never having been entrusted to him, his jurisdiction as regards crimes was usually said to be limited to those punishable arbitrarily, that is, by imprisonment, fine, or admonition.

As a consequence of the suppression of the Jacobite rising of 1745, after 1st March 1748 all heritable sheriffships were extinguished, and no sheriffship was to be thereafter granted either heritably or for life, or for any certain term exceeding one year, but this provision was not taken advantage of, and the office of sheriff-principal practically ceased, though that name is sometimes given to the sheriff-depute, 20 Geo. II. c. 43. The Act declared that there should be but one sheriff-depute or stewart- depute in every shire or stewartry, who was to be an advocate of three years’ standing, appointed by the crown, with such continuance as His Majesty should think fit for the next seven years, and after that period *ad vitam aut culpam.* This period was extended by 28 Geo. II. c. 7 for fifteen years, and thereafter (since 1769) the sheriff- depute has held his office *ad vitam aut culpam.* Power was given to him by 20 Geo. II. c. 43 to appoint one or more persons as substitutes during his pleasure, for whom he should be answerable. At first no legal qualification was necessary and no salary paid, but gradually the sheriff-depute delegated more legal business to the sub­stitute, and before 1761 it had become customary for the sheriff-depute to give him some allowance. In 1787 he was placed on the civil establishment and paid by the crown; in 1825 a qualification of three years’ standing (now five years by 40 and 41 Vict. c. 50) as an advocate or procurator before a sheriff court was required (6 Geo. IV. c. 23) ; in 1838 he was made removable by the sheriff- depute, only with the consent of the lord president and lord justice clerk, and it was made compulsory that he should reside in the sheriffdom, the provision of 20 Geo. II. c. 43, which required the sheriff-depute so to reside for four months of each year, being repealed (1 and 2 Vict. c. 119); and in 1877 the right of appointment of the substitutes was transferred from the sheriff-depute to the crown (40 and 41 Vict. c. 50).

While the sheriff-depute has still power to hear cases in the first instance, and is required to hold a certain number of sittings in each place where the sheriff-substitute holds courts, and also once a year a small-debt court in every place where a circuit small-debt court is appointed to be held, the ordinary course of civil procedure is that the sheriff-substitute acts as judge of first instance, with an appeal under certain restrictions from his decision to the sheriff-depute, and from him to the court of session in all causes exceeding £25 in value. An appeal direct from the sheriff-substitute to the court of session is competent, but is not often resorted to.

As regards criminal proceedings, summary trials are usually conducted by the sheriff-substitute ; trials with a jury either by him or, in important cases, by the sheriff- depute. The sheriff-substitute also has charge of the pre­liminary investigation into crime, the evidence in which, called a precognition, is laid before him, and if necessary taken before him on oath at the instance of his procurator- fiscal, the local crown prosecutor.

The duties of the sheriff-depute are now divided into ministerial or administrative and judicial. The ministerial are the supervision of the accounts of the inferior officers of the sheriffdom ; the superintendence of parliamentary elections ; the holding by him­self or his substitutes of the courts for registration of electors ; the preparation of the list of persons liable to serve both on criminal and civil juries ; the appointment of sheriff officers and supervision of the execution of judicial writs by them ; and the striking of the “fiars.” He has also to attend the judges of justi­ciary at the circuit courts for the county or counties over which his jurisdiction extends. He is generally responsible for the peace of the county, and supervises the police establishment. He is *ex officio*

a justice of the peace and commissioner of supply. In addition to those general duties of sheriffs-depute, particular sheriffs are attached to the Board of Supervision for the Relief of the Poor, the Prison Board of Scotland, the Board of Northern Lighthouse Commissioners, and the Scottish Fishery Board.

