

614.23

K591

ART. X.—Medical Evidence in the Wellington Street Murder case. By Wm. H. HINGSTON, M.D., L.R.C.S.E. &c.

Within the last few days the very unedifying, and latterly too frequent spectacle has been witnessed at one of our Courts of Justice, of several medical men, two of them the principal witnesses in the case, stating an opinion concerning the death of a woman said to have been murdered by her husband; and of an equal number of other medical gentlemen, equal in social and professional respectability, bringing forward a theory totally conflicting.

Were these eight gentlemen members of rival schools—disciples of Stahl Hoffmann, Hahnemann or Prusnitz on the one hand; or of Cullen on the other—a key might be found to unlock the mystery, but 'tis not so—all disciples of the same school—all deriving their information from the same sources probably—all having opportunities of verifying or rectifying any preconceived views, varied and extensive. One, the *doyen* of the profession in Montreal; four, professors in two respectable and friendly schools; one, physician to one of our largest hospitals; another, house surgeon to the same; and one, the writer, bearing no higher title than that of a medical practitioner.

The whole thinking public has become a talking public, and remarks, not at all complimentary to the disciples of Esculapius, have been freely indulged in. The members of a profession hitherto always treated with respect in investigations requiring their aid, have been censured for having mystified what was plain, and medical evidence generally, such as is forthcoming upon similar occasions; stigmatized by the presiding judge, as having obtained such proportions as to have become here, as in England, a nuisance to which it was high time to put a stop. The following is a report of the case.

COURT OF QUEEN'S BENCH.—HON. JUSTICE ATLWIN, PRESIDING.

FRIDAY, Jan. 13th 1860.

The Court opened at 10 o'clock. A mixed jury was sworn in the case of James Connell charged with having, on the 24th of May last, in this City, murdered his wife, *Eleanor Nolan*.

Mr. Johnson, Q.C., conducted the prosecution: Mr. Devlin, with Mr. Morin, for the defence.

Mr. Johnson opened the case, by narrating briefly the circumstances to the jury. The first witness examined was,

James Brennan.—Lived in the same house with the prisoner, in Wellington Street. Knew the deceased. On Monday evening he smashed all the delf and was arrested shortly afterwards, there was nothing but quarrelling from that until the day she died. During that interval I often had to come down out of my room at night to save her, having heard her cries of murder. I saw him kicking her about the shins and thighs and also saw him catch her between the breast and stomach, and twist her by the flesh and then punch her with his fist about the body. This was about two or three days