

years of hard work have passed over the honored head of Mr. Wicksteed, but there are few, like him, who use their hard-earned rest and "elegant leisure" to such good advantage, and therein give so much pleasure to their literary friends and so much of interest to the public. A well-stored mind, a retentive memory, and a quick and intelligent apprehension of passing events enables him to y with truth, beyond the great majority of men, "My mind to me a kingdom is"; and it is a kingdom the treasures of which he freely invites his friends to share.

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IMPUTED NEGLIGENCE.—In *Creek v. Louisville, etc., Ry. Co.*, in the Supreme Court of Indiana, a wife, while driving with her husband, was killed by the defendants' train on a crossing. Negligence on the part of the defendants was proved, but it was contended that the husband was guilty of contributory negligence, and that because of the husband's duty to protect his wife, and the fact that she placed herself in his care by riding in a conveyance driven and controlled by him, that his negligence was her negligence, since it must be imputed to her. The court held that the relation of husband and wife did not come within the rule laid down in *Town of Knightstown v. Musgrove*, 116 Ind. 122, and 18 N.E. Rep., at p. 453: "Before the concurrent negligence of a third person can be interposed to shield another, whose neglect of duty has occasioned an injury to one who was without personal fault, it must appear that the person injured and the one whose negligence contributed to the injury sustained such a relation to each other in respect to the matter then in progress as that in contemplation of law the negligent act of the third person was, upon the principles of agency or co-operation in a common or joint enterprise, the act of the person injured," and refused to extend the rule, considering that the wife was none other than a mere passive guest without authority to direct or control her husband's movements and without reason to mistrust his skill. The mere existence of the marital relation will not impute to one the negligence of the other.

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LIFE INSURANCE.—What is known as the Maybrick case has been the occasion of much agitation in English legal circles. It will be remembered that Mrs. Maybrick was convicted of murdering her husband. He had insured his life for her benefit. After his death she assigned her interest under the policy. The assignee, joining with the executors of the deceased, sued the company to recover the amount due under the policy. The lower court held that they were not entitled to recover. The Court of Appeal, however, while denying the right of plaintiffs to recover for Mrs. Maybrick, affirmed their right to recover for the estate, upon the ground that, though public policy required that a criminal should not benefit by a contract, yet the crime should not be allowed to interfere with the rights of third parties. In both courts, however, it was admitted that a wife who murders her husband is not entitled to insurance money made payable to her. In connection with this case will be remembered the remarkable case of *Riggs v. Palmer*, decided by the New York Court of Appeals some years