

Case No. 16,126.

UNITED STATES v. READ.

[2 Cranch, C. C. 198.]¹

Circuit Court, District of Columbia.

April Term, 1820.

CRIMINAL LAW—BREAKING STOREHOUSE—LARCENY.

Upon an indictment for feloniously breaking the storehouse of Cook & Clare, and taking therefrom goods of the value of more than four dollars, contrary to the act of Virginia of the 26th of December, 1792 (section 2), which takes away the benefit of clergy, the jury may find the prisoner guilty of simple larceny.

Indictment [against William Read] for feloniously breaking the storehouse of Cook & Clare, and taking therefrom goods of the value of more than four dollars. The jury having inquired whether they might find the prisoner guilty of simple larceny upon this indictment.

THE COURT (MORSELL, Circuit Judge, doubting) informed them that they might.

The jury accordingly found the defendant guilty of stealing the goods, but not of breaking the storehouse.

¹ [Reported by Hon. William Cranch, Chief Judge.]