

461
which was so indorsed, and sent to the Upper House by Mr. Bramble
and Mr. Edmondson, they return and say they delivered it
Col. Addison from the upper house delivers Mr. Speaker the
following message, viz.

By the Upper House of Assembly April 18th 1720
It being represented to this House that the (Deputy Commissary's
Bonds usually taken for the execution of their Offices have been taken
in the Name of the Commissary General himself and not in the
Name of his Majesty or his Lordship whereby such persons as are
injured by the Misfeasance of such Officers are under difficulties
to come at those bonds, the Attorney General giving this House a
late Instance thereof in some bonds taken by John Cortes Esq. late
Commissary General whose Executive has refused to deliver such
bonds into the Commissary's Office or to suffer them to be paid in Suit
without giving her Security for her Indemnification thereon

Wherefore it is recommended that there be an Act or Clause of
an Act declaring all bonds formerly taken in the Name of the
Commissary General may be lawfully sued in his Lordship's Name
at the Instance of any person aggrieved in the same Manner
and under the like directions as the Sheriff's bonds and other public
bonds are allowed to be and that for the future all such bonds be
taken payable to his Lordship in not less than two hundred pounds
Sterling p^{er} annally as usual and lodged in the Commissary General's
Office for the benefit of those that shall have cause to sue the same.

Signed & Order, John Beall Esq. Secy. Ho.

Ordered that Samuel Gorng Esq. Treasurer of the Western Shore
pay unto his Excy the Governour the Money allowed him in the
Journals of the Committee of Accounts this Session,

The Petition of Mr. Thomas complaining of the Lands &
Commissaries of Kent County Read and referred till next Session,
and ordered all parties concerned have Notice thereof

Bill empowering Commissioners to sell the Estates of Col. Thomas
Smithson of Talbot County and Tho. Smithson of Dorchester County
Ordered to be thus indorsed viz.

By the Lower House of Assembly April the 18th 1720
May it please your Honours
This House are not willing to allow
the Sale of the said Smithson's Lands, but that they remain to be sold
generally towards satisfying the parties injured by the warranty
therein mentioned their General damages and Costs, but are
willing the several devisees shall have the liberty of redeeming their
respective Estates devised them as well to the heirs, and as to the