

largely to keep alive the respective claims of each side, and did not give rise to the exchange of the acrimonious messages between the two houses which had characterized preceding sessions, in which claims had been advanced with heat and rejected with scorn.

The determination on the part of the Lower House, as representing the people, was as strong as ever to secure an appropriation for the support of an agent or representative in London, who would present before the Crown their various grievances against the Lord Proprietary, in the hope that relief might be in this way secured. But, thwarted by the continued refusal of the Upper House to authorize an appropriation providing a support for such an agent, at the 1766 session, the Lower House launched a scheme, which proved to be unsuccessful, to obtain funds for this purpose by a popular subscription and by a "Liberty Lottery".

The principal disputes between the people and the Lord Proprietary which were brought forward during this period were the disposition of license fees from ordinaries or inns and other sources, and the dispute as to whether the salary of the Clerk of the Upper House should be paid by the public or by the Proprietary, a quarrel which for ten years had held up the adoption of the Journal of Accounts and payment of the public debt. Both of these controversies were settled during this period. An opinion by Daniel Dulany, the outstanding colonial lawyer of his day and the legal advisor of the Proprietary, finally settled the dispute about the licenses, Dulany declaring that as these were not specifically reserved to him by the Charter there was no means by which the Proprietary's claim to them could under the common law be legally sustained and enforced in the courts. A compromise in regard to the payment of the salary of the Clerk of the Upper House was effected by an agreement between the two houses to refer this dispute to arbitration by the King in Council. This agreement also carried with it provision for payment of the long over-due public debt, which the Upper House had for so many years refused to approve unless the salary of its Clerk were included. To the payment of the debt on these terms the Lower House had, as a matter of principle, with equal determination refused to accede until arbitration of the salary question had been agreed upon.

In order to prepare its side of the case in the controversy over the payment of the salary of the Clerk of the Upper House, a committee of the Lower House during the recess of the Assembly demanded access to the records of the Governor and of the Privy Council. This was refused by Governor Sharpe and by the Provincial Secretary, Daniel Dulany, on the grounds that such a committee had no authority to demand the right "to rummage" at large through