

eight several Times since the *Norman Conquest*, been established and confirmed by the legislative Power, no one Privilege besides having been never so often remembered in Parliament.

S E C T. II.

What Persons ought to be Jury-Men, and how Qualified.

AS the Office of Juries is of such great Importance, so the Wisdom of our Law has provided that the same shall be supplied with Persons of Ability, Honesty, Integrity, and Indifferency; for, (as my Lord Coke saith, 1 Part *Instit.* Sect. 234. Fol. 155) He that is of a Jury must be *Liber Homo*, that is, not only a *Free Man*, and not Bond, but also one that hath such *Freedom of Mind*, as he stands indifferent, as he stands unsworn. 2. He must be *Legalis*, and by the Law every Juror that is returned for the Trial of any Issue or Cause, ought to have three Properties. 1. He ought to be dwelling most *near* to the Place where the Question is moved. 3. He ought to be most sufficient, both for understanding, and Competency of Estate. 2. He ought to be least suspicious, that is, to be Indifferent as he stands Unsworn; but a Man's being excommunicated (as was said before) is no Bar to his being a Juryman, much less his being a Dissenter, or Non-frequenter of Church Ceremonies, if he be otherwise qualified Estate and Understanding; for at that Rate, if Popery should ever get uppermost, no Protestant at all would be capable of being a Juryman, because a Nonconformist to Holy Church. Now if no Statute excludes