

ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

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CAP. LXXXI.

An Act for abolishing Capital Punishments in Cases of Letter Stealing and Sacrilege.

[10th *September* 1835.]

WHEREAS by an Act made and passed in the Parliament of *Ireland* in the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to further explain and amend an Act passed in the Twenty-third and Twenty-fourth Years of His present Majesty's Reign, intituled 'An Act for establishing a Post Office within this Kingdom,' and to explain and amend an Act passed in the Twenty-eighth Year of His present Majesty's Reign, intituled 'An Act to explain and amend an Act passed in the Twenty-third and Twenty-fourth Years of His present Majesty's Reign intituled "An Act for establishing a Post Office within this Kingdom,"'* and by an Act made and passed in the Fifty-second Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for amending and reducing into One Act the Provisions contained in any Laws now in force imposing the Penalty of Death for any Act done in Breach of or in Resistance to any Part of the Laws for collecting His Majesty's Revenue in* Great Britain, it is amongst other Things enacted, that if any Person whatsoever employed by or under the Post Office of *Great Britain*, receiving, stamping, sorting, charging, carrying, conveying, or delivering Letters or Packets, or in any other Business relating to the said Office, shall secrete, embezzle, or destroy any Letter or Packet, or Bag or Mail of Letters, with which he or she shall have been entrusted in consequence of such

36 G. 3. (I.)

52 G. 3. c. 143.

Employment,

Employment, or which shall in any other Manner have come to his or her Hands or Possession whilst so employed, containing the Whole or any Part or Parts of any Bank Note, Bank Post Bill, Bill of Exchange, Exchequer Bill, *South Sea* or *East India* Bond, Dividend Warrant, either of the Bank, *South Sea*, *East India*, or any other Company, Society, or Corporation, Navy or Victualling or Transport Bill, Ordnance Debenture, Seaman's Ticket, State Lottery Ticket or Certificate, Bank Receipt for Payment on any Loan, Note of Assignment of Stock in the Funds, Letter of Attorney for receiving Annuities or Dividends or for selling Stock in the Funds or belonging to any Company, Society, or Corporation, *American* Provincial Bill of Credit, Goldsmith's or Banker's Letter of Credit or Note for or relating to the Payment of Money, or other Bond or Warrant, Draft, Bill, or Promissory Note whatsoever for the Payment of Money, or shall steal and take out of any Letter or Packet with which he or she shall have been so entrusted, or which shall have come to his or her Hands or Possession, the Whole or any Part or Parts of any such Bank Note, Bank Post Bill, Bill of Exchange, Exchequer Bill, *South Sea* or *East India* Bond, Dividend Warrant, either of the Bank, *South Sea*, *East India*, or other Company, Society, or Corporation, Naval or Victualling or Transport Bill, Ordnance Debenture, Seaman's Ticket, State Lottery Ticket or Certificate, Bank Receipt for Payment of any Loan, Note of Assignment of Stock in the Funds, Letter of Attorney for receiving Annuities or Dividends or for selling Stocks in the Funds belonging to any Company, Society, or Corporation, *American* Provincial Bill of Credit, Goldsmith's or Banker's Letter of Credit or Note for or relating to the Payment of Money, or other Bond or Warrant, Draft, Bill, or Promissory Note whatsoever for the Payment of Money, every Person so offending, being thereof convicted, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy: And whereas in and by the said recited Act it is further enacted, that if any Person shall steal and take from any Carriage, or from the Possession of any Person employed to convey Letters sent by the Post of *Great Britain*, or from or out of any Post Office, or House or Place for the Receipt or Delivery of Letters or Packets, or Bags or Mails of Letters sent or to be sent by such Post, any Letter or Packet, or Bag or Mail of Letters sent or to be sent by such Post, or shall steal and take any Letter or Packet out of any such Bag or Mail, every Person so offending, and being thereof convicted, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy: And whereas in and by the said recited Act it is further enacted, that if any Person shall counsel, command, hire, persuade, procure, aid, or abet any such Deputy, Clerk, Agent, Letter Carrier, Post Boy or Rider, or any Officer or Person whatsoever employed by or under the said Office, in receiving, stamping, sorting, charging, carrying, conveying, or delivering Letters or Packets, or in any other Business relating to the said Office, to commit any of the Offences in the said recited Act, and herein-before mentioned, or shall, with a fraudulent Intention, buy or receive the Whole or any Part or Parts of any such Security or Instrument as in the said recited Act and herein-before described, which shall have been contained in, and which at the Time

of buying or receiving thereof he or she shall know to have been contained in, any such Letter or Packet so secreted, embezzled, stolen, or taken by any Deputy, Clerk, Agent, Letter Carrier, Post Boy, or Rider, or any other Officer or Person so employed as aforesaid, or which such Person so buying or receiving as aforesaid shall at the Time of buying or receiving thereof know to have been contained in and stolen and taken out of any Letter or Packet stolen and taken from or out of any Mail or Bag of Letters sent and conveyed by such Post, or from or out of any Post Office, or House or Place for the Receipt or Delivery of Letters or Packets, or Bags or Mails of Letters sent or to be sent by such Post, every Person so offending, and being thereof convicted, shall be adjudged guilty of Felony, and suffer Death as a Felon, without Benefit of Clergy, and should and might be tried, convicted, and attainted of such Felony as well before as after the Trial or Conviction of the principal Felon, and whether the said principal Felon should have been apprehended, or should be amenable to Justice, or not: And whereas by an Act passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, intituled, *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and by another Act made and passed in the Ninth Year of His said Majesty's Reign, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, it is amongst other Things enacted, that if any Person shall break and enter any Church or Chapel, and steal therein any Chattel, or having stolen any Chattel in any Church or Chapel shall break out of the same, every such Offender, being convicted thereof, shall suffer Death as a Felon: And whereas it is expedient that a lesser Punishment than that of Death should be provided for the Punishment of the Offenders convicted of any of the Offences so specified in the said Act of the Fifty-second Year of the Reign of His late Majesty King *George* the Third, and in the said Act of the Seventh and Eighth Years of the Reign of King *George* the Fourth: 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 each of the said Acts as inflicts the Punishment of Death upon Persons convicted of any of the Offences therein and herein before specified shall be and the same is hereby repealed, and that from and after the passing of this Act every Person convicted of any of the Offences in the said Act so specified, or of aiding or abetting, counselling or procuring the Commission thereof, shall be liable to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction for any Term not exceeding Four Years.

7&8G.4.c.29.

9 G 4. c. 55.

So much of the recited Acts as inflicts the Punishment of Death for Letter Stealing and Sacrilege repealed, and Transportation substituted.

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