

Thursday Morning, August 22, 1745.

MAILED

THE House met according to Adjournment.

The Proceedings of Yesterday were Read.

The House adjourns to 2 of the Clock, Past Meridiem.

LIBRARY.

The House met according to Adjournment.

The Bill, entituled, *An Act for raising the Sum of Three Thousand Pounds Current Money, and Two Pence Sterling per Hogshead, &c.* was sent to the Upper House by Mr. Philip Hammond, and Thirteen others, with the following Message, viz.

By the Lower House of Assembly. August 22, 1745.

May it please your Honours;

YOU have herewith, the Bill entituled, *An Act for raising the Sum of Three Thousand Pounds Current Money, and Two Pence Sterling per Hogshead, for his Majesty's Service towards supporting the Garrison of Louisburg on Cape-Breton, and for other Purposes therein mentioned,* returned to you with such Amendments, proposed in your Message of Yesterday, as could be made without altering the material or substantial Parts of that Bill: And as to any other Alterations or Amendments, we have not nor can agree thereto, as well because we conceive it to be the undoubted Right of the House of Delegates alone to raise upon the People of this Province any Sum of Money, or other Tax, and for such Time, and in such Manner, and to be applied to such Uses and Purposes, as that House shall think proper, and that your House have no Right to propose any Alterations or Amendments, as to Sum, Time, Uses or Substance, or otherwise to interpose concerning the substantial or material Parts of such Bills, than generally to Pass or Refuse the same, as because in the particular instance of this Bill, we are well satisfied those Amendments proposed by you, other than what we have agreed to and made accordingly, are some of them entirely unnecessary, as not in any wise productive of those Ends for which you would seem to propose them, and others of them tend to lessen that advantage which may undoubtedly be made for the Garrison of Louisburg in the manner that Bill now stands.

We little expected you would have given it under your Hands, that the raising a Sum of Money for the Support of an Agent at home, to transact with his Majesty, or his Ministers, Business for his Subjects of this Province, was foreign to his Majesty's Service in general; since we always presumed it was not only for his Majesty's Service, but also, from his known Goodness and paternal Care over all his People, agreeable to his Royal Will and Pleasure that all his Subjects, tho' ever so remote, should be enabled in the best Manner their Distance would admit, as well to keep up a congratulatory Correspondence of Praise and Thanks for the Blessings they receive from him, as on every Occasion, by Oppressions and Hardships imposed on them, in humble and decent Manner to lay their Complaints before him: And altho' we readily admit, that a Fund for the Support of such Agent was not that Part of his Majesty's Service which gave Rise to that Bill; yet are we confident, from his Majesty's tender Regard for his People, that if while we are endeavouring to support his Subjects at Louisburg, we can likewise take any Step to preserve his loyal and dutiful Subjects of this Province in, or to restore them to, their former Ease and Happiness, it must be highly agreeable to his Royal Pleasure. Nor can we entertain the worse Opinion of this Bill as it now stands, from the Expressions in your Message, of "Blending or Tacking two different Matters in the same Bill," and "Unparliamentary" and "Unjust and Violent Proceeding;" for we beg Leave to deny that this is Tacking; or if it is, yet it is not a Tacking in an "Unparliamentary" Manner; because if we may call our Proceedings in Assembly here, Parliamentary, as we presume we may, so far as the Legislative Power of this Province may direct themselves, by them, we have Instances of several Bills having within these few Years been passed into Laws by the several Parts of this Legislature, each Bill containing several different Matters, and to entirely distinct Purposes, without any such Charge against them as you are now pleased to make against this Bill; and from whence too we apprehend we may justly conclude, that such a Proceeding is not an "Unjust and Violent Proceeding;" nor can we by any Means agree to what you term "an undoubted Truth" in general, "That such who have offered to clog any Bill by a Tack, were always thought Enemies or In-wishers to such Bill; and not those who refused such Bill on Account of such Unparliamentary Step:" And as to our particular Motive for such Proceeding, we apprehend ourselves justified by the Practice here and from the Nature of the Matter itself; as well as by the Necessity we are reduced to of some such Method, by your Honours having heretofore refused us the Subject Matter of that which you are pleased to call a Tack, when sent you in a separate Bill; tho' the Circumstances of his Majesty's Subjects, the People of this Province, were such as loudly called for some such Assistance. And we assure your Honours, that when the Affair of Louisburg was first recommended to our Consideration, we had not this Matter within our View; nor had we any other Motive than our hearty and unfeigned Loyalty to his Majesty and Zeal for his Service for those Proceedings, which we then so unanimously and cheerfully entred upon, as we doubt not will render the same the more acceptable to his Majesty: And we will venture to promise, that we will at all Times be ready, to the best of our Abilities, to go as far in any Step for his Majesty's Service, as your Honours, or any other Persons whatever shall, and in this Instance further than you seem willing to do: And we are not without the strongest Assurances that as the several Purposes of that Bill are by no means inconsistent or contradictory, but both tend to the Care and Preservation of his Majesty's Subjects, which undoubtedly is for his Service, and will, as the more extensive be therefore the more agreeable to his Royal Will and Pleasure, do we do now for the last Time leave it to your Determination, whether you will Pass that Bill as it now stands, or for the sake of destroying the latter Part of that Bill, calculated for the Benefit of his Majesty's Subjects of this Province, prevent likewise that considerable Aid for his Garrison of Louisburg which we have so cheerfully resolved to give.

Signed in Order, Wm. TILGHMAN, Cl. Lo. Ho.

[Aug. Sess. 1745.]

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