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Chapter 1 : Lionel K.J. Glassey (Author of The Reigns of Charles II and James VII & II)

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Justices of the peace are regarded as civil public officers, distinct from peace or police officers. Depending on the region in which they serve, justices of the peace are also known as magistrates, squires, and police or district judges. In some districts, such as the District of Columbia, justices of the peace are considered officers of the United States. In other regions, their jurisdiction is limited to a state, city, precinct, county, or township. The position of justice of the peace originated in England in with the passing of the Justice of the Peace Act. Legal training was not a prerequisite. Maintaining community order was a priority in the colonial era. The justice of the peace in this period was responsible for arresting and arraigning citizens who violated moral or legal standards. By the early s, the crimes handled by the justice of the peace included drunkenness, adultery, price evasion selling below a minimum price fixed by law , and public disorder. Justices of the peace also served as county court staff members and heard grand jury and civil cases. The increasing number of criminal, slave, and tax statutes that were passed during the s also broadened the enforcement powers of the justice of the peace. Today justices of the peace deal with minor criminal matters and preside only in the lowest state courts. Their legal duties encompass standard judicial tasks such as issuing arrest or search warrants, performing marriage ceremonies, handling routine traffic offenses, determining probable cause, imposing fines, and conducting inquests. For example, a few statutes do not allow justices of the peace to be involved in the operation of another business or profession; however, they can invest in or receive a salary from another business, as long as they are not involved with its operation. Justices are often considered conservators of the peace. They can arrest criminals or insane people, order the removal of people who behave in a disorderly fashion in a public place, and carry out other duties designed to maintain or restore a peaceful community. Justices of the peace have limited power in criminal and civil cases. They have jurisdiction over minor criminal matters, including misdemeanors, infractions, and petty offenses. Their powers of civil jurisdiction are determined by the respective statutes that govern their position. At the highest level, a justice may handle cases that involve contracts, torts, injuries to personal property, and personal injuries such as libel, slander, false imprisonment, and malicious prosecution. Justices of the peace do not have jurisdiction over cases that involve real property titles, easements, or rights of way. Depending on the tradition in the area where they serve, justices of the peace are either elected or appointed; the method by which they reach their office has no bearing on how much power they have. Once elected or appointed, and before taking office, a justice of the peace is required to take an oath and post an official bond. Some statutes also require new justices to sign a sworn statement that they have never been convicted of a misdemeanor or felony. The length of the term of a justice of the peace varies with the constitution or statute that created the position. If a vacancy is created before a term expires, a public official, such as the governor, fills the vacancy; some statutes require that a special election be held. The replacement justice of the peace usually completes only the remainder of the term or serves until the next scheduled election. Justices of the peace can be removed from their position for a variety of reasons, including official misconduct or conviction for a misdemeanor or felony. They must have knowingly committed the inappropriate act or acts with improper motives. Usually, the statute that defines the position will outline the procedure for removing a justice of the peace from office. Ordinarily, the justice is served with a notice of the charge or charges and is given an opportunity to be heard before she or he is removed. If a justice of the peace wishes to resign, he or she must present a letter of resignation to the appropriate official; once the resignation is accepted, it cannot be withdrawn. Cite this article Pick a style below, and copy the text for your bibliography.

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Chapter 2 : Friends of Devon Archives: Oath Rolls Project: Introduction

*Politics and the Appointment of Justices of the Peace, (Oxford Historical Monographs) [Lionel K.J. Glassey] on calendrierdelascience.com *FREE* shipping on qualifying offers.*

