

alogy to the Governor and Council sitting as a court, and appeals to it still had somewhat the same position as appeals to the House of Lords. The Lord Chief Justice of England was then a judge of the King's Bench, and that was a court of trial jurisdiction, subject to appeals to the House of Lords.

But, however important the General Court may have been, and however strong the local attachment for it, a single court of law was appropriate only to a more compact population such as Maryland had had nearer to the time of its settlement, and as the population grew and spread, restriction to the one Provincial and General Court inevitably became burdensome to litigants, jurors and witnesses. Its abolition with the growth of the population was destined from the beginning; the same process, indeed, which in the thirteenth century caused the establishment of the *nisi prius* or circuit system in England, to relieve of the burden of attendance at Westminster Hall, must inevitably have brought about the abolition of the General Court in Maryland sooner or later; and so it did. Before the end of the seventeenth century a proposal was made in the General Assembly that itinerant justices of the Provincial Court be appointed on each side of the bay, to ride circuits, with their clerks, as the judges in England did, and that a Provincial Office be established on each side of the bay, with process to be issued by the clerks there, and records to be kept on each shore.⁴⁹ And throughout the remainder of the provincial period, successive legislative enactments transferred

49. Archives, Proc. Assembly, 1693 to 1697, 42 and 175.