

the Councill of State for the time being and the Secretary of the Province for the time being or other Register appointed by the Lieutenant Generall shall record all matters and proceedings in this Court and the said Lord Proprietarie or his Lieutenant Generall and the said Councill Secretary or Register or any three of them whereof the said Lord Proprietarie or his Lieutenant Generall and Secretary or Register to be alwayes two) Shall be a Court of Record and Shall be called the pretoriall or the pretoriall Court and the said Pretoriall shall or may enjoy use and exercise all or any powers priveledges and Jurisdicions within this Province in any the causes aforesaid necessary for the tryal and punishment of the said crimes and offences

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And untill there be a Seal appointed for this Court by the Lord Proprietarie all prosesse and writts and other Judiciall acts in matters and causes appertaining to this Court Shall or may be drawn and Signed by the Register of this Court which Signature Shall be a sufficient Warrant to the Chancelour or keeper of the Seal to put the great Seal thereto and they shall or may be directed to the parties or wittness themselves or to the Sherif of the County or to any other Officer named upon the Writt

And such formes of proceeding and triall upon information indictment or appeale Shall be used and observed in this Court as are most agreeable to the laws of the province or otherwise to the formes used and observed in England in the same or the like causes as neer as the said Court shall be able to Judge or otherwise such formes as the said Court shall appoint or approve to be used and observed (in cases not provided for by the law of the Province) and all such formes once appointed and entered upon Record in the Court shall be for ever after used and observed in the Court untill they or any of them be altered by Act of Assembly And all enormous offences aforesaid Shall be tried by the said Court and all capitall Crimes of treason or felony shall (upon an indictm^t by a Grand inquest) be tryed by a Jury of twelve freemen to be returned by the Sherif And any Lord of a Mannour endicted of any Capitall offence Shall be tried by the said Lieutenant Generall and by twelve or more Lords of Mannours (if there be so many within the County capeable of such a charge) or in default of so many Lords of Mannours then by so many Lords of Mannours and freeholders of the County (to be returned by the Sherrif) as shall make up the number of twelve at the least And the said Lords of Mannours and freeholders empanelled shall be called and judged his peers and conviction shall be by the said Lieutenant Generall and the said Peeres or the major part of them agreeing in their verdict

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