

Lower house by M^r Harrison and M^r Johnson w^{ch} Message U. H. J.
is as follows viz.

By the Lower House of Assembly October the 28th 1725

May it please Your Honours

The two Servants we mention in our Message of the 27th stand Comitted as Persons of Evil fame for want of Security for their good behaviour and if they were tryed Convicted and punished in any manner saving Life the same reason for securing the publick peace might Subsist as well after punishment as before and even after an Acquittall, for the End of Security for the peace is not to punish Crimes but to prevent them: and as the preventative Justice is of all others the most Conducive to the well being of any people, we hope yo^r Hon^{rs} will not Insist on any thing that looks like depriving us of it The Case of Criminal Servants fees and the Act relating to it no more Exempts Servants from being bound to their good behaviour than the Statute of the 4th of his Majesty deprives his Subjects of having the peace Secured to them against Convicts and therefore we think that Act Concerns not this Argument We cannot think a restraint by Imprisonm^t from Misbehaviour can be any Evidence of good behaviour unless it be a vertue in any One not to do what he cannot do, and if there were Cause at first to Committ such persons the same Cause seems to Continue without Alteration for it may be presumed some person would be prevailed with in favour of Liberty to be their Security in so small a Sum as is generally Expected on such occasions were not their behaviour so notoriously bad that all the Assurances of reformation they could give whilst in Goal could not prevail with any to trust them, and if no Single Subject will trust to their good behaviour for 10^t or 15^t why should the whole of every Subjects moveable Estates as well as person be Exposed to the Depredations of such unruly people Where Servants are return'd to their Masters after punishment without Exacting Security it is generally where Masters or others are not under ill Apprehensions concerning them. But we hope yo^r Hon^{rs} will not insist on its being matter of right for the Servants to be Exempt from being bound to his good Behaviour because he has been either acquitted or Convicted of a Crime tho the Magistrate see Cause for it for as we Esteem it to be the duty of every Legislature to have a tender regard to the property of Masters we think it much more so, to have a tender regard for the preserving the publick peace in which not only the property of Masters but of every other Subject is effectually concerned And we pray yo^r Hon^{rs} to Consider what other

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