

The Power of late Assumed by his Lordship of settling and ascertaining the fees of the officers in the Courts of Justice by way of Proclamation, is what we cannot submit to, without prostituting the rights of his Majestys Subjects within this Province.

L. H. J.
Lib. No. 45

We do not know that ever the Kings of Great Britain exercised their prerogative in such Case, especially since the happy Revolution and on this Occasion we entreat your Excellency to consider that part of the Royal Charter which directs that no Ordinances made by the Proprietary or his Heirs their Magistrates or officers without consent of the Freemen or their Delegates shall affect the right or Interest of any Person or Persons of or in their Life Member Freehold Goods or Chattels which Clause is consonant to the great Charter to the Benefit whereof we hope we shall not be denied a right, however to avoid all Disputes on this Head we had with great pains and application prepared A Bill for settling those fees and made them considerably Higher than those of our neighbouring colonies yet we cannot obtain the Assent of his Lordships Council to the same without such conditions as would in our Apprehension prove destructive, to the People, for Reasons your Excellency cannot be a Stranger to viz: that of making it a perpetual law: and how Reasonable it is that the Gentlemen of that Board, who without any Warrant from the Royal Charter assume a Negative on the proceedings of the Delegates of this Province, and whose Seats at that Board are only at the Will of the Right Honourable the Lord Proprietary and who (with a single Exception only) are composed of such as hold the chief Offices and Posts of Profit in the Government during pleasure, the Exorbitancy of whose fees, illegally charged and the oppressive manner of extorting them from the People, was what was endeavoured by that Bill to be remedied, how far we say they ought to be Judges and have a negative in an affair wherein they are so deeply interested we leave to our Superiors and the world to judge, whilst we are upon this Article of fees we cannot omit mentioning to your Excellency another practice lately crept in amongst us, that of Buying and selling the Offices of the County Clerks and the very persons who receive the Profits of the Offices of Clerks & Registers Practising as Attorneys in the Courts to which these Offices belong that such Sales are unlawful is too obvious to be denied, and whether the same Person Acting in the different Capacities of Clerk and Attorney having the Custody of the Papers and Evidences of the Person against whom he is concerned and the entering up of the Judgment in the cause may not be Introductive of Corruption Injustice and Oppression we submit to your Excellency or any other Unprejudiced Person. The Exacting Alienation fines on Devises is we conceive a thing contrary to the Tenor and Conditions of our Grants, a Project Introduced to drain Money from the People within these three or four years last past from a forced construction of the Words of our patents.