

rate of fees settled as above in the year 1770 by Governor Eden and the Council and the Judgments have been [settled] accordingly. Lib. 82, J. R.

First Qu^{re} Whether the King can by his Prerogative regulate the fees of Officers in his Plantations and whether he can Grant or has Granted such Power by his Letters Patent aforesaid which contains besides the Clauses above mentioned many Royal Rights

Second. Whether the Regulations aforesaid by the Prerogative and the Proviso contained in the several Acts above mentioned and the Course of the Judgments at Law and in Equity do not together with the Charter of the Province establish the Authority to regulate fees and make it part of the usage and Constitution of the Province.

We are of Opinion that the King had it in his Power originally to appoint the fees of the Officers in his Plantations, & that he has transferred that Authority by his Charter to the Proprietor of Maryland; But in those instances where that Power has been exercised It is no longer competent to the Proprietor to alter these fees: where cases arise of new Officers to which no fees have been annexed the Power remains in its original force.

E. Thurlow
Al. Wedderburn
J. Dunning

ORDERS AND INSTRUCTIONS

To be Pursued by our Trusty and well beloved Robert Eden Esq^r Lieutenant General and Chief Governor of the Province of Maryland in America.

Whereas We the Rev^d Doc^r John Moore, Dean of Canterbury, and Hugh Hamersley, and Peter Prevost Esq^{rs} Guardians of the Person and Estate of Henry Harford Esq^r Absolute Lord and Proprietary of the Province of Maryland in America an Infant of the Age of Fourteen years and upwards Have by our Commission bearing even Date with these Presents by and with the Privity Consent and Approbation of the said Henry Harford, Appointed you the said Robert Eden Lieutenant General and Chief Governor of the said Province during our Pleasure and the Minority of the said Henry Harford, which Commission you will herewith receive,

Now we do by these our Instructions require & Direct

1st. That you do immediately on Receipt of the said Commission Proceed in the making your Commission known as you and your Predecessors have heretofore done.