

Courts as by the s^d Act he is required & that M^r Bowles & M^r Montague do carry this message to the Chancellour— Signed by order of the Lower House of Assembly

U. H.
Journal
1659—98

Robert Carvile Clk

Whereunto the Chancellour answered that if they pleased to appoint him a Convenient Fee for drawing up the said Charges to be sent to the several Countys he should do it otherwise he doth not think himself obliged to do it

Then came four Members from the Lower House & brought these following Bills Viz. One Bill Entituled an Act appoynting Court Days in each respective County in this Province One other Bill Entituled an Act for the reviving & Continuing an Additional Act to an Act Entituled an Act Concerning payment of fees due from Criminal Persons One other Bill Entituled an Act for the keeping good such high Ways & roads as are already Cleared in this Province One other Bill Entituled an Act Enjoining all Persons that intend to depart this Province to give sufficient Notice of their Departure, One other Bill Entituled an Act limitting Ordinary Keepers, One other Bill Entituled an Act for the publication of all Laws within this Province now in force

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Then came from the Lower House this following Paper viz:

4th May 1669

The Lower House taking into Consideration the not appearance of M^r Horsly a Member of this House during this Assembly, It was urged that M^r Johnson the Sherriff of Somerset County did not make a due return of the said Member, and a Member of the House informed the House M^r Horsley was sick & could not attend and produced a Letter from him sent to that House for that purpose and upon the Evidence of the Chancellour and the Clerk of this House, that the Sherriff when he came to return his Writt to the Chancellour said M^r Stevens & M^r Horsly were Chosen by the County and that after they were so Chosen the People being mett at an Ale House said to him they would have but one Burgess & so the Sherriff told M^r Horsly that he need not come to the Assembly for he would not return him, That at the time he was at the Chancellour's House being on Saturday the 10th April he being told by the Chancellour that he was not to be his own Judge of the Election but ought to return & thereupon returned M^r Horsly

The Question thereupon was put whither his Evidence shall acquitt the said Member from a Fine or no?

It passed in the Affirmative

The Question again put whither the said Sherriff be not