

Government are not mentioned in it. Having already fully considered the Import of the Terms "Support of Government" to avoid Repetition, I refer you to what I have said on that Subject for Satisfaction.

7<sup>thly</sup>. "THAT by what Acts appeared to the Committee for Support of his Lordship's Governor, Government, [ <sup>mm</sup> ] and contingent Charges, the same have been joined with a Consideration for his Rents, and Alienation Fines, whence they inferred that the Legislators always deemed their granting towards the Support of his Lordship's Government, as a mixed Consideration, not only for that particular Use, but towards a Compensation for the other likewise."

NOT to dispute about Words, I take the Meaning of this Part of the Report to have been that, in all the Acts the Committee had seen for the Support of his Lordship's Government, a Composition for his Rents, &c. was mixed, and the Intimation intended was, I presume, that his Lordship by the View to obtain a Revenue for Support of his Government, was always induced to agree with the Assembly for a more easy Satisfaction of his Rents, &c. If this be not the Meaning, I don't understand it, and if it be, this Part of the Report was founded upon Mistakes. Till the Act of 1671, though various Acts were made for the Support of Government, some of which I have already stated, yet was there no Consideration, or Compensation given in any of them for his Lordship's Rents, and Alienation Fines, and in the Year 1671, when the Compensation was introduced, so far was Lord *Cacilius* from being in any Respect obliged, in Order to obtain a Revenue for the Support of the Government, to come into an Agreement for his Rents, &c. that the Revenue was offered by itself, and it was at his Request the Act was altered, and the Compensation given him for his Rents, &c.

AND it appears by the Journals of the Assembly in the Year 1674, when the Act of 1671 was continued during the Life of Lord *Charles*, "by the Act of Gratitude" that the Continuance was deemed to be a [ <sup>nn</sup> ] Favour conferred upon him.

WHEN Inferences are drawn from plain Mistakes, it would be to little Purpose to consider what Force there would be in them, if the Premises had been just.

THE Report concludes with observing "that as the Royal Head is restrained from levying Money by Pretence of Prerogative, without Grant of Parliament, or for a longer Time, or in other Manner than the same is, or shall be granted, so his Lordship, who is a Subject, must also be restrained."

WITHOUT Doubt his Lordship can levy Money without the Consent of the Assembly by his Prerogative no more, than any Branch of the Legislature can singly by Resolve, or other Proceeding prevent the levying of Money granted by a Law.

IF his Lordship's Right hath been proved, it is not of much Consequence to consider the Policy of its Subversion, since there is little Reason to imagine it to be practicable.

WHAT are the Rights of his Government can't be taken from him, nor dare he give them up. They are the Rights of the [ <sup>oo</sup> ] Crown, and he is answerable to the Crown for the Preservation of them.

I HAVE kept within such Bounds in my Enquiry as I suspect would be thought too confined, if our Disputes were carried to the Decision of that Authority by which his Lordship's Claim to the Tonnage, and to the Fines and Amercements was determined in the Year 1692.

To speak in the Words of the Act of 1671 "Government being necessary for the Conservation of all Societies, the Charges, without which it can't subsist, ought in Reason to be defrayed by those, whose Conservation depends upon it."

YOU have seen how solicitous the Crown has been to obtain an independent, and established Support of Government in this Province, as well as in the other Colonies. The Instruction [ <sup>pp</sup> ] (I have cited) from the Queen to Governor *Hart* explains the Reasons of this Solicitude.

IF the present Support received under the Act of 1704 can be maintained by any of the Arguments I have advanced, or suggested, is it to be expected that a Surrender of it will be probably obtained? If not, can it conduce to the Welfare or Interest of the Province to endeavour to

[ <sup>mm</sup> ] No such Acts, as this Part of the Report seems to imply, ever passed.

[ <sup>nn</sup> ] See before, Page 19, the Message sent by the Lower to the Upper House, when the Act of 1674 was under Consideration.

[ <sup>oo</sup> ] See the Report on the Dispute between Messrs. Penns, and the Assembly of Pennsylvania.

[ <sup>pp</sup> ] See before, Pages 24, 25.