

of it in the Register of the Great Seal. It may be added, in regard to this charter, that there surely could be no just ground of surprise at "the Mainland" of New England, in other words, the lands of Sagadahoc, or district of Maine, as now called, being included in that charter, since the Earl had obtained a grant of that district in *one thousand six hundred and thirty-five*, following upon a surrender made by the Plymouth Company, by the express command of King Charles the First, who made compensation to the Company elsewhere.

In the charge to the jury, their attention is called to the use of the word "*ancienne*," as applied to the charter in Mallet's note and as referring to a family tradition in John Alexander's letter to the Marchioness de Lambert. We conclude that the reason the Crown lawyers did not rely on this argument was because they had ascertained its untenableness. To bring this in when too late to reply and correct to a jury, who could not be expected to understand the language, was, at any rate, very clever. Now, with great deference to the learned Judge, who animadvertes upon this use of a word, which his Lordship conceived no mortal man ever heard of being applied to a document of sixty years old, or to the tradition of a thing that happened fifty years before, we beg leave to say, and we appeal to the learned amongst that nation, where the word in its several meanings is, *as their own*, best understood, that French readers of Mallet's note, and John Alexander's letter, would see nothing improper in the term "*ancienne*," as it is there applied. Differing from the word "*ancient*" in English, "*ancien*" and "*ancienne*," are invariably applicable to old and young persons, or to things and events of *very ancient*, or of *comparatively recent*, occurrence. For