ANNO PRIMO

GEORGII IV. REGIS.

C A P. CXVII.

An Act to repeal so much of an Act passed in the Tenth and Eleventh Years of King *William* the Third, intituled *An Act for the better apprehending, prosecuting, and punishing of Felons that commit Burglary, Housebreaking, or Robbery, in Shops, Warehouses, Coach-houses, or Stables, or that steal Horses,* as takes away the Benefit of Clergy from Persons privately stealing in any Shop, Warehouse, Coach-house, or Stable, any Goods, Wares, or Merchandizes of the Value of Five Shillings; and for more effectually preventing the Crime of stealing privately in Shops, Warehouses, Coach-houses, or Stables. [25th *July* 1820.]

WHEREAS by an Act, passed in the Tenth and Eleventh Years of the Reign of King *William* the Third, intituled *An Act for the better apprehending, prosecuting, and* 10 & 11 W.3. c. 23.
punishing of Felons that commit Burglary, Housebreaking, or Robbery, in Shops, Warehouses, Coach-houses, or Stables, or that steal Horses, it is amongst other Things enacted, That all and every Person and Persons that shall at any Time or Times, by Night or in the Daytime, from and after the Twentieth Day of *May* in the Year

One thousand six hundred and ninety-nine, in any Shop, Warehouse, Coach-house, or Stable, privately and feloniously steal any Goods, Wares, or Merchandizes, being of the Value of Five Shillings or more, although such Shop, Warehouse, Coach-house, or Stable be not actually broke open by such Offender or Offenders, and although the Owners of such Goods, or any other Person or Persons be or be not in such Shop, Warehouse, Coach-house, or Stable to be put in Fear, or shall assist, hire, or command any Person or Persons to commit such Offence, being thereof convicted or attainted by Verdict or Confession, or being indicted thereof shall stand mute or will not directly answer to the Indictment, or shall peremptorily challenge above the Number of Three and twenty Persons returned to be of the Jury, shall be absolutely debarred and excluded of and from the Benefit of Clergy: 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therein mentioned; and it is therefore expedient that so much of the said Act as is herein-before recited should be repealed: And whereas it might tend more effectually to prevent the Crime of Larceny in Shops, Warehouses, Coach-houses, and Stables, if every such Offence were 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, as to privately and feloniously stealing any Goods, Wares, or Merchandizes under the Value of Fifteen Pounds.

So much of recited Act as takes away the Benefit of Clergy from Persons privately stealing in any Shop, &c. Goods of the Value of 5s. repealed.

II. And be it further enacted, That from and after the passing of this Act, every Person who shall privately and feloniously steal any Goods, Wares, or Merchandizes, of the Value of Five Shillings or more, being under the Value of Fifteen Pounds, in any Shop, Warehouse, Coach-house, or Stable, or who shall aid or assist any Person to commit such Offence, shall be liable to be transported beyond the Seas for Life, or for such Term, not less than Seven Years, as the Court before which any such Person shall be convicted shall adjudge; or shall be liable, in case the said 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 Seven Years.

Persons privately stealing Goods of the Value of 5s. and under 15l. liable to be transported, &c.

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