

- L. H. J. Ordered that James Stoddert and John Beale Esq^{rs} go to the Upper House to Acquaint his Honour the Governo^r thereof They Return and say they delivered their Message Col^o Holland from the Upper House Acquaints M^r Speaker that his Hon^r the Gov^r Requires him and the whole house to Attend him immediately in the Upper house and withdrew.

Thereupon M^r Speaker with the whole House go to the Upper House where his Hon^r the Gov^r was pleas'd to make the following Speech, Viz.

Gentlemen of the Upper and Lower Houses of Assembly.

p. 2 I am Sorry to Convene You at this unusuall time of the year, but it is Occasioned by the Gentlemen of the Law, who refuse to plead the Causes begun before the Act made Last Sessions Relateing to Attorneys; It is very hard the Clients should pay the fees in those Causes & be nonsuited: What the Gentlemen practitioners said in the Chancery Court was, that the Letter of the Law restrained them from pleading any Causes whatsoever, Except they took the Oath appointed by the Act. I could not be of their opinion, And therefore gave them leave to plead the old Causes if they would have so done, for it would be a very great Absurdity to Suppose the Attorneys should Swear they would not take any ffee more than the Act allows, when they had already taken more or to Suppose Certificates of the Client's Oath Could be returned to the Courts before we had an Act to direct it so to be. A Judge should determine According to an Equitable Construction for tis madness to Suppose Impossibilitys, Therefore I cannot think the Act wants any Amendment in this pticular; What opinion other Courts have been of, And what has passed therein, you Gentlemen of the severall Countys are best acquainted with.

Another fflaw the Gentlemen have found out is, that tho' a Merchant is represented here by his Attorney Nevertheless the Merchant must Swear. The Assembly could never Suppose such an Absurd thing, therefore it is Equally as mad as the first I have mencōned and must have been from some Slip of the pen in Transcribing the Act. Great Hopes are built on this pticular that the Merchants will make Interest to get a dissent to the Act. However to be out of Doubt, It is very Easy to draw a new Act with what Little alterations may be thought proper.

I Cannot help thinking it a Just and good Law, for nothing is taken from the Attorneys that was Allowed by Law (if it appears otherwise it was not design'd) And the poor are upon an Equall footing of Justice with the Rich. The poor cannot