

that a person guilty of perjury before him be prosecuted. Equity, or for any Judge of any Court of Record, or any Commissioner before whom any inquiry or trial is held, and which he is by law required or authorized to hold, in case it appears to him that any person has been guilty of wilful and corrupt perjury in any evidence given, or in any affidavit, affirmation, declaration, deposition, examination, answer or other proceedings made or taken before him, to direct such persons to be prosecuted for such perjury, in case there appears to such Judge or Commissioner a reasonable cause for such prosecution, and to commit such person so directed to be prosecuted until the next term, sittings or session of any Court having power to try for perjury, in the jurisdiction within which such perjury was committed, or to permit such person to enter into a recognizance with one or more sufficient surety or sureties conditioned for the appearance of such person, at such next term or session, and that he will then surrender and take his trial and not depart the Court without leave, and to require any person such Judge may think fit, to enter into a recognizance conditioned to prosecute or give evidence against such person so directed to be prosecuted as aforesaid. 5 10 15

All evidence material with respect to perjury.

**5.** All evidence and proof whatsoever, whether given or made orally, or by or in any affidavit, affirmation, declaration, examination or deposition, shall be deemed and taken to be material with respect to the liability of any person to be proceeded against and punished for wilful and corrupt perjury, or for subornation of perjury. 20

Venue in cases of perjury.

**6.** Any person accused of perjury may be tried, convicted and punished in any district, county or place where he is apprehended or is in custody. 25

Form of indictment in perjury.

**7.** In any indictment for perjury, or for unlawfully, illegally, falsely, fraudulently, deceitfully, maliciously or corruptly, taking, making, signing or subscribing any oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate or other writing, it shall be sufficient to set forth the substance of the offence charged upon the defendant, and by what Court or before whom the oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate or other writing was taken, made, signed or subscribed, without setting forth the bill, answer, information, indictment, declaration, or any part of any proceeding either in law or equity, and without setting forth the commission or authority of the Court or person before whom such offence was committed. 30 35

Form of indictment for subornation of perjury.

**8.** In every indictment for subornation of perjury, or for corrupt bargaining or contracting with any person to commit wilful and corrupt perjury, or for inciting, causing or procuring any person unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously or corruptly, to take, make, sign or subscribe any oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate, or other writing, it shall be sufficient, whenever such perjury or other offence aforesaid has been actually committed, to allege the offence of the person who actually committed such perjury or other offence, in the manner hereinbefore mentioned, and then to allege that the defendant unlawfully, wilfully and corruptly, did cause and procure the said person, the said offence in manner and form aforesaid to do and commit; and whenever such perjury or other offence aforesaid has not actually been committed, it shall be sufficient to set forth the substance of the offence charged upon the defendant, without setting forth or averring any of the matters or things hereinbefore rendered unnecessary to be set forth or averred in the case of wilful and corrupt perjury. 40 45 50 55

**9.** A certificate, containing the substance and effect only (omitting the formal part) of the indictment and trial for any felony or misde- Certificate of trial at which