

28. want attached

These are to certify you to possess & enjoy in your lands and goods of your own will full power and to your contrary.

Proclamation.

By your Lieutenant General

Handwritten note: I have written

These are to publish & declare that your Majesty's laws, statutes, and ordinances are and shall be observed, and as they are to be executed & provided by all persons. Given at St. Maries Sept 13th 1642.

Leonard Calvert.

At a Court Assembly at St. Maries on the 14th day of September 1642. were presented the following.

1. An Act for the support of the government.

For the better support of the Lord Proprietary, all tobacco assigned to be transported out of the Province (except to Virginia, and except to any of the King's Dominions where plantation are not to be made) shall pay a report of five in every hundred to the Lord Proprietary.

2. An Act for Judges

That the Judge in all causes shall be chosen or appointed by the Lord Proprietary, or (in his absence) from or under the Lieutenant Governor.

Provided always that in all causes & questions for which no certain rule of determination is provided by any Law of the Province, but left to discretion, or committed to the equity or conscience of the Judge, the Judge shall be the Lord Proprietary, or (in his absence) the Lieutenant Governor and the Council of the Province upon their oaths in Court, or the major part of them, if it be in the Provincial Court, or (if it be in the County Court) the Commandor and Commissioners of the County, or the major part of them (upon oath) shall be Judge in all causes (as aforesaid) not exceeding their Commission, & shall have full power of appeal to either parties to the Provincial Court. & provided that the Lieutenant Governor of the Province, or any one of the Council, or the Commandor of the County of Kent, or (in his absence) the major part in Commission upon being in the County, may determine & correct any offences, which are or may be determined & corrected by a Justice of Peace in England, any thing in this Act notwithstanding.

And if the votes of the Judges be equal, the indigent shall be arbitrated with, given by the Justice Judge in Commission.

Provided that no Judge may exercise any act of jurisdiction in any cause or matter which himself is interested as a party; nor before he shall take an oath to administer according to the laws of the Province, to the best of his skill and power, & to do no man wrong or injury.

And in case of absence, out of the County or hundred, of all officers at that time in Commission, or in case of default of all officers in Commission (being in the County or hundred) by giving lawful notice & warning of the Court, the Justice Judge in Commission may judge and determine all causes during his absence or default, to all the same words & effect as if the rest in Commission were present & consenting with him.

And in case of absence or infirmity of the Justice Judge in Commission upon any of the County shall be appointed by the Law; the Justice Judge in Commission upon being in the County shall have full power of appeal to either parties to the Provincial Court, & shall have full power of appeal to either parties to the Provincial Court, & shall have full power of appeal to either parties to the Provincial Court.

And in case of Commission

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