She has worked as a journalist for the past 17 years. Most recently, she was the television news producer for CBC television in Ottawa. Finnestad has assigned Justice of the Peace Baum to Toronto. Finnestad has assigned Justice of the Peace Blauveldt to Ottawa. Justice of the Peace Helena Mary Cassano has held various positions in the court services division at the Ministry of the Attorney General since , including supervisor and manager of court operations in Brampton, Milton, Burlington and Orangeville. She has volunteered at the St. Dunstan Catholic School as chair of the advisory council, and as a parent advocate for special needs students, as well as acting as a manager for a girls soccer club. Finnestad has assigned Justice of the Peace Cassano to Brampton. He has been a provincial prosecutor for more than 10 years at the Ministry of the Attorney General. He has more than 20 years of community service experience as board member for the program advisory committee for Conestoga College and as a volunteer for Mennonite Central Committee Ontario. Finnestad has assigned Justice of the Peace Cotter to Brampton. She has been a lawyer in private practice in Mississauga since Prior to that, she served for nine years as an assistant Crown attorney for the Ministry of the Attorney General. She is bilingual and has worked as a teacher and school principal for the French Catholic School Board of Eastern Ontario for the past 34 years. She has also worked as a mentor for new principals and vice-principals. Finnestad has assigned Justice of the Peace Forgues to Cornwall. She was a solicitor with the City of Toronto and has worked in private practice. She has also been a mentor with the Medical Legal Society of Toronto. Finnestad has assigned Justice of the Peace Giulietti to Toronto. Justice of the Peace Glassford has been a member and acting chair of his local municipal appeals committee and representative of his municipal heritage advisory committee. He has also served as a district referee for the Ontario Soccer Association. Finnestad has assigned Justice of the Peace Glassford to Toronto. Justice of the Peace Jane V. Since she has been president of Amberlight Productions Inc. For the past 15 years, she has also guest hosted a range of CBC radio programs on a regular basis. She has also been an active fundraiser for the Performers Arts Lodge in Toronto. Finnestad has assigned Justice of the Peace Hawtin to Toronto. Justice of the Peace Rizwan M. For the past decade he has been a sole practitioner specializing in criminal defence. Prior to establishing his own practice, he was a staff duty counsel for Legal Aid Ontario in Etobicoke. Finnestad has assigned Justice of the Peace Khan to Toronto. Justice of the Peace Paula M. Konstantinidis has a Bachelor of Arts degree from the University of Toronto. She has worked in public service for more than a decade, most recently as director of the Legal Services Program Support Branch at the Ministry of the Attorney General, where she managed staff and corporate operations. Justice of the Peace Konstantinidis has been a volunteer for the United Way and health charity fundraising campaigns, a parent volunteer with charities St. Finnestad has assigned Justice of the Peace Konstantinidis to Toronto. Justice of the Peace Paul Langlois has worked in numerous capacities within the Ministry of the Attorney General over the past 30 years, as a court reporter, a senior deputy sheriff and as a manager of court operations. For the past 10 years, he has been a director of court operations with the ministry for the North East and then West Regions. Justice of the Peace Langlois has served as a municipal councillor for the Town of Cochrane, firefighter captain with the Cochrane Volunteer Fire Department and as a board member of Haileybury Minor Hockey Association. Finnestad has assigned Justice of the Peace Langlois to London. Justice of the Peace McMahan is bilingual. Prior to , he was a sole practitioner specializing in wills and estates, and criminal law. Finnestad has assigned Justice of the Peace Moffatt to Peterborough. He has been an adjudicator at the Landlord and Tenant Board in London, an investigator and provincial prosecutor, and a professor at Niagara College in Welland, where he taught courses, including business law. Most recently he has been an investigator with the Ministry of the Environment. Justice of the Peace Phillipps has been active in his local school council. Finnestad has assigned

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Justice of the Peace Phillips to Toronto. Finnestad has assigned Justice of the Peace Rerup to Barrie. Since then she has been a criminal duty counsel for Legal Aid Ontario. She has represented clients at bail and sentencing hearings, including in youth and Gladue courts, in Toronto and Brampton. She has represented Legal Aid Ontario on the Justice on Target initiative, as a guest speaker for international delegations. Finnestad has assigned Justice of the Peace Scarpato to Toronto. Since , she has been managing director and psychotherapist at Healing Nations Counselling and Clinical Consulting Services. She has also been a professor of social sciences and early child development at Niagara College - Six Nations Polytechnic Campus. Finnestad has assigned Justice of the Peace Summers to Brantford. Her duties included planning and co-ordinating the delivery of programs for victims and witnesses of crime. Justice of the Peace Thompson is a member of the Huron-Perth Human Services Justice Coordinating Committee, the Goderich and Stratford Youth Justice Committees, and has been involved in a broad range of community organizations addressing domestic violence and elder abuse. Finnestad has assigned Justice of the Peace Thompson to Walkerton. She has practised law as a sole practitioner and for five years she was legal counsel for two major insurance companies, where she handled liability claims and participated in negotiation, mediation and other forms of alternative dispute resolution. Justice of the Peace Valentine was a trustee with the Durham Catholic District School Board, a director of Community Justice Alternatives of Durham Region, and acted as a tutor for candidates preparing for the real estate section of the Ontario Bar examinations. Finnestad has assigned Justice of the Peace Valentine to Toronto.

