

scription calling for dandelion. A small portion of the medicine was administered to the plaintiff, and she suffered injury therefrom. It was held that the defendant was responsible for the injury without any privity of contract, because he committed an act of negligence imminently dangerous to the lives of others.

The intestate, who was suffering from diarrhoea, went, at the advice of a friend, to a drug store to procure ten cents worth of "black draught," a comparatively harmless drug, of which he intended to take as a dose, a small glassful. The druggist's clerk testified that he came to the store and asked the proprietor, the defendant, for ten cents worth of "black drops;" that defendant told him that that was a poison, that the dose was 10 to 12 drops, and advised him to take another mixture; that he refused, and the clerk, by the defendant's directions, gave him two drachms of "black drops" in a bottle, with a label having those two words written on it, but nothing to indicate the dose or that it was poison. The intestate took the bottle home, drank almost all its contents, and died from the effects thereof. It was held error to nonsuit the plaintiff, who sought to recover for intestate's death, but that the case should have been submitted to the jury on the question of whether defendant was not guilty of negligence in failing to place on the bottle a label shewing that its contents were poisonous.

*Smith v. Hayes* was a case of a druggist selling belladonna for dandelion, and in which he was held liable to the customer, who was injured as a result.

*Failure to Dilute.*—It has been held to be an act of negligence for a druggist to give one who asks for something to wash out a wound, a solution of carbolic acid so strong that it burns the flesh and turns it black, and that the person to whom it is given is not guilty of contributory negligence in using it.

The plaintiff ordered of the clerk in charge of defendant's drug department, for immediate use, a dose of aromatic spirits of ammonia. She drank the same "and became immediately poisoned, and her mouth and throat and other internal digestive organs became burned and inflamed," etc. An expert witness called by the plaintiff testified that each particular discomfort which plaintiff testified