

L. H. J.
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of Trippe; that that Verdict was set aside, because one of the Jurors was no Freeholder, and a new Trial awarded; that the same Action was tried again at the next Term, by another Jury, who also gave a General Verdict in favour of Trippe; upon that Verdict Judgment was rendered, from which the Attorney-General prayed an Appeal, which was Granted but never Prosecuted; that the Attorney-General refused to prosecute the other Eight Actions against Trippe and his Securities, and suffered Non-Suits in them all; that no less than Seven Actions were Prosecuted against Porter and his Securities, on which Issues were severally joined, by the like Pleadings as were in those against Trippe; and that Three Actions were Prosecuted against Bradford and his Securities, in which Issues were, in the same Manner, and by the like Pleadings, severally joined; and that the Attorney-General refused further to Prosecute any One of those Actions against Porter or Bradford, but suffered Non-Suits in them all. When your Excellency has seen all this upon Record, which we hope you will give yourself the Trouble to do agreeable to your Resolution with your own Eyes, as you recently Declare you have little Reliance on the Candour of the Representatives of the People, will you presume that all these Non-Suits were suffered without the Privity and Consent of the Commissioners, who were so much Interested in the Event of those Suits? But suppose the Judgment rendered in favor of Trippe should be reversed, what will be the Consequence? Must there not be a New Trial? And is it not to be presumed that a Third Jury will give the same Verdict that the Two former have given? We must beg leave further to observe to your Excellency, that if the Reversal of the Judgment rendered by the Provincial Court in favor of Trippe, might be a good Reason against suing the Commissioner's Bonds, on account of that Judgment, it cannot be one why they should not be sued on account of the Money paid into that Office by Trippe, Porter, and Bradford, for which their Sheriffs Bonds were Sued, but not Prosecuted, because as we presume, the Commissioners were well satisfied that those Sheriffs would be able to prove the Payment of the Money into that Office for which their Bonds were sued: But your Excellency has been pleased to say, "that the Matter's having been dormant so many Years, may have given Col. Hammond, the only surviving Commissioner who could be affected by those Judgments, obtained long before my Arrival in the Province, Reason to conclude that this Affair would be no more stirred against him;" it was surely high Time then, to obviate an Argument that would be daily gaining additional Strength by Delay; more especially as the Commissioner in Question has been so unreasonable as not to be satisfied with Two Verdicts (approved of by every disinterested By-stander) which leaves us little Room to hope that a Third would have any better Effect.

To conclude, we cannot dismiss this Subject without lamenting to your Excellency, that Want of Confidence, undeserved we think on