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No formal qualifications are required but magistrates need intelligence, common sense, integrity and the capacity to act fairly. Membership is widely spread throughout the local area and drawn from all walks of life following a rigorous selection process. All magistrates are carefully trained before sitting and continue to receive training throughout their service. Magistrates are unpaid volunteers but they may receive allowances to cover travelling expenses and subsistence. Lay justices or magistrates must sit for a minimum of 26 sessions half-days per year, but some sit as much as a day a week, or possibly more. Magistrates can sit alone to hear issues such as warrant applications or many traffic offences under the new Single Justice Procedure. In addition to the lay justices, there are a small number of district judges , formerly known as stipendiary magistrates. These are legally qualified, full-time members of the magistracy and hear cases alone, without any other magistrates on the bench. Magistrates also have a civil jurisdiction , such as a family jurisdiction. Although they had a licensing jurisdiction dealing liquor, betting and clubs licensing applications, this was transferred under the Licensing Act to local authorities. The magistrates now act in licensing matters only as an appeal court from the decisions of the local authority. This has now been changed such that they are assigned to local justice areas , but less strongly. The Courts Act provides the current framework for appointment of the justices, which is done by the Lord Chancellor in the name of sovereign. Justices can also be removed by the same mechanism. Before , magistrates were liable to be approached at any time and in any place by people legally recognised as paupers , appealing for aid if parish authorities refused to provide any. It was relatively common for these magistrates to write out, on the spot, an order requiring aid to be granted.

Judiciary of Scotland Within the Scottish legal system justices of the peace are lay magistrates who currently sit in the justice of the peace courts. These courts were introduced in as a replacement for the district courts established in , which in turn replaced burgh police courts. They handle many cases of breaches of the peace â€” drunkenness, minor assaults, petty theft, and offences under the Civic Government Scotland Act Following the passage of the Criminal Proceedings etc. Reform Scotland Act the justice of the peace courts were implemented on a sheriffdom -by-sheriffdom basis. Section 59 In Glasgow, the volume of business required the employment of three solicitors as "stipendiary magistrates" who sat in place of the lay justices. Stipendiary magistrates were replaced by summary sheriffs. However, justices of the peace no longer sat out of petty sessions after Summary Jurisdiction and Criminal Justice Act Northern Ireland Justices of the peace were confined to the power to conduct committal hearings, bind persons over to the peace, sign warrants, summons, and other official documents. They were appointed by the Lord Chancellor on the recommendation of a committee in each county court division. The first lay magistrates were appointed in It is expected that there will be no further appointments of justices of the peace in Northern Ireland, although those already appointed retain the title and any functions not transferred to lay magistrate under the Act. United States[edit] In some US states, the justice of the peace is a judge of a court of limited jurisdiction , a magistrate , or a quasi-judicial official with certain statutory or common law magisterial powers. The justice of the peace typically presides over a court that hears misdemeanor cases, traffic violations, and other petty criminal infractions. The justice of the peace may also have authority over cases involving small debts , landlord and tenant disputes, or other small claims court proceedings. Proceedings before justices of the peace are often faster and less formal than the proceedings in other courts. In some jurisdictions a party convicted or found liable before a justice of the peace may have the right to a trial de novo before the judge of a higher court rather than an appeal strictly considered. A justice of the peace also performs civil marriages. Arizona[edit] A justice of the peace has the same jurisdiction as a municipal magistrate with respect to traffic and

