

They must also be sufficient; 1. *Respectu census*, every one must have 40 s. of Lands or Tenements by the year; but for this cause he must be challenged, or else if the party omit to challenge him, the Trial is well made by such a Juror. 2. *Respectu rationis*, he must be no Ideor, Lunatick, &c.

And because many times by such Challenges to Jurors for want of Freehold upon Trials of Offences in Cities, Boroughs, or Towns Corporate, such Trials were deferred; by Stat. 23 H. 8. 13. it is provided, that every person being the Kings natural born Subject, that useth or enjoyeth the Freedom of such place, and dwelleth there, having in moveables and substance to the value of 40 l. clear, may be admitted on such Trials, except Knights and Esquires.

§. 4.  
*Medietas  
Linguae.*

There is a way of Trial also peculiar to Forreigners, called *De medietate linguae*; which ought to consist of 6 English and 6 Forreigners, if so many be in the place; if not, then so many as can be found there: but it matters not whether they be of the same Nation the Prisoner is of, for they may be of another Nation; and the party must pray it, and shew the matter to the Justices. Yet where persons calling themselves *Aegyptians* are to be tried for such their Offence, they are ousted of this benefit by 1 & 2 P. & M. c. 4.

§. 5.  
*Indictor.*

It is also a good Challenge to a Juror, that he was one of the parties Indictors, for having been of that mind that the Prisoner was guilty, he shall not be presumed to change his mind: this is declared by 25 E. 3. 3. to be good cause of Challenge; for it was so also by the Common Law, and therefore is good cause of Challenge as well in Felony as Treason.

Many other causes of Challenge there are, as well for the King as the party, which you may find very largely and learnedly handled by Justice *Stamford* in his Pleas of the Crown, lib. 3. c. 7. which relate to Criminal matters only; and a most excellent Scheme you may find touching Challenges between party and party in my Lord *Coke* 1 *Inst.* fol. 156. many whereof may by a discerning Reader be easily adapted to this present purpose, and therefore I forbear to mention them.

§. 6.  
*Concealments.*

And because Jurors are too apt to be favourable to their Neighbours or Friends, in not presenting Offences, the Statute of 3 H. 7. c. 1. hath provided, that Justices of Peace may inquire of such Concealments by another Jury, and punish them by Amercement by their discretions; touching which these things are considerable.

1. The matters which they may be thus punished for the Concealment of, must be such matters and offences as by the Commission of the Peace or Statutes may be inquired of and presented before such Justices.

2. It seems by that Statute, that where Inquests have been taken before Coroners, or some particular Justices out of Sessions, yet the Justices of Peace may inquire thereof, for the words are Concealments of Inquests taken afore them or afore others. The like seems to me of Inquests in Leets or the Sheriffs Turn, in matters whereof the Justices of Peace have also cognizance.

3. Every Juror that shall be impanelled to enquire of such Concealments must have 40 s. per ann. of Lands or Tenements.

4. There must be complaint before them made by Bill or Bills of such Concealment, if the word Bill or Bills in that Act do refer unto the Proceedings against such Concealments; or otherwise such Concealments must be in matters that have been complained of by Bill or Bills,