(Webster, in his elaborate argument in the Knapp Case, declared that "suicide is confession.")

On the trial the prosecution argued upon the theory that Fellner and Ratzky crossed on the Hamilton Avenue ferry-boat to Brooklyn; that Ratzky induced Fellner to go to the club-house, which stands near the water at the foot of Court Street, in order to get drinks; that they had been there before, and that Ratzky having got him there he inflicted the stabs and dragged the body to the water's edge or into the water, and from that point Fellner's body floated into the bay and finally was thrown ashore four days after on the Jersey side. It was shown that Ratzky reached home the night in question at 10 o'clock, that he was heated when he got home, and had Fellner's cane and a parcel belonging to him in his possession; that he inquired if Fellner had come, and on being answered in the negative, he told the story as above. To some in the house he said that Fellner had gone to Chicago. The prosecution argued that Ratzky was the last person with Fellner; that he knew he had wealth—a motive for murder; that Fellner's disappearance on the ferry-boat was wholy irreconcilable with Ratzky's subsequent conduct. If he had mentioned the fact that he had missed Fellner on the boat, why is not the ferryman produced? If Ratzky did not know that Fellner had been made away with, would he have had his trunk broken open next morning and taken his clothes, while making no effort to avoid the risk he ran in case of Fellner's return? Do honest men break into trunks, tell conflicting stories, try to keep dead bodies from being identified, run away, assume disguises, and change their name?

The prosecution examined witnesses on the stand who swore that under a conjunction of favorable circumstances a body thrown into the water on Brooklyn side might float to Jersey shore, But four days had elapsed from the night on which the murder was committed, according to the prosecution, until the body was found. It was not decomposed when found; on the contrary, the blood came from the wounds when probed. It is generally known that a dead body will sink when thrown into the water, and will not rise until decomposition sets in and gases are generated to float it to the surface. The theory is, that it could not have floated, and if not, it was impossible that it could have been carried by the tide from Brooklyn to the Jersey shore. No witnesses were called in behalf of Ratzky, and the jury, after a consultation of fifteen minutes, returned a verdict of guilty. By the law of 1860, a person convicted of murder in the first degree must be confined in the state prison one year, and at the expiration of that time, the governor might order the death penalty to be enforced. By throwing the *onus* of enforcing the penalty on the governor, it was anticipated that the death penalty would be virtually abolished in the state. This law was in force when the murder was committed, but was repealed in 1862; Ratzky was convicted in 1863, and Judge Brown sentenced him to be hanged under the law then in force. On appeal, a new trial was denied, and it was further held, that the court erred in sentencing Ratzky under a law not on the statute-book when the murder was committed. Ratzky was, therefore, sent back for a re-sentence, and under the law of 1860, he is now in prison at the pleasure of the governor of the state, who may execute the sentence at any time, though an effort is being made to have him reprieved.

PROTECTION TO WIVES.

The *Times* has, with much humanity, invited public attention to the case of Susannah Palmer, who has been convicted of wounding her husband with intent to do him grievous bodily harm. It was the old story—a respectable woman, with a host of children, striving to earn an honest livelihood, and a husband, who visited her occasionaly, for the purpose of knocking her down, selling her goods, and drinking the money. The woman in a fit of passion stabbed the man. With the nature of her act we have nothing to do. But what deserves attention is the fact that this woman never seems to have known that she could obtain from the law any protection for her person or her savings. Here is pretty strong evidence that the law on this matter is not understood by the only classes of society for whose beneh it could possibly have been intended, because the ignorance of it must have prevailed among the neighbours of the woman. She, indeed, thought that her only resource was *ferre patique*. Yet the statute protecting her was passed in the year 1857. The truth is that the law has not struck at the root of these gigantic evils. This case is not an isolated one; on the contrary, it is only an example of thousands in London alone. The remedy is to be found in that which we have again and again advocated, namely, the abolition of the control of the husband over the property of the wife. If such a law was once made, the most poor and simple would appreciate their rights, as everything would be reduced to a mere question of *meum* aud *tuum*, a matter intelligible to the meanest intellects.—*Exchange.*

MAGISTRATES, MUNICIPAL, INSOLVENCY, & SCHOOL LAW.

NOTES OF NEW DECISIONS AND LEADING CASES.

INSOLVENT ACT 1864 — FOREIGNERS. — The plaintiff had been engaged in business in Canada, though not permanently resident there. He was arrested by the defendant, a constable, who took possession of money found on him; and being discharged, he sued the defendant for the money, A writ of attachment having issued against him. one M. was appointed official assignee, and applied, under sec. 4, sub-sec. 9 of the Insolvent Act of 1864, to be allowed to intervene and represent the plaintiff in the suit. The plaintiff objected, contending that as a foreigner he was not liable to the Insolvent laws.

The point being one of great practical importance, raised for the first time, the court, with a view to have it properly brought up, left the assignee to sue the defendant for the money, so that the defendant might apply under the Interpleader Act, and the question be presented on the record in a feigned issue.—*Mellon* v. *Nicholls*, 27 U. C. Q. B. 167.

INSOLVENT—CHATTEL MORTGAGE—INSOLVENT ACT, 1864, SEC. 8, SUB-SECS. 1. 2, 3, 4.—Declaration in detinue and trover for goods. Plea, that one J., the owner, being a debtor unable to meet his engagements and in contemplation of insolvency, mortgaged the goods to the plaintiff, and within thirty days thereafter made a voluntary assignment in insolvency to the defendant, the official assignee: that the mortgage was made to the plaintiff as a creditor of and security for J., whereby the plaintiff obtained an unjust preference over J.'s other creditors, who were thereby injured and obstructed, wherefore the mortgage was void, and the defendant as assignee took the goods.

The plaintiff replied that J. being a retail dealer, and wanting goods to carry on his business, asked the plaintiff to endorse notes to ena-