

than for the Ease and Welfare of that People for whose Benefit and Protection that Trust was raised: To which Thomas Bladen, Esq at that Time Governor, was pleased, amongst other Things, to answer, "That, as to the Common Law Fines, the Proprietary of this Province has the same Right to them as the King to the Common Law Fines, &c.^a in the Courts of Westminster Hall, and Lords of Manors, and other Seigniories to those arising in their Courts, Manors, and Seigniories: Those Fines, &c.^a were always reckoned as much a Part of the King's Revenue, unaccountable to Parliament, as his Demesnes, and the Fines, &c.^a due to the several Lords, received by them as part of their Estates, by the same Right as their Rents, and with which their Tenants have nothing to do; such Fines, &c.^a due to the King are amongst his Casual Revenue next to his Firmæ Majores & Minores, and stiled in the Law *Debita Atterminata*, and so called because Terms or Times of Payment were assigned by his Writ, and these Payments were on large Fines and Amerciaments offered *Secundum Qualitatem delecti & Quantitatem contentimenti*. I mentioned so much of this Part of the Law, that those Gentlemen in your House who make the Law their Study, may consult their Books, which will certainly inform them of the Truth of what I now say, by which Means they may satisfy themselves and you, that what is urged by your Address of the Common Law Fines, &c.^a being recorded by the Proprietary in Trust, for and to the Use of the People, has no Foundation in Law or Reason; but, that the King has an absolute, uncontrollable Title to this Branch of his Casual Revenue, the Proprietary of this Province to the Common Law, &c.^a or any other unappropriated Fines here, and Lords of Manors in England to those in their Courts, and in their Manors, and may dispose of them with as much Liberty, as any Person in the World can his own private Fortune, and Estate, nor can your Supposition, of the Proprietary being divested of the Government, alter the Case, for it be no otherwise than if the Lord of a Manor, or Possessor of an Estate, should alienate, or be deprived of that Estate, the Rents, Privileges, and Emoluments of that Manor and Estate, would be vester in the next Possessor; but, surely, that Change would not give a Right in those Rents, Privileges, or Emoluments, to any other Person than to such Possessor; for, altho' the King is intitled to the Common Law Fines *Ratione Coronæ*, the Proprietor *Ratione Domini*, the Lords of Manors *Ratione Manerii*, and private Persons to their Rents by Reason of their Estates, yet none of those Considerations make them accountable, either to Parliament, People, Tenants, or any other Person, for what they so receive for those Fines accruing by Breaches of the King's Peace, and Violation of his Laws, where they are not particularly appropriated by positive Laws, must, in the Nature of them, belong solely to his Majesty, who is reckoned in the Eye of the Law, to be solely injured by such Transgression."

L. H. J.
Liber No. 52
Nov. 15