

implied from Our Words; As a specimen of This you urge, “ As if U. H. J.
“ We thought it inconsistent with the Disposition of the Governor
“ or Chancellor to shew either Mercy or Lenity without being paid
“ for the same by the Publick, contrary to a Law of the Province ”
Whereas We only told you that We were surprized you should think p. 38
it inconsistent with Your Duty and the Laws of the Province to
allow the Article of 120£ Tobacco since that Fee arose from the
Mercy and Lenity of the Governor shewn to an Offender by the Seal
of a Pardon Does this impart that it is inconsistent with the Dispo-
sition of the Governor and Chancellor to shew either Mercy or Lenity
without being paid for it; It is so far from it, that We are satisfyed,
none but Yourselves will ever construe those Words in the Sense
you do; Because the plain and natural Meaning is, that Mercy & For-
giveness ought to be considered by Every Person with Thankfulness,
rather than with grudging any Expence, the Exercise of those ami-
cable Qualities may be necessarily attended with; but the Governors
known Readiness to shew Compassion and Favour towards Every
proper Object as much takes from Us the Necessity of convincing
the World of It’s Truth, as It puts it out of Your Power to misguide
any Person by Insinuations into the Disbelief of it; nor Is it the
Value of 120£ Tobacco which obliges Us to persevere in the Claim
but the Precedent you endeavour to establish by the Disallowance,
and which We repeat, to be against all former Precedents of that
kind, and which you do not deny; nor do you Point out what Law is
against the Allowance, tho’ We know of none, and you have roundly
affirmed there is One.

We shall not consent to refer the Decision of the Lawfulness of
the Charge of 54898£ to any Other time; since you have neither
shewed Us any Law against that Allowance, or offered anything but
Your own Affirmation, that Our Reasoning on those fees in Our
last Message of the 28th Instant is wrong; nor can We apprehend
how his Majestys Order to discharge the Prisoners till a farther
Time prove, that he disapproved of the Prosecutions that had been
before carryed on, although he might not think fit to have them
determined as yet; And We should be obliged if you will explain to
us how the Recognizances taken from those Prisoners are lyable
for the fees now contended for; We conceive when the Secretary and
Attorney General Act on behalf of the Lord Proprietary in Matters
relating to the Liberty of the Inhabitants or their Possessions, they
act (as they did in the Instance of those fees) for the Publick

We never before heard that the Clerk of the Council was Clerk
to the Committee of Aggrievances, and it is as extraordinary to have
it surmised, that the Council Books ought to be laid before such a
Committee, which We are assured never entered into any other
Imaginations than Your own

We are really so unhappy as not to understand what you mean p. 39
further relating to M^r Ross, only that what was thought reasonable