

226 VOTES AND PROCEEDINGS, NOVEMBER 1769.

“ By the Upper House of Assembly, *December 11, 1769*: Read the Second Time, and will pass,
 “ with the following Amendments, viz. At the Beginning of the 5th, and End of the 6th
 “ Line from the Top of the last Page, strike out the Words, *Town of Joppa*, and insert in both
 “ Places, in the Room thereof, the following Words, viz. *Place commonly called Bush-Town, on*
 “ *Bush-River.* Signed by Order, U. SCOTT, Cl. Up. Ho.”

Which Bill, with the Amendment, was read, and ordered to lie on the Table.

ORDERED, That the same be taken into Consideration To-morrow Morning.

Mr. Beall appeared in the House.

The Bill, entitled, *An Act for emitting Bills of Credit, and other Purposes therein mentioned*, was read the Second Time, and will pass. Sent to the Upper House, by Mr. Johnson, Mr. E. Tilghman, Mr. Paca, Mr. Hollyday, Mr. M. Tilghman, Mr. Hall, Mr. Ringgold, Mr. Chase, Mr. Grubbs, Mr. Allen, Mr. Dickinson, Mr. Hayward, and Mr. Beall.

Benedict Calvert, Esq; from the Upper House, delivered to Mr. Speaker, the Petition of William Reynolds, of the City of Annapolis; indorsed: “ By the Upper House of Assembly, *December 12, 1769*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho.”

Which was read the First Time, and ordered to lie on the Table.

The House adjourns 'til To-morrow Morning IX o'Clock.

W E D N E S D A Y, DECEMBER 13.

THE House met according to Adjournment. The Members were called, and all appeared as on Yesterday. The Proceedings of Yesterday were read.

Mr. E. Tilghman brought in, and delivered to Mr. Speaker, a Bill, entitled, *A Supplementary Act to the Act, entitled, An Act for laying out a new, and settling and ascertaining the future Bounds and Limits of St. Luke's, Christ's-Church, and St. John's Parishes, in Queen-Anne's County, and St. Paul's Parish, lying partly in Queen-Anne's, and partly in Talbot County*: Which was read the First Time, and ordered to lie on the Table.

The Bill, entitled, *An Act to secure to Thomas Smyth the Right in a Lot of Land in Chester-Town*, was read with the Amendments, and passed for engrossing.

The Order of the Day being read, the House took into Consideration the Amendment proposed to the Bill, entitled, *An Act for appointing Places for holding the next Election of Delegates for Baltimore County*; and, after some Debate thereon, RESOLVED, That this House do agree to the said Amendment. The Bill passed for engrossing.

Mr. Edward Noel, a Delegate returned for Dorchester County, appeared in the House.

ORDERED, That Mr. Sullivan, and Mr. Steele, do go with the Gentleman to the Upper House to see him qualified. They return, and acquaint Mr. Speaker, they saw him qualified, in the usual Manner. The Gentleman took his Seat.

The Bill, entitled, *An Act for the Relief of Mary Hindman, of Talbot County*, read the Second Time, and will pass. Sent to the Upper House, by Mr. Dickinson, and Mr. N. Thomas.

Mr. Johnson brought in, and delivered to Mr. Speaker, the following Message:

By the LOWER HOUSE of ASSEMBLY, *December 13, 1769.*

May it please your HONOURS,

WE cannot agree to the First Amendment you propose to the Bill for issuing Writs of Replevin out of the County Courts of this Province: We are pleased, however, to find that you see the Utility of that Bill, and are willing to hope that you will at all Times cheerfully co-operate in rendering the Constitution of our Courts, and our legal System of Justice, as perfect as possible.

Your Honours well know, that in England Replevins by the common Law were made by original Writ, and that to expedite the Remedy, by a Statute of Henry III. Sheriffs are to make Replevin without the Formality of any Writ, and by a Statute of Philip 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.

In those Statutes we have the Satisfaction to observe, that no Fee or Perquisite was reserved 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 these 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 III. Distresses may be taken and sold at the End of Five Days, which apparently encreases 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.

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