

Gentlemen of the Lower House

L. H. J.

That the people of Maryland are his Majesty's Subjects, I never yet heard any one so wild to deny, and cannot find out from any thing in my Instruction Set forth in your Address, which could induce you to take so much pains to prove it, any more than I can see a foundation for your Resolutions concerning his Ma<sup>ty's</sup> Title to this province, under whom by virtue of my Charter I hold within the bounds whereof I shall always Rule.

No Doubt Gentlemen as you observe, We of Maryland are in the Circumstances of Conquerors, rather than the Conquered [which] has put [it] in our power to Treat the native Indians with that tenderness and humanity, they have so often met with; Actions worthy Englishmen and Reall Conquerors.

Many Debates if I am rightly informed, have been in former Assemblys, whether the Statutes of England did Extend to you, or no, without either Houses coming to Resolution thereon, and the most comon received opinions of the best Lawyers of England have been against it and severall adjudged Cases Support those opinions, as in particular the Habeas Corpus Act has been often adjudged by all the Judges not to Extend either to Ireland or the plantations; which is as strong a Case as can be mentioned, as it is in favour of Liberty and the Terms of the Act as Generall as can be. If the Statute of the 5<sup>th</sup> Elizabeth about Servants were to Extend to the plantations it would be destructive to the very being and Constitution of them. The same may be observed of the Statutes of Usury, and that to prevent fraud and perjury and many others which have been Expressly and often held not to Extend to the plantations, when doubted either in the Courts of Law or before the King in Council, and yet these are Generall Laws of Equall obligation with any other Law or Statute whatever.

I think it needless to mention any other Cases; Unless it be that of Blankard and Galdy, and Little thought to find a position introduced with that Solemnity to be only the Saying of a single Counsell on one Side the Question, in opposition to the Averment of the Counsell on the other Side, and Contrary to the Resolution of the Judges in that very Case Viz. That Jamaica was not bound by our Laws unless particularly mentioned therein, but by their own particular Laws and Customs. p. 195

The full power I have with the advice assent & approbation of the freemen of the province, or their Delegates to Enact any Laws whatever, appertaining either to the publick state