ANNO QUARTO

GEORGII IV. REGIS.

*** *

C A P. LIII.

An Act for extending the Benefit of Clergy to several Larcenies therein mentioned.

[8th *July* 1823.]

WHEREAS by an Act passed in the Twenty-second Year of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for taking away the Benefit of Clergy from* 22 Car. 2. c. 5. *such as steal Cloth from the Rack, and from such as shall steal or imbezil His Majesty's Ammunition and Stores,* the Benefit of Clergy is taken away from Persons convicted of cutting and taking, stealing, or carrying away any Cloth or other Woollen Manufactures from the Rack or Tenter in the Night-time, or of stealing or imbezling any of His Majesty's Sails, Cordage, or any other His Majesty's Naval Stores, to the Value of Twenty Shillings; provided that it shall be lawful for the Judges to grant a Reprieve for the staying of the Execution of such Offenders, and to cause them to be transported for the Space of Seven Years, and kept to hard Labour: And 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, pro-* 10&11 Gul. 3. *secuting, and punishing of Felons that commit Burglary, Housebreak-* c. 23. *ing, or Robbery, in Shops, Warehouses, Coach-houses, or Stables, or that steal Horses,* as the same is altered by an Act passed in the First Year 1 G. 4. c. 117. of His present Majesty's Reign, the Benefit of Clergy is taken away from Persons convicted of privately and feloniously stealing any Goods, Wares, or Merchandize of the Value of Fifteen Pounds, in any Shop,

Warehouse, Coach-house, or Stable, or of assisting, hiring, or commanding any Person to commit any such Offence: And whereas by an Act passed in the Twenty-fourth Year of the Reign of King *George* the Second, intituled *An Act for the more effectual preventing of Robberies and Thefts upon any navigable Rivers, Ports of Entry or Discharge, Wharfs and Keys adjacent*, the Benefit of Clergy is taken away from Persons convicted of feloniously stealing any Goods, Wares, or Merchandize of the Value of Forty Shillings in any Ship, Barge, Lighter, Boat, or other Vessel or Craft, upon any navigable River, or in any Port of Entry or Discharge, or in any Creek belonging to any navigable River, Port of Entry or Discharge, within the Kingdom of *Great Britain*, or of feloniously stealing any Goods, Wares, or Merchandize of the Value of Forty Shillings upon any Wharf or Key adjacent to any navigable River, Port of Entry or Discharge, or of being present, aiding and assisting in the committing any of the Offences aforesaid: And whereas it is expedient that a lesser Degree of Punishment than that of Death should be provided for the Offences from which the Benefit of Clergy is so taken away as aforesaid, and that the same Punishment should be extended in Manner hereinafter mentioned: 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 recited Acts as takes away the Benefit of Clergy from the Persons convicted of the Offences herein-before mentioned, shall be and the same are hereby repealed; and that from and after the passing of this Act, every Person who shall be lawfully convicted of cutting, taking, stealing, or carrying away any Cloth or other Woollen Manufactures from the Rack or Tenters in the Night-time, or of stealing or embezzling His Majesty's Ammunition, Sails, Cordage, or Naval or Military Stores, or of privately stealing any Goods or Chattels in any Shop, Warehouse, Coach-house, or Stable, or of stealing any Goods, Wares, or Merchandize in any Ship, Barge, Lighter, Boat, or other Vessel or Craft, upon any navigable River or Canal, or in any Port of Entry or Discharge, or in any Creek belonging to any such River, Canal, or Port, or from any Dock, Wharf, or Quay adjacent to any such River, Canal, or Port, or of procuring, counselling, aiding, or abetting any such Offender, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned only, or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction, for any Term not exceeding Seven Years.

24 G. 2. c. 45.

So much of recited Acts as takes away Benefit of Clergy from Persons convicted of cutting Woollen Goods, stealing Naval Stores, stealing in Shops, or in any Ship, repealed, and Offenders liable to Transportation or Imprisonment.

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