

to time to reduce very much their Fees. -

From the Expiration of the Act of 1747 to the present Time the Costs in all the Courts have been taxed according to the rate of fees settled as above in the year 1770 by Governor Eden and the Council and the Judgments have been accordingly. -

First Question Whether the King can by his Prerogative regulate the Fees of Officers in his Plantations and whether he can grant or has granted such Power by his Letters Patent aforesaid which contains besides the Clauses above mentioned many Royal Rights

Second Whether the Regulations aforesaid by the Prerogative and the Proviso contained in the several Acts above mentioned and the Course of the Judgments at Law and in Equity do not together with the Charter of the Province - establish the Authority to regulate fees and make it part of the usage and Constitution of the Province.

We are of Opinion that the King had it in his Power originally to appoint the Fees of the Officers in his Plantations, & that he has transferred that Authority by his Charter to the Proprietor of Maryland; But in those instances where that Power has been exercised It is no longer competent to the Proprietor to alter those Fees, where cases arise of new Offices to which no fees have been annexed the Power remains in its original force.

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