

562 *Assembly Proceedings, September 23–October 26, 1723.*

U. H. J. Reasons mention'd in our Message of the 14th Instant by M^r Beale and five others.

Signed p Order M. Jenifer Cl Lo. Ho.

p. 119 Which Message being read the following Answer was prepared thereto (viz),

By the Upper House of Assembly 8^{br} the 19th 1723.
Gentlemen.

Upon Reading yo^r Message of this Day by M^r Hill & five more we find you are still Resolved not to Allow us any thing for our Attendance as a Council of State. But since our last Message to you on Searching more Carefully into our former Records of Laws we find another Act of Assembly made in the Year 1692 for laying a Duty of four pence p Gallon on Liquors which Act Expressly provides that the Council shall have an Allowance out of that Duty. And as that Duty has Continued ever since only wth the Abatement of One penny p Gallon and is still Applied to the defraying the Publick Charge as it was then, only differing in that it does not Expressly mention the Council which we conceive to be Omitted because It was properly a Publick Charge, and therefore thought to be sufficiently Expressed under that General Term, and as we take the Reason of the Council Allowance being made in Tobacco to be derived from this Law, either because the Council rather Chose to have their Allowances in Tobacco than money, or that the Country rather chose to make their Allowances in Tobacco and Reserve the Money for some more particular Occasion; therefore since you refuse to make us an Allowance as heretofore in the Publick we insist upon having it out of the 3 Pence p Gallon upon Liquors as afores^d
p. 120 which we take to be the proper fund for that Purpose.

But if you Cannot consent so to do, we desire that you will consent that the Journal of the Committee of Accounts may be altered, And Your Allowances as well as ours taken off: for we think we have as much Reason to refuse your Allowances, as you have to refuse ours. With this Alteration we shall be ready to Assent to the Journal and finish the Busieness of this Sessions which Already has been very Long.

Signed p Order Sam^l Skippon Cl Up Ho.

Sent to the Lower House by Col^o Holland and Col^o Young.

The Petition of Rich^d Young late Gate Keeper praying to be Restored to the Office of Mace Bearer and Drummer to the Lower House of Assembly in Consideration of his Age,