

## S E C T. III.

*Of Grand Juries, their Duty, and the great Importance of their Office.*

Juries are of two Sorts: 1. The *Grand Jury*, so called, both because it consists of a greater number than *Twelve*, as commonly 21, 19, 17, or the like, [but *Note*, They can make no Verdict or Presentment, unless Twelve at least of them agree, and then what they do is valid, though the rest do not consent;] as also because generally they are of the greater Quality, and likewise in Respect of their Power, because the Extent of their Office is more great and general, as extending to all Offences throughout the whole County for which they serve. 2. The *Petty Jury* (in Cases criminal, called commonly the *Jury of Life and Death*, which always consists of twelve Men, neither more nor less, who must every Man agree, or else it is no Verdict.

The Oath of a Grand Jury-man, as I find it inserted in the Collection, Intituled, *The Book of Oaths*, p. 216. is as follows.

**Y**E shall truly inquire, and due Presentment make of all such Things as you are charged withal on the King's behalf: The King's Counsel, your own and your Fellows, you shall well and truly keep, and in all other Things the Truth present: So help you God, and by the Contents of this Book.

But according to modern Practice, and as we find it published in the Account of the Proceedings against