

afs^d the value thereof to be adjudged by the Co^t where and L. H. J.
 when the offender shall be convicted as afs^d any Law Statute
 or useage to the Contrary notwithstanding Provided alwise
 that all Convictions as afs^d be upon and by a verdict of Twelve
 Lawfull Men of the vicinity or neighbourhood or Otherwise
 Nevertheless Provided that when any person or persons
 whatsoever shall at any time hereafter hapen to be accused or
 Convicted as afs^d of any of the Crimes aforesaid in any of the
 County Co^{ts} afs^d to the value of not above one thousand pounds
 of Tob^o and shall afterwards hapen to Committ the Like
 Crime to th^t value The Justices of the severall County Courts
 shall have power to hold plea of the second offence but if the
 party shall happen the third time to Comitt the like Crime then
 the Justices of the sev^{ll} Co^{ty} Courts shall not have Power to p. 100
 hold plea thereof but shall Comitt the said party accused to
 Prison till he find bayle if by Law baylable to answer his
 Crime att the provinciall Court of this province who are to
 proceed ag^t such Criminall according to the Law of England
 and the Justices of the said County Courts are to bind over
 the partys Prosecutors to prosecute att the said Provinciall
 Court and to Send a Transcript of the Record of the first and
 second Convictions of the said Criminalls under the Seale of
 the said County Court to the End the Justices of the Provin-
 ciall Court may apportion such punishment as the Third
 offence of such person Criminal shall Justly deserve and the
 Law will allow of Provided also that the Justices of the County
 Courts altho they have power to put offenders into the Pilory
 as aforesaid yet they shall not have power to Cropp their Ears
 or Mutilate any Member

3 Commissions

A Commission Granted from the Lord Prop^{ry} to his broth
 Leonard Calvert Esq^r Then Governour of Maryland Dated
 the Eleventh of Aug^t 1638 part whereof is Entered in the p. 101
 words following viz.

Dear Brother.

I Do hereby give you full power and Authority from time
 to time in Every Gen^{ll} Assembly summoned by you in the
 province of Maryland in my name to give assent unto such
 Laws as you shall think fitt and Necessary for the Good
 Government

Provided that the said Laws so to be Assented unto by
 you in my name be as near as Conveniently may be agreeable
 and not Contrary to the Laws of England

A Commission from the Right Hon^{ble} Cecilius Late Lord
 Prop^{ry} of this province To Leonard Calvert Esq^r his then