



Accessories and Abettors Act 1861

1861 CHAPTER 94

As to Accessories generally:

Prosecution of Accessory after Principal has been convicted, but not attainted.

- 5 If any principal Offender shall be in anywise convicted of any Felony, it shall be lawful to proceed against any Accessory, either before or after the Fact, in the same Manner as if such principal Felon had been attainted thereof, notwithstanding such principal Felon shall die, or be pardoned, or otherwise delivered before Attainder; and every such Accessory shall upon Conviction suffer the same Punishment as he would have suffered if the Principal had been attainted.

Several Accessories may be included in the same Indictment although principal Felon not included.

- 6 Any Number of Accessories at different Times to any Felony, and any Number of Receivers at different Times of Property stolen at One Time, may be charged with substantive Felonies in the same Indictment, and may be tried together, notwithstanding the principal Felon shall not be included in the same Indictment, or shall not be in Custody or amenable to Justice.

Trial of Accessories.

- 7 Where any Felony shall have been wholly committed within England or Ireland, the Offence of any Person who shall be an Accessory either before or after the Fact to any such Felony may be dealt with, inquired of, tried, determined, and punished by any Court which shall have Jurisdiction to try the principal Felony, or any Felonies committed in any County or Place in which the Act by reason whereof such Person shall have become such Accessory shall have been committed; and in every other Case the Offence of any Person who shall be an Accessory either before or after the Fact to any Felony may be dealt with, inquired of, -tried, determined, and punished by any Court which shall have Jurisdiction to try the principal Felony or any Felonies committed in any County or Place in which such Person shall be apprehended or be in Custody, whether the principal Felony shall have been committed on the Sea or on the Land, or begun on the Sea and completed on the Land, or begun on the Land and completed on the Sea, and whether within Her Majesty's Dominions or without, or partly within Her Majesty's Dominions and partly without; provided that no Person who shall be once duly tried either as an Accessory before or after the Fact, or for a

Status: This is the original version (as it was originally enacted).

substantive Felony under the Provisions hereinbefore contained, shall be liable to be afterwards prosecuted for the same Offence.