

committed on the boundaries of districts, &c., so that it is uncertain in which, or is begun in one and completed in the other they may be tried in either. When committed on persons *in transitu* by land or water may be tried in any jurisdiction through which the vehicle or vessel passed. So in the case of an offence committed on a road or stream forming the boundary. The *venue* may be changed by the Judge or Court having jurisdiction over the case at any time whenever it appears to him or is expedient to the ends of justice. No sessions of the Peace or Recorder's Court can try treason or a felony punishable with death, or a libel. Appeals and new trials in criminal cases are taken where the conviction has been affirmed by either of the Superior Courts of Common Law on a question of law reserved. And no writ of error will be granted respecting any point which might have been reserved or which the Judge refused to reserve. But nothing herein warrants the second trial of a person, the first being declared null by such court. The punishment of the pillory is abolished. Persons convicted of a capital offence on confession, whether principal or accessories, are punished as if convicted on other evidence. On a second conviction for felony not capital a criminal may be imprisoned for life. An escape or rescue, if not made felony is a misdemeanour, common gaol, a felonious reserve not otherwise provided for, 7 years. Unlawfully, under colour or pretended authority, procuring the release or discharge of a prisoner, common gaol. Fraud, cheating or conspiracy, not otherwise provided for, 7 years. Felonies not otherwise provided for, for life. The term of imprisonment commences on the day of passing sentence, but not any time during which convict is out on bail. Solitary confinement may not be inflicted for more than 1 month at a time or for more than 3 months in the year. When a person is ordered to be whipped the instrument and number of blows must be stated in the sentence and he is to be whipped on not more than 3 occasions during his imprisonment, under the supervision of the medical officer. A prisoner sentenced by a Military or Naval Court Martial, or any authority under the Military act, or by a court in Nova Scotia or New Brunswick may be imprisoned in a Penitentiary for less than 2 years. All imprisonment there is with hard labour. Convicts under 16 may be sentenced for any period from 6 months to imprisonment in a Reformatory. Whenever a person is acquitted on the ground of insanity the jury must so state in their verdict and the prisoner is ordered to be confined until the pleasure of the L. G. is known. He may give such order for the safe custody of such person as he sees fit. In the case of those heretofore as well as hereafter so acquitted. Also in case a prisoner becomes insane in prison on the certificate of 2 J. P. and 2 medical men, he may order him into other custody till his sanity be certified.

EXECUTION OF SENTENCE OF DEATH.

The judge need make no report respecting a capital sentence, unless he deems it right to recommend the prisoner to mercy, or a reprieve is necessary to decide a question of law reserved or for other cause. In that case he or another judge having jurisdiction may grant the reprieve. Convicts under sentence of death must be confined apart from other prisoners and no one but the gaoler and his servants, the Medical officer or surgeon, a chaplain or minister shall have access to him without written permission from the Court, Judge or Sheriff. The sentence is to be executed within the walls of the prison. The sheriff, gaoler, medical officer and such other prison officers and such persons as the sheriff requires shall be present. Any J. P. of the District or County, any relative of the convict or other person whom the sheriff sees fit to admit and any minister of religion may also be present. The medical officer or surgeon certifies the death as soon as may be thereafter, and such J. P., or others present, as the sheriff or gaoler allows, sign a declaration of execution of the sentence. Their deputies may act for the sheriff, gaoler or surgeon. A coroner's inquest is held on the body within 24 hours after the execution. The inquisition is in duplicate, one to be delivered to the sheriff. Officers of the prison or prisoners cannot be jurors. The body is to be buried within the walls of the prison unless the L. G., because of insufficiency of space, allows it in some other place. The G. in C. may make rules to be observed at such executions as well to guard against abuses and to secure greater solemnity as to make known to those outside that the execution is taking place. Such rules are laid before Parliament. Signing a false certificate, a misdemeanour, common gaol. Certificates, declarations and duplicate inquisitions are to be sent forthwith to the Secretary of State, and to be printed and posted and exhibited for 24 hours on the principal entrance to the prison.

PARDON.

The crown may pardon although the prisoner is imprisoned for non-payment of money due to others. A pardon under the Royal Sign Manual, countersigned by a Secretary of State or under the seal-at-arms of the Governor General has the effect of a pardon under the Great Seal, but it does not affect the punishment under a subsequent conviction meantime obtained. An instrument under the hand and seal of the Governor General, or a letter from either Secretary of State or his Deputy declaring commutation of punishment, is sufficient authority to a Judge or Sheriff therefor. Undergoing sentence or commuted sentence operates as a Pardon under the Great Seal. Prosecutions against persons for illegal acts professedly done in pursuance of any criminal law act of Canada must be commenced within 6 mos. and 1 mo.'s notice of action must be given. A felony committed within admiralty court jurisdiction may nevertheless be inquired of &c. as any other felony. Nothing in this act alters or affects the laws relating to H. M. land or naval forces. The act comes into force 1st January, 1870.

DUTIES OF J. P.—INDICTABLE OFFENCES.

Cap. 30.—When a person is charged before a J. P. with an indictable offence committed within his jurisdiction, or without it and in Canada, or on the high seas or within admiralty jurisdiction, the person being resident within, he issues a warrant for his apprehension. In all cases he may, if he think fit, first issue a summons, and, on the party failing to appear to answer then or pending the summons, the warrant. Upon production of the certificate of the clerk of the Crown or the chief clerk of a court that an indictment has been found thereon against any person within his jurisdiction the prosecutor may demand a warrant for his arrest from a J. P. When brought before him the party is committed for trial or admitted to bail on proof that he is the person named in the indictment. If he be already in gaol under another