

practitioner is also required in his certificate to specify the facts on which he has formed that opinion, distinguishing the facts observed by himself from the facts communicated by others. These certificates are produced, and shew examination by Dr. Crawford and Dr. Needy, both of Brockville.

In August, 1913, the patient was given into the custody of his father as a probationer under sec. 30 of the statute then in force, 3 and 4 Geo. IV. ch. 83, which permits the inmate of an asylum to "be committed for a time to the custody of his friends . . . upon receiving a written undertaking in the prescribed form by one or more of the friends of such person that he or they will keep an oversight over him."

The father coming to the conclusion that his son ought to be recommitted to an asylum, some correspondence took place with reference to placing him in a private institution; but it resulted in a telephone message desiring his re-committal to Brockville. In pursuance of this, a warrant was issued, and he was taken again to Brockville, where he now is. The production of his body on the return of the writ having been dispensed with, by the direction of Mr. Justice Lennox the writ was granted. Dr. Mitchell, superintendent of the asylum, stated that in his opinion, from the facts told him by the father, he had come to the conclusion that the patient had become dangerous to be at large.

Section 31 of the statute provides for re-commitment of a probationer who becomes dangerous to be at large; the warrant to be issued by the superintendent by whom the temporary discharge was granted. This implies that it is the superintendent who is to be satisfied of that which appears to be a condition precedent to the re-committal, namely, that the patient is dangerous to be at large.

It may well be that the effect of this is to make the judgment of the superintendent final and conclusive, and that it is incapable of review upon the return of the writ.

Dr. Mitchell further certifies that this unfortunate young man is now receiving special treatment consistent with the mental trouble he is suffering from, and that in his opinion this treatment would be much more beneficial to him in the asylum than if the treatment should be discontinued and the patient be at large. Dr. Mitchell further certifies that