

DIARY FOR MAY.

1. Wed.. *Philip & James.* County Treasurer to make up books, enter arrears, and make yearly settlement.
4. Sat... Articles, &c., to be left with Secretary of Law Society.
5. SUN. *Rogation.*
9. Thur. *Ascension.*
12. SUN. *1st Sunday after Ascension.*
16. Thur. Exm. of Law Stud. for call to Bar with Honora.
17. Fri... Exam. of Law Students for call to the Bar.
18. Sat... Exam. of Art. Clerks for certificates of fitness.
19. SUN. *Whit Sunday.*
20. Mon. Easter Term begins. Articled Clerks going up for inter-exam. to file certificates.
23. Thur. Inter-exam. of Law Students and Articled Clerks.
24. Fri... Paper Day, Q.B. New Trial Day, C.P.
25. Sat... Paper Day, C.P. New Trial Day, Q.B.
26. SUN. *Trinity Sunday.*
27. Mon. Paper Day, Q.B. New Trial Day, C.P.
28. Tues. Paper Day, C.P. New Trial Day, Q.B.
29. Wed. Paper Day, Q.B. New Trial Day, C.P.
30. Thur. Paper Day, C.P. Open Day, Q.B.
31. Fri... New Trial Day, Q.B. Open Day, C.P.

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The Local Courts'

AND

MUNICIPAL GAZETTE.

MAY, 1872.

THE INSOLVENCY ACTS.

The attempt to do away with the Insolvency laws has come to nought, owing to the firm stand against the Bill by the Senate. We cannot regret that the Bill has been thrown out. We call attention to an interesting article on the subject of bankruptcy laws on another page.

EVIDENCE OF WIVES.

The admissibility of the evidence of wives for or against their husbands has recently been fully discussed in several cases in the Common Pleas. In one of these cases the wife was joined with her husband as a defendant for an assault alleged to have been committed by the wife on the plaintiff. In two cases the husband and wife sued jointly for injuries done to the wife.

The recent history of the law on this subject is thus referred to by one of the judges.

"In England, a Statute was passed in 1851, 14 & 15 Vic., ch. 99, the 2nd section of which is as follows: "On the trial of any issue joined, or of any matter or question, or of any inquiry arising in any suit, action, or other proceeding in any Court of Justice, or by any person having by law or by consent of parties authority to hear, receive, or examine evidence, the parties thereto, and the persons in whose behalf any such suit, action, or other proceeding may be brought or defended, shall, *except* as hereinafter excepted, be competent and compellable to give evidence either *visd voce* or by deposition, according to the practice of the Court, on behalf of either or any of the parties to the said suit, action, or other proceeding." The exception had reference to criminal proceedings, and actions for breach of promise of marriage, and actions or proceedings in cases of adultery, and need not be considered in the discussion of the question now before us. Under the provisions of this Act, the following curious anomaly occurred: it was decided that when husband and wife were parties to the record both could be examined: *Stokehill and Wife v. Pettengill*, 21 L. J. Q. B. 249, note; but that where the wife was not a party she could not be examined: *Stapleton v. Croft*, 18 Q. B. 367; *Barbat v. Allen*, 7 Ex. 609. Mr. Taylor in his work on evidence states, at ses. 1219: "On one point the Act of 1851 (of which Mr. Taylor was the author) was essentially defective; for, although it rendered husbands and wives admissible witnesses for or against each other when both were jointly parties as plaintiffs or defendants, it did not further interfere with the common law rule which precluded either husband or wife from giving testimony in a cause in which the other was a party. The Evidence Amendment Act of 1853, 16 & 17 Vic., was passed with universal consent, and the admissibility of the testimony of married persons has at length been placed upon a sound footing. As a general rule, all husbands and wives of parties to the record, excepting the husbands and wives of defendants in criminal proceedings, and the wives of supposed paramours who are respondents in suits for dissolution of marriage, or for damages by reason of adultery, are now