

L. H. J.  
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ings of that Law would not discover any great Fondness for that Part of it which relates to Officers fees and the Continuance of it in the Year 1769 for one Year only, with the Intention of going fully into the Consideration of Officers fees at the next Session was a Proof to all the World that the old Table of Fees was then looked upon as defective in many Respects.

At the next Meeting of Assembly a new Regulation of Fees was framed with many material Alterations of the Old, and in the Course of that Session the Inspection Law fell.

p. 256 How this can afford, or even seem to afford, a strong Proof that the Opinion of the Legislature has long been that the old Table as it stood when the Inspection Law fell, was well adapted to the Purposes of it we shall leave to your Honours to explain. It is said that Deputy Commissaries were instituted by the Act of 1715 for the Ease and Convenience of the People to give them an Option of doing their Business at Home or at Annapolis but with no apparent View of diminishing the fees of the Commissary General. It may be asked whether publick Offices were erected for the Emolument of Officers or for the Benefit of the People? Were Deputies appointed with any apparent View of encreasing the Expence of the People by making them pay twice for the same Service? Or are they to pay for the Ease and Convenience afforded them by the Legislature? From the Expression in that Act that in the Case of pauper Estates the Commissary General shall have no fees it cannot be inferred that in all other Estates he shall be allowed to charge fees for Services not done. The Prohibition had been just as necessary if no such Charge as what is called the double Charge had ever been made; because without it the Commissary General would have charged his fees on that part of the Business which upon every Administration as well pauper as others must necessarily be transacted in his Office such as recording the Inventory &<sup>ta</sup> It is so repugnant to every Principle of Reason and Justice that an Officer shall be allowed to charge for a Service he does not perform and for which another is paid, that to reason about it, is to weaken if possible the self Evidence of the Proposition. Nothing but Usage can, in any sort, countenance a Charge so manifestly unjust, and tho' that practice may have been uninterrupted; yet it has nevertheless for many Years been a Subject of general Complaint; and it is a Matter of Wonder, that it has been so long submitted to by the People. In the Year 1753 this Point was again agitated, and an alteration in that, as well as other Respects attempted. The Sense of the Lower House was sufficiently shewn, by their Bill with these Alterations of the Table of Fees, tho' they were afterwards induced to come into the Amendments proposed by the Upper House.

The Fact is too notorious to be denied, that the Table of Fees under the first Inspection Law was then adopted and hath been