

chiefly held in Albany, the capital of the State; but it is now peripatetic—its four terms, viz. January, May, July, and October terms, being held respectively in Albany, in New York, in Utica in the centre, and in Rochester in the western portion of the State. It sits to adjudicate upon appeals and matters of law, but a trial at bar may be had before it, on proper cause shown, as in this country.

Like the analogous court in the federal system, the Supreme court of the State is the guardian and interpreter of the Constitution of the State, as it has the power of virtually annulling, by defending the Constitution from invasion, any act of the legislature which it may regard as unconstitutional. This feature of the judicial system runs through the whole polity of America, both state and federal. It was necessary to interpose some power between the legislature and the Constitution; for had the legislature been the sole interpreter of the Constitution, it is evident that the latter would have been only what the former chose at any time to make it. But here the analogy between the Supreme Court of the United States and the Supreme court of the State ends. The original jurisdiction of the latter is almost co-extensive with the judicial power, whilst it is unlike the former in this also, that it is only in constitutional questions that it is a court of final appeal; in all other cases its decisions may be carried by writ of error to the Court of Errors, or rather, as it is officially styled, the Court for the Correction of Errors, composed of the Senate of the State.* The Senate is strictly a court of appeal, with the single exception of cases of impeachment, of which it has exclusive jurisdiction.

* A distinct Court of Appeal has since been created.