

consequently in your Conclusion; for to have recourse to a Law made Forty or Fifty Years ago, to explain a Law lately made, without having regard to several Laws intervening, relating to the same Duty, but under different Applications, must certainly be an erroneous way of Proceeding. We therefore take the liberty, in the best Manner we can, to State the Case, as we conceive it to be, as follows, *viz.* The Law made in the Year 1670-1, first rais'd the *One Shilling per Hogshead*, payable to the Lord Proprietary, Council, and for maintaining a Magazeen in this Province; which Law stood continued from Time to Time till the Year 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 such Ships or Vessels trading within this 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 it to other uses in the 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 the 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 (as we are inform'd) applyed 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 before 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 ever since, for above Thirty Years past, and the *One Shilling per Hogshead* was Annually apply'd to other uses in the Government, according to the Directions in the Law made in 1692 aforesaid, and other Laws to the same purpose, until the Year 1715, after the Government was again Restored to the Lord Proprietary, in which Year an Act of Assembly was again made, which advanced the aforesaid *One Shilling per Hogshead*, to *Fifteen Pence per Hogshead*, *Three Pence* of it to be Applyed towards the Support of a Magazeen, and the other *Twelve Pence* to the then Governour for his own proper Use. Thus the *One Shilling per Hogshead* was applied solely for the Support of a Governour, and only thought Sufficient for that purpose, exclusive of any other Application; but the Lord Proprietary, after some Time, being dissatisfied that the Salary of his Governour should be paid to himself, independent of his Lordship, and knowing the ill Consequences that might ensue thereon; directed his then Governour to cause the Revenue Bill to be again Re-enacted, and the *One Shilling per Hogshead* directed to be paid to his Lordship for the Support of his Governour, and for such other uses towards the Support of Government, as his Lordship in his Discretion should think meet to apply the same; which was accordingly Re-enacted in the Year 1717. And again Revived this present Sessions of Assembly. The Case being thus truly Stated, We appeal to the Judgment of any impartial Person, Whether the Council can justly Claim any part of the aforesaid *One Shilling per Hogshead*, for, as the Law made in the Year 1692.