

opinion solely on the medical testimony as adduced by the Crown, conveniently overlooking the fact of the extent of the injury to the bone as well as the soft part. We can only say that, to our mind, supposition of the bursting of a varix occasioning so great an amount of injury is wild and extravagant, and should have been at once discarded. The Judge in this unfortunate case appears to have objected to Dr. Worthington's evidence as being positive and dogmatic.

Medical evidence before a Court of justice consists of testimony on questions of fact and on matters of opinion. A witness in giving skilled testimony is expected to be decided and positive, else his testimony is of nothing worth; he must base his opinion on such facts as are before him; he is not partisan, but should give his evidence fearlessly and freely, and that evidence, if within the bounds of common sense, should be respected. We presume it is the duty of a Judge to see justice fairly and honestly administered; but, in doing so, he can surely have no right to descend from his high position and asperse the character and professional standing of a skilled witness.

* * * *

The above was in type before the announcement of the death of the Honorable Mr. Justice Short, which has just reached us by telegraph, and, at first, we contemplated its suppression; but, on second consideration, we deem it a duty to our professional brethren to publish it, not so much as referring to the unfortunate personal differences which existed between two estimable gentlemen, but as vindicating a great principle involved. We have before expressed regret that conflicting medical testimony is too often seen in the Court-room. Such a course is alone calculated to lower the character and standing of our profession. With regard to the pamphlet before us, it is written in a mild and gentlemanly tone, and we must say that, after having perused the Judge's charge, which was published in the *Sherbrooke Gazette*, Dr. Worthington, in our opinion, was bound to reply in self-defence, inasmuch as that charge, as reported, was calculated to injure the professional standing of Dr. Worthington and place him in the light of an incompetent and unreliable man.

ROCKWOOD LUNATIC ASYLUM.

We have received the report of this Asylum for the year 1870, which is drawn up in an able manner by the somewhat recently-appointed Medical Superintendent, Dr. John R. Dickson. In a plain, emphatic style, he tells the commissioners what he has accomplished since his assumption to office, and for which we think him entitled to much credit. He pleads strongly for the removal of the connection between the Asylum