

too often put on before less penetrating Judges, but every Thing must appear in it's true and proper Light, and be judged of accordingly.

I must confess indeed that the Opinion of the Lower House of Assembly, for which I must at all Times have the greatest Regard, would have had more Weight with me upon this Occasion, had you not laid before me the Grounds and Reasons of it, set forth at large in the Report annexed to your Address, in which, without taking upon me to determine what must be left to the Judgment of our Superiors, as I mentioned before, I hope I shall be able to point out a few Mistakes and Misapprehensions that will be a sufficient Excuse for me, even with your House, "for
" not considering the several Acts for raising Money for the Support of
" this Government in the same Light that you have done."

It might tire your Patience was I to follow you in the Recital of the several Acts of 1671, 1674, 1676, 1692, 1699, 1704, 1715, 1716 and 1717, which take up many Pages, therefore shall only take Notice of some mistaken Facts, and your Conclusions from them of so very material a Nature, that they seem to destroy the whole Foundation of your long Argumentation.

In order to destroy the Validity of the Act of 1704, your chief Argument is, that tho' a Law of the very same Nature, was given to the Crown in the Year 1692, the said Law of 1692 was not deemed by the Legislators to be perpetual, but was continued by another Law passed in the Year 1699, which Act of 1699 continued 'till the Year 1704, at which Time an Act passed, entituled, *An Act for Settlement of an Annual Revenue upon her Majesty's Governor for the Time being*, which Act of 1704, you would have to be no more perpetual than that of 1692, Pray take Notice of the very Words of the Report :

" Your Committee humbly observe, that by the frequent Continuance
" and Re-enacting the said Act of 1692, during the Time wherein the
" Government and Protection of this Province was in the Crown, that the
" Legislators did not deem the same, or any of them, perpetual, but to
" have a Duration only with such Governor or Government."

In Answer to which I think I may say, that the said Act of 1692 appears to a Demonstration to have been looked upon as a perpetual Law, that it not only continued in Force without any Re-enacting during Governor *Copley's* Time, Governor *Nicholson's* Time, and Governor *Blakiston's* Time, but likewise during the Interval betwixt the Government of the last mentioned Gentleman and Governor *Seymour's* Arrival in 1704, when a Repealing Law that then passed, might make the Government think it necessary to have the Law of 1692 Re-enacted, or another perpetual one made to the same purpose, which was done accordingly, and which is the Law by which the Government is at present Supported.

As to the Law you mention of 1699 to continue that of 1692, I must confess I can find no such Law, nor could your Committee that made
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