



Offences against the Person Act 1861

1861 CHAPTER 100 24 and 25 Vict

Homicide

1^{F1}

Textual Amendments

F1 S. 1 repealed by [Murder \(Abolition of Death Penalty\) Act 1965 \(c. 71\)](#), [Sch.](#) and Northern Ireland (Emergency Provisions) Act 1973 (c. 53), s. 31(6), [Sch. 5](#)

2, 3^{F2}

Textual Amendments

F2 Ss. 2, 3 repealed by [Homicide Act 1957 \(c. 11\)](#), [Sch. 2](#)

4 **Conspiring or soliciting to commit murder.**

^{F3} . . . 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 misdemeanor, and being convicted thereof shall be liable ^{F4} . . . to [^{F5}imprisonment for life]^{F4} . . .

Textual Amendments

- F3** Words repealed by [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 13](#)
- F4** Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)
- F5** Words substituted by [Criminal Law Act 1977 \(c. 45\)](#), s. **5(10)(b)**

Changes to legislation: There are currently no known outstanding effects for the Offences against the Person Act 1861, Cross Heading: Homicide. (See end of Document for details)

5 Manslaughter.

Whosoever shall be convicted of manslaughter shall be liable, at the discretion of the court, to be kept in penal servitude for life . . . ^{F6}

Textual Amendments
F6 Words repealed by Statute Law Revision Act 1892 (c. 19) and Criminal Justice Act 1948 (c. 58), **Sch. 10 Pt. I**

6 ^{F7}

Textual Amendments
F7 S. 6 repealed by Indictments Act 1915 (c. 90), **Sch. 2**

7, 8 ^{F8}

Textual Amendments
F8 Ss. 7, 8 repealed by Criminal Law Act 1967 (c. 58), **Sch. 3 Pt. I**

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, . . . ^{F9}, may be dealt with, inquired of, tried, determined, and punished . . . ^{F9} in England or Ireland . . . ^{F9}: Provided, that nothing herein contained shall prevent any person from being tried in any place out of England or Ireland for any murder or manslaughter committed out of England or Ireland, in the same manner as such person might have been tried before the passing of this Act.

Textual Amendments
F9 Words repealed by Criminal Law Act 1967 (c. 58), **Sch. 3 Pt. III**

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 [^{F10}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 [^{F10}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

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or of manslaughter, . . . ^{F10}, may be dealt with, inquired of, tried, determined, and punished . . . ^{F11} in England or Ireland . . . ^{F11}

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Textual Amendments

F10 Word substituted by [Criminal Law Act 1967 \(c. 58\)](#), [Sch. 2 para. 6](#)

F11 Words repealed by [Criminal Law Act 1967 \(c. 58\)](#), [Sch. 3 Pt. III](#)

11— ^{F12}
15.

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Textual Amendments

F12 Ss. 11–15, 19 repealed by [Criminal Law Act 1967 \(c. 58\)](#), [Sch. 3 Pt. III](#)

Changes to legislation:

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