

Section 641 read and amended as follows :

In the third line of subsection 2, after "trial" insert "at such court."

Section 680 read and amended as follows :

In the sixth line of subsection one after "County Court" insert "or any chairman of general sessions."

Ordered that the following be added to the Bill as section 687 :

Section 687.—By substituting the following therefor :—

"687. If upon the trial of an accused person [such facts are] proved upon the oath or affirmation of any credible witness that [it can be reasonably inferred therefrom] that any person whose disposition has been taken in the investigation of any charge is dead or so ill as not to be able to travel or is absent from Canada, and if it is proved that such deposition was taken in the presence of the person accused and that he, his counsel or solicitor, had a full opportunity of cross-examining the witness, then if the deposition purports to be signed by the judge or justice before whom the same purports to have been taken, it shall be read as evidence in the prosecution without further proof thereof unless it is proved that such deposition was not in fact signed by the judge or justice purporting to have signed the same.

[(2) In this section the word "deposition" includes the evidence of a witness given at a trial.]

Sections 703, 707A, 748, 760 severally read and agreed to.

Ordered that the following be added to the Bill as section 763 :

Section 763.—By inserting after the word "includes" in the second line of paragraph (b) thereof, the following words "in the province of Ontario the County Crown Attorney."

Ordered that the following be added to the Bill as section 765 :

Section 765.—By substituting in line three thereof for the words "five hundred and thirty-nine" the words "five hundred and forty."

Section 767 read and amended as follows :

After paragraph (b) of subsection one insert the present subsection four as subsection 2 :

"[2. If the prisoner has been brought before the county solicitor, clerk of the peace, or other prosecuting officer, and consents to be tried by the judge, without a jury, such prosecuting officer shall forthwith inform the judge, and the judge shall thereupon fix an early day for the trial and communicate the same to such prosecuting officer; and in such case the trial shall proceed in the manner provided by subsection 4.]"

Subsections 2 and 3 renumbered as 3 and 4 respectively, and the following added as subsections 5 and 6 :

[5. Any person who has elected to be tried by a jury, may, notwithstanding such election, at any time before such trial has commenced, notify the sheriff that he desires to re-elect, and it shall thereupon be the duty of the sheriff to proceed as directed by section 766, and thereafter such person shall be proceeded against as if his said election had not been made.

6. This section shall apply to the North-west Territories.]

Ordered, that the following be added to the Bill as section 781A :

Section 781A. By inserting immediately after section 781 the following section :—

[781A. Notwithstanding anything contained in this part the Attorney General for the Province may, in the case of an indictable offence punishable by imprisonment for five years or more, certify that, in his opinion, it is expedient that the trial should be had before a judge of a superior court of criminal jurisdiction, and in such case the prisoner shall not have a right to elect, and, if he has already elected, shall not be tried under this part, but the trial shall take place before such superior court judge and a jury in the ordinary way.]

Sections 784, 789, 790, 801 severally read and agreed to.

Ordered, That the following be added to the Bill as section 808A :

Section 808A. By inserting immediately after section 808 the following section :—

["808A. Notwithstanding anything contained in this part the Attorney General for the province may, in the case of an indictable offence punishable by imprisonment