

L. H. J. Imputation of Want of Respect to those Laws in Imposing a Duty
 Liber No. 50 on Convicts, in which we cannot think her Government to be at all
 April 19 concerned. Private Persons, Merchants, contract with the Govern-
 p. 74 ment for the Transportation of these Felons, and are amply rewarded
 for it by the great Gain they make by the Sale of them here, which
 very well enables them to pay this Duty. Our Neighbours of Penn-
 sylvania have imposed the Duty of £5 p Poll on Convicts for many
 Years, and yet without giving the least Offence that we ever heard
 of; Why then are we to apprehend giving Offence, by the Imposition
 of so small a Duty? Indeed, in a Message from your Excellency of
 the 7th of May, 1757, we are told, that his Majesty's late Attorney-
 General, the present Lord Mansfield, has given it as his Opinion,
 that no such Duty can be levied here; but as we have understood
 this Opinion was obtained by Persons nearly interested in the Event,
 we are inclined to think it was not founded on a very fair and im-
 partial State of the Case; and therefore, until some regular and
 authoritative Inhibition from the Government of our Mother Coun-
 try, shall circumscribe and confine the Effect of our Law, Imposing
 a Duty on all Servants to serve for Seven Years or upwards, among
 which Convicts undoubtedly are included, it will and ought to have
 it's full Operation and Force: Precarious and Contemptible indeed
 would the State and Condition of our Laws be, if the bare Opinion of
 any Man, however, distinguished in his Dignity and Office, yet
 acting, as in the present Instance, in the Capacity of a private Lawyer
 or Council, should be sufficient to shake their Authority, and destroy
 their Force.

But, that the Merits of this Dispute may be still better understood,
 we must in our Turn, have Recourse to that Address of the Lower
 House, containing, what you call, the Charge against the Naval
 Officers which we think may more fairly be thus stated:

The Duty on such Servants is required to be paid at the Time of
 their Entry.

It was the Duty of those Officers to have refused to have entered
 such Vessels, until the Duty was paid down:

And not to have taken any Impost Bonds for it, which if they did,
 is an Indulgence unknown to the Law, and for which, as we appre-
 hend, the Naval Officers ought to be answerable. From hence it is
 plain (though your Excellency in stating this Charge, by leaving
 out a few Words of that Address, seems desirous to have it believed
 that the late Lower House had asserted the Taking of Impost Bonds
 was an Indulgence unknown to the Law in general) that nothing
 more is said, or could be intended, but that the Naval Officers ought
 to have collected the Duty imposed on all Servants by the Act in 1754,
 at the Time of Entry, and not to have taken any Impost Bond for
 it, which, if they did, was an Indulgence they had no Authority
 by that Law to give, and were therefore answerable for: That the