ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. CXXIX.

An Act to repeal ſo much of an Act paſſed in the Eighth Year of the Reign of Queen *Elizabeth*, intituled, *An Act to take away the Benefit of Clergy from certain Offenders for Felony*, as takes away the Benefit of Clergy from Perſons ſtealing privily from the Perſon of another; and for more effectually preventing the Crime of Larceny from the Perſon. [30th *June* 1808.]

WHEREAS by an Act paſſed in the Eighth Year of the Reign of Queen *Elizabeth*, intituled, *An Act to take away the Benefit of Clergy from certain Offenders for Felony*, it is amongſt other Things enacted, that no Perſon or Perſons who ſhould after the paſſing of that Act happen to be indicted or appealed for felonious taking of any Money, Goods, or Chattels from the Perſon of any other, privily without his Knowledge in any Place whatſoever, and thereupon found guilty by Verdict of Twelve Men, or ſhall confeſs the ſame upon his or their Arraignment, or will not anſwer directly to the ſame according to the Laws of this Realm, or ſhall ſtand wilfully or of Malice or obſtinately mute, or challenge peremptorily above the Number of Twenty, or ſhall

8 Eliz. c. 4.

be upon such Indictment or Appeal outlawed, shall from henceforth be admitted to have the Benefit of his or their Clergy, but utterly be excluded thereof, and shall suffer Death in such Manner and Form as they should if they were no Clerks: And whereas the said Act has not been found effectual for the Prevention of the Crimes therein mentioned, and it is therefore expedient that so much of the said Act as is herein-before recited should be repealed: And whereas it might tend more effectually to prevent the Crime of Larceny from the Person, if every such Offence, not being Robbery, was rendered punishable more severely than simple Larceny; be it therefore enacted by the King'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of the said Act as is herein-before recited shall, from and after the passing of this Act, be and the same is hereby repealed.

So much of recited Act as takes away the Benefit of Clergy from Persons stealing privily from the Person of another, repealed.

II. And be it further enacted, That from and after the passing of this Act, every Person who shall at any Time or in any Place whatever, feloniously steal, take, and carry away any Money, Goods, or Chattels from the Person of any other, whether privily without his Knowledge or not, but without such Force or putting in Fear as is sufficient to constitute the Crime of Robbery, or who shall be present, aiding, and abetting therein, shall be liable to be transported beyond the Seas for Life, or for such Term not less than Seven Years as the Judge or Court before whom any such Person shall be convicted shall adjudge, or shall be liable in case the said Judge or Court shall think fit to be imprisoned only, or to be imprisoned and kept to hard Labour in the Common Gaol, House of Correction, or Penitentiary House, for any Term not exceeding Three Years.

Persons feloniously stealing from the Person of another whether privily or not, &c. liable to be transported, &c.

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