suffer death, without benefit of Clergy. If any person or persons, shall steal any negro or Mulatto whatsoever out of, or from the possession of the owner or overseer of such slave, the person or persons so offending shall be and are hereby declared to be felons, and shall suffer death without benefit of Clergy.

The Justices of every County or Corporation, shall be Justices of Oyer and Terminer, for trying slaves charged with treason or felony, which trials shall be by five at least without Juries upon legal evidence, at such times of the Sheriffs or other officers shall appoint, not being less than five, nor more than ten days after the offenders shall have been committed to jail. No slave shall be condemned in any such case, unless all the Justices sitting upon his or her trial shall agree in opinion that the prisoner is Guilty, after allowing him or her Counsel in his or her defence, whose fee amounting to five dollars, shall be paid by the owner of the slave: Provided always, that when Judgment of death shall be passed upon any such offender, there shall be thirty days at least, between the time of passing Judgment, and the day of execution, except in cases of conspiracy, insurrection or rebellion. — The value of a slave condemned to die, who shall suffer accordingly, or before execution of the sentence, perish, to be estimated by the Justices triers, shall be paid by the public to the owner. One being detained in Slavery, and having commenced an action to assert his freedom, shall be prosecuted and tried for any such crime in the same manner as a free man ought to be prosecuted and tried.

No person having interest in a slave shall sit

sit upon the trial of such slave. —

And for a declaration of what shall be deemed legal evidence in such cases. It is further Enacted that the Court may take for evidence the confession of the offender, the oath of one more credible Witnesses, or such testimony of negroes or mulattoes, bond or free, with pregnant circumstances, as to them shall seem convincing. —

When any negro, or mulatto whatsoever shall be convicted of any offence within the benefit of Clergy, Judgment of death shall not be given against him or her upon such conviction; but he or she shall be burnt in the hand by the Jailor in open Court, and suffer such other Corporal punishment as the Court shall think fit to inflict, except where he or she once had the benefit of this act, and in those cases such negro or mulatto shall suffer death without benefit of Clergy.

Where any negro or mulatto shall be found upon due proof made, to any County or Corporation Court of this Commonwealth, to have given a false testimony, every such offender shall without further trial, be ordered by the said Court, to have one ear nailed to the pillory, and there to stand for the space of one hour, and then the said ear to be cut off, and thereafter the other ear nailed in like manner, and cut off at the expiration of one other hour, and moreover to receive thirty nine lashes on his or her bare back well laid on at the public whipping post, or such other punishment as the Court shall think proper, not extending to life or limb; and it