

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.

As you were 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 Candour 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, and 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 shou'd 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 astonish'd, and truly concern'd, 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 design'd 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 Part of the Legislature, and very Proper for the Trust by that Bill to be reposed in him.

As to the Reproach you mention, to be not only on your House, but on all the Province, We can with the greatest Truth, in the most solemn Manner assure you, it was so far from our Intentions to couch any Reproach either on your House or this Province under the Word *Relative to a Guardian*, that one of our Reasons for Rejecting that Bill, was, lest the whole