

the said district, on the information and complaint of C. D. of — for that you within the space of six months, &c. (*here state the offence as laid in the information*). These are therefore to require you to appear before us at — in the said district, on — next, the — day of — at the hour of — in the — noon of the same day, to answer to the said charge, and to be further dealt with according to law. Herein fail you not. Given under our hands and seals the — day of — in the year of our lord; 18—.

The Conviction.

May be in the form given by the 2 W. 4. c. 4. [see Conviction] as the above acts do not contain any specific form of conviction.

The Distress Warrant.

A general form will be found under that title.

The Commitment.

For want of sufficient distress, will also be found in a general form under the title "Commitment."

ALIENS.

AN ALIEN is one, generally speaking, who is born in a foreign country, out of the allegiance of the king. 4 *Bl. Com.* 372.

But by 7 Ann c. 5; 4 G. 2. c. 21; and 13 G. 3. c. 21; all children born out of the king's ligeance, whose *fathers* or *grand-fathers* by the fathers side, were natural-born subjects, are deemed to be natural-born subjects themselves, to all intents and purposes; unless their said ancestors were attainted or banished beyond sea for high treason; or were, at the birth of such children, in the service of a prince at enmity with *Great Britain*.

The children of aliens born in the king's dominions, are natural-born subjects, unless the alien parents are acting in the realm as enemies; for it is not *cælum nec solum* which gives them the rights of *Englishmen*, but their being born within the allegiance and under the protection of the king. 7 *Co.* 18 A. 1 *Bl. Com.* 374.

When an alien is indicted for any crime, the jury should be one half foreigners, if so many are found in the place; but this privilege does not hold in treason, since aliens are holden to be not the proper judges of what is a breach of the allegiance due to a *British* Sovereign. 4 *Bl. Com.* 352.

An alien residing in this country, may be indicted for high treason, if he aid even his own countrymen in acts of hostility to this kingdom. 1 *Haw. c.* 17. § 5. *Fost.* 185. *Salk.* 46. 2 *Ld. Ray.* 282. *East. P. C.* 53.