

be regarded as a political as well as an industrial question. Unionists indeed uphold it as a means of preventing employers from meeting the effects of a strike, and mechanics and labourers generally demand redress against a system which would exclude them from finding employment upon the other side of the boundary while freely admitting the same class of labour to compete with them at home. It is not surprising that a retaliatory measure has been demanded on our side, but the onus of this absurd legislation certainly lies upon our southern neighbours. Political necessity may for the time being require the enforcement of these laws, but as they are not the fruit of wisely considered legislation, but a concession to the narrowest and most selfish of class interests, they will yield in time to a more enlightened public opinion. In the meantime some better mode of giving effect to our law must be found than deportation. Whether or not Mr. Justice Anglin be right in his view of the law his judgment leaves no doubt on this point. It should be easy to make the offence of coming to work in this country punishable by fine or imprisonment, the penalty falling either on the sinner who came, or the greater sinner who brought him, as the sense of justice of our law makers may decide. The present difficulty is of their contriving, and it is their business to find a way out of it.

W. E. O'BRIEN.

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### *MECHANICS' LIEN.*

#### THE AUTHORITY OF *RUSSELL v. FRENCH.*

This decision (28 O.R. 215) affects the liability of an owner under the Mechanics' Lien law. It gives to the lien-holders the twenty per cent. drawback whether owing or not, and requires the owner to pay that portion, even if it never becomes due to the contractor.

The profession have accepted it as a rough and ready method of settling expensive disputes, although opposed to other decisions of equal authority. The principle involved in it has never been directly reviewed by the Court of Appeal—leave to appeal