

he did owe \$2,000, and it might be more, all of which he has since paid except perhaps \$40 or \$50. The land was subject then to a mortgage to Crawford, on which stood unpaid \$2,784.32, and there was a lien on the barn for lumber, amounting to \$400.

There was also a borrowing in the name of the wife of \$2,400, which was paid by her. Upon this footing, and roughly speaking, his total assets in March, 1903, would be about \$21,000; his liabilities not less than \$10,000. So that the donation of \$5,000 to his wife would subtract about half his total substance.

The wife applied the funds derived from her husband in paying off the Crawford mortgage, being the \$2,784.32, and took an assignment to herself on 14th April, 1905; she also paid off the \$2,400 to the Sovereign Bank out of this donation with some money borrowed from one Black, and took a mortgage from her husband on the farm to secure it, dated 22nd October, 1906. She thus held two mortgages on the 200-acre farm, amounting in all to \$5,184.32. Next she borrowed \$1,500 from Miss Rous, and applied this to buy from her husband his equity of redemption in the land for \$300, and the whole of the chattels and farm stock for \$1,200, and took a release of the one and a bill of sale of the other on 12th February, 1908.

According to the evidence, the husband had been a farmer the most of his life, with occasional excursions into deals and speculations, some of which were profitable, but the last one proved disastrous. He speaks of being engaged in litigation about oil lands in 1903. He had some mining operations, as to which he moralised that "farmers do not succeed in going into mining, especially if getting old." He had a lumber deal in 1904, out of which he took some \$8,000, and finally, in January and February, 1905, his activities were directed to oil lands and leases in Essex, and he went to Detroit to consult and to co-operate with one Boerth. A plan was formed to organise a syndicate, which took shape definitely on 13th April, 1905, when Cook obtained a transfer of various interests and options in oil lands in Essex as "trustee" for the people who were to join him. Before this, in the earlier months of the year, he had been absent from home for weeks at a time, as his wife knew, at Detroit and in the west, and he was then, after discussion with Boerth, looking over the country, and, when the roads were fit for driving, going out to see the properties and then buying