ANNO DUODECIMO

VICTORIÆ REGINÆ.

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C A P. XI.

An Act to amend the Laws in *England* and *Ireland* relative to Larceny and other Offences connected therewith. [3d *April* 1849.]

WHEREAS by an Act passed in the Eighth Year of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith,* it was among other things enacted, that every Person convicted of Simple Larceny, or of any Felony thereby made punishable like Simple Larceny, should (except in the Cases therein-after otherwise provided for) be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be otherwise punished as by the said Act provided: And whereas by an Act passed in the Ninth Year of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith,* it was among other things enacted, that every Person convicted of Simple Larceny, or of any Felony thereby made punishable like Simple Larceny, should (except in the Cases therein-after otherwise provided for) be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be otherwise punished as by the same Act provided: And

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

whereas it is expedient to abolish the Punishment of Transportation for the Offence of Simple Larceny, and for Felonies by the said Acts made punishable like Simple Larceny: 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 from and after the First Day of *May* One thousand eight hundred and forty-nine so much of the recited Provisions of the said Acts respectively as makes any Person convicted of Simple Larceny, or of any Felony by such Acts respectively made punishable like Simple Larceny, (except in the Cases therein-after otherwise provided for,) liable to be transported beyond the Seas for the Term of Seven Years, shall be repealed, but every Person so convicted shall be liable, at the Discretion of the Court, to be otherwise punished as by the said Acts respectively is provided.

Punishment of Transportation taken away in the Case of Simple Larceny.

Tenants and Lodgers stealing from Houses or Apartments let to them, if the Value exceed *5l.*, punishable as before the passing of this Act.

II. Provided always, and be it enacted, That if any Person shall steal any Chattel or Fixture let to be used by him or her in or with any House or Lodging, whether the Contract shall have been entered into by him or her, or by her Husband, or by any Person on behalf of him or her or her Husband, in case the Value of the Article or Articles stolen shall exceed the Sum of Five Pounds, every such Offender, being convicted thereof, shall be liable to be punished as if this Act had not been passed.

Larceny, &c. after Two previous summary Convictions punishable as before the passing of this Act.

10 & 11 Vict. c. 82.

11 & 12 Vict. c. 59.

7 & 8 G. 4. c. 30.

9 G. 4. c. 56.

III. Provided also, and be it enacted, That where any Person has been twice convicted of any of the Offences punishable upon summary Conviction under the Provisions contained in the said recited Acts, or an Act of the Eleventh Year of Her Majesty, intituled *An Act for the more speedy Trial and Punishment of Juvenile Offenders*, or an Act of the Twelfth Year of Her Majesty, intituled *An Act for the more speedy Trial and Punishment of Juvenile Offenders in* Ireland, or an Act of the Eighth Year of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to malicious Injuries to Property*, or an Act of the Ninth Year of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to malicious Injuries to Property*, (whether each of the Convictions has been in respect of an Offence of the same Description or not, and whether such Convictions, or either of them, be before or after the passing of this Act,) if the Person so twice convicted shall afterwards commit the Offence of Simple Larceny, or any Offence by the said firstly and secondly recited Acts respectively made punishable like Simple Larceny, such Offender, being convicted thereof, shall be liable to be punished as if this Act had not been passed.

IV. And

IV. And be it enacted, That in any Indictment against any Person who shall have been twice convicted of Offences punishable upon summary Conviction as aforesaid it shall be sufficient to state that such Person was at certain Times and Places so twice convicted as aforesaid, without otherwise describing the Offences of which such Person was so convicted as aforesaid, and a Copy of any such Conviction, certified by the proper Officer of the Court of General or Quarter Sessions to which such Conviction shall have been transmitted or returned, or proved to be a true Copy, shall be sufficient Evidence to prove such Conviction, and such Conviction shall be presumed to be unappealed against unless the contrary be shown.

In Indictments against Persons twice convicted it shall be sufficient to state the Fact, and certified Copies of Convictions to be Evidence.

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