

one. They create a new head of English law—the law of persons—and leave out of consideration equity as a separate field of study, it being intended, we presume, that the student should acquire its principles incidentally in his study of the law of persons, the law of property, and the law of obligations.

Looked at from the point of view of jurisprudence, there is no doubt that the old classification of English law is not strictly logical or scientific. Yet, as we submit, it is far more convenient for the practising lawyer, which is what the student aims at becoming, than any new system that can be devised, because it corresponds with the divisions into which the law of this country has naturally fallen. With the adoption of a new and artificial system founded on Roman law the value of many of the present text-books for students will be more or less destroyed; and we doubt if it will be possible to find competent teachers of such a subject as 'the law of person,' which comprehends what must seem to the English lawyer the heterogeneous topics of marriage and divorce, infancy, lunacy, and corporations. The new departure of the Council of Legal Education is a bold step; and, even though it may be a theoretical improvement, we venture to doubt if it will commend itself to practical lawyers.—*Law Journal, (London).*

CAPITAL PUNISHMENT AMONG THE JEWS.

In a work on the 'Criminal Code of the Jews,' Mr. Benny gives an interesting account of the various modes of punishment of those convicted under the Hebrew law of capital offences. In accordance with the Mosaic code four kinds of death were inflicted, each appropriate to a distinct series of crimes. These were stoning, strangling, burning, and decapitation. Nothing can be more absurd, says the author, than the notions generally current respecting the manner in which these punishments were carried out among the Jews. The stoning of the Bible and of the Talmud was not, as commonly supposed, a pell-mell casting of stones at a criminal; the burning had nothing whatever in common with the process of consum-

ing by fire a living person as practised by the Churchmen of the Middle Ages; nor did the strangling bear any resemblance to the English method of putting criminals to death.

The stoning to death of the Talmud was performed as follows: The criminal was conducted to an elevated place, divested of his attire, if a man, and then hurled to the ground below. The height of the eminence from which he was thrown was always more than fifteen feet; the higher, within certain limits, the better. The violence of the concussion caused death by dislocating the spinal cord. The elevation was not, however, to be so high as to greatly disfigure the body. This was a tender point with the Jews; man was created in God's image, and it was not permitted to desecrate the temple shaped by heaven's own hand. The first of the witnesses who had testified against the condemned man acted as executioner, in accordance with Deut. xvii. 7. If the convict fell face downward, he was turned on his back. If he was not quite dead, a stone, so heavy as to require two persons to carry it, was taken to the top of the eminence whence he had been thrown; the second of the witnesses then hurled the stone so as to fall upon the culprit below. This process, however, was seldom necessary; the semi-stupified condition of the condemned, and the height from which he was cast insuring, in the generality of cases, instant death.

It may be well to mention, in this connection, that previous to the carrying into effect a sentence of death, a death draught, as it was called, was administered to the unfortunate victim. This beverage was composed of myrrh and frankincense (*lebana*) in a cup of vinegar or light wine. It produced a kind of stupefaction, a semi-conscious condition of mind and body, rendering the convict indifferent to his fate and scarcely sensible to pain. As soon as the culprit had partaken of the stupefying draught the execution took place.

A criminal sentenced to death by burning was executed in the following manner: A shallow pit some two feet deep was dug in the ground. In this the culprit was placed, standing upright. Around his legs earth was