

U. H. J. and Governor within this Province and will not pass, sent to the
 No. 734 Lower House with the following Message by George Plater Esq^r

By the Upper House of Assembly 31 May 1739

Gentlemen

Upon Considering the Bill for raising an Annual Revenue for the better Support of his Lordships Government and Governor within this Province We have thought fit not to Pass it And we are Perswaded you will upon Reconsidering that Bill Concur with us in the Reasonableness of Our Refusal

In the first part of the Preamble it is set forth “ that it doth not appear to this Present General Assembly that there is any Law now in force to raise a Sufficient Support for the Purpose mentioned in the Bill ” In which Assertion we cannot Agree with you And We have the Happiness to be Supported in our Opinion by the Words Used towards the latter part of the Preamble of that Bill wherein it is said that “ it is not the Intention of this Assembly to deprive the Right Honourable the present Lord Proprietary of a Sufficient And Honourable Support for his Government and Governor for the time being in and over this Province ” By this it is necessarily Implied that his Lordship has a Right and Title at this Time to such a sufficient and Honourable Support as he may be deprived of

This is very true but Contrary to the former Allegation of no Law to raise a sufficient Support since the Perpetual Law only of 1704 raises that support And further We Apprehend no Power less than a Legislative one can deprive him of that Right which is declared by the Bill not to be the Intent of the Legislators. But be pleased to Consider how well that declaration and the Continuance of this Bill for three years Agrees with some Arguments in the Preamble fetched from temporary Laws being Enacted as if such temporary Laws destroyed the Perpetual Law of 1704; And as We are Inclined to Believe there is no Intention to deprive his Lordship of a sufficient and honourable support of Government We cannot think it Adviseable by Passing this Bill to Afford another Instance of a Temporary Law, since such strange Inferences not Warranted by any Rules whatever are drawn from Temporary Laws and our Conduct in this matter must appear the more satisfactory to you since the Grand Reason of that Bill seems only to be, in order to Assert and maintain that principal and most Essential Branch of Liberty which the Assembly conceive themselves “ intituled to as Subjects of Great Britain of not being liable to the Payment of any money Tax Impost or Duty except such as shall be warranted raised and Assessed by Laws made by themselves and the Other Branches of the Legislative Body ” If this is the true Motive, and no Intention to deprive his Lordship of the support of Gov-