

accusation, and the control of the country over its public officers are all retained intact and as they now are. All other misdemeanors to be subject to summary trial, without prejudice to existing remedies, should they be preferred. The jurisdiction in such trials to be a fine not exceeding fifty dollars and costs, or, for non-payment, proportionate imprisonment, at the rate of three days to one dollar, &c.—the whole not to exceed six months, unless special circumstances of aggravation, proved at the trial, be set forth with the sentence and entered on the face of the conviction, and any commitment arising therefrom. On such conviction the sentence shall be either a fine exceeding fifty and not exceeding one hundred dollars with costs, or, in lieu of payment, imprisonment for more than six and not more than twelve months,—following within those limits the proportionate principle of fine and its alternative, as already stated, or imprisonment for not more than six months, besides fine not over \$50 and costs.

5th.—OF SURETY.—Future summary sentences not to affect existing law as to binding to the peace; but any person three times convicted—the second and third offence being committed after the expiration of a preceding sentence—(of misdemeanors directly and not merely constructively against the peace, or tending in the same immediate way to the breach thereof,) to be called on to shew cause why he should not be bound to the peace for life and failing it so bound.

6th.—OF THREATS.—Threats should be tried like assaults, and the binding over should be the punishment following conviction with costs as in assault cases, and in the same way the third conviction should entail binding over for life. If in answer to the charge the defendant shewed strong provocation in the common sense of the words, he should be exonerated from being bound over as proposed; if he failed to do so he should find sureties for life on pain of imprisonment. See Chapter I., from 29 to 38.

7th.—OF CODIFICATION IN CERTAIN CASES.—The existing summary jurisdiction acts should be codified, with the exception of those referring to the army and navy, and the offences they contain classified in two divisions, to form permanently the two general definitions of public offences beneath vagrancy. These two should be misdemeanors and penal