



CHAPTER 145.

A. D. 886

An Act respecting Accessories.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

FELONIES.

Accessories before the fact to felony punishable as principals.

[24-25 V., c. 94, s. 1]

1. Every one who becomes an accessory before the fact to any felony, whether the same is a felony at common law, or by virtue of any Act, may be indicted, tried, convicted and punished in all respects as if he were a principal felon. 31 V., c. 69, s. 9, *part*, and c. 72, s. 1;—32-33 V., c. 20, s. 8, *part*, and c. 21, s. 107, *part*.

Punishment of person counselling, &c., the committing of a felony.

[24-25 V., c. 94, s. 2]

2. Every one who counsels, procures or commands any other person to commit any felony, whether the same is a felony at common law, or by virtue of any Act, is guilty of felony, and may be indicted, and convicted either as an accessory before the fact to the principal felony, together with the principal felon, or after the conviction of the principal felon,—or may be indicted and convicted of a substantive felony, whether the principal felon has or has not been convicted, or is or is not amenable to justice,—and may thereupon be punished in the same manner as any accessory before the fact to the same felony, if convicted as an accessory, may be punished. 31 V., c. 72, s. 2.

Punishment of principal in second degree.

[11-12 V., c. 12, s. 8; 24-25 V., c. 96, s. 98, c. 97, s. 56, c. 98, s. 49, c. 99, s. 35, c. 100, s. 67]

3. In every felony, every principal in the second degree shall be punishable in the same manner as the principal in the first degree is punishable. 31 V., c. 69, s. 9, *part*, and c. 72, s. 3;—32-33 V., c. 21, s. 107, *part*.

Accessories after the fact may be indicted as such or as substantive felons.

[24-25 V., c. 94, s. 3.]

4. Every one who becomes an accessory after the fact to any felony, whether the same is a felony at common law or by virtue of any Act, may be indicted and convicted, either as an accessory after the fact to the principal felony, together with the principal felon, or after the conviction of the principal felon, or may be indicted and convicted of a substantive felony, whether the principal felon has or has not been