

blies are commendable. *State v. Hinson*, 31 Ark. 638, holds that an indictment, charging a disturbance of a religious congregation "by acting and talking in a manner that was calculated to disturb, insult, and interrupt said congregation," was good under a statute providing a punishment for disturbing such a congregation, "by using any language or acting in any manner that is calculated to disquiet, insult or interrupt said congregation;" that the character of the language, or the particular words, need not be given; and if the disturbance is by acting, the better practice would be to indicate in general terms, without alleging the details, the general character of the disturbing acts. The court remark:

"The argument of counsel for appellee, that he may have been talking under the influence of the spirit, may be more appropriately addressed to a jury after they shall have heard all the evidence in the cause. A sensible jury will, no doubt, be able to determine whether he was talking under the impulse of a good or bad spirit—whether he was expressing religious emotions, as some enthusiastic people do, or unmanneredly talking, with a contemptuous disregard for the quiet of the congregation. The motive of the accused may be well left to the jury, under the advice of the court."

In *Holt v. State*, 57 Tenn. 192, the defendant was indicted for disturbing religious worship. The evidence showed that "Holt was outside the house, near the door; that it was dark, and defendant came around, some six or eight feet from the door, and seemed to be shuffling his feet on the ground, or something like he was dancing, and appeared like he had been drinking; but they did not know that he had drank anything. He used no loud talk, or anything of the sort. Witness did not know that any one was disturbed in the house or out of the house; that witnesses were not disturbed, but that their attention was attracted by what was done. The dancing of defendant attracted their attention." For this Terpsichorean intrusion Mr. Holt was held amenable.

In *Stuart v. State*, 57 Tenn. 178, the court held, where a plea of temporary insanity or *delerium tremens* was set up to excuse the murder of the prisoner's wife, that if the prisoner knew the difference between right and wrong, at the

time in question, he was responsible for his act. From the fact that the court in its opinion uniformly writes "*delerium*," we infer that the honorable court is not familiar with the disorder in question. So much cannot be said for the reporter, however, for he spells the word right in the syllabus. The court affirmed a conviction, saying, however, "several years have elapsed since the fatal tragedy, and the prisoner has doubtless suffered much, and may be entitled to sympathy." But as the court elsewhere says, "It appears the prisoner was intoxicated the night previous to the killing, but at the moment of the killing was not," we are curious to learn the application of the "sympathy," unless a man is to be pitied because he has the misfortune to kill his wife in a moment of irritability after a carouse.—*Albany Law Journal*.

THE PROPOSED CRIMINAL CODE OF ENGLAND.

It seems probable that a long-delayed reform is at last to be accomplished. The laws of England for the punishment of crime, and also for the enforcement of civil rights, are in a condition of ever-increasing complexity. They are scattered through fifty volumes of statutes, and may be found declared and elucidated by a search through twelve hundred volumes of reports. Eighteen thousand acts of Parliament and one hundred thousand cases, besides unwritten rules and principles, briefly comprise the law of England. Statutes have been repealed, decisions overruled, but no mark distinguishes the living from the dead. The rights of husband and wife, of landlord and tenant, are established by various enactments of law-makers, from the Saxon dominion to the reign of Victoria. They are settled by authorities ranging from the treatise of Glanvill to the decisions of Cairns. The duties of a coroner, and the power of the crown's quest, are contained in acts of Parliament extending from the time of Edward I. to 1875. A study of the statutes from the last of Victoria to the first of Henry III. might be necessary to decide upon the limits of a crime and the extent of its punishment.

In a case of high treason, the counsel, on beginning his examination, would find that, in