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# JUST WHAT YOU ARE WORTH

Estimates Based on Awards in Personal Injury Cases.

VALUATIONS VARY IN THE COURTS

Possible, but Not Probable, to Receive Injury Awards Amounting to Quarter of a Million—Making Cripples is Costly.

A live cripple is worth more than a perfect dead man. In other words, it is cheaper to kill a man than to cripple him. So say the courts and the juries, the statutory limit of damages that may be collected for death being \$10,000, while there is no limit to the damages which a jury may assess for a personal injury.

Putting it even more forcibly, a man crippled and injured in twenty-two different parts of the body is worth legally and in dollars and cents just \$24,230, as against a dead man appraised at \$10,000. This is rather a cold-blooded way of putting it, but awards that have been made for various parts of the crippled yet living body prove that is the truth.

Your widow might possibly collect \$10,000 if you were killed under the wheels of a street car or run over by an automobile. The circumstances of the accident would influence the minds of the twelve men selected to award the damages, or the mind of the judge, if the case was decided by him.

But suppose that your memory has been impaired by a violent blow on the head, due to a fall from a car that had been started before your foot had left the platform. One New York jury recently gave a wife \$10,000 to compensate her for the loss of her husband's memory. An even more forcible reminder that this state of affairs—one of the cruel conclusions of modern society—is given in this astonishing table, which proves how much a man's body is worth, if he does not happen to be killed:

Injury.	Amount Awarded.
Head.....	\$15,000
Eye.....	14,000
Hearing.....	14,000
Nose.....	200
Jaw.....	15,000
Shoulder.....	7,500
Arm.....	15,000
Wrist.....	1,200
Finger.....	4,000
Hand.....	11,000
Side.....	19,000
Heart.....	2,000
Spine.....	20,000
Back.....	18,000
Rib.....	10,000
Hip.....	16,000
Thigh.....	10,000
Leg.....	14,000
Knee.....	8,500
Ankle.....	4,000
Foot.....	10,000
Rupture.....	11,000
Total.....	\$242,230

## Balm for Pain.

If it were possible for a man to sustain all of these damages, and some men have nearly run that gamut, he should recover the total of nearly a quarter of a million dollars. The man who could sustain all of these injuries would certainly be almost a physical wreck. Although a mere "balm of bones" in a literal sense, he would be wealthy, but probably full of "pain and suffering" for the rest of his life.

Sometimes mere "pain and suffering" brings an award of \$7,000 in damages, and a Texas court in the case of the Gulf Railroad Company against Chelton awarded a sum of \$5,000 for physical disabilities. Speaking of getting rich by getting injured suggests that if a man, while young, could begin to sustain the list of injuries given in the table and recover at various periods, all antedating the next injury, he might live to enjoy the fruits of his strangely acquired fortune. That would be making money out of humanity, with a vengeance. The world could certainly be said to have "killed such a man a living."

Yet if this man had been killed by the first accident his next of kin would have been lucky if they had obtained a verdict of \$10,000, the ultimate that the law permits to be collected for a life. Even the memory is rated at more than life. In the case of Stewart, a Long Island railroad, the skull of a young woman was fractured in an accident. The jury decided that it was due to the negligence of the employee and for the loss of memory that resulted from the injury, which experts thought might be permanent, she was awarded \$18,000 and the court of final review considered the verdict was not excessive. This phase of the worth of a live man's crippled body, adjudged from the damage to the different parts, presents a curious study in jurisprudence.

A man's eyesight, for instance, has not been deemed as valuable as his memory. In a Minnesota case, a man whose right eye had been wholly blind by damage sustained in a wreck and whose left eye was declared by expert testimony, to be nine-tenths damaged, collected \$14,000, in some states the value of the eye differs. Illinois eyes only brought \$9,000, and both were rendered totally blind. In Texas, total blindness as the result of a railway accident, received a reward of \$7,500.

