

The Indian Jurist, coming to us from the antipodes, is a well conducted and interesting journal. We notice in the last number received reference made to various matters of especial interest in that great country, and some of them of interest to ourselves. The editor takes exception to a suggestion made by a contemporary, that old criminal offenders should be punished by whipping, in addition to rigorous imprisonment. There is a good deal of morbid sentimentality on the matter of whipping. We are satisfied that the lash is often the only means of reaching the conscience of certain offenders, and we should prefer to see it more used than it is. In the hot climate of India, boys as well as girls come to maturity at a very early age, and there are several allusions to that fact in the publication before us. The custom of child marriage comes in for much discussion in the number before us, and the writer urges the propriety of some protection being afforded to these unfortunate children in the same direction as the special legislation in existence in England and this country for unmarried girls. A precocious youth at Serampore recently stabbed a school-master in the abdomen with a knife, the pedagogue barely escaping with his life. The jury were compelled to find the boy guilty, but perhaps having the remembrance of some old scores of their own to wipe out, recommended the young rascal to mercy on account of his extreme youth; and the Sessions Judge, laying the blame on the parents for not paying better attention to his morals, punished them by imposing a fine of one hundred rupees. We agree with the *Jurist* in the hope that the High Court would not fail to revise the sentence, and agree with the suggestion that probably a good flogging might tend to teach this juvenile to restrain his homicidal instincts. At the same court, curiously enough, a girl of eight years was found guilty by the Judge of murdering a child of four, by drowning it in a canal, in order to get possession of its jewels. As the jury would not convict, the Judge referred the case to the High Court. How this tribunal will treat the case remains to be seen. We presume they will not follow the example of the Judge who fined the boy's parents—certainly a novel way of dealing out criminal law under these circumstances, though under others perhaps worthy of serious consideration.

RIGHTS OF MORTGAGEES AS AGAINST MECHANICS' LIENS.

By section 5, (3), of The Mechanics' Lien Act (R.S.O., c. 126), it is provided that "in case the land upon or in respect of which any work as aforesaid is executed, or labor performed, or upon which materials or machinery are placed, is incumbered by a prior mortgage or other charge, and the selling value of the land is increased by the construction, alteration, or repairs of the building, or by the erection or placing of the materials or machinery, the lien under this Act shall be entitled to rank upon the increased value in priority to the mortgage or other charge." Mr. Holmsted, in his edition of the Act, has pointed out that the language of this section varies from the similar section in the Revised Statutes of 1877 (R.S.O., 1877, c. 120, s. 7). In that section the words used were "a mortgage or other charge existing or created before the