

never so just and upright, yet still has the Subject no Security against Subornations, and the Attacks of malicious, false and unconscionable Witnesses; yea, when there is no sufficient Evidence, upon meer Suspensions, they are obnoxious to the Tortures of the Rack, which often make an innocent Man confess himself guilty, meerly to get out of present Pain: Or if he do, with invincible Courage, endure the Question (as they call those Torments) he is many Times so spoiled in his Limbs, as he scarce ever is his own Man again.

Whereas such has been the Goodness of God, and the prudent Care of our Ancestors, that, to our inestimable Happiness, we are born, and live, under a mild and righteous Constitution, where all these Mischiefs may be prevented; where none can be legally condemned, either by the Power of superior Enemies, or the Rashness or ill Will of any Judge, nor by the bold Affirmations of profligate Evidence: For by a Fundamental Law in our Government, No Man's Life (unless it be in Parliament, which is a supreme Court, and 'tis supposed will never do any Man Wrong) shall be touched for any Crime whatsoever, but upon being found Guilty on two several Trials (for so may that of the Grand and Petty Jury be called) and the Judgment of twice Twelve Men at least, all of his own Condition and Neighbourhood, and upon their Oaths, [*Coke 3 Part of Instit. p. 40.*] That is to say, *Twelve* or more to find the Bill of Indictment against him, and Twelve others to give Judgment upon the general Issue of *Not Guilty*: All which Jurors must be honest, substantial impartial Men, and being Neighbours of the Party accused, or place where the supposed Fact was committed, cannot be presumed to be unacquainted either with the Matters charged, the Prisoner's