

When on mature Reflection you shall have ascertained the Principle of your own Practice, I flatter myself you will be inclined to jud[g]e less unfavourably, and speak with less Asperity of the Conduct of myself, and his Lordship's Council.

L. H. J.
Liber No. 54
Nov. 30

Ever since the Settlement of the Province fees have been received by the Officers, the last Regulation of fees, contained in the Inspection Law, was the most moderate and easy to the People; when you chose to drop that Law, the Regulation of fees expired with it. Officers are necessary and must be supported, at the Expence of those, for whom they perform Services. You contend that the fees of the Officer are recoverable *only* on a *Quantum Meruit*, to be ascertained by a Jury; considering the Jurisdiction of our Courts, you must perceive that an Officer in most Instances, when he is entitled to be paid, can bring no action on which the Justice of his Demand may be determined by a Jury; for the Demand may be 600 lb of Tobacco or fifty Shillings Current Money of Maryland or it cannot be brought before a Jury; if this be attended to, your Popular Argument must strike with little Impression

The Duration of the Inspection Law, under so many Continuances, affords a strong Presumption of the Utility of its Provisions, and the Proceedings of the Lower House in the Year 1755, give a most emphatical Proof of it.

The following is Part of his Excellency's Message to the Lower House at that Time

“Having just received Advices from the Lord Proprietary, I take this Opportunity of paying the most ready Obedience to his Lordship's Instructions, by acquainting you that his Lordship has, on a full and deliberate Consideration of the several Acts that were enacted in the October Session 1753, signified to me, that the Objections which lie against some Parts of the Act, entitled, An Act for amending the Staple of Tobacco, for preventing frauds in his Majesty's Customs, and for the Limitation of Officers fees, would have induced him to signify his immediate Dissent to that Act, had not the Sense of the great Utility of that Part of the Act which relates to the Staple of Tobacco, his Lordship's affectionate Regard for his Tenants, and a firm Persuasion that you will not hesitate to prepare a Bill to repeal the Parts objected to, inclined him to suffer the Act to continue till his Pleasure thereon could be made known to you, that you may have an Opportunity to agree with the Gentlemen of the other House, on such repealing Act as his Lordship expects and desires. The exceptionable Clauses are those that relate to the regulating and limiting Officers fees, and the Rates of English and foreign Coins.”

In Answer to which his Excellency received the following Address p. 295
from the Lower House.