

If, by forming a Judgment, and coming to a final Determination, upon our Representations, your Excellency means, as it would seem from your Application of that Right to the Case in Hand, a Right of expounding the Laws of this Province; we must express our Opinion to the contrary; for we presume that final Determinations upon the Sense and Meaning of the Laws ought not to be made by any but those, who, agreeable to our Constitution are appointed, for that Purpose, the proper Judges in the Courts of Law? But since your Excellency has thought fit to lay before us your Reasons for not ordering the Bonds of the Naval-Officers of Port *Annapolis* and *Patowmack*, and the Bonds of the Commissioners of the Paper-Currency-Office, to be put in Suit, we shall consider them, and endeavour to shew, they are by no Means sufficient to acquit those Officers of Neglect of Duty, and consequently that we are right in our Applications to your Excellency, to do Justice to the Country, by prosecuting them for that Neglect; and we must assure your Excellency, that tho' in your Opinion our Representations may, at any Time, injuriously affect the Life, Liberty or Property of any Individual in this Province, yet, as long as they appear just and reasonable to us, we shall think it our indispensable Duty to repeat our Applications for Redress.

Your Excellency, after inserting an Extract of the Report of the late Lower House, and their Address in Consequence thereof, is pleased to say, "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, viz. that tho' the Report treats only of Convicts and Convicts to serve for Seven Years; yet that House, in their Address in Consequence of that Report, seem fond of considering all the Importations, mentioned in the Report, as Servants for Seven Years, in Contradistinction to Convicts." This is indeed a curious Discovery; you allow all Transported Convicts are by Statute to serve for Seven Years at least; Are they not then Servants for Seven Years and upwards? If they are, where is the Difference between the Report and the Address? Surely it can only be in Terms; for if the Report mentions only Convicts, and all Convicts are Servants for Seven Years and upwards, How is it possible that by the Address that House should seem fond of considering all the Importations mentioned in the Report, as Servants for Seven Years, in Contradistinction to Convicts, when they expressly refer to the Report, which treats only of Convicts?

Your Excellency remarking still on that Address, again says, "and at the same Time seems so averse to having any Thing to say to Convicts, tho' that Report treats of nothing else, as to presume, contrary to the Report upon which that Address is founded, and with which that House had concurred, that they (the Officers) had Entered them under the Title of Convicts, tho' they were simple Servants for Seven Years;" we shall only in Answer to this, recite the Part of that Address which your Excellency here remarks upon, as it will be sufficient to shew, that Exactness is not so inherent in your Excellency, as to be Proof against all Examination; for we shall not presume that your Excellency could possibly be wanting in the strictest Regard to Truth and Candour. The Words of the Address are these: "Who (the Naval-Officers) 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 (the Masters of Vessels) have Entered them under the Title of Convicts." Before we leave this Part of your Message, we must trouble your Excellency with an Extract of your Message of the 17th of May, 1757, in Answer to the Address here mentioned, in these Words: "I am advised that the Refusal of any Masters of Vessels to pay a Duty on Convicts by them imported into this Province, would not justify the Naval-Officer in refusing to Enter them." By this it clearly appears, whatever may have since happened to alter your Opinion, that at the Time that Address was presented, your Excellency considered it in the Light we do, as including Convicts under the general Name of Servants for Seven Years. And now give us Leave to ask, What could induce your Excellency, upon a View of these Papers, so clear in themselves, and so consistent with each other, either to believe the Representations of that House unjust, or our Complaints in Consequence of them, unreasonable?

We shall now, without the least Difficulty, give your Excellency a full and direct Answer to your plain Question, viz. "Do you insist upon the Naval-Officers Collecting, under the Act of Assembly made in 1754, for his Majesty's Service, the Duty of 20 s. per Head upon Convicts Transported by Virtue of the Statute, or, Do you not?" We do insist (and shall till better Reasons than any hitherto offered induce us to alter our Opinion) that the Naval-Officers Collect, under the Act of Assembly made in 1754, for his Majesty's Service, the Duty of 20 s. per Head upon all Servants imported into this Province to serve for Seven Years or upwards (except as therein excepted) be they Convicts or Servants of any other Denomination: Conscious as we are of the warmest Affection and Zeal for the Constitution, and Reverence for the Laws of our Mother Country, and moreover possessed with the strongest and most ardent Desire to be more immediately under their benign Influence, which we take this public Occasion to avow to your Excellency,

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