

6. RETURNING FROM TRANSPORTATION.

34. If any person sentenced or ordered to be transported or banished, or who having agreed to transport or banish himself on certain conditions, either for life or for any number of years, be afterwards at large within any part of this Province, contrary to such sentence, order or agreement, without some lawful cause, before the expiration of his term of transportation or banishment, such offender shall be guilty of felony, and shall be imprisoned for any term not exceeding four years. 4, 5 V. c. 24, s. 25.

Returning from transportation.

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An Act respecting Offences against the Person.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

1. PETIT TREASON.

1. Every offence, which on or before the first of January, 1842, would have amounted to petit treason, shall be deemed to be murder only, and no greater offence; and all persons guilty in respect thereof, whether as principals or as accessories, shall be dealt with, indicted, tried, and punished as principals and accessories in murder. 4, 5 V. c. 27, s. 2.

Petit treason placed on the same footing as murder.

Punishment.

2. MURDER.

2. Every person guilty of murder, or of being an accessory before the fact to murder, shall suffer death as a felon; and every accessory after the fact to murder, shall be imprisoned in the Penitentiary for the term of his natural life, or for any term not less than two years, or be imprisoned in any other prison or place of confinement for any term less than two years. 4, 5 V. c. 27, s. 3, 6 V. c. 5, s. 2, and 14, 15 V. c. 2, s. 2.

Murder and accessories before and after the fact.

3. MANSLAUGHTER.

3. Every person guilty of manslaughter shall be imprisoned in the Penitentiary for the term of his natural life, or for any term not less than two years, or be imprisoned in any other prison or place of confinement for any term less than two years, or shall pay such fine as the Court may impose. 4, 5 V. c. 27, s. 7.

Manslaughter.

Punishment.

4. CONCEALING THE BIRTH.

4. Any woman delivered of a child, who, by secret burying or otherwise disposing of the dead body of the said child, endeavours to conceal the birth thereof, shall be guilty of a misdemeanor, and shall be imprisoned for any term less than two years, and it shall not be necessary to prove whether the child died before, at, or after its birth. 4, 5 V. c. 27, s. 14.

Concealing the birth of children to be a misdemeanor.

Punishment.