



# Criminal Law Act 1826

## CHAPTER 64

### CRIMINAL LAW ACT 1826

Who may be admitted to Bail on a Charge of Felony, and who may not.  
(3 Ed. 1. c. 15. 23 H. 6. c.9.)

- II Before any Person charged with Felony, &c. shall be bailed or committed, the Justices shall take down in Writing the Examination, &c. and bind Witnesses to appear at the Trial. Examinations, &c. to be delivered to the Court.
- III Duty of Justice on Charges of Misdemeanor.
- IV Duty of Coroner. (1 & 2 P. & M. c. 13. s. 5.)
- V Penalty on Justices and Coroners. (1 & 2 P. & M. c. 13. s. 5.)
- VI Provisions to apply to all Justices and Coroners. (1 & 2 P. & M. c. 13. s. 6.)
- VII Felonies without Benefit of Clergy provided for under all Circumstances consequent on the Indictment. (3 W. & M. c. 9. s. 2. 12 G. 3. c. 20.)
- VIII Felonies within Benefit of Clergy provided for under all Circumstances consequent on the Indictment. (12 G. 3. c. 20.)
- IX Accessory before the Fact may be tried as such, or as a substantive Felon, by any Court which has Jurisdiction to try the principal Felon, although the Offence be committed on the Seas or abroad. (43 G. 3. c. 113. s. 5.) If the Offences be committed in different Counties, Accessory may be tried in either. (2 & 3 Ed. 6. c. 24. s. 4. 43 G. 3. c. 113. s. 5.)
- X Accessory after the Fact may be tried by any Court which has Jurisdiction to try the principal Felon. If the Offences be committed in different Counties, Accessory may be tried in either. (2 & 3 Ed. 6. c. 34. s. 4.)
- XI Accessory may be prosecuted after Conviction of the Principal, though the Principal be not attainted, &c. (1 Anne, st. 2. c. 9. s. 1.)

- XII Offences committed on the Boundaries of Counties may be tried in either County. (59 G. 3. c. 96. s. 2.)
- XIII Offences committed during a Journey or Voyage may be tried in any County through which the Coach, &c. passed. (59 G. 3. c. 27. and c. 96.)
- XIV In Indictments for Offences committed on the Property of Partners, it may be laid in any one Partner by Name, and others. (56 G. 3. c. 73. 1 G. 4. c. 102. 6 G. 4. c. 56.)
- XV Property belonging to Counties, &c. may be laid in the Inhabitants of the County. (43 G. 3. c. 59. s. 3.)
- XVI Property ordered for the Use of the Poor of Parishes, &c. may be laid in the Overseers. (55 G. 3. c. 137. s. 1.) Materials, &c. for repairing Highways may be laid to be the Property of the Surveyor of Highways.
- XVII Property of Turnpike Trustees may be laid in the Trustees. (3 G. 4. c. 126. s. 60.)
- XVIII In Indictments for Offences committed on Sewers, the Property may be laid in the Commissioners.
- XIX Indictment not to abate by dilatory Plea of Misnomer, &c.
- XX What Defects shall not vitiate, an Indictment after Verdict or otherwise.
- XXI What shall not be sufficient to stay or reverse Judgment after the Verdict.
- XXII Courts may order Payment of the Expences of Prosecutions in all Cases of Felony. (58 G. 3. c. 70. s. 4.) Allowance to Persons attending on Recognizance, where the Bill is preferred. (18 G. 3. c. 19. s. 8.)
- XXIII Courts may order Payment of the Expences of Prosecution in certain Cases of Misdemeanor.
- XXIV Order for Payment to be made out by Clerk of Assize, &c. and paid by County Treasurer. (58 G. 3. c. 70. s. 6. 18 G. 3. c. 19. s. 8.)
- XXV How the Expences shall be paid in Places not contributing to the County Rate. (58 G. 3. c. 70. s. 9. & 10.)
- XXVI Quarter Sessions to make Regulations as to Costs and Expences. (18 G. 3. c. 19. s. 9.)
- XXVII For Payment of Expences in Prosecutions in Court of Admiralty.
- XXVIII Courts may order Compensation to those who have been active in the Apprehension of certain Offenders. (4 W. & M. c. 8. s. 1. 10 & 11 W. 3. c. 23. s. 1, 2. 5 Ann. c. 31. s. 1. 14 G. 2. c. 6. 58 G. 3. c. 70. s. 4 & 5.)
- XXIX Such Orders to be paid by the Sheriff, who may obtain immediate Repayment on Application to the Treasury. (58 G. 3. 70. s. 5. 3 G. 1. c. 15. s. 4.)
- XXX If any Man is killed in attempting to take certain Offenders, the Court may order Compensation to his Family. (58 G. 3. 70. s. 3.)
- XXXI Recognizances in certain Cases not to be estreated without a Judge's Order.
- XXXII Repeal of the Acts.