

**CHAPTER 440**

## THE TREASONABLE OFFENCES ACT

## Arrangement of Sections

## Section

1. Shorttitle.
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3. In indictments more than one overt act may be charged.
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5. As to the punishment of accessories before and after the fact.
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TREASONABLE OFFENCES

(3rd August, 1868.)

23/1868.  
17/1984.

**1.** This Act may be cited as the **Treasonable Offences Act**. **Short title.**

**2.** If any person shall within Antigua and Barbuda, compass, imagine, invent, devise, or intend to deprive or depose our most gracious lady the Queen, Her heirs or successors from the style, honour or Royal name of the Imperial Crown of the United Kingdom or of any other of Her Majesty's dominions and countries, or to levy war against Her Majesty, Her heirs or successors within any part of the United Kingdom or within any other of Her Majesty's dominions or countries or Antigua and Barbuda in order by force or constraint to compel Her or them to change Her or their measures or councils, or in order to put any force or

**Offence declared by this Act to be felony punishable by imprisonment.**

constraint upon, or to intimidate Parliament or to move or stir any foreigner or stranger with force to invade the United Kingdom or any other of Her Majesty's dominions or countries, under the obedience of Her Majesty, Her heirs or successors, and such compassings, imaginations, inventions, devices or intentions, or any of them shall express, utter, or declare by publishing any printing or writing, or by open and advised speaking or by any overt act or deed, every person so offending shall be guilty of felony, and being convicted thereof shall be liable at the discretion of the Court to be imprisoned for any term not exceeding ten years, with or without hard labour as the Court shall direct:

Provided that no person shall be prosecuted for felony by virtue of this Act in respect of such compassings, imaginations, inventions, devices or intentions as aforesaid in so far as the same are expressed, uttered, or declared by open and advised speaking only unless information of such compassings, imaginations, inventions, devices, and intentions, and of the words by which the same were expressed, uttered or declared, shall be given upon oath to a Magistrate within six days after such words shall have been spoken, and unless a warrant for the apprehension of the person by whom such words shall have been spoken, shall be issued within ten days next after such information shall have been given as aforesaid, and that no person shall be convicted of any such compassings, imaginations, inventions, devices, or intentions as aforesaid in so far as the same are expressed, uttered, or declared by open, or advised speaking as aforesaid, except upon his own confession in open Court, or unless the words so spoken shall be proved by two credible witnesses.

In indictments more than one overt act may be charged.

**3.** It shall be lawful in any indictment for felony under this Act, to charge against the offender any number of the matters, acts, or deeds by which such compassings, imaginations, inventions, devices, or intentions as aforesaid (or any of them) shall have been expressed, uttered or declared.

Indictments for felony under this Act valid though the facts only amount to treason

**4.** If the facts or matters alleged in an indictment for any felony under this Act shall amount in law to treason, such indictment shall not by reason thereof be deemed void, erroneous or defective, and if the facts or matters

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proved on the trial of any person indicted for any felony under this Act shall amount in law to treason, such person shall not by reason thereof be entitled to be acquitted of such felony, but no person tried for such felony shall be afterwards prosecuted for treason upon the same facts.

**5.** In the case of every felony punishable under this Act, every principal in the second degree and every accessory before the fact shall be punishable in the same manner as the principal **in** the first degree is by this Act punishable. And every accessory after the fact to any such felony shall on conviction be liable to be imprisoned with or without hard labour for any term not exceeding two years.

**As to the punishment of accessories before and after the fact.**

**6.** It shall not be lawful for any Court before which any person shall be prosecuted or tried for any felony under this Act to order payment to the prosecutor or to the witnesses of any costs which shall be incurred in preferring or prosecuting any such indictments.

**No costs allowed in prosecutions under this Act.**

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