number of convictions has decreased from 462 in 1895 to 408 in 1896; Nova Scotia being the only province where an increase is shown in this class.

In Class 3, in which are included larceny, horse and cattle stealing, embezzlement, fraud, false pretences, etc., the number of convictions shows a decrease of 4.4 per cent. during the year; 3,460 in 1895, against 3,306 in 1896.

Class 4 shows an increase of nineteen convictions during the year; 57 in 1895 and 76 in 1896. The greater part of this increase is in Ontario.

In Class 5 there is an increase of twenty-six in number of convictions. In this class Quebec shows a decrease of 19 and Ontario an increase of 34. Manitoba and British Columbia also show increases.

Class 6 shows a decrease of ninety-five in the number of convictions. In this class all the provinces show a decrease, while the Territories remain the same.

The summary convictions during the same period number 32,074.

The number of offences against the "Liquor License Acts" shows an increase of 187 during the year, and the cases for drunkenness have also increased by 263.

The number of fines in 1896 was 27,598, against 27,989 in 1895; and the total amount of fines was $212,-395 in 1896, against $221,001 in 1895. Of the total amount of fines 45.44 per cent. were for offences against the "Liquor License Acts," and 16.23 per cent. for drunkenness in 1896, against 42.16 and 16.36 respectively in 1895.

The number of convictions has increase in Nova Scotia, Ontario, the Territories, New Brunswick and Manitoba, while it has decreased in Quebec, Prince Edward Island and British Columbia.

The number of cases tried by a jury during the year 1896 was 898, of which 479 males and 17 females were convicted.

The number of cases in which the prerogative of mercy has been exercised during the year 1896 is 145, including two death sentences commuted, against 194 in 1895, including one death sentence commuted.

DYING DECLARATIONS.

Dying declarations in the technical sense of the term are not taken on oath, but written down in the presence of a magistrate and signed by the witness. The principal upon which such statement is admitted in evidence is laid down by Eyre, C.B., in the case of Reg. *v.* Woodcock, 1 Leach, at p. 502:

"The general principle on which this species of evidence is admitted is that they are declarations made in extremity, when the party is at the point of death, and when every hope of this world is gone, when every motive to falsehood is silenced, and the mind is induced by the most powerful consideration to speak the truth, a situation so solemn and so awful is considered by the law as creating an obligation equal to that which is imposed by a positive oath administered in a court of justice." It is not admissible in any civil case, though at one time it was held that it might be. Wright *v.* Littler, 1 W. Bl. 389.

A dying declaration is, therefore, only admissible in criminal cases, and then only in cases of murder or manslaughter. In Reg. *v.* Mead, 2 B. & C. 605, the defendant having been convicted of perjury, a rule *nisi* for a new trial was obtained. While that was pending the defendant shot the prosecutor, and on showing cause against the rule an affidavit was tendered of the dying declaration of the latter as to the transaction out of which the prosecution for perjury arose. *Held*, that it could not be read for that dying declarations are admissible only where the death is the subject of the charge, and the