

THE VALUE OF CHILDREN.

First, let us look at the value of children piece-meal, or rather what persons injuring portions of their little human forms divine have had to pay for their negligences and ignorances. A boy, seven years old was kicked by a horse, and had his eye, skull, and brain so badly hurt that the witnesses' at the trial considered he would never be able to earn his own living; and they were right, for the poor little chap died nine days after the trial. The jury gave him £150 as a slight compensation; the owner of the horse not liking to pay that sum applied for a new trial, but the Court did not consider the damages excessive, and would not interfere.—*Kramer v. Waymark*, L. R., 1 Ex. 241.

A child of two years was wandering about a railway track when it was struck by an iron horse, and was so injured that a leg and a hand were lost. The jury, when asked to assess the damages, gave \$1,800 as a recompense. ("Redfield on Railways," vol. 2, p. 243, n.) Surely this little trot could not have brought more gain to its parents if it had been actually born with the legendary silver spoon in its mouth. This valuable child dwelt in Connecticut.

Out in Missouri a boy lost his hand through a defect in a moulding machine, and upon suing the owner, who was also his employer, he recovered \$1,000. The Court sustained the verdict.—*McMillan v. Union Press-Buck Works*, 6 Mo. App. 434. Little Mangan, an English boy, had nothing like the same good fortune, although his misfortune was very similar. He was a small school-boy of four summers, and when passing homewards one day was induced, by a brother of the more mature age of seven, to put his fingers into a machine for crushing oil-cake that was standing unguarded beside the road. Another mischievous little wretch turned the handle and round went the wheels; the chubby fingers were seized and badly crushed, so that three of them had to be amputated. The owner of the machine was sued for negligence in allowing it to stand so exposed, and at

the trial the sight of the fingerless and maimed little hand could only induce the twelve honest-hearted jurors to give a verdict of £10 in favor of the boy. Even this pittance Mangan was not able to get because the Court held that the defendant was not liable for the injury, as it was caused by the act of the plaintiff and the boy who turned the handle.—*Mangan v. Atherton*, 4 H. and C. 388; L.R. 1 Ex. 239.

Another little boy in England, aged five years, was equally unfortunate. Being too young to take care of himself his granny went with him to Velvet Hall Station, to take the train to Berwick-upon-Tweed. After getting their tickets, on crossing a track they were struck by a freight train, the old lady was killed and the child severely injured. An action was brought for these injuries to the lad, and the jury awarded £20. The Court, however, set aside the verdict as the jury had found that the grandmother had been guilty of negligence, without which the accident could not have happened; and the Court considered that the infant was so identified with the grandmother that the action could not be maintained, her carelessness being a sufficient answer to the claim.

Waite v. N. E. Ry., El. Bl. & El. 719. In Mississippi a man had to pay \$100 for merely whipping a child of five, who had, however, assaulted in a violent and brutal manner (so saith the reporter) the whipper's only child, an infant of eighteen months.—*Lowell v. McDonald*, 58 Miss. 251. In Massachusetts a Miss of thirteen winters recovered damages to the extent of \$5,000 against a railway company for an injury to an arm; and then when she was of age her father sued the company for the loss, occasioned by the selfsame accident, of her services during minority, and he obtained \$500 to compensate himself wherewith.—*Wilton v. Middlesex, Ry.* 125 Mass. 130. The gentler sex is highly prized in New England, judging by this and the Connecticut case. Boys, however, at least in the