

As I am inclined to believe you are not acquainted with all that passed at Home relating to this Affair, I shall here insert for your Satisfaction, the Report of the Solicitor-General, and the King's Order of Council thereupon.

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

P R E S E N T,

The KING's most Excellent Majesty,

- Lord Archbishop of Canterbury,
- Lord President,
- Lord Great Chamberlain,
- Lord Chamberlain,
- Earl of Bedford,
- Earl of Bridgwater, &c.

As to the Second Demand of Fourteen Pence per Ton for all Tobaccoes exported out of that Province, 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 Pound of Shot, or so much in value, for every Ton of Burthen, to the said 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 the 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 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 that upon the Words of the Act this Duty doth belong to my Lord Baltimore as Proprietor, to be received by him 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 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.

Nov. 2d 1692.

Tho. Trevor.

His Majesty was pleased to approve of the said Report, and did Order, as it is hereby Ordered, that the Act lately Passed in Maryland, for the Fourteen Pence Tonnage, be, and it is hereby, set aside and disallowed, and that the Lord Baltimore be permitted without any Disturbance

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