

HAWKINS V. MCGEE

Supreme Court of New Hampshire
84 N.H. 114, 146 A. 641 (1929)

Assumpsit against a surgeon for breach of an alleged warranty of the success of an operation. Trial by jury. [A \$3,000] Verdict for the plaintiff. The writ also contained a count in negligence upon which a nonsuit was ordered, without exception.

BRANCH, J.

The operation in question consisted in the removal of a considerable

operation he would give the plaintiff a very good hand." It may be conceded, as the defendant contends, that, before the question of the