

October the 15th 1697.

Lib. H. D.

Produced by his Ex^{ncy} to the Board Copy of an authority by him given to M^r Thomas Addison for seizing any Syder or other Liquo^{rs} imported into this Province at the head of Potomock and not making due report and entry according to Act of Assembly &^{ca}

Information being given that severall quantities of Liquor are Generally brought over from Virgin^a into those parts & sold to the Rangers at the Garrison, and to the Inhabitants of the upper parts thereof.

Ordered that Major Will^m Dent Navall Officer of that district give a Deputation to the s^d M^r Thom^s Addison to officiate as his Deputy in those parts, and th^t the Hono^{ble} Coll In^o Addison administer to him the Oath of Trade & Navigation, who is hereby accordingly Empowered to administer such Oath.

October the 19th 1697.

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The Councill Sate and were present.

His Ex ^{ncy} Francis Nicholson Esq ^r Cap ^t Gen ^l & ^{ca}	
Coll: Henry Jowles	} Coll: Charls: Hutchins }
Coll: George Robotham	
Coll: Nich ^o Greenberry	
Thom ^s Tench Esq ^r	
	} Thom ^s Brook Esq ^r }
	} James ffrisbey Esq ^r }

The Hono^{ble} S^r Thom^s Laurence Baron^{tt} Sec^{ry} being sick sends and desires to be excused.

The Justices & Lawyers of the Provinciall Court being summoned to appear at this Board, came accordingly.

His Excellency is pleased to tell them that he has observed in the Courts of this Province that they commonly proceed to Judge upon matters, according to conscience & equity and not according to the Rules of Law; and that as the King has a Court of Equity here, the Courts of Law ought not to take upon them matters properly tryable in Chancery.

He is also please to tell the Chife Iustice that in giving his charge to the Iuries, he should direct them to find the matter of fact according to evidence and not (as usually they do) to consider the poverty of the Person, by thinking the party will be ruin'd if he looses the cause; and th^t such a direction be given th^t where there is matter of Law, they should then bring in a special verdict, and leave it to the Court.

Produced again & read the Report of the Kings Lawyers, in the case of James Cranford Attorney at Law, about dismissing him from his practice &^{ca}