

Kindred; so if the Jury is returned at the desire of the Party, or if either of them have an Action depending against the Sheriff.

So if a Peer be returned of the Jury in the case of a common Person; so where a Peer is Defendant, and a Knight is not returned of the Jury; but if the Plaintiff in such case will not except, the Defendant cannot.

Any particular Juror may be challenged who hath not ten Pounds *per Annum*. Formerly the Sufficiency of a Jurymen, as to Estate, was left to the Discretion of the Judge: The first Statute as to this Matter was Anno 2 H. 5. cap. 3. by which it was enacted, That he should have forty Shillings *per Annum*, which by the Statute was increased to ten Pounds *per Annum*, either of Freehold or Copyhold; and so it still continues.

'Tis a good Challenge if there is any Malice or Favour between the Parties and Jurors, and as to the last it shall be presumed there is Favour, if the Juror is of Kin to either Party, though never so remote; or if there is any Affinity by Marriage; and it hath been adjudged a good Challenge, that a Juror is Godfather to the Defendant.

If a Juror hath given a Verdict already in the same Cause, this is a Principal Challenge to him; but then the Party must produce the Record.

Though in the Case of the Regicides it was resolved, That if an Indictment is found against several of them by the Grand Jury, and some of them are found Guilty by the Petty Jury, and two or more of that Jury are returned to try the rest, 'tis no Challenge to say, That they have already given their Verdict against others who were indicted for the same Offence; because in Law 'tis a several Indictment against every one, and the Jury are to give their Verdict upon particular Evidence