

stated that laudanum was kept in nearly every house in the city, and expressed his opinion that it was not a poison within the meaning of the statute. Several druggists gave evidence to the effect that certain precautions were taken in selling laudanum to parties with whom they were not acquainted, and the counsel for the prosecution contended that such being the case it clearly showed that they considered it a deadly poison, and besides, some of the medical men stated that instances of death resulting from an overdose of laudanum were not of unfrequent occurrence.

The Police Magistrate decided against the defendant, but his counsel announced their intention of appealing in this case to a higher court.

If the druggists are to be held to the strict letter of the law in regard to the sale of laudanum, because it is a poison in large doses, a great inconvenience will be experienced by the public. Any medicinal substance is poison when taken in excessive doses as well as laudanum, and we do not see why the sale of the latter should be prohibited to persons who know its use and its appropriate dose. It does not cause immediate death, and is, therefore, *not a deadly poison* within the meaning of statute.

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### SUITS FOR MALPRACTICE.

The results of Suits for Malpractice are not only unfortunate for the Defendants, but also incidentally injurious to the medical profession, by impairing public confidence in the skill and integrity of its members.

The injustice which is sometimes done is not owing to mistakes in the law, as laid down by the judges, but to misapprehension of the facts by juries, who are *notoriously stupid and unjust*.

The foundation of the liability of the medical man for Malpractice rests on the principles of the law of contracts. In assuming the practice of his profession, he implies that he is possessed of *ordinary skill*, and that he will use it with all reasonable diligence and care in the treatment of disease.

These are conditions which are assumed in all trades and professions requiring skill, and are no more rigid and exacting in the case of the medical man than any other, but the degree of care and skill required by law is in proportion to the delicacy and difficulty of the ser-