

" John Lodes in custody of the Serjeant attended at the Bar of this House, Robert Newcomb an Evidence being ordered to attend, was sworn on the holy Evangelists of Almighty God, and deposed, that in conversation on the road in Talbot County with the said Lodes: the said Lodes asked him which way he was going. To the said Newcomb told the said Lodes, he was going to serve some summonses from the Lower House of Assembly, requiring their attendance on that House. That thereupon the said Lodes, told the said Newcomb, that the said Lodes was summoned likewise to attend. That he believed it was all owing to that son of a Bitch Mr. Nicholas Goldborough, who the said Newcomb declared was one of the Members of the Lower House of Assembly. That he thought as a Magistrate in any Misdemeanour in his Office, he was only punishable by the Government and not by this House. That the said Newcomb further declared, that the said Lodes told him that he did not know, what power the Lower House had to call him before them: For his part he did not think they had any more Authority to call him before them, than his House, and were it not that the People would say if he did not attend, and that he did not value one button or Fiat what the Lower House could do to him — The truth of the Facts appearing to this House, the said John Lodes was further continued in the Custody of the Serjeant at Arms.

The Door-keeper acquainted Mr. Speaker the Clerk of the Council told him to acquaint Mr. Speaker he had a Message from the Upper House.

whereupon the Clerk was ordered to deliver the following Answer

May 19th 1738

I am ordered to acquaint you that the Honourable Lower House of Assembly will not receive any Messages from the Honourable Upper House of Assembly by the Clerk, until a Message is returned by one or more Members thereof in answer to the Message sent up to that Honourable House yesterday by God Hooper and Mr. Courts by which the future Method of sending Messages by the Clerks of either House may be adjusted between the two Houses — Signed by Order — M Macnemara C. Secy.

To Mr. John Ross Clerk of the Upper House of Assembly.

The Clerk acquainted Mr. Speaker he told the Clerk of the Upper House he had a Message to deliver from the Lower House, that the Clerk of the Upper House acquainted him he had Orders to receive no Messages — The Clerk of the Lower House thereupon told the Clerk of the Upper House he had orders to read it to him that he might acquaint the Upper House with the Contents of the Message and began to read, the Clerk of the Upper House returned without hearing it.

The House adjourns (At 11 o'clock) Morning May the 20th 1738.

The House met according to adjournment. Mr. Dulany Mr. Hammond and Doctor Carroll were ordered to prepare an Address to his Excellency the Governour relating to the Complaint against the Justices of Talbot County.

A Bill intitled an Act for the speedy and effectual publication of the Laws of this Province and for the encouragement of the said Green of the City of Annapolis Printer, read and reported, and sent to the Upper House by Major Sprigg C. Secy.

The Justices of Talbot County being called before the House, Mr. Speaker acquainted them that you have been called before this House, that you might have had the Opportunity of acquitting your selves from a Charge of having misdeigned your selves in your Office as Magistrates — Since if you have been charged with