

Punishment of  
Petit Larceny.

XXIII. *And be it further enacted, by the Lieutenant Governor, Council and Assembly,* That it shall and may be lawful for the Court, before whom any Offender shall be so convicted as of Petit Larceny, to punish such Offender by Whipping or Imprisonment, or Commitment of such Offender to the House of Correction, there to be put to hard Labour; the said Imprisonment or Commitment to the House of Correction not to exceed three Months, and within that Space for such time as the Judges in their discretion shall think fit.

Restitution of  
stolen Goods.

XXIV. *And be it further enacted,* That all Monies, Chattels, Merchandise, or Stores, found in the possession of any Burglar, Housebreaker, Robber, Thief or Purloiner, shall be delivered by the Justice of the Peace who shall take the examination of such Offender into the Custody of the Sheriff or his Deputy, where the Offence shall be committed, who shall be answerable for the same, until the Offender shall be convicted; and the Judge or Judges of the Court wherein such Offender shall be convicted shall order the said Money, Goods, or Stores, to be restored to the lawful Owner or Owners thereof; and where no Owner shall appear to claim the same, they shall be adjudged to be forfeited.

Allowance of  
Clergy not to protect  
Accessaries  
against a Trial.

XXV. *And be it further enacted,* That notwithstanding the Allowance of Clergy, and burning in the Hand of any principal Offender, the Accessaries to such Offender shall be arraigned and tried in the same manner as if such Clergy had not been allowed.

Clergy allowed  
but once.

XXVI. *And be it further enacted,* That every Person which once hath been admitted to the Benefit of his Clergy, being afterwards arraigned, shall not be admitted to the Benefit of his Clergy; and that every Person convicted of Manslaughter shall be marked with an M upon the Brawn of the left Thumb; and for any other Felony, the Person convicted shall be marked with a T in the same Place; these marks shall be made by the Gaoler in open Court: And if any Person con-

Offenders to be  
burnt in the Hand.