

while the outer membrane or envelope is reflected so that there is left a space between the two envelopes or membranes. This space surrounds the heart, and the space between the two envelopes is called the pericardium inside of which inflammation may take place, which is like pleurisy, and which is called pericarditis, these envelopes or membranes may come together and form adhesions which affect the action of the heart especially when the patient makes any exertion.

"Whereas the defendant has examined five medical men, three of them surgeons and experts, the same as those of plaintiff, and their evidence is directly at variance with the evidence of the plaintiff's said experts, and they further state that the plaintiff's heart is in a perfectly normal condition, and that the plaintiff is not suffering from any incapacity whatever.

"Considering that this evidence was given very careful examination by the said experts on each side, and shortly in each case before giving their evidence.

"Considering that it is impossible for the Court to appreciate this evidence and determine which of the medical experts are right and which are wrong, and in consequence the Court is obliged to set aside and disregard the whole of the medical evidence in the case."

En appel:

*M. le juge Gervais.* L'appelante soutient, en résumé devant cette cour, que l'accident en question n'a eu pour l'intimé que des résultats éphémères; qu'il est guéri de toute suite de l'accident; qu'il est maintenant capable de travailler.

L'intimé, de son côté, s'appuyant sur les allégations de sa demande, les dires de ses témoins, ses propres dires,