

signed by the president of the proprietary's council, with the addition of "commander in chief in and over the province, of Maryland," for nine or ten months after the name and the *subordinate* nature of a province had been solemnly renounced in the declaration of American independence, and even after there were actually a governor and council elected, qualified, and acting under the state constitution. However, there was little difficulty, when the government interfered, which it did, as soon as Mr. Peale had given bond for the faithful discharge of his trust;—and, on a letter of governor Johnson, in council, to Benedict Calvert, Esq. the surviving judge of the land office, dated the 13th of May 1777, the office and records, which had been refused to an application by verbal message from Mr. Peale, were delivered up, so that the register entered upon his functions on the 15th.—The only remaining incident relative to this subject is that governor Eden, who returned to Maryland in company with Mr. Harford, undertook to perfect by his signature, in the year 1804, several patents which had been left unsigned in his secretary's office upon his quitting the country in 1776. This matter was discovered by the vigilance of Mr. Callahan, and occasioned a formal demand by the governor and council on sir Robert Eden concerning any *idea or supposition of a rightful authority* with which he might have taken such a liberty. Sir Robert gave, in return, a candid explanation of his conduct, stating, that he had signed no patents but what ought to have been signed before he withdrew from the government, the completing of which he had therefore considered as a debt due from him personally to the parties, and disclaiming any notion of a power remaining with him to perform that or other public acts. From this time the business of the land office was carried on, agreeably to the established forms and usages with which Mr. Callahan had been long enough employed there to be well acquainted, and in conformity with the acts of assembly which soon began to regulate its proceedings, without further interruption from the proprietary government.

With some documents and passages that have been reserved to illustrate this chapter I shall insert the instructions of the board of revenue to the judges of the land office, and to the deputy surveyors: this is the first body of instructions which I have found to the last mentioned officers, and I am confident that there are no earlier ones on record. It appears nevertheless that there had been other instructions, and the passages in the journal of the board of revenue which disclose that fact deserve on several accounts to be noticed. The instructions framed by the board of revenue were transmitted to the surveyor general of each shore, to be by him forward-