

U. H. J. Which Bill being read is ordered to be further thus endorst
p. 126 Viz.

By the Upper House of Assembly November the 6th 1725
Read and will pass.

Signed 7 Order Geo. Plater Cl Up Ho.

Sent by Benj^a Tasker Esq^r who returns and says he De-
livered it.

A Message from the Lower House by James Stoddart
Esq^r & M^r Tilden Viz.

By the Lower House of Assembly Nov^r the 6th 1725.
May it please Yo^r Hon^{rs}

Your Honours opinion that Servants in this Province (tho
suspected of some misdemeanors) are not in prudence and
discretion, to be looked upon as persons of ill fame within
the meaning of the Statutes is contrary to the Judgments and
resolutions in all those Books, from whence alone yo^r Hon^{rs}
can be informed of what the Law is concerning the peace
and good Behaviour

Your Definition of persons of ill fame, in what you are
pleased to Assign as your first reason is too Narrow to be a
generall definition; and as to what you are pleased to Offer
as Instances to support it they require only reading. Your
second remark concerning Servants, can never make any
alteration in the Law for freemen. If a House keeper may
be Obliged to give Security for his Inmate, why not for his
Servant; if a Man may not keep a Dog accustomed to bite
Sheep; why must he be protected in keeping a Man accus-
tomed to break Houses without giving Security for his good
p. 127 behaviour; if a man that keeps ill Company may be bound
by the Discretion of a Magistrate to his good Behaviour, why
not the very master himself that keeps such Servants, as are
a terrour to the Neighbourhood they live in? If a Serv^t may
never be bound over to prevent his breaking the peace, why
should a freeman be in worse Condition; If a Servant may
not be Committed till he has Committed a Crime, what becomes
of preventative Justice? Really Gentlemen as you have prof-
ess'd yo^rselves at a loss on Several Occasions this Sessions,
we believe you will find yourselves also at a loss to find Law
to Support the positions of your aforesaid Message; We
humbly pray yo^r Hon^{rs} to be better advis'd for the future in