

## RE MONTGOMERY ESTATE—MIDDLETON, J.—Nov. 15.

*Lunatic—Statutory Committee—Jurisdiction.*—Application for an order sanctioning a settlement between the Minister of Justice and the Inspector of Prisons and Public Charities acting as statutory committee of Frances A. Towner, now confined in a public asylum. Judgment: This unfortunate lady has not been declared a lunatic; and I am of opinion that the statute relating to lunatics—9 Edw. VII. ch. 37, does not give the Court any authority over lunatics or their estates unless and until an order has been made by the Court declaring insanity. By the statute relating to public lunatic asylums, R.S.O. 1897 ch. 317, sec. 53, the Inspector of Prisons and Public Charities is ex officio the committee of every lunatic who has no other committee; but I do not think that this brings him under the jurisdiction of the Court over the committees of lunatics conferred by 9 Edw. VII. The committee there referred to is not the statutory committee, but the committee appointed by the Court. The Court, therefore, has no jurisdiction in the premises; but I trust it may be found that the very wide powers conferred upon the statutory committee by the Revised Statutes may be found wide enough to authorise his approval of what appears to be a very reasonable arrangement. F. Aylesworth, for the Inspector of Prisons and Public Charities.