

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

“May it please your Excellency,

In Answer to your Message of the 4.th Instant, we cannot but express our Concern, that any Parts of the Act, entitled, An Act for amending the Staple of Tobacco, for preventing ffrauds in his Majesty’s Customs, and for the Limitation of Officers ffees, should be liable to the least Objection from our Lord Proprietary.

We should be sorry to find that a Regulation of Officers ffees, agreed upon after the most mature Deliberation, by the several Branches of the Legislature, and subsisting five Years, and then again, with but small Alteration, revived and continued, should be so disagreeable to his Lordship, as to induce him to dissent to an Act, the greatest Proofs whereof he acknowledges to be of great Utility. We conceive the Parts objected to by his Lordship are of great Advantage to this Province, and highly conducive to the Ease and Quiet of his Lordship’s Tenants; and forasmuch as his Lordship, from a Sense of the great Usefulness of that Part of the Act which relates to the Staple of Tobacco, and an affectionate Regard to his Tenants, has been induced not to signify his immediate Dissent thereto, so we, from the *same* Motives, as to the *whole*, cannot consent to a Repeal of those Parts, or either of them &c.^{ta}”

The Lower House having thus declined to pass an Act agreeable to his Lordship’s Request, the Governor was prevailed upon by the Council, not to dissent to the Inspection Act, and upon the Representation and Solicitation of the Council, the Lord Proprietary withdrew his Instruction.

It must be admitted that without some Rule to controul the Demands of Officers, there would be great Danger of Extortion, and of perpetual Contest, the Timid might submit to the most grievous Oppression, and the Turbulent refuse to pay the most reasonable Demand. That I am not authorised to prevent the Mischiefs of Extortion and Litigation, by restraining the Officers Demands, is the Point you have endeavoured to maintain, on which you have display’d your Zeal, given ample Scope to your Patriotic Regards, and accused those, whose Opinion differs from your own, of being Enemies to the Peace, Welfare and Happiness of this Province, and the Laws and Constitution thereof, an heavy Charge, but, happily, a Charge that marks the Temerity and Rage of the Promoters of it; but is devoid of Proof to fix the imputed Guilt of the Accused, to whom I pay no great Compliment, when I say that they are animated by as tender a Regard for the Peace, Happiness and Constitution of this Province, as the Framers of the Address and Resolves.

For the very Purpose of regulating the Conduct of the Officers, in the Article of their ffees, to point out to them what they might, and beyond which they should not demand, I issued my (shadowed as you call it) Proclamation in the usual Words.