

the fees were fixed by the Governor and Council or by the Proprietary (who was in the Province in 1733) and published by proclamation.

In 1747 a tariff of fees was enacted by the Assembly, and continued in force by revivals, the last of which was to expire in 1770.

In the latter year, when the question of fees arose, great friction, even amounting to actual hostility, developed between the two Houses. A joint committee agreed upon a new tariff, but the Upper House rejected it. The Lower House grew still more aggressive; imprisoned a clerk of the Land Office who had charged the fees provided by the old scale, sent a manifesto to the Governor in which they declared that the Proprietary and Council had no right to regulate fees, and that the people would forever resist "the usurpation of such a right." Furthermore, they struck a blow at the Upper House itself, declaring that that body had "manifested an unreasonable attachment to the emoluments of office, and evinced an unjustifiable design to force this branch of the Legislature into a regulation of fees more corresponding to the schemes of wealth and power which, it is to be much apprehended, are formed by some of the great officers of this government, and which, if carried into execution, will tend to the oppression of the people, and, in the end, greatly endanger their liberties."

From a House in such a revolutionary temper, nothing could be expected; and as no business could go on without legal fees, Governor Eden, by advice of the Council, prorogued the Assembly, and by proclamation continued the old tariff of 1747.

When the Assembly convened the next year, the question again came up, and the hostility now showed itself in an attack on the legality of the proclamation, which the Lower House intimated was part of a scheme to reduce the people "to a state of slavery." Of course they knew that nothing of the kind was intended; but then as now, addresses to the people—and this address was meant for the people—would have but little effect if the writers restricted themselves to saying what they believed. To this demagogic address the Governor replied very temperately, showing that some action of the sort was absolutely necessary, under the circumstances, and was supported by precedent. If the two Houses would not agree, and if all business was not to be brought to a stand-still, there were but two alternatives: either for the Governor and Council to frame an entirely new tariff, which of course would be rejected, or to continue the old tariff under which the Province had been living for twenty-three years. The reasonableness of his position was so apparent, that in the heated discussions which followed scarcely any