

the first Colony distinguished by that title) was declared to be entirely separated from Virginia ; not thenceforth to be in any manner considered as a part thereof, or dependent on or subordinate to that or any other colony, but to be immediately subject to the Crown of England. The Grant comprehended " all Islands and Islets within the limits aforesaid, and all " Islands &c. within ten marine leagues of the Eastern " shore, with all the Ports, Harbours, Bays, Rivers, and " Straits, belonging to the region or Islands aforesaid, and " all the soil, plains, woods, mountains, marshes, Lakes, Ri- " vers, Bays, and Straits, with the fishings of every kind, with- " in the said limits ;" all mines of whatsoever kind, and the patronage and advowson of all Churches. Lord Baltimore was created absolute Lord and Proprietary of the Province, saving only the allegiance and sovereign dominion due to the Crown, and was invested with all the Rights, Jurisdictions, Privileges, Prerogatives, Royalties, Liberties, Immunities, and Royal Rights and Temporal Franchises whatsoever, as well by sea as by land, within the Region, Islands, Islets, and limits aforesaid, which any Bishop of Durham within the Bishoprick or County Palatine of (c) Durham in the Kingdom of England had ever enjoyed or of right could or ought to have, hold, use, or enjoy ; To HOLD of the King of England and his Successors as of the Castle of Windsor in the County of Berks in free and common Socage by Fealty, only for all *Services*, and not in Capite nor by Knight's Service ; Yielding therefor *two Indian Arrows of those parts*, to be delivered at the said Castle of Windsor every year on Tuesday in Easter Week ; and also the fifth part of all gold and silver ore which should happen from time to time to be found within the aforesaid limits.

The Proprietary was further empowered, with the consent of the Freemen, or their Delegates, to be called together for that purpose, to make Laws of what kind soever, so that they should be consonant to reason, and not repugnant, but agreeable so far as conveniently might be to the Laws and

(c) Three of the Counties in England, to wit, Chester, Durham, and Lancaster, are called Counties Palatine : They were so called a *Palatio*, because the owners had in those Counties *Jura Regalia* as fully as the King had in his palace. They had the power of pardoning treasons, murders and felonies ; They appointed all Judges and Justices of the Peace ; all writs and indictments ran in their names, as in other Counties in the King's, and all offences were said to be done against their peace, and not as in other places against the peace of the King. These privileges were abridged by the Statute 27th Henry VIII, but the Grant to Lord Baltimore by referring to the highest privileges that *had ever been* enjoyed by these *Lords Palatine*, seems to comprehend the original power, and the County of Durham was selected as being the only one remaining in England in the hands of a subject. The royal rights above enumerated were exercised in the fullest manner by the Proprietary.