

U. H. J.  
Liber No. 36  
Dec. 19

the most deliberate Acts of our Legislature ought to take Place, unless the precedents have been experienced to be inconvenient, or can be clearly proved to be Oppressive. The Use of Precedents must be perceived when the Inconveniencies of Contention which flow from a Disregard of Them are considered, and especially when they are severely felt. When we reflect that the Intercourse and Privileges of Members of political Bodies, the Measures of Justice in Contests of private Property, the Prerogatives of Government, and the Rights of the People are regulated by them. There is moreover a Reverence due to antient Establishments, adopted by subsequent uniform Usage, and a Modesty to be observed in opposing the sentiments of Those, who have occupied the Stations we are now placed in, with at least an equal Reputation of Ability, Integrity and Vigilance for the Public Good.”

You do not examine our Reasoning, or expressly deny the Principle of it, but you would confront it by the Passage you have quoted, with how much Propriety or for what Use, we leave to their Determination, who may have the Curiosity to make the Collation To argue from the Abuse of a Thing against all use of it, is a Method of Reasoning not likely to have much Influence in convincing, to whatever other Purpose it may subserve, and without entering into a minute Consideration, by what Means the Resolution, or the other important Events you have celebrated with it, have been brought about in Struggles for Justice & Liberty, Subjects on which there would not be a perfect Coincidence of our Opinion, we cant help remarking that your Conclusion from such Premisses against the ridiculous Annual Farthing-Tax, to support the salary of the Clerk of the Council, is rather too ludicrous. The Terms Struggles for Liberty you have without Doubt a Right to use, but when applied to the very little Affair of the Clerk’s Salary, Words expressive of a less important Dispute would be more proper. The Precedents we cited, were the deliberate & voluntary Acts of Sensible Honest and Freemen, on a Subject they well understood, and if such ought to be of no Weight, we confess ourselves to be mistaken. Why M<sup>r</sup> Ross did not make his Claim, or whether the Practice hath or hath not prevailed of making it as you mention, we are not informed but by M.<sup>r</sup> Ross’s Declaration, that it never was the Practice, but it is observable that He did not put in his Claim for making out Journals as Clerk of the Upper House which hath however been allowed without Dispute, and as it can’t be imagined he intended to give that up there seemed to be very little Reason for your Inference from his Omission with respect to his Claim as Clerk of the Council.

What you have observed in Reference to our Proposition for appointing an Agent or Agents for both Houses doth not in this Place require a particular Answer, because in our Message with