

it be in the Provinciaall Court, or (if it be in the County Court) Liber P R the Comander and Commissioners of the County or the maior part of them (then present in Court) shalbe Judge in all causes (as aforesaid) not exceeding their Commission, so that after iudgem^t there be power of appeale to either partie to the Provinciaall Court. Provided that the Lieutenant Gräll of the Prov: or any one of the Counsell, or the Comander of the County of Kent, or (in his absence) the next in Commission then being in the County, may determine & correct any offences w^{ch} are or may be determined & corrected by a Justice of Peace in England, any thing in this Act notwithstanding.

And if the votes of the Judges be æquall, that iudgem^t, shalbe entred w^{ch} is given by the cheife Judge in Commission.

Provided that no Judge may exercise any act of iudicature in any cause or matter wherein himselfe is interested as a party; nor before he have taken an oath to administer æquall iustice to all persons according to the Lawes of the Province, to the best of his skill and power & to delay nor deny to no man right or iustice.

And in case of absence, out of the County or hundred, of all others at that time in Commission, or in case of default of all others in Commission (being in the County or hundred & having lawfull notice & warning of the Court) the cheife Judge in Commission may iudge and determine all causes during such absence or default, to all the same powers & effects as if the rest in Commission were present & consenting with him.

And in case of absence or infirmity of the cheife Judge in Commission vpon any of the Court daies appointed by the Law; the next in Commission, then being in the County or hundred (vnlesse some other of the Commission be appointed by the Lord Proprietary or his Lieutenant Gräll) shall hold the Court & supply the place of the said cheife Judge to all intents & purposes.

And in cases where the cheife Judge in Commission is interested as a party, the next in Commission (then present in the County or hundred) may award all processe necessary for for p. 19 bringing the cause to determination, and may appoint & hold a Court for the determination thereof in the same manner & to all the same effects & powers, as the said cheife Judge might in other cases. Provided that the Lieutant Gräll be not suable for any cause or matter arising in or for the execution of his Office, nor that any processe be awardable against his person, nor the persons of his necessary meniall servants (in the cases aforesaid) nor that any processe be awardable against his goods or chattells, vntil the partie have delivered to the Judge the petition containing the right or damage in