

may Evince the Truth of them. Whereupon a Conference was Resolved and Appointed By Both Houses. But the Report Not agreed on—on The 3^d Message By the Upper House October the 18th 1723 about Councillors Allowances to the Lower House—They observed, that the Resolution of the Lower House was, Not to make any such allowances. Whereupon they observed to the Lower House their mention of the Law in 1670-1 for Laying a Duty of Two shillings per Hogshead on Tobacco exported out of this Province, one shilling whereof was given to His Lordship for the Support of Government and for allowing Convenient Salaries to His Privy Council, which was again continued in 1674 & 1678 for the same Uses. From whence you inferr'd That the one shilling per Hogshead in 1717 ought to be applyed to the same uses as in 1670-1—Concluding His Lordship is obliged to maintain His Council out of the aforesaid one shilling per Hogshead. The state of the Case—The Law in 1670-1 first raised the one shilling per Hogshead, payable to the Lord Proprietary, for the Support of Government, and for Payment of the Salaries to the Council, and for maintaining a magazine in the Province: Which Law stood continued from Time to Time till 1692—when the Government was under the Administration of the Crown, and then a Law was made for raising Fourteen pence per Ton, on all Ships or Vessels trading within the Province, out of which a standing Salary of Thirty Pounds per Annum was to be allowed to all such Councillors as did not hold any Places of Profit in the Government; And likewise another Law for raising the one shilling per Hogshead aforesaid, and applying to other uses in Government. For it could not be Supposed that any part of it was intended for the support of the Council when they were provided for by another Law; But upon making of the Law for applying the Fourteen Pence per Ton toward the support of the Council, and for Defraying other Charges in Government, My Lord Proprietary, who knew he had a Right to the Fourteen Pence per Ton by His Prerogative, Applied himself to the King and Council in England, and procured an order to have the Fourteen Pence per Ton, restored to Him again, and Has ever since received it to His own proper use, by which means the Council became destitute of any Allowance, the one shilling per Hogshead being applyed another way as has been before observed, Upon this, the Legislature took their Case in Consideration, and made them an Allowance in the Publick Levy, which has been done annually for above Thirty years past, And the one shilling per Hogshead was Annually applyed to other uses in Government, according to the Directions in the Law made in 1692 aforesaid and other Laws to the same purpose, until 1715 after the Gov-