

"we conceive to have been the Duty of those Officers to have *refused to have Entered such Vessels, until the Duty was paid down, and not to have taken any Impost-Bond for it; which, if they did, is an Indulgence unknown to the Law.* And for which, as we apprehend, the Naval-Officers ought to be answerable."

Tho' several Remarks might be made, both on the Report and Address, I shall nevertheless, for Brevity Sake, content myself with one upon the Difference between them, as enough to shew that Exactness is not so inherent to the Representatives of the People, as to be Proof against any Reflection they may be disposed to make; for tho' that Report treats only of *Convicts, and Convicts to serve for Seven Years* (which seems to me to have been a needless Distinction, since all Transported Convicts are by Statute to serve for Seven Years at least) and says not one Word of *Servants* except at the Close of it, and tho' it is clear, that since there is no prior Mention in that Report of any *Servants*, but *Convicts to serve for Seven Years*, the Expression of *Servants imported as aforesaid*, must necessarily be understood to refer to the *Convict Servants* therein mentioned; yet that House in their Address to me upon that Occasion, seem very fond of considering all the Importations mentioned in the Report, as *Servants for Seven Years, in Contradistinction to Convicts*, tho' the Report gives no Colour for understanding them in that Manner; and at the same Time seem to refer to having *any Thing to say to Convicts*, tho' that Report treats of nothing else, as to presume, *and to refer the Report upon which that Address is founded, and with which that House had concurred, that the House of Commons had Entered them under the Title of Convicts*, tho' they were simple Servants for Seven Years.

Without taking up any more of your Time upon this Remark, I am afraid, *Gentlemen*, that House will appear from these Papers, not to have paid all that Regard to Truth and Candour, which, as Representatives of the People, it were to be wished they had; for it seems too evident, that the Report and Address must be both true, and indeed that the Conduct of that House was not consistent with itself.

And now, give me Leave to ask, What Reason could I have from a View of these Papers, so dark in themselves, so contradictory to each other, either to believe *these Representations Just*, or *your Complaints Reasonable*? Unless you suppose that I am implicitly to gratify every *Desire*, and comply with every *capricious Demand*, of such as may at any Time be Elected by the People, however unreasonable in themselves, or founded upon Facts contradictory, or destitute of Proof. And here, before I quit this Subject, I must take the Liberty to ask one more plain Question; and as the Answer to it may tend to our better understanding each other, by removing some Obscurities, which seem to me still to rest upon that Address of the former Lower House, I shall hope you will favour me with a full and direct one: The Question is this; Do you insist upon the Naval Officers Collecting, under the Act of Assembly made in 1754, for his Majesty's Service, the Duty of Twenty Shillings Currency *per Head* upon Convicts, Transported by Virtue of the Statute, or do you Not?

That the Means of this Dispute may be the better understood, I must have Recourse to that Address of the former Lower House, containing the Charge against the Naval-Officers, which may be thus divided:

"The Duty on such Servants is required to be paid at the Time of Entry."

"It was the Duty of those Officers to have refused to have Entered such Vessels, until the said Duty was paid down."

"And not to have taken any Impost-Bonds, which is an Indulgence unknown to the Law."

"And that the Address inters,

"that the Naval-Officers ought to be answerable."

And thus I shall leave it to the Consideration of your House, to be made out in the best Manner you shall think proper, either of that Conclusion, or their *unjust Representations*, and *your unreasonable Complaints*, founded upon the Grounds: And shall now proceed to lay before you such Reasons as have greatly contributed towards fixing *Impost-Bonds*, *not however are your Complaints Reasonable, nor their Representations Just.*

That imposing Impost-Bonds, instead of obliging the Trader to pay the Duties down upon Importation, is generally so usual and Encouragement to Trade, it may reasonably be presumed, that they have been in Use in this Province from the first Commencement of Entering and Clearing Vessels amongst us; and indeed I am very strongly inclin'd, that as far as any Discoveries can be made upon this Head, by looking back into former Times, it appears, that this Indulgence has been constantly and universally given to the Trade in this Province. That these Bonds were in Use amongst us so early as in the Year 1715, appears from an Act of Assembly passed, whereby the Attorney-General is prohibited from suing *any Bond taken for Clearance*, *under the Circumstances there specified*; which Description exactly corresponds with the *Impost-Bond* taken at this Day; and another Act passed in the Year 1717, *gives a Fee for an Impost-Bond 5 s.* By these Acts of Assembly, the Legislature seems to have considered these Bonds, not as a private Security taken