

II. A Justice of Peace shall examine him that is suspected of Felony, before he be committed to Prison. Binding of the Accusers to give Evidence against the Prisoner.

See the note to 1 & 2 P. & M. c. 13.

## STATUTES

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Made at WESTMINSTER, *Anno quarto & quinto PHILLIPPI* and *MARIÆ* and A. D. 1557.

### CAP. VII.

An Act to make up the Jury with Circumstantibus, where the King and Queen's Majesties, or the Queen's Majesty is a Party.

Where in the Parliament holden at *Westminster* the fourteenth Day of *January*, in the thirty-fifth Year of the Reign of the Noble and Victorious Prince King *Henry* the Eighth, late King of *England*, among other Things, it was enacted and established, for the speedy Trial of Issues joined between Party and Party, in any of the King's Courts of Record holden at *Westminster*, to be tried by the Verdict of twelve Men, before the Justices of Assize or *Nisi Prius*; (2) that in every Writ of *Habeas Corpora*, or *Distringas* with a *Nisi Prius* delivered of the Record to the Sheriff, or other Minister or Ministers to whom the making of the Return shall appertain, where a full Jury shall not appear before the Justices of Assize or *Nisi Prius*, or elsewhere after Appearance of a full Jury, by Challenge of any of the Parties, the Jury is like to remain untaken for Default of the Jurors, that then the same Justices upon Request made by the Parties Plaintiff or Demandant, shall have Authority, by Virtue of the said Act, to command the Sheriff, or other Minister or Ministers to whom the making of the said Return shall appertain, to name and appoint, as often as Need shall require, so many of such other able Persons of the said County, then present at the said Assizes or *Nisi Prius*, as shall make up a full Jury; which Persons so to be named and impanelled by