

Force, the Act of 1704 was suspended; but the Time for its Suspension having expired with those Acts, their Will hath been satisfied, and therefore nothing now remains to control the Operation of the Act passed by the Legislature in 1704.

SECONDLY. As to the Instruction given to Governor *Hart* directing him to apply Three Pence, or a Fourth Part of the Twelve Pence per Hoghead in purchasing of Arms and Ammunition, and the Inference drawn from it, that the Support of the Government did import more, than the Support of the Governor, I suspect that the Circumstances, which apply to this Subject, have not been understood.

By the Act of 1692 Twelve Pence per Hoghead were expressly given for the Support of the Governor, and yet Mr. *Copley* and his Successors were instructed to apply, and lay out Three Pence, or a Fourth Part of the Duty of Twelve Pence per Hoghead, in purchasing Arms, and Ammunition.

Mr. *Copley's* Instruction, it is true, does not appear from any of the Journals during his Administration; but, in the Time of his Successor, who fairly produced that which he had received, it afterwards appeared that the Instruction to Mr. *Copley* was found in his Desk, or Bureau, after his Death. This was not the only Instance of the improper Conduct of that Gentleman, when his Interest was concerned, others might be mentioned besides the extravagant Supplies he obtained, by taking Advantage of the liberal Temper of the Assembly in the Honey-Moon of his Government.

You perceive now, that there is no Room for the Inference drawn from the Queen's Instruction that "Support of the Government" and Support of the Governor" were Expressions of different Import, since Mr. *Hart's* Instruction was only a Renewal, or Repetition of the [2] Instructions given to the Governors *Copley*, *Nicholson*, *Blakiston*, and *Scymour* when the Twelve Pence per Hoghead were settled upon the Governor expressly.

THERE was a similar Order in the Affair of the Ordinary Licences, which, tho' granted expressly to the Governor, were in pursuance of the King's Pleasure applied to the Benefit of the Secretary, Sir *Thomas Lawrence*.

BUT it is remarkable that, notwithstanding there was the above Instruction, Mr. *Nicholson* had another, requiring a further Supply for the better Support of the Governor, tho' he informed the Assembly, with great Consideration, that, in Consideration of the Public Debt, and the Necessity of discharging it, as well as of raising such a Fund as would be answerable for the Public Service, he did not then insist upon an Addition, to what their Majesties had been pleased to allow † him.

In this Session, however, tho' Mr. *Nicholson* did not insist upon a further Supply, yet so much Regard was paid to the Royal Instruction, that the Assembly notwithstanding they had many Calls upon them for Money, passed an Act giving his Excellency Three Pence per Hoghead over and above the Twelve Pence raised for the Governor's Support by the Act of 1692, nor did they stop their Bounty here: For they also passed another Act for the full better Support of the Governor granting him Three Pence per Ton on all Vessels trading within this Province, &c.

THE Business of further Supplies for the better Support of the Governor was also, in Pursuance of the Royal Instruction always repeated upon every new Commission, properly attended to in the Time of his Successor: For besides the established Revenue by the Act of 1692 and the Three Pence per Ton, he also in 1698 obtained a Grant of Three Pence per Hoghead on all exported Tobacco, reckoning 400lb of Tobacco to the Hoghead, during his Government—The Three Pence per Hoghead, received in the Interval between Governor *Nicholson's* leaving the Province, and this Session, were also given to Mr. *Blakiston* together with a Present of two Hundred Pounds Sterling—In Two Years this Gentleman received another Present from the Assembly of Two Hundred and Fifty Pounds Sterling, and in the Year 1702 of Four Hundred Pounds Sterling.

[2] There was a Mistake in the Reference of these Instructions, in Point of Date. Instead of 1679, the Date mentioned in them, the Intention, probably, was to refer to the Act of 1671, or one of the continuing Acts of 1674, or 1676. This Reference, without more, answers the Objection.

* This Word insist would now sound very harshly in the Ears of an Assembly; but between the Years 1692, and 1716 when a Royal Instruction was the Topic, the Language was generally very peremptory.

† This Allowance was made, out of an Income expressly given to him by the Act of 1692.