

keeper of the prison, to bring the prisoner before him when and where he shall appoint. Whereupon the Lord high steward directs the precept under the seal to these justices before whom the judgment was found; to certify it on a certain day, at such a place; another to the keeper of the prison, to bring up the prisoner then and there; and a third precept to a serjeant at Arms, to summon the peers before him at such a place day and hour.

All peers who have right to sit and vote in Parliament must be summoned to assist at the trial of any peer or peers, for treason or Misprision thereof, Coercion or treason for counterfeiting the Kings coin great seal or privy seal, sign Manual or privy signet 20 days before the trial. And all who appear are (after taking the oaths mentioned in the 1 W. & M. cap. 8 and subscribing and repeating the Declaration in the 30 Car. 2 cap. 1 st. 2) privileged to vote in the trial 7 W. 3 cap. 3 st. 1. The sixteen Electors peers of Scotland must be summoned to pass not only upon the trial of any peer while the Parliament is sitting, but also upon such a trial as happens in time of adjournment or prorogation of the Parliament; and in case of the trial of any peer when no Parliament is in being, the sixteen peers of Scotland who sat in the last preceding Parliament, are to be summoned to such a trial, in the same manner, and have the same powers and privileges thereto, as any other Peers of Great Britain Act 23 of the Union

At the time appointed for the trial, the Lord high Steward, attended with six or seven serjeants at Arms carrying Maces before him, and by the King at Arms and the Usher of the Black rod, enters the place of trial uncovered and ascends a chair of state provided for that purpose, and the 12 Judges of England or some of them sit here to give their advice when required. Then the Clerk of the Crown delivers to the Lord

high steward his Commission, who returns it to the Clerk of the Crown. The Clerk of the Crown after he hath caused a serjeant at Arms make three Oyes, and a proclamation for silence, in the name of the Lord high steward of Great Britain reads the Commission while his grace and the other Lords stand up uncovered. Then the usher, on his knees, delivers to the high steward a white staff or rod who delivers it to him, or to a serjeant at Arms, who holds it by him during the trial. A garn, an oyes is made, and a Command given in the Name of the Lord high steward to all Justices and Commissioners to certify all judgments &c. which being delivered into court, the Clerk of the Crown reads the Return. Another oyes is made, that the keeper of the Prison return his writ and precept, and bring the prisoner to the Bar: who is brought there having the axe, that doleful Mace carried before him, which is hold up at the Bar with the edge turned from him; and the Clerk reads the Return. Another oyes is made; that the serjeant at Arms return his precept, with the Names of peers summoned by him. The Return of which is also read; and the Peers when called, answer to their Names, and take the oaths (mentioned in the first W. & M. cap. 8) and repeat and subscribe the Declaration against perjury (in the 30 Car. 2 cap. 1 st. 2) and then take their places and sit down as qualified to vote in the trial 7 W. 3 cap. 3 st. 1. It is Resolved that these peers appear ad faciendum ea que ex parte Domini Regis eis injunguntur.

The Lord high steward may adjourn the trial from one day to another, Lord Belknap by. 52. But if he think fit to proceed, all things being thus prepared; his grace declares to the prisoner at the Bar the cause of the assembly, or acquaints him with the Nature of the Crime and Matters proper for the Decision, and wishes him to answer without fear and assures him that he shall be heard with patience and most with Justice. If the prisoner be indicted of high treason, the Clerk of the Crown bids him hold up his hands,