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misdemeanor cases and restraining orders, though over cases whose affairs are not contained within the confines of a single municipality. Justices of the peace, also called JPs, or Judges of the Justice Court, are elected in partisan elections for four-year terms from specific districts called precincts. They have the same authority and responsibility as all other judges in the state with respect to performing marriages, administering oaths, adhering to the code of judicial conduct, and all aspects of justice administration. However, Arizona law does not require justices of the peace to be lawyers. Many justices of the peace are not legally trained, although all are required by the Arizona Supreme Court to complete a course at the Arizona Judicial College. As with JPs, municipal judges in Arizona are not required to be lawyers. This section does not cite any sources. Please help improve this section by adding citations to reliable sources. Unsourced material may be challenged and removed. April Learn how and when to remove this template message

In Arkansas , a justice of the peace is an elected official equivalent to a county commissioner or county supervisor in some other states. Arkansas JPs sit on a county quorum court, composed of 9, 11, 13 or 15 JPs. The quorum court is a part-time body, elected from single-member districts, that has overall responsibility for county affairs. Among their responsibilities are passing the budget, creating new ordinances at the misdemeanor level , setting property tax millage levels, and working with other elected officials. The full-time elected county administrator, who presides over the quorum court, is the county judge. Neither JPs nor the county judge have any judicial authority, though they do have the power to preside over civil marriages. Justices of the peace are elected every two years to these partisan offices. Massachusetts, Connecticut, Vermont[edit] Justices of the peace in the Commonwealth of Massachusetts are often called on to perform marriages and, especially same-sex marriages , which certain religious officials are not willing to oversee. Justices of the peace in Connecticut can preside over same-sex marriages. Unlike Massachusetts, Connecticut JPs are not penalized for refusing to perform such ceremonies. Justices of the peace in Connecticut, Massachusetts, and Vermont have the same general oath-giving powers as a notary public. Justices in Vermont also serve as election and poll officials, and on the boards of civil authority and tax abatement. It has not existed for plus years although some people who offer private wedding officiant services erroneously claim to be Justices of the Peace, this term may not properly be used inasmuch as the office has been abolished. Under Minnesota law, however, judges, retired judges, court administrators, retired court administrators, and other public officials designated in statute may officiate or solemnize marriage ceremonies in addition to licensed or ordained ministers of any religious denomination who have filed their credentials with a county registrar Minn. Stat. New York[edit] Justice courts are courts in New York State that handle traffic tickets, criminal matters, small claims and local code violations such as zoning. Town justice courts are often called Town Court, and village justice courts are often called Village Court. City courts in New York State handle mostly the same types of cases but are not justice courts. However, in common usage, most people, including lawyers, call them Judge. Justices in Justice Court do not have to be lawyers. The vast majority are not. Many of these courts are in small towns and villages where none of the residents are lawyers. In the larger towns, the justices are almost always lawyers. While Justices and their court clerks receive training from OCA, there is tremendous variability in how cases are handled. This includes court procedures and substantive results. Some courts will dismiss a traffic ticket if the officer does not appear for a trial, while others will adjourn the matter to give the officer another chance. In some courts the police prosecute their own tickets, while in others an Assistant District Attorney from the county or a town or village attorney will prosecute the tickets. This may even vary by the type of officer, with State Troopers and Deputies prosecuting their tickets and a town attorney prosecuting tickets written by the town police. Larger towns can have very busy caseloads, including several sessions a week with dozens of cases at each session, and people may have to wait hours before their cases are heard. In some small towns the caseload is extremely light, and a court might meet once a month and have only a few cases. All criminal prosecutions that occur in towns and villages are commenced in a justice court. Misdemeanors are handled exclusively in the justice court, while felonies generally move up to County Court before the case moves forward. Similar matters in some places outside New York are handled by a

