

By the Lower house of Assembly Aug. 3<sup>o</sup> 1716.

May it please yr<sup>e</sup> right Hon<sup>rs</sup>

This house have fully heard Col<sup>l</sup> Edward Loyd and his Council in defence of what he was charged with by our Message of the 26<sup>th</sup> of July last he was fully acquainted with the reason of this house's resolve on that occasion and had the opportunity of hearing sundry Members of this house as Evidences ag<sup>t</sup> him who in our Judgment have fully proved upon them & to the facts, we charged him with, we have fully considered the sd<sup>o</sup> Col<sup>l</sup> Loyd's answers in writing which you were pleased to lay before us, and we find thereby the said Col<sup>l</sup> Loyd has denied that he ever made such allegations which would have been flatly opposite to the matter of fact, we have had it fully proved that such allegations were made and if flatly opposite to the matter of fact & so our charge is in that part proved, we find he acknowledges that he has often declared that his reward for the services he performed in that station was a thing precarious, we cannot find the said Col<sup>l</sup> Loyd had any induem<sup>t</sup> to make such declaration had not it been as a motive to the Country to make the allowances complained of which he thereby seemed tacitly to acknowledge he had not a better pretence for them by the plausible allegations of his other rewards being precarious which it seems afterwards proved certain and consequently the consideration of such allowances removed.

We do not find the said Col<sup>l</sup> Loyd in any part of his answer or defence insists at all upon the Justice or reasonableness of those allowances but insists chiefly on his right by the Laws of this Province and that such allowances have been made and ought not now to be recalled, We take Custom and <sup>the</sup> Legislature to be the best interpreters of the Laws and we find by the ancient Acts where Councilors had offices of Profit, they had no allowances for their attendance in Council and it is fresh in the memory of sundry Members of this house that even where the act of assembly ascertained to every Councillor one hundred and fifty pounds of Tob<sup>o</sup> p<sup>r</sup> day yet the Com<sup>rs</sup> General being of the Council have been refused such allowance for that the p<sup>r</sup>quisites of their offices were thought sufficient to defray their expences and that the very ground and reason of the Law that gave such allowances was only to bear the expences of those who had no other way to reimburse themselves their expences in the service of the publick we cannot allow the conclusion that Col<sup>l</sup> Loyd makes from the superscriptions of his Letters which rather seemed designed to find out the person by the Synonymous titles of President of the Council or Commander in Chief than to evince the Diversity of the persons especially considering Col<sup>l</sup> Loyd