

OFFENCES AGAINST THE PERSON ACT 1861

4. Soliciting to commit murder

Whosoever shall solicit, encourage, persuade, or endeavour to persuade, or shall propose to any person, to murder any other person, whether he be a subject of Her Majesty or not, and whether he be within the Queen's dominions or not, shall be guilty of a misdemeanour, and being convicted thereof shall be liable to imprisonment for life.

9. Murder or manslaughter abroad

Where any murder or manslaughter shall be committed on land out of the United Kingdom, whether within the Queen's dominions or without, and whether the person killed were a subject of Her Majesty or not, every offence committed by any subject of Her Majesty in respect of any such case, whether the same shall amount to the offence of murder or of manslaughter, ... may be dealt with, inquired of, tried, determined, and punished ... in England or Ireland ...

10. Provision for the trial of murder and manslaughter where the death or cause of death only happens in England or Ireland

Where any person being criminally stricken, poisoned, or otherwise hurt upon the sea, or at any place out of England or Ireland, shall die of such stroke, poisoning, or hurt in England or Ireland, or, being criminally stricken, poisoned or otherwise hurt in any place in England or Ireland, shall die of such stroke, poisoning, or hurt upon the sea, or at any place out of England or Ireland, every offence committed in respect of any such case, whether the same shall amount to the offence of murder or of manslaughter, ... may be dealt with, inquired of, tried, determined, and punished ... in England or Ireland ...

16. Threats to kill

A person who without lawful excuse makes to another a threat, intending that that other would fear it would be carried out, to kill that other or a third person, shall be guilty of an offence and liable on conviction on indictment to imprisonment for a term not exceeding ten years.

17. Impeding a person endeavouring to save himself or another from shipwreck

Whosoever shall unlawfully and maliciously prevent or impede any person, being on board of or having quitted any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore, in his endeavour to save his life, or shall unlawfully and maliciously prevent or impede any person in his endeavour to save the life of any such person as in this section first aforesaid, shall be guilty of an offence, and being convicted thereof shall be liable ... to imprisonment for life.

18. Wounding, or causing grievous bodily harm with intent to do grievous bodily harm, or to resist apprehension

Whosoever shall unlawfully and maliciously by any means whatsoever wound or cause any grievous bodily harm to any person ... with intent ... to do some ... grievous bodily harm to any person, or with intent to resist or prevent the lawful apprehension or detainer of any person, shall be guilty of an offence, and being convicted thereof shall be liable, to imprisonment for life ...

20. Wounding or inflicting grievous bodily harm

Whosoever shall unlawfully and maliciously wound or inflict any grievous bodily harm upon any other person, either with or without any weapon or instrument, shall be guilty of an offence, and being convicted thereof shall be liable ... to imprisonment for a term not exceeding five years.

21. Attempting to choke, etc., in order to commit or assist in the committing of any indictable offence

Whosoever shall, by any means whatsoever, attempt to choke, suffocate, or strangle any other person, or shall by any means calculated to choke, suffocate, or strangle, attempt to render any other person insensible, unconscious, or incapable of resistance, with intent in any of such cases thereby to enable himself or any other person to commit, or with intent in any of such cases thereby to assist any other person in committing any indictable offence, shall be guilty of an offence, and being convicted thereof shall be liable ... to imprisonment for life ...

22. Using chloroform, etc., to commit or assist in the committing of any indictable offence

Whosoever shall unlawfully apply or administer to or cause to be taken by, or attempt to apply or administer to or attempt to cause to be administered to or taken by, any person, any chloroform, laudanum, or other stupefying or overpowering drug, matter, or thing, with intent in any of such cases thereby to enable himself or any other person to commit, or with intent in any of such cases thereby to assist any other person in committing any indictable offence, shall be guilty of an offence, and being convicted thereof shall be liable ... to imprisonment for life ...

