widely dilated. On remarking this, he said, "A rascally oculist said it was syphilis. Why, I never had it"

He became more quiet on the whole under the hyoscyamine. His speech became markedly thick and slow, and the tremor of the tongue and lips was excessive. He lost a few pounds in weight. In December he was beginning to gain flesh and strength, but his memory was weak.

He took three hours to write a short note, and then was dissatisfied, and hesitating about its going to its destination. An inquisition was held, and he was found to be of unsound mind.

By January 20th, when a large carbuncle formed on his neck, he was in a quiet, weak-minded state, with still ideas of grandeur.

The carbuncle became larger and deeper, and in the end extended from the ligamentum nuchæ to a level with the spinous process of the scapula, and from one scapula to the other.

There was no sugar in the urine.

Feb. 5th.—The carbuncle had left a large raw surface, which was rapidly granulating. Mental improvement was marked, and memory much better. He wrote letters fairly rapidly, and quite sensibly. Pupils as before.

He passed his urine involuntarily at times at night, or when asleep in a chair.

March 20th.—The neck had now healed, and about a week later he was sent to our convalescent establishment at Witley; and on May 3rd he went on leave of absence, and was discharged well enough for home on May 29th.

Since then I have seen him once, and though the irregularity of the pupils persists, and his speech is somewhat hesitating, and he has tremor of the eyes and tongue, yet he is so well that no one would now do more than suspect some cause of nervousness.

OCCASIONAL NOTES OF THE QUARTER.

Baker v. Baker and Others.

The case of Mordaunt v. Moncreiffe raised, our readers will remember, the very important question whether the insanity of the respondent in a divorce suit should preclude the petitioner from going on with his suit. The Judge of the Divorce Court and the majority of the Judges in the full Court of Probate and Divorce did not hesitate in arriving at an affirmative decision on the point. Against this ruling Sir Charles Mordaunt appealed to the House of Lords, which gave judgment in the opposite way, enabling him to prosecute successfully his suit for a divorce.

The same question, under a different aspect, has been again at issue before the Divorce Court, and decided without any perplexity or uncertainty. In the last number of the Journal we gave the particulars of this case (Notes and News), but our space did not allow of comment. The suit was instituted by the committee of William Baker, a person of unsound mind, so found by inquisition, for dissolution of marriage with the respondent by reason of her adultery with the co-respondents. The respondent denied the adultery, and also demurred to the petition on the broad question whether it was competent for any one to institute, on behalf of a husband who was incapacitated by insanity from giving his assent to it, a suit for the dissolution of the lunatic's marriage. It was equally contended whether there was a distinction between the case of a lunatic being made a respondent in a suit of dissolution of marriage (Mordaunt v. Moncreiffe), and that of a committee of a lunatic bringing such a suit on the lunatic's behalf; whether, in other words, to the proposition that a lunatic may be sued in such an action, it was a corollary that a lunatic may sue.

The President of the Court, Sir James Hannen, delivered judgment, being of opinion that the decision of the House of Lords in Mordaunt v. Moncreiffe was, by necessary implication, binding upon him, and that, therefore, the insanity of a husband or wife was not a bar to a suit by the committee for the dissolution of the lunatic's marriage.

From this judgment the respondent appealed to the full Court of Probate and Divorce, and the appeal was dismissed, Lord Coleridge stating, with the concurrence of Sir R. J. Phillimore, that it was clear that the case fell within the principle laid down by the House of Lords in Mordaunt v. Moncreiffe, on which alone was based the decision given by the learned President; and, as that was the judgment of the highest authority, he was bound to follow it.

That a committee of a lunatic may, under certain circumstances of a different nature, institute a suit on his behalf for dissolution of marriage has been a point settled in various cases, the leading one being that of the Earl of Portsmouth by his Committee v. the Countess of Portsmouth, where marriage solemnised *de facto*, under circumstances of a clandestine character, inferring fraud and circumvention, was pronounced null and void. Undoubtedly the reason for prosecution is different when adultery is the cause set forth for dissolution of marriage, but this difference in no wise affects the right of the committee to bring such a suit on the lunatic's behalf, so long as an acknowledged illegal incident exists to invalidate the contract of marriage. These considerations, however, did not guide the Court in the case of Baker v. Baker, sufficient reason being implicitly found in the more recent decision in the House of Lords in Mordaunt v. Moncreiffe to decide the case, on first instance and appeal, against the respondent.

