

The year in which this decision was rendered (1607) marks the very beginning of successful English settlement in North America; but the principles then formulated were put into practice especially in the colonization of Ireland in this and in the succeeding reign.² For the ends of this paper, it is to be remembered as the first "leading case" that declared the distinction between conquered and settled dependent territories, and applied a different rule to these classes respectively.

As settlement in the new world progressed, and governments of one form or another were established by royal permission, or instruction, we find all the charters save one granting to the colonists the rights of English citizens, and the claim to these rights maintained by the inhabitants of every colony, whether in possession of a charter or not. As to the interpretation of these rights, and the determination of their extent, discussion and dispute were more or less continuous. Every colony, however, at some time during its constitutional history had to face this question of the relation of the colonial law to the legal system of the mother country. In our ordinary study we naturally emphasize the history of the English colonies on the Atlantic coast—and of only some of those—but occasionally we are led to other regions for our best sources of information.

The next important judicial decision was one that concerned the colony of Jamaica. The whole constitutional development of this island is of the greatest significance in American colonial history, and far too little attention has been paid to it. In this connection, especially, certain similarities and certain differences render very interesting a comparison with Maryland.

² The frequency of reference to the analogy of Ireland's law is noteworthy. See the matter upon the constitutional development in Ireland, in Hallam. *The Constitutional History of England*, ch. xviii. Compare, also, I. Blackstone's *Comm.* 103-4; Lord Mansfield's decision in *Campbell v. Hall*, quoted above; a pamphlet entitled *The Privileges of the Island of Jamaica Vindicated*, London, 1766 (rep.) A recent discussion of this whole matter is found in Snow, A. *The Administration of Dependencies*, chaps. 1-4.