

P.³¹ Maryland, that the People, since the first Settling of the Province, have in all Cases, (some few excepted, which particular Acts of Assembly provided for,) looked upon the Laws of England, as well Statute as Common, to be their Laws, and the Rules of their Conduct. The Tenure, by which they hold all their Land, is Free and Common Soccage; which is a Common-Law Tenure. A great Part, of the most valuable Land in the Province, is intailed, by Virtue of the Statute de Donis. (1) A greater Part, devised by Virtue of the Statute of Wills. (2) And not a little, conveyed by Deeds of Lease, and Release, by Virtue of the Statute, for transferring Uses into Possession. (3) The Statute of Frauds and Perjuries, has always been allowed to affect Devises, not made conformably to it. (4) And as in England, Usages, and Customs, in Process of Time, have obtained the Force of Laws, which they always, afterwards, continued to have, till they were altered. or abrogated by the Legislative Authority; so those Laws, that have been received in Maryland, though the People had no other Right to them, but that Reception, and the long-continued Use of them; ought to have the Force of Laws, until other Provision is made, by the Legislature of the Province.

(1) 13 E. 1. c. 1. (2) 32 H. 8. c. 1. 34. 35. H. 8. c. 5. (3) H. 8. 1. 10.

(4) 29 Car. c. 3.