

Though I conceive that the Distinction which hath been suggested, is sufficiently evident, and that the Argument from Precedents hath been refuted, yet, as there have been two or three Instances particularly enforced and relied upon, I must beg the Reader's Patience whilst I examine Them separately, without undertaking the Task to remove every Incongruity to be found in the Writings of the Enemies of *America* on this Occasion; for it would require an *Hercules* to cleanse the Stable.

The 5th *Geo. II.*, it is alledged, “ abrogates so much of the Common Law as relates to Descents of Freeholds in America, takes from the Son the Right of Inheritance in the Lands the Crown had granted to the Father, and his Heirs in absolute Fee, makes them Assets, and applies Them to the Payment of Debts and Accounts contracted by the Father without the Participation of the Son; it sets aside the Sort of Evidence required by the Common Law, and establish'd by every Court of Justice in America, in Proof of a Debt, and enjoins the Admission of an *ex Parte Affidavit*. The Power of Parliament having been exercised to take away the Lands of the People in America, the most sacred Part of any Man's Property, and disposing of Them for the Use of private Persons Inhabitants of Great-Britain, who can question,” says the Examiner, “ the Parliament's Right to take away a small Part of the Products of those Lands, and apply it to the public Service?”

It is very observable, that in applying this Statute, a Language is made use of, which gives the Idea of Violence; and it must be confessed, that great Aggravation of Features, and strong Colouring, were necessary, to make it in any Degree resemble the Impositions of the *Stamp-Act*.

It would be useless, as well as tedious, to point out every Misrepresentation in this Application, since that will be effectually done, by briefly shewing the Effect of the 5th *Geo. II.*, and suggesting the Occasion of making that Statute.

Lands, Negroes, &c. in the Plantations, are made Assets for the Satisfaction of all Debts owing to his Majesty, or any of his Subjects, in like Manner as Real Estates are, by the Law of *England* liable to the Satisfaction of Debts due by Specialty.

If the Creditor resides in *Great-Britain*, the Affidavits of his Witnesses taken there, are to be allowed as Evidence, and to have the same Force their Testimony would have, if given, *viva Voce*, in open Court.