

such person tendering good and Sufficient Surety, to the Value of the Goods or Cattle distrained or taken, to return the same or the Value with Costs; such Sheriff ought of right to deliver or cause to be Delivered to such person, his Goods and Cattle so taken or distrained, And return to the Next County Court such Cause of taking together with the security taken for prosecution of the suit or delivered &<sup>ca</sup> Your committee likewise humbly apprehend that from the Nature of the said County Courts the Matters tryable therein, the oath of the Judges to hear and determine according to the Laws, customs, an Directions of the Acts of Assembly of the Province, so far as they provide and where they are Silent, according to the Laws Statutes, and reasonable Customs of England, as used and practised within the Same. That there may be a great Failure of Justice, and attended with evil Consequence to his Majesty's liege, loving and Dutiful Subjects the Inhabitants and people of this province; if a Writ of replevin, as well as other Writs for matters cognizable in the said County Courts, may not be made out by the Clerks of the same Courts

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And it seems inconsistent with common Sense and reason, that the same Clerk should have power to make out a Writ or process, to restrain the Liberty of man And not that of reclaiming his Goods or Chattles wrongfully taken or detained.

Your Committee humbly conceive, that in order to avoid any Doubts which may arise concerning the Right of the Subjects to have such Writ made out by the Clerk of the County Court, notwithstanding the reasonableness of the Case, That an Act should pass the Legislative power to that purpose for the Ease and Security of his Majestys Subjects. But is humbly submitted to the Consideration of your Honourable House

Signed per order V. Denton, Clerk.

With which the House Concurs, and referred the same to the Consideration of the next Assembly. The House taking into Consideration the report from the Committee of Laws relating to Salt Concurs therewith, and referred the same for Consideration [to] the next Assembly. M<sup>r</sup> Addison hath Leave of the House to go home

The House Adjourns until 2 of the Clock in the afternoon

Post Meridiem.

The House met according to Adjournment.

The following Message, [was sent to the Upper House by Messrs Gordon and Dulaney] (See page 46)

The following Message; (See page 46)

Was sent to the Upper House with the Journal of Accounts by M<sup>r</sup> Worthington Col. Dashiell and D<sup>r</sup> Buchanan.

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