

his account of the 3<sup>d</sup> part appropriated for the purchasing of arms and  
ammunition for defence of this Province from the 9<sup>th</sup> of November  
1707. to the 28<sup>th</sup> day of October 1715. being (as a sum) was ordered to be paid.  
And a motion made the Question was put whether his accounts as  
now stated shall pass and be allowed of or not.

Resolved in the Negative by Majority of voices.

And thereupon it was ordered that the same be referred for future  
consideration.

The Honorable Col Comdr Col M<sup>r</sup> Whittington and Col Richard  
Hilghman deliver Mr. Speaker the following Message. (Brief)

By the U<sup>p</sup> House of Assembly July 20<sup>th</sup> 1716.

Gent<sup>l</sup>

In answer to your Message by Col Marshall and others. It is the  
opinion of this house that altho the Legislature of the Province to  
redress a general grievance complained of and represented from  
all parts of this Province have (giving way to the hard circumstances  
of the Inhabitants) thought fit to oblige the U<sup>p</sup> in any action not  
exceeding 500<sup>l</sup> Tobacco or twenty pounds to sue in the County Courts and  
not else where yet we cannot think this grievance now proposed  
has any colour of being general or any ways forces any greater hardship  
to the U<sup>p</sup> here than what his Majesty's Subjects of England by and under  
being obliged to follow their Causes to the Superior Courts provided  
such habeas Corpus be duly obtained (That is to say) the previous  
requisites performed in Order for the attainment thereof (Brief)  
good Security given to abide the Superior Courts Judgment and a  
Hiders allowance on the Back of the writ, and likewise that it is  
offered before the issue doyned or any one duor sworn in the lower  
Court, and not for a less sum than limited, so that what you offer we  
conceive had no weight in Parli. with the other general grievances of many  
people being brought to the Provincial Court, where they have needed  
Neighbours or Friends to baile them to their great Expence and Impover-  
ishment but if it should be granted because the Legislature has thought  
fit to enact the other for the defendants advantage and at their prayers  
yet we think it will still be invading the Subjects birth right to deny  
the U<sup>p</sup> the benefits of the Laws to favour the Plaintiffs, especially  
when it is considered that it may often happen that U<sup>p</sup> interest in  
the County may be far more prevalent than the defendants, so  
that he cannot reasonably expect an Impartial tryall there, and it is  
further observed that since the people have desired to be sued in  
their own County it is not likely they will remove any suits unless  
their be a special Cause which we can't see any reason to debar  
them off.

Signed for order W Bladen Clk U<sup>p</sup> Ho.