



Prevention of Crimes Act 1871

1871 CHAPTER 112

Amendment of Criminal Law in certain Cases

15 Evidence of vagrancy and amendment of Vagrant Act.

Whereas by the fourth section of the Act passed in the fifth year of the reign of King George the Fourth, chapter eighty-three, intituled " An Act for the punishment of idle and disorderly " persons, and rogues and vagabonds, in that part of Great " Britain called England," it is, amongst other things, provided that every suspected person or reputed thief frequenting any river, canal, or navigable stream, dock, or basin, or any quay, wharf, or warehouse near or adjoining thereto, or any street, highway, or avenue-leading thereto, or any place of public resort, or any avenue leading thereto, or any street, highway, or place adjacent, with intent to commit felony, shall be deemed a rogue and vagabond, and may be apprehended and committed to prison with hard labour for any time not exceeding three calendar months: And whereas doubts are entertained as to the construction of the said provision, and as to the nature of the evidence required to prove the intent to commit a felony : Be it enacted, firstly, the said section shall be construed as if instead of the words " highway or place adjacent " there were inserted the words " or any highway or any place adjacent " to a street or highway; " and, secondly, that in proving the intent to commit a felony it shall not be necessary to show that the person suspected was guilty of any particular act or acts tending to show his purpose or intent, and he may be convicted if from the circumstances -of the case, and from Ms known character as proved to the justice of the peace or court before whom or which he is brought, it appears to such justice or court that his intent was to commit a felony; and the provisions of the said section, as amended by this section, shall be in force in Scotland and Ireland. For the purposes of this section, in Scotland the word felony shall mean any of the pleas of the Crown, any theft, which in respect of aggravation, or of the amount in value of the money, goods, or thing stolen, may be punished with penal servitude, any forgery, and any uttering of any forged writing.