

without the Formality of any Writ, and by a Statute of Phillip and Mary, Sheriffs are to appoint four Deputies at the least, dwelling not above Twelve Miles distant from each other, to make Replevies, and Deliverance of Distresses.

L. H. J.
Liber No. 54
Dec. 13

In those Statutes we have the Satisfaction to observe, that no Fee or Perquisite was referred to the Chancellor, as the Price of that Ease and Convenience to the Subject, which they, no Doubt, were intended to procure. And it may be observed too, that when those Alterations in the Law took Place, Distresses were held as Pledges or Securities only, and consequently the Evil then not so great as at this Time, when, by the Practice here, under the Statute of William the 3.^d Distresses may be taken and sold at the End of Five Days, which apparently increases the Evil, and shows the Necessity of speedy Replevins, which are generally prosecuted by needy Tenants, out of whose Pockets the Fee reserved by your Amendment to the Chancellor must be extracted.

On this Occasion, permit us to assure your Honors, that we shall never advisedly consent to any Fee being paid where no service is done, and shall be still more averse to the Establishment of a Principle so incompatible with political Regulation, as that of paying a Fine under the Name of a Fee, for the facile obtaining of Justice; nor can we imagine that his Excellency the Governor would, as Chancellor, regard a trifling Loss arising from the Passage of a reasonable Bill, which has constantly been desired by the People for a long Course of Years. p. 27

For these Reasons we have returned your Honors the Bill, upon an Expectation that you will recede from your First Amendment

We also disagree to the second Amendment, and think a Clause of Continuance unnecessary. We apprehend no Inconvenience can arise from more nearly conforming our Practice to the Laws of our Mother Country, which have been long in Use and produced happy Efforts, but still, should you think proper to give the Bill a Continuance for Three Years, and to the End of the next Session of Assembly thereafter, we are willing to pass it with that Amendment, and not otherwise.

Sign'd by Order T. Wright Cl: Lo: Ho:

Which was read, approved of, and Ordered to be engrossed.

The Serjeant at Arms returned the Order of this House of the 7.th Instant, with the following Indorsements, viz. I hereby depute Allen Quynn to serve the within Order. Witness my Hand this 7.th Day of December 1769

Robert Saunders, Serj.^t at Arms

Allen Quynn makes Oath on the Holy Evangels of Almighty God, that he went to the House of Richard Lee Esq; in Charles County,