

to constitute that murder of one's self, which suicide is by the books defined to be, and to make assisters liable, the contention that he would have been anywise privy to the commission of a capital offence, would be difficult to maintain. The authorities of the State of New York, in whose territory the plan had been evolved, and where much of its working out was compassed, had, it was then matter of common knowledge, distinctly warned the agent that he would be proceeded against criminally, in the event of a calamitous result. Their attitude in connection with the affair shewed, at any rate, their conception of it, not as a mere display of lunacy, but as a highly nefarious enterprise.

The last example is that of the inoculation. The object here was to discredit, if such might be done, the theory publicly advanced by Professor Koch that consumption could not be transmitted, through contact with one of the brute creation afflicted with the disease in life, or by partaking of its flesh, to a human subject. Assuming the acquiescer in the test to have developed, and ultimately died of consumption, how would the experimenter have been affected? That it was practised in the interests of science could not avail him as a defence, for the life of no human being can be rightfully exposed to hazard with the purpose of verifying any shadowy conjecture. Will it be doubted that he would be judged no less accountable for the death than if it had supervened immediately upon the transference by him of the foreign substance to his victim's blood? This proceeding bears no resemblance whatever to the action—apparently the sole instance where a dealing attended with fatal consequences will be protected by consent—of the surgeon who, in order to prolong a threatened life, performs an operation which, instead of accomplishing that end, precipitates death.

J. B. MACKENZIE.