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Editorial.

HOSPITAL RESPONSIBILITY.

WE quoted, last week, a case in which an action had been brought against an American Hospital, for mal-praxis and damages, to the extent of \$50,000, or rather more than £10,000, were claimed on the pretence that a boy who had been a patient in the Hospital, and whose leg had been removed, had lost that member in consequence of the incompetence of the Hospital surgeons and nurses. The judge dismissed the case on the ground that the Hospital being a charitable Institution, the laws of New York State do not permit an action to lie against it in the Courts of Law. The case, therefore, was not tried upon its merits. We have, within the last year, heard

of several such cases as coming before tribunals in the United States, but in no instance was a verdict given against the Hospital. So far as we remember, at this present moment, no similar case has been raised in this country. Perhaps the struggle here is not quite so keen after the almighty dollar as it is amongst our Transatlantic cousins. It may be, also, that a livelier sense of gratitude exists in the United Kingdom, on the part of the sick poor, towards the charitable Institutions which exist for their benefit. Still, it is a possibility, which might always come to pass, that some litigious person should commence legal proceedings against a Hospital on the grounds of mal-praxis, on some such, or even more flimsy, excuse than was alleged in the case to which we refer. It would then become an interesting point, and one which we believe has never been raised in this country before, as to whether medical or surgical treatment at a Hospital is privileged in so far as to protect the staff and the Institution from legal proceedings against them, as seems to be the case in the United States. We are inclined to believe that this is not the case.

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