

and Twenty five months in the Superiour Courts Except in U. H. J. Cases where Evidences are wanting from beyond Seas And this at the Discretion of the Judges before whom such Causes shall be Depending And if the Default be in the Prosecutor there to be a Discontinuance, but if in the Defence Judgment for the Plaintiffe.

Signed p Order John Beard Cl. Up. Ho.

Sent to the Lower House by M^r Lowe who Returns & Says he Delivered it.

M^r Daniel Dulany Produceth to this House a Deputation from Maurice Birchfield Esq^r to him to be Collector of the Customs &c^a In the District of North Potowmack, And qualifys himself by takeing the Severall Oaths Appointed by Act of Assembly to be taken to the Government

Col Young & John Hall Esq^r appear & are added to this House

Mess^{rs} Charles Wright & John Baker from the Lower House with an Engrost Bill to Confirm to Mary Hall Certain Lands &c.

Read & Assented to by that House

And being Read is Assented to by this House,

And Col. Addison sent to Acquaint the Lower House thereof

His Excellency Desires that the Law giving One Shilling p. 88 and Six pence p^h to my late L^d Benedict Leonard may be Inquired into In Order to be known what has been Received on that account And how It has been Disposed of he having heard M^r Carroll Received about Sixty pound thereon which he Applied Towards his own Sallary.

Thereupon the following Message is prepared Viz.

By the upper house of Assembly

May 5th 1718

Gentlemen.

His Exc^y reminding us of the Act made in June 1715 for Continueing the payment of 12^d p^h from the Death of Charles late L^d Baltemore to the 29th Sep^r following,

We think it Convenient that you should Inquire into the Disposition of such Monys as have been raised upon Account of that Duty of 12^d p^h that it may be discovered whether any part & how much may Belong to the Publick of this p^vince seeing that by the Terms of the Act af^d it was Concluded that if his L^{pp} would not accept of the 12^d p^h af^d as a Consideracon for taking his Quit Rents in Tob^o at 2^d p^l.