

that Instruction, or that those Persons that had the Honour to advise your Lordship therein, were so. That they were so Mistaken we shall undertake to prove: But first, it will be necessary to shew what the Words of that Instruction are, viz.

London, the 19th of March, 1722.

“ You will herewith receive my Dissent to an Act of Assembly, entituled,
“ *An Act for Limitation of Actions of Trespass and Ejectment*, to be publish-
“ ed and entered on Record, according to your forms; which Act is not
“ only Explanatory of an *English Statute*, not in force in our Province, but
“ seems by Implication to introduce *English Statutes* to operate there, which
“ Statutes have been always held not to extend to the Plantations, unless
“ by express Words located thither; and you are upon all occasions so to
“ Conduct your self, on my behalf, as not only, not to admit any such
“ Practice to take place in *Maryland*, but even to Discountenance any doubts
“ concerning the same: And when any of the *English Statute Laws* are
“ found convenient and well adapted to your Circumstances, you ought
“ especially to Enact them *De Novo*, or such part of them as you find
“ proper for you, and not by an Act of the Province introduce in a Lump
“ (as it were) any of the *English Statutes*. And these Sentiments you are to
“ infill and make known as you see cause.

That they are so Mistaken in that Instruction, we proceed to shew. It is therein alleged, *That the Statute of Limitation of England is not in force here.* We prove it is, Thus,

1st, It is a Statute of *England*, without any Limitation of place therein, as to it's Extent, and without being restrained to some particular Subjects, or denyed to others, therefore we conclude it is in force throughout his *Majesty's Brittish Dominions*, and binds *all the Subjects*, no Place or Persons being exempt: We are His Subjects, and within His Dominions, as we shall shortly shew.

Jamaica, tho' a Conquered Country (which among some Lawyers makes a great difference to the Disadvantage of it's Inhabitants) is allowed to have the use of *this Statute*, as we find it averr'd by the Council and denyed by none, in *Blankard and Galdy's Case*, 5th *W:* and *M:* King's Bench, in these Words, “ But 'tis plain, that such Statutes (*of England*) do bind there, “ *Jamaica*, for the Statute of Limitations extends to all Contracts made in “ that Place. The Case Reported in 4th *Modern*, page 222.

2dly, It is also averr'd in the said Instruction, That it has been always held, that the *Statutes of England* did *not* extend to the Plantations; unless by express Words located thither: If so, the *Great Charter* and all the Statutes, till the Grant of your Lordship's Charter, are struck out at once from our Rule of Privileges; for they could not by express Words be located hither, in those Statutes that were made long before *Maryland* was known or thought of.

But those Statutes that are general, without local Limitation or Restraint in them, do extend here, and ever have extended here, from the first Settlement of this Province; and many of your Lordship's Ancestors Tenants, have been Convicted on and Executed by them, in almost the earliest Days of their Lordship's Government. Such

General Statutes without Exception of Place or Person Extend to all Places & Persons within the Jurisdiction of the Legislature.

Mod. A. 224.
225
R. 411-412
Parl. C. 32: 33

All general Statutes extended to Maryland since the first Settlement thereof and were always in use there, &c.