

and Priviledges, this house did not then say there was Difference there betwixt both houses, as to their grief they find there now is, and this house denyes that they did by their Message asert it to be the Right of the Lower house to appoint Clerks of any Committee of their own Committees we Grant, But this Committee is none of their own but a Committee of both houses consisting of Members as well of Ours as their house; This Committee choose their Chairman and accordingly their Clerk and approve the same by Entering upon the Business of that Committee, and as it was a Committee of both houses, that is, of Members of both houses with their Chairman and Clerk who are as Speaker and Clerk of either house; It is illegal and Imparliamentary for any part of the Members of that Committee to separate themselves without their Chairman or being by him Adjourned or asume to sitt and appoint a Clerk as the Members of the Lower house in that Committee have done, and this house do hereby protest against the said proceedings and sitting of any Members as a Committee of Accounts who are not such, and Declare the same to be unlawfully assembled and their reputed Clerk is hereby Declared no Clerk of any Lawfully Committee of Accounts If the Clerk Boye were not Capacitated it was the Committees Business to lay him by and choose another and if they could not agree it ought to have been Reported to both houses But this is not the case they illegally and Abruptly break up without being Adjourned by their Chairman and go and sitt and choose a Clerk of their own without their Chairman or any Member of this house being present Contrary to the known right and Proceedings of Parliaments, and this house desire the Lower house to concur and join with this house in the Rectifying this and the like abuses and desire that a good understanding between both houses may be preserved whereby we may proceed upon the Business of the Country and not Impede the same to the vast Charge of the Country as by these Differences we are liket to do

Signed G. Order Tho. Grunwin C^t of Assembly.

Coll Bye goes with the same to the Lower house Returns having Delivered it
 Coll Fowles, M^r Harris, M^r Stone, M^r Singan, M^r Dare M^r Hawkins and D. Brooks
 from the Lower house with the Anniversary Act for the Birth of the Prince

The same read again and asented to by this house and sent to the Lower house by their honours Coll Sailer and Coll Digges Major Sewall and M^r Clement Hill

Coll Fowles M^r Singan M^r Shurston M^r Harris and M^r Hawkins with this Message
 Lower house 5 December 1688

This house have read and Considered of the last Message of the Upper house by the honourable Coll Bye and say as in their former Message that they did not apprehend any Misunderstanding between the two houses as it seems by the last Message of the Upper house have therefore this house to clear themselves of the Occasion thereof and to give all reasonable Satisfaction that possibly they can do say —

They do not deny but the Committee of Accounts have power to choose their Clerk If not before appointed by this house which they conceive is a branch of their priviledges to do especially in that of Accounts and hath always been done hitherto and never refused or Objected against till now —

The Members of this house in Committee did averr the said Boye was not as they conceived Sufficiently Capacitated for that Office and thereby would ...