

present had arisen in consequence of Mr. Norris Black advising that the girl should attain her growth before he saw whether it was possible to make her an artificial arm. He contended from the evidence that an attempt ought to have been made to save the finger and thumb, or at all events the forearm, and argued from the amputation taking place above the elbow, that due forethought and skill had not been exercised. He submitted that there should be less hesitation now than formerly to perform a second amputation, if there was a reasonable chance of making the limb serviceable by first cutting low down, owing to chloroform saving the shock to the system and removing altogether the sense of pain and suffering. He believed that the amputation had been made above the elbow because it was an easier operation than to operate below, where there were two bones instead of one, as above.

The learned Judge, in summing up, said all that could be required of a professional man was a fair and reasonable amount of skill. Owing to the lapse of time, there was some difficulty, and even Dr. Hill could not give a full account of the transactions, for that reason. All the medical men concluded that amputation was necessary, and the only question was whether it was wrong to cut so high up. The jury had to say whether they were satisfied the treatment in cutting above the elbow joint was of such character as to be unskillful, and on this point they must consider that no evidence was brought forward to show the defendant was unskillful, except it might be so inferred from this case, and many of the most eminent medical men in the Province gave it as their opinion that he had acted skillfully, and that any other course might have endangered life. If they found for the plaintiff, they had to say what the amount of damages should be—determining the extent of the injury she had sustained by the cutting being above instead of below.

Mr. J. H. Cameron desired the learned Judge to note he objected that his Lordship should have told the Jury there was no evidence of negligence, and if they had any doubt as to the alleged want of skill, they should give the defendant the benefit of it.

The jury then retired, and shortly after returned a verdict for plaintiff and \$250 damages.—*Stratford Paper.*