

U. H. J.
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be the Operation of this Act. For it appears by the Journals that the Assembly in 1747 had the Bill of 1745 under their Consideration

Publick Offices were doubtless erected for the Benefit of the Community, and for the same Purpose are Emoluments given to Support them.

We have not intimated that Deputies were appointed with the Intention of encreasing the Expense, on the Contrary we have said that they were introduced for the Ease of the People, and we may add to lessen the Charge they were liable to before the Act of 1715, which Act, tho' it did not deprive the Commissary General of his Fees, except in the Case of Pauper Estates, consulted the Convenience of those to whom an Option was given to transact Business with the Commissary General or his Deputy. The Commissary General before the Act of 1715 Charged his Fees on "every" Administration. By this Act if the Estate be so small as that the Inventory of it shall not Amount to £10: in Money, there shall be paid to the Deputy for Granting Letters of Administration &.^t the Sum of 50^{lbs} of Tobacco, and no more, and "in every such Case" the Commissary General shall have no Fees; so far and no farther is the Commissary General restrained by the Act of 1715, and the Usage or Practice has invariably Corresponded with this Restriction.

By the late Inspection Act the Fees were expressly given to the Commissary General for "every" Letter of Administration. For "every" Bond for every Oath &.^t and the generality of the Ex-
p. 60r pression is only Qualified in respect of pauper Estates. That there should be an Inclination to Abolish these, and other Fees we do not wonder and apprehend that the Reduction of Income has rather been the design than the Correction of Abuse. We are most certainly assured the Interest of the Commissary General would be so little Consulted by an acceptance of what you proposed, that it would reduce his Income below the Regard of a Gentleman. If the double charge as you call it, should be disputed, what would be the decision, or whether the Commissary General would think proper to bring his Suit on a Quantum Meruit, or on the Testamentary, or Administration Bond of the Party, or in any other manner, we can't undertake to Say, but presume you will agree with us in Opinion, that, if no new Regulation of the Fees should be Established, the pauper Estates instead of £30. as settled by the late Inspection Act, will only be £10. and the Jurisdiction of the Deputy Commissaries will not exceed £50. instead of being extended to £150. according to the Enlargement of it by the Inspection Act, and that it would be for the Ease and Convenience of the people pauper Estates should be £30. and the Jurisdiction of the Deputy Commissaries extended to £150.

Do you chuse the Regulation of Fees proposed by the Bill of 1745, which you have mentioned in Terms of so much Approbation, should