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is "Provincial Secretary during pleasure," and I observe, by the Proprietor is granted "to him or to his Deputy, power to take to themselves the advantage of granting ordinary licences, which did heretofore belong to the office of Secretary, &c."

A bill passed both Houses, and the Governor in 1756, and after (I am informed) was assented to by the Lord-Proprietor, which act was for 40,000 l. for his Majesty's service; the Secretary-attendant made no objection to the Proprietor's passing that bill, though the ordinary licence money, his right, was included in that bill. Such was the behaviour of Cæcilius Calvert, Esq. his Lordship's Secretary.

p. 132 This manifests, that he had more the good and safety of the Province at heart than his own interest. As at that time the Province was in imminent danger from the enemy, his Lordship consented to the act, to which his uncle the Secretary made no objection. And it is to be more peculiarly observed, that his Lordship's manor lands were by that act taxed, to which he readily and voluntarily submitted, though contrary to law, and to a bill enacted as a salvo to himself from taxation. These instances prove the great regard of the Proprietor for his Majesty and the Province.—The following will set the Lord-Proprietor's right to grant ordinary licences beyond all doubt or dispute, viz.

"In 1664, Charles Calvert, Esq. Governor, under Cæcilius Lord Baltimore, by virtue of prerogative, licensed James Jolly to keep an ordinary, and he did take the said Jolly's recognizance being 1000 l. of tobacco; and also one Smith upon the same terms, in 1673. The same Governor did issue his proclamation to every county he had granted licences of ordinaries, that the licences were restrained to

p. 133 only one year, commanding, that those who kept ordinaries without licences, or by virtue of a licence, should personally appear before him at his house at Mattapany, the 10th of January, and proclaimed the said licences vacated, and to take out new licences; if not, they should be proceeded against as persons that sold drink, and kept ordinaries without licences. In 1764, a Member of the Lower House moved the Lower House, and it was resolved, that they should send a message to his Excellency, in whom they said the sole power of granting licences was, if that House should draw an act to give bond, &c. to his Excellency, that those who had licenses should keep good rules and provide beds; his Excellency did assure the House, that the conditions and reservations in their message, should be inserted in each recognizance to ordinary keepers." From the above instances, and others for brevity sake omitted, it appears, that this prerogative was insisted upon and exercised by the then Proprietor as his right near 100 years ago. Arguments have been used to insinuate, that by

p. 134 an act of 1717, (which act was temporary, and licences were reserved to his Lordship, and penalties to the use of a school; which act he assented to) the late Lord accepted the fines arising from