

Present as Yesterday except Benedict Calvert Esq.^r

An Engrossed Bill by Mess :^{rs} Magruder &

U. H. J.
Liber No. 36
Nov. 11

An Act to impower John Paca, Robert Adair, Moses Hill and Margaret his Wife, to sell and dispose of the Land therein mentioned, late the Lands of William Hammond of Baltimore County, Deceased, for the payment of the Debts of the said William Hammond, thus subscribed

Read & assented to by the Lower House of Assembly

11.th Nov :^r 1763

signed p Order MMacnemara Clk. Lo. Ho.

Read and assented to by this House and ordered to be so Subscribed

Read the Petition of George Maxwell of Charles County praying that the Warehouse called Emersons Warehouse may be removed referred to the Lower House of Assembly and sent by Richard Lee Esq :^r

The following Message with the Bill for the Advancement Justice is sent by John Ridout Esq.^r

By the Upper House of Assembly 11.th Nov :^r 1763.

Gentlemen

In answer to your Message of the 9.th Instant Attending the Bill for the Advancement of Justice we are to inform you that after the most mature Consideration we think it by no means expedient to recede from our first Amendment—An Expeditious Remedy is apparently of great Advantage to the Creditor, and is also, in most Cases, beneficial to the Debtor; for when the Creditor has the assurance of Speedy recovery he may With the less Hazard indulge his Debtor, but when on the Contrary he has good grounds to suspect that He shall be delayed in the Recovery of his Demand, He will naturally make allowance for the Delay He will be Subject to, & therefore be the more early in instituting his Suit, when the Circumstances of the Defendants Case may render it proper to allow Him an Imparlancc He is so far from being Precluded from that Benefit that He will clearly be intituled to it: for by the terms of our amendment, upon Sufficient Cause being Shewn, an Imparlancc is to be allowed,

We thought and still think that the Operation of the Bill as it was Originally framed would give an Exclusive Jurisdiction to the County Court, to the full extent of the equitable Power you conferred upon Them; but as we perceive by your Message that you only Intended that the Jurisdictions of the Court of Chancery and the County Court should be concurrent as far as £20 Sterling, or 5000.^{lbs} Tobacco we Consent that the Bill should Stand agreeable to your Draught with the Addition of the following Proviso to be