

quoting those of the code itself, which are thus concisely expressed:—

“Qu’il n’est pas valable s’il n’a été donné que par erreur, ou s’il a été extorqué par violence ou surpris par dol. La violence existe, encore qu’elle ait été exercée par un tiers autre que celui au profit du quel la convention avait été faite, et non-seulement lorsqu’elle l’a été exercée sur la partie contractante, mais encore lorsqu’elle la été sur l’époux, l’épouse, les descendans ou ascendans: il y a violence lorsqu’elle est de nature à faire impression sur une personne raisonnable, et qu’elle peut lui inspirer la crainte d’exposer sa personne, ou sa fortune à un mal considérable et présent. On a égard, en cette matière, à l’âge, au sexe, et à la condition des personnes. Il y a dol lorsque les manœuvres pratiquées par l’une des parties sont telles, qu’il est évident que sans ces manœuvres l’autre partie n’aurait pas contracté.”

Previous to my concluding this article, I cannot omit coinciding with many others, on the erroneous idea, that insane persons are incapable of exerting the powers of reason. On this, although my opportunities of acquiring the most ample information must be limited compared to Medical attendants of European Asylums whose extensive means for observation have been followed by the publication of facts, yet, I may be allowed to add, that, which has occurred within my own range of experience.

It may yet meet the recollection of many, that some time ago, I communicated to my friend, Doctor Hacket of Quebec, the extraordinary case of abstinence of forty three days in a man, named *Rochet*, of *Sorel*, which was published in the provincial and United States papers—the possibility of this case, I need not add, was proved by the deposition of persons who surrounded almost constantly the bed of the patient.—Since that time he has laboured with little intermission under the most uncommon excitement and alienation of mind, followed sometimes to a furious state, during which few can escape his violence—he is even totally forgetful of his wife, children, friends, and all those but a few years ago, so dear to him. Having had occasion a few days ago to visit a gentleman in the neighbourhood I met with *Rochet*, in whom I recognized every external characteristic of the madman. His favorite address of *Père Eternel*, unfortunately escaped my memory, I therefore welcomed him by his name *Rochet*, for which, with a stick in his hand, he struck me several times on the arms, muttering in the mean time, words, touching his authority of chastising every one, who dared an insult to him; a large cane was however near me, and with it by loud threats he was immediately quieted. In the evening I called again, when I found him rational, and even amusing. He seemed to regret his violence to me, and with some contrition begged my pardon. I took advantage of that state to introduce his *long* abstinence. On this, he appeared pleased, and was much interested in my observations, and he related the case with the same preciseness, I had already done in my letter to Doctor Hacket. He still, however, retained the fear of being poisoned by his wife; and spoke much upon the folly of a man advanced as he was in years (being 83) of having married a young woman, and very rationally impressed me with the precepts of a man not only indebted to years for experience in the world, but of having once possessed a more than an ordinary capacity of mind. He was