

evidence of the want of ordinary and reasonable care and skill such as the circumstances would permit; and though those circumstances do not seem to me to require a resort to the defence that the treatment adopted was at the request of the patient, I cannot shut my eyes to the fact, that such a request, and made in the most earnest manner is clearly proved; and I do not see in such a case how the operation of the maxim *valenti non fit injuria* is to be avoided. In case of doubt—I would for the sake of the public—take the most lenient view of the conduct of professional men in all such cases as these, otherwise we should be exposed very naturally, in cases of such severe accident, to the refusal of Surgeons to take the responsibility of attending.

The judgment of the Court is as follows:

Considering that the Plaintiff has failed to establish by sufficient evidence that in the Surgical treatment by the Defendant of the fracture of the right thigh bone of Martha Gleason, the Plaintiff's wife, there was absence of ordinary and reasonable care and skill, and further that it is established in evidence, that such treatment was, and by the Plaintiff and his said wife hath been acknowledged to be careful, skilful and, under the circumstances successful beyond their hopes, and that any shortening of the limb beyond what is usual in such cases must, according to the evidence of record be attributed to a treatment rendered necessary by the condition of health of the Plaintiff's wife, and adopted at her own request, doth dismiss the said Plaintiff's action with costs dis-traits to Messrs. Cornell & Racicot, Attornies for Defendant.

Messrs. O'Halloran and Baker, Attornies for Plaintiff; Hon. Christopher Dunkin, Q. C., Counsel for Plaintiff. Messrs. Cornell & Racicot, Attornies for Defendant; G. C. V. Buchanan, Esq., Counsel for the Defendant.

DEATH OF DR. M. H. COLLIS OF DUBLIN.

It is with deep regret we this month chronicle the sad and sudden death of the gentleman whose name heads this notice. On Monday, the 22nd of March last, Dr. Collis removed, at the Meath Hospital, an upper jaw for a cancerous tumor, and in doing so punctured his finger. Nothing more was thought of the occurrence till Wednesday morning when he was seized with a severe rigor. Other symptoms of blood poisoning soon followed, and eventually secondary pneumonia supervened from which he died at an early hour on Sunday morning. Dr. Collis was pre-eminent-ly one of the rising men in Dublin, and his sudden death leaves a blank, not easily filled. He had made numerous contributions to the medical