

U. H. J.  
Liber No. 36  
Nov. 26

to take notice of the Demands of the Militia for their services, you have industriously avoided to call them by their Proper name; with this View, in all your late Resolutions, you have indeed distinguished Them from the other publick Creditors, and with this View, you now endeavour to distinguish Them; But They having, in Truth, served, as Militia, and been ordered upon Duty, as militia, They ought to be paid, as Militia, and as such, by An express Law, as obligatory, and Necessary as any we are governed by, They are to be paid in the Publick Levy, and whatever concern you may really feel at our not agreeing to their being paid in any other manner, You can hardly be Surprised at it, Since, when they shall be Regularly paid, the Impotence of your Resolves, opposed to the Obligation of the Laws, will be acknowledged, and the Authority of Government admitted, Purposes of too much Consequence to the good order, and welfare of the Province to be neglected—The overplus of the Funds established to Support the Expences of the War might be applied to the present Defence of the Province with greater Propriety, than to the Satisfaction of the Militia, who are directed to be paid, by the clear terms of an express Law, now in full force, and Vigour, in the Public Levy—If those who by their Conduct have Contributed most to the Encrease of the Publick Debts ought to be paid last, we shall hardly be thought Partial to ourselves, when we express a willingness to be satisfied for our attendance at the same time with yourselves, We don't undertake entirely to judge in this matter, For as you well know that a Considerable Part of that Debt was Contracted in Consequence of your Perseverance in the Assessment Bill, So you know also that, In the Opinion of a very respectable judge, Who is not Interested in our disputes, We could not Concur with you in your favourite System, Consistently with the Principles of our Constitution

The Claim you allude to, and are pleased to term unreasonable, We Conjecture to be the Demand of the Council; But What ever Compliment you may think your Steady Opposition to this Claim merits, We hope you have Some more valuable Service to boast of, for otherwise it would be a poor Compliment indeed, and something more than an implied Acknowledgment that your Conduct ought to Distinguish you from other Publick Creditors, to say, that you have done no better Service, than what results from a fruitless Opposition to a Demand, which has always been allowed in every Publick Levy

Signed p Order John Ross Clk. Up.<sup>r</sup> Ho.

The Following Message is sent by John Ridout Esq.<sup>r</sup>

By the Upper House of Assembly 26.<sup>th</sup> November 1763  
Gentlemen

Having for the Reasons already communicated to you & which we apprehend will Sufficiently justify that part of our Conduct rejected