

U. H. J. for the Support of Government, a Circumstance, which, without  
 Doubt, will have particular Weight with you, who appear to be so  
 well satisfied, that Glorious Prince would not have suffered any  
 Misapplication of Public Monies. The Queries which you have been  
 pleased to put are answered by what we have observed.

Liber No. 36  
 Dec. 19

We urged it as a conclusive Argument that the Clerk of the Council never was intended to be paid out of the Monies granted for the support of Government because from the first Settlement of this Province to the last Journal that passed, he had always been provided for in another Manner and in order to elude the force of this Proof, you alledge that the several Revenue Bills which passed between the Year 1704, and Lord Baltimore receiving the 12<sup>d</sup> p Hogshead prove the Expiration of the Act of 1704 as properly as the constant Allowance of the Clerks Salary in the Journal doth, that it was not intended to provide for him out of the Monies granted for the support of Government. We perceive Nothing like a Conclusion in this Part of your Message, but lest we should have overlooked what might be discovered on a closer Examination, it may be proper to observe, that in Consideration that the Temporary Revenue Laws from 1715 to 1733, you allude to provided an higher Revenue than the Act of 1704 in Consequence of the Enlargement of Tobacco Hogsheads the Act of 1704 was during that Period suspended; but these Temporary Acts having expired the Suspension of the perpetual Act of 1704 ceased, and therefore since the Removal of the Suspension the Act resuming its original Operation, the Duty hath been always received under it to this Time.

A regular Deduction & Detail from the first Settlement of this Province of the Revenues supccessively granted for support of Government and the Application of them the present Occasion will not admit of, but if the Dispute of the 12<sup>d</sup> p Hogshead should hereafter be revived, We shall be ready to lay before you what occurred to us on that Enquiry. Why you should insist that the Tonnage should be deemed Public Money Subject to Account we cannot Conceive.

p. 288 The Tonnage is expressly granted "to Lord Baltimore and his Heirs or Person by them impowered to receive it" and not a Syllable said about the Support of Government or any other Use and this Matter having been expressly decided in his Lordships Favor before his Majesty in Council in the year 1692, If that Determination will not give you Satisfaction, it would be to little Purpose to refer any Dispute to the same Authority. Before that Determination there was an express Order of his Majesties Council in 1690, That the Tonnage should be answered to Lord Baltimore as Proprietary of the Province & an Instruction to Governor Copely, the Kings Governor here, to permit Lord Baltimore or his Agents to receive it without any Interruption, and in Consequence of the above De-