

Sessions. C H A P. CLXXXV.

THE Sessions of the peace are a Court of Record holden before two or more Justices of the peace, whereof one is of the *Quorum*, for execution of the Authority given them by Commission of the peace, and certain Statutes and Acts of Parliament. §. 1. Description

2. The Sessions of the peace were anciently uncertain and undetermined as to the times, for that so few persons being in Commission, as 4 or 6; and those for the most part Men of Law, they thought it burthenom to attend; and therefore 36 E. 3. 12. a Law was made, that in the Commission of the peace express mention should be made, that the said Justices make their Sessions four times in the year, viz. one Sessions within one week after the Epiphany; the second within the second week of Lent; the third between the Feasts of Pentecost and St. John Baptist; the fourth within eight days of St. Michael. But that course proving inconvenient, by the Statute of 12 R. 2. c. 10. it is ordained, §. 2. Time.

3. The Justices shall hold their Sessions in every Quarter of the year at least, and that by 3 days at the least, upon pain to be punished by the discretion of the Kings Council. And because those times were uncertain, it is ordained,

4. By the Statute of 2 H. 5. 4. the Justices of peace shall make their Sessions four times in the year, viz. in the first week after the Feast of St. Michael, the first week after the Epiphany, the first week after the close of Easter, and the first week after the Translation of St. Thomas the Martyr; and more often if need be. And because the penalty and danger of every Justice in Commission for not appearing there was by the said Statute of 12 R. 2. c. 10. to be punished at the discretion of the Kings Council, the Justices of the one Bench and the other, and Sergeants, were exempted herefrom by the said Statute, as also by the said Statute of 2 H. 5. 4.

5. But in as much as the Kings Court sitting in the Term time did frequently call before them the Inhabitants of the County of Middlesex, and thereby most of the business in that County was dispatched, and yet the Justices of peace were compelled to hold their Sessions four times in the year, to avoid penalties of former Statutes. By the Statute of 14 H. 6. c. 4. it is provided that the Justices of peace in Middlesex be discharged of these Penalties, provided they hold their Sessions twice a year, and oftner if need be, for Forcible Entries or Riots. But it seemeth the Justices of peace may yet hold their Sessions four times in the year if they see cause, as formerly they might have done: and if they do hold them but twice a year, yet those times they hold them at, must be some of the times mentioned in the Statute of 2 H. 5. 4. for they are such times as were judged most convenient for the ease of the Subject.

See more touching the times of these Sessions before, ca. 4. sect. 4.

As to the place, there is no determination thereof by any Statute Law: but certain it is, they must be holden in some place within the County for which they are holden, for that the Justices of peace their Authority is so circumscribed. And therefore if the King shall make a place within a County of it self, and give them all priviledges of Jurisdiction, it will not be safe for the Justices of the ancient County to hold their Sessions there, unless the King by his Letters Patents reserve §. 3. Place.
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