

house till three o'clock," in reply to plaintiff, when asking him what time he went out.

When three o'clock came and no message was received, the Dr. went to the House of Industry where he is required to be every Tuesday and Friday at three o'clock, and in view of which engagement he declined to mention an hour when he would be at plaintiff's. Having attended to his duties there he drove directly to Hunter's, which is about *four minutes walk* from the House of Industry, and about the same distance from his own office.

On arrival at the plaintiff's, he found that instead of sending for him again, they had called in some one else, Hunter saying, "they had got another Doctor," but without mentioning his name; and the defendant found a person who was a total stranger to him, sitting by the bedside, where he showed every disposition to remain. Dr. Ogden, seeing his desire to retain the case, said he would leave it in his hands, as there was no occasion for both to remain," but as plaintiff urged the defendant to "wait and see," he repeated several times the statement that there was no occasion for both to remain, till, finally, the gentleman who was in attendance, got up from his chair, saying, "perhaps they would rather he would go away and leave the case in Dr. Ogden's hands," whereupon the plaintiff's wife replied, "No, we don't mean that, but we want Dr. Ogden to remain, too."

Defendant says, when he thus saw they only wanted him to stay and watch, and the other gentleman appeared to be doing all that was necessary, he left the house.

Now it appears from the evidence that the case was one of foot presentation, and the gentleman who was called in brought down the feet, one of which, he says, was so hitched on the perineum, as to arrest labor, while the other was thrust out of the vulva. Having delivered the body, he allowed the head to remain in the pelvis for half-an-hour, where it still was—with the cord pulsating—at the time Dr. Ogden left the house, although defendant says he had no opportunity of verifying the statement.

After Dr. Ogden left, the child was delivered dead, and some weeks after labor, insanity, which had clearly manifested itself during gestation, and which was proved to be hereditary, developed itself again in a very mild form.