

country, and more particularly everything which affected either proximately or remotely any one of the infinitely varied rights of the King, especially those which affected his revenue.

By degrees, however, these fiscal and miscellaneous duties came to be performed by other means, and the duties of the justices of assize were confined to the local administration of civil and criminal justice. For this purpose the whole of England was in the time of Henry the Second, twelfth century, divided into six circuits, which have existed with singularly little variation down to our own time. The Central Criminal Court which sits every month for London and the neighbourhood, was established in the year 1834. Before that time, for many centuries, the lord mayor and aldermen and the recorder of the city of London had by charter the right of being upon all commissions of oyer and terminer and gaol delivery for the city of London and the county of Middlesex. Criminal cases of minor importance are tried by the courts of quarter sessions, held four times a year (whence their name) by the justices of the peace of every county, and of such of the larger towns corporate as have, by their charters, courts of quarter sessions. These courts were first established in the fourteenth century in the reign of Edward the Third. For some centuries they could and did try all offences except high treason; and down to the end of the sixteenth century, if not down to the civil wars in the middle of the seventeenth century, they used continually to pass sentence of death. In a single year in the reign of Queen Elizabeth no less than thirty-nine persons were hanged under the sentences of the Devonshire court of quarter sessions. After this, their powers were by degrees diminished in practice though not in theory, and throughout the eighteenth and during the early part of the nineteenth centuries (when nearly all crimes were nominally capital) the courts of quarter sessions were practically restricted to the trial of cases of trifling importance. When capital punishments were abolished in nearly every case except high treason and murder, the jurisdiction of these courts was considerably extended, and they can now try all offences, except those for which the criminal can on a first conviction be sentenced to death or penal servitude for life, and some other specific offences, (such, for instance, as libels) in

which legal or constitutional questions of importance are likely to be involved.

The Justices of the Peace for the county are the judges of these courts, the chairman being only *primus inter pares*, and having no special authority. Two justices at least must be present to make a court. In boroughs, the recorder who is appointed by the Crown is the judge. He is paid a salary by the corporation out of the property or rates of the town.

These are the ordinary English criminal courts. Besides them, there are others which are called into activity only on rare occasions. The House of Lords is a Court of criminal jurisdiction, to which the House of Commons is the grand jury. The House of Commons can impeach any peer of any crime whatever, and it can accuse any commoner of any misdemeanor before the House of Lords. Impeachments are now extremely rare. Two instances only have occurred within the last century; namely, the impeachment in 1785 of Warren Hastings, and the impeachment in 1806 of Lord Melville. The control exercised by Parliament over public servants of all ranks is now so complete and efficient, that it would be difficult for any one to commit the sort of crimes for which people were formerly impeached. The proceeding at best is a very clumsy one. The impeachment of Warren Hastings lasted for more than seven years, though the number of days during which the Court sat was not so great as the number of days in which the Court of Queen's Bench sat in the trial of the impostor Orton for perjury in 1873-4.

The House of Lords has also a personal jurisdiction in all cases of treason and felony over peers of the realm. If a peer is accused of committing felony, the procedure against him up to the time when the indictment is found is the same as in the case of any other subject. When he is indicted, the indictment is sent, if Parliament is sitting, before the House of Lords; if Parliament is not sitting, before a Court composed of a certain number of peers, presided over by the Lord High Steward, who is appointed for the purpose, whence the Court is called the Court of the Lord High Steward.

These Courts are rather antiquarian curiosities than anything else. Since the accession of George the Third in 1760, there have been only