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justice of the peace. Town and village Justices also possess limited powers of a New York Notary Public, ex-officio, only within the county in which the town or village for which they serve is located; they may administer oaths and affirmations and take acknowledgments and proofs of execution. Some Justices seek and obtain a formal New York Notary Public commission to permit free travel statewide and enjoy the additional privileges and international legal recognition of a notary public. Texas does not require a JP to be an attorney in good standing. Sections 18 and 19 of Article V of the Texas Constitution, as well as Chapters 27 and 28 of the Texas Government Code, outline the duties of these Courts and their officers. For counties with populations at least 18, but less than 50, the number of JP precincts shall be no less than two nor more than eight. For counties with populations 50, or greater, the number of JP precincts shall be no less than four nor more than eight. In any county with population, or greater, each JP precinct may have more than one JP. Section 19 sets forth the minimum jurisdiction of the JP court: JP cases are appealed to the county court level; the appeal results in a trial de novo. In smaller counties without a coroner, the JP has the duty to perform inquests. The JP is also called out for any unattended deaths in the county. A JP in a large precinct in a large county will work 5 days a week, 8 or more hours daily. Their duties will include, but are not necessarily limited to the following: Trials of criminal matters involving traffic violations and class C misdemeanors punishable by fine only. Pre-trial motion dockets and show cause hearings are held, and all discovery must be approved by the Judge in advance in civil cases. All criminal matters are controlled by the rules of criminal procedure and evidence. A much more restricted and smaller set of rules apply in civil matters unless in the Judges discretion, it is believed to be in the best interests of justice to apply the standard rules of evidence and procedure. The court has the exclusive jurisdiction of evictions. A Texas JP Judge will also magistrate prisoners and set bail. The Judge will hear juvenile violations such as truancy, and underage drinking and smoking. Protective Orders can issue and result in jail time if violated. Several administrative matters are heard including the finding of a Dangerous Dog, Occupational Drivers License and tow hearings. Many writs are issued such as writs of re-entry to apartments, possession of realty and to reinstate utilities a landlord may have turned off. A JP is also authorized to perform marriage ceremonies.

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Chapter 4 : William Marbury - Wikipedia

Lionel K. J. Glassey, Politics and the appointment of Justices of the Peace, Patrick Conner, Oriental Architecture in the West. Thames and Hudson,

Each roll consists of one or more membranes, with multiple membranes sewn together from head to foot Chancery style. The longest individual roll is that for December and covers 8 membranes at a length of some 5 metres 74 centimetres. These comprise the main series for and are classified separately amongst oath rolls for the county of Devon. The two rolls for the city of Exeter are in a slightly different form. The first contains names, consisting of 4 membranes and the second is subscribed by 1, individuals across 8 membranes. Whilst the Exeter rolls each contains a single header for the Midsummer and Michaelmas Quarter Sessions, the Quarter Sessions order books for the city demonstrate the oath-taking was actually administered at a series of adjourned sessions as was the case in Devon. The pre oath rolls are similar to those for , except that they generally consist of a series of separate membranes tied together at the top Exchequer style. The physical condition of the rolls for Devon is generally good, with occasional sections rendered illegible through wear. The pre rolls are in a less satisfactory state, but are mostly adequate for the purposes of transcription. The Exeter rolls are in excellent condition. The Text The rolls are mostly laid out according to the same pattern. They begin by providing the full text of the three oaths as prescribed by the Acts of Parliament discussed above see Appendix 2. This is followed by a short Latin header stating the location of the adjourned Quarter Sessions, the date held and the names of the justices of the peace administering the oath see Appendix 3. This is then followed by the names of those who swore the oaths on that occasion. These are laid out as illustrated in Figure 3. Each membrane is normally divided into two columns, consisting of the names of those who swore and their parish of residence, followed by their signature or mark. In some cases an additional description of status is provided. From this information it is clear that the women who took the oaths included spinsters, widows and married women. In the case of married women their husbands had also usually taken the oaths, so there is no evidence of women swearing as a proxy for their husbands. Most rolls contain entries for more than one location and date. In these cases, each new adjournment is introduced with a Latin header providing the date, location and names of the justices of the peace. Names are generally entered on both sides of the manuscripts in the Devon series, although just one side for the Exeter rolls. The lists of names on the rolls are often in more than one hand see Figure 4 , and there is no internal evidence to enable the scribes to be identified. The responsibility for drawing up indictments, maintaining court business and keeping records fell to the clerk of the peace. The clerk was often a member of the local gentry and treated his office as a sinecure, appointing a deputy to do the work. Both clerks and their deputies were normally attorneys with their own private practice.

Chapter 5 : Newsroom : New Justices of the Peace Appointed

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