

Inspector General declining to accede to that proposition you appeal to me to control him in the premises.

You suggest that this suit may be delayed for some length of time - that it is the interest of the Inspector General so to delay it, and that in the mean time a large amount - twenty thousand Dollars as you say in your letter to the Inspector - may be unlawfully collected by him, which you treat as a tax to that amount upon the grain trade of the City.

Now if I correctly understand the question in issue, the result of it can not materially affect the grain owner or the grain trade let it be decided as it may - The charge for weighing or measuring as allowed by law to the State Inspector, if I am rightly informed, does not exceed the charge made by the independent weighers for same work, and the question seems to be not whether Grain shall be sold without paying the cost of weighing, but whether the State or the men who engage in the business of weighing without the authority of the State, shall receive the price of that weighing - And if there be any force in your suggestion that it will be the interest of the State Inspectors to protract the decision of the legal question which the pending suit involves, because they would in the mean time receive the fees for weighing, it occurs to me that the same objection would apply with not less force to the independent weighers if they were allowed without molestation to proceed in their business, and the State should waive all proceedings against them until the legal controversy is determined -

It is manifest that under such circumstances the independent weigher would be influenced by considerations equally strong to delay the contemplated decision - But this is not a mere question of individual advantage between different classes of weighers -

The State has a very material interest in it. The Inspectors are required to pay the proceeds of their weighing and inspecting to the State Treasury, and have given Bond to do so as well for the faithful discharge of all their other duties - and were the independent weighers to any number that may find the business remunerative, to be allowed without interference to pursue this business, with the inducement to delay the decision of their right to do so, as suggested by your own argument - they might not only continue for some years to pocket its proceeds, but at the end of that time, if your calculation of amounts is correct, the State would be the loser to the amount of some \$20,000 per annum without the slightest chance to recover it from them; notwithstanding the legal tribunals should ultimately determine that they had clearly no right to receive it - For these considerations I certainly can not undertake to interfere with the course which the State Inspectors have pursued, believing on the contrary that under all circumstances it has been very properly adopted.

Very Respectfully

A. W. Bradford