

3. I am clearly of opinion they may be regularly prosecuted in the provincial Court for that Court has the same Authority in Maryland that the Kings Bench has in England. And we have instances enough in our Law Books that Riots and forcible entries are frequently tried at the Kings Bench. But also there are several Acts of Parliament for the better and more speedy prevention and Suppression of Riots and forcible entries empowering the Justices of the peace to proceed and directing in what manner but none of these Acts takes away the Jurisdiction of the Superior Courts of Judicature there being no Negative words in any of them as that the Offenders shall not be proceeded against in any other Court or to that Effect without which the Superior Court as is clear by Multitudes of Book Cases can never be ousted of its Jurisdiction the Statute of 13 H 4 Cap 7 directs the Justices and Sheriff in case they can't discover the Truth i.e. such Evidence as may satisfy them in punishing the Offenders according to Law or as it hath been adjudged when the Offenders have so much Interest or Influence that they can't be ^{duly} punished, to certify all the Circumstances appearing to them to the King and Council which Certificate was to be made in a month's time and of equal Authority with a presentment by a Jury, it is evident by this provision and all those contained in the other Statutes that they were all calculated and designed for the furtherance of Justice by punishing transgressors and protecting peaceable People in the quiet enjoyment of their Lands and Goods and certainly the restraining of those Courts