

ver since the first Settlement of our Constitution, was enough to make us suspect other Omissions, and on a curiory Perusal of it, we found our Suspicions were not without Foundation, as would be made appear to you, was the Journal to be again sent us, for a proper and careful Examination, and we are apt to think we should discover likewise, that not a few Claims are foisted in which ought not in Reason to be admitted; but as we expected on a full and accurate Examination to discover many more, we did not choose to particularize a few Omissions that were obvious, lest you should thence conclude it would pass, when they alone were rectified. We do not affect Ignorance of the Refusal of the Lower House in 1756, to make Mr. Ross the usual Allowance, and we also heard of the Vote you had passed this Session, relative thereto, but however obligatory you may consider such Votes, you must not imagine they will have the least Weight with this House, unless you can convince us of their being reasonable and consistent with Justice, which is by no Means the Case on the present Occasion.

If, Gentlemen, you can shew us any Precedents of a Clerk of the Council's appearing before a Committee of the Lower House, or delivering them an Account to shew by what particular Services he had earned the Tobacco annually allowed him on the Journal, we will recommend it to Mr. Ross to make you out a Bill of Particulars: But if no such Precedent can be produced to countenance your Requisition, we are not disposed at this Time to suffer such Innovations, or gratify the Curiosity you have to know on what particular Business the Gentlemen of the Council, have from Time to Time been called together, or consulted. How much the Money annually collected in this Province for the Support of Government might amount to, we do not exactly know, but we believe it is far short of what you would have it supposed, that not a Shilling is collected contrary to Law, and that in the Payment, every Indulgence, which reasonable People can desire, is given both by the Lord Proprietary and his Lieutenant-Governor. His Lordship's Income, does we presume, enable him to do many generous Things, but we cannot think, that because he is able, he therefore ought to make the Clerk of the Council, a full Compensation for his Services, when his Lordship knows that such Clerk is a Constitutional Officer, and has always been paid in the Manner we insist shall be continued.

We are not much surprized at your concluding, from the Members of this House waving at the Time the last Levy Bill was passed, their respective Claims as Councillors, that we should not insist on the usual Allowance being made at this Time to Mr. Ross, but however strange the paying more regard to another's Interest than one's own might at present appear to you, we shall by our Proceedings endeavour to convince you, that such a Thing is not impossible; at the same Time taking the Hint you are pleased to give us of the Danger of making any more Concessions of the Kind you mention, or waving any Right for the future, in order to obtain a present or temporary Good to the Province. Sorry we are, that the Public Credit, which it is incumbent on both Houses to support, is by Reason of your unwarrantable Pretensions, reduced to the lowest Ebb; but we flatter ourselves, that if your Constituents are actuated by any Principle of Justice, of which we have not the least Doubt, they will not lay the Blame at our Door, or wish us to revive such Credit, by making a Sacrifice of a single just Creditor, in which Light we are confident Mr. Ross must appear to every one of them, that has not been taught to believe the People's Representatives alone ought to be invested with all the Powers of Government, Executive as well as Legislative, and that consequently both the Council and their Clerk should be annihilated as soon as possible. Whatever Opinion you may entertain, *Gentlemen*, of it's being the peculiar Privilege of the Lower House of Assembly in this Province, to adjust the Publick Claims, we positively deny their having always or ever exercised such Privilege exclusively, being able to produce numerous Precedents to the contrary, and indeed if you did not think it absolutely necessary, that this House (consisting generally of too few to spare Members for many Committees) should be satisfied of the honest and true Adjustment of such Claims, why will you send us the Journal to examine, and not rather offer us, instead thereof, a Levy Bill, providing for the Payment of the Public Creditors, whose Claims you may choose to put on the same Footing with your own; and if we have no Right to see Vouchers exhibited by Creditors, in Support of their Claims, to what Purpose should we look into the Journal when you send it up to us? To prevent your putting forced Constructions on any Expressions in the Messages you allude to, or making unfair Deductions from them, in order to mislead others, we think it necessary to tell you plainly, that it was not the Intention, nor is it the Desire of this House, to have a Poll Tax laid for Payment of the Public Creditors, if there shall be Money enough in the Treasury for that Purpose, exclusive of what has been raised for his Majesty's Service. We are very far, *Gentlemen*, from being desirous to lay any Burthen on the Inhabitants that can possibly be avoided, and well would it be for the good People of this Province, of whose Applauses you seem so confident, if it was as much in our Power, as Inclination, to lighten those that will necessarily fall on them.

Signed per Order,

J. Ross, Cl. Up. Ho.

*Benedict Calvert*, Esq; from the Upper House, delivers to Mr. Speaker, the following Message, viz.

By the UPPER HOUSE of ASSEMBLY, 26th November, 1763.

GENTLEMEN,

YOU having thought proper to blend your own Conduct with that of former Assemblies, and to make their Resolves the Basis of your Proceeding, we are necessarily led to take Notice of