

Lordship declares ag^t altering our Rules Customes and Usages &c: by which Your Lordship seems to Suppose the Constitution we Endeavour to preserve is a Novelty. We pray Your Lordship to be Referr'd (besides The many Records noted in our Journals Sent You) to the Commission of Your Noble Ancestor Cecilius, Granted on the 15th of April 1637: (Your Lordships Charter being Made but in 1632:) to his Brother Leonard Calvert Esq^r who by the History of Maryland, is said to be the first Governour here, In which Commission we find these Words, And we do hereby give and Grant full power and Lawfull Authority unto him our said Liev^t to Enquire try Determine and finally to Judge of and upon all Causes Criminall Whatsoever of what Nature kind Quality or Degree or Condition soever the same shall be which may happen or arise within our sayd Province as fully and Absolutely as if we our Selves were personally Present to give Sentence or Judgment in or upon the same (Excepting only where the Life or member of any person shall or may be Enquired of or Determined) and to award Execution upon every such Sentence or Judgment, and also to hear and Determine all Civill Causes Actions suits and Demands both in Law and Equity, also Concerning any Goods, Chattles, Contracts, Debts, Demands or other personall or mixt Action or Actions Suit or Suits whatsoever in the most Summary and Equal Way that he may According to the Orders Laws and Statutes of that our said Province already made and Establish'd or hereafter to be made or Establish'd, and in Default of such Laws to be Establisht, within our said Province, then according to the Laws and Statutes of the Realm of England, as near as he may or can Judge and Determine thereof. Also in his Lordships Commission to William Braithwait Gent: to be Commander of the Isle of Kent Dated the 22^d of October 1638: are these Words:—And in all other Matters Civill and Criminall to use and Exercise all or any Jurisdiction and Authority for the Administration of Justice and Conservation of our Peace within the said Island as any Justice of Peace in England may or ought to use and Exercise by Vertue of his Commission for the peace, and further (as there Shall be Cause) to hold a Court or Courts, and in the said Courts to award process hold pleas, and to hear and finally Determine all Actions and Causes whatsoever Civill hapening and arising between any the Inhabitants of the said Island, not Exceeding in Damages or Demands the Value of One Thousand weight of Tobacco; as also to hear and finally Determine all Misdemeanours and Offences whatsoever Criminal hapning or Committed within the said Island, and to award Execution thereupon so that the said Crimes Extend

L. H. J.

p. 117