

No. 59, S.]

[Published June 8, 1945.]

**CHAPTER 260.**

AN ACT to repeal and recreate 353.05 and to repeal 353.06 of the statutes, relating to parties to crime and the penalty therefor.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 353.05 of the statutes is repealed and recreated to read:

353.05 PARTIES TO CRIME; PLEADING AND PROOF. Every person concerned in the commission of an offense, whether he directly commits the offense or aids or abets in or hires, counsels or otherwise procures its commission, may be indicted or informed against as principal and tried thereon either separately or with others concerned, and may be convicted of and sentenced for any degree of the offense charged or any offense included in the charge, whether the person directly committing the offense has been convicted or acquitted, or convicted of some other degree of the offense or of some other offense based upon the same occurrence, or has not been apprehended or is not amenable to justice or for any other reason has not been tried, or is a corporation not subject to prosecution for the offense. It shall not be deemed a variance if a person indicted or informed against for the commission of an offense shall be proved to have aided or abetted in or hired, counseled or otherwise procured its commission by another, nor shall proof of the guilt or innocence of the person directly committing the offense be required for the conviction of any other person concerned therein.

SECTION 2. 353.06 of the statutes is repealed.

Approved June 5, 1945.