

the Bills of Exception are regularly Drawn. *Secondly*, That the Allowing the Associates Voices in Criminal Cases is so far from being an Innovation in the *British Constitution* (which ought to be our Pattern) that it is exactly agreeable to it, as appears by the Forms of the Commissions and Wills of Association. *Thirdly*, That the Motives inducing this House to desire that the Justices of Oyer and Terminer should not try Matters of Fact within the Cognizance of the County Courts, are, *first*, To prevent the said Justices being hindred to proceed in Matters that must be determined before them, and, *secondly*, To lessen the Expence of poor People, that may be either unjustly Accused, or be Ignorant Transgressors, which, we hope, may be provided for by a Clause in the Bill, that nothing Tryable by the County Court should be Tryable else-where, except in Cases of Necessity or Doubt, and that in all such Cases, the Fees of all kinds before the Judges of Assize shall be no more than those allow'd in the County Courts.

And, *Fourthly*, That Tryals at the Bar, where the Nature of the Case, and the furtherance of Justice require them, are the undoubted Right of the Lord Proprietary, and of the People, by the Laws of *England*, and consequently, that the preventing such a Tryal in any Case, would be inconsistent with the Constitution. And we can't apprehend the least danger of the Provincial Courts allowing any such Tryals, but when they are necessary, and that the Removals propos'd to the Provincial Court, are not intended to bring frequent Tryals of matters of Fact thither, but only to lay those Matters already given in Evidence before that Court, in such a manner, as to give the Judges an Opportunity of determining the Law arising upon such Fact, in difficult Cases; which will, as well in a great Measure prevent Peoples being prejudiced by the Mistakes or Ignorance of Jury's and the weakness of their own Council, as give an Opportunity of debating and adjudging the Matter so fully, as to save the Expence of many Chancery Suits in Civil Controversies. Wherefore, we desire your Honour's Concurrence, and that the Bill may pass.

Sign'd per Order, M. J. Cl. Lo. Ho.

Which was sent to the Upper House, with the Bill aforesaid, by Mr. B. and Capt. H.

The Report of the Committee of Aggrievances of the 22d Instant, was read and thus Endors'd, *viz.*

By the Lower House of Assembly, October the 27th 1724.

May it please your Honours;

OUR Committee of Aggrievances having made the within Report (with which this House concurs) have thought fit to Communicate the same to your Honours for your Consideration.

Report about Sheriffs approved and sent to the Upper House.

Sign'd per order, M. J. Cl. Lo. Ho.

Which was sent to the Upper House by Col. M. and Mr. C. They return, and say, they delivered it.

By the Lower House of Assembly, October the 28th 1724.

M.