because, in consequence of such plea, it is possible that judgment of death might be awarded against him. The king, therefore, in case a peer be indicted of treason, felony, or misprision, creates a lord high steward *pro hac vice* by commission under the great seal ; which recites the indict­ment so found, and gives his Grace power to receive and try it *secundum legem et consuetudinem Anglia.* During the session of parliament the trial of an indicted peer is not properly in the court of the lord high steward, but before the court of our lord the king in parliament. It is true, a lord high steward is always appointed in that case, to regu­late and add weight to the proceedings ; but he is rather in the nature of a speaker *pro tempore,* or chairman of the court, than the judge of it ; for here the collective body of the peers are the judges both of law and fact, and the high steward has a vote with the rest in right of his peerage. But in the court of the lord high steward, which is held in the recess of parliament, he is the sole judge of matters of law, as the lords triors are in matters of fact ; and as they may not interfere with him in regulating the proceedings of the court, so he has no right to intermix with them in giving any vote upon the trial. In the conviction and at­tainder of a peer for murder in full parliament, it has there­fore been held by the judges, that in case the day appoint­ed in the judgment for execution should lapse before exe­cution done, a new time of execution may be appointed by either the high court of parliament during its sitting, though no high steward be existing, or, in the recess of parliament, by the court of king’s bench, the record being removed in­to that court.

STEWART, Matthew, D.D., an eminent mathemati­cian, was in 1717 born at Rothsay in the Isle of Bute, of which parish his father was minister. Being intended for the church, he passed through the usual course of a grammar-school education, and was in 1734 received as a stu­dent into the university of Glasgow. There he had the happiness of having for his preceptors in moral science and mathematics the celebrated professors Hutcheson and Sim­son, by the latter of whom he was instructed in what may not improperly be called the *arcana* of the ancient geometry.

His views making it necessary for him to remove to Edin­burgh, he was introduced by Dr Simson to Mr Maclaurin, that his mathematical studies might suffer no interruption ; and he attended the lectures of that great master with such advantage as might be expected from eminent abilities, di­rected by the judgment of him who made the philosophy and geometry of Newton intelligible to ordinary capacities. From his intimacy with Simson he had however acquired such a predilection for the ancient geometry, as the modern analysis, however powerfully recommended, could not les­sen ; and he kept up a regular correspondence with his old master, giving him an account of his progress and his dis­coveries in geometry, and receiving in return many curious communications respecting the *Loci Plani,* and the porisms of Euclid.

While the second invention of porisms, to which more genius was perhaps required than to the first discovery of them, employed Dr Simson, his pupil pursued the same sub­ject in a different and new direction. In doing so, he was led to the discovery of those curious and interesting pro­positions which were published under the title of *General Theorems* in 1746. They were given without the demon­strations, but did not fail to place their discoverer at once among the geometers of the first rank. They are for the most part porisms, though Mr Stewart, careful not to anti­cipate the discoveries of his friend, gave them no other name than that of theorems.

Before this period he had entered the church, and through the patronage of the Duke of Argyle and the Earl of Bute he obtained the living of Roseneath, a retired country pa­rish in the west of Scotland ; but in 1747 he was elected to the mathematical chair in the University of Edinburgh, which had become vacant the year before by the death of Mr Maclaurin. The duties of this office gave a turn some­what different to his pursuits, and led him to think of the most simple and elegant means of explaining those difficult propositions which were hitherto only accessible to men deeply versed in the modern analysis. In doing this, he was pursuing the object which of all others he most ardently wished to attain, namely, the application of geometry to such problems as the algebraic calculus alone had been thought able to resolve. His solution of Kepler’s problem was the first specimen of this kind which he gave to the world ; and it was impossible to have produced one more to the credit of the method which he followed, or of the abilities with which he applied it. On this problem the utmost resources of the integral calculus had been employed. But though many excellent solutions had been given, there was none of them at once direct in its method and simple in its principles. Mr Stewart was so happy as to attain both these objects ; and his solution appeared in the second volume of the Essays of the Philosophical Society of Edinburgh for the year 1756. In the first volume of the same collection there are some other propositions of Mr Stewart’s, which are an extension of a curious theorem in the fourth book of Pappus. They have a relation to the subject of porisms, and one of them forms the ninety-first of Dr Simson's Restoration. They are be­sides very beautiful propositions, and are demonstrated with all the elegance and simplicity of the ancient analysis.

The prosecution of the plan which he had formed of in­troducing into the higher parts of mixed mathematics the strict and simple form of ancient demonstration, produced the Tracts Physical and Mathematical, which were pub­lished in 1761, and the Essay on the Sun’s Distance, which was published in 1763. In this last work it is acknowledg­ed that he employed geometry on a task which geometry cannot perform ; but while it is granted that this determi­nation of the sun’s distance is by no means free from error, we may venture to affirm that it contains a great deal which will always interest geometers, and will always be admired by them. Few errors in science are redeemed by the dis­play of so much ingenuity, and, what is more singular, of so much sound reasoning. The investigation is everywhere elegant, and will probably be long regarded as a specimen of the most arduous inquiry which has been attempted by mere geometry.

The Sun’s Distance was the last work which Dr Stewart published ; and though he lived to see several animadver­sions on it made public, he declined entering into any con­troversy. His disposition was far from polemical ; and he knew the value of that quiet which a literary man should rarely suffer his antagonists to interrupt. He used to say, that the decision of the point in question was now before the public ; that if his investigation was right it would never be overturned, and that if it was wrong it ought not to be defended. A few months before he published the essay just mentioned, he gave to the world another work, entitled *Pro­positiones Geometrica more Veterum demonstrata.* This title, it is said, was given to it by Dr Simson, who rejoiced in the publication of a work so well calculated to promote the study of the ancient geometry. It consists of a series of geometrical theorems, for the most part new ; investigat­ed first by an analysis, and afterwards synthetically demon­strated by the inversion of the same analysis. Dr Stewart’s constant ιιse of the geometrical analysis had put him in pos­session of many valuable propositions which did not enter into the plan of any of the works that have been enumerat­ed. Of these not a few have found a place in the writings of Dr Simson, where they will for ever remain to mark the friendship of these two mathematicians, and to evince the esteem which Simson entertained for the abilities of his pupil.

Soon after the publication of the Sun’s Distance, Dr