

peals, the dependence during the whole of the provincial period was upon the leading gentlemen of the country, serving as justices of the peace. And except for a few lawyers who served on the Council, all these were without special training in the law. This was an adoption or continuation of the old English institution of justices of the peace, of course, but a somewhat different and broader use of it was made here. And in view of the subsequent decay and comparatively low esteem of the office it may be well to emphasize its greater importance in England and Maryland in the seventeenth and eighteenth centuries. It had its origin in England as far back as the twelfth century,¹⁸ and it became within two hundred years, and long remained, one of the most important features of the English governmental system. George M. Trevelyan, in his recent "History of England" speaks of it as,

that peculiarly English system of government whereby the Crown depends largely on the amateur services of the local gentry for the enforcement of the King's Peace, instead of depending wholly on the sheriff and Judges or on a centralized bureaucracy of the later continental type.¹⁹

For four hundred years their powers continued to increase, both in variety of function and in personal authority, till in the Eighteenth Century they were in a sense more powerful than the central government itself. This would not have happened if they had not responded to the needs and character of the English over a long period of time.²⁰

And, says Maitland,

a history of the eighteenth century which does not place the justice of the peace in the very foreground of the picture, will

18. Holdsworth, I, 286, 288.

19. Page 166.

20. Ibid, 199.