

removed both ovaries and tubes. In a few weeks the enlarged gland began to diminish in size, the pain to abate and, at the end of three months, no vestige of either remained. At present, five months after the oöphorectomy, she is apparently free from the disease and in the enjoyment of good health. In this case, ten operations in all were performed for the breast disease, four of which were of a rather severe character, and it is to be hoped her courage and fortitude may be rewarded by what seems at present to be a complete cure.

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### KEMPFFER V CONERTY.

**B**EFORE the Hon. Mr. Justice MacMahon, at Perth, Wednesday the 30th day of April, 1902.

This case was set down for trial in the spring of 1898, B. B. Osler, Q. C., for defendant and Watson for plaintiff. An adjournment was granted owing to absence of a medical witness for plaintiff. Following this was an argument in Toronto, regarding costs, which was decided in favor of defendant. Then in the fall of the same year the case again came down for trial, with the result that, after a three days fight, the defendant obtained a non-suit and judgment for costs. Appeal was made from this decision to the Divisional Court, where the plaintiff was granted a new trial and defendant ordered to pay costs to date. On advice of defendants counsel, the late B. B. Osler, an appeal was made from this decision to the Court of Appeal, where after a long delay a very nice decision was given. A new trial was still granted the plaintiff but a strong recommendation was made that the judge at the trial should take the case without a jury, also that all costs must stand until the final disposition of the case by the trial judge. The case was set down for new trial in the spring of 1901, but owing to the illness of Dr. King, who was a witness on the case on behalf of the plaintiff a postponement was obtained.

Again the case was on the list for trial at the Fall Assizes but was again postponed owing to illness of defendant. After this an argument in Toronto *re* request of plaintiff to alter order for adjournment—not sustained. Then on May last both parties appeared to be ready and the case went to trial with the result as shewn in the Judgment of Justice MacMahon.

### JUDGMENT.

This case has been very thoroughly discussed, and the points have all been elaborated with great care by counsel on either side, with their