

cludes Protestants unconvicted of any Crime, or Dissenters (*quatenus tales*) to serve on Juries, I should think we ought to wait at least till an Act of Parliament be made to that purpose, before we deny them *Liberam Legem*; and to act otherwise, in my silly Opinion, seems not only unwarrantable, but a daring Usurpation of legislative Power: In a word, Jurors must be Free of and from all Manner of Bondage, Obligations, Affections, Relations and Prejudices; they must be the Peers or Equals of the Party they are to try; they must be of full Age, twenty-one Years old, or upwards, not *Outlaw'd*, never *attainted* nor *convicted* of Treason, Felony, false Verdict, Perjury, or adjudged infamous; they were Antiently all Knights, as we read in *Glanvil* and *Bracton*, and they must still be Persons of Worth and Repute; and as they are returned by a sworn Officer, the Sheriff, so they of the Petty Jury must be every one sworn every several Trial by a particular Oath, the more to remind them of their Duty. Nay, it should seem in antient Times, though the Office and Duty were still the same as at this Day, yet their Honour and Dignity were much greater: The *Mirror of Justices* makes no Scruple to call 'em *Judges*; and Dr. *Cowel* in his Interpreter tells us, Juries were antiently *Associates and Assistants to the Judges of the Court in a kind of Equality*, whereas now-a-days they attend them in great Humility: And cites the Customary of *Normandy*, and *Lambard*, as being of the same Sentiments. But I desire not to bring in Innovations, only that *Englishmen* may preserve their antient Rights and Privileges, inform themselves of their Duty and Office by Law, that so they may uprightly discharge the same to GOD and the King and their Fellow-Subjects.