

examination that he had malice, revenge, craft and cunning he had judgment to be hanged and was executed accordingly:" *Dean's case*, cited in 1 Hale 25 note (u). An infant of the age of nine years having killed an infant of the like age, confessed the felony and upon examination it was found that he hid the blood and the body. The judges held that he ought to be hanged, but they respited the execution, however, that he might have a pardon: 1 Hale 27. Another infant of the age of ten years who had killed his companion and had hid himself was, however, actually hanged, upon the ground that it appeared by his hiding that he could discern between good and evil, and malitia supplet aetatem: 1 Hale 26, and a girl of thirteen years of age was burnt for killing her mistress: *Alice de Waldborough's case*, 1 Hale 26.

Whenever a child between seven and fourteen is charged with committing a felony the proper course is to leave the case to the jury to say whether at the time of committing the offence, such child had guilty knowledge that he was doing wrong: *R. v. Owen*, 4 C. & P. 236, per Littledale, J.; *R. v. Smith*, 1 Cox 260, per Erle, J. See also the case of William York, a boy of ten years, who was convicted at Bury Summer Assizes, 1784, and received sentence of death. This case is given at length in Foster's Crown Law, p. 70.

It is high time that some effort were made by those in authority to cope with the rapid increase of crime by children. The way that boys and girls are allowed to roam the streets of our cities, notably the City of Toronto, at all hours of the night, cannot but be productive of evil and an education in crime. If mayors and aldermen were to devote more time to such matters, and less to those which the founders of our municipal system never intended should come within its purview; and if School Boards and School Inspectors gave more attention to moral training and the true education of children, rather than to the cramming of them with a smattering of utterly useless knowledge it would be much better for the public welfare.