

had been Guilty of any Breach of Trust or Negligence in the Discharge of their Duty. But as you seem to think I was not sincere in that Declaration, I shall for once, lay before you the Reasons which have induced, what you are pleased to call, a Failure in me.

But, before I proceed, I must desire you'll observe, That it is so far from becoming the Duty of my Station to Oppress any Set of Men, or any Individual, whether as an Officer or private Man, merely to gratify the Desire of others, that I think myself, on the contrary, obliged to prevent, to the utmost of my Power, every Act of Oppression and Injustice towards every Individual under my Government, let the Attempt come from what Quarter it will; and that as you claim the Right of Representing to me whatever you may be pleased to call a Grievance, you must at the same Time allow, that however clearly you may pretend any Transaction may appear to you in that Light, I have still the Right of Forming a Judgment, and coming to a final Determination, upon your Representations: And this Right I shall always exercise, repeat your Representations as often as you please, wherever they may injuriously affect either the Life, Liberty or Property of any Individual in this Province.

And now, to remove as much as possible the Difficulty you are under to account for my failing to sue the Naval-Officers and Commissioners Bonds, agreeable to the Desire of the last Lower House, and to prevent your attributing that Failure to my Disregard to the reasonable Complaints of the Representatives of the People, or to a Want of Regard to their just Representations, I shall proceed, as briefly as the Nature of the Subject will permit, to examine from the Journals of the last Lower House, the Grounds for that Address, now backed by yours of the 10th Instant, and in an Instance or two, compare that Address with its Foundation; and shall then lay before you such Reasons as have occurred since that Session, and have greatly contributed towards fixing my Opinion, that neither are your Complaints Reasonable, nor their Representations Just.

And if, to avoid any Imputation on my Conduct for concealing or misrepresenting any Materials, upon which this Part of the present Debate is founded, I shall give them in the Words of the Journal of the Lower House of Assembly (with which you do not always seem to be very well acquainted) I hope you will excuse me, tho' by that Means my present Message should run into some Prolixity.

The first Entry which I find upon the Journal of the last Lower House, relating to the present Complaints against the Naval-Officers, is a Report of one of your Committees in the following Words:

“ Your Committee further observe, that by the List of Entries made by Stephen Bordley, Esq; Naval-Officer of Port Annapolis, it appears, that on the 29th April, 1756, there was imported in the Ship Greyhound, Capt. Alexander Stewart, 75 Convicts: And that on the first Day of September, 1756, there was imported in the Ship Lyon, James Dyer, 91 Convicts to serve for Seven Years: That upon Clearance of the Ship Greyhound, Capt. Scott then Master of the said Ship, refused to pay any Duty for the 75 Convicts imported by said Stewart in that Ship; and that Capt. Dyer refused to pay any Duty for the 91 Convicts to serve for Seven Years and upwards. And by the Account of Richard Lee, Esq; Naval Officer of Patowmack, it likewise appears, That the Snow Trial, William McGagbin Master, Entered in the said Port of Patowmack, 91 Convicts, and Cleared out thence without paying the Duty of Twenty Shillings Currency per Head on the same 91 Convicts. And it also appears by the same List of Entries in said Port of Annapolis, that during the Course of last Year's Importation, and since the 29th April, 1756, sundry Persons paid to the said Naval-Officer of Port Annapolis, the Duty of Twenty Shillings per Head on Convicts, and Convicts to serve for Seven Years and upwards. And we submit it, whether the said Naval-Officers ought not to have Collected the Duty of Twenty Shillings Currency per Head on Convicts and Servants imported as aforesaid.”

This Report, on the Day it was presented, was Read and Concurred with by that House; from whence one might have reasonably supposed that House was satisfied the Facts there set forth were true; and that every future Proceeding upon that Affair would, in Point of Fact, correspond with it.

Notwithstanding which, the next Step that House takes upon this Subject, within Six Days after, is an Address to me, referring to the Report thereto annex'd (which yours of the 10th seems design'd to enforce, amongst other Things) in the following Words:

“ It is truly discouraging to us to find—in others—(Officers) who can't plead Ignorance of the Laws, such an Omission of Duty as we could not suspect, and which your Excellency will observe by the Report, in regard to the Conduct of the Naval-Officers of Patowmack and Port Annapolis, who notwithstanding they have received the Duty on Servants for Seven Years and upwards, from many Masters of Vessels, have nevertheless omitted to receive it from others, because (as we presume) they have Entered them under the Title of Convicts, tho' the Duty on such Servants is required to be paid at the Time of Entry; and