

Mr. Justice Leitch: "Have you any objection to that?"

Mr. McEvoy (counsel for the defendant): "None whatever."

Evidence was then given by three medical men that the plaintiff's wife was incurably insane; that she would never be any better, having been in the Asylum since May, 1911. This evidence was given, of course, on the motion of the plaintiff to postpone.

Thereupon the following took place according to the reporter's notes:—

Mr. Justice Leitch: "Well, do you think any good purpose would be served by adjourning this case?"

Mr. Cameron: "Well, of course, this last witness says her memory would be good; and the other two doctors only say she had hallucinations. These last two witnesses both say the only hallucination she had was that about voices."

Mr. Justice Leitch: "Well, you cannot go on, can you?"

Mr. Cameron: "I do not see how we can. I would suggest adjourning to the winter assizes at Toronto. She may be all right by that time."

Mr. Justice Leitch: "With reference to your statement that she is a dope fiend and an alcohol fiend, what was she like when she made those charges?"

Mr. Cameron: "She was all right when she made those charges."

Mr. Justice Leitch: "In the face of that order that Mr. McEvoy has read, and in the face of the witnesses that you have called—Dr. Bruce Smith and Dr. Foster and Dr. Clair—in the face of all the evidence, I would not keep that charge hanging over any man."

Mr. Cameron: "I submit we are entitled to an adjournment."

Mr. Justice Leitch: "I will not adjourn it. If you want to try it, you must go on and try it."

Mr. Cameron: "Then, are these particulars of the 20th November properly delivered, or is the case dead except as to the particulars of 1907?"

Mr. Justice Leitch: "The particulars in compliance with the order were the particulars of 1907."

Mr. Cameron: "Well, the plaintiff abandons these particulars, and says that he and his wife were not in Toronto in 1907. I understand that the defence will be confined to the particulars that were delivered properly and in time."

Mr. Justice Leitch: "The evidence will be confined to the particulars dated the 7th November, 1912. Those were the