The same law obtains in France, although divorce in the sense of separation *a vinculo matrimonii* does not exist. Separation *a mensa et toro* may be pronounced in the case of adultery of the wife on the demand of the committee of the lunatic husband. As it is the duty of the committee or tutor to take charge of the person and interests of the latter, it is regarded as a sequence that he must protect him against his wife. The committee, then, in other countries besides England has the power to interfere in a parallel case to that of Baker —the separation *a toro* permitting of the disownment, should it be needful, of a child born to the wife so separated.

It seems, indeed, legitimate that, if a lunatic can be made a respondent in a divorce suit, his committee could also exert the right, if need be, of instituting such suit on his behalf; and therefore the principle laid down by the House of Lords in the Mordaunt case necessarily applies to that of Baker. However, there is no similarity between the essential circumstances respectively connected with both, nor in the manner in which they stand in reference to their common judgment, for in one it is not proven that injury might not have been done by the decision to the insane respondent, whereas the probability of this contingency in the case of the other respondent and co-respondents is very remote, if not impossible, since nothing prevented them answering for themselves and opposing the necessary evidence to the charges brought against them. The question is, whether the injury above referred to may not be avoided by the judicial weighing of the evidence against the lunatic, as it would be, for instance, very unjust upon a husband whose insane wife was guilty of unfaithfulness to force him to acknowledge as his own her adulterous offspring.

Sir James Hannen showed how a wife might be left in possession of property settled on her by her now lunatic husband, and how consequently she and her paramour might enjoy it without his participation, and how she might even exercise powers of appointment in his and her illegitimate children's favour. Thus titles and lands might be actually made to descend to them, and the husband, smitten by madness, be powerless to interpose. No one can deny that this would be an intolerable wrong—not, indeed, adding insult to injury, but injury to insult. The only possible circumstance that can be urged on the other side—that is to say, against a Chancery patient's committee acting on his behalf, is that it is just possible a lunatic husband might on his recovery bitterly complain that he had been deprived of his wife. The husband may say he would have forgiven his wife—nay, he may demur to the evidence brought against her; and thus the unfortunate committee may get no thanks for his pains—rather blows. These are clearly alternative difficulties, but the balance is clearly in favour of the conclusion arrived at—that a committee may act *in loco lunatici* in cases of alleged adultery as well as in others of a different kind.

An injury, it is said, may be done by women confessing crimes of which they are not guilty, and it is urged that we cannot foresee what a judge or a jury may consider sufficient grounds to justify the acceptance of a woman's self-accusation prompted really by delusions. How strongly these latter may carry the appearance of reality is no doubt exemplified by the well-known case which happened in London not many years ago, and in which a dentist became almost the victim of the memoranda kept by one of his female patients, noting the places and details of the illicit interviews that in her delusions she had imagined to have had with him, and which were produced as facts and circumstances in proof of her charges of adultery against him. Moreover, it is said that, once the law is enacted that the insanity of a husband or wife is no bar to his or her prosecution for divorce, what safety has the insane wife for not being accused by a wicked husband of having violated the marriage relations in order to cast her off and either marry another woman or relieve himself of her further maintenance and care? What remedy, it is asked, is left to the child unjustly stigmatised as illegitimate, if its mother, continuing in a state of insanity till her death, has no chance to demonstrate the true nature of the insane confession of an adultery which she had never committed?

But the real answer to all this is that, as in the Mordaunt case, so in others of a similar kind—and in such instances as Baker v. Baker—the verdict will depend upon the evidence of adultery quite independently of the accusations made by the party accused; in fact, the very contention of insanity which alone brings them into the category of cases of the particular description under discussion, renders self-accusation suspicious, if not altogether inadmissible. The danger lies in those cases in which insanity is not recognised and delusions are mistaken for real occurrences.

The right to institute such a suit as that of Baker v. Baker and Others admits now of no controversy, while there is every reason to suppose that the adverse judgment to the respondent was delivered upon evidence, which neither she nor the co-respondents were able to disprove.

Vaso-dilator Function of the Sympathetic.

Communications recently presented by MM. Dastre and Morat to the Academy of Sciences, and the Biological Society of Paris, establish a hitherto disputed function of the sympathetic, which obviously bears on medical psychology.

In 1858 Claude Bernard, after his experiments upon the nerves supplying the sub-maxillary gland, regarded the