

A's sister lived in A's house with him but paid no rent or board. She kept a liquor shop there. A was aware of the fact but received no profit from the business. He was convicted under Canada Temperance Act as a principal. *Ex parte McCormack* (1894), 32 N. B. R. 272. See also *Ex parte William Kelly, ex parte Ellen Kelly* (1894), 32 N. B. R. 268.

Abetting murder—Insufficient evidence; *R. v. Curtley*, 27 U. C. R. 613.

A person who purchases intoxicating liquors sold in violation of the *Canada Temperance Act* is not liable to conviction as a party to the offence, in having aided, abetted, counselled or procured the sale by so purchasing the liquors: *Ex parte Armstrong*, 30 N. B. R. 425. See also *Ex parte Baker*, 30 N. B. R. 406.

70. PERSON COUNSELLING OFFENCE.—Every one who counsels or procures another person to be a party to an offence of which that person is afterwards guilty, is a party to that offence, although it may be committed in a way different from that which was counselled or suggested.

2. *IDEM.*—Every one who counsels or procures another to be a party to an offence is a party to every offence which that other commits in consequence of such counselling or procuring, and which the person counselling or procuring knew, or ought to have known, to be likely to be committed in consequence of such counselling or procuring. 55-56 V., c. 29, s. 62.

71. ACCESSORY AFTER THE FACT.—An accessory after the fact to an offence is one who receives, comforts or assists any one who has been a party to such offence in order to enable him to escape, knowing him to have been a party thereto.

2. **HUSBAND OR WIFE.**—No married person whose husband or wife has been a party to an offence shall become an accessory after the fact thereto by receiving, comforting or assisting the other of them, and no married woman whose husband has been a party to an offence shall become an accessory after the fact thereto, by receiving, comforting or assisting in his presence and by his authority any other person who has been a party to such offence in order to enable her husband or such other person to escape. 55-56 V., c. 29, s. 63.

Married woman—Murder of husband—Evidence—Corroboration; *R. v. Smith*, 38 U. C. R. 218; *United States Express Co. v. Donohoe*, 14 O. R. 353.

Corroboration—Cautioning jury—Case reserved; *R. v. Andrews*, 12 O. R. 184; *R. v. Smith, supra*.

Under the extradition laws in force between the U. S. A. and Can., an accessory before the fact to an extraditable offence may be extradited; but it is otherwise in the case of an accessory after the fact. *R. v. Broune*, 31 U. C. C. P. 484; *In re Counhays*, L. R. 8 Q. B. 410, 417.