

[had urged the woman to the suit. The agent was required to answer the bill, which he did by declaring that if the complainant could make it appear that Thomas Goffe was once seized of a 26th part of the colony, and that she was heir at law to him, which he did not believe she was able to do, yet he verily believed that when the patentees, with others, were incorporated into a body politic, their respective rights ceased and passed to the corporation, who had granted the lands away. The poor woman was at last arrested for debt and sent to Newgate, where she perished.

(*Anno* 1719).—The governor, in the beginning of the year 1718, had consented to an impost bill which laid a duty not only upon West India goods, wines, &c. but also upon English manufactures, and a duty of tonnage upon English ships. Before the session in May, the next year, he had received an instruction from the king to give all encouragement to the manufactures of Great Britain. The house, however, passed a bill of the same tenor with that of last year, and sent it to the council for their concurrence. An amendment was proposed, viz. to leave out the duty upon English vessels and goods, but the house adhered to their bill. A conference ensued, for the house were not then so exact as they have been since, in refusing to confer upon money bills. This produced nothing more than a proposal from the house to alter the word English to European, which, being trivial, was refused. It seems, the governor, a little out of time, had taken the opinion of the council upon this question, whether, consistent with his instruction, he could give his consent to the bill?—which they determined they could not, if it should be offered to him. The house then tried the council with the following resolve, “the house insist on their vote, forasmuch as the royal charter of this province gives power to the government to impose and levy proportionable and reasonable assessments, rates, and taxes upon the estates and persons of all and every the proprietors and inhabitants of the same, which this government has been in the free and uninterrupted exercise of ever since the enjoyment of the said charter. Sent to the upper house for their concurrence.” The upper house was a new name for the council, and designed as a flier and to intimate that they might consider themselves in another capacity than as a privy council. Perhaps if Cromwell’s epithet for his house of lords had come into their minds, it would have been *the other house*. Taunts and language which tends to irritate, can upon no occasion be justifiable from one branch of the legislature to the other. Upon an agreement and har-

mony the interest of the people depends. Upon different apprehensions of this interest, if it be the real object, the several branches, by the persuasive voice of reason, will strive to convince each other, and be willing to be convinced as truth shall appear.

The council thought themselves unkindly treated, and, by a message, desired the house to alter their vote, but they refused to do it, and gave their reasons for the new form. “The house have received new and unusual treatment from the board. 1st, It is new and unusual for the council to give his excellency their advice upon a bill, till they have acted in concert with the house in concurring or non-concurring. 2d, It is likewise new and unusual for the council to desire a free conference, upon a subject matter, and then, at the management, to inform the house that by a previous vote they had so far engaged themselves that they could not recede from it. 3d, It is likewise a new and unusual method for the honourable board, after a message to the house desiring several amendments to a bill of rates and duties which were in a great measure agreed to by the house, immediately to non-concur the bill. 4th, It is likewise new and unusual for the honourable board to intermeddle so much with the grants and funds, which this house take to be their peculiar province.”

The house having in this manner expressed their resentment returned to their old style, and then the council, by message, let them know that they would not give their concurrence to any bill laying a duty upon European goods, denied the charge made against them by the house, of innovations, and intimated that any further messages would only tend to increase the misunderstanding and retard the affairs of the government, and desired the house rather to join with them in a diligent endeavour to bring the session to such a conclusion, as should promote his Majesty’s honour and the interest of the province.

Several weeks having been spent in these altercations, the governor thought it time to interpose, and, sending for the house to the council chamber, he made the following mild and healing speech to them.

“Gentlemen,

“My design in sending for you up at this time, is to let you know how concerned I am at the unhappy misunderstandings that have been for many years between the council and your house relating to the impost bill, and to assure you that no person here present can be more desirous of preserving the privileges of this people than myself, so far as is consistent with the late instruc-]