

THE CHARTER OF MARYLAND.

V. AND WE do by these presents, for us, our heirs and successors, make, create, and constitute him, the now baron of Baltimore, and his heirs, the true and absolute lords and proprietaries of the region aforesaid, and of all other the premises, (except the before excepted,) having always the faith and allegiance and sovereign dominion due to us, our heirs and successors, to have, hold, possess and enjoy, the aforesaid region, islands, islets, and other the premises, unto the aforesaid now baron of Baltimore, and to his heirs and assigns, to the sole and proper behoof and use of him, the now baron of Baltimore, his heirs and assigns, for ever: To hold of us, our heirs and successors, kings of England, as of our castle of Windsor, in our county of Berks, in free and common soccage, by fealty only for all services, and not *in capite*, nor by knight's service, yielding therefore unto us, our heirs and successors two Indian arrows of those parts, to be delivered at the said castle of Windsor, every year, on Tuesday in Easter-week; and also the fifth part of all gold and silver ore, which shall happen from time to time, to be found within the aforesaid limits.

VI. Now, that the aforesaid region, thus by us granted and described, may be eminently distinguished above all other regions of that territory, and decorated with more ample titles, KNOW YE, that we, of our more especial grace, certain knowledge, and mere motion, have thought fit that the said region and islands be erected into a province, as out of the plenitude of our royal power and prerogative, we do, for us, our heirs and successors, erect and incorporate the same into a province, and nominate the same MARYLAND, by which name we will that it shall from henceforth be called.

VII. AND forasmuch as we have above made and ordained the aforesaid now baron of Baltimore, the true lord and proprietary of the whole province aforesaid, KNOW YE therefore further, that we, for us, our heirs and successors, do grant unto the said now baron, (in whose fidelity, prudence, justice, and provident circumspection of mind, we repose the greatest confidence,) and to his heirs, for the good and happy government of the said province, free, full, and absolute power, by the tenor of these presents, to ordain, make, and enact laws, of what kind soever, according to their sound discretions, whether relating to the public state of the said province, or the private utility of individuals, of and with the advice, assent, and approbation of the free-men of the same province, or of the greater part of them, or of their delegates or deputies, whom we will shall be called together for the framing of laws, when, and as often as need shall require, by the aforesaid now baron of Baltimore, and his heirs, and in the form which shall seem best to him or them, and the same to publish under the seal of the aforesaid now baron of Baltimore, and his heirs, and duly to execute the same upon all persons, for the time being, within the aforesaid province, and the limits thereof, or under his or their government and power, in sailing towards Maryland, or thence returning, outward bound, either to England, or elsewhere, whether to any other part of our, or of any foreign dominions, wheresoever established, by the imposition of fines, imprisonment, and other punishment whatsoever; even if it be necessary, and the quality of the offence require it, by privation of member, or life, by him the aforesaid now baron of Baltimore, and his heirs, or by his or their deputy, lieutenant, judges, justices, magistrates, officers and ministers, to be constituted and appointed according to the tenor and true intent of these presents, and to constitute and ordain judges, justices, magistrates and officers, of what kind, for what cause, and with what power soever, within that land, and the sea of those parts, and in such form as to the said now baron of Baltimore, or his heirs, shall seem most fitting: And also to remit, release, pardon and abolish, all crimes and offences whatsoever against such laws, whether before, or after judgment passed; and to do all and singular other things belonging to the completion of justice, and to courts, prætorian judicatories, and tribunals, judicial forms and modes of proceeding, although express mention thereof in these presents be not made; and, by judges by them delegated, to award process, hold pleas, and determine in those courts, prætorian judicatories, and tribunals, in all actions, suits, causes, and matters whatsoever, as well criminal as personal, real and mixed, and prætorian: Which said laws, so to be published as aforesaid, we will, enjoin, charge and command, to be most absolute and firm in law, and to be kept in those parts by all the subjects and liege-men of us, our heirs and successors, so far as they concern them, and to be inviolably observed under the penalties therein expressed, or to be expressed. So nevertheless, that the laws aforesaid be consonant to reason, and be not repugnant or contrary, but (so far as conveniently may be) agreeable to the laws, statutes, customs and rights of this our kingdom of England.

VIII. AND forasmuch as, in the government of so great a province, sudden accidents may frequently happen, to which it will be necessary to apply a remedy, before the freeholders of the said province, their delegates or deputies, can be called together for the framing of laws; neither will it be fit that so great a number of people should immediately, on such emergent occasion, be called together,