

Misdemeanor, shall stand mute of Malice, or will not answer directly to the Indictment or Information, in every such Case it shall be lawful for the Court, if it shall so think fit, to order the proper Officer to enter a plea of "Not Guilty" on behalf of such Person; and the Plea so entered shall have the same Force and Effect as if such Person had actually pleaded the same.

Attainder of another Crime not pleadable.

XXII. And be it enacted, That no Plea setting forth any Attainder shall be pleaded in Bar of any Indictment, unless the Attainder be for the same Offence as that charged in the Indictment.

Jury shall not inquire of a Prisoner's Lands, &c. nor whether he fled.

XXIII. And be it enacted, That where any Person shall be indicted for Treason or Felony, the Jury empannelled to try such Person shall not be charged to inquire concerning his Lands, Tenements or Goods, nor whether he fled for such Treason or Felony.

No peremptory Challenge in Felony above Twenty.

XXIV. And be it enacted, That no Person arraigned for any Felony shall be admitted to any peremptory Challenge above the Number of Twenty; and if any Person indicted for any Treason or Felony shall challenge peremptorily a greater Number of the Men returned to be of the Jury than such Person is entitled by Law so to challenge, every peremptory Challenge beyond the Number allowed by Law in the Case then in hand shall be entirely void, and the Trial of such Person shall proceed as if no such Challenge had been made.

Benefit of Clergy abolished.

XXV. And be it enacted, That Benefit of Clergy, with respect to Persons convicted of Felony, shall be abolished; but that nothing herein contained shall prevent the Joinder in any Indictment of any Counts which might have been joined before the passing of this Act.

What Felonies only shall be Capital.

XXVI. And be it enacted, That no Person convicted of Felony shall suffer Death, unless it be for some Felony which was excluded from the