

before an impartial tribunal; there must be every opportunity for making a defence. The executive and judicial functions are not to be combined; and the like principles ought also to be applied for the punishment of violations of international law.

Mr. Hall seems to have regarded, and no doubt rightly regarded, international law as a sort of agreement between nations to observe certain rules of action, subject to an implied proviso, that if at any time the observance of such rules were thought to conflict with their interest they would not observe them. But, unless it can be lifted to a more exalted and binding status than this, it is, as we have suggested, only law in name, but not so in deed or fact.

It is, therefore, to be hoped that the conclusion of this war may see a distinct advance in the binding and obligatory character of international law; and this, it appears to us, can only be effected by in some signal manner bringing to justice those who have authorized its violation during the present war.

The murder of the subjects of a belligerent in violation of international law ought not to be condoned, even though perpetrated in time of war. The criminals guilty of such crimes, whoever they be, and even though sitting upon a throne, should be made to answer for the offence before some impartial tribunal, and if found guilty should be hanged like any other murderer, then international law would become a reality.

MECHANICS' LIENS AND THE REGISTRY ACT.

We have lately had occasion to comment adversely on some decisions of the Appellate Division which appeared to us to fail to interpret correctly the provisions of the Mechanics' Lien Act (R.S.O. c. 140).

Some of these decisions appear to us more like judicial repeals of provisions in the Act than interpretations of them. One of the most recent cases to which this objection may be