

“ June 8th, 1692.

“ Notice to be given to *Cæcil Butler*, deputed by *Col. Darnall* as Naval Officer, that he for-
“ 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 Pro-
“ vince, 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 there-
“ of, 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 Oc-
“ casion, 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 *Balti-*
more’s Dues and Revenues, and the Opinion of Both Houses thereon, being transmitted to *Eng-*
land, received a final Determination by his Majesty in Council, from which the following is ex-
tracted.

“ 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 Sollici-
“ tor-General, upon several Demands of the Lord *Baltimore*, as Lord Proprietary of their Ma-
“ jesty’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 Af-
“ sembly 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 with-
“ in 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 Coun-
“ cil, 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
“ *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