

Lib. X. This Board considering that altho the petitioners Estate is very inconsiderable yet that he is unworthy but that in regard to his Wife & poor Children will be destitute of any support most of the small Estate Consisting of 7 head of Cattle by which they are nourished advised & Ordered that the seizing his said Estate be suspended till his Majestys pleasure shall be Signified to the contrary however that good security be taken that the said Estate shall be forth coming when required

p. 283 It having been represented that one David Hughs had been convicted for Breaking a store & stealing some small Quantity of Rum & Sugar in which fact his Master was found to have been concerned with him it being Considered that the said David Hughes was a Servant under the Terror of his Master & being very young upon his Great Bewailing his Folley Ordered his Majestys Gracious Pardon be extended to the said David Hughes

His Excellency acquaints the Board that Lieu^t Col^l^o Thomas Smithson the present chief Justice of the Provincial Court had refused to serve in that station any Longer than this present Court & asks them who they would advise to supply his Place who say they know of none near so well qualified for that Employment:

Then was read the petition of Major W^m Dent his Majestys Atty Gen^l & other the practitioners of the provincial Court expressing how easy the said Col^l^o Smithson had made the Business of that Court by his knowledge of the Law & Beseeching either his Excellency to use means to continue the said Col^l^o Smithson in the said Station of Chief Justice or otherwise as in his Wisdom he should think fit to supply the said Office with some other able Learned & Discreet person

Read also the indorsement of the said petition by the honble the Justices of the Provincial Court approving the said petition & being desirous the said Colonel Smithsons desert should meet with a Suitable Reward for the extraordinary pains he takes in Discharging that Trust and Employment.

p. 284 And thereupon it was resolved that in regard, the said Col^l^o Smithson is so well qualified and gives such great Satisfaction to the Country in his Station & for that there is an absolute occasion of a present chief Justice in whose names the writts should bear Test that it be recommended to the next assembly to consider of some Encouragement to be given to the said Col^l^o Smithson for his Continuance in that Station and that the said Col^l^o Smithson be assured that if he will continue to serve in that Trust & Employment his Excellency & this Board will take care that he shall be paid as an Encouragement for the time he Serves not exceeding one year proportionably after