

Court of Appeals where the case now stands for argument. We expect a decision from this court before the end of the year, as the case is on the list for argument during the present session, and let us hope the decision may be favorable.

NOTES—The contention of the Plaintiff is that the sore on the boy's arm was produced by a splint.

We know the cause as stated. The fall, causing devitalization of tissues, and subsequently infection, and we further declare that owing to the location of the sore, it is impossible to produce such by means of a splint.

The deformity, which is slight, is due to cicatricial contraction in the process of healing rather than to any peculiar art in bandaging, as alleged by the plaintiffs. There would never have been any contraction had there not been neglect on the part of the plaintiff (from Oct. 7 to Nov. 16) allowing the sore to become deeply infected by pus organisms with consequent loss of tissue.

The plaintiff is a worthless fellow, Judgment Summons proof who at the time he began the action was under an order of commitment to jail for debt. No matter, therefore, how successful we may be in defending, we must pay the costs of defence.

Just a word about settlement. During the first days of the proceedings we offered (rather than spend money in litigation) to take the boy and place him in a hospital, public or private, and operate on his hand or otherwise treat it, in order to restore its usefulness, provided we could have absolute control of him while under treatment. They would not accept this unless we gave them a guarantee. We, of course, could not guarantee anything.

I presume at the time \$200 would have settled the case, but I considered that such a course would not only be unjust to the profession, but particularly so to myself.

While it would have been much better for me financially to have settled, yet in doing so I would only be encouraging a class of unprincipled and irresponsible fellows who are after plunder rather than the benefits of our earnest efforts in their behalf.

It is true, and I have experienced the force of it, that when confronted by all the annoyances of protracted litigation, the enormous expenses, which many of us can so ill afford, besides the injury to our professional standing, etc., the first suggestion