

## PART. 2.

Of Criminal Jurisdiction; the Courts  
both sovereign and subordinate; wherein  
offenders are tried for Crimes; and the order  
of Judicial proceedings Against them.

## BOOK I.

Concerning Criminal Jurisdiction;  
And the Courts wherein offenders are tried  
for Crimes.

Having treated in the first Volume (pag. 1594 & seqq.)  
Concerning Jurisdiction in general and the several kinds of it,  
as Ecclesiastical and Temporal, and there being two several  
sorts of Temporal Jurisdiction *Viz* proper or Ordinary and  
Improper or Extraordinary. of Civil and Criminal: Whereof  
all Except Criminal Jurisdiction referred to this place  
have been already Explained.

Criminal Jurisdiction (Which in the Civil Law is termed  
the power of the sword and *Motum Imperium* l. 3 ff de Juris.  
by way of Distinction from *Musulum Imperium*) is a power  
of trying and punishing Crimes.

This Jurisdiction is, of either Cumulative or private  
Cumulative or Concurrent Jurisdiction is, that which  
Different Judges may separately Exercise within their  
Respective Districts. Which Sheriffs and Barons have  
a Cumulative Jurisdiction in bloodwits. When two Judges  
have a Cumulative Jurisdiction the one may bar the  
Other by first trying or apprehending the Delinquent l. 7  
ff de Juris.