

THE TREASON FELONY ACT

Cap. 390.
Act
42 of 1969
3rd Sch.

[6th March, 1869.]

1. This Act may be cited as the Treason Felony Act. Short title.

2. If any person or persons whosoever, after the passing of this Act, shall, within this Island, compass, imagine, invent, devise, or intend to deprive or depose our most Gracious Lady the Queen, from the style, honour, or royal name of the Crown, or to levy war against Her Majesty, in order by force or constraint to compel her to change her measures or counsels, or to put any force or restraint upon, or in order to intimidate or overawe both Houses or either House of Parliament, or to move or stir any foreigner or stranger with force to invade Jamaica, or any other Commonwealth country; 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 to be imprisoned for life, with or without hard labour. Punishment for intending to depose the Queen, or levy war against her, etc.

42/1969
3rd Sch.

3. If any person or persons whosoever, after the passing of this Act, shall, within this Island, compass, imagine, invent, devise, or intend to levy war, or excite insurrection against the Government of this Island, as by law established, in order by force or constraint to compel the Governor-General, Senate and House of Representatives or any of them, to consent to alter or change the constitution of this Island, as by law established, or in order to put any force or constraint upon, or to intimidate and overawe the Governor- Punishment for intending to levy war or excite insurrection, etc.

TREASON FELONY

General, Senate and House of Representatives or any of them, or to move or stir any foreigner or stranger with force to invade this Island, and shall express, utter, or declare, by publishing any printing or writing, or by open and advised speaking, or by any overt act or deed, such compassings, imaginations, inventions, devices, or intentions, or any of them, every person so offending shall be guilty of felony, and, being convicted thereof, shall be liable to be imprisoned for life, with or without hard labour.

42/1969
3rd Sch.

Punishment
for inciting
to insurrec-
tion or
rebellion,
etc.

4. If any person or persons whosoever, shall, within this Island, maliciously and advisedly endeavour to excite or stir up any person to commit any act of insurrection or rebellion, or make or endeavour to make any traitorous or rebellious assembly, or to commit any traitorous or rebellious act, or to engage in any confederacy, combination, or conspiracy for the purpose, by force or constraint, or otherwise than by lawful means, of effecting a change in the state or condition of the people of this Island, or by force or constraint, of compelling the Governor-General, Senate and House of Representatives or any of them, to consent to grant or agree to such change, or in order to put any force or constraint upon, or to intimidate or overawe the Governor-General, Senate and House of Representatives or any of them, every person so offending shall be guilty of felony, and, being convicted thereof, shall be liable to be imprisoned for life, with or without hard labour.

42/1969
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Persons not
to be
prosecuted
for words
only unless
information
given within
six days and
warrant
issued within
ten days.

5. No person shall be prosecuted for any felony by virtue of this Act in respect of such compassings, imaginations, inventions, devices, or intentions, 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, or intentions, and of the words by which the same were expressed, uttered, or declared, shall be given upon oath to one or more Justice or Justices 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 and 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.

6. 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 a term not exceeding two years.

Punishment
of acces-
sories before
and after
the fact.