

L. H. J. last night by Col<sup>o</sup> Holland and Col<sup>o</sup> Young that instead of Carrying on an Amicable Correspondency between the two Houses by messages in order to Cultivate a Good understanding and dispatch the publick Busieness you turn every thing into Banter and Ridicule a method of proceeding unbecoming that Gravity and wisdom which ought to be a Rule to every part of a Legislature, which method if pursued must necessarily prolong this Sessions of Assembly, Create most unhappy misunderstandings between the two Houses & impose a very Great Charge on our Country, to avoid which on our parts we shall wave all those indecent Reflections you have most unjustly cast upon us in your last message above mencōned, & confine ourselves to the busieness now before us. In order thereto, we insist that the word Reasonable, as it stands in the oath propos'd by our House or Some such Expression is highly necessary; otherwise, the Judges would have no Discretionary Liberty to consider what Statutes of England [are] or ought to be in force here; but would be obliged by their Oaths to Give Judgment according to the Statutes of England whether Located or otherwise, and in this opinion the Judges who are members of our house Concurr, therefore we Cannot Consent that the oath propos'd by M<sup>r</sup> Attorney Generall should be imposed upon the Severall Judges within this province

Sign'd p order Sam<sup>l</sup> Skippon Cl Up Ho.

In Answer whereto the following message is prepar'd Viz.

By the Lower House of Assembly, Nov<sup>r</sup> 3<sup>d</sup> 1724.

May it please Your Honours

We should think ourselves very Easy in the dispatch of the publick busieness and the discharge of our Duty if your Hon<sup>rs</sup> were pleas'd yourselves to observe the many Good Rules you Recommend to us, nay would your Hon<sup>rs</sup> but be pleas'd to observe in your message of the 22<sup>d</sup> past by Coll<sup>o</sup> Holland & Coll<sup>o</sup> Young how warmly you argue against the unreasonableness of that Arbitrary power in the Judges which by your message this day by Esq<sup>r</sup> Hall & Coll<sup>o</sup> Addison you now Contend for, We hope you would not think it unreasonable for us to insist upon, nor again to repeat the necessity of using the form of the oath by M<sup>r</sup> Attorney laid before you since you seem not hitherto to have taken notice of the reasons for it as they are mencōned in our former messages to wit, that the Judges being sworn to Judge according to the Laws of England and the useage of the province will be thereby obliged to Judge no other wise according to the Laws of England than is agreeable to the useage of this