

Section **789.**—By substituting the following therefor :—

“**789.** When any person is charged before a magistrate with theft or with having obtained property by false pretenses, or with having unlawfully received stolen property, and the value of the property stolen, obtained or received exceeds ten dollars, and the evidence in support of the prosecution is, in the opinion of the magistrate, sufficient to put the person on his trial for the offence charged, such magistrate, if the case appears to him to be one which may properly be disposed of in a summary way, shall reduce the charge to writing, and shall read it to the said person, and, unless such person is one who, under section 784, subsection 2, can be tried summarily without his consent, shall then put to him the question mentioned in section 786, and shall explain to him that he is not obliged to plead or answer before such magistrate, and that if he does not plead or answer before him, he will be committed for trial in the usual course.”

Section **790.**—By substituting the following therefor :—

“**790.** If the person charged as mentioned in the next preceding section consents to be tried by the magistrate, the magistrate shall then ask him whether he is guilty or not guilty of the charge, and if such person says that he is guilty, the magistrate shall then cause a plea of guilty to be entered upon the proceedings, and sentence him to the same punishment as he would have been liable to if he had been convicted upon indictment in the ordinary way ; and if he says that he is not guilty, he shall be remanded to jail to await his trial in the usual course.”

Section **801.**—By substituting the following therefor :—

“**801.** The magistrate adjudicating under the provisions of this part shall transmit the conviction, or a duplicate of the certificate of dismissal, with the written charge, the depositions of witnesses for the prosecution and for the defence, and the statement of the accused, to the clerk of the peace or other proper officer for the district, city, county or place wherein the offence was committed, there to be kept by the proper officer among the records of the general or quarter sessions of the peace or of any court discharging the functions of a court of general or quarter sessions of the peace.

“2. This section shall not apply to police magistrates, stipendiary magistrates, or recorders of cities or incorporated towns.”

Section **806.**—By repealing this section, as it is amended by chapter 57 of the statutes of 1894.

Section **827.**—By repealing this section.

Section **832.**—By substituting the following therefor :—

“**832.** Any court by which and any judge under Part LIV or magistrate under Part LV by whom judgment is pronounced