



Attendance of Witnesses Act 1854

1854 CHAPTER 34 17 and 18 Vict

3 Witnesses making default to be punished by the courts of the country in which the process was served.

In case any person so served shall not appear according to the exigency of such writ or process, it shall be lawful for the court out of which the same issued, upon proof made of the service thereof, and of such default, to the satisfaction of the said court, to transmit a certificate of such default under the seal of the same court, or under the hand of one of the judges or justices of the same, to any of her Majesty's Superior Courts of Common Law at [^{F1}the Royal Courts of Justice], in case such service was had in England, or in case such service was had in Scotland to the Court of Session^{F2} at Edinburgh, or in case such service was had in Ireland to any of her Majesty's Superior Courts of Common Law at [^{F3}Belfast]; and the court to which such certificate is so sent shall and may thereupon proceed against and punish the person so having made default, in like manner as they might have done if such person had neglected or refused to appear in obedience to a writ of subpoena or other process issued out of such last-mentioned court.

Textual Amendments

- F1** Words substituted by virtue of [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\), s. 224\(1\)](#)
- F2** Words repealed by [Statute Law Revision Act 1892 \(c. 19\), Sch.](#)
- F3** Word substituted by virtue of S.R. & O. 1921/1804 (Rev. XVI, p. 967: 1921, p. 422), art. 7(b)

Changes to legislation:

There are currently no known outstanding effects for the Attendance of Witnesses Act 1854, Section 3.