

Lib. X. such Oath administred which Charge was to the Effect following viz^t that he would have them to Enquire the reason how the Levy came to be higher now then in the Lord Baltimores time or words to that Effect which was all that was Given them in charge at that time before his being Sworn to Secresy

And the said M^r Bladen made Oath thereto accordingly before his Excellency in Council

Ordered that it be Consulted by his Majestys Lawyers
 P. 39 whether or no Considering three of the Gentlemen of his Majestys honble Council have failed to be here & there being but three now present & the rest not Coming in Order to the Sitting as a Court for hearing Appeals & writts of Error pursuant to Summons & for that in Particular there now depends a Cause in Appeal before this Court upon an Information brought in the Provincial Court against the Sloop Pick Pockett of New York Arnold Nodin Master which will Require Determination speedily the Honble Coll^o Henry Iowles Chancellor may not upon this Absolute Case of Necessity Sit therein as one of the Iudges the said matter being Never likely to Come before him in Chancery & that they make Report thereon according to this Board with all Convenient speed

In Obedience thereto the said Gentlemen make the following Report viz^t

May it please your Excellency

It is our Opinion that Coll^o Iowles may sitt & Iudge this Cause together with the rest of the Council.

Geo Plater
 Rob^t Gouldsborough
 William Dent

The honble Robert Smith Esq^r Chief Iustice of the Provincial Court Major Iohn Hammond & Cap^t Rich^d Hill two more of the Iustices of the said Court are by Order sent for who came accordingly

His Excellency is pleased to acquaint them that the Reason
 P. 40 of his Sending for them at this time was that he had Considered with his Majestys honble Council the Great Want of more Councillors for the more Speedy Dispatch of Business respecting his Majestys & the Countreys Service in all Affairs of the Gov^t & other Matters coming before them by the Want whereof their is great Delay of Business & more Especially by the Death of three of his Majestys honble Council therefore thinks to recommend them to his Majesty as Persons fitting to Serve in that Quality & Station in the Room & Stead of the honble Coll^o Geo Robotham Coll^o