

lawful custody. Everything found in possession of the fugitive, likely to be material as evidence, is also to be surrendered, saving the right of third parties. His discharge out of custody may be ordered by any Judge having authority in *habeas corpus* matters, on his application after notice to the M. of J., if he be not surrendered and taken out of Canada within 2 mos. after the committal or the decision upon the *habeas corpus*. besides the time necessary to convey him. Application for fugitives from justice from Canada is to be made by the M. of J. through a consular officer, resident at Ottawa, of the State where he is known, or suspected to be, or the diplomatic representative in that State, or otherwise as settled by agreement. No such person, when surrendered, can be tried for any other offence than that for which he is given up, committed previously thereto, till he returns, or is given opportunity to return to such foreign State. The schedule embraces treaties with the United States, 1842; France, 1843; Germany, 1872; Belgium, 1872; Italy, 1873; Denmark, 1873; Brazil, 1873-'3; Sweden and Norway, 1873; Austria 1873-'4; Holland. 1874; Switzerland, 1874; Hayti, 1874-'5; Honduras, 1874-'5. A new treaty with Belgium was signed 28th May, and ratifications exchanged 28th June 1876.

PROCEDURE, &c, CRIMINAL CASES.

Chap. 26—Counts in a bill of indictment for offences, for which a bill may, only under certain conditions, be found under 32-33 V., c. 29, s. 28, are not to be rejected, if they may be legally coupled with the other legally framed counts therein, though the conditions in that section have not been fulfilled, and if they are, in the opinion of the Court, legally based on the evidence at the preliminary examination. And with the consent of the Court a bill may be presented for the offences named in the section, though those conditions be not fulfilled. The provisions of that section, as amended, apply to cases of nuisance and of forcible entry or detainer. At the trial of a person accused, as receiver, &c., of stolen goods, proof may be adduced of the possession with knowledge of other stolen goods by such person, within 12 mos., or of a conviction therefor within 5 yrs., to be taken into consideration as proof of knowledge that the goods named in the pending indictment were known to be stolen—3 days notice of the intention to use such evidence being given. With respect to the use of a previous written statement to contradict the statement of a witness under examination, as settled by s. 64 of the Act cited; a deposition purporting to have been taken before J. P. at the preliminary examination and signed by the J. P. and witness, shall *prima facie* be taken to have been so signed by him. When whipping is part of a sentence, it is, when practicable, to be inflicted not less than 10 days before the expiry of imprisonment.

APPEALS FROM J. P.

Chap. 27—These lie in Quebec to the Court of Queen's Bench, Crown side; in Ontario, to the Quarter Sessions; in N. S., N. B. and Manitoba, to the County Courts;

and in B. C. to the nearest County or District Courts, unless the Act under which the conviction is had orders otherwise, or a Provincial Act provides another Court of Appeal for such cases; and the term "Clerk of the Peace" in the Act respecting these appeals (32-33 V., c. 31), shall mean the proper officer of each of the above Courts.

OFFENCES AGAINST THE PERSON.

Chap. 28—The punishment for administering poison, or wounding or causing grievous bodily harm, with intent to murder, is reduced to imprisonment for life or any less term. Carnally or unlawfully knowing and abusing a girl under 10 yrs., is punishable by imprisonment for life, or a period not less than 5 yrs.

LARCENY, &c.

Chap. 29—"Sheep" are added to cattle, swine, &c., as subjects of larceny. Imprisonment in cases of simple larceny is extended to 7 yrs.

IMPROPER USE OF FIREARMS.

Chap. 30—Any person carrying a pistol or air-gun without reasonable cause to fear an assault or other injury to his person, family or property, may be brought before a J. P. and compelled to give sureties to keep the peace for 6 mos., or be imprisoned 30 days in default. Carrying them when committing or when arrested for any other offence, is punishable by a fine of \$20 to \$50, or imprisonment for 3 mos. Carrying them with intent to do injury to another, is punishable with a fine of \$50 to \$200, or imprisonment for 7 mos., and intent may be *prima facie* inferred from possession. Pointing a firearm, whether loaded or unloaded, at any person without lawful excuse, is punishable by a fine of \$20 to \$50, or imprisonment for 30 days. Proceedings must be begun within 1 mo., and they may be summary under the Act providing therefor. The weapon is to be impounded. The Act is not to apply to soldiers, sailors or volunteers in H. M. service, or constables or policemen in the discharge of their duty.

BETTING OR POOL SELLING.

Chap. 31—Recording any bet or wager, or using or having on his premises any apparatus for the purpose, or selling pools or allowing them to be sold on his premises, or becoming the custodian of anything staked or wagered, upon the result of an election, of a race, or any contest, or trial of skill, or of endurance of man or beast, is a misdemeanor, and subjects the party to imprisonment for not more than a year and a fine not exceeding \$1000; but this Act does not extend to money, &c., staked to be paid to the winner in a contest; or to the owner of a horse engaged in a lawful race; or to bets between individuals; and it does not go into force until 1st May, 1878. Offences against this Act may be tried summarily under 32-33 V., c. 32.