

“ June 8th, 1692.

“ Notice to be given to *Gæcil Butler*, deputed by *Col. Darnall* as Naval Officer, that he should bear further to collect the 14*d.* per Ton Fort Duties; it being ordered to be collected by the Collector, &c. the same to be signified publicly by an Order of this Board, to be set up in the Collector's Office.”

The Foundation of *Mr. Darnall's* Petition was the following Royal Letter which was produced and read at the same Time, viz.

“ WILLIAM R.

“ Trusty and Well-beloved, We greet you well. Whereas our right trusty and well-beloved *CHARLES* Lord *BALTIMORE*, hath by his humble Petition represented unto Us, that he has not received any Benefit of our Royal Letter of the 1st of *February* 1689, nor of an Order of Council of the 26th of *February* 1690, both which gave him Liberty, by his Agents in *Maryland*, to collect his Revenues and Duties there: That he is informed, from his Agents there, that by Reason of their long Confinements and other Hardships in that Province, they were rendered altogether incapable of acting for him, whereby he has received no Returns from thence this last Shipping. We have thought fit, upon Consideration thereof, and at the humble Request of the said *CHARLES* Lord *Baltimore*, hereby to signify our Will and Pleasure to you, that you do take Care, and give strict Orders, as there shall be Occasion, that *Henry Darnall*, Gent. who for several Years has been the Petitioner's Agent and Receiver in *Maryland*, as also such Person or Persons as the said *Henry Darnall* shall appoint, be permitted to live peaceably and quietly, and to act as formerly, in receiving the said *CHARLES* Lord *Baltimore's* Dues and Revenues in that Province. And our further Pleasure is, that no Ships or Vessels be Cleared in *Maryland*, before the said Lord *Baltimore's* Agent and Receiver-General, shall have received his Dues from the Shipping there: They behaving themselves peaceably, and with due Submission to our Government. And for so doing this shall be your Warrant. And so we bid you farewell. Given at our Court at *Whitehall* the 12th Day of *November* 1691, in the Third Year of our Reign.

“ By his Majesty's Command,

NOTTINGHAM.”

“ To our trusty and well-beloved *Lyonel Copley*, Esq; }
 “ Captain-General and Governor in chief in and over }
 “ our Province of *Maryland*, in *America*, and to our }
 “ chief Governor or Governors, for the Time being.”

The above Act, together with *Mr. Darnall's* Petitionary Demand, in Behalf of Lord *Baltimore's* Dues and Revenues, and the Opinion of Both Houses thereon, being transmitted to *England*, received a final Determination by his Majesty in Council, from which the following is extracted.

“ At the Court at *Whitehall*, the 23d of *February* 1692.

PRESENT,

“ The KING's most Excellent Majesty.

“ L. Archbp. of CANTERBURY,	Earl of ROCHESTER,	Lord Bishop of LONDON,
“ Lord PRESIDENT,	Earl of MONMOUTH,	Sir ROBERT HOWARD,
“ L. GREAT CHAMBERLAIN,	Earl of MONTAGUE,	Mr. VICE CHAMBERLAIN,
“ Lord CHAMBERLAIN,	Earl of SCARBOROUGH,	Mr. CHANCELLOR of the Excheqr.
“ Earl of BEDFORD,	Earl of WARRINGTON,	Lord Chief Justice HOLT,
“ Earl of BRIDGEWATER,	Earl of RANELAGH,	Sir EDWARD SEYMOUR,
“ Earl of MACCLESFIELD,	Viscount NEWPORT,	Sir HENRY GOODRICK,
“ Earl of NOTTINGHAM,	Viscount FAULKLAND,	Mr. BOSCAWEN.

“ The Right Honourable the Lords of the Committee for Trade and Plantations, having laid before his Majesty in Council, a Report from *Sir Thomas Trevor*, Knt. their Majesty's Solicitor-General, upon several Demands of the Lord *Baltimore*, as Lord Proprietary of their Majesty's Province of *Maryland*, which having been Read at the Board as followeth, viz.

“ To the Right Honourable the Lords of the Committee of Trade and Plantations.
 “ In Obedience to your Lordships Order of Reference, of the 19th of *September* last, I have considered of the several Demands made by my Lord *Baltimore*, in the Province of *Maryland*, and represented to their Majesties by the Assembly of that Province; and I have been attended by the Lord *Baltimore* and his Council, &c. &c.

“ As to the second Demand of Fourteen Pence per Ton, &c. I find by an Act of the 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 Pounds of Shot, or so much in Value, for every Ton of Burthen, to the Proprietor and his Heirs. Which Duty hath by Usage been turned into Money, viz. Fourteen Pence per Ton, and so answered to the Lord *Baltimore*, and constantly applied to his own Use, and not to the Support of Government, as the Lord *Baltimore* affirms to me. And, by Order of Council, of the 26th of *February* 1690, this Duty of Fourteen Pence per Ton, was directed to be answered to the Lord *Baltimore*, as Proprietor of the Province; and likewise Instructions given to *Col. Copley*, Governor of *Maryland*, to permit the Lord *Baltimore*, or his Agents, to receive the same without any Disturbance or Interruption. And I conceive upon the Words of the Act, this Duty doth belong to my Lord *Baltimore* as Proprietor, to be received by him, or 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 a 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 per Ton doth by Law now belong to the Lord *Baltimore*, by desiring their Majesty's Royal Assent to an Act to invest it in their Majesties, &c. &c.

“ All which is humbly submitted to your Lordships great Wisdom.

“ THO. TREVOR.”
 “ His