

I hereby certify that the foregoing is a true Copy taken from the Journal of the Lower House of
Assembly November Session 1766. ¹⁶⁴⁰
Jas. M. Macnamara Esq. Secy. Ho.

The Pleading Letter and Extract from the Lower House referred to in that Letter having been
delivered to his Excellency the Governor by Daniel Dulany Esq. and his Excellency having been pleased
to call a Council the following Letter was read and approved of as proper for Mr. Dulany to send to the
Gentlemen who subscribed the first mentioned Letter in consequence whereof his Excellency was
pleased to give his Direction to Mr. Dulany to send the same which follows in these Words Vizt.

Gentlemen

My Clerk, Mr. Ghiselin, this day, at about one o'clock, delivered to me your Letter in
which you are pleased to refer him to an Extract from the Journals of the Lower House of Assembly
November Session 1766 for your Authority as a Committee appointed by the Resolves of that Branch
of the Legislature, to inspect and examine all the Journals of the Upper House in the Secretarys Office
preceeding the Year 1701 and also of the Lower House preceeding the Year 1693 and between 1696 and
1701. In perusal of the Extract I observe the Lower House resolved that you as a Committee in
the Name of Assembly should have free access to all Papers, Books, Records in any of the Publick
Offices, to search and examine the same and demand, and take Copies of any part thereof, you
should think proper and moreover that you should have Power to employ a Clerk with the ordinary
allowance of Clerks in Session the Lower House engaging to take care that you as a Committee
should be indemnified in prosecuting this as well as other Branches of inquiry directed by the
above Resolves. In consequence of his Excellency the Governors Prorogation the Authority of
the Lower House I conceive determined, and as that Branch of the Legislature could not conti-
nue their whole Authority, neither could Part of their Authority, by their Single Act, or Resolve be
exercised upon particular Members as a Committee to be exercised after the said Prorogation. In Virtue
of my Appointment to the Office of Secretary, the Custody of all Books and Papers lodged therein
belongs to me and for their entire Preservation I have given Security in a large Sum, I am at a
great Expence in the necessary Provisions for discharging the Duties of my Office, You well know
that I receive no Salary, but am obliged to defray the Expences incident to my Office, and am Supported
by the Fees allotted by Law for particular Services a considerable part whereof arises from Transcripts
and Copies of the Books and Papers in my Custody. I derive my Commission from the Lord Proprietary
and until he shall be pleased to supersede me no one has a Right to controul me in the Power
and Perquisites incident to it, either in the whole or Part, but if a Clerk appointed by you or even by the
Lower House in Session, is to have the Custody of the Books and Papers lodged in my Office or to
take Copies from them, his Authority pretanto, would supersede my Commission, and operate
as an appointment of a new Secretary, or at least, a Coadjutor in Office. The Nature of the
Subject and the Duty of my Station oblige me in the most explicit and unreserved manner to in-
form you that for the Reasons suggested, I cannot admit your Authority, as a Committee of the
Lower House, tho' as private Gentlemen quite independant of and abstracted from all Consideration
of your appointment, I shall take great pleasure in complying with any request you shall think
proper to make consistent with my Duty, having the Honour to be with great Regard.

10. February 1767.

Having last Night been informed by Mr.
Ghiselin of your Demand of some Papers out of
the Secretarys Office, I gave him my Instructions in
writing this day, to refer you to myself for any Requisitions
you may choose to make.

Gentlemen Your most Obedient

Humble Servant.

Daniel Dulany