

Dulany refused to pay more than £ 100. Baltimore at first tried to impose the other hundred upon his newly appointed Commissary General, but as this officer was Walter Dulany, Daniel's brother, His Lordship was at last obliged to take it upon himself.<sup>34</sup>

As for the ordinary license fines, we have seen that they were given to the Secretary in Maryland in June, 1676. Their history, after the organization of royal government, was a stormy one. In 1692 the Lower House, which from this date was to maintain that such license fines belonged to the province, procured an act settling them on the Governor. However, Sir Thomas Lawrence, the new Secretary, having persuaded home authorities that they were an ancient perquisite of his office, now obtained an order of the King in Council to disallow the act disposing of them. He then secured them himself, first by order of the Governor and Council, September 27, 1693, and then by an act of October, 1694.<sup>35</sup> His victory was nonetheless shortlived, for in October, 1703, the Assembly allowed this act to expire, and in the following year they settled these license fines upon the county courts.

In 1705/6 Sir Thomas, still claiming the fines to be his own, ceased to be Secretary in Maryland and became Secretary in England. There followed a long and singularly tiresome dispute between Lawrence and the Queen in Council on the one hand and the Maryland Assembly on the other. It was still unsettled when, to the relief of all parties, Sir Thomas died.

Next year proprietary government was reestablished. Baltimore, however, acting through Lord Guilford, his guardian, having settled the license fines by commission on his two Principal Secretaries, Beake and Lowe, could now obtain them from the Assembly only by accepting (in 1717) a preamble which neither affirmed nor denied his "undoubted right."<sup>36</sup> In October, 1727, this act was suffered to expire. The fines were given to Baltimore, for the Principal Secretary, only once again, by a law of April, 1735, expiring five years later.

Thus the proprietary's failure to establish a clear title in 1717 was eventually fatal to his claim; and his Principal Secretary

<sup>34</sup> Cf. Horatio Sharpe to Lord Baltimore, Feb. 10, 1766, and Aug. 6, 1766; Hugh Hamersley to Horatio Sharpe, Nov. 8, 1766 (*Archives*, XIV, 260, 324, 344); Hugh Hamersley to Walter Dulany, March 28, 1768, and Aug. 1, 1769; Walter Dulany to Hugh Hamersley, Aug. 1, 1769 (Dulany Papers).

<sup>35</sup> *Archives*, VIII, 386, 420, 438, 451; XX, 11, 13.

<sup>36</sup> *Ibid.*, XXX, 434, 444; XXXIII, 10, 19, 20, 34-37.