

be paid before a conveyance to land be recorded. In a previous volume will be found "Instructions" to this effect, issued by Frederick, Lord Baltimore, the Proprietary (*Arch. Md.* LIX, pp. 356-358). In explanation of this change of front on the part of the Proprietary it should be said that Daniel Dulany on September 10, 1764, had advised the Proprietary that he was entitled to collect the alienation fee under his charter rights, and that even if an act were passed making no provision for its payment, he would still have the power to collect it in the Court of Chancery (*Arch. Md.* LIX, lxviii, 357-358; *The Calvert Papers*, No. 2, Md. Hist. Soc. 1894, 234-239). With Dulany's opinion it was felt by the Proprietary the act could be safely passed.

*Water mills.* The construction of water mills had been encouraged by an act passed in 1704, granting various extensive privileges to those erecting mills, and by supplementary acts passed in 1753 and 1756 the rates of toll that might be charged by millers were redefined, and the erection of roads and bridges over mill dams and mill races required. At this 1766 session an act was passed by a vote of 22 to 14 repealing all parts of the law of 1704 for the encouragement of the erection of water mills, except that section limiting the rates of toll for milling (pp. 167, 230). While the reason for repeal is not disclosed in the journals of the two houses, or in the act itself, it seems certain that growing interest in fish conservation, as shown by bills introduced at this session and those passed at the next Assembly, had directed attention to the damage done to "the breed of fish" by dams on important water courses (pp. xcvi-xcviii, 230, *Arch. Md.* LIX, xxxiii).

The rest of the acts passed at the November-December, 1766, session, numbering seven, were local and private laws. The most important and far reaching of these was in the nature of both a local and a private act, requiring Thomas Harrison and other land owners "to remove a nuisance in Baltimore Town, by filling in a salt water marsh known as "Harrison's Marsh" on the east side of Baltimore Town, bounded in a general way by Jones Falls, Frederick Street, and the harbor, and to permit the owners to lay out streets, lanes and alleys, and sell building lots, the land thus reclaimed to become part of Baltimore (pp. 253-258). As an interesting chapter of early Baltimore history, this is discussed quite fully in a special section (pp. xc-xci).

*Baltimore County roads.* An act for amending (improving) and repairing the public roads of Baltimore County, passed at this session by the deciding vote of the Speaker, provided for the appointment by the justices of that county of "overseers of roads" in various sections of the county. These overseers were to keep the roads cleared to a required width, and to keep the roadbeds, bridges, and causeways in repair. Wagons and carts loaded with iron ore or pig iron might not travel on the public roads with wheel treads less than five inches wide. A road tax of 10 pounds of tobacco was levied on all the taxable inhabitants of the county. The overseers were to be paid 60 pounds of tobacco a day for their services. An interesting feature of the law is that compulsory labor on roads, hitherto provided for by law, was abolished, and laborers working on the roads were to be paid wages for their work on orders of the overseers upon the county court (pp. 259-262). As originally drawn