

the Limitation and regulation of Officers fees. The late Inspection Act is a recent Instance, but your Lordships Prerogative is as indisputable now, as ever it was. It is the undoubted Prerogative of the Crown to regulate foreign Coins by Proclamation, but the Statute of the late Queen was not thought any Diminution of the Royal Prerogative. Before the late Inspection Act Officers fees were regulated by Proclamation, and your Lordships Noble Father Ascertained the Quantum from an Act of Assembly which had been in force, but then Expired, and as the Regulation of fees by Proclamation was the Source of much Popular uneasiness and disquiet he was always desirous of a Limitation and Settlement of them by an Act of the Legislature, but such had been the Turbulency and distemper of the Lower house that it could not be effectuated upon any Reasonable Plan till the late Inspection Law was Enacted, altho the Circumstances of the Province required it. The Bulk of the people can't pay Money, but must be Indulged to Satisfy the Charges against them in Tobacco and as this Commodity is not easily Portable, and can't be paid down when the Service is done, and Credit must be given till it can be conveniently got ready the People at the End of every year fall considerably in Debt to the Officers and as the Profits of the respective Offices are thus outstanding The Inspection Act giving the Officers a facile and Expeditious Recovery of their dues and guarding against frauds is a Regulation of great Convenience

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p. 54

When the fees were regulated by Proclamation they were Payable in Tobacco and Credit given to the People, and if they were now to be regulated by Proclamation they would necessarily be payable in the same manner, otherwise the People would be restricted to such Terms as they could not Comply with and upon the Matter be deprived of those Benefits which the very Institution of the Offices intended to give them.

That your Lordship may the better determine upon the Reasonableness of the Act in respect of the Limitation of Officers fees we beg leave to represent to your Lordship the Situation of the Officers Claiming their fees under Proclamation and as they are now entituled unto them under the Inspection Act.

Each officer by the Common Law, without any precise regulation by Proclamation or Act of Assembly would be intitled in Compensation of his Service to Quantum Meruit. A Proclamation We humbly Conceive would have no other Effect than to ascertain and establish that Quantum, but as to the Mode or Remedy of recovering it that must be left to