

L. H. J. Coll Ward from the Upper House Delivers M^r Speaker the following Message Viz.

By the Upper House of Assembly July the 22^d 1721.

Gentlemen.

It being Represented to this House by Several of the Chief Officers of the Militia that the Captains and Other officers under their Command are Discouraged from Performing their Duty by being rather Dispsid and Affronted than
p. 21 Respected & Obeyed by the private Centinels; which they conceive is chiefly occasioned by a want of Power in the Captains of the Several Troops and Companys to fine those who do not observe their Duty as the Law Directs: but must Apply to two of the ffield Officers for that Purpose, who knowing the frequent Disappointments that attend the Hearing such Complaints do not care to take the Trouble upon them, It is therefore proposed by this IHouse that the Several Captains be enabled by a Supplementary Act to ffine those who Do not Perform their Duty According to the Act for Regulating the Militia, and with a Liberty to the person so ffined if he think himself Aggrieved to Appeal to two of the Chief Officers for Relief.

Signed p Order. John Beale Clk Up. Ho

Coll Tilghman from the Upper House delivers M^r Speaker the following Message Viz.

By the Upper House of Assembly July the 22^d 1721.

Gentlemen. It is found by Experience that the Act for Limiting the Continuance of Actions is reather a Prevention than a ffurtherance of Justice for that so many Unforeseen Casualties frequently happen in the Course of Legal Proceedings that a Certain Time cannot be Limited for their Continuance without imposing inevitable Hardships on the Suitors, against the very Right of their Causes. And whereas that Act imposes (and not unjustly) the Penalty on the party that is in fault; it some times happens, that Causes are Continued without Fault of either party as it happened the last Provincial Court, when in many Cases where the Parties were willing on all Sides, their Causes Could not be heard for the vast number of Criminal Prosecutions, that took up almost the whole Time of the Court, tho' it Sat Longer than any Court for many years has been known to do. It would be tedious to enumerate the many Instances that have happened Since the Making that Law and which may hereafter happen.