

intervention of a jury; provided, however, that if any person, when brought before any such justice having 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 the 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 then in session; or at its next session, if it be not then 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; and provided the justice, before whom the case is tried, shall inform the person charged of his right to a jury trial.

Right to jury trial.

SEC. 9. *And be it enacted*, That 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 juries; 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, corporation, company or association, had been convicted of a violation of any particular provision of this act, and any such indictment or proceeding may be amended at any stage of the proceedings before final judgment, and as a matter of right.

Indictments—how prepared.

Record of former indictment not necessary.

SEC. 10. *And be it enacted*, That all acts or parts of acts inconsistent with the provisions hereof be and the same are hereby repealed.

Inconsistencies repealed.

SEC. 11. *And be it enacted*, That this act shall take effect from the date of its passage.

Effective.

Approved April 8, 1884.