Province which has always been as our Resolves Express it According to the Common Law & such Statutes as are not restrained by words of local Limitation in them L. H. J.

And if yo^{r} Hon^{rs} insist on the alteracōn you Propose we must declare it to o^{r} Countrey as an essentiall Deviation from the Indenture always hitherto used, and such an Innovation as is intirely inconsistent with the preservation of our Rights & Liberties and tending to the Subversion of our Constitution. We therefore pray yo^{r} Hon^{rs} not to Continue this Argum^{t} Longer but to Conclude this Sessions in such manner as you intend it shall appear to posterity.

Signd p order M. Jenifer Cl Lo. Ho.

Which was Sent to the Upper House by M^{r} Tyler & Coll^{o} Ward

They return and Say they delivered it.

Coll^{o} Ward from the Upper House delivers M^{r} Speaker the following Message Viz. p. 187

By the Upper House of Assembly Nov^{r} 3^{d} 1724

Gent.

In Answer to your message of yesterday by M^{r} Tyler & M^{r} Taylor and to convince you that you are mistaken in your Construction of that paragraph in the Bill for reviving the Act for officers ffees, We take leave to Represent to you a State of the Case in the manner following. The Sentence from whence the dispute arises Stood orriginally in that paragraph of the Bill in these words viz. (Be it Enacted that any person or persons residing and inhabiting in this province, being indebted in Tobacco to any merchant or other person trading or Commercing in or to this province) and then provides that such Inhabitants shall have a Liberty to pay such merchants or Traders in Hemp & Flax from whence we observe that the persons here intended to have the benefit of making paym^{t} in flax and Hemp are described to be Inhabitants or Residents, and the persons obliged to receive such paym^{ts} are distinguished from them by the Characters of merchants or Traders in or to this province A plain Demonstration to every man's understanding that no other persons could be affected by that Clause but Merchants or Traders: now to this our House objected by the Endorsment on the Bill that it would be a prejudice to Trade, and desired that what related to merchants might be omitted and to this in your Message in answer thereto you Consented but in the Bill when it came up Engrossed, we find the Amendment made thus, to any persons Except merchants or other persons Trading or