

In the Secretary's Office

Lib. DDN.º 11 Containing Judgments

L. H. J.
Liber No. 54
Nov. 9

All which is submitted to the Consideration of the Honble House

Signed by Order John Courts Jones Cl. Com.

Which was read the first Time and ordered to lie on the Table

The House adjourns till Monday Morning 9 O'Clock

Monday November 11.th 1771

Nov. 11

The House met.

All Members present as on Saturday except M.^r Buchanan, M.^r Gresham, M.^r Moale, M.^r Weems, M.^r Dennis, M.^r Allen, M.^r Robins, M.^r Chaille, M.^r Contee and M.^r Chamberlaine.

The Proceedings of Saturday were read

M.^r Johnson, one of the Conferrees of this House delivers to M.^r Speaker the following Paper

From an Expectation that if the most material Points could be settled there would be little Difficulty in Matters of less Importance, we declined reasoning on some of your Propositions tho' we are persuaded we could evince the Propriety of such Parts of the Bill as are therein objected to

In the present Bill the Lower House have adopted the Provision for the Clergy proposed last Session by the Upper House. No Argument can be necessary to evince to the Upper House the Propriety and Justice of their own Proposition. Your Honours are now pleased to object to this Part of the Bill and have observed "what passed the last Session not having been productive of any Regulation, can't, you presume, be binding on both Houses at this Time." Permit us therefore to remark that tho' upon the Concurrence of both Houses only neither of them are legally bound, yet in Point of Consistency essential to the Dignity of Legislation, a Departure from a Proposition solemnly made and deliberately acceded to cannot be justified whilst the Principle remains upon which the Proposition was founded. You have not even intimated that you have changed your Opinion of the Propriety and Justice of your own Proposition, nor have assigned any other Cause for departing from what you proposed than the Assurance you have had by Message that his Excellency will not pass the Law with the Alternative extended to the Clergy. The Lower House of Assembly profess themselves totally unacquainted with the connection between the Governor and one Branch of the Legislature, and your Honourable House and therefore we cannot express ourselves on the Propriety of this