

of the People can't pay Money, but must be Indulged to Satisfy the Charges against them in Tobacco and as this Commodity is not easily Portable, and can't be paid down when the Service is done, and Credit must be given till it can be conveniently got ready the People at the end of every year fall considerably in Debt to the Officers and as the Profits of the respective Offices are thus outstanding the Inspection Act giving the Officers a facile and expeditious Recovery of their dues and guarding against frauds is a Regulation of great Convenience.

When the Fees were regulated by Proclamation they were Payable in Tobacco and Credit given to the People, and if they were now to be regulated by Proclamation they would necessarily be payable in the same manner, otherwise the People would be restricted to such Terms as they could not comply with and upon the Matter be deprived of those Benefits which the very Institution of the Offices intended to give them.

That your Lordship may the better determine upon the Reasonableness of the Act in respect of the Limitation of Officers Fees we beg leave to represent to your Lordships the Situation of the Officers claiming their Fees under Proclamation and as they are now entitled unto them under the Inspection Act.

Each Officer by the Common Law, without any precise Regulation by Proclamation or Act of Assembly would be intitled in Compensation of his Service to Quantum Meruit - a Proclamation we humbly conceive would have no other Effect than to ascertain and establish that Quantum, but as to the Mode or Remedy of recovering it that must be left to the Prescript of the Law, The Officer without the Inspection Act would have his Fees outstanding & dispersed all over the Province, for the Collection of them he would be obliged to appoint several Receivers in each County, for whose Care and Fidelity he would find it difficult to obtain a sufficient Security, should his Debtor refuse to pay him he would be delayed by a tedious Law Suit - no one by the Laws of this Province can be Sued without a demand first made, nor in any other Court but that in the County where he resides, unless the Claim is cognizable in the Provincial Court - where the Demand must be made, there the Tobacco might be paid - The prejudice of County Court Jurys against Officers, the Charges and Trouble of Sending a Clerk or Deputy to the Remote parts of the Province to Prove the Service, the dishonesty of Receivers in taking Trash Tobacco, the low Price of the worst part of an uninspected, & unregulated Commodity the excessive Quantity of that Commodity for every one would make it when it might be paid at home and without Inspection or pay it when he might be furnished with it from Virginia the Expence of large Commissions and of Carriage to convenient Places for Shipping, are Circumstances of great Inconvenience.

An Inspection Act obtained in Virginia for several years before any such Regulation was enacted here, which not only drew the Country Purchasers from us thither, but also some of our best Tobacco which after an Inspection there, was stamped and shipped to Europe as Virginia Tobacco, and occasioned this further Mischiefe that much of the Virginia Trash Tobacco which could not stand the Test of an Inspection was brought into