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Book Review

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Book Reviews

*Reviewed by Albert Averbach**

THE HEART AND THE LAW, by Elliot L. Sagall, M.D. and Barry C. Reed, LL.B. The MacMillan Company, New York, N. Y. (1968). 842 pp. \$28.00.

It is amazing how much trial lawyers know about the fine points of skiing, golfing, fishing, swimming, tennis, the advantages and disadvantages of owning certain makes of automobiles, and many other esoteric subjects. But the vast majority of trial lawyers are woefully deficient in knowledge of the master organ of the human body—the heart and the cardiovascular system.

It has been estimated that in 70 years of life the heart beats two billion, seven hundred million times and that during this period of time it pumps three hundred eighty million quarts of blood. The heart works to provide a continuous and uninterrupted flow of blood to the body, which it does by squeezing blood into the arteries in regular rhythmic beats, approximately 70 each minute. Day and night, from birth to death, the pumping never stops. Five quarts of blood spurt from each ventricle at high speed and high pressure every minute. Stress and excitement can force the heart to beat three times as fast, and to triple the action of every beat. The cardiovascular system of the human body, with its arteries, arterioles, capillaries, venules, and veins, covers an estimated 60,000 miles within the body. In this vast complex, blood, under pressure of the heart's pumping action makes continuous round trips all day long. In a single day, the heart pumps ten pints of blood in the average adult body, through more than 1,000 complete circuits, thus actually pushing, by pumping action, 5,000 to 6,000 quarts a day in all.

The public has recently been subjected to heart drawings, descriptions, talks and sophisticated articles in mass media magazines, on TV and on radio as a result of the recent wave of heart transplant operations. The American Medical Association has published a pamphlet reprinted from *Today's Health*, which is found in most of the waiting rooms of physicians, entitled *The Heart: The Perpetual Motion Pump*.

Trial lawyers who need to know more about this most important subject, however, seem to be, in the main, totally unconcerned about such articles. It is a great service, therefore, to the trial bar of America that Dr. Elliot L. Sagall of Boston, a noted cardiologist, internist and instructor of medicine in the Harvard Medical School, together with Barry C. Reed, formerly trial counsel for the Aetna Casualty & Surety

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Company, and presently one of Boston's leading trial attorneys, have combined their accumulated wisdom and experience in some 3,000 litigated heart cases in the new work, *The Heart and the Law*.

I have read it from cover to cover with absolute fascination. The authors make crystal clear a very complex subject, utilizing medical illustrations, photographs, x-rays, electrocardiograms, diagrams, autopsy reports, hospital records, death certificates and other source material. A.L.R. annotations, bibliographies, and court decisions are supplied as supplementary material to each chapter heading. Unquestionably, this book belongs in every trial lawyer's library if he handles tort cases, workmen's compensation claims, insurance policy litigation, or malpractice cases, or if he is at all interested in the function of the human heart.

This volume consists of 48 chapters with valuable appendices, medical glossaries, and tables. I especially recommend to those practitioners who are interested in the proper handling of malpractice cases Chapter Six, dealing with cardiac arrest. Also of special interest to the trial lawyer are those chapters involving areas of cardiac litigation, covering Workman's Compensation; actions in tort; Social Security disability; "heart laws" and other public disability and retirement statutes; medical malpractice involving the heart; criminal law; maritime law; the Federal Employers Liability Act; causation; demonstrative evidence; courtroom use of medical treatises; disability evaluation in cardiac claims; and medical and legal assessments.

If I had to pinpoint only one chapter of this fantastic depository of knowledge that is alone worth the price of the book, I would select that dealing with heart disorder due to emotional distress.

I recommend this book without reservation. It is extremely well-written, brimming with worthwhile suggestions and, above all, medically as well as legally authoritative.