



Offences Against the Person Act 1861

CHAPTER 100

OFFENCES AGAINST THE PERSON ACT 1861

Homicide

- 1 Murder.
- 2 Sentence for Murder.
- 3 Body to be buried in Prison.
- 4 Conspiring or soliciting to commit Murder
- 5 Manslaughter.
- 6 Indictment for Murder or Manslaughter.
- 7 Excusable Homicide.
- 8 Petit Treason.
- 9 Murder or Manslaughter abroad.
- 10 Provision for the Trial of Murder and Manslaughter where the Death or Cause of Death only happens in England or Ireland.

Attempts to murder

- 11 Administering Poison, or wounding with Intent to murder.
- 12 Destroying or damaging a Building with Gunpowder, with Intent to murder.
- 13 Setting fire to or casting away a Ship with Intent to murder.
- 14 Attempting to Administer Poison, or shooting or attempting to shoot or attempting to drown &c., with Intent to murder.
- 15 By any other Means attempting to commit Murder.

Letters threatening to murder

- 16 Sending Letters threatening to murder.

Acts causing or tending to cause Danger to Life or bodily Harm

- 17 Impeding a Person endeavouring to save himself from Shipwreck.
- 18 Shooting or attempting to shoot, or wounding with Intent to do grievous bodily Harm.
- 19 What shall constitute loaded Arms.
- 20 Inflicting bodily Injury, with or without Weapon.
- 21 Attempting to choke, &c. in order to commit any indictable Offence.
- 22 Using Chloroform, &c. to commit any indictable Offence.
- 23 Maliciously administering Poison, &c. so as to endanger Life or inflict grievous bodily Harm.
- 24 Maliciously administering Poison, &c. with Intent to injure, aggrieve, or annoy any other Person.
- 25 If the Jury be not satisfied that any Person charged is guilty of Felony; but guilty of Misdemeanor they may find him guilty accordingly.
- 26 Not providing Apprentices or Servants with Food, &c. whereby Life endangered.
- 27 Exposing Children whereby Life endangered.
- 28 Causing bodily Injury by Gunpowder.
- 29 Causing Gunpowder to explode, to any Person an explosive Substance, or throwing corrosive Fluid on a Person, with Intent to do grievous bodily Harm.
- 30 Placing Gunpowder near a Building, with Intent to do bodily Injury to any Person.
- 31 Setting Spring Guns, &c., with Intent to inflict grievous bodily Harm.
- 32 Placing Wood, &c., on a Railway, with Intent to endanger Passengers.
- 33 Casting Stone, &c. upon a Railway Carriage, with Intent to endanger the Safety of any Person therein.
- 34 Doing or emitting anything to endanger Passengers by Railway.
- 35 Drivers of Carriages injuring Persons by furious Driving.

Assaults

- 36 Obstructing or assaulting a Clergyman or other Minister in the Discharge of his Duties.
- 37 Assaulting a Magistrate, &c. on account of his preserving Wreck.
- 38 Assault with Intent to commit Felony, or on Peace Officers, &c.
- 39 Assaults with Intent to obstruct the Sale of Grain, or its free Passage.
- 40 Assaults on Seamen, &c.
- 41 Assaults arising from Combination.
- 42 Persons committing any Common Assault or Battery may be imprisoned or compelled by Two Magistrates to pay Fine and Costs not exceeding 5l.
- 43 Persons convicted of aggravated Assaults on Females and Boys under Fourteen Years of Age may be imprisoned or fined.
- 44 If the Magistrates dismiss the Complaint, they shall make out a Certificate to that Effect.
- 45 Certificate or Conviction shall be a Bar to any other Proceedings.
- 46 These Provisions not to apply to certain Cases.
- 47 Assault occasioning bodily Harm.

Rape, Abduction, and Defilement of Women

- 48 Rape.

- 49 Procuring the Defilement of Girl under Age.
- 50 Carnally knowing a Girl under Ten Years of Age.
- 51 Carnally knowing a Girl between the Ages of Ten and Twelve.
- 52 Attempt to commit the last Two Offences.
- 53 Abduction of a Woman against her Will, from Motives of Lucre.
Fraudulent Abduction of a Girl under Age against the Will of her Father,
&c. Offender incapable of taking any of her Property.
- 54 Forcible Abduction of any Woman with Intent to marry her.
- 55 Abduction of a Girl under Sixteen Years of Age.

Child-stealing

- 56 Child-stealing.

Bigamy

- 57 Bigamy. Offence may be dealt with where Offender shall be apprehended. Not to extend to Second Marriages, &c. herein stated.

Attempts to procure Abortion

- 58 Administering Drugs or using Instruments to procure Abortion.
- 59 Procuring Drugs, &c. to cause Abortion.

Concealing the Birth of a Child

- 60 Concealing the Birth of a Child.

Unnatural Offences

- 61 Sodomy and Bestiality.
- 62 Attempt to commit an infamous Crime.
- 63 Carnal Knowledge defined.

Making Gunpowder to commit Offences, and searching for the same

- 64 Making or having Gunpowder, &c., with Intent to commit any Felony against this Act.
- 65 Justices may issue Warrants for searching Houses, &c. in which explosive Substances are suspected to be made for the Purpose of committing Felonies against this Act

Other Matters

- 66 A Person loitering at Night, and suspected of any Felony against this Act, may be apprehended.
- 67 Punishment of Principals in the Second Degree, and Accessories.
- 68 Offences committed within the Jurisdiction of the Admiralty.
- 69 Hard labour in Gaol or House of Correction.
- 70 Solitary Confinement and Whipping
- 71 Fine, and Sureties for keeping the Peace; in what Cases.
- 72 No Certiorari, &c.
- 73 Guardians and Overseers may be required to prosecute in certain Cases of Offences against this Act. Costs of Prosecution. Clerk of Guardians may be bound over to prosecute.

- 74 On a Conviction for Assault the Court may order Payment of the Prosecutor's Costs by the Defendant.
- 75 Such Costs may be levied by Distress.
- 76 Summary Proceedings in England may be under the 11 & 12 Vict. c. 43., and in Ireland under the 14 & 15 Vict. c. 93. Except in London and the Metropolitan Police District.
- 77 The Costs of the Prosecution of Misdemeanors against this Act may be allowed.
- 78 Act not to extend to Scotland.
- 79 Commencement of Act