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THE MEDICAL EVIDENCE IN THE CASE OF THE QUEEN AGAINST JAMES CONNELL FOR THE MURDER OF HIS WIFE.

An incident occurred during the trial of this case which we feel bound to notice. It will be remembered, that certain medical evidence was adduced to establish a probability that Mrs. Connell died of Apoplexy, an opinion which we apprehend there will be little difficulty in justifying, notwithstanding Dr. Hingston's lengthy communication on the subject, which we have admitted into this number of our Journal. The medical gentlemen, who stated upon oath that such was their common opinion, were Drs. Wolfred Nelson, Peltier, Craik and Hall; and it will, we think, be admitted, that the *status* of these parties respectively, was such as should, at the least, have secured for them courteous consideration, not only from the Crown prosecutor, F. Johnson, Esq., but also from the Bench. Strange to say, however, that notwithstanding the grey hairs of one, and the unquestionable qualifications of all, they were flippantly taunted as "young aspirants for fame" by Mr. Johnson, which words were adopted by His Honor Mr. Justice Aylwin, who also took occasion to remark upon the "scandal," which in these latter days was often occasioned in Courts of Justice by contradictory medical testimony, and finally disposed of the evidence in question by the somewhat undignified remark, that "it was not worth a snap of his finger," suiting at the same time the action to the word.

It should be known, that while the medical gentlemen whom we have named were being thus treated, because they presumed to differ from the medical evidence given in support of the prosecution, the Queen's Counsel had actually secured the attendance during the whole trial of two medical men, Drs. Jones and Beaubien, for the express purpose of giving their judgment on the case as developed in open Court. Surely, it was not predetermined that the testimony of these gentlemen should have been *in favour of the prosecution;* and if not, in what a position would they have found themselves, had they, like Dr. Nelson and others, differed from Drs. Hingston and Howard who deposed that the woman died from personal violence, a conclusion at which they were unable to arrive until the very day of the trial, eight months after the decease of the woman! They would have been actually rebuked by the very parties, who had retained them to give, no doubt, a conscientious opinion.

We respectfully submit, that the course pursued by the learned Judge and Queen's Counsel in this matter was entirely at fault. Either medical witnesses