

L. H. J. justly Suffering by any of the ways already mencōn'd and others too tedious to trouble your Hon^{rs} with, and therefore we are of opinion that should a Guilty person accidentally escape some Share of the punishment due to his offence by the frequent allowance of Bills of Exception, the use and benefit of them would make ample Amends for such an Inconvenience, But as that cannot (we Conceive) be the Case but on the Contrary lay the fact with all its Circumstances before the Judges, which will give them a much better opportunity of giving a Judgment Adequate to the nature of the offence than they can possibly be able to give on hearing the facts in a hurry at the Barr, and therefore we desire your Honours Concurrence to the generall allowance of Bills of Exceptions.

Tho' we cannot Concurr in opinion with your Honours that it would be any Innovation to allow the associates Voices in Criminall Cases it being agreeable to the Brittish Constitution as your Honours (we believe) may observe by the presidents we have already referr'd to and proceedings of the Governour and Council formerly, when assizes were set up (without any Law of the province to Support 'em) in Imitation of the English practice, we shall wave it at present rather than Lengthen the Time of this Sessions, or hinder the passing the rest of the Bill, which we conceive to be of such absolute necessity.

We shall concurr with your Honours in restraining the Judges of Oyer and Terminer in the manner you propose and hope that a Bill agreeable to what your Hono^{rs} & this House have Concurr'd in & wth what is herein propos'd will pass your House

Sign'd p order M. Jenifer Cl. Lo. Ho.

Which was sent with the Bill to the Upper House by M^r Gant and M^r Bozman. They return and say they delivered it.

The following message is prepar'd Viz.

By the Lower House of Assembly October the 29th 1724.
May it please your Honours

The Bill assented to by both Houses for Secureing the Rights and Inheritances of Sundry the Inhabitants within this province against certain Impositions by pretence of Suspected Deeds, being what requires the utmost dispatch, lest the person thereby provided against should get notice thereof and get into his hands those Deeds from the Clerks that are