

It is therefore proposed by this house that the several Copy be Enabled by a Supplemental Law
Act to fine those who do not perform their Duty according to the Act for regulating the
Malitia and with a Liberty to the Officer so find if he think himself aggrieved to appeal to two
of the Chief Officers for relief - Signed of Order John Beale Clerk of the House

Mr Silghman from the Upper house Delivered Mr Speaker the following Message viz^{to}
By the Upper house of Assembly July the 22^d 1721

Gentlemen It is found by Experience that the Act for admitting the Continuance of Actions
is rather a prevention than a furtherance of Justice for that so many Unforeseen
Casualties frequently happen in the course of Legall 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 parties that is in fault it sometimes happens
that Causes are continued without fault of either party as it happened the Last
Broo^l Court when in many Cases even the parties were willing on all sides their Cases
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 wherefore
we do not think it advisable to continue that Law unless you could provide against
the Sickness or other Casualties Incident to the Judges the Witnesses the Parties and
Officers and generally in all Cases where the Act of God may Intercede w^{ch} is Impossible and
therefore we recommend to you the preparing a Short Bill for the repeal of that Act and to
save to the parties that suffered last Broo^l Court by that Law their full Right to
proceed in their respective Causes as if such Act had never been made

Signed of Order John Beale Clerk of the House

The house Adjourns till 8 o'clock on Monday Morning
Monday Morning July the 24th 1721 The house met according to Custom most
Saturdays Proceedings are read - Ordered the following Message be prepared viz^{to}

By the Lower house of Assembly July 21st 1721
May it please your Hon^{rs} This house is of Opinion that the Act for regulating
the Malitia Act provided a suff^{ic} punishment for the Delinquents of that Act

Signed of Order M^r Jerifer Clerk upper House

and sent to the Upper house by Mr Mackall and Mr Hyson
they return and say they Delivered it - Ordered the foll^l Message be prepared viz^{to}

By the Lower house of Assembly July the 26th 1721 May it please your Hon^{rs}
We have recd your Message by Mr Silghman recommending to us the Repeal
of the Law for admitting the Continuance of Actions in the severall Courts and
having seriously Considered the same are humbly of Opinion that the Intent
of the Law as well as Express words relating to the Broo^l Court do Import that
the Jurisdiction of the said Court doth Extend to the Expiration or End of four Courts
Exclusion of the Appointed Court which Length of time doth seem very suff^{ic} to us
to Dispatch the business of the same for w^{ch} reason we cannot incline to make a
Repeal or any alteration of the said Law adding further this Consideration that
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