

Original
Journal.ffryday September 28th 1694.Councill Mett & Sate & were p^rsent as before

The Answer & Opinions of the Attorneys last night Referred taken into Consideracon & Ordered to be sent downe to the house of Burgesses.

That in the Third proposall made to the house By this Board 25th September last relateing to County Courts the Justice be Obleidged to send out his sumōns or warr^t to the party asking the same and that there be a certain ffee settled for the Justice making out such Warr^t or Sumōns & another ffee for making up the Record & Returning it to the County Courts and that another ffee be settled upon the Clerk of the County for Entering the same in the County Record for w^{ch} a particular Record Booke shall be kept. That the Justice have power to depute any pson to Execute the said Warr^{ts} & that the Justice keep a Record of all his proceedings.

p. 21 That whereas it is Observed that great delayes have been Occasioned & persons put to great Expence & Charge & kept out of their Debts by Reason of Appeales & writts of Error brought from the County Courts to the prov^l Court of this Province, it is proposed that a Law be made to prevent such delays if possible.

That Noe Accōn shall be Comēced in the Prov^l Court unless the Cause of accōn exceed the sumē of Twelve hundred pounds of Tobacco. And that noe Appeale shall lye from the County Courts to the Prov^l unless the Debt & Damages exceed the sumē of Two thousand pounds of Tobacco.

That an equall number of itinirant Justices of the Prov^l Court be Appointed on each side the Bay & that they Ride the Circuits in the nature of Judges of Assizes in England every yeare as often as they shall thinke fitt And that a Provin^l Office be Erected & kept on Each side the Bay likewise from whence all process shall issue as formerly ;

The number of Justices & Sallary left to the Consideracōn of the House ; The Clk on each side the Bay keeping the Prov^l Office obliedged to Attend the said Justices in their Circuits & To Transmitt The Record to the Office.

That a Law be provided for to Appoint some certaine time, after the Justices finishing their Circuits for the Govern^r and Covncills siting to hear all appeales & Writts of Error & that noe Appeale lye from the Prov^l Court to the Govern^r & Covncill under the sumē of 100^l st^r or 40000^l of tobacco nor from them to the King & Covncill under the sumē of 300^l st^r pursuant to their Maj^{ties} Royall instructions* the thing Appealed for to be Vallued by the Court to be worth such a