

Foundation in Law or Reason, but that the King has an absolute uncontroulable Title to this Branch of his casual Revenue; the Proprietary of this Province to the Common Law &^{ca} or any other unappropriated Fines here; and Lords of Manors in England, to those in their Courts and in their Manors, and may dispose of them with as much Liberty, as any Person in the World can his own private Fortune and Estate: nor can your Supposition of the Proprietary being divested of the Government alter the Case; for it would be no otherwise, than if the Lord of a manor, or Possessor of an Estate should alienate or be deprived of that Estate, the Rents Privileges and Emoluments of that manor and Estate would be vested in the next Possessor; but surely that Change would not give a Right in those Rents, Privileges, or Emoluments, to any other person than to such Possessor; For although the King is intitled to the Common Law Fines Ratione Corona, the Proprietary Ratione Domini, the Lords of Manors Ratione Manerie, and private Persons to their Rents by Reason of their Estates; yet none of those Considerations make them accountable either to Parliament, People, Tenants, or any other Person, for what they so receive; for those Fines accruing by Breaches of the King's Peace and Violation of his Laws, where they are not particularly appropriated by positive Laws, must in the nature of them belong solely to his Majesty, who is reckoned in the Eye of the Law to be solely injured by such Transgression.

L. H. J.
Liber No. 46

As to the Fines &^c arising by Acts of Assembly, a bare Recourse to the Acts themselves will answer your Observation on that Head, and Charge of the several Officers not having done their Duty in their Payment to the Lord Proprietary: For pray, to whom do those Acts direct the Payment to be made? The Acts expressly declare to the Lord Proprietary; and yet you think fit to contend, the Officers ought to pay them to some Body else, or into some other Place than into his Lordship's Hands; tho' indeed you do not plainly say who ought to receive them, but content yourselves with talking of the Publick Treasure[r]: But since none of the Acts make mention of any such Payment to be made to any such Treasurer, I am certain your sense or wish in this Point cannot alter the Law; and it will be Time enough to charge the Officers with a non Compliance in their Duty, when they make such Payments to Persons not directed by the Acts to receive the same. I acquainted you by my former Message, that I could not learn that ever any other Fines than such as arose at the common Law were by the present Agent received, and they being Part of his Lordship's Estate, he was not accountable for them: And as to the Representatives of any Agents who are dead, I am unacquainted with them, and indeed if they were known to me, I could not oblige them to lay any Account before your House, unless they were Officers under his Lordship, and by that means under his Direction; but I cannot forbear hinting to you, that if his Lordship should be pleased to enter into an Account of his Expences for