

“ to re-pays the like Act for your better Maintainance, as also to assign you an House, or Rent  
 “ for the same, Provided the said Act be passed, and House or Rent assigned to you, for an unli-  
 “ mited Time, or during your Continuance in that Government.

IN Consequence of the latter Instruction an Act of Assembly was passed “ for settling a Reve-  
 “ nue on her Majesty's present Governor, and to endure so long as John Hart, Esq; should conti-  
 “ nue Governor” by which Three-pence per Hoghead were granted to him.

Mr. Hart's Commission from the Crown was determined in the Year 1715, when Lord Balti-  
 more was restored, and Mr. Hart received a new Commission from his Lordship with the *Approba-*  
*tion* of the Crown in the same Manner, that every other Governor hath done since his Time; but  
 yet Mr. Hart, tho' he was his Lordship's Governor, always, without any Objection, or Surmise  
 (as far as I know or believe) that he was not entitled to it, received the Three-Pence per Hogf-  
 head till the Year 1720, when intending to embark for England an Act passed in April Session 1720  
 entitled “ A Supplementary Act to the Act (aforesaid) entitled an Act for settling a Revenue on  
 “ her Majesty's present Governor,” by which Act of 1720, after reciting that it might be doubt-  
 ed whether Mr. Hart would be entitled to receive the Three-Pence per Hoghead after his Depart-  
 ure from this Province, it was enacted that, “ notwithstanding his Departure from this Pro-  
 “ vince, he should continue to receive the Revenue for Twelve Months, or until his Commission for  
 “ Lieutenant Governor (that is his Commission from Lord Baltimore) should be actually superse-  
 “ ded.” This Act affords an undeniable Proof that the Assembly thought the original Act was in  
 Force, notwithstanding his Lordship's Restoration, and that they had not discovered any Differ-  
 ence between Mr. Hart's acting under an immediate Commission from the Crown, and under a  
 Commission from Lord Baltimore with the *Approbation and Consent* of the Crown, according to the  
 7 and 8 of Will. III.

SECONDLY, If his Lordship is not to be considered as his Majesty's Governor for the Reasons I  
 have offered, may he not be considered as Successor of Queen ANNE in respect of this Government?

BY the Act of 1671 the One Shilling per Hoghead was given to Lord Baltimore “ to the In-  
 “ tent his Lordship, his Heirs, and Successors, might be enabled in some Measure to defray the many  
 “ great and necessary Expences of Government, and in particular to allow competent Salaries to  
 “ the Lieutenant Generals, &c.”

UPON Mr. Copley's Appointment by their Majesties King William, and Queen Mary, there was  
 an Order of Council, and Instruction authorizing him to receive the One Shilling, tho' given to  
 enable Lord Baltimore his Heirs and Successors, to allow competent Salaries to the Lieutenant Ge-  
 nerals, &c.

UPON what Scale of Reasoning was this Order made? Here was a Provision made for the  
 Support (among other Things) of the Governor. The Powers of Government were to be ad-  
 ministrated, the People were to be protected. They receiving the Benefit from a Government pro-  
 perly supported, it was just that they should provide for that Support—They had provided for it by  
 a Tax, it was equally just this Tax should be applied to it—Lord Baltimore was disabled to apply  
 the Tax to its destined Purpose, the Power he had, before his Incapacity, had reverted to the  
 Crown—His Lordship's Office of Supreme Magistrate had determined, their Majesties succeeded  
 him in this Capacity here, and therefore became entitled to all that his Lordship had lost, and had  
 the same Duties to perform.

UPON the Supposition that the Tonnage, tho' given to the Lord Proprietary, and his Heirs,  
 could only be claimed by him in his public Capacity, the Duty was in 1692 directed to be paid to  
 their Majesties Receiver, and kept in his Hands till it should be decided in what Right his Lord-  
 ship was entitled to it. The Assembly contended that he was entitled to it in his public Capacity,  
 and thence inferred, that upon the Determination of this Capacity it belonged to the Crown.

THE Assembly failed in their Attempt, because they failed in their Premises; but had these been  
 just, their Conclusion would have stood.

MR. COPLEY's Instruction was to require a further Provision, a very improper Expression, if  
 upon the Royal Assumption of the Government there had been no Provision.

THO' Lord Baltimore controverted other Matters, yet he gave up without Dispute the One Shil-  
 ling per Hoghead, notwithstanding it was granted to himself.

WHEN a Duty was laid for the Support of Government, it was made payable to Lord Balti-  
 more, because he was at that Time the Supreme Magistrate, and his Name was used because of  
 his Office, and as descriptive of it, so when the King, or Queen was named, the Designation  
 was