

the seas. 2. Offences prosecuted by appeal. 3. Common nuisances. 4. Offences against popular or penal statutes, after information brought by a subject. Nor is his pardon pleadable to an impeachment by the commons in parliament.

SECT. XXXII. *Of execution.*

(1.) EXECUTION is the completion of human punishment, and must be strictly performed in the manner which the law directs.

(2.) The warrant for execution is sometimes under the hand and seal of the judge; sometimes by writ from the king; sometimes by rule of court; but commonly by the judge's signing the calendar of prisoners, with their separate judgments in the margin.

MISCELLANEOUS ARTICLES.

YORK the present capital of Upper-Canada was but a few years ago a wilderness. The following description of it is taken from the Topographical account of Upper-Canada, published in 1799.

York (Toronto or lake Ontario) is in about 43 degrees and 35 minutes of north latitude, and is the present seat of government of Upper Canada. It is most beautifully situated within an excellent harbour of the same name, made by a long peninsula, which confines a basin of water, sufficiently large to contain a considerable fleet; on the extremity of the peninsula which is called Gibraltar Point, are commodious stores and block-houses, which command the entrance to the harbour; on the main land, opposite to the point, is the garrison, situated in a fork made by the harbour and a small rivulet, which

being improved by sluices, affords an easy access for boats to go up to the stores; the barracks being built on a knoll, are well situated for health, and command a delightful prospect of the lake to the west, and of the harbour to the east. The Government house is about two miles above the garrison, near the head of the harbour, and the town is increasing rapidly; the river Don empties itself into the harbour a little above the town, running through a marsh, which when drained will afford most beautiful and fruitful meadows. This has already been commenced in a small degree, which will no doubt encourage further attempts. The long beach or peninsula, which affords a most delightful ride, is considered so healthy by the Indians, that they resort to it whenever indisposed; and so soon as the bridge over the Don is finished, it will of course be most generally resorted to, not only for pleasure, but as the most convenient road to the heights of Scarborough. The ground, which has been prepared for the government-house, is situated between the town and the river Don, on a most beautiful spot, the vicinity of which is well suited for gardens and a park. The oaks are in general large; the soil is excellent, and well watered with creeks, one of which, by means of a short dam, may be thrown into all the streets of the town. Vessels of all sizes may be conveniently built here, and a kind of terrace or second bank, in front of the town, affords an excellent situation for a rope walk. The remains of the old French fort Toronto stand a little to the westward of the present garrison, and the river Humber discharges itself into lake Ontario, about two miles and a half west of that; on this river and the Don are excellent mills, and all the waters abound in fish. In winter the harbour is frozen, and affords excellent ice for the amusement