

Mary Jones and Elizabeth Paine stood indicted for privately stealing, on the 30th October last, twelve pair of stockings, the property of Robert Kenyon, a hosier on Holborn-hill. The value of the goods was 4l. 18s.

Robert Kenyon stated, that the women were in the shop on the 30th of October; they were cheapening flannel, and went away after buying some trifle. On their leaving the shop he missed the parcel of stockings, which were lying on the chair near where the women were; he found the invoice which he had tucked into the parcel. He instantly pursued the women, and found them at a shop-window in Holborn, looking at some paper, and tearing something by the light of the shop; he charged them with having his stockings; they denied it, and he proceeded to push them into the shop, when a gentleman gave him a parcel of stockings, which he said one of the women dropped. Paine immediately said to Jones—“How could you do such a thing?” Jones replied—“Oh I don't care, they can't hurt us, for they have not found the goods upon us.” He then brought them back to his shop, and sent for an officer, into whose custody he gave them.

A witness was called to the character of the prisoners, who said, that Jones had lodged in his house, and was, he believed, a soldier's wife, who had gone abroad; he believed her to be very honest, and had often trusted her. Paine was a neighbour, and very upright apparently in her conduct; her husband was an hackney-coachman, and was now lying on his death-bed.

Mr. COMMON SERJEANT commented on the case, and told the Jury, that if they had any idea that the prisoners were seen by the prosecutor in the act of stealing, they should declare so in their verdict; as, if the goods were not taken *privately*, the *capital* part of the charge would be got rid of. The act had been made particularly for the protection of shopkeepers, whose attention could not possibly be directed, amidst a multiplicity of business, to every individual who might come to deal with them.—Verdict, *Guilty, but not of stealing privately.*

The Common Serjeant then addressed the prisoners, and after a suitable admonition to them on the heinousness of their offence, and the subsequent aggravation of it by their conduct, assured them that it was a great stretch of the Jury's humanity that they were not capitally convicted. In order as well to punish them as to deter all others who might be pursuing the same courses, the Court sentenced them to “*transportation for seven years.*”

On sentence being passed, Jones, an interesting young woman, with an infant in her arms, dropped down in a swoon, and the other severely exclaimed against her prosecutor.

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