

are remarkable, nor do they want Capacity. M<sup>r</sup> Brice whom Letter Bk. IV  
as he is Chief Justice I should have mentioned first, was as I  
have been told appointed by M<sup>r</sup> Ogle many years ago to pre-  
vent the Court's falling, there being not Magistrates enough  
present to hold it & do Business. In point of Understanding  
I believe he is equal to almost any on the Bench & I suppose  
rather better acquainted with the Forms of Proceedings than  
any of them except those two Gentlemen of the Council who p. 123  
I have already told you practiced formerly at the Bar. In  
answer to what is said of the Impropriety there seems to be  
in their Sitting on the Bench as Judges on Causes that may be  
afterwards removed into the Court of Appeals which by Act  
of Assembly is composed of the Members of the Council, I do  
not think there is much in it, because if they have given their  
Opinions in the Provincial Court they may (as they always do)  
decline sitting in the Court of Appeals on the same Cause ; &  
it may be as well said that the Lawyers who are Members of  
the Council ought not to plead in the inferiour Courts because  
by our Constitution they are a Part of the Court of Appeals  
where the Causes they are concerned in below may possibly  
come to be finally determined. The other Provincial Justices  
are M<sup>r</sup> Hepborne a Gentleman of no extraordinary Talents  
nor yet uncommonly weak & I really believe that few People  
in the Province are better disposed. Of Doctor Steuart who  
is another of the Justices I shall say nothing (because I imagine  
you are already pretty well acquainted with his Character) but  
that I think his Attachment to the Ld proprietary cannot be  
doubted. There is also one Col<sup>o</sup> Hall among the Provincial  
Justices who is the Chief of a considerable Family of that name  
in Baltimore County his Abilities likewise are of the Middle  
kind & I never heard of his being disaffected to His Ldp or  
his Government. Besides these there was one M<sup>r</sup> Hands till  
November last when being desirous to do him a Kindness I  
appointed him Sheriff of Kent County, in which it may be p. 124  
also said there is some Impropriety since he is now a Minister  
of an inferiour Court, but after all how can one otherwise make  
such Gentlemen any Recompence, for as to the Allowance  
made them by the Country it is little more than enough to  
defray their Expences, Upon the whole I cannot say that I  
think our Provincial Justices equal to their Office, but at the  
same time I know not how the Evil is to be remedied, if such  
Men are not to be got as one could wish we must be contented  
with such as we can get & it would become the Lawyers  
instead of holding them cheap to make Allowances for their  
Want of a Regular Education & unless the Judges Conduct  
on other Occasions affords Room to think that they are partial  
or ill disposed Common Charity would incline one to attribute