

also, that if such Justices shall be of opinion, before the person charged shall have made his or her defence, that the charge is from any circumstance a fit subject for prosecution by indictment, or if the person charged shall, upon being called upon to answer the charge, object 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. 5

Justices to give person charged the option of a trial by jury.

II. The Justices before whom any person shall be charged and proceeded against under this Act, before such person shall 10 be asked whether he or she has any cause to shew why he or she should not be convicted, shall say to the person so charged these words, or words to the like effect :

“ 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, 15 “ you must object now to our deciding upon it at once.”

And if such person, or a parent or guardian of such person, shall then object, such person shall be dealt with as if this Act had not been passed. t

Power to Justices to hear and determine.

III. Any two or more Justices of the Peace, for any District 20 in Lower Canada, or for any City, County or Union of Counties in Upper Canada, sitting in open Court, before whom any such person, as aforesaid, charged with any offence made punishable under this Act, shall be brought or appear is hereby authorized to hear and determine the case under the provisions of 25 this Act ; Provided always, that the Recorder or Inspector and Superintendent of Police, of either of the Cities of Quebec or Montreal, the Sheriff of any District in Lower Canada, other than the Districts of Quebec and Montreal, any Deputy Sheriff in the District of Gaspé, any Judge of a County Court 30 in Upper Canada, being a Justice of the Peace, any Recorder of a City in Upper Canada, being a Justice of the Peace, any Police Magistrate in Upper Canada, sitting in open Court, and any Stipendiary Magistrate in Upper Canada, sitting in open Court, and having by law the power to do acts usually required 35 to be done by two or more Justices of the Peace, shall and may, within their respective jurisdictions, hear and determine every charge under this Act, and exercise all the powers herein contained, in like manner and as fully and effectually as two or more Justices of the Peace can or may do by virtue of the 40 provisions in this Act contained.

Proviso : Same power to Recorders, &c.

Sheriffs, &c., when sitting under this Act, to be attended by Clerks of the Peace.

IV. The Sheriffs of such Districts as aforesaid respectively, and any Deputy Sheriff in the District of Gaspé, when sitting or acting under the provisions of this Act, shall be assisted, attended and obeyed by the Clerks of the Peace, Bailiffs, Con- 45 stables and other Officers of such Districts respectively, in the same manner as Justices of the Peace in and for the said Dis-