

SERJEANT WYNN'S OPINION

Lib. 82, J. R.
P. 334

THE CASE

King Charles the first by his Letters Patents dated 20th June 1632 Granted to the then Lord Baltimore, The Absolute Lordship and Proprietorship of the Province of Maryland (Saving Faith Allegiance & Sovereign Dominion to his Majesty his Heirs and Successors) Together in General with all and singular the like and as ample Rights Jurisdictions Priviledges, Prerogatives Royalties Liberties Immunities Royal rights and Franchises of what kind soever Temporal as well by Sea as by Land To have exercise use and Enjoy the same as amply as any Bishop of Durham within the Bishoprick or County Palatine of Durham in the Kingdom of England Then had or at any Time theretofore had held used or Enjoyed or of right ought or might have had held used or enjoyed.

By another Clause of the said Letters Patents his said late Majesty Gave to the said Lord Baltimore Power to appoint Deputies Lieutenants Judges Justices Magistrates Officers and Ministers either by Sea or Land for what Cause soever and with what Power soever and in such form as to him and his Heirs should seem most convenient; And to do all and every other thing or things which unto the compleat Establishment of Justice unto Courts Judicatories and Tribunals Forms of Judicature and manners of Proceedings do belong, Altho in those Presents Express mention be not made thereof.

By Virtue of such Powers the Lord Baltimore Erected Courts and appointed Judges Magistrates and Officers for the better Government of that Province and Administration of Justice therein; And which Judges Officers &c. have always acted and still Act in the several Courts under such appointments, During such Time as the Government of the said Province remained as it now is in the hands and under the Direction of the Lord Baltimore.

Between the year 1632 and 1642 no Certainty of any Regulation appears to have been made of the Fees of the Ministers of the Courts of Justice and some Officers of the Government.

In 1642 A Table of Officers' Fees was assessed and Published under the Great Seal of the Province by the then Lieutenant General & Council of the s^d Province