



Indictable Offences Act 1848

1848 CHAPTER 42 11 and 12 Vict

An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales with respect to Persons charged with indictable Offences. [14th August 1848]

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Act applied (S.) by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), s. 326\(1\)](#)
- C3 Preamble omitted under authority of [Statute Law Revision Act 1891 \(c. 67\)](#)
- C4 This Act is not necessarily in the form in which it has effect in Northern Ireland

1—11.^{F1}

Textual Amendments

- F1 Ss. 1—11, 16—29 repealed by [Magistrate's Courts Act 1952 \(c. 55\), Sch. 6](#)

^{F2}12

Textual Amendments

- F2 S. 12 repealed (3.2.1995) by 1994 c. 33, s. 168(3), [Sch. 11](#); S.I. 1995/127, art. 2(1), [Sch.](#)

13 English warrants may be backed in the Isles of Man Guernsey, Jersey, Alderney, or Sark, and vice versa. Warrant so endorsed to be valid.

If any person against whom a warrant shall be issued in ^{F3}... England or Wales, by any justice of the peace, or by any judge of [^{F4}the High Court], or [^{F5}the Crown Court], for any indictable offence, shall escape, go into, reside, or be, or be supposed or suspected

Changes to legislation: There are currently no known outstanding effects for the Indictable Offences Act 1848. (See end of Document for details)

to be, in any of the Isles of Man, Guernsey, Jersey, Alderney, or Sark, it shall be lawful for any officer within the district into which such accused person shall escape or go, or where he shall reside or be, or be supposed or suspected to be, who shall have jurisdiction to issue any warrant or process in the nature of a warrant for the apprehension of offenders within such district, to indorse (K.) such warrant in the manner herein-before mentioned, or to the like effect; or if any person against whom any warrant, or process in the nature of a warrant, shall be issued in any of the isles aforesaid shall escape, go into, reside, or be, or be supposed or suspected to be, in ^{F3}... England or Wales, it shall be lawful for any justice of the peace in [^{F6}England and Wales], to indorse (K.) such warrant or process in manner herein-before mentioned; and every such warrant or process so indorsed shall be a sufficient authority to the person or persons bringing the same, and to all persons to whom the same respectively was originally directed, and also to all constables and peace officers in the county, district, or jurisdiction within which such warrant or process shall be so indorsed, to execute the same within the county, district, or place where the justice or officer [^{F7}indorsing the same is acting or has jurisdiction], and to convey such offender, when apprehended, into the county or district wherein the justice or person who [^{F8}issued such warrant or process is acting or has jurisdiction], and carry him before such justice or person, or before some other justice or person within the same county or district who shall have jurisdiction to commit such offender to prison for trial, and such justice or person may thereupon proceed in such and the same manner as if the said offender [^{F9}had been apprehended in England or Wales or (as the case may be) within his jurisdiction].

Textual Amendments

- F3** Words ins. 13 repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 33\(a\)](#), [Sch. 10](#); [S.I. 2005/910](#), art. 3(y)
- F4** Words substituted by virtue of [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 151(5), [Sch. 4](#)
- F5** Words substituted by [Courts Act 1971 \(c. 23\)](#), [Sch. 8 para. 9](#)
- F6** Words in s. 13 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 33\(b\)](#); [S.I. 2005/910](#), art. 3(y)
- F7** Words in s. 13 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 33\(c\)](#); [S.I. 2005/910](#), art. 3(y)
- F8** Words in s. 13 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 33\(d\)](#); [S.I. 2005/910](#), art. 3(y)
- F9** Words in s. 13 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 33\(e\)](#); [S.I. 2005/910](#), art. 3(y)

Modifications etc. (not altering text)

- C5** Ss. 12, 13 and 14 extended (E.W.) by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [s. 126](#)
- C6** S. 13 amended by [Criminal Justice Administration Act 1851 \(c. 55\)](#), [s. 18](#) and applied by [Magistrates' Courts Act 1952 \(c. 55\)](#), [s. 103](#)

^{F10}14

Textual Amendments

- F10** [S. 14](#) repealed (3.2.1995) by [1994 c. 33](#), [s. 168\(3\)](#), [SCh. 11](#); [S.I. 1995/127](#), art. 2(1), [Sch.](#)

Changes to legislation: There are currently no known outstanding effects for the Indictable Offences Act 1848. (See end of Document for details)

^{F11}15

Textual Amendments

F11 S. 15 repealed (3.2.1995) by 1994 c. 33, s. 168(3), **Sch. 11**; S.I. 1995/127, art. 2(1), **Sch.**

16— ^{F12}
29.

Textual Amendments

F12 Ss. 1–11, 16–29 repealed by Magistrate's Courts Act 1952 (c. 55), **Sch. 6**

30 ^{F13}

Textual Amendments

F13 S. 30 repealed by Justices of the Peace Act 1968 (c. 69), **Sch. 5 Pt. II**

31 ^{F14}

Textual Amendments

F14 S. 31 repealed by Statute Law Revision Act 1964 (c. 79)

32 **Extent of Act and saving.**

..... ^{F15} nothing in this Act shall be deemed or taken to extend to Scotland or Ireland, or to the Isles of Man, Jersey, or Guernsey, save and except the several provisions respectively herein-before contained respecting the backing of warrants, ^{F16}

Textual Amendments

F15 Words repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1**

F16 Words repealed by Courts Act 1971 (c. 23), **Sch. 11**, Pt. IV

33— ^{F17}
35.

Textual Amendments

F17 Ss. 33–35, **Sch.** Forms (A.)–(I.), (L.1.)–(T.2.) repealed by Magistrates' Courts Act 1952 (c. 55), **Sch. 6**

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SCHEDULE

(A.)— F18
(L.)

Textual Amendments

F18 Ss. 33–35, Sch. Forms (A.)–(I), (L.1.)–(T.2.) repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), [Sch. 6](#)

(K.)

Indorsement in backing a Warrant

WHEREAS proof upon oath hath this day been made before to wit. me, one of her Majesty’s justices of the peace for the said [*county*] of , that the name of *J.S.*, to the within warrant subscribed, is of the handwriting of the justice of the peace within mentioned; I do therefore hereby authorize *W.T.*, who bringeth to me this warrant, and all other persons to whom this warrant was originally directed, or by whom it may lawfully be executed, and also all constables and other peace officers of the said [*county*] of , to execute the same within the said last-mentioned [*county*],* and to bring the said *A.B.*, if apprehended within the same [*county*], before me, or before some other justice or justices of the peace of the same county, to be dealt with according to law.

Given under my hand, this day of 184 .

J.L.

**The words following this asterisk are to be used only where the justice backing the warrant shall think fit, and may be omitted in backing English warrants in Ireland, Scotland,& c., or in backing Irish or Scotch warrants,& c. in England.*

(L.1.)— F19
(T.2.)

Textual Amendments

F19 Ss. 33–35, Sch. Forms (A.)–(I), (L.1.)–(T.2.) repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), [Sch. 6](#)

Changes to legislation:

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