

perienced it can be aware how troublesome it is, when a large plan is placed on a desk, to carry the eye from one point of it to another, and then when the judge requires a clear field in front of him for the purpose of taking notes, the plan has to be thrown aside somewhere, and then again it has to be picked up and spread out afresh when further reference to it becomes requisite. In most cases, a plan of very limited size would be sufficient for the purpose of elucidating a case. The Lord Chief-Justice half jokingly suggested that it would be a good thing if the masters would disallow the costs in respect of all plans above a certain size.

SCOTLAND.

A SOMNAMBULIST CONVICT.—According to the Scotch papers, a prisoner was recently convicted at Edinburgh of having, while in a state of somnambulism, murdered his child, and has since been set at liberty. Cases of this kind are very rare, but, assuming the somnambulism to be clearly proved, there can be little question of the correctness of the course adopted. Dornbluth, the German psychologist, tells of a young woman who, in consequence of a fright occasioned by an attack of robbers, was seized with epilepsy, and became subject to somnambulism. While in that condition she was in the habit of stealing articles, and was charged with theft, but on the advice of Dornbluth was released and eventually cured. Steltzer (cited in Wharton and Stillé) gives an account of a somnambulist who clambered out of a garret window, descended into the next house, and killed a young girl who was asleep there. And the same learned writers quote from Savarin an account of a somnambulist monk (related to Savarin by the prior of the convent where the incident happened): "The somnambulist entered the chamber of the prior, his eyes were open but fixed, the light of two lamps made no impression upon him, his features were contracted, and he carried in his hand a large knife. Going straight to the bed, he had first the appearance of examining if the prior was there. He then struck three blows, which pierced the coverings, and even a mat which served the purpose of a mattress. In returning, his countenance was unbent, and was marked by an air of satisfaction. The next day the prior asked the somnambulist what he had dreamed of the

preceding night, and he answered that he had dreamed that his mother had been killed by the prior, and that her ghost had appeared to him demanding vengeance; that at this sight he was so transported by rage that he had immediately run to stab the assassin of his mother." Savarin adds that if the prior had been killed the monk could not possibly, under these circumstances, have been punished.

UNITED STATES.

TREATMENT OF WITNESSES.—The *Albany Law Journal* says: "It is not an uncommon thing, at the present time, for a crime to be committed in the public streets of a city, during the busy part of the day, and the police be unable to discover who perpetrated it. A robbery took place in the streets of New York last week, a man who was carrying a package of money being attacked by several persons who tried to get the money from him. He threw the package to a telegraph messenger boy telling him to run away, which the boy did. The robbers pursued the boy and compelled him to deliver the package to them. There were a number of people in the streets who saw the affair, yet the robbers escaped with their booty, and no one could be found who could identify them. We wonder if it has ever occurred to the police, and other officials, engaged in the business of preventing or punishing crime, that the practice of imprisoning witnesses has anything to do with the difficulty experienced in finding out the circumstances surrounding the commission of such offences? It is a common caution given to strangers in New York, "If you see any crime committed, don't say anything about it, or you will be called on as a witness and put to trouble and expense." We are confident that if the practice of detaining witnesses, who are unable to find security for their appearance, were done away with, the difficulty now experienced in detecting and convicting those who commit the more dangerous kinds of crime would, in a large degree, be done away with. Occasionally an offender might escape because the witnesses against him would not appear, but those familiar with the facts connected with violations of the law would be more ready to disclose them, and this would much more than counterbalance any disadvantage resulting from the failure of witnesses, for the people, now and then to put in an appearance.