

78 VOTES AND PROCEEDINGS, OCTOBER 1771.

By the LOWER HOUSE of ASSEMBLY, 28th, Nov. 1771.

May it please your HONOURS,

WE herewith send you a Resolve of this House, relative to the Deputies of several Tribes of Indians who are expected to pass through this Province, for your Concurrence.

As we have no Business at present before us that requires our staying any longer, we request your Honours to return such Bills as may be lying on your Table, that a speedy End may be put to this Session.

Signed by Order, JOHN DUCKETT, Cl. Lo. Ho.  
Being prepared, was sent to the Upper House, with the Resolve mentioned therein, by Mr. Tilghman and Mr. Johnson.

Mr. Tilghman brings in and delivers to Mr. Speaker the following engrossed Address.

To his Excellency ROBERT EDEN, Esquire, Governor and Commander in Chief in and over the Province of Maryland.

The humble ADDRESS of the HOUSE of DELEGATES.

May it please your EXCELLENCY,

IN Answer to your Message, relative to the Delaware, Munsee and Mohokin Indians, we are willing to make Provision for the Deputies of those Tribes in their Passage through this Province, and have therefore resolved, that a Sum of the Publick Money in the Hands of the Treasurer of the Western Shore, not exceeding Fifty Pounds common Currency, be applied for their immediate Accommodation.

We do not look upon it that the People of this Province can be affected by any Claim of Indians to their Lands, and therefore do not think proper to burthen them with any Sum to be given by Way of Present.

Which was read and assented to, and signed by Order of the House by the honourable Speaker.

ORDERED, That Mr. Mackall and Mr. Contee do acquaint his Excellency that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint Mr. Speaker, the Governor signified he would receive the Address at Eleven o'Clock To-morrow Morning in the Lobby of the Upper House.

George Stewart, Esq; from the Upper House, delivers to Mr. Speaker the following Message

By the UPPER HOUSE of ASSEMBLY, Nov. 28, 1771.

GENTLEMEN,

THIS House concurs with your Proposition, that a Sum of the Publick Money in the Hands of the Treasurer of the Western Shore, not exceeding Fifty Pounds common Currency, be paid to the Order of his Excellency the Governor, for the Accommodation of the Deputies of the Delaware, Munsee and Mohokin Indians, whilst in this Province.

Signed by Order, U. SCOTT, Cl. Up. Ho.  
The Paper Bills No. 37, 38; severally endorsed: "By the Upper House of Assembly November 28, 1771: The engrossed Bill, whereof this is the Original, read and assented to."

Signed by Order, U. SCOTT, Cl. Up. Ho.  
And the Bill, entitled, A Supplementary Act to the Act, entitled, An Act for the more effectual securing of Orphans Estates; thus endorsed: "By the Upper House of Assembly, November 26, 1771: Read the First Time and ordered to lie on the Table."

Signed by Order, U. SCOTT, Cl. Up. Ho.  
"By the Upper House of Assembly, Nov. 28, 1771: Read the Second Time and will pass with the Amendments annexed."

Signed by Order, U. SCOTT, Cl. Up. Ho.  
At the End of the Bill add as follows, viz. "And whereas Estates of deceased Persons, from a Tenderness to Executors and Administrators, are frequently estimated by the Appraisers, below their true Value, and the Executors and Administrators are or ought to be accountable for the full Value, so far as the same shall be sold upon an open, fair and publick Sale, and on the other Hand they ought only to be answerable for what the same shall be so bona fide sold, at or below its true Value, it shall be below the Estimate of the Appraisers. And whereas there are perishable Goods in all such Estates, which the Executors or Administrators frequently take to themselves, at the appraised low Value or Estimate returned to the Prerogative Office, or suffer them to be by Use or Abuse diminished in Value, to the Injury of the Legatees and others: Be it therefore enacted, by and with the Consent and Advice aforesaid, that all Executors and Administrators, shall hereafter, as soon as conveniently the same may be done, sell and dispose of all such Goods and Chattels of their Testator or Intestate, (Manuscript Books and Papers of all Sorts, Family Pictures and specifick Estate, according to the Acts of Assembly, excepted) as are or may be liable to perish, consume or be the worse for using or keeping; and also when other Personal Estate is all duely administered and paid away, shall sell as much only of the specifick Personal Estate as shall be necessary to discharge the Debts and Legacies (other than specifick Legacies) of the Testator, or the Debts of the Intestate, for the most that can be got for the same in Money, by