

L. H. J. Benjamin Tasker Esq^r from the Upper House delivers M^r Speaker the Journall of the Committee of Accounts, with the following Message viz:

By the Upper House of Assembly

Novem^r the 4th 1725

Gentlemen.

Whether our Message of Novem^r the 2^d Concerning the Bill Relating to the Imprisoned Servants be foreign to the Subject under Consideration betwixt us or not, we shall not at this time enter into any further debate with you but if you believe us to be of Opinion that Servants in this Province, tho Suspected of some misdeamenours are not in prudence and Discretion to be lookt upon as persons of Ill fame, within the meaning of the Statutes, and to be proceeded ag^t accordingly, you are in the Right, for we are so, for the following Reasons 1st persons of Ill fame in Generall, are such Who are at their own disposall, and have no place of Residence, nor Can give a good Account how they Subsist; against those the Laws do well provide, but Servants here are not such, for they have a being, and are not at their own disposing, but are the property of their Masters, and if their Masters should be obliged to be Security for the behaviour of their Servants, no man would be Secure of his property, in such Servants, for either thro the Inclinations of the Servant to Change his Master, or the Designs of an Ill Neighbour or the Resentments of a Prejudiced Magistrate (for such there may be) they might be taken up as persons of Ill fame, and then the Master must Change Circumstances, with his Servant or lose him, for if he becomes bound for his good behaviour, he must not Disoblige him, and if he does not the Consequence is obvious. 2^{dly} Persons of Ill fame in particular are such as have Committed
 p. 98 some Crime for which they may be prosecuted, and in this Case Servants are not Exempt, but may be Imprisoned, prosecuted, Convicted, and punished, and in such Cases we have an Act of Assembly that particularly provides for their Inlargement, and sure it is worthy our Consideration that that act has so great a Regard to the property of the Master, that it does not Require Security for his Servant (even after Conviction) Much less Reason is there, that they should be Obligated to give it upon Common fame nor Can we foresee of what pernicious Consequence our Coming into the Measures by the Bill proposed would be, since it Remains a Doubt with this House, whether the peace and property of his Lordships Tenants would not Rather thereby be Infringed, than pro-