

(13)

Our authority, it seems, has been called in Question, if we imagined it no longer existed, we should not upon any possible Motive of self Interest, concern ourselves with the Proprietors Revenue, but we apprehend as this Board was established in consequence of the late Proprietors Instructions which have been revised and continued by the general Instruction upon the accession of the present Proprietor, so we presume to think that the authority of the Board is in Force as well as the Conditions of Plantations, and other Matters dependant on Instruction. If our authority has however ceased we should be at a loss to investigate the power of controul which seems to be claimed by the present Agent; his Commission does not shew it, and we believe no former Agent ever exercised, or claimed it.

Before the establishment of this Board, the Governor and other Officers, were vested with the power of superintending the Affairs of Revenue; & we conceive it was upon the supposition of our continued Authority, that the Opinion above referred to was required by & submitted to the Governor. The Reasons assigned by the Agent in his Letter to the Judges of the Land Office, why he thought proper to controul their proceeding in issuing Patents according to the established Conditions of Plantation may be reducible to the following Heads.

First, That the making Surveys beyond the Allegany Mountains, would be against his Majesty's express Command by Proclamation in the Year 1763.