

So that I cannot think that anyone can, having in mind the evidence adduced before the Divisional Court, conscientiously and reasonably assert that the supposed lunatic is capable of managing himself or his affairs. No one yet, as witness or Judge, said so; and if either had, the facts would shew the inaccuracy of it. It was argued that it was not necessary that the man should be physically capable of managing his affairs or even himself, that it was enough if he could employ others to do that for him; a contention that no one will dispute if it means that it is enough if he can manage his servant and agents, those who manage for him; but the contrary of that ability is proved in the way he has permitted his wife to despoil him of his whole available property, and in his belief that it is all yet his own, in his own name and under his sole control, and that, if not, he has been robbed of it; and in his want of understanding as to his means and where deposited or by whom held. In order that there may be no misunderstanding as to his pitiable state of mind in regard to these things I take up the time necessary to read some extracts from his statement to the Judges:—

“Q. Who owns the farm now? A. I own it.

Q. In your own right? A. In my own right.

Q. You have not parted with it to anybody? A. No, I never would part with it.

Q. You have not given it away to anybody? A. No.

Q. I was told you had given that property away? A. Well, whoever told you, told you an untruth.

Q. I was told you made a deed of it to your wife? A. Well, I may have given it to the wife for all I know, but I have no recollection of it.

Q. Somebody said you gave her this house. Is that true? Have you any recollection of that? A. I might just have hinted it to her, but she hasn't got it yet, I don't think. I don't think she would have it that way, anyway.

Q. You have no recollection of having deeded to your wife the house we are now speaking in? A. No, I may have hinted to her, you know, that when I drop out of the world that all that I own would be hers. There is the only way. Whoever has told you that has exaggerated.

Q. But you have never actually signed any deed? A. No.

Q. To her? A. No, not yet. I have signed nothing to her yet.