Broken noses came rather low in the scale of values. Not only was the nose of a man named Crockett smashed flat, but his teeth were knocked out, yet a Texas jury only gave him solace of \$330. The verdict probably was reached by compromise. It is a serious thing to break a man's jaw, when it is done in California. One Boyce sued the California Stage company for breaking his jaw and dislocating his shoulder blade. Although Boyce was a laborer, the jury gave him \$18,500. A man's shoulder was judicially valued at \$7,500 by a Colorado court, a young woman's arm, broken in a New York railway accident, brought a collection of \$18,000. The arm could not be straightened out and was incapable of perfect movement. An arm brought \$18,000 in an Illinois court, because the loss of the arm was coupled with intense suffering on the part of the man who had lost it.

A Texas railroad man, who proved that but for the loss of an arm he would have been promoted, received \$14,000. The juries seem to take into consideration the effect a man's injuries are likely to have on his earning capacity. An injury to the wrist which caused a New York man to keep his hand in a plaster cast for five weeks was valued at \$1,300, but an Iowa man, whose hand was injured in a railroad wreck recovered \$11,000. He was regularly employed at the time of the accident and, although his salary was only \$50 a year, he was in line for regular promotion.

## Sentiment Counts.

Injuries to the heart may be physical as well as sentimental. A California man, who was so mashed in a wreck that he contracted heart disease, was awarded \$2,000 damages. The plaintiff, Morris, was 75 years of age, but he was in good health before the accident. He also had extensive business interests, which suffered by reason of the injury to his health. Two different Texas courts have assessed injuries to the spine at \$20,000. This award, made first in the case of one Mass against a railroad company, seemed to establish a precedent, for the same award was made later in the case of Cooke against a telegraph company.

Woodbury, a physician, whose practice was worth \$2,500 a year, received an injury to his back which shook up his entire



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Don't pay \$4 for spring and outing trousers, while we sell the latest capers, peg tops and all, at \$1.95. These in grays, tans, olives, blues, etc. Then, too, at 95c we offer pants plenty good enough for every-day wear.

**More of those nobby Men's Shoes at \$2.49—they're \$3.50 kinds**

We've revised the Men's Shoe business of Omaha. Where formerly a man paid \$3.50 he now comes here and secures an equal and in many cases a better shoe at merely \$2.49. See the late high toe lasts—and the newest oxfords.

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nervous system, so that he was not able to look after his patients. He collected \$15,000 from the District of Columbia. The legal value of a fractured rib has been placed at \$5,000. A man named Clark received twice that sum from the Brooklyn Heights railway company for two broken ribs and consequent pleurisy and nervous tremors.

When we get into the list of hips and legs the damages mount very rapidly. An Alabama court awarded one Crowder \$15,000 for a fractured hip joint. A pilot who sustained a broken thigh while taking a trolley trip in New York was given \$10,000. The court of review declared that the verdict was within reason. But out in Iowa a man who had his thigh broken in two places only collected \$7,000. Partial paralysis and permanent disablement of a leg brought \$30,000 in the shape of a verdict from a sympathetic jury. The plaintiff was a business man, 36 years of age, who was unable to walk for three years, and after ten years his leg had only one-fourth its power. A Wisconsin jury paid the same sum to a man named Heddes, who had both his legs amputated as the result of a railway accident. A commercial traveler collected \$4,000 from a company that smashed one of his knees. The drummer had been earning \$100 a month and his earning capacity had been impaired.

## Vagaries of Juries.

One Texas man, who earned \$210 a day, suffered the smashing of one of his ankles and he collected \$4,000, although it was stated that he would not be able to earn the same amount again in his lifetime, and the same amount was collected by a young woman for fracture of the ankle and foot. A foot, however, is worth more than an ankle. A railway engineer named Ashley, whose foot was so badly mangled that it was amputated, collected a verdict of \$16,000 from a railway company. The jury may

have taken his earning capacity into consideration, since he was drawing wages of \$175 a month.

