

Ancestors which Act was dissented to by the Crown for the manifest Unjustness & unreasonableness of it

L. H. J.
Lib. No. 45

As I am inclined to Believe you are not acquainted with all that passed at home relating to this Affair I shall here Insert for your satisfaction the Report of the Sollicitor or Attorney General and the Kings order of Council thereupon

At a Court at Whitehall the 23^d of February 1692

Present

The Kings Most Excellent Majesty

Lord Arch Bishop of Canterbury

Lord Chamberlain

Lord President

Earl of Bedford

Lord Great Chamberlain

Earl of Bridgewater &c^a

As to the second demand of fourteen Pence ꝑ Ton for all Tobacco exported out of that Province I find by an Act of Assembly of that province in 1661 it was enacted that all Vessels whatsoever not properly belonging to that Province having a Deck Flush Fore and Aft coming in and trading within that province should pay for Port duties and Anchorage A Pound of Powder and three Pound of Shott or so much in Value for every Tun of Burthen to the said proprietor and his heirs which duty hath by Usage been turned into Money viz. 14^d ꝑ Ton and so answered to the Lord Baltimore and constantly applied to his own use and not to the support of the Government as the Lord Baltimore affirms to me and by Order of Council of the 26th of February 1690 this duty of 14^d ꝑ Ton was directed to be answered to the Lord Baltimore as Proprietor of the Province and likewise Instructions given Col^o Copley Governor of Maryland to Permit the Lord Baltimore or his Agents to receive the same without any disturbance or Interruption and I conceive that upon the Words of the Act this duty doth belong to my Lord Baltimore as proprietor to be received by him to his own use and it would be a thing of Dangerous consequence to Admit of Parole Proof of an Intention in the law makers different from the Words of the Law to say that the duty which the Act calls a Port Duty was intended to be a Fort Duty and it seems to be admitted by the Assembly that this duty of fourteen Pence ꝑ Ton doth by Law now belong to the Lord Baltimore by desiring their Majestys Royal Assent to An Act to invest it in their Majestys &c^a

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Tho: Trevor November 2^d 1692

His Majesty was pleased to approve of the said Report and did order as it is hereby Ordered that the Act lately passed in Maryland for the fourteen Pence Tunnage be and it is hereby set aside and disallowed and that the Lord Baltimore be permitted without any Disturbance or Interruption to collect and receive by such Person or Persons as he shall thereunto Authorize and Appoint the said duty