

CUSTODIANSHIP

Although the foregoing five series are now and have been for a long time in the custody of the Land Office, such was not always the case. Patents and Warrants have, it is true, always been in the custody of the Land Office. Before the Revolution, Proprietary leases were in the custody of the Secretary or the Agent until, in 1760, the Propretor ordered them deposited in the Land Office.⁶⁵ Rent Rolls and Debt Books were successively in the custody of the Secretary, the Agent and the Receiver General. After the Revolution the three latter series presumably fell into the custody of the Western Shore Treasurer who by an Act of 1781 (ch. 20, section 4) was to "have the care and possession of all the debt books and other papers relative to the revenue of the late proprietaries."⁶⁶ The Proprietary leases seem after this to have come successively into the custody of the Intendant of the Revenue, the Auditor General and the Clerk of the Council, for in 1829 books and papers of the late Auditor General's office were transferred from the Clerk of the Council to the Register of the Land Office of the Western Shore, the latter being required to take charge of all books and papers which were formerly kept in the Auditor General's office relative to confiscated lands in the state sold by the Intendant of the Revenue or those directly or indirectly connected with the Land Office.⁶⁷ Resolution No. 21 for the year 1828 specifically mentions "several Record Books which belonged to the office of the late Auditor General in which are recorded a number of old leases of lands in this state". These, included among the records and papers given over to the Clerk of the Council by the Auditor General's office when it was abolished, are authorized to be delivered by the former to the Register of the Western Shore Land Office. Resolution No. 18 for the year 1832 notes that "there was deposited in the Western Shore Land Office a small number of old leases from the Lord Proprietor of certain individuals for lands lying in the reserves of the State, and whereas the Register of the Land Office was not directed. . . to record said leases, they. . . have never been recorded and as there are many persons deriving their whole title to said lands by said leases it is important that they should be

⁶⁵ *Ibid.*, IX, 403.

⁶⁶ *Kilty*, p. 307.

⁶⁷ *Catalogue of Archival Material*, Maryland Hall of Records, 1942, p. 63.