A big toe was officially placed at \$2,000 by a Chicago jury, in a very odd personal damage suit. A South Side man named Stanley went to a chiropodist, but the treatment was fatal to Stanley's big toe. The jury defied the jokes of the defendant and brought in the verdict. The step from toes to "physical wrecks" is a long one, and it is a wide one in the amounts of damages that juries have allowed. For instance, in Texas and Minnesota, the verdicts have been widely apart. A Texas jury gave a man in this condition \$10,000, while the northern jury permitted the victim, almost a helpless cripple, to collect \$25,000. Dr. Shelton, another Texas plaintiff, was given a verdict of \$38,000 against a railroad company that had left him a helpless cripple.

Loss of services of a minor has an established value in the minds of juries. In the case of one minor son who was so seriously injured that he could not work for nineteen months the jury gave the parent \$1,027, which was less than \$5 a month, although the testimony showed that the young man was earning \$20 a month. A man 45 years of age, who was earning \$30 a month was so badly hurt that he was unable to earn anything. He obtained a verdict of \$16,500 against a Chicago street car company.

"Pain and suffering" has been appraised at \$7,000 by an Iowa court, which awarded that amount to a child who was injured in a railway wreck. One Texas jury made a railway company pay \$2,000 for "injured feelings," in the case of a woman passenger who had a row with the conductor over her ticket. The official did not think the ticket was properly signed and threatened to put the passenger off the train unless she put up her watch and chain as security for her fare. Nothing is said in the report as to what the railway company did to the conductor.

**Pushing a Large Job.**

If a man could have all these things happen to him and keep all the suits that were necessary going at the same time, he probably would collect at least a \$250,000, but in the natural course of court grind he probably would be as old as Methuselah before he collected the last of them, and then ready to die. Although it may not be ethical for lawyers to take these personal damage suits on a contingent fee, most of them follow this rule. Many times they take half the sum allowed by the verdict, and when the verdict runs as high as \$15,000 and \$25,000, it does not take long for a lawyer to make a large income.

Securing a large verdict in a personal injury case is not always the chief aim of the lawyer. It is not a difficult thing to work on the sympathies of a jury and get heavy damages against a corporation. The attorney who takes this kind of case must keep the higher courts in mind all the time. The point of view of these upper courts is such that sentiment is lost in the pure legal reasoning. The attorney must guard against errors and watch himself at every step of the procedure that the clever opposing counsel does not find a flaw upon which to ask for a retrial.

Aside from the interesting histories of personal damage cases, the valuations that have been placed on different parts of a human being's anatomy are amusing, even though the cases are indeed serious to the victims and their families. Yet, despite the wide diversity in the values that have been placed on the different members of the living victim's body, the way in which

they range is remarkably sound, since if you take the damage that was assessed for loss of memory at \$18,000 as against that given for a foot, or the amount given for a spine as contrasted with that awarded for a hand, the verdicts seem to accord with the usefulness of the members and the extent of the injury as it affects the general health of the victims—St. Louis Republic.

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railroad mileage of Great Britain, France, and Germany combined. When side tracks are taken into account, we have more railroad mileage than all the rest of the world. On these railroads we have 100,000 engines, carrying millions of cars and hauling 2,000,000,000 tons of freight. This practically equals all the tonnage carried by all the railroads and ships of all the rest of the world. This monstrous task is performed by 5,000,000 of employees who are yearly paid \$2,500,000,000, and this vast business is conducted by \$100,000,000 of bank clearances. Do we prosper? Only two decades ago we were second to Great Britain in the output of iron and steel. Today our output equals all the rest of the world. We live well and have happy homes, filled with comforts and luxuries. Yet we are a saving people. We have in savings banks \$2,500,000,000, in national banks \$1,500,000,000, and in state banks \$5,000,000,000—in all, \$11,000,000,000. The per capita of money in the country is larger than in any other save one, France; and amounts to \$35 for each of our 80,000,000 people. The business of the country amounts to over \$100,000,000,000 annually. How do we do such a monstrous business which is also profitable? It is because we have confidence in ourselves and the other nations of the globe have confidence in us—Vice President Sherman in Leslie's Weekly.

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