

By the upper House of Assembly August the 4<sup>th</sup> 1721  
 Gentlemen, On reading the amended Bill and hearing the  
 Evidences thereon we Esteem it a thing of more dangerous  
 consequences to admit any Evidence to alter the affect  
 of a will made so many years since and besides the  
 Evidence produced us on this occasion is so short that  
 we can lay no weight upon it, But on perusal of the  
 words of the will we are clearly of Opinion that the deviser  
 has sufficiently Explained his intention to devise a tenancy  
 in common in fee simple to the devisees on the cond<sup>n</sup> as in  
 the will mentioned for that the word Inher<sup>t</sup> can only relate  
 to an Inheritance and shall by Implication as well extend  
 to the immediate devisees as to those that are to take by  
 survivorship on condition and that therefore it is plain  
 that what the deviser intended by the words of devisee to  
 the devisees was an inheritance w<sup>ch</sup> must be a fee  
 and therefore to avoid making a Law for relief of a person  
 that seems already relievable by the Laws in force and  
 the more strictly to conform to the directions in his  
 Lordships speech we reject the Bill and refer the parties  
 petitioning for it to the Common Law for their relief

Signed & Order John Beall Clk. Upp. House

Coll Ward from the upper house delivered Mr Speaker the following  
 Message viz<sup>t</sup>

By the upper House of Assembly August the 4<sup>th</sup> 1721  
 Gentlemen, we approve of your proposals to the several allowances  
 to be made in money

Signed & Order John Beall Clk. Upp. House

The House proceeds to tax the fees on the sev<sup>l</sup> Bills following viz<sup>t</sup>  
 To the Hon<sup>ble</sup> the Speaker

On the Naturalization Bill for Gustavus Neffelin	£ 20 . . .
To the Clerk for Ditto	1 . . .
Setts on Christ. Geist to the Speaker	2 . . .
To the Clerk for Ditto	1 . . .
To the Speaker on Dr. Gladstones Bill	1 . . .
To the Clerk for Ditto	0 . 10 . 0
To the Speaker on Dr. Georges County Bill	4 . 0 . 0
To the Clerk for Ditto	2 . 0 . 0

Ordered the following Message be prepared viz<sup>t</sup>

By the Lower House of Assembly August the 4<sup>th</sup> 1721.

May it please your Hon<sup>rs</sup> this House having taken into  
 their consideration the continual charge they have been at in