

own Rights, as to take care that the Power should be lodged in proper Persons duly qualified. For this End it was provided, by 12 *Rich. II. c. 10.* that no *Steward* of any Lord should be in the Commission of the Peace; and by 13 *Rich. II. c. 7.* that Justices of Peace should be made of the most sufficient Knights, Esquires, and Men of Law. The like Provision is made in 2 *Hen. V. Parl. 2. c. 1:* And to secure the Observance thereof, it was upon a Complaint of insufficient Persons being made Commissioners of the Peace, enacted by the same Parliament, *c. 2.* that they should be assigned by the Advice of the Chancellor and the King's Council: And by 18 *Hen. VI. c. 11.* that upon Notice of any Justice of Peace, who had not Lands to the Value of 20 *l.* a Year, the Chancellor should put another in his Place; and for want of sufficient Persons having Lands of that Value, he was directed to appoint discreet Persons learned in the Law, though they had not Lands to that Value. It must be observed that 20 *l.* a Year was then the reputed Value of a Knight's Fee, and worth 500 *l.* or even 1000 *l.* a Year, as Lands are set at present: And it was certainly the Spirit and Intent of that Act, that nobody of a less Estate, than what now, by the accidentally increased Plenty of Money, would set for this last Sum, should be put into the Commission; even though in those Days there were very few Persons that had so large an Estate in any County.

Thus did all the Civil Power center at last in the Crown: And this Power hath been ever since encreasing; particularly as to Justices of the Peace, by a Custom of long standing, though introduced without thinking of the Consequences, of putting the Execution of all Laws and Regulations into the Hands of Persons, who had so much of a Discretionary Power, even in their original Institution, that in some Cases it appeared to be arbitrary. Ever since

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