

U. H. J. due to his Offence by the frequent Allowance of Bills of
 p. 140 Exception the Use and Benefit of them would make ample
 amends for such an Inconvenience But as that cannot we con-
 ceive be the case but on the Contrary lay the fact with all its
 circumstances before the Judges which will Give them a much
 better Opportunity of Giving a Judgment adequate to the
 Nature of the Offence then they can possibly be able to give on
 hearing the Facts in a hurry at the Bar and therefore we
 desire your Honours Concurrence to the General Allowance
 of Bills of Exception

Tho we cannot concur in opinion with your Honours that it
 would be any innovation to Allow the Associates Voices in
 Criminal Cases it being Agreeable to the British Constitution
 as your Honours we believe may Observe by the Presidents
 we have already referred to and the Proceedings of the Gov-
 ernor and Council formerly when Assizes were set up (with-
 out any Law of the Province to Support them) in imitation
 of the English Practice we shall wave it at present rather
 than lengthen the time of this present Session or hinder the
 Passing the rest of the Bill which we conceive to be of such
 Absolute necessity.

We shall concur with your Honours in restraining the
 Judges of Oyer and Terminer in the manner you propose and
 hope that a Bill Agreeable to what your Honours and this
 House have concurred in & with what is herein proposed will
 pass your House

Signed p Order M. Jenifer Cl. Lo. Ho.

To which Message the following Answer was prepared.

By the Upper House of Assembly October the 29th 1724
 Gentlemen.

The Bill herewith sent Entituled a Supplementary Act to
 the Act for trying matters of fact &c^a will pass with the
 Amendments proposed in your Message by M^r Gant and M^r
 Bozman and a limitation of its continuance for two Years.

Signed p Order Samuel Skippon Cl Up Ho.

Sent by Col^o Tilghman

A Message from the Lower House of Assembly by M^r
 Beale & M^r Gant viz.

By the Lower House of Assembly October the 29th 1724
 May it please your Honours

We desire your Honours will please to Appoint some of
 the members of your House to Join with John Beale Esq^r