

jurisdiction of the case, shall, before trial for the alleged offence, pray a jury trial; or if the state's attorney for said county shall, before trial of such alleged offence, pray a jury trial on the part of the state, it shall be the duty of any such justice to commit such alleged offender for trial, or to hold the said offender to bail to appear for trial in the circuit court for the county in which the offence was committed at its then session, if it be in session, or at its next session, if it be not in session, and to return said commitment or recognizance, with the names and residences of the witnesses for the prosecution, endorsed thereon, forthwith to the clerk of said court; provided the justice before whom the case is tried shall inform the person charged of his or her right to a jury trial, and which, in every such case, the said justice is hereby required to do.

Right of jury trial.

SEC. 7. *And be it enacted*, That the state's attorneys and justices of the peace having knowledge of any previous conviction of any person accused of violating the provisions of this act, in preparing warrants, presentments and indictments, shall allege such previous conviction therein; and it shall be the duty of the clerk of the circuit court to furnish such information to the state's attorney and grand jury; but it shall not be necessary to set forth particularly in any such presentment or indictment the record of a former conviction, but it shall be sufficient to allege briefly that said person or persons, corporation, company or association, had been convicted of a violation of any of the provisions of this act; and any such indictment or proceeding may be amended at any stage of the proceeding before final judgment and as a matter of right.

Allege previous conviction.

Proceeding may be amended.

SEC. 8. *And be it enacted*, That this act shall take effect from the date of its passage.

Effective.

Approved March 27, 1884.