

Affairs, his Acting in an honorary Office, and having a Share in the Government, evidently distinguish his Case from that of a Clerk, who could have no other Inducement, than the Gains of it to desire an Appointment. In 1753, the Proceeding of 1736 were referred to, & upon Inspection we find that the Allowance of the Members of the Council was controverted, yet no Objection to the Clerks Salary was intimated, so that your Inference that they were considered in the same Light is not admissible. As to the Occurrences in 1750, 1751, and 1752, this general Remark may be applied to all of them, that there were other Claims not inserted in the Journal as well as the Clerk's, which have been always since admitted, & are inserted in the present Journal, and, after all, the Fact turns out to be incontrovertible, that the Clerk of the Council's salary hath always been allowed in every Journal that hath received the Assent of the Legislature to this Time.

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

Your Message of the 17th Instant, coming to us in the Evening, and the Reading of it not having been finished 'till about 8 o'Clock in the Night, we have not Time to discuss so fully as the Nature of the Subject requires, the Topics relative to the 12^d p Hogshead Tonnage &c, and especially as your Impatience, for Reasons we admit to be very pressing, and are extremely sorry have occurred, is so very excusable.

We conceive that Lord Baltimore is clearly entitled to the 12^d p Hogshead, without being liable to render any Account of his Application of the Revenue arising therefrom, because by a perpetual Act now in full Force, that Impost is given for the Support of Government. We apprehend the Law to be perpetual, because the Time of its Duration is unlimited, as well as the Subject of it, and that his Lordship is entitled to receive the Revenue, because he is Hereditary Governor, and that as well the Meaning of the Terms "Support of Government" as the Construction always put upon them, whilst the Government of this Province was administered by Governors appointed immediately by the Crown, shew, that the Revenue belonged to the Governor without rendering an Account any particular Application, The Kings Governor, M^r Copely, received Money granted for the Support of Government, by a Law which passed while Lord Baltimore administered it. p. 287

We conceive that when Grants have been made for the Support of Government without any further Explanation, the Terms have been always understood to mean the Support of the Governor, and therefore your Imagination that the Clerk ought to be paid out of it is without Foundation, and that Contemporary Exposition, as well as uniform subsequent Usage, is a clear Answer to your Objection. During the Time the Government was administered by a Governor appointed by King William, no Account was ever rendered or called for in Reference to the Application of Monies generally granted