The judicial duties of the sheriff-depute are, as regards crimes, the trial of all causes remitted by the counsel of the crown for the trial by sheriff and jury, as well as summary trials if he chooses to take them. This now means most crimes for which a maximum of two years’ imprisonment (in practice eighteen months is the longest sentence imposed) is deemed sufficient, and which are not by statute reserved for the justiciary court. His civil jurisdiction is regulated by several statutes too technical for detail, but may be said generally to extend to all suits which conclude for payment of money, whatever may be the cause of action, with the exception of a few where the payment depends on status, all actions with reference to the possession of land or right in land, and actions relative to the right of succession to movable property. In bankruptcy he has a cumulative and alternative jurisdiction with the court of session, and in the service of heirs with the sheriff of chancery. Formerly the jurisdiction of the sheriff was absolutely excluded after the institution of the court of session in four important classes of action—(1) relative to property in lands or rights in lands ; (2) requiring the use of peculiar forms of action, *e.g.,* declarator, reduction, and suspension ; (3) involving the exercise of the *nobile officium,* a supreme equitable jurisdiction of the court of session ; and (4) for the determination of rights of status, as well as in many cases in which the proceedings rest on special statutes which gave an exclusive jurisdiction to the court of session. But large exceptions have been made by recent legisla­tion from this exclusion. By another series of statutes, for the most part connected with local administration, as the Road, Burial Grounds, Lunacy, Public-houses, and General Police and Education Acts, the jurisdiction of the court of session is excluded either as an original court or a court of review, and the sheriff court has exclusive jurisdiction.

The courts which the sheriff holds are (1) the criminal court ; (2) the ordinary civil court ; (3) the small-debt court for cases under £12 in value (6 Geo. IV. c. 48); (4) the debts recovery court for cases above £12 and under £50 in value (30 and 31 Vict. c. 96) ; and (5) the registration court. His judgment in the criminal court is subject to review by the court of justiciary, and in the ordinary civil court and the debts recovery court by the court of session. In the small debt court it is final, except in certain cases where an appeal lies to the next circuit court of justiciary. The sheriff- substitute may competently exercise all the judicial jurisdiction of the sheriff, subject to appeal in civil cases other than small-debt cases. As regards his administrative functions he assists the sheriff generally, and may act for him in the registration and fiars court, and he superintends the preliminary stage of criminal inquiries, consulting with the sheriff if necessary ; but the other administrative duties of the office are conducted by the sheriff- depute in person. The salaries of sheriffs-depute vary from £2000 to £500 a year, those of sheriffs-substitute from £1400 to £500.

There is a principal sheriff-clerk appointed by the crown for each county, who has depute clerks under him in the principal towns, and a procurator-fiscal for the conduct of criminal prosecutions for each county and district of a county, who is appointed by the sheriff with the sanction of the home secretary.

Besides the sheriffs of counties, there is a sheriff of chancery appointed by the crown, whose duties are confined to the service of heirs, with a salary of £500. (Æ. M.)

SHERLOCK, Thomas (1678-1761), bishop of London, the son of Dr William Sherlock, noticed below, was born at London in 1678. He was educated at Catherine Hall, Cambridge, and in 1704 succeeded his father as master of the Temple. He took a prominent part in the Bangorian controversy against Hoadly, whom he succeeded as bishop of Bangor in 1728 ; he was afterwards translated to Salisbury in 1734, and to London in 1738. He pub­lished against Collins’s *Grounds and Reasons of the Chris­tian Religion* a volume of sermons entitled *The Use and Intent of Prophecy in the Several Ages of the World* (1725); and in reply to Woolston’s *Discourses on the Miracles* he wrote a volume entitled *The Trial of the Witnesses of the Resurrection of Jesus* (1729), which in a very short time ran through fourteen editions. His *Pastoral Letter* (1750) on “ the late earthquakes ” had a circulation of many thousands, and four volumes of *Sermons* which he pub­lished in his later years (1754-58) were also at one time highly esteemed. He died in 1761. A collected edition of his works in 5 vols. 8 vo, by Hughes, appeared in 1830.