23. Maliciously administering poison, etc., so as to endanger life or inflict grievous bodily harm

Whosoever shall unlawfully and maliciously administer to or cause to be administered to or taken by any other person any poison or other destructive or noxious thing, so as thereby to endanger the life of such person, or so as thereby to inflict upon such person any grievous bodily harm, shall be guilty of an offence, and being convicted thereof shall be liable ... to imprisonment for any term not exceeding ten years ...

24. Maliciously administering poison, etc., with intent to injure, aggrieve, or annoy any other person

Whosoever shall unlawfully and maliciously administer to or cause to be administered to or taken by any other person any poison or other destructive or noxious thing, with intent to injure, aggrieve, or annoy such person, shall be guilty of an offence, and being ... convicted thereof shall be liable to imprisonment for a term not exceeding five years.

26. Not providing apprentices or servants with food, etc., or doing bodily harm, whereby life is endangered, or health permanently injured

Whosoever, being legally liable, either as a master or mistress, to provide for any apprentice or servant necessary food, clothing, or lodging, shall wilfully and without lawful excuse refuse or neglect to provide the same, or shall unlawfully and maliciously do or cause to be done any bodily harm to any such apprentice or servant, so that the life of such apprentice or servant shall be endangered, or the health of such apprentice or servant shall be likely to be permanently injured, shall be guilty of an offence, and being convicted thereof shall be liable ... to imprisonment for a term not exceeding five years.

28. Causing bodily injury by gunpowder

Whosoever shall unlawfully and maliciously, by the explosion of gunpowder or other explosive substance, burn, maim, disfigure, disable, or do any grievous bodily harm to any person, shall be guilty of an offence, and being convicted thereof shall be liable, at the discretion of the court, to imprisonment for life.

29. Causing gunpowder to explode, or sending to any person an explosive substance, or throwing corrosive fluid on a person, with intent to grievous bodily harm

Whosoever shall unlawfully and maliciously cause any gunpowder or other explosive substance to explode, or send or deliver to or cause to be taken or received by any person any explosive substance or any other dangerous or noxious thing, or put or lay at any place, or cast or throw at or upon or otherwise apply to any person, any corrosive fluid or any destructive or explosive substance, with intent in any of the cases aforesaid to burn, maim, disfigure, or disable any person, or to do some grievous bodily harm to any person, shall, whether any bodily injury be effected or not, be guilty of an offence, and being convicted thereof shall be liable, at the discretion of the court, to imprisonment for life.

30. Placing gunpowder near a building etc., with intent to do bodily injury to any person

Whosoever shall unlawfully and maliciously place or throw in, into, upon, against, or near any building, ship, or vessel any gunpowder or other explosive substance, with intent to do any bodily injury to any person, shall, whether or not any explosion take place, and whether or not any bodily injury be effected, be guilty of an offence, and being convicted thereof shall be liable, at the discretion of the court, to imprisonment for any term not exceeding fourteen years.

31. Setting or allowing to remain spring guns, etc., with intent to inflict grievous bodily harm

Whosoever shall set or place, or cause to be set or placed, any spring gun, man trap, or other engine calculated to destroy human life or inflict grievous bodily harm, with the intent that the same or whereby the same may destroy or inflict grievous bodily harm upon a trespasser or other person coming in contact therewith, shall be guilty of an offence, and being convicted thereof shall be liable ... to imprisonment for a term not exceeding five years; and whosoever shall knowingly and wilfully permit any such spring gun, man trap, or other engine which may have been set or placed in any place then being in or afterwards coming into his possession or occupation by some other person to continue so set or placed, shall be deemed to have set and placed such gun, trap, or engine with such intent as aforesaid: Provided, that nothing in this section contained shall extend to make it illegal to set or place any gun or trap such as may have been or may be usually set or placed with the intent of destroying vermin: Provided also, that nothing in this section shall be deemed to make it unlawful to set or place, or cause to be set or placed, or to be continued set or placed, from sunset to sunrise, any spring gun, man trap, or other engine which shall be set or placed, or caused or continued to be set or placed, in a dwelling-house, for the protection thereof.

