

U. H. J.
Liber No. 36
Dec. 13

Purpose, and that your Denial of doing Justice to a Servant of the Public, by the Application of Monies, over which you have a Power with the Concurrence of other Branches of the Legislature, and undertaking with this Refusal to point out the Application of Money, which is independant of you, is effectually setting up a Claim unauthorized by the Laws and Constitution of this Province, as well as contrary to all Precedents. If, upon a more mature Consideration of the Subject, you should really, and seriously think, that the Clerk of the Council ought not to be paid in the usual Manner, and an Application of any Part of the revenue given for the Support of Government ought to be made for his Satisfaction, we have now to offer to you a new Method for the settling the Justice and Propriety of your new Proposition. We will agree to the Passage of a Law, for raising, or applying a Sum of Money for the Support of an Agent for each House of Assembly, who may be forthwith instructed to lay the Subject Matter of our Controversy before his Majesty in Council, and to obtain as speedy a Decision thereon as may be consistent with the usual Forms of Proceeding in such Cases, and that the People may not have Reason to complain of their being kept out of their Claims, We further propose that all the Public Creditors be immediately satisfied except the Members of the two Houses and the Clerk of the Council, who may wait 'till a Decision of the Question shall be notified to us. p. 258

And now, Gentlemen, we think it behooves, in the most explicit Manner, to declare to you, that if you, should remain inflexible, and reject the Expedient we have offered for terminating the unhappy Misunderstanding which hath already given a deep Wound to the Credit, Peace, and Order of this Province, We, on our Part, shall ever think Ourselves bound by all the Tyes of Justice and Honour to support the Claim of the Clerk of the Council, and if nothing will satisfy you but our Sacrificing a Servant of the Public, who in our Judgment and Conscience, is most justly entitled to a Compensation from the Public for his Services, tho we shall be most sensibly affected with the Distress of the Public Creditors, and indeed of the whole Province from the Miscarriage of the Journal, yet we shall desire great Consolation from the Reflexion, that we have exerted all just and reasonable Means for promoting its Passage, and preventing the general Mischief of its Failure.

Signed p Order Upton Scott Cl: Up Ho:

Adjourned until 10 oClock Tomorrow Morning

Saturday Morning 14 December 1765

Dec. 14

This House met according to Adjournment
Present as Yesterday & Col Hammond