

the Judges before whom the Jurors by whom the Judgment is taken, is called a Caption of Judgment to which the Judgment itself is subjoined. If the prisoner Desires Counsel, the Court will immediately upon his Request, assign him such and so Many Counsel, not exceeding two, as he Desires who are to have free Access to him at all reasonable hours. He is also allowed to have not only a true Copy of the Judgment itself but also of the Caption of it upon paying for it: that he may know when and where the Judgment was taken, in order to enable him to plead to it any special Matter he may have, as that it was taken before the time of the fact Alleged in the Judgment, or taken before persons that had no Jurisdiction. The Prisoner is also allowed to have a Copy of the Pannel of the Jurors returned by the Sheriff (but not of the Names of witnesses to be produced for proving thereof) Delivered to him five days at least before the trial, & 3 cap. 3 § 187. And after the escape of the Pretender, such Jurors shall have a copy of the Judgment, with a list both of the witnesses to be brought against him, and of the Jury mentioning their Names, profession and place of abode given to him in presence of two or more Credible witnesses, ten days before the trial, 7 A. cap. 21 § 14.

If there be no other persons for the time to be tried for the like treason and Misprision of treason the Court may adjourn for seven or eight days, that copies of the Judgment and pannel of the Jurors may be Made and Delivered in due time to the prisoner five days at least before he is to plead to his Judgment. In order thereto the Clerk of Arraignments shall the Clerk may to what time he is pleases the court shall be adjourned, and sends for the Grand jury, whom he calls over, and Adjourns to that time thus: Gentlemen of the Grand Jury, the Court Dismisseth you for this time, and enjoins you, on pain of ten pound sterling a piece, to give your Attendance here again on the 20. day of 20. at eight of the Clock in the forenoon. Then the Clerk bid the Cryer make three cries

and Repeat thus: All manner of persons that have any more to do before my Lords the Kings Justices, and other Commissioners of oyer and terminer, for this county of B.C. may Depart hence at this time, and give their Attendances again on the 20. day of 20. at eight of the clock in the forenoon and God save the King. The Clerk writes an exact entry of the time and place to which the court is adjourned.

When four or more Justices or Commissioners (Mund quorum) Meet at the time and place the Court was adjourned to, the Clerk writes the day and place and Names of the Justices which then Meet, and bids the Cryer make three cries and Repeat after him thus: All Manner of persons that have any more to do before my Lords the Kings Justices (or if no Lord there, before the Kings Majesties Justices) of oyer and terminer for this County of B.C. are adjourned over to this time and place, Draw near and give your Attendance. Then the Clerk bids the Cryer call over the Grand jury by the Pannel of their Names, and Marked who Appear, and Desires them to go to some Room Near the court and keep together, that the court may send to them upon any occasion of Business. If Business be Retarded or Disappointed by any of the Grand jury mens failing to Appear, the Absent ought to be fined for such Default. The Clerk Delivers to the Chairman a court paper of the Day of sitting upon this adjournment, the Names of the Commissioners present, and of the persons indicted, and for what offences: that he may write his own Notes upon it as the proceeding shall Require.

Then the Clerk of Arraignments calls to the Cryer of the prison, to fet A. B. Prisoner to the Bar. Who tho his Crime be Never so great, ought to be usd with all humanity and Gentleness Consistent with the Nature of the thing, and Under no other terror or Un easiness than what proceeds from a sense of his guilty, and the Misfortune of his present Circumstances: and therefore he should not be brought to the Bar in a Contumelious Manner, as tied or fettered or loaded with irons that he may Make his De