

"We shall have to hear what you wish to say in answer to the charge against you; but if you wish to be tried by a Jury, you must object now to our deciding upon it at once."

And if such person, or a parent or guardian of such person, then objects, such person shall be dealt with as if this Act had not been passed; but nothing in this Act shall prevent the summary conviction of any such person before one or more Justices of the Peace, for any offence for which he is liable to be so convicted under any other Act. 5

Case dismissed if offence is not proved.

4. If the Justices, upon the hearing of any such case, deem the offence not proved, or that it is not expedient to inflict any punishment, they shall dismiss the party charged on his finding sureties for his future good behaviour, or without sureties, and then make out and deliver to the party charged, a certificate under the hands of such Justices stating the fact of such dismissal. 10 15

Form of certificate.

Such certificate shall be in the form or to the effect set forth in the form following:

To wit:) We, _____ of Her Majesty's Justices of the Peace for the _____, of _____, (or if a Recorder, &c.,) I, a _____, of the _____, of _____, as the case may be) do hereby certify, that on the _____ day of _____, in the year of our Lord, _____, at _____, in the said _____ of _____, M. N., was brought before us the said Justices (or me the said _____) charged with the following offence, that is to say (here state briefly the particulars of the charge), and that we the said Justices (or I the said _____) thereupon dismissed the said charge. 20 25

Given under our hands (or my hand) this _____ day of _____

Justices may send case to be tried by a Jury, if they see fit.

5. If the Justices are of opinion, before the person charged has made his defence, that the charge is from any circumstance a fit subject for prosecution by indictment, or if the person charged, upon being called upon to answer the charge, objects to the case being summarily disposed of under the provisions of this Act, such Justices shall, instead of summarily adjudicating thereupon, deal with the case in all respects as if this Act had not been passed; but this shall not prevent his being afterwards tried summarily by his own consent by the Judge of a County Court in the Province of Ontario, under any Act then in force for that purpose. 30 35

No further prosecution for the same offence.

6. Every person obtaining such certificate of dismissal as aforesaid, and every person convicted under the authority of this Act, shall be released from all further or other proceedings for the same cause. 40

Compelling party accused to attend.

7. In case any person whose age is alleged not to exceed sixteen years be charged with any offence mentioned in section two, on the oath of a credible witness before any Justice of the Peace, such Justice may issue his summons or warrant, to summon or to apprehend the person so charged, to appear before any two Justices of the Peace, at a time and place to be named in such summons or warrant. 45 50

Power to remand or take bail.

8. Any Justice or Justices of the Peace, if he or they think fit, may remand for further examination or for trial, or suffer to go at large upon his finding sufficient sureties, any such person charged before him or them with any such offence as aforesaid. 50