

siderable outfit of law books. Books bearing their autographs are met with today.

The references in the records to the procedure followed in the early seventeenth century appeals to the Governor and Council, while brief, are sufficient to show a close adherence to the established forms of procedure on writs of error in the House of Lords. There was, first, the writ of error directing the transmission of the record of the case by the Provincial Court to the Governor and Council, an assignment of errors, and a writ of *scire facias ad audiendum errores*, which was given the full Latin title, directing the sheriff of the proper county to make known to the defendant in error that the writ was issued and the errors assigned would be heard.³³ Plea, hearing and judgment followed in regular course. All the writs were issued in English. So far as the records have disclosed no writs were ever issued in the original Latin in this province, although in England except for a short time during the Commonwealth the Latin forms were continued in use until 1731.³⁴ This is one of the instances of the exercise of the freedom which distance and change of horizons brought, opening the way to adaptations of practice prevented by habits at home.

A complete study of peculiar adaptations of practice in early Maryland is beyond the scope of this work, but three more instances may be not ir-

33. The writ of *scire facias ad audiendum errores* was then becoming obsolete in England. Macqueen, Appellate Jurisdiction of House of Lords, 408. It survived in use for a long while in Maryland.

34. Stat. 4 Geo. II, c. 26.