

“ your own Safety and Honour at so critical and dangerous a Time; and am willing that what is given shall be wholly appropriated to the Purposes for which it is intended.

“ And, since I am speaking on this Head, I think it proper to put you in Mind, that, during the late War, I ordered the Accounts to be laid yearly before the Parliament, and also gave my Assent to several Bills for taking the Public Accounts, that my Subjects might have Satisfaction how the Money given for the War was applied; and I am willing that Matter may be put in any farther way of Examination, that it may appear whether there were any Misapplications and Mismanagements, or whether the Debt that remains upon us, has really arisen from the Shortness of the Supplies, or the Deficiency of the Funds.” It is pretty clear he thought there ought to be an Account rendered of Monies granted for Public Uses.

What your Honours mean, by insisting, “ That the Provincial Amerciaments are, by the express Terms of a positive Law, subject to the Application of the Governor and Council only; that Lord *Baltimore* is the sole Judge in what Manner the Monies he receives as Proprietary and Hereditary Governor of this Province, for the Support of Government, ought to be applied to that Purpose,” we cannot with any Certainty conjecture: But, if you mean, that whilst any of the Amerciaments remain, or the Lord *Baltimore* has any of that Money in Hand, collected under the Pretence of Support of Government, not expended in the Support of Government, we should lay new Taxes on, or apply other Monies belonging to the People, to pay Salaries to the Clerks of the Council, you are widely mistaken; for it is Time enough to talk of new Taxes, or new Applications, when a Deficiency appears, which we shall never believe till we have an Account. Suppose there should be a Balance of the Amerciaments or Monies received by the Lord *Baltimore* for the Support of Government, over and above the Purposes to which those Amerciaments and Monies are usually applied, what would your Honours have done with it? Or, suppose there should be no actual Application at all of those Amerciaments or Monies, must new Taxes be laid, or Applications of other Monies be made, to defray the whole Charges of Government, including even a Salary to the Governor? And, if Any, we do not see why Every Part may not be withheld in equal Reason.

We are not, at this Time, though perhaps we may be hereafter, furnished with the Means of ascertaining what is received by the Government from the People of this Province; nor are we so totally ignorant on the Subject, but that we can form a tolerable Guess, and support it from Probability: We suppose the Proprietary receives, annually, upwards of 900 *l.* Sterling on the Article of Tonnage: That the Governor receives, annually, upwards of 200 *l.* Sterling on the same Article: That the Proprietor receives, on the 12 *d.* per Hoghead, annually, upwards of 1400 *l.* Sterling; and for Common Law Fines, and Act of Assembly Forfeitures, granted for Support of Government, annually, upwards of 400 *l.* Currency; and, that the Provincial Amerciaments, which, as your Honours observe, are to be applied as the Governor and Council shall direct, amount, annually, to upwards of 2,500 *£* of Tobacco. Suppose the People of this Province recognized the Right of Government, in the strongest Manner, to levy these Monies, which has been long denied by those who have heretofore occupied the Station we are now placed in, with the greatest Reputation, and whose Memories are still dear to a grateful People; yet we contend, that the above mentioned Monies, received by the Proprietor, as well as the Amerciaments, subject to the Governor and Council's Direction, ought, according to natural Justice, and the well known Principles of our Constitution, to be applied to defray the Expences of Government. We could wish, with all our Hearts, that the Argument you have been pleased to adduce from contemporary Practice and Exposition, could be esteemed conclusive; because, as to the Tonnage, some former Members of your House, as well as ours, remembered when the Record of the Act, under which the Tonnage Duty is pretended to be collected, mentioned that Duty to be granted for *Fort* Charges, instead of *Port* Charges; and that Fact stands evidenced by the most solemn and deliberate Act of the Legislature, against a Record suspicious on the very Face of it; to whose Assertions, in Matters of Fact, within their Knowledge, Modesty requires at least an equal Acquiescence, as in their Opinions on political Rights: This Fact, strengthened too by the Duty being laid on Powder and Shot, excludes any Pretence, that the Imposition was for a private Use; and consequently this Act came under the general Repealing Law of 1704, and could not possibly be excepted by the Saving of private Rights. If the 12 *d.* per Hoghead is to be determined by the same Criterion, the several Revenue Bills from 1716, to 1733, are so many deliberate Acts of the whole Legislature, that tacitly deny the Existence of that Act; and the Proprietary's not receiving the 12 *d.* per Hoghead, under the Act of 1704, for all that Time, is as strong a Concession of the Expiration of that Act, as the Allowance of a Salary to the Clerk of the Council on the Journal, is of the Salary not being intended within the Provision; so that this Kind of Reasoning proves too much, or too little, for your Purpose: If it proves the Clerk of the Council ought to have an Allowance in the Journal, it proves the Repeal of the Tonnage Act, and must effectually prove the Expiration of the Act of 1704, the Intention of making which is set out in the Preamble, and shews the *Baltimore* Family had, before that Time, under the Pretext of Charges of Government, been guilty of the same Practices, that they have continued ever since, “ That of receiving Public Money, and converting it to their own Use, to the Impoverishing of the Country, and Defraud of the Public;” no very reasonable Motive to the Legislature in 1704, to make a perpetual Law, burthening their Staple with a Revenue to the same Family, the Head of which, at that Time, was disabled, by his Religious Principles, to exercise