

INDEX

(References are to section numbers, not pages)

summary conviction—continued

- statement of case by justice for review—continued
- appeal precluded, by, 769 (1)
 - no stated case if no right to appeal, 719 (2)
- application for, 761
- certiorari*, etc., not required, 768
- costs, none against justice, 765 (2)
- court, power of, 766
- enforcement of conviction, 767
 - no action against justice for, 1151
- fees on application for, 762
- hearing, 765
- recognizance by applicant, 762
- refusal of, 762
 - application to compel statement, 764
 - rules as to, 576 (1 b), 761 (2)
- summons for accused, 711 (2)
 - for witness out of jurisdiction, 713
- territorial division, definition of, 705 (a)
- variance or defects, 723, 724, 725, 1121, 1129
- warrant for accused, 711
 - backing of, 712
- warrant for witness, 713 (2)
- witnesses, attendance of, 711
- warrant for, 713 (2)

summary trial of indictable offences

- appeal, 797
- application of provisions, 772
- arraignment, 778
- common gaol, definition of, 77 (1 b)
- conviction
 - certificate of, 792
 - effect of, 791
 - evidence, 794
 - filing of conviction, etc., 793
 - form of, 799
- defects in proceedings, 1130
- defence, 778 (4), 786
- definitions, 771
- dismissal of charge, 790
 - certificate of, 792, 799
 - evidence of, 794
- election of, trial by jury, 778 (2)
- statement of, on warrant of committal, 785
- false pretenses, charge of, 782, 783
- filing of record in court of sessions, 793

summary trial of indictable offences—continued

- gaol, common, definition of, 771 (1 b)
- hearing in open court, 787
- jurisdiction
 - absolute in case of
 - disorderly house, 774
 - seafaring man, 775
 - in certain provinces, 776
 - competent judge, 771 (1 a)
 - exceeding, 1131
 - offences triable, 773
 - police magistrate and recorder, 777
- magistrate, definition of, 771 (1 a)
- minor under 16, if accused is, 779
- gaol in case of, 771 (1 b)
- offences triable, 773
- open court, hearing in, 787
- police magistrate
 - appeal from, 1013
 - jurisdiction of, 777
- preliminary inquiry, provisions as to, 798
- property, definition of, 771 (1 c)
- punishment, 780, 781
- recorder
 - appeal from, 1013
 - jurisdiction of, 777
- refusal of magistrate to try, 784
- remand by justice to magistrate, 796
- restitution of property, 795
- summary convictions, provisions as to, 798
- theft, charge of, 782, 783
- theft under \$10, 386, 773, 777
- triable offences, 773
- valuable security, valuation of, 771 (2)
- witnesses
 - attendance of, 778 (4)
 - examination of, 788, 789
- summing-up
 - of the evidence, 944
- summons
 - for preliminary enquiry, 653-659
 - warrant not prevented by summons, 661
 - remand of accused, 679-681
 - service of summons, 658
 - variance between summons and charge, 669, 670
 - for summary conviction proceedings, 711