

For the trial of issues of fact, Circuit courts have been established throughout the State, which is divided for this purpose into eight circuits, corresponding with its eight senatorial districts. To each circuit is appointed a local judge called the circuit judge, who holds his court for the trial of all issues of fact, and of criminals, although their alleged crimes may be of the highest penal description, twice a year, in each county comprised within his district. The circuit judge, before the abolition of the Court of Chancery, was also the vice-chancellor of his circuit; but in some of the circuits, such as the eighth, or that comprising the western portion of the State, the amount of business, both of an equity and common-law cast, at length became so large as to require a division of the duties, and the appointment of a separate vice-chancellor. All cases pending in the Circuit courts, are supposed to originate, as with us at Nisi Prius—in bank, that is to say, in the Supreme court, by whose authority, appearing on the record, they are sent down for trial, and to which they are returned after verdict for judgment. All points of law arising during the trial from the decision of the circuit judge on which either of the parties may choose to appeal, are transferred to the Supreme court for argument and adjudication. So a demurrer may, as with us, take the case entirely out of the Circuit court, and transfer its decision to the Court in bank. In short, the relation between the two courts is in almost all points the same as that subsisting between the courts at Westminster and those of Nisi Prius in this country.

Subordinate to the Circuit courts in power and position, though without any very direct relationship