

HOUSE No. 409.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 18, 1869.

The Committee on the Judiciary, to whom was referred the Order relative to the examination of witnesses, report the accompanying Bill.

Per order,

T. L. NELSON, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-Nine.

AN ACT

Concerning the Examination of Witnesses.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 SECT. 1. The party producing a witness before
2 any court, as well criminal as all others, or before
3 any person having by law or by consent of parties
4 authority to hear, receive and examine evidence, shall
5 not be allowed to impeach his credit by evidence of
6 bad character, but he may contradict him by other
7 evidence, and may also prove that he has made at
8 other times statements inconsistent with his present
9 testimony; but before such last mentioned proof can
10 be given the circumstances of the supposed statement
11 sufficient to designate the particular occasion must

12 be mentioned to the witness, and he must be asked
13 whether or not he has made such statements, and if
14 so, allowed to explain them.

1 SECT. 2. This act shall take effect upon its pas-
2 sage.

