

## 1. THE SECRETARY IN MARYLAND, 1637-1776.

✓ The income of this officer was large in amount and complicated in its nature. Throughout the colonial period, however, the core of his revenue, if we may so describe it, consisted of fees arising from his duties as keeper of the Provincial Court records (and until 1738 of the land records) and as chief notary public. ✓ Other sources of his income were the ordinary license fines (1676-1703), a saddle on attorneys in the Provincial Court (1676-89), ✓ and payments arising from his appointment of deputy notaries and county clerks. He was obliged, on the other hand, to bear the expenses of his office and, after 1705/6, to pay a salary to his principal in England. ✓

The fees of the Secretary were first regulated under the general fee act of March, 1638/9, and were thereafter, by other acts and by the proclamation of 1642, gradually augmented. They were all again codified, and raised to some extent, in the law of June, 1676.<sup>2</sup> By a subsequent general act in June, 1719, these were reduced to from three-fourths to four-fifths of their former value. In the Inspection Act of July, 1747, they were similarly reduced from the values earlier assigned them. The Secretary's income meanwhile had suffered some reduction through those acts of Assembly which extended the jurisdiction of the county courts and limited that of the Provincial Court.<sup>3</sup>

During the early proprietary period the Secretary was not only a public officer but, as keeper of the land records, a private officer of the proprietary and a member of Lord Baltimore's revenue establishment.

At the beginning of royal administration, however, Crown Secretary Sir Thomas Lawrence, a purely public officer, obtained possession of the Patent Record and proceeded to exercise all those functions in the granting of lands formerly done by His Lordship's Secretary. Colonel Henry Darnall, on the other hand, as Proprietary Agent and Receiver General, not only claimed custody of the land records but demanded all fees for the issue of warrants, entering of certificates, and drawing of patents.

An agreement between Baltimore and Lawrence, negotiated by

<sup>2</sup> For the different fees settled on the Secretary prior to 1676 see *Ibid.*, I, 58, 83, 108, 163, 289, 311, 360, 454, 498; II, 142, 157, 337.

<sup>3</sup> Cf. *Ibid.*, XXXIII, 357; and Mereness, *op. cit.*, 237-41.