

of England

And all issues of fact in this Court shall be tried by the said Chief Justice Commissioner or Commissioners and the Council sitting in Court or the Major Part of them if the defendant shall ~~plead~~ by the Court or otherwise by a Jury of seven or more freeholders of the County to be returned by the Sheriff if the Defendant shall Chuse to be tried by his Country

And the Register of the said Court may at any time take a writ out of the Chancery returnable into this Court directed to the Sheriff wherein any seven or more free men named upon the writ for a Grand Enquest and after the Empannelling the said enquest or of any five of them the Court shall or may charge them with an Oath duly to enquire of and true presentment to make of all Offences and misdemeanors committed to their view or of their knowledge or by vehement suspicion publick fame or by information of any party upon oath said or affirmed to be committed against the laws of this Province which presentment delivered into the Court by the said Enquest shall be an indictment of any Party in any Crime of Felony or treason provided that such Presentment or Indictment must be found by a Grand Enquest of twelve Jurors at least upon which such Party presented or indicted may be put upon his trial in the Suetorial Court and likewise it shall be a Conviction of the partie presented of any other Crime where of he is presented the said Crimes of felony or treason