

*Proceedings of the Council of Maryland, 1696/7-98. 277*

Runn generally to the next Justice (in case of Sickness or Lib. H. D. absence) throughout the whole Commission.

This is humbly submitted to y<sup>or</sup> Ex<sup>ncy</sup> by

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Your humble Serv<sup>t</sup>  
R Gouldesborough.

I am humbly of this opinion Viz<sup>t</sup>

1<sup>st</sup> That the Publication of the new Comission by reading it was not ipso facto a discharge of the old.

2<sup>d</sup> That the old Comission is in force till the Justices in the new have capacitated themselves by swearing to execute the same for the Comission by the Tenor thereof does not Empower them till that is done.

3<sup>d</sup> That therefore the old Comission is yet in full force & the Writts, Precepts & process continued in force.

4. But that it may be convenient & no wayes disagreeable to law to let the Dedimus run generally as is proposed.

which is humbly Submitted by

Your obedient Serv<sup>t</sup>

Will<sup>m</sup> Dent

I am of the same opinion George: Plater.

Ordered th<sup>t</sup> (considering the Kings Lawyers are divided in their opinion upon the case) the s<sup>d</sup> report & papers relating thereto be referred to the Justices of the Provinciaall Court for their opinion, to be given therein And th<sup>t</sup> they call to their assistance all the Practitioners of the s<sup>d</sup> Court for their advice & opinion also, and that a return thereof be made accordingly unto this Board w<sup>th</sup> all convenient speed.

Octob<sup>r</sup> the 19<sup>th</sup> 1697.

Produced & read the report of the Honoured the Justices of the Provinciaall Court in the case of Som<sup>r</sup>sett County Comission as follows Viz<sup>t</sup>

At a Provinciaall Court held at the Port & Town of Annapolis Thursday Octob<sup>r</sup> 19<sup>th</sup> 1697.

Vpon the Reading the Representation of the Inhabitants of Som<sup>r</sup>sett County relating to their new Comission, the Court was pleased to call to their advice all the Attorneys belonging to the said Court, and upon hearing the Allegations and Arguments on both sides.