

Time in Prison, and rather Augment than Lessen the Publick U. H. J. Charge and render the Execution of the Law impracticable. For which Reason this Bill will not pass.

Signed p Order Sam^l Skippon Cl. Up. Ho.

And the Bill so endorsed was sent to the Lower House by Col^o Tho^s Addison, with the following Message Prepared on the same occasion (viz.)

By the Upper House of Assembly Oct^r the 11th 1723
Gentlemen

Although for the Reasons mentioned in our Indorsement on the Bill to try all Criminals in the County Courts where such Crimes were Committed, we could not Consent to the Passing of the Bill; yet we are sufficiently Convinced by the Representation of the Honourable Provincial Justices and other Credible Informations; that the Long Attendance of Jurors, Evidences and the Criminals and Suitors themselves at the Provincial Courts, together with their great Fatigue and Hazard in repairing to those Courts, is a very great Aggrievance to the Good People of this Province, For Remedy whereof for the future, we cannot think of any more probable Expedient, then that two or more of the most discreet and knowing persons on either side of the Bay, should be Com-missioned as Judges, who, at Certain Days to be appointed, shall, in the several Counties, together with one or more of the County Justices according to the usual methods of Pro-ceeding in such Cases, hear and try all matters of Fact arising in those Counties whether Criminal or Civil, not within the Jurisdiction of the County Court, By which means all Jurors Evidences and other Persons only Concerned in matters of Fact, may be Excused from any Necessary attendance at the Provincial Courts, and the matters of Fact try'd by Jurors of the neighbourhood, who must be supposed to be best acquainted with them. If your House are Inclivable to come into any such Measures, we propose a conference Between some of the members of both Houses for that Purpose

Signed p Order Sam^l Skippon Cl Up Ho.

A Message from the Lower House by M^r Tyler and M^r Whittington Viz.

By the Lower House of Assembly Oct^r the 11th 1723
May it Please Your Hono^{rs} p. 70

On Reading your Indorsement on the Bill for the relief of such Persons as have or may Suffer by the Tobacco Laws