

and applied something out of a small phial over the eruption; the eruption got some better under this treatment. On Thursday last got an ointment from Dr. — to rub his head with; the Doctor said it would bring out pimples over the other eruption; got some written directions, which were the following, written and signed by Dr. —: "Use the medicine in the bottle and jug the same as before." "After shaving their heads as I directed, rub a small quantity of the ointment over, two or three times a day." His father shaved the head on Saturday last, and the ointment was applied as directed over the raw surface of the scalp; the boy was then in his usual state of health when this ointment was applied; the ointment smarted him after it was applied; the ointment was rubbed three times over the scalp, twice on Saturday and once on Sunday. On Monday morning about breakfast time, his father went to the bedside to see him, as he thought he was sleeping too long, and he found him dead; on Sunday he seemed as if he could not keep awake; he was like to fall off the chair; never saw him before in that way.

"William Konkwright, the father of the children, sworn — The children were to all appearance in their general health before the application of the ointment ordered by Dr. —, their medical attendant; after the ointment had been rubbed on their heads, for twenty-four hours the heads were greatly swollen, the ointment had been applied four or five times before the head came out in one mass of sores; before Dr. — came in to see the patients, when they were so ill; heard him say that they had surely got some poisoned nuts dug up some way; did not exactly recollect the precise words used, something to that effect *about poison*; the boys were not out to get poisoned nuts that he could know of."

"Dr. —, the medical attendant, stated that he had used the ointment of tartrate of antimony for the tinea capitis on the children's heads; the strength would be fifteen grains to the ounce of lard; not sure whether it was fifteen grains or twenty to the ounce of lard, thinks it was fifteen."

The other evidence was of similar import in as far as the application of the ointment producing severe inflammatory action was concerned.

Verdict of the jury, "Death from the improper treatment of Dr. —."

A warrant of apprehension was issued for Dr. —, who was held to bail to appear at the next criminal assizes.