ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

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C A P. LXXXVII.

An Act to regulate Proceedings of Grand Juries in *Ireland*, upon Bills of Indictment.

[26th *June* 1816.]

WHEREAS a Practice hath prevailed, in many of the Grand Juries in *Ireland*, to find Bills of Indictment without examining Witneſſes for the Crown; and it is expedient that this Practice ſhould for the future be diſcontinued; be it therefore declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act no Bill of Indictment ſhall be returned a true Bill, by any Grand Jury in *Ireland*, unleſs the ſame hath been found by the Jurors upon the Evidence of one or more Witneſſes for the Crown, ſworn in Court and produced before them, with ſuch other lawful Evidence as the Nature of the Caſe may require or admit of.

Before returning Bills of Indictment, Grand Juries to receive Evidence of Witneſſes for the Crown.

II. Provided always, and be it enacted, That nothing in the preſent Act contained ſhall be conſtrued to prevent ſuch Court, at its Diſcretion, from directing the Informations or Depoſitions, which ſuch Witneſs or Witneſſes for the Crown may have previouſly ſworn before a Magiſtrate, to be laid before the Grand Jury; and if upon the Examination of ſuch Witneſs or Witneſſes before the Grand Jury, it ſhall appear to the ſaid Grand Jury that any of the ſaid Witneſſes ſhall have ſworn falſely and corruptly, it ſhall and may be lawful for the ſaid Grand Jury, and they are hereby required

Depoſitions made by ſuch Witneſſes before Magiſtrates may be laid before the Court.

required to report the ſame to the Court; and in caſe the Court ſhall thereupon think fit to order a Bill of Indictment for wilful and corrupt Perjury to be preferred againſt ſuch Perſon, it ſhall be competent for any of the ſaid Grand Jurors to give Evidence upon the Finding and Trial of ſuch Indictment, notwithſtanding the Oath which he ſhall have previouſly taken as a Grand Juror, any Thing in this or in any other Law or Statute to the contrary notwithſtanding; it being hereby expreſsly declared and enacted, that nothing herein contained ſhall be conſtrued to have the Effect of rendering ſuch Informations or Depoſitions Evidence in Support of a Bill before the Grand Jury, except as herein-after provided.

50 G. 3. c. 102.

III. And whereas by an Act paſſed in the Fiftieth Year of the Reign of His preſent Majeſty, it was amongſt other Things enacted, that if any Perſon who hath given or ſhall give any Information or Examination upon Oath, againſt any Perſon or Perſons, for any Offence againſt the Laws, hath been or ſhall, before the Trial or Trials of the Perſon or Perſons reſpectively againſt whom ſuch Information or Examination hath been or ſhall be given, be murdered or violently put to death, or ſo maimed or forcibly carried away and ſecreted, as not to be able to give Evidence on the Trial of the Perſon or Perſons againſt whom ſuch Information or Examination was given, the Information or Examination of ſuch Perſon, ſo taken on Oath, ſhall be admitted in all Courts of Juſtice in *Ireland*, as Evidence on the Trial or Trials of the Perſon or Perſons reſpectively againſt whom ſuch Information or Examination was given; be it further enacted, That ſo long as the ſaid recited Enactment ſhall be in force, the Informations or Examinations therein mentioned ſhall be Evidence to the Grand Jury upon the Bill preferred againſt the Perſon or Perſons againſt whom ſuch Information or Examination was given: Provided always, that the Information or Examination of a Witneſs ſecreted ſhall not be Evidence to the Grand Jury, unleſs it ſhall firſt be proved to the Grand Jury by Witneſſes ſworn, or other lawful Evidence, that the Perſon ſo ſecreted has been ſecreted by the Perſon or Perſons againſt whom the Bill is preferred, or by ſome Perſon or Perſons acting for him or her, or in his or her Favour.

Informations or Examinations mentioned in recited Act to be Evidence to Grand Juries.

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