oedematous condition of the edges of
the wound. This may have been an
accelerating cause of rupture.

I am

Sir

Your devoted servant.

H. Chadwick.

Ast. Col. Surgeon.

To the Hon. Col. Secretary

Dr. Horklots informs me that he
received a fee for performing
the operation in a public ward.

W. M.

27. 2. 21.

(244)

569/20

Stanley Bakery

Stanley

28/2/1921

Your Excellency

With Reference to your letter dated 23/2/21
No. 569/20 Am I to take from this letter that I am refused
to have a copy of the stated evidence . In your letter dated 18th
October 1920 your Excellency states that no charge of neglect c
can be brought against any member of the hospital this can not
be taken as an answer to my letter of the 13th. October
as in my letter I asked two direct questions also to know
the verdict of the inquiry th^{at} latter part is quite ignored
Should I fail to get any satisfaction here in this matter I
intend to lay my case before the Secretary of State for
his consideration .

I Am

Sir

Yours Obediently

Leslie Frank

His Excellency

The Governor

S T Q A N L E Y .

FORM 1.

Falkland Islands.

No.....

THE KING EDWARD VII MEMORIAL HOSPITAL.

(Regulation 11, Form 1.)

STANLEY,

March 10th 1921.

Mr A. Hardy

Debtor to the Government of the Falkland Islands.

For Hospital fees etc.
attendance or Nursing

£ s. d.

~~From~~

To acc rendered

1.7.20

1. 13. 0

..... days @.....

..... weeks @.....

For Extras

Total

£

1. 13. 0

K. E. Dale

Nurse Matron.

Certified for £ 1 s. 13 d. 0

H. W. Deane

Colonial Surgeon.

The amount certified should be paid to the Colonial Surgeon or to the Nurse-Matron without delay.

Stanley Bakery

Stajley

1/3/1921

Dear Madam

Enclosed please find account delivered here
this morning . I do not intend to pay this account until ~~such~~
I receive a copy of the evidence given at the court of
inquiry also the verdict of the court .

Yours Truly

K.C. Yule

Nurse Matron

K.E.M.H.

M. C. Hardy

MINUTE PAPER.

Departmental Number.

From

Date 18 March 1921

To Hon. Colonial Surgeon.

SUBJECT.

Reference
Numbers. }

Sir -

I enclose Invoice form I
which was sent today to
Mr. A. Hardy, and returned to
me with attached letter.

This bill has been rendered
month since 1. 9. 20.

I have to thank you for

Sir,

Yours obedient servant

J. E. Fule.

Nurse Watson

J. E. F. Hospital

569/20.

20th March,

21.

Sir,

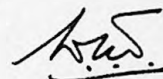
With reference to your letter of the 23th February, respecting the death of your father, Mr. A. Hardy, in the King Edward Memorial Hospital, I am directed by the Governor to inform you that any communication which you may think proper to address to the Secretary of State, will be forwarded without delay.

2. I am to add that three copies of the memorial should be sent in by you.

I am,

Sir,

Your obedient servant,



Ag. Colonial Secretary.

Mr. Leslie Hardy,

Stanley.