

THE GOVERNOR GENERAL.

The present week has been marked by a change of Governor General, but to us an incident of this nature has only social and historical significance. It has less effect upon the money market than a slight attack of indigestion suffered by a railway magnate has upon the susceptible financial pulse of our republican neighbours. The Marquis of Lorne and the Princess Louise leave our shores with the respect and good wishes of all. They have done much during the last five years to dispel the misconceptions about Canada which existed on the other side of the Atlantic. The Marquis of Lansdowne, who has assumed the administration, is of distinguished ancestry, and unblemished reputation. He has already had considerable experience in state affairs, and although he may not have the wit and brilliancy of a Dufferin there can be no doubt that he will fill with dignity and tact the office which he has been pleased to accept. His Excellency speaks with purity both the languages in use in our country. This has been noticed by the daily journals as though it were remarkable that an English peer should speak French with a pure accent. The circumstance is far from unusual among educated Englishmen, and in the case of the Marquis his connection on the maternal side with the Comte de Flahaut makes it quite natural that he should be conversant with the French language.

NEW BOOKS.

INSANITY, considered in its Medico-Legal Relations, by T. R. Buckham, A.M., M.D.—J. B. Lippencott & Co., Philadelphia, Publishers.

Dr. Buckham explains in his preface that the chief objects in view in this work were "to point out the pernicious uncertainty of verdicts in insanity trials, with the hope that by arousing attention to the magnitude of the evil, at least some of the more objectionable features of our medical jurisprudence may be removed; to faithfully call attention to the more prominent causes of that uncertainty; and, with the most friendly feelings for both my own and the legal profession, to criticise severely, and to censure when necessary, not the individuals, but the

system which has made insanity trials a reproach to courts, lawyers, and the medical profession." The author supports the "Physical Media theory," *i. e.*, that in this life the mind is wholly dependent for the manifestation of its operations on certain organs of the body designated physical media. Insanity, in his view, may correctly be defined as follows:—"A diseased or disordered condition, or malformation, of the physical organs through which the mind receives impressions, or manifests its operations, by which the will and judgment are impaired, and the conduct rendered irrational." And, as a corollary, it is laid down that insanity being the result of physical disease, it is a matter of fact to be determined by medical experts, not a matter of law to be decided by legal tests and maxims. The medical experts here referred to are those who have made a special study of the subject, not general practitioners, the calling of the latter to give evidence in insanity cases being strongly denounced. We have indicated the scope of the work before us. It is well known that the ordinary tests of insanity have not worked satisfactorily in the past. As an eminent specialist (Dr. Maudsley) has said, "were the issue to be decided by tossing up a shilling it could hardly be more uncertain." Dr. Buckham is entitled to an attentive hearing. He has treated his subject in an interesting manner, all technicalities being avoided, and the time expended in the perusal of his work will not be wasted.

NOTES OF CASES.**COURT OF QUEEN'S BENCH.**

MONTREAL, September 24, 1883.

DORION, C. J., MONK, RAMSAY, TESSIER and CROSS, JJ.

FLETCHER (plff. below), Appellant, & THE MUTUAL FIRE INSURANCE CO. FOR STANSTEAD & SHERBROOKE COS. (defts. below), Respondents.

Procedure—Jury Trial—Motion for judgment on the verdict.

The motion for judgment on the verdict, in a civil case, can only be opposed by means of a motion for a new trial, a motion in arrest of