

Public Record Office, London. C. O. 5, Vol. 731, Maryland. From 1694-1702. Acts

been lately made acquainted of the Right Reverend Father in God the Lord Bishop of Londons pious intentions, of sending over to us an able and pious Divine not onely to propagate the Holy Gospell but to Supervise and overlooke the other Ministers & Divines in this Province and Consulting with our selves what Encouragement to give and how to provide a Support suitable to the quality of such a person in some measure answerable to his Eminent function can conceive of nothing more suitable at present then to annex the Office of Commissary Generall and probate of Wills and granting administracōns in this Province to such Divine dureing his residence in this Province, doe therefore humbly pray that it may be Enacted and may it be Enacted by your Most Sacred Maj^{ty} by and with the advice and consent of this present Generall Assembly and the Authority of the same, That for ever hereafter the said Office of Commissary Generall of this Province for probate of Wills & granting of Administracōns shall be Annexed to such Divine or Commissary from time to time to be appointed to that Sacred and Holy function, as part of the revenue for such Divine, And that your Maj^{ty}s Governour or Commander in Cheife be required & commanded by your Maj^{ty} upon the Arrival or appointment and resideing here of such Divine or Commissary and application to him made to grant and confirme the said Office & Trust of Commissary Generall and probate of Wills and granting Administracōns to such Divine in as full large and ample manner as has been usuall to other Persons in this Province. And for as much as the said Office is an office of great charge and conduct & Trust haveing under its care the Estates of Widdows and Orphans of all persons dyeing in this Province and is altogether Judicial and cannot be Exercised by any Deputy or Representative but by one resideing in this Province who may thereby be answerable to the Justice of the Laws of this your Maj^{ty}s Province of Maryland upon any notorious Missfeasance or malefeasance therein, And that Doctor William Payne hath heretofore obtained from his Excellency Francis Nicholson Esq^re your Maj^{ty}s Govern^r of this Province whilst in London, a Commission for the said Office upon many falce feigned and untrue Suggestions as Wee humbly conceive and now does pretend claime and demand to have the Exercicio Benifitt and Profitt of the said Office to himselfe and a Deputy whome for that purpose he hath appointed in this Province, whilest himselfe remains Resident in London. To prevent such Evills and falce Suggestions for the future, We humbly pray that it may be Enacted by the Authority aforesaid that at all times upon the Death or absence of such Commissary or Divine aforesaid, your Maj^{ty}s Governour or Commander in Cheife be directed and required to grant the said office and Trust to some other sober Learned & discreet person of the Clergy or otherwise, Resident in this Province untill some other Commissary or Divine for that purpose be appointed.