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## EDITORIAL

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### INSANITY IN ITS LEGAL ASPECTS.

Such is the title under which Mr. Justice W. R. Riddell contributes an article to the pages of the January issue of the *Bulletin* of the Ontario Hospitals for the Insane. The article is a most timely one, and we take pleasure in offering our readers its salient features.

Mr. Justice Riddell directs attention to one who is found by a policeman and a doctor. The person is suspected of having committed a burglary, and he has sustained a broken leg. The policeman is concerned with the crime, the doctor with the injury. Each has his own special viewpoint for the case. If a clergyman came along he would be interested in the man's spiritual welfare, which would not likely appeal to either the policeman or the doctor. The presence of the broken leg would not in the least influence the course of the law as to the disposal of the case so far as the burglary is concerned.

Then attention is invited to the man who is insane. The doctor sees one who is sick and requires treatment. This aspect of the case does not concern the law or the court. It is simply, does the man's mind enable him to know the quality of his actions and distinguish any act as wrong? He may be insane, but many insane persons have made legal contracts and are responsible for crimes they may commit.

If a man makes a will and he disposes of his property in such a manner as to be reasonable, to be fair, and to the persons that one would be disposed to expect he would remember, and that there is an absence of evidence of undue influence, the will must be regarded as valid. He may be insane, but not so insane as not to know what he would wish to have done with his goods. The presence of delusions does not at all decide the matter against the legality of the will.

In a similar manner a man may commit a crime and be responsible, though at the time insane. "If a man suffers from disease of the mind to such an extent as to render him incapable of appreciating the nature