

his principal. It is clear, however, that the former, and probably the latter also, demanded certain customary fees, which the Lower House was unable to prevent their taking.²⁵ The salary of the Prerogative Clerk amounted in 1715 to at least 20,000 pounds of tobacco, or about £ 80 or £ 90 sterling a year. It was valued at £ 80 sterling in 1745, and it may have reached £ 100 in late colonial times.²⁶ The Register in Chancery probably got about the same amount. The Prerogative Office was to be omitted from the Constitution of 1776 and abolished the following year.

The Clerk of the High Court of Appeals, the Clerk of the Admiralty Court, and the two Clerks of Assize Courts had very small incomes from fees established by law. These offices were commonly filled by persons with other and more valuable clerkships.

Prior to the establishment of royal government there was a rapid turnover in all offices, and this was especially true of the clerks' places. Thereafter long tenure became the rule. Thus in the first sixty years of its history, until 1693, the Council had fifteen successive clerks; but in the eighty-three years thereafter only nine. Of these John Ross served thirty-five years. Similarly Michael Macnemara was Clerk of the Lower House for twenty-three years; and three different clerks served over ten years in the Secretary's office.²⁷

2. COUNTY CLERKS.

These officers, appointed by the Secretary in Maryland, and commonly better paid than the provincial clerks, were supported chiefly by fees. Such charges, first established in the general fee proclamation of August 2, 1642, were for over thirty-five years the same as those allowed the Secretary.²⁸ By an act of November,

²⁵ On the customary fees of the Prerogative Clerk see *Ibid.*, XXXV, 313-26; XLVI, 588. The Lower House sought to prevent the taking of such extra-legal fees by inserting certain oaths into the Inspection Law of 1747. But as the act provided no penalty for refusal of the oaths, the Governor had no means of enforcing this part of it. The matter was argued at some length in the session of May and June, 1751.

²⁶ *Ibid.*, XXV, 321; IX, 414; see also the estimate cited in note 15 above.

²⁷ On the eve of the Revolution the chief provincial clerks were James Brooks (Council and Upper House), John Duckett (Lower House), Reverdy Ghiselin (Secretary's Office), Elie Vallette (Prerogative Office), and James Brooks (Chancery).

²⁸ *Ibid.*, I, 162.