

on account of the illness of Dr. Conerty. Then followed an argument in Toronto to alter order for adjournment. This was not granted. Finally in May last the case went to trial again and the action was dismissed by Justice McMahon. In giving his judgment the judge went very fully into the evidence submitted and closed a very exhaustive and critical resume of the case in the following words :—" Now, having regard to the treatment Dr. Conerty prescribed, which as he told Mrs. Kempffer could only be carried out by the boy being brought to his surgery for treatment, one cannot say that the present condition of the thumb is owing to the want of skill on the doctor's part. Whatever neglect there was, was not his neglect, and from the evidence of Mrs. Kempffer herself it is quite apparent that the doctor was finding fault with her for not making the boy keep his appointment in going to the surgery for treatment. That is borne out also by the evidence of the house-keeper, Mrs. Hunter, who says that she was present on one occasion when Mrs. Kempffer brought the boy there, and that the doctor was much dissatisfied with the condition in which the boy's hand was, and told Mrs. Kempffer that no progress towards a cure could be expected owing to the neglect of the father and mother in seeing that the boy came regularly for treatment. The findings I have made exonerates the defendant from the charge of a want of skill or care. The reduction of the fracture was perfect, and the condition in which the thumb is now found arises from want of care and attention on the part of the parents of the boy, and of the boy himself in not submitting to and following out the defendant's instructions. The action will therefore be dismissed."

Thus, we see in these four cases the doctors were exonerated from blame and the actions against them dismissed. So far this must be satisfactory to them and to their professional brethren. But think of the worry, anxiety and expense occasioned these gentlemen by these actions, which by the result of the trials were shown to be baseless. No practitioner can tell when a similar action may be brought against himself, and this too, notwithstanding all the skill, care and attention he may be-