



Offences Against the Person Act 1861

1861 CHAPTER 100

Rape, Abduction, and Defilement of Women

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.

Where any Woman of any Age shall have any Interest, whether legal or equitable, present or future, absolute, conditional, or contingent, in any Real or Personal Estate, or shall be a presumptive Heiress or Coheiress, or presumptive Next of Kin, or One of the presumptive Next of Kin, to any one having such Interest, whosoever shall, from Motives of Lucre, take away or detain such Woman against her Will, with Intent to marry or carnally know her, or to cause her to be married or carnally known by any other Person; and whosoever shall fraudulently allure, take away, or detain such Woman, being under the Age of Twenty-one Years, out of the Possession and against the Will of her Father or Mother, or of any other Person having the lawful Care or Charge of her, with Intent to marry or carnally know her, or to cause her to be married or carnally known by any other Person, shall be guilty of Felony, and being convicted thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Fourteen Years and not less than Three Years,—or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour; and whosoever shall be convicted of any Offence against this Section shall be incapable of taking any Estate or Interest, legal or equitable, in any Real or Personal Property of such Woman, or in which she shall have any such Interest, or which shall come to her as such Heiress, Coheiress, or Next of Kin as aforesaid; and if any such Marriage as aforesaid shall have taken place, such Property shall, upon such Conviction, be settled in such Manner as the Court of Chancery in *England* or *Ireland* shall upon any Information at the Suit of the Attorney General appoint.