32. Placing wood, etc., on railway, taking up rails, showing or hiding signals, etc., with intent to endanger passengers

Whosoever shall unlawfully and maliciously put or throw upon or across any railway any wood, stone, or other matter or thing, or shall unlawfully and maliciously take up, remove, or displace any rail, sleeper, or other matter or thing belonging to any railway, or shall unlawfully and maliciously turn, move or divert any points or other machinery belonging to any railway, or shall unlawfully and maliciously make or show, hide or remove, any signal or light upon or near to any railway, or shall unlawfully and maliciously do or cause to be done any other matter or thing, with intent, in any of the cases aforesaid, to endanger the

safety of any person travelling or being upon such railway, shall be guilty of an offence, and being convicted thereof shall be liable, at the discretion of the court, to imprisonment for life.

33. Casting stone, etc., upon a railway carriage, with intent to endanger the safety of any person therein, or in any part of the same train

Whosoever shall unlawfully and maliciously throw, or cause to fall or strike, at, against, into, or upon any engine, tender, carriage, or truck used upon any railway, any wood, stone, or other matter or thing, with intent to injure or endanger the safety of any person being in or upon such engine, tender, carriage, or truck, or in or upon any other any other engine, tender, carriage, or truck of any train of which such first-mentioned engine, tender, carriage, or truck shall form part, shall be guilty of an offence, and being convicted thereof shall be liable ... to imprisonment for life.

34. Doing or omitting anything so as to endanger passengers by railway

Whosoever, by any unlawful act, or by any wilful omission or neglect, shall endanger or cause to be endangered the safety of any person conveyed or being in or upon a railway, or shall aid or assist therein, shall be guilty of an offence, and being convicted thereof shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years.

35. Driver of carriages injuring persons by furious driving

Whosoever, having the charge of any carriage or vehicle, shall by wanton or furious driving or racing, or other wilful misconduct, or by wilful neglect, do or cause to be done any bodily harm to any person whatsoever, shall be guilty of an offence, and being convicted thereof shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years.

38. Assault with intent to resist arrest

Whosoever ... shall assault any person with intent to resist or prevent the lawful apprehension or detainer of himself or of any other person for any offence, shall be guilty of an offence, and being convicted thereof shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years.

44. If the magistrates shall dismiss any complaint of assault or battery, they shall make out a certificate to that effect

If the justices, upon the hearing of any case of assault or battery upon the merits, where the complaint was preferred by or on behalf of the party aggrieved, shall deem the offence to be proved, or shall find the assault or battery to have been justified, or so trifling as not to merit any punishment, and shall accordingly dismiss the complaint, they shall forthwith make out a certificate under their hands stating the fact of such dismissal, and shall deliver such certificate to the party against whom the complaint was preferred.

45. Certificate or conviction shall be a bar to any other proceedings

If any person against whom any such complaint as in either of the last three preceding sections mentioned shall have been preferred by or on the behalf of the party aggrieved shall have obtained such certificate, or, having been convicted, shall have paid the whole amount adjudged to be paid, or shall have suffered the imprisonment awarded, in every such case he shall be released from all further or other proceedings, civil or criminal, for the same cause.

47. Assault occasioning bodily harm

Whosoever shall be convicted upon an indictment of any assault occasioning actual bodily harm shall be liable ... to be imprisoned for any term not exceeding five years.

64. Making or having anything with intent to commit an offence

In this Act whosoever shall knowingly have in his possession, or make or manufacture, any gunpowder, explosive substance, or any dangerous or noxious thing, or any machine, engine, instrument, or thing, with intent by means thereof to commit, or for the purpose of enabling any other person to commit, any of the offences in this Act mentioned shall be guilty of a misdemeanour, and being convicted thereof shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years ...