

PREFACE.

This volume takes up the Council Proceedings from the point where our first Council Book stopped, and continues them from the originals in the possession of the State down to August, 1674, after which there is a gap of eighteen years in our records. This void we have, to a considerable extent, been able to fill, partly by the discovery of an original Council Journal of 1686-1689 (designated in the margin as Liber B, P.R.O.) in the Public Record Office, London, and partly by copies of other documents on file in the same office. Of these documents, many are transcripts from Maryland records, or such as must have been contained in the missing Council Books; while many are otherwise of great value as throwing new light on the history of the Province.

The papers accompanying Claiborne's petition, and especially the depositions in the suit of Claiborne against Clobery, lighten in some degree the darkness that covers the affairs of Kent Island before the reduction. It is now more than ever clear that the settlement there was no plantation, but simply a trading-post, established by a firm of London merchants, and managed in their interest. They had no grant of land, but merely a license to trade; nor did the settlers raise their supplies, but depended for these upon traffic with the Indians, and upon their London principals for commodities to maintain that traffic. We also see that Claiborne was not dispossessed by Baltimore, but by his own partners or employers, whose agent took possession, in their name, of the buildings, goods and servants, by quiet and unresisted legal process. To the land, of course, this agent made no claim, as neither Claiborne nor his partners pretended any patent; but after seeing the Maryland charter, he acknowledged the jurisdiction of Baltimore.

We also see (p. 267) that the principle of religious toleration was agreed upon between Cecilius and his first colonists before they set sail; and that soon after the first settlement "these conditions, by the unanimous consent of all who were concerned, were passed into a Lawe"—no doubt by the first Assembly, whose records are so unfortunately lost.

The trial of Fendall for that mysterious rebellion of his is here given in full, from the report originally taken down in shorthand by the clerk of the Council.

Here also are the first stages of the boundary dispute with Pennsylvania. We have a note of Penn's first application for a grant of land to extend no further south than the Maryland line, and his agreement