

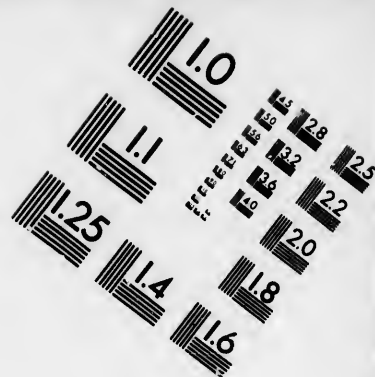
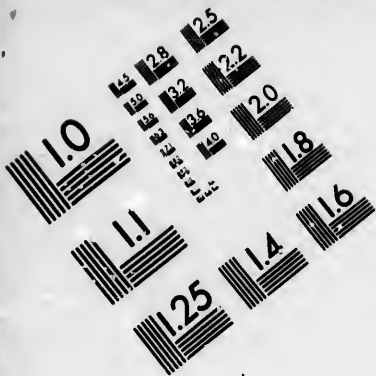
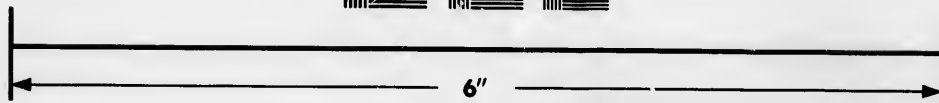
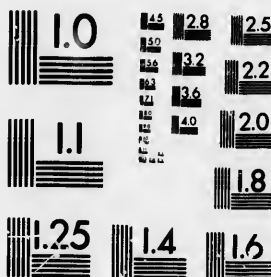


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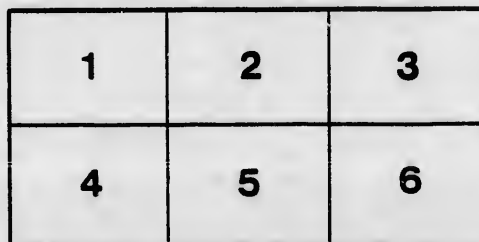
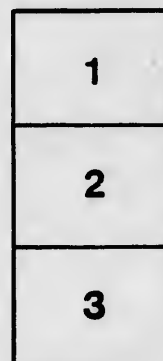
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Clerk of the Peace Office.

LONDON, APRIL 14TH, 1879.

SIR,—

I have the honor to transmit the following copy of an order made by the Court of General Sessions of the Peace for the County of Middlesex, at an adjourned Sessions of said Court held on Saturday, the 5th day of April, instant.

"Whereas, it appears that the quarterly returns of magistrates are in many cases irregularly and erroneously made, and that the settlement of cases of felony and indictable misdemeanor are sometimes permitted by magistrates, and other errors committed in relation to their proceedings, it is therefore ordered that the Clerk of the Peace shall, as soon as convenient, transmit to each magistrate of the County, a letter containing the following expressions of opinion of this Court in relation to the several matters above referred to:

"1st. Quarterly returns of all convictions for offences or acts punishable by imprisonment, fine or otherwise, under the provisions of any act of the Parliament of Canada, are to be made to the Clerk of the Peace on or before the second Tuesday in each of the months of March, June, September and December, in each year, in the form given in the 76th Section of the act of the Dominion of Canada relating to summary convictions and orders.

"2nd. Quarterly returns of all convictions under any law giving jurisdiction in the premises are to be made to the Clerk of the Peace, on or before the second Tuesday in each of the months of March, June, September and December in each year, in the form given in the act of the Legislative Assembly of the Province of Ontario, respecting returns of convictions and fines by Justices of the Peace.

"3rd. Such returns shall include all convictions not included in some previous return, and also all cases wherein a fine, or any part thereof, has been paid since the last previous return.

"4th. In case any Justice or Justices neglect or refuse to make such returns respectively, or make a false, partial or incorrect return, they will be liable to the penalties imposed by the said statutes respectively.

"5th. Such returns should not include cases dismissed, settled or withdrawn, nor wherein the party or parties charged have been committed for trial.

"6th. All convictions in cases wherein appeals to the Sessions are allowed, shall be transmitted to the Court of General Sessions of the Peace, before the time when such appeal can be heard.

"7th. Magistrates ought not to permit the settlement of cases of felony or indictable misdemeanor, wherein informations have been duly laid, and proceedings instituted against the party or parties charged therewith. It is not proper that the criminal law should be made the means of settling private disputes. The duties of magistrates in such cases are regulated by the act of the Dominion of Canada, relating to persons charged with indictable offences, and parties brought before magistrates charged with such offences should be dealt with as provided by said statutes, and should be discharged or committed for trial, as may appear right after an investigation into their respective cases, as provided by said statute.

"It was also recommended that an application be made to the County Council of the County of Middlesex, to authorize the Clerk of the Peace to procure printed forms for said quarterly returns at the expense of said County, and to distribute same to the magistrates so as to insure the correctness and uniformity of said quarterly returns in future.

"Dated this 5th day of April, A. D. 1879.

"By order of the Court,

"CHARLES HUTCHINSON,

"Clerk of the Peace."

I have the honor to remain, Sir,

Your obedient servant,

CHARLES HUTCHINSON,

Clerk of the Peace.

