

This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1867 Excerpt: ...the suitors, who were obliged to follow him, in order that their causes might be tried. By a clause in Magna Charta, dated June 15, 1215, this intolerable grievance was abated. That clause declared that Common Pleas shall not follow the Court, but shall be held in some certain place; and though no place is mentioned in the Charter for their future holding, there is no doubt that Westminster Hall was the certain place intended. It has been the arena where common pleas have ever since been usually decided, though there are some instances in the reign of Edward III. of this Court being held at York. So strict, however, was the interpretation put upon the words certain place by one of our judges, that he resisted the removal of the Court from the original place in Westminster Hall to a more convenient part of the same building. 12 Cokes Reports, 65.-. Madoxs Exchequer, i. 8. X Mannings Semens ad Legem, 171; Dugdales Orig. Jurid. 49, 50, 92. King Johns concession was, no doubt, the precursor of other changes by which the Aula Regia was ultimately abolished, and the present arrangement of the Courts of Chancery, Kings Bench, and Exchequer, as well as the Common Pleas, established, with separate judges appointed to preside over each Court. The precise time at which this division of the courts was effected has been the subject of controversy, into which it is not my present purpose to enter. It is enough to say that at the end of the following reign of Henry III. the office of Chief Justiciary no longer existed, and that a Chief Justice and puisne judges were appointed for the Courts of Kings Bench and Common Pleas. In the Court of Exchequer, though there were regular barons, the office of Chief Baron was not institute...

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