

'Tis true, that the Commissioners of the Loan-Office were, contrary to the established Usage, directed by the 40,000 *l.* Act to put in Suit the Bonds of some Defaulters; and when we see that the Exercise of a Power has been permitted in any Instance of little Consequence, this Permission is set up as a Precedent, surely we can't be blamed for endeavouring to bring Things back to their former Establishments.

Any proper Precaution to prevent the public Monies sinking in the Pockets of Collectors, and to compel the speedy Payment thereof, that it may be applied to the public Service, it is our joint Interest to promote; and we think it would be a prudent Regulation to direct the Commissioners of the Loan-Office to return the Names of all Defaulters to the Governor, that their Bonds may be sued by his Order, when it may be expedient, and that without any public Application to his Excellency for the Purpose. This Method will answer the Design you mention, be more agreeable to the Usage of the Province, and, as those whose Bonds will be liable to be put in Suit, must be charged at all Events with Costs, Mistake and Partiality ought to be strongly guarded against.

We are a good deal surprized at the Answer you have given to our Objection to that Part of your Bill relating to the Application of the Sum of 2500 *l.*

By the plain and express Words of the Bill, you are appointed the sole Judges of the Allowances to be made to such Persons as have been put to an Expence in providing Necessaries for his Majesty's Troops in their Winter Quarters.

You are pleased to assert, that you have made the constant and uninterrupted Usage of the Province, the sole Rule of your Conduct.

We presume you don't mean, that you are by any Law of this Province the sole Judges of all public Allowances; a Clause of the same Nature with this, was inserted by the Lower House in a Money Bill, upon a former Occasion; but it was objected to here, and amended, by substituting the Words *General Assembly*, in the Place of the Words *Lower House*, before it passed into a Law.

"That Claims of every Denomination against the Public, have been laid before, considered, and adjusted by, the Lower House only," we deny; and are at a Loss to conceive upon what Foundation you have made this Assertion: Many Petitions of Claimants upon the Public have been preferred to the Upper House in the first Instance; many Allowances have been made and insisted upon by the Upper House, which the Lower House had not considered or had rejected; and very few Journals of Accounts have passed for many Years back without the Insertion of some Claim, which the Lower House had not considered, or disallowed, before we proposed it.

'Tis very true, that we have seldom disallowed any Claims you had before admitted; your extreme Caution and Frugality in these Matters having generally made it unnecessary; but, that we have always had a Power to consider and examine all Public Claims when we thought proper, can't be disputed; and we presume, that because your extreme Frugality has made a nice Examination of all the Public Accounts unnecessary, we ought not therefore in Prudence to put it in your Power to allow or disallow what you please without Controul.

You observe further, that the Sanction and Aid of the Legislature must be had in this Instance, before the Claimants can be paid their respective Allowances, and you intended to send us a Bill for that Purpose, as soon as this should pass. What you intended to do, we did not know; but had you executed this Intention, Where would have been the Difference? Could we have dissented to the additional Bill for any Thing you might have done in Pursuance of an Authority we had before, by the original Bill, consented to vest in your House? Could we have said, that we would not pass the additional Bill because the Allowance to one was too little, or to another too much, when you had been appointed the sole Judges of the Quantum? What more then did you intend we should do by your Plan, than necessarily and blindfold give a mere passive Sanction to your Proceedings? We must add to what has been said, that if you would have been prepared to send up to us an additional Bill, as soon as the Original passed, we can see no good Reason why the Provisions intended for your additional Bill could not have been inserted in the Original, and thereby made subject as well to our, as your, Determination.

Our Objection to the Narrowness of your Exemption of Persons to be Assessors, it seems, has but little Weight with you, because you think there is little Probability of the Persons we would have exempted being appointed: Now, we are persuaded, that there is as much Probability (at least) that these we have added might be appointed, as the Members of the Upper and Lower Houses of Assembly, and Persons practising Law and Physic, the only Persons included in your Exemption; and that therefore there is the same Reason for having no express Exemption, as for not extending it.

What we meant by *Persons under like Circumstances*, were such as are within the Reason of an Exemption; for