

son be with the Greatest Propriety said to be attacked, who is in Possession and attempted to be thrown out or deprived of that Possession: The Case put by you, of One Man violently taking anothers Money &c We presume is designed as a Point of Law, and not as a Matter pertinent to the Dispute between Us; for We cannot by any Means agree that the Fact is as you have stated it in that Paragraph, We say his Lordship has a Right to the 12^d p^h by Virtue of the Law of 1704 and at the same time give Our Reasons for not passing the Revenue Bill, you deny such Right and give no Reasons for maintaining the Reasonableness of the Revenue Bill, and yet seem angry that We do not concur with you; But if You are desirous of having Our Opinion on the Point of Law, We may venture to say, there may be a Possession which some Persons may think fit to call tortious, and yet Methods may be pursued to take away that Possession which would make the Persons taking such Methods Aggressors in the Eye of the Law: As perhaps neither House has much Reason to boast of their Art of Ratiocination by the Rules of Logick, We shall not contend with you for Superiority in that Part of Learning

U. H. J.
No. 734

As you was not surprized at Our Negative to the Bill for Payment of an Agent We presume that you were conscious such a Bill could not be expected in Reason or Justice to have a Passage in this house; And We declare that We cannot with Candor assume to Ourselves the whole Glory of using the word Minister, since the Agent described in that Bill very readily and naturally, suggested to us the Idea of a Minister as mentioned in our message

You endeavour to state a Case as plausibly as you can for the Consideration of the Publick, but if you will be so candid as to allow the Upper House capable of being actuated by any Principles of Honour Justice and Reason in matters where his Lordship is concerned, Your whole Reasoning falls to the Ground, nor have We as yet denied a Passage to any other Bill for an Agent but that One in the shape you sent it Up to Us

You affirm that this House told you, you should not have that Bill unless you let the Governor and Us have as well the nomination of the Persons to be made use of on this Occasion as to determine what should be paid them for their Trouble

We are really astonished and truly concerned that any Warmth should have transported you to that Assertion; All that we contended for was, a joint Nomination with you as in other Governments; These are Our Words, "that the Concurrence of the Governor and Upper House should be made necessary in the Nomination and Appointment of the Person designed for that Employment, And that the Agents on behalf of other Plantations are generally nominated by the Legislature or Government" And surely there may be such a Person found as to be unexceptionable in the Judgment of Every

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