

George Calvert's Avalon charter reflected not only these feudal ideas for New World settlement but his evident search for actual historical models that could supply a firm precedent. He found his best example in the palatinate of the fourteenth- and fifteenth-century bishops of Durham. Before Henry VIII reduced the jurisdiction of the bishops of Durham, they exercised powers broader than those of other feudal nobles by virtue of their position on England's border with the hostile Scots. The Avalon charter, written for the ruler of a more distant frontier with parallel needs for independence, granted its proprietor all the privileges and jurisdictions that the bishops of Durham had ever enjoyed. In this way Calvert built into the charter itself the historical and legal precedent for the princely powers it granted. The intention behind this ingenious clause was to forestall objection to the grant of powers that in many respects only the king could exercise in contemporary England. Most subsequent authors of proprietary charters adopted the Avalon model.<sup>11</sup>

The Avalon and Maryland charters were basically similar, except for the territories encompassed.<sup>12</sup> The proprietor owed allegiance to the king but otherwise his powers were regal. To defend his province he could raise an army and prosecute war, build and maintain forts, and institute martial law in the face of rebellion. To promote trade and prosperity he could incorporate towns, erect ports, and impose duties. He and his settlers were to be exempt from taxes imposed from England. He could establish courts in his own name, issue pardons, and appoint magistrates and other officials necessary to maintain order and run a government, and his courts could pass sentence of death. Furthermore, he could issue ordinances, provided they were not repugnant to