


ANNO PRIMO

# VICTORIÆ REGINÆ.

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## CAP. LXXXV.

## An Act to amend the Laws relating to Offences against the Person. [17th *July* 1837.]

WHEREAS it is expedient to amend so much of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for consolidating and amending the Statutes in* England *relative to Offences against the Person,* and also so much of an Act passed in the Tenth Year of the same Reign, intituled *An Act for consolidating and amending the Statutes in* Ireland *relating to Offences against the Person,* as relates to any Person who shall unlawfully and maliciously administer or attempt to administer to any Person, or who shall cause to be taken by any Person, any Poison or other destructive Thing, or who shall unlawfully and maliciously attempt to drown, suffocate, or strangle any Person, or who shall counsel, aid, or abet therein; and so much of the same Acts or either of them as relates to any Person who shall unlawfully and maliciously shoot at any Person, or who shall, by drawing a Trigger or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, or who shall unlawfully and maliciously stab, cut, or wound any Person, or who shall unlawfully and maliciously throw or cast at or upon or otherwise apply to any Person any corrosive or noxious Liquid or Substance, with any of the Intents in the same Acts mentioned, or who shall counsel, aid, or abet therein; and so much of the same Acts as relates to any Person who shall use any of the Ways or Means therein mentioned with Intent to procure the Miscarriage of any Woman, or who shall counsel, aid, or abet therein; and so much of the same Acts as

9 G. 4. c. 31.

10 G. 4. c. 34.

relates to the Punishment of Accessaries after the Fact to such of the Felonies punishable under those Acts as are herein-before referred to: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Acts as is herein-before referred to shall continue in force until and throughout the Thirtieth Day of *September* One thousand eight hundred and thirty-seven, and shall from and after that Day be repealed, except as to Offences committed before or upon the said Thirtieth Day of *September*, which shall be dealt with and punished as if this Act had not been passed.

Repeal of certain Provisions of recited Acts.

Punishment for administering Poison or doing other bodily Injury with Intent to commit Murder.

II. And be it enacted, That whosoever shall administer to or cause to be taken by any Person any Poison or other destructive Thing, or shall stab, cut, or wound any Person, or shall by any Means whatsoever cause to any Person any bodily Injury dangerous to Life, with Intent in any of the Cases aforesaid to commit Murder, shall be guilty of Felony, and being convicted thereof shall suffer Death.

Punishment for Offences with Intent to commit Murder though no bodily Injury effected.

III. And be it enacted, That whosoever shall attempt to administer to any Person any Poison or other destructive Thing, or shall shoot at any Person, or shall, by drawing a Trigger or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, or shall attempt to drown, suffocate, or strangle any Person, with Intent in any of the Cases aforesaid to commit the Crime of Murder, shall, although no bodily Injury shall be effected, be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment for cutting and maiming with Intent to disfigure.

IV. And be it enacted, That whosoever unlawfully and maliciously shall shoot at any Person, or shall, by drawing a Trigger or in any other Manner, attempt to discharge any Kind of loaded Arms at any Person, or shall stab, cut, or wound any Person, with Intent in any of the Cases aforesaid to maim, disfigure, or disable such Person, or to do some other grievous bodily Harm to such Person, or with Intent to resist or prevent the lawful Apprehension or Detainer of any Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment for sending explosive Substances or throwing destructive Matter with Intent to do bodily Harm.

V. And be it enacted, That whosoever shall unlawfully and maliciously 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 shall cast or throw upon or otherwise apply to any Person any corrosive Fluid or other destructive Matter, with Intent in any of the Cases aforesaid to burn, maim, disfigure, or disable any Person, or to do some other grievous bodily Harm to any Person, and

and whereby in any of the Cases aforesaid any Person shall be burnt, maimed, disfigured, or disabled, or receive some other grievous bodily Harm, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment for trying to procure Abortion.

VI. And be it enacted, That whosoever, with Intent to procure the Miscarriage of any Woman, shall unlawfully administer to her or cause to be taken by her any Poison or other noxious Thing, or shall unlawfully use any Instrument or other Means whatsoever with the like Intent, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of his or her natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Punishment of Accessaries.

VII. And be it enacted, That in the Case of every Felony punishable under this Act every Principal in the Second Degree, and every Accessary before the Fact, shall be punishable with Death or otherwise in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years.

Offences punishable by Imprisonment.

VIII. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act for which Imprisonment may be awarded it shall be lawful for the Court to sentence the Offender to be imprisoned, or to be imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, not exceeding One Month at any one Time, and not exceeding Three Months in any one Year, as to the Court in its Discretion shall seem meet.

Not to affect Powers of 5 & 6 W. 4. c. 38. and 4 G. 4. c. 64.

IX. And be it further enacted, That nothing in this Act contained shall be construed to extend to the Alteration or Repeal of any of the Powers, Provisions, or Regulations contained in an Act made and passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, or in an Act made and passed in the Fourth Year of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in* England *and* Wales.

Offences committed within the Jurisdiction

X. And be it enacted, That where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England* or of *Ireland*, the same shall be dealt with, inquired of, tried,

of the Admiralty.

tried, and determined in the same Manner as any other Felony committed within that Jurisdiction.

Court empowered to imprison for Three Years in certain Cases.

XI. And be it enacted, That on the Trial of any Person for any of the Offences herein-before mentioned, or for any Felony whatever, where the Crime charged shall include an Assault against the Person, it shall be lawful for the Jury to acquit of the Felony, and to find a Verdict of Guilty of Assault against the Person indicted, if the Evidence shall warrant such Finding; and when such Verdict shall be found, the Court shall have Power to imprison the Person so found guilty of an Assault for any Term not exceeding Three Years.

Not to extend to Scotland.

XII. Provided always, and be it enacted, That nothing in this Act contained shall extend to *Scotland*.

Commencement of Act.

XIII. And be it enacted, That this Act shall commence and take effect on the First Day of *October* One thousand eight hundred and thirty-seven.

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