

189. (1.) Every person who attempts to commit any offence is liable to imprisonment for one-half of the term to which a person committing the offence may be sentenced. Attempts.

(2.) Every person who attempts to commit any offence punishable by fine shall be liable to a fine of one-half of the maximum fine appointed for that offence.

190. (1.) Every person who incites any person, whether ascertained or unascertained, to commit any offence punishable by imprisonment shall be liable to imprisonment for one-half of the longest term to which a person committing the said offence may be sentenced. Inciting.

(2.) If the offence to which any person is so incited is actually committed by him, the person so inciting him shall be liable, on a charge of inciting, to the same punishment as if he had himself committed the offence, or he may be charged and convicted as a party to the offence so procured by him.

191. Every one is a party to and guilty of an offence who— Parties to offences.

(a.) Actually commits the offence; or

(b.) Does or omits any act for the purpose of aiding any person to commit the offence; or

(c.) Counsels or procures any person to commit the offence.

192. If several persons form a common intention to prosecute any unlawful purpose and to assist each other therein, each of them is a party to every offence committed by any one of them in the prosecution of such common purpose, the commission of which offence was or ought to have been known to be a probable consequence of the prosecution of such common purpose. Common criminal purpose.

193. (1.) Every one who counsels or procures another to be a party to an offence of which that other is afterwards guilty is a party to that offence, although it may be committed in a way different from that which was counselled. Counselling or procuring.

(2.) 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.

194. All rules and principles of the common law which render any circumstances a justification or excuse for any act or omission, or a defence to any charge, shall remain in force with respect to all offences constituted by this or any other enactment, except so far as inconsistent with this or any other enactment. Common law defences.

195. No person shall be proceeded against for any offence at common law. Common law offences.

196. (1.) When any person is condemned to death the sentence shall be that such person shall be taken to the place of execution, and there hanged by the neck until he is dead. Sentence of death.

(2.) No sentence of death shall be carried into execution until the Governor-General has issued his warrant in that behalf, or otherwise than in accordance with the terms of that warrant and under the direction of the officer to whom it is addressed.

197. Except where otherwise expressly provided, every one liable to imprisonment for any term for any offence may be sentenced to imprisonment for any shorter term, or may be sentenced to pay a fine not exceeding one hundred pounds in addition to or instead of imprisonment, and every one liable to a fine of any amount may be sentenced to pay a fine of any less amount. Maximum fines and terms of imprisonment.

198. (1.) Every fine imposed upon any person by the High Court shall constitute a judgment debt due by that person to the Crown, and payment thereof shall be enforceable and recoverable accordingly by civil process of execution in the same manner in all respects as if such debt had been recovered in civil proceedings at the suit of the Crown. Enforcement of fines.

(2.) Any person upon whom any such fine has been imposed may, by warrant under the seal of the High Court, be committed to prison by a Judge or Commissioner of that Court for a period not exceeding six months, but shall be entitled to be discharged from such imprisonment on payment of the fine.