

Conviction of such Man or Woman, of his having the Benefit of Clergy, or her having the Benefit of this Act, and the addition of every such Person, and the certainty of the Felony and Conviction, to the Judge or Judges of the Court or Assize where such Man or Woman shall be indicted; which Certificate being produced in Court, shall be a sufficient Proof that such Man hath before had the Benefit of his Clergy, and that such Woman hath had the benefit of this Act, in the same manner as if the Record had been produced.

XXX. And if any Person or Persons indicted of any Offence for which by Virtue of this Act they are excluded from the Benefit of Clergy, or where the Benefit of Clergy shall be allowed, shall stand mute, or will not answer directly to the Felony, Judgment shall be pronounced and Execution awarded, as if such Person or Persons had been convicted of such Offence by Verdict or Confession; and if any Prisoner indicted of said Offences shall challenge peremptorily above Twenty of the Jury, such Challenge shall be overruled, and the Jurors shall be sworn for the Trial of such Prisoner, as if no such Challenge had been peremptorily made.

Persons standing  
mute.

XXXI. *Provided nevertheless*, That no Man who hath had the Benefit of Clergy allowed him, nor any Woman who hath had the Benefit of this Act, shall have the Benefit of Clergy or of this Act, for any Felony committed since his or her having had the Benefit of Clergy, or of this Act, more than once, but shall, for any Felony by him or her committed after being allowed the Benefit thereof, be utterly debarred from having the Benefit of the same again.

Proviso.

XXXII. *Provided also*, That if any Man admitted to his Clergy, or any Woman admitted to the Benefit of this Act, shall, before such his or her Admission, have committed any Offence, whereupon Clergy is not allowable by this Act, and not being thereof indicted and acquitted, convicted or attainted, or pardoned, shall and may be indicted or appealed for the same, and put to answer as if no such Admission to the Benefit of Clergy, or of this Act, had been.

Proviso.

XXXIII. *And be it further enacted*, That every Person who shall be produced or appear as a Witness on the behalf of the Prisoner upon any Trial for Murder or Felony, before he or she be admitted to give Evidence shall first take an Oath to depose the truth, in such Manner as the Witnesses for the King are by Law obliged to do; and if any Witness be convicted of wilful Perjury in such Evidence, he shall suffer all the Penalties, Forfeitures, and Disabilities, which, by Law, may be inflicted on Persons convicted of wilful Perjury.

Witnesses for Prisoners to be sworn, and punishable for Perjury.

XXXIV. *And be it further enacted*, That all Indictments, Process, Pleadings, and Trials, and the Rules of Evidence upon any Trials for any Felonies and Misdemeanors, either by the Common Law of England, or by Virtue of this Act, shall be according to the Usage, Practice, and Laws of England.

Indictments, &c. to be according to the Practice of England.

XXXV. And that all Convictions, Attainders, Judgments, and Executions, for any Felonies or Misdemeanors, before the making of this Act, shall be good and valid in Law, and the same are hereby ratified and confirmed.

Former Convictions confirmed.

XXXVI. *Saving* to all and every Person or Persons all such advantages in Law, upon any Judgment that may be depending in any Court of Record.

Saving Clause.