

WHEN Mr. Copley was appointed Governor in the Year 1691, there was a Royal Order, that One Shilling of the Duty of Two Shillings should be paid to Lord Baltimore, as a Compensation for receiving his Quit-Rents and Alienation Fines in Tobacco; and that in as much as his Lordship was deprived of his Office of Hereditary Governor, and the other Moiety was considered as given to him in that Capacity, the other Shilling should be paid to Mr. Copley, this being annexed to, and passing with the Office of Governor.

OUT of this Shilling Mr. Copley was supported till the Act of 1692 passed "for Settlement of an annual Revenue on their Majesty's Governor." In his Speech to the Assembly, he therefore asked for a further Supply.

LORD BALTIMORE had claimed the Fines and Forfeitures; but on the Report of Sir Thomas Trevor he was deprived of them, because he was entitled to them in his Capacity of Governor, and not of Proprietary.

YOU now perceive that Lord Baltimore was entitled to the Tonnage as a Part of his Estate, and not in his Capacity of Governor: The Words of the Report, and of the Order made upon it, are precisely to this Purpose; and it appears from what I have subjoined, that the Distinction was taken between those Revenues that belonged to him as Governor, and those that were his Due in his private Capacity.

AFTER what has been said, you must be satisfied, that a Revival at this Time of the Dispute, Whether Lord Baltimore is entitled to the Tonnage, as a Port Duty, or a Fort Duty, can answer no good Purpose; But this is not the only Objection to his Lordship's Claim to the Tonnage; for it has been suggested that the Act of 1661 under which his Lordship derives his Title to it, was Repealed in the Year 1704.

A RECITAL of the Act of 1704 will shew you that there is as little Foundation for this as for the other Objection: It is entitled "An Act for repealing all former Acts of Assembly heretofore made, saving what are excepted hereby, and enacts, that all and every Act and Acts of Assembly of this Province, made or enacted at any Time before the Session of Assembly begun and held at the Port of Annapolis, the Twenty-sixth Day of April, 1704, except the Act for Religious Worship, and except the Act relative to Annapolis, and which are not Revived, Saved, and enacted this present Session of Assembly, be, and are hereby repealed and made void."

HAD the Act stopped here, there would have been some Foundation for the Objection; and it would seem, from the Manner of making it, that they who have started the Objection, did not, in Fact, read any more of the Repealing Act, than the above Clause.

THE Act however proceeds in the following Words: "Saving always to all and every Person or Persons whatsoever, what was, and is his, and their Rights and Benefits, which he or they had by the former Acts of Assembly, any Thing in this present Act to the contrary notwithstanding standing."

IF the Words of the Saving were in the least doubtful, it might be observed, that tho' Lord Baltimore was not restored to the Government 'till the Year 1716, yet the Tonnage was always received by him to his own Use, without the least Complaint 'till the Year 1739, when a Doubt was expressed by some Persons, whether he was entitled to it. However, the Matter seemed then to be given up, and his Lordship has always continued to receive it to this Time; but the Question has been revived in this present Year.

IT is also observable, that in the Year 1733, the Sense of the Legislature was clearly shewn by excepting his Lordship's Tonnage out of the Paper-Money Act, and leaving it to be paid in Sterling, as it was before.

I PRESUME that full Satisfaction has been given you in respect of his Lordship's Right to the Tonnage.

THE Recitals of the perpetual or indefinite Act of 1692, "for settling an annual Revenue on their Majesty's Governor," having most severely reflected on the Conduct of Lord Baltimore, and this Act having, with its Recitals, been re-enacted in the Year 1704, and given Rise to much popular Odium, and a greater Degree of Jealousy than is necessary to guard against Encroachments; and few Men being inquisitive enough to make the Researches necessary to ascertain on what Foundation those severe Accusations were built, it becomes proper to shew upon what Principles the Assembly of 1692 proceeded, before I enter upon the Question, whether his Lordship is entitled to the Twelve Pence per Hoghead.

I HAVE