

CRIMINAL STATISTICS.

CONTENTS.

EDITORIALS:	PAGE.
Criminal Statistics.....	266
Assessment Appeals.....	267
Law Society—Easter Term, 1877.....	268
SELECTIONS:	
Curiosities of English Law.....	271
CANADA REPORTS:	
ONTARIO:	
ASSESSMENT CASES.	
In re Appeal of Dean O'Connor, from Court of Revision of Town of Barrie.	
<i>Exemption from taxation—Parsonage—32 Vict. cap. 36, sec. 9, sub-sec. 22, O.....</i>	273
In re Appeal of Sisters of St. Joseph from Court of Revision of the Town of Barrie.	
<i>Exemption from taxation—Incorporated Seminary of learning—Place of worship—32 Vict. cap. 36, sec. 9, sub-sec. 2, 4, O.....</i>	274
In re Appeal from the Court of Revision of the Township Augusta.	
<i>Who is a "Municipal Elector"—Last revised Assessment Rolls.....</i>	275
NOTES OF CASES:	
Chancery.....	276
IRISH REPORTS:	
COMMON PLEAS.	
Magrath v. Finn.	
<i>Privileged communication—Words spoken from the pulpit.....</i>	282
FLOTSAM AND JETSAM.....	283

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CRIMINAL STATISTICS.

COMMUNICATED.

A return to the Legislature of Ontario respecting felonies and misdemeanours brought before "The County Judges Criminal Court" during the year 1876, discloses some very interesting particulars. Owing to the carelessness or want of apprehension of those who were required to make the returns, they are not as complete as they ought to be. It is therefore impossible to make a complete analysis; indeed, the returns for three counties, under the columns, "the nature of offences," give merely, so many "felonies" and so many "misdemeanours," instead of setting down, as required, the *specific offence* charged in each case. If County Crown Attorneys keep a proper account

and record of the proceedings conducted by them, one hour should suffice,* in most cases, to fill in the returns so as to give the detailed information sought for. It is to be hoped that future returns will be more complete.

The return referred to comprehends all the cases of commitment for trial in all the gaols in the Province, for indictable offences of all kinds, except capital felonies and a few others, and is intended to show the particular crimes charged and how they were disposed of, whether tried by judge without a jury, or tried by jury at the ordinary Courts, and the result. The whole number of cases brought before the Local Judges in this Province for the year 1876 was 1181. And, in the option given by law to persons charged with crime, 959 of the number committed exercised their right of choice in favor of trial by judge alone, without a jury; the rest, 222 in number, claimed to be tried by jury for the offences charged against them. In respect to the former class, those tried by judge alone, the number of convictions was 727, the number of acquittals was 232; of those tried by jury in the ordinary Courts, 104 were convicted, and 118 were acquitted.

Thus, in trials before the judge alone, the acquittals were in the proportion of nearly one third to the convictions before them. In the trials before the jury more than one half were acquitted. It is difficult to account for this difference in result without additional information; one can only remark, that it is extremely improbable that a judge acting alone, and fulfilling the functions of a jury, would convict in any case in which there was any reasonable doubt of the guilt of the accused; that the tendency with a jury may possibly be to entertain as a doubt,

* The writer had occasion recently to obtain a similar and fuller return from a Crown Attorney embracing over seventy cases, and it was prepared within an hour. The officer's books were properly kept.