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The Opinion of Messrs. Hurlow, Hedderburn and
Lunning.

The Case.

King Charles the first by his Letters Patent
20th June 1632 Granted to Cecilius Lord Baltimore, the
Province of Maryland in General with all and singular such and
as ample Rights Jurisdiction Privileges Prerogatives Royalties
Liberties Immunities and Royal Rights and Temporal Franchises
to be had exercised used and enjoyed as any Bishop of Durham
within the Bishoprick or County Palatine of Durham in the
Kingdom of England ever heretofore hath had hold used and
enjoyed or of Right could or ought to have hold used or enjoy and
to constitute and ordain Judges Justices Magistrates and Officers
of what kind for what Cause and with what ~~Power~~ Power soever
and in such form as to him or his Heirs should seem most fitting
and also to remit and Pardon all Crimes and Offences whatsoever
whether before or after Judgment and to do all and singular
other things belonging to the completion of Justice and to Courts
Judicatories and Tribunals judicial forms and Modes of Proceeding
although express mention thereof in these Presents be not made
and by Judges by them delegated to award Process hold Pleas
and determine in those Courts Judicatories and Tribunals in all
actions Suits Causes and Matters whatsoever.

By virtue of the Letters Patent aforesaid Lord Baltimore
erected Courts and appointed Judges Magistrates and Officers
who have always acted and still act in those several Courts under
such Appointment except from the year 1692 to 1715 when on
account of the Disability of the Lords Baltimore the Government
was in the Crown till Lord Charles being a Protestant was in 1715
restored by George the first.

Between the years 1633 and 1637 the Officers appointed
by Lord Baltimore or his Governor were authorised by their