

The word *Appeal* is derived from the French Verb *Appeller*, to Call, because he or she that brings it, calls the Defendant to Judgment; but the meaning thereof is all one with an Accusation, and is peculiarly in legal Signification applied to Appeals of three sorts: First, An Appeal brought by an Heir Male, for some Wrong done to his Ancestor, whose Heir he is. Secondly, of Wrong done to an Husband, and is by the Wife only, if it be for the Death of her Husband, to be prosecuted. The third is of Wrongs done to the Appellants themselves, as for Robbery, Rape, or Maim, *Coke 1 Instit. Sect. 500.*

*Note*, That this Appeal must be brought within a Year and a Day after the Murder committed; for afterwards it cannot be brought at all. And anciently it was customary not to bring an Indictment for the King, till after the Year and the Day, waiting in the mean time for the Prosecution of the Party; but this was found very inconvenient, for the Party was frequently compounded with, and at the Year's end the business was forgot, and so Offenders escaped Justice.

And therefore the same was altered by the Statute 3 Hen. 7. cap. 1. whereby it is Enacted, That the Coroner shall do his Office, and the Offenders may be arraigned at any time within the Year, at the King's Suit, but if acquitted, yet the Party, within the Year and Day, should have liberty to bring an Appeal against such Person, either acquitted or attainted, if the Benefit of the Clergy be not before thereof had. And in order thereunto, that when any Person happened to be acquitted for the Death of a Man, within the Year, the Justices before whom he is acquitted, shall not suffer him to go at large, but either to remit him again to the Prison, or else to let him to Bail, after their Discretion, till that the Day and the Year be passed, that so  
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