

The oath that you have just taken explains the nature of the duties (imposed upon you) in your present capacity. You are then directed to make diligent inquiry of all such things as may be delivered to you in charge and it becomes my duty in the performance of my office to inform you of these various subjects of ~~your~~ ^{this} inquiry. I shall not undertake to go into an enumeration and definition of every particular offence of which you have cognizance. I should unnecessarily tax your patience by so doing and uselessly direct your attention to ~~offences~~ ^{particular} ~~parts~~ of the law that are never violated or infringed. I shall therefore merely mention those offences that are of the most frequent occurrence ~~or~~ that are most likely to be committed. ~~from the temptations and inducements that attend the influence of the office~~ ^{includes every infraction} Your jurisdiction extends to all ~~crimes~~ ^{infractions} of the criminal law the punishment of which does not extend to the life limb or member of the offender, as assaults, Battaries, Affrays, Unlawful assemblies, False imprisonment, Nuisances, Extortion and Negligence in public officers, malicious mischief, and all acts of a notoriously evil example. Petit-Larceny is also indictable in this court and is the only one of the higher order of offences of which you have jurisdiction. Our statutes make it indictable to Retail without a license. It says that no one shall be permitted to retail without first proving a good moral character before the court and paying a tax and receiving a license from the sheriff now for a longer period than twelve months. It is the duty of the sheriff to furnish you with a list of ^{all} licensed retailers within the last twelve months or

Padding without a license, Unlawful Games, Fornication and adultery, Gambling, Public Roads, Trading with slaves, hiring their time, going as free negroes, Free negro immigrants, Public prison. I have mentioned the principal offences of which you have cognizance and which are most frequently or most likely to be committed. Your jurisdiction however includes every infraction of the criminal law the punishment of which does not extend to the life, limb, or member and which has been committed within two years from the time it comes to your knowledge. Most of these offences you will discover are of such a character that whenever committed they of fact become publicly notorious and it is rarely the case

that - the crime escapes the vigilance of the Grand Jury. There are many of these offences however and those unfortunately of the most evil and injurious tendencies that are not so openly committed where the offender seeks privacy or trusts to the secrecy of those present and thus evades the punishment imposed by the law. It is a natural question ^{to ask} how are you to fulfill that part of your oath which binds you to make diligent inquiry of all those matters and things that are delivered to you in charge. It is ^{sometimes} believed by some and I fear is too frequently acted upon that all the Grand Jury have to do is to sit together and act upon those cases that are sent before them at the instance of some informer and present such offences as some of their members may have accidentally seen. They often expect that the prosecuting officer will hunt up cases for them to act upon and thus relieve them from the burden of their labors. These opinions are erroneous. The law does not require a prosecuting officer to do this and when he does he infringes upon the duties of the grand jury steps beyond the proper discharge of his office and makes himself a public informer a worthy object of scorn and contempt. It is proper for you to consider how you are to make this diligent inquiry which your oath requires. Are you to permit ^{under the solemn obligation of your oath} an offence to go unrepresented that you have good reason to believe has been committed because you did not happen to see it - and no ^{witness} happens to give information of the fact? Are you to suffer an offender whose criminal conduct you are perfectly satisfied of to go unviolated - the law with impunity - because you did not happen to witness the offence? The law gives you the power to have witnesses ^{to testify} summoned before you and there are few offences under this power that can escape the vigilance and searching investigation of a grand jury bound by the solemn obligation of an oath to make diligent inquiry of all violations of the criminal law.

[1850s?]

The various offences which you are required to take cognizance of as the Grand Inquest of this County are such as exist by the common law and such as are created by the statute law. Those that exist at common law are,

Assaults & Batteries; when one man strikes another in a rude and violent manner or attempts to strike him within striking distance with an intent to do him a bodily hurt. Aiders and abettors.

Affrays; when two or more men fight by mutual consent in some public place or where a man arms himself with dangerous and unusual weapons so as to cause a natural terror among the people.

Unlawful Assemblies; when three or more persons do assemble themselves together to do an unlawful act and part without doing it or making any motion towards it.

Rouls; when three or more persons do assemble themselves together to do an unlawful upon a common quarrel and make some advances towards it.

Riots; when three or more persons actually do an unlawful act of violence either with or without a common cause or quarrel or even do a lawful act in a violent and tumultuous manner.

You will perceive from the definition of these last three offences that it requires at least three persons to be ^{engaged} ~~engaged~~ to commit either of them though a larger number may be ^{concerned} ~~concerned~~.

False imprisonment; when a man is ^{forcibly} detained or confined in the common jail or in a private house or even in the public street or highway without any legal authority in the person who does the act.

Sibels; which signify in their most extensive sense any writings pictures or the like of an immoral or illegal tendency - but in the common understanding any malicious defamation of a person and especially a magistral made public by either printing writing signs or pictures in order to provoke him to wrath or expose to public hatred contempt and ridicule.

Common nuisances; which are such troublesome and inconvenient offences as annoy the community in general and not merely some particular person.

Negligence of public officers; intrusted with the administration of justice; which is where they omit or refuse to perform those public duties which the law requires and commands.

Extortion; which is where a public officer unlawfully takes under color of his office from any man any money or valuable thing that is not due to him; or before it is due; or more than is due.

Petit-larceny; which is feloniously taking and carrying away the personal goods of another of ~~less value than~~ twelve pence value or less.

Malicious Mischief or Damage; which is injuring the property of another out of a spirit of wanton cruelty or from a feeling of revenge.

Forcible entry and detainer;

~~Obstructing the lawful execution of justice~~;

Oppression and Corruption in Magistrates;

Embracery;

and generally all officers of a notoriously evil example are indictable.

The offences which are created by our statute-law are,

Retailing without-license spirituous liquors of less than a quart in measure.

Peddling without-license goods wares and merchandise not of the growth or manufacture of this state, books charts or maps excepted.

Fraudulent-voting at elections; which is where a man votes who is under the age of twenty-one or who has not a twelve

Teaching slaves to read & write - & selling them books and pamphlets.

Owners of slaves permitting them to go as free negroes.

Slaves hiring their own time to be presented.

Free negroes carrying arms without a license from the county court - obtained within twelve months.

Orphan children without a guardian to be presented.

Unlawful Games.