ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

****

C A P CXIV.

An Act for enabling Persons indicted of Felony to make their Defence by Counsel or Attorney.

[20th *August* 1836.]

All Persons tried for Felony after 1st October next may make their Defence by Counsel or Attorney.

WHEREAS it is just and reasonable that Persons accused of Offences against the Law should be enabled to make their full Answer and Defence to all that is alleged against them: Be it therefore 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 First Day of *October* next all Persons tried for Felonies shall be admitted, after the Close of the Case for the Prosecution, to make full Answer and Defence thereto, by Counsel learned in the Law, or by Attorney in Courts where Attornies practise as Counsel.

In Cases of summary Conviction.

II. And be it further declared and enacted, That in all Cases of summary Conviction Persons accused shall be admitted to make their full Answer and Defence, and to have all Witnesses examined and cross-examined by Counsel or Attorney.

Copies of Depositions to be allowed to Prisoners.

III. And be it further enacted, That all Persons who after the passing of this Act shall be held to bail or committed to Prison for any Offence against the Law shall be entitled to require and have, on Demand, (from the Person who shall have the lawful Custody thereof, and who is hereby required to deliver the same,) Copies of

the Examinations of the Witnesses respectively upon whose Depositions they have been so held to bail or committed to Prison, on Payment of a reasonable Sum for the same, not exceeding Three Halfpence for each Folio of Ninety Words: Provided always, that if such Demand shall not be made before the Day appointed for the Commencement of the Assize or Sessions at which the Trial of the Person on whose Behalf such Demand shall be made is to take place, such Person shall not be entitled to have any Copy of such Examination of Witnesses, unless the Judge or other Person to preside at such Trial shall be of opinion that such Copy may be made and delivered without Delay or Inconvenience to such Trial; but it shall nevertheless be competent for such Judge or other Person so to preside at such Trial, if he shall think fit, to postpone such Trial on account of such Copy of the Examination of Witnesses not having been previously had by the Party charged.

Proviso.

Prisoners entitled to inspect Depositions on Trial.

IV. And be it further enacted, That all Persons under Trial shall be entitled, at the Time of their Trial, to inspect, without Fee or Reward, all Depositions (or Copies thereof) which have been taken against them, and returned into the Court before which such Trial shall be had.

Act may be altered this Session.

V. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament; and that nothing herein contained shall extend to *Scotland*.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1836.