

U. 289.

BILL.

An Act to Facilitate the Despatch of Business before Grand Juries.

WHEREAS it would expedite and improve the administration of Preamble.
Criminal Justice, if persons attending to give evidence before Grand Juries were sworn in the presence of the Jurors who are to act upon such testimony : Therefore Her Majesty, by and with the advice and consent of
5 the Legislative Council and Assembly of Canada, enacts as follows :—

I. From and after the passing of this Act it shall be lawful for the Foreman of every Grand Jury empanelled in Upper Canada, and he is hereby authorized and required, to administer an oath to all persons whomsoever who shall appear before such Grand Jury to give evidence in
10 support of any Bill of Indictment ; and all such persons attending before any Grand Jury to give evidence may be sworn and examined upon oath by such Grand Jury, touching the matters in question ; and every person taking any oath or affirmation in support of any Bill of Indictment who shall willfully swear or affirm falsely shall be deemed guilty of Perjury ;
15 and the name of every witness examined, or intended to be so examined, shall be endorsed on such Bill of Indictment ; and the Foreman of such Grand Jury shall write his initials against the name of each witness so sworn and examined touching such Bill of Indictment : Provided, however, that the
20 name of every witness intended to be examined on any such Bill of Indictment shall be submitted to the Grand Jury by the Crown Counsel at the Assizes, and by the prosecuting Officer acting on behalf of the Crown at all other Courts, and that none others shall be examined by or before such Grand Jury : And Provided that nothing in this Act contained shall affect
25 any Fees by law payable to any Officer of any Court for swearing witnesses, but such Fees shall remain payable as if this Act had not been passed.

II. From and after the passing of this Act it shall not be necessary for any person to take an oath in open Court in order to qualify such person to give evidence before any Grand Jury.

30 III. The word "Foreman" shall include any member of such Grand Jury who may, for the time being, act on behalf of such Foreman in the examination of witnesses in support of any Bill of Indictment, and the word "Oath" shall include affirmation, where, by law, such affirmation is required or allowed to be taken in lieu of an oath.

35 IV. This Act shall apply to Upper Canada only.

Act to apply to
Upper Canada
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