

Course of Commercial affairs it must be so. The Produce of our Staple centers in England, thither the Merchants and Factors must make their Remittances. He who has Money in England, if he enjoys the Liberty of Keeping or transferring it, will make his Advantage from the Convenience, or necessity of others to have the use of Money in the same Place.

Altho' it may be collected that the current Rate of Silver is regulated in the Queens Proclamation by an Addition of 38 $\frac{1}{2}$ to the intrinsic Value, yet the Statute does not prohibit the Receiving of Silver Currency in lieu of Sterling at any other Rate, and therefore it is presumed, That the Addition of 40 to the Sterling Value for Bills, or in lieu of Sterling Cash, and for the same Reason that it would not be illegal to take 60 $\frac{1}{2}$ Centum in paper Currency for Sterling, or 20 $\frac{1}{2}$ Centum in Paper Money for Silver Currency, the Denominations being distinctly preserved altho' the Exchange or proportion between the one, and the other is unsettled and fluctuating: whatever the Difference may be between Paper Currency, or Sterling and Silver Currency, yet the Silver Currency, as such Remains Subject to the Regulation of the Statute: no one upon any Bargain or Contract made after the time limited in the Statute can legally receive a Silver Piece of eight as a Silver Currency for more than 6 $\frac{1}{2}$ of the current Rate established by the Statute. But we conceive it would be no breach of the Statute to make a Contract for 6 $\frac{1}{2}$ of Silver Currency or 7 $\frac{1}{6}$ Paper Currency, and to Receive the one or the other. If therefore the Inspection Act had directed that 9 $\frac{1}{4}$ Silver or 12 $\frac{1}{6}$ Paper Currency might be paid in lieu of 100 $^{\text{th}}$ Tobacco It would not be construed to impugn the Statute and we must submit it to your Lordship, that the Inspection Act is so in Effect for it is recited of L. XX & "That the excessive quantity of Tob. in some measure depreciated the Commodity in order therefore to lessen the Quantity by tempting People to pursue other employments, than that of Planting, those who should not make Tobacco are allowed to discharge the Clergy dues Lawyers and Officers fees &c. in the Provincial current Money i.e. Paper Money rating Tobacco at 12 $\frac{1}{6}$ of Centum."

Had the Act proceeded no farther with regard to Money Payments they might have been exacted in Paper Money But the Act afterwards directs that Dollars shall be received at the rate or in lieu of 7 $\frac{1}{6}$ Paper Money if offered in Payment, by which Regulation the Proportion only between Silver and Paper Currency is ascertained as to the Payments to be made under the Act and in no other respect / But Dollars as a Silver Currency are still left to the Settlement of the Statute, and as the Inspection Act / as has been said / had it directed that 9 $\frac{1}{4}$ Silver or 12 $\frac{1}{6}$ Paper Currency should be received in lieu of 100 $^{\text{th}}$ Tobacco from those who should not make Tobacco would not have contravened the Statute; so we conceive that the Clause is not repugnant to the Act in settling the Proportion between Silver and Paper Currency there being no real difference between the Expressions "9 $\frac{1}{4}$ Silver or 12 $\frac{1}{6}$ Paper Currency may be paid in discharge of 100 $^{\text{th}}$ Tobacco" and "12 $\frac{1}{6}$ may be paid in discharge of 100 $^{\text{th}}$ Tobacco and 9 $\frac{1}{4}$ Silver Currency in lieu of 12 $\frac{1}{6}$ Paper Currency" which is all the Regulation of the Act in regard to Foreign Silver Coins.