in the lady herself, but only in members of her family. The Sheriff Substitute had held that these averments were irrelevant, and that the defender had no case. The defender appealed. The procedure of the Scottish courts is a little difficult to follow. The appeal was allowed and the case sent for trial, but at the same time the Court of Appeal abstained from saying whether the plea was relevant or no. —Court of Session, June 8th.—*Scotsman*, Jan. 10th.

Redfern v. *Gough.*

Joseph Lamb, the testator, was admitted into Cheadle Asylum in 1891, and was discharged therefrom in March, 1892. Shortly afterwards, finding that his mind was again becoming affected, he voluntarily returned to the Asylum, where he remained. In March, 1894, he was desirous of making a will, and Drs. Rayner and Scowcroft were of opinion that he was competent to do so. The will was correctly made and executed in the Asylum. It was now admitted to probate by Mr. Justice Barnes.—*Manchester Guardian*, Nov. 18th.

REPORTED BY DR. PERCY SMITH.

Bedford v. *Jackson.*

The following case, in which a will made by a patient while insane was upset and probate of an earlier will was granted, seems worthy of record, if only for the fact that at the formal trial in the Probate Division of the High Court no attempt was made to dispute the evidence of insanity or to uphold the will made while the patient was insane.

H. B—, æt. 86, was said to have been "eccentric" for years; to have been in the habit of going out always with an umbrella up, so that people should not see him, and on one occasion to have wired to his brother, asking him if he were of sound mind, when there was no reason to doubt this.

He had some property, which he managed jointly with his brother and nephew (a solicitor), but which the latter managed for him from 1892 to 1896. During this period the "eccentricity" continued. He used to keep the blinds down in the front of his house and the front door permanently shut. He used to keep one part of the house entirely to himself, only allowing the servant in for cleaning purposes, and then locking himself in. People used to call him "the old lunatic," and at one time he spoke of complaining to the justices about this.

By a will made June 22nd, 1892, he benefited his relatives, and there was nothing unreasonable in its contents.

In 1896 he changed in his manner to his nephew, who, on visiting him, found that he locked himself in his rooms, and that it was very difficult to obtain access to him. He asked his nephew if he was "better," and said, "You have been mentally afflicted," though there was no reason for this. He ceased to pay the share of rents received to his nephew, on the ground that the latter could not give a valid receipt, and this continued for three years.

In March, 1899, his nephew visited him at the express request of the rector of the parish, as his condition was becoming notorious. When his nephew appeared he called him an "impostor," and on his nephew's visiting-card, which was afterwards found among his effects, he had written "from an impostor, March, 1899." He also called his nephew and the latter's brother "thieves and lunatics," and then shut himself up in his room.

On July 2nd he is said to have stood in the road shouting out that the passers-by were "lunatics." He had a hammer in his hand, with which he was striking the doors and fences. He is said also to have called ladies "whores and prostitutes." About this time he also violently assaulted an old man, and had to be forcibly removed from him.

On July 3rd he went to a new solicitor, having quarrelled with the one who had acted for him before, and made a new will, ignoring his relatives and leaving his property to charities.

On July 12th, having become more excited and violent, he was certified, and was sent to the Holloway Sanatorium. While there the excitement passed off, but he continued to be insane; did not realise the nature of the institution, nor that he was under medical care; continued to believe that his brother and his nephew

https://doi.org/10.1192/bjp.46.193.391-a Published online by Cambridge University Press

were insane, and when the latter visited him said he was an impostor. He also said that the person who visited him there (the nephew) was not the same individual who had visited him at his home; that he could with difficulty recognise that his doctor who visited him there was the man he really knew; and that the house of a neighbour was an asylum. He acknowledged that he had made a fresh will, and said that it had now received the sanction of the Lord Chancellor, "or whoever was the proper authority." He died in the institution on October 18th, having become demented.

A "caveat" was entered against the will made in July, 1899, and another was also entered by the executors of the will of 1899. The money having been left to charities and not to individuals, it became the function of the Attorney-General, as representing the public, to consider the facts on behalf of the charitable bodies to whom the property was left. On consideration of the proofs which could be produced of the patient's insanity during the previous three years, the evidence of insanity shown in the medical certificates and in my report of his condition on my visit to him at the Holloway Sanatorium, on July 26th, 1899, the Attorney-General concluded that the evidence of insanity at the time when the will of July 3rd, 1899, was made was so strong that there would be no likelihood of its being successfully upheld, and therefore he decided not to oppose probate of the will made in 1892.

The case was brought before the Probate Division on February 12th, 1900. Evidence was given by the clerk to the firm of solicitors who prepared the will of 1892 as to due execution of such will; by the nephew as to the deceased's insanity in March, 1899, and in July before his admission to the Holloway Sanatorium; and by me as to his insanity at my visit. No evidence was brought forward in favour of his being of sound disposing mind in July, 1899, and the judge found that he was insane at the time of execution of the second will, that of 1892 being allowed to stand.

In this case the evidence of such insanity as to vitiate the will of 1899 was so strong that there was no case on the other side. The patient's mind was so possessed by the delusion that his relatives were insane that he was unable to take their claims into consideration. It will be noted that there was evidence of "eccentricity," not improbably amounting to insanity, existing at the time of execution of the first will; but apparently the testamentary capacity had not been affected by it.

Aphasia and Will-making.

An interesting case, lately heard in the Probate Court before the President, Sir Francis Jeune, is noticed as an occasional article on p. 320.—Ed.

ASYLUM NEWS.

The Cost of Asylums.

The London County Council lately considered a report by the General Purposes Committee upon the increased cost over the estimates of the Bexley and Horton Asylums. It appears from the discussion that the "estimates" were rather of the nature of a sum which, at the time, it was hoped might prove sufficient, and was rather intended as a check upon extravagance than as a figure arrived at by measuring up of quantities and the careful analysis of specifications. The Committee of Inquiry assert that there has been good value for money, and that the urgent demand for accommodation, and the excessive cost of boarding cases out of London, justified the pressing forward of the erections with as little delay as possible. Comparing the cost per head at the Bexley Asylum with that at other recently constructed asylums, it is clear that the actual cost has not been excessive. At Claybury the cost per bed was £236, at the new West Somerset Asylum £377, while the projected North Stafford Asylum is estimated to cost for the building alone £280 per bed. It is stated that the Asylums Committee is considering the propriety of varying the stereotyped plan of erecting huge palatial buildings for the insane in favour of detached residences.

https://doi.org/10.1192/bjp.46.193.391-a Published online by Cambridge University Press