

English law and did not affect the life or property of any person. And to encourage "men well borne" to settle in the colony he could "invest them with what titles and dignities . . . as he shall thinke fit (so long as they be not as are now used in England)."

There were three main protections for the settlers against the tyranny of such a prince. Only with the advice and consent of an assembly of freemen—in Avalon, freeholders—could he pass a law, although the manner of calling such an assembly was left to his will. The laws were to be "as neere as conveniently may be agreeable to the Laws, Statutes, Customes, and Rights of this our Kingdome of England." Finally, the settlers were to be considered English subjects with "all Liberties, Franchises, and Privileges of this our Kingdome of England." On the other hand, no appeal from the proprietary courts or any crown review of colony laws was provided, and any future doubts about the meaning of any part of the charter were to be settled in the proprietor's favor so long as the Christian religion and allegiance to the crown were not prejudiced.

By the time Lord Baltimore asked for the Maryland grant, he had as one of his objectives the establishment of a Catholic refuge in his new colony. Perhaps for this reason he obtained changes for the Maryland charter that further strengthened his position. First, a power implied for the Avalon proprietor by the bishop of Durham clause was made explicit in the Maryland charter. This was the power to subgrant land to be held of the proprietor, not the crown, with the privilege of erecting manorial courts—that is, courts held in the name of the landowner. The charter both specified these powers and expressly exempted the proprietor from the thirteenth-century statute that forbade them except in