

thing pertaining to title to land, and over the collection of the revenue arising thereon.<sup>18</sup>

As a result of the Protestant Revolution of 1688 in England after which Maryland became a crown colony, the Land Office was closed from 1689 to 1694, but its business was to a large extent taken care of nevertheless by Henry Darnall, the proprietor's cousin and his agent. In 1695 Darnall had conferred on him, in as far as the Proprietor was able to do so, all the powers formerly vested in the Land Council<sup>19</sup> and after Darnall's death this power continued to be vested in one person, the Agent, Charles Carroll.

The interval from 1689 to 1715 during which Maryland was a crown colony is especially interesting for the history of the Land Office. The question of the private (i. e. the Lord Proprietor) or public nature of this agency developed into a major issue. Under the royal government the Governor and Council, the Secretary and the Assembly aligned themselves against the Lord Proprietor, his agent and solicitor and assumed many of the rights formerly vested in the Land Council, claiming public rather than private right to settlement of judicial questions relating to title, custody of the record of titles and some control over surveying. About the only rights acknowledged as private and left to the Proprietor were those necessary for securing his legitimate revenue, which from the start the crown had not failed to guarantee him. In effect then, during this period the Land Office was managed by the Royal Governor and Council and more specifically, the Secretary, while the best Lord Baltimore could do was depend on what his agents could achieve in the way of upholding his claims.

None of the subsequent Agents ever brought to their office the power and diligence that Darnall and Carroll had and after the restoration of the Lord Proprietor's rights in 1715, although this office continued, the chief power came to be centered in that of the Land Office Judges newly created at that time. Philemon Lloyd, in 1715, was the first to assume this title. According to the commission received by the second holder of this office the incumbent was constituted "Judge and Register in and of the land office, with full power to hear, judge, and determine in land affairs . . . according to Right, Reason and Good Conscience, and the several instructions and orders which he should from time to time receive from

<sup>18</sup> Mereness, p. 60.

<sup>19</sup> Kilty, p. 127-8.