



Prevention of Crimes Act 1871

1871 CHAPTER 112 34 and 35 Vict

Amendment of Criminal Law in certain Cases

[^{F1}15] Evidence of vagrancy and amendment of Vagrant Act.

Whereas by the fourth section of the ^{M1}Vagrancy Act 1824, 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 [^{F2}an arrestable offence], shall be deemed a rogue and vagabond, and may be apprehended and committed to prison . . . ^{F3} for any time not exceeding three calendar months: . . . ^{F4} 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, in proving the intent to commit [^{F2}an arrestable offence] 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 his 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 this intent was to commit [^{F2}an arrestable offence]; 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 [^{F2}an arrestable offence] 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.]

Textual Amendments

- F1** S. 15 repealed (E.W.) by [Criminal Attempts Act 1981](#) (c. 47, SIF 39:1), **Sch. 1 Pt. II** and (S.) by [Civic Government \(Scotland\) Act 1982](#) (c. 45, SIF 81:2), **Sch. 4**
- F2** Words substituted (E.W.) (S.) by [Criminal Law Act 1967](#) (c. 58), s. 11(3), **Sch. 2 para. 2(2)**
- F3** Words omitted by virtue of (E.W.) [Criminal Justice Act 1948](#) (c. 58), s. 1(2) and (S.) [Criminal Procedure \(Scotland\) Act 1975](#) (c. 21), s. 221(2)
- F4** Words repealed by [Statute Law Revision \(No. 2\) Act 1893](#) (c. 54)

Changes to legislation: There are currently no known outstanding effects for the
Prevention of Crimes Act 1871, Section 15. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 15 excluded by [Theatres Act 1968 \(c. 54\)](#), [s. 2\(4\)](#)
- C2** Reference to penal servitude to be construed as reference to imprisonment: [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [s. 221\(1\)](#)

Marginal Citations

- M1** 